PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 415 (Part 1)

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2003–04

COMPRISING PERIOD
26 November—18 December 2003

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON—THE STATIONERY OFFICE LIMITED

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Chronology of The Parliamentary Debates

The Parliamentary History contains all that can be collected of the Legislative History of this country from the Conquest to the close of the XVIIIth Century (1803), 36 vols. The chief sources whence these Debates are derived are the Constitutional History, 24 vols.; Sir Simonds D'Ewes' Journal; Debates of the Commons in 1620 and 1621; Chandler and Timberland's Debates, 22 vols.; Grey's Debates of the Commons, from 1667 to 1694, 10 vols.; Almons Debates, 24 vols.; Debrett's Debates, 63 vols.; The Hardwicke Papers; Debates in Parliament by Dr. Johnson, &c. &c.

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Adams, Gerry (Belfast, West)
Adams, Katherine (Paisley, North)
Ainger, Nicholas Richard (West Carmarthen and South Pembrokeshire)
Ainsworth, Peter Michael (East Surrey)
Ainsworth, Robert William (Coventry, North East)
Alexander, Douglas (Paisley, South)
Allan, Richard Beecroft (Sheffield, Hallam)
Allen, Graham William (Nottingham, North)
Amess, David Anthony Andrew (Southend, West)
Ancram, Rt. Hon. Michael Andrew (Devizes)
Anderson, Rt. Hon. Donald (Swansea, East)
Anderson, Janet (Rossendale and Darwen)
Arbuthnot, Rt. Hon. James Norwich (North-East Hampshire)
Armstrong, Rt. Hon. Hilary Jane (North-West Durham)
Atherton, Candice Kathleen (Falmouth and Camborne)
Atkins, Charlotte (Staffordshire, Moorlands)
Atkinson, David Anthony (Bournemouth, East)
Atkinson, Peter Landreth (Hexham)
Austin, John Eric (Erith and Thamesmead)

B

Bacon, Richard Michael (South Norfolk)
Bailey, Adrian Edward (West Bromwich, West)
Baird, Vera (Redcar)
Baker, Norman John (Lewes)
Baldry, Antony Brian (Banbury)
Banks, Anthony Louis (West Ham)
Barker, Gregory Leonard George (Bexhill and Battle)
Barnes, Harold (North-East Derbyshire)
Baron, John Charles (Billericay)
Barrett, John Andrew (Edinburgh, West)
Barron, Kevin John (Rother Valley)
Battle, John (Leeds, West)
Bayley, Hugh (City of York)
Beard, Christopher Nigel (Bexleyheath and Crayford)
Beckett, Rt. Hon. Margaret Mary (Derby, South)
Begg, Anne (Aberdeen, South)
Beggs, Roy (East Antrim)
Beith, Rt. Hon. Alan James (Berwick-upon-Tweed)
Bell, Stuart (Middlesbrough)
Bellingham, Henry Campbell (North-West Norfolk)
Benn, Hilary James (Leeds, Central)
Bennett, Andrew Francis (Denton and Reddish)
Benton, Joseph Edward (Bootle)
Bercow, John Simon (Buckingham)
Beresford, Sir Paul Alexander (Mole Valley)
Berry, Roger Leslie (Kingswood)
Best, Harold (Leeds, North-West)
Betts, Clive James Charles (Sheffield, Attercliffe)
Blackman, Elizabeth Marion (Erewash)
Blair, Rt. Hon. Anthony Charles Lynton (Sedgefield)
Blears, Hazel Anne (Salford)
Blizzard, Bob (Waveney)
Blunkett, Rt. Hon. David (Sheffield, Brightside)
Blunt, Crispin Jeremy Rupert (Reigate)
Boateng, Rt. Hon. Paul Yaw (Brent, South)
Borrow, David Stanley (South Ribble)
Boswell, Timothy Eric (Daventry)
Bottomley, Peter James (Worthing, West)
Bottomley, Rt. Hon. Virginia Hilda Brunette Maxwell (South-West Surrey)
Bradley, Rt. Hon. Keith John Charles (Manchester, Withington)
Bradley, Peter Charles Stephen (The Wrekin)
Bradshaw, Benjamin Peter James (Exeter)
Brady, Graham Stuart (Altrincham and Sale, West)
Brake, Thomas Anthony (Carshalton and Wallington)
Brazier, Julian William Hendy (Canterbury)
Breed, Colin Edward (South-East Cornwall)
Brennan, Kevin Denis (Cardiff, West)
Brinton, Helen Rosemary (Peterborough)
Brooke, Annette Lesley (Mid-Dorset and North Poole)
Brown, Rt. Hon. James Gordon (Dunfermline, East)
Brown, Rt. Hon. Nicholas Hugh (Newcastle upon Tyne, East and Wallsend)
Brown, Russell Leslie (Dumfries)
Browne, Desmond Henry (Kilmarnock and Loudoun)
Browning, Angela Frances (Tiverton and Honiton)
Bruce, Malcolm Gray (Gordon)
Bryant, Christopher John (Rhondda)
Buck, Karen Patricia (Regent's Park and Kensington, North)
Burden, Richard Haines (Birmingham, Northfield)
Burgon, Colin (Elmet)
Burnett, John Patrick (Torridge and West Devon)
Burnham, Andrew Murray (Leigh)
Burns, Simon Hugh McGuigan (West Chelmsford)
Burnside, David Wilson Boyd (South Antrim)
Burstow, Paul Kenneth (Sutton and Cheam)
Burt, Alistair James Hendrie (North-East Bedfordshire)
Butterfill, John Valentine (Bournemouth, West)
Byers, Rt. Hon. Stephen John (Tyneside, North)

C

Cable, John Vincent (Twickenham)
Caborn, Rt. Hon. Richard George (Sheffield, Central)
Cairns, John David (Greenock and Inverclyde)
Calton, Patsy (Cheadle)
Cameron, David William Donald (Witney)
Campbell, Alan (Tynemouth)
Campbell, Anne (Cambridge)
Campbell, Gregory Lloyd (East Londonderry)
Campbell, Ronald (Blyth Valley)
Campbell, Rt. Hon. Walter Menzies (North-East Fife)
Cann, Jamie Charles (Ipswich) [*died, October 2001*]
Caplin, Ivor Keith (Hove)
Carmichael, Alexander Morrison (Orkney and Shetland)
Casale, Roger Mark (Wimbledon)
Cash, William Nigel Paul (Stone)
Caton, Martin Philip (Gower)
Cawsey, Ian Arthur (Brigg and Goole)
Challen, Colin Robert (Morley and Rothwell)
Chapman, James Keith (Wirral, South)
Chapman, Sir Sydney Brooks (Chipping Barnet)
Chaytor, David Michael (Bury, North)

Chidgey, David William George (Eastleigh)
Chope, Christopher Robert (Christchurch)
Clapham, Michael (Barnsley, West and Penistone)
Clappison, William James (Hertsmere)
Clark, Lynda Margaret (Edinburgh, Pentlands)
Clark, Paul Gordon (Gillingham)
Clarke, Anthony Richard (Northampton, South)
Clarke, Charles Rodway (Norwich, South)
Clarke, Rt. Hon. Kenneth Harry (Rushcliffe)
Clarke, Rt. Hon. Thomas (Coatbridge and Chryston)
Clelland, David Gordon (Tyne Bridge)
Clifton-Brown, Geoffrey (Cotswold)
Clwyd, Ann (Cynon Valley)
Coaker, Vernon Rodney (Gedling)
Coffey, Ann (Stockport)
Cohen, Harry Michael (Leyton and Wanstead)
Coleman, Iain (Hammersmith and Fulham)
Collins, Timothy William George (Westmorland and Lonsdale)
Colman, Anthony John (Putney)
Connarty, Michael (Falkirk, East)
Conway, Derek Leslie (Old Bexley and Sidcup)
Cook, Francis (Stockton, North)
Cook, Rt. Hon. Robert (Livingston)
Cooper, Yvette (Pontefract and Castleford)
Corbyn, Jeremy Bernard (Islington, North)
Cormack, Sir Patrick Thomas (South Staffordshire)
Corston, Jean Ann (Bristol, East)
Cotter, Brian Joseph (Weston-Super-Mare)
Cousins, James Mackay (Newcastle upon Tyne, Central)
Cox, Thomas Michael (Tooting)
Cran, James Douglas (Beverley and Holderness)
Cranston, Ross Frederick (Dudley, North)
Crausby, David Anthony (Bolton, North-East)
Cruddas, Jonathan (Dagenham)
Cryer, Constance Ann (Keighley)
Cryer, John Robert (Hornchurch)
Cummings, John Scott (Easington)
Cunningham, James Dolan (Coventry, South)
Cunningham, Rt. Hon. John Anderson (Copeland)
Cunningham, Thomas Anthony (Workington)
Curry, Rt. Hon. David Maurice (Skipton and Ripon)
Curtis-Thomas, Claire (Crosby)

D

Daisley, Paul Andrew (Brent, East) [*died, June 2003*]
Dalyell, Tam (Linlithgow)
Darling, Rt. Hon. Alistair Maclean (Edinburgh, Central)
Davey, Edward Jonathon (Kingston and Surbiton)
Davey, Valerie (Bristol, West)
David, Wayne (Caerphilly)
Davidson, Ian Graham (Glasgow, Pollok)
Davies, Rt. Hon. David John Denzil (Llanelli)
Davies, Geraint Richard (Croydon, Central)
Davies, John Quentin (Grantham and Stamford)
Davis, Rt. Hon. David Michael (Haltemprice and Howden)
Davis, Rt. Hon. Terry (Birmingham, Hodge Hill)
Dawson, Thomas Hilton (Lancaster and Wyre)
Dean, Janet Elizabeth Ann (Burton)
Denham, Rt. Hon. John Yorke (Southampton, Itchen)
Dhanda, Parmjit Singh (Gloucester)
Dismore, Andrew Hartley (Hendon)
Djanogly, Jonathan Simon (Huntingdon)
Dobbin, James (Heywood and Middleton)
Dobson, Rt. Hon. Frank Gordon (Holborn and St. Pancras)
Dodds, Nigel Alexander (Belfast, North)
Doherty, Pat (West Tyrone)
Donaldson, Jeffrey Mark (Lagan Valley)
Donohoe, Brian Harold (Cunninghame, South)
Doran, Frank (Aberdeen, Central)
Dorrell, Rt. Hon. Stephen James (Charnwood)
Doughty, Susan Kathleen (Guildford)
Dowd, James Patrick (Lewisham, West)
Drew, David Elliott (Stroud)
Drown, Julia Kate (South Swindon)
Duncan, Alan James Carter (Rutland and Melton)
Duncan, Peter John (Galloway and Upper Nithsdale)
Duncan Smith, George Iain (Chingford and Woodford Green)
Dunwoody, Gwyneth Patricia (Crewe and Nantwich)

E

Eagle, Angela (Wallasey)
Eagle, Maria (Liverpool, Garston)
Edwards, Huw William Edmund (Monmouth)
Efford, Clive Stanley (Eltham)
Ellman, Louise (Liverpool, Riverside)
Ennis, Jeffrey (Barnsley, East and Mexborough)
Etherington, William (Sunderland, North)
Evans, Nigel Martin (Ribble Valley)
Ewing, Annabelle (Perth)

F

Fabricant, Michael Louis David (Lichfield)
Fallon, Michael Cathel (Sevenoaks)
Farrelly, Christopher Paul (Newcastle-under-Lyme)
Field, Rt. Hon. Frank (Birkenhead)
Field, Mark Christopher (Cities of London and Westminster)
Fisher, Mark (Stoke-on-Trent, Central)
Fitzpatrick, James (Poplar and Canning Town)
Fitzsimons, Lorna (Rochdale)
Flight, Howard Emerson (Arundel and South Downs)
Flint, Caroline Louise (Don Valley)
Flook, Adrian John (Taunton)
Flynn, Paul Philip (Newport, West)
Follett, Daphne Barbara (Stevenage)
Forth, Rt. Hon. Eric (Bromley and Chislehurst)
Foster, Rt. Hon. Derek (Bishop Auckland)
Foster, Donald Michael Ellison (Bath)
Foster, Michael Jabez (Hastings and Rye)
Foster, Michael John (Worcester)
Foulkes, George (Carrick, Cumnock and Doon Valley)
Fox, Liam (Woodspring)
Francis, David Hywel (Aberavon)
Francois, Mark Gino (Rayleigh)

G

Gale, Roger James (North Thanet)
Galloway, George (Glasgow, Kelvin)
Gapes, Michael John (Ilford, South)
Gardiner, Barry Strachan (Brent, North)
Garnier, Edward Henry (Harborough)
George, Andrew Henry (St. Ives)
George, Rt. Hon. Bruce Thomas (Walsall, South)
Gerrard, Neil Francis (Walthamstow)
Gibb, Nicolas John (Bognor Regis and Littlehampton)
Gibson, Ian (Norwich, North)
Gidley, Sandra Julia (Romsey)
Gildernew, Michelle (Fermanagh and South Tyrone)
Gillan, Cheryl Elise Kendall (Chesham and Amersham)
Gilroy, Linda (Plymouth, Sutton)

Godsiff, Roger Duncan (Birmingham, Sparkbrook and Small Heath)
Goggins, Paul Gerard (Wythenshawe and Sale, East)
Goodman, Paul Alexander Cyril (Wycombe)
Gray, James Whiteside (North Wiltshire)
Grayling, Christopher Stephen (Epsom and Ewell)
Green, Damian Howard (Ashford)
Green, Matthew Roger (Ludlow)
Greenway, John Robert (Ryedale)
Grieve, Dominic Charles Roberts (Beaconsfield)
Griffiths, Jane Patricia (Reading, East)
Griffiths, Nigel (Edinburgh, South)
Griffiths, Winston James (Bridgend)
Grogan, John (Selby)
Gummer, Rt. Hon. John Selwyn (Suffolk, Coastal)

H

Hague, Rt. Hon. William Jefferson (Richmond, Yorks)
Hain, Peter Gerald (Neath)
Hall, Michael Thomas (Weaver Vale)
Hall, Patrick (Bedford)
Hamilton, David (Midlothian)
Hamilton, Fabian (Leeds, North-East)
Hammond, Philip (Runnymede and Weybridge)
Hancock, Michael Thomas (Portsmouth, South)
Hanson, David George (Delyn)
Harman, Rt. Hon. Harriet (Camberwell and Peckham)
Harris, Evan Leslie (Oxford, West and Abingdon)
Harris, Tom (Glasgow, Cathcart)
Harvey, Nicholas Barton (North Devon)
Haselhurst, Rt. Hon. Sir Alan Gordon Barraclough (Saffron Walden)
Havard, David Stuart (Merthyr Tydfil and Rhymney)
Hawkins, Nicholas John (Surrey Heath)
Hayes, John Henry (South Holland and The Deepings)
Heal, Sylvia Lloyd (Halesowen and Rowley Regis)
Heald, Oliver (North-East Hertfordshire)
Healey, John (Wentworth)
Heath, David William St. John (Somerton and Frome)
Heathcoat-Amory, Rt. Hon. David Philip (Wells)
Henderson, Douglas John (Newcastle upon Tyne, North)
Henderson, Ivan John (Harwich)
Hendrick, Mark Phillip (Preston)
Hendry, Charles (Wealden)
Hepburn, Stephen (Jarrow)
Heppell, John (Nottingham, East)
Hermon, Sylvia (North Down)
Hesford, Stephen (Wirral, West)
Hewitt, Rt. Hon. Patricia Hope (Leicester, West)
Heyes, David Alan (Ashton-under-Lyne)
Hill, Keith (Streatham)
Hinchliffe, David Martin (Wakefield)
Hoban, Mark Gerard (Fareham)
Hodge, Margaret Eve (Barking)
Hoey, Catharine Letitia (Vauxhall)
Hogg, Rt. Hon. Douglas Martin (Sleaford and North Hykeham)
Holmes, Paul Robert (Chesterfield)
Hood, James (Clydesdale)
Hoon, Rt. Hon. Geoffrey William (Ashfield)
Hope, Philip Ian (Corby)
Hopkins, Kelvin Peter (Luton, North)
Horam, John Rhodes (Orpington)
Howard, Rt. Hon. Michael (Folkestone and Hythe)
Howarth, Rt. Hon. Alan Thomas (Newport, East)
Howarth, George Edward (Knowsley, North and Sefton, East)
Howarth, James Gerald Douglas (Aldershot)
Howells, Kim Scott (Pontypridd)
Hoyle, Lindsay Harvey (Chorley)
Hughes, Beverley June (Stretford and Urmston)
Hughes, Kevin Michael (Doncaster, North)
Hughes, Simon Henry Ward (Southwark, North and Bermondsey)
Humble, Jovanka Joan (Blackpool, North and Fleetwood)
Hume, John (Foyle)
Hunter, Andrew Robert Frederick (Basingstoke)
Hurst, Alan Arthur (Braintree)
Hutton, John Matthew Patrick (Barrow and Furness)

I

Iddon, Brian (Bolton, South-East)
Illsley, Eric Evlyn (Barnsley, Central)
Ingram, Rt. Hon. Adam (East Kilbride)
Irranca-Davies, Huw (Ogmore) [*By-election, February 2002*]

J

Jack, Rt. Hon. John Michael (Fylde)
Jackson, Glenda May (Hampstead and Highgate)
Jackson, Helen Margaret (Sheffield, Hillsborough)
Jackson, Robert Victor (Wantage)
Jamieson, David Charles (Plymouth, Devonport)
Jenkin, Bernard Christison (North Essex)
Jenkins, Brian David (Tamworth)
Johnson, Alan Arthur (Hull, West and Hessle)
Johnson, Alexander Boris (Henley)
Johnson, Melanie Jane (Welwyn Hatfield)
Jones, Helen Mary (Warrington, North)
Jones, Jon Owen (Cardiff, Central)
Jones, Kevan David (North Durham)
Jones, Lynne Mary (Birmingham, Selly Oak)
Jones, Martyn David (Clwyd, South)
Jones, Nigel David (Cheltenham)
Jowell, Rt. Hon. Tessa Jane (Dulwich and West Norwood)
Joyce, Eric (Falkirk, West)

K

Kaufman, Rt. Hon. Gerald Bernard (Manchester, Gorton)
Keeble, Sally Curtis (Northampton, North)
Keen, Alan (Feltham and Heston)
Keen, Ann Lloyd (Brentford and Isleworth)
Keetch, Paul Stuart (Hereford)
Kelly, Ruth Maria (Bolton, West)
Kemp, Fraser (Houghton and Washington, East)
Kennedy, Rt. Hon. Charles Peter (Ross, Skye and Inverness, West)
Kennedy, Jane Elizabeth (Liverpool, Wavertree)
Key, Robert Simon (Salisbury)
Khabra, Piara Singh (Ealing, Southall)
Kidney, David Neil (Stafford)
Kilfoyle, Peter (Liverpool, Walton)
King, Andrew (Rugby and Kenilworth)
King, Oona Tamsyn (Bethnal Green and Bow)
Kirkbride, Julie (Bromsgrove)
Kirkwood, Sir Archibald Johnstone (Roxburgh and Berwickshire)
Knight, Rt. Hon. Gregory (East Yorkshire)
Knight, Jim (South Dorset)
Kumar, Ashok (Middlesbrough, South and Cleveland, East)

L

Ladyman, Stephen John (South Thanet)
Laing, Eleanor Fulton (Epping Forest)
Lait, Jacqueline Anne Harkness (Beckenham)
Lamb, Norman Peter (North Norfolk)
Lammy, David Lindon (Tottenham)
Lansley, Andrew David (South Cambridgeshire)
Lawrence, Jacqueline Rita (Preseli Pembrokeshire)
Laws, David Anthony (Yeovil)
Laxton, Robert (Derby, North)
Lazarowicz, Marek Jerzy (Edinburgh, North and Leith)
Leigh, Edward Julian Egerton (Gainsborough)
Lepper, David (Brighton, Pavilion)
Leslie, Christopher Michael (Shipley)
Letwin, Oliver (West Dorset)
Levitt, Tom (High Peak)
Lewis, Ivan (Bury, South)
Lewis, Julian Murray (New Forest, East)
Lewis, Terence (Worsley)
Liddell, Rt. Hon. Helen (Airdrie and Shotts)
Liddell-Grainger, Ian Richard (Bridgwater)
Lidington, David Roy (Aylesbury)
Lilley, Rt. Hon. Peter Bruce (Hitchin and Harpenden)
Linton, Martin (Battersea)
Lloyd, Anthony Joseph (Manchester, Central)
Llwyd, Elfyn (Meirionnydd Nant Conwy)
Lord, Sir Michael Nicholson (Central Suffolk and Ipswich, North)
Loughton, Timothy Paul (East Worthing and Shoreham)
Love, Andrew (Edmonton)
Lucas, Ian Colin (Wrexham)
Luff, Peter James (Mid-Worcestershire)
Luke, Iain (Dundee, East)
Lyons, John (Strathkelvin and Bearsden)

M

McAvoy, Thomas McLaughlin (Glasgow, Rutherglen)
McCabe, Stephen James (Birmingham, Hall Green)
McCafferty, Christine (Calder Valley)
McCartney, Rt. Hon. Ian (Makerfield)
McDonagh, Siobhain Ann (Mitcham and Morden)
Macdonald, Calum Alistair (Western Isles)
McDonnell, John Martin (Hayes and Harlington)
MacDougall, John William (Central Fife)
McFall, John (Dumbarton)
McGrady, Eddie (South Down)
McGuinness, Martin (Mid-Ulster)
McGuire, Anne (Stirling)
McIntosh, Anne Caroline Ballingall (Vale of York)
McIsaac, Shona (Cleethorpes)
Mackay, Rt. Hon. Andrew James (Bracknell)
McKechin, Ann (Glasgow, Maryhill)
McKenna, Rosemary (Cumbernauld and Kilsyth)
Mackinlay, Andrew (Thurrock)
Maclean, Rt. Hon. David John (Penrith and The Border)
McLoughlin, Patrick Allen (West Derbyshire)
McNamara, Kevin (Hull, North)
McNulty, Anthony James (Harrow, East)
MacShane, Denis (Rotherham)
Mactaggart, Fiona Margaret (Slough)
McWalter, Tony (Hemel Hempstead)
McWilliam, John David (Blaydon)
Mahmood, Khalid (Birmingham, Perry Barr)
Mahon, Alice (Halifax)
Malins, Humfrey Jonathon (Woking)
Mallaber, Judy (Amber Valley)
Mallon, Seamus (Newry and Armagh)
Mandelson, Rt. Hon. Peter Benjamin (Hartlepool)
Mann, John (Bassetlaw)
Maples, John Cradock (Stratford-on-Avon)
Marris, Robert Howard (Wolverhampton, South-West)
Marsden, Gordon (Blackpool, South)
Marsden, Paul William Barry (Shrewsbury and Atcham)
Marshall, David (Glasgow, Shettleston)
Marshall, James (Leicester, South)
Marshall-Andrews, Robert Graham (Medway)
Martin, Rt. Hon. Michael John (Glasgow, Springburn)
Martlew, Eric Anthony (Carlisle)
Mates, Michael John (East Hampshire)
Maude, Rt. Hon. Francis Anthony Aylmer (Horsham)
Mawhinney, Rt. Hon. Sir Brian Stanley (North-West Cambridgeshire)
May, Theresa Mary (Maidenhead)
Meacher, Rt. Hon. Michael Hugh (Oldham, West and Royton)
Meale, Joseph Alan (Mansfield)
Mercer, Patrick John (Newark)
Merron, Gillian Joanna (Lincoln)
Michael, Rt. Hon. Alun Edward (Cardiff, South and Penarth)
Milburn, Rt. Hon. Alan (Darlington)
Miliband, David Wright (South Shields)
Miller, Andrew Peter (Ellesmere Port and Neston)
Mitchell, Andrew John Bower (Sutton Coldfield)
Mitchell, Austin Vernon (Great Grimsby)
Moffatt, Laura Jean (Crawley)
Mole, Chris (Ipswich) [*By-election, November 2001*]
Moonie, Lewis George (Kirkcaldy)
Moore, Michael Kevin (Tweeddale, Ettrick and Lauderdale)
Moran, Margaret (Luton, South)
Morgan, Julie (Cardiff, North)
Morley, Elliot Anthony (Scunthorpe)
Morris, Rt. Hon. Estelle (Birmingham, Yardley)
Moss, Malcolm Douglas (North-East Cambridgeshire)
Mountford, Kali Carol Jean (Colne Valley)
Mudie, George Edward (Leeds, East)
Mullin, Christopher John (Sunderland, South)
Munn, Margaret Patricia (Sheffield, Heeley)
Murphy, Denis (Wansbeck)
Murphy, Jim (Eastwood)
Murphy, Rt. Hon. Paul Peter (Torfaen)
Murrison, Andrew William (Westbury)

N

Naysmith, John Douglas (Bristol, North-West)
Norman, Archibald John (Tunbridge Wells)
Norris, Dan (Wansdyke)

O

Oaten, Mark (Winchester)
O'Brien, Michael (North Warwickshire)
O'Brien, Stephen Rothwell (Eddisbury)
O'Brien, William (Normanton)
O'Hara, Edward (Knowsley, South)
Olner, William John (Nuneaton)
O'Neill, Martin John (Ochil)
Öpik, Lembit (Montgomeryshire)
Organ, Diana Mary (Forest of Dean)
Osborne, George Gideon Oliver (Tatton)
Osborne, Sandra (Ayr)
Ottaway, Richard Geoffrey James (Croydon, South)
Owen, Albert (Ynys Môn)

P

Page, Richard Lewis (South-West Hertfordshire)
Paice, James Edward Thornton (South-East Cambridgeshire)
Paisley, The Reverend Ian Richard Kyle (North Antrim)
Palmer, Nicholas Douglas (Broxtowe)
Paterson, Owen William (North Shropshire)
Pearson, Ian Phares (Dudley, South)
Perham, Linda (Ilford, North)
Picking, Anne (East Lothian)
Pickles, Eric Jack (Brentwood and Ongar)
Pickthall, Colin (West Lancashire)
Pike, Peter Leslie (Burnley)
Plaskitt, James Andrew (Warwick and Leamington)
Pollard, Kerry Patrick (St. Albans)
Pond, Christopher Richard (Gravesham)
Pope, Gregory James (Hyndburn)
Portillo, Rt. Hon. Michael Denzil Xavier (Kensington and Chelsea)
Pound, Stephen Pelham (Ealing, North)
Powell, Sir Raymond (Ogmore) [*died, December 2001*]
Prentice, Bridget (Lewisham, East)
Prentice, Gordon (Pendle)
Prescott, Rt. Hon. John Leslie (Hull, East)
Price, Adam (East Carmarthen and Dinefwr)
Primarolo, Dawn (Bristol, South)
Prisk, Mark (Hertford and Stortford)
Prosser, Gwynfor Mathews (Dover)
Pugh, John David (Southport)
Purchase, Kenneth (Wolverhampton, North-East)
Purnell, James Mark Dakin (Stalybridge and Hyde)

Q

Quin, Rt. Hon. Joyce Gwendolen (Gateshead, East and Washington, West)
Quinn, Lawrence William (Scarborough and Whitby)

R

Rammell, William Ernest (Harlow)
Randall, Alexander John (Uxbridge)
Rapson, Sydney Norman John (Portsmouth, North)
Raynsford, Rt. Hon. Wyvill Richard Nicolls (Greenwich and Woolwich)
Redwood, Rt. Hon. John Alan (Wokingham)
Reed, Andrew John (Loughborough)
Reid, Alan (Argyll and Bute)
Reid, Rt. Hon. John (Hamilton, North and Bellshill)
Rendel, David Digby (Newbury)
Robathan, Andrew Robert George (Blaby)
Robertson, Angus (Moray)
Robertson, Hugh (Faversham and Mid-Kent)
Robertson, John (Glasgow, Anniesland)
Robertson, Laurence Anthony (Tewkesbury)
Robinson, Geoffrey (Coventry, North-West)
Robinson, Iris (Strangford)
Robinson, Peter David (Belfast, East)
Roche, Barbara Maureen (Hornsey and Wood Green)
Roe, Marion Audrey (Broxbourne)
Rooney, Terence Henry (Bradford, North)
Rosindell, Andrew Richard (Romford)
Ross, Ernest (Dundee, West)
Roy, Frank (Motherwell and Wishaw)
Ruane, Christopher Shaun (Vale of Clwyd)
Ruddock, Joan Mary (Lewisham, Deptford)
Ruffley, David Laurie (Bury St. Edmunds)
Russell, Christine Margaret (City of Chester)
Russell, Robert Edward (Colchester)
Ryan, Joan Marie (Enfield, North)

S

Salmond, Alex Elliot Anderson (Banff and Buchan)
Salter, Martin John (Reading, West)
Sanders, Adrian Mark (Torbay)
Sarwar, Mohammad (Glasgow, Govan)
Savidge, Malcolm Kemp (Aberdeen, North)
Sawford, Philip Andrew (Kettering)
Sayeed, Jonathan (Mid-Bedfordshire)
Sedgemore, Brian Charles John (Hackney, South and Shoreditch)
Selous, Andrew Edmund Armstrong (South-West Bedfordshire)
Shaw, Jonathan Rowland (Chatham and Aylesford)
Sheerman, Barry (Huddersfield)
Shephard, Rt. Hon. Gillian Patricia (South-West Norfolk)
Shepherd, Richard Charles Scrimgeour (Aldridge-Brownhills)
Sheridan, James (West Renfrewshire)
Shipley, Debra Ann (Stourbridge)
Short, Rt. Hon. Clare (Birmingham, Ladywood)
Simmonds, Mark Jonathon Mortlock (Boston and Skegness)
Simon, Siôn Llewelyn (Birmingham, Erdington)
Simpson, Alan John (Nottingham, South)
Simpson, Keith Robert (Mid-Norfolk)
Singh, Marsha (Bradford, West)
Skinner, Dennis Edward (Bolsover)
Smith, Rt. Hon. Andrew David (Oxford, East)
Smith, Angela Evans (Basildon)
Smith, Rt. Hon. Christopher Robert (Islington, South and Finsbury)
Smith, Geraldine (Morecambe and Lunesdale)
Smith, Jacqueline Jill (Redditch)
Smith, John William Patrick (Vale of Glamorgan)
Smith, Llewellyn Thomas (Blaenau Gwent)
Smith, Sir Robert (West Aberdeenshire and Kincardine)
Smyth, The Reverend William Martin (Belfast, South)
Soames, Arthur Nicholas Winston (Mid-Sussex)
Soley, Clive Stafford (Ealing, Acton and Shepherd's Bush)
Southworth, Helen Mary (Warrington, South)
Spellar, John Francis (Warley)
Spelman, Caroline Alice (Meriden)
Spicer, Sir Michael William Hardy (West Worcestershire)
Spink, Robert Michael (Castle Point)
Spring, Richard John Grenville (West Suffolk)
Squire, Rachel Anne (Dunfermline, West)
Stanley, Rt. Hon. Sir John Paul (Tonbridge and Malling)
Starkey, Phyllis Margaret (Milton Keynes, South-West)
Steen, Anthony David (Totnes)
Steinberg, Gerald Neil (City of Durham)
Stevenson, George William (Stoke-on-Trent, South)
Stewart, David John (Inverness East, Nairn and Lochaber)
Stewart, Ian (Eccles)
Stinchcombe, Paul David (Wellingborough)
Stoate, Howard Geoffrey Alvan (Dartford)
Strang, Rt. Hon. Gavin Steel (Edinburgh, East and Musselburgh)
Straw, Rt. Hon. John Whitaker (Blackburn)
Streeter, Gary Nicholas (South-West Devon)
Stringer, Graham Eric (Manchester, Blackley)
Stuart, Gisela Gschaider (Birmingham, Edgbaston)
Stunell, Andrew (Hazel Grove)
Sutcliffe, Gerald (Bradford, South)

Swayne, Desmond Angus (New Forest, West)
Swire, Hugo (East Devon)
Syms, Robert Andrew Raymond (Poole)

T

Tami, Mark Richard (Alyn and Deeside)
Tapsell, Sir Peter Hannay Bailey (Louth and Horncastle)
Taylor, Dari Jean (Stockton, South)
Taylor, David Leslie (North-West Leicestershire)
Taylor, Sir Edward MacMillan (Rochford and Southend, East)
Taylor, Ian Colin (Esher and Walton)
Taylor, John Mark (Solihull)
Taylor, Matthew Owen John (Truro and St. Austell)
Taylor, Richard Thomas (Wyre Forest)
Taylor, Rt. Hon. Winifred Ann (Dewsbury)
Teather, Sarah (Brent, East) [*By-election, September 2003*]
Thomas, Gareth (Clwyd, West)
Thomas, Gareth Richard (Harrow, West)
Thomas, Simon (Ceredigion)
Thurso, Viscount John Archibald (Caithness, Sutherland and Easter Ross)
Timms, Stephen Creswell (East Ham)
Tipping, Simon Patrick (Sherwood)
Todd, Mark Wainwright (South Derbyshire)
Tonge, Jennifer Louise (Richmond Park)
Touhig, James Donnelly (Islwyn)
Tredinnick, David Arthur Stephen (Bosworth)
Trend, Michael St. John (Windsor)
Trickett, Jon Hedley (Hemsworth)
Trimble, Rt. Hon. David (Upper Bann)
Truswell, Paul Anthony (Pudsey)
Turner, Andrew John (Isle of Wight)
Turner, Dennis (Wolverhampton, South-East)
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OFFICIAL REPORT

IN THE THIRD SESSION OF THE FIFTY-THIRD PARLIAMENT OF THE
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
[WHICH OPENED 13 JUNE 2001]

FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SIXTH SERIES **VOLUME 415**

FIRST VOLUME OF SESSION 2003–2004

House of Commons

Wednesday 26 November 2003

The House met at twenty-five minutes past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Message to attend Her Majesty:

The House went; and having returned:

The sitting was suspended until half-past Two o'clock, and then resumed.

2.30 pm

On resuming—

Speaker's Statement

Mr. Speaker: Before I put the customary Sessional Orders to the House, I have a brief statement to make. As Members may be aware, the Procedure Committee has recently published a report on the Sessional Orders and resolutions. I hope that it will receive the attention that it deserves, and that the House will be given the opportunity to take a decision on the Committee's recommendations. If the recommendations are approved, proceedings on this occasion next year will take a rather different form. In the meantime, I hope that the House will be patient and good-humoured, as it normally is, while I follow the traditional formalities.

SESSIONAL ORDERS

ELECTIONS

Ordered,

That all Members who are returned for two or more places in any part of the United Kingdom do make their Election for which of the places they will serve, within one week after it shall appear that there is no question upon the Return for that place; and if any thing shall come in question touching the Return or Election of any Member, he is to withdraw during the time the matter is in debate; and that all Members returned upon double Returns do withdraw till their Returns are determined.

Resolved,

That if it shall appear that any person hath been elected or returned a Member of this House, or endeavoured so to be by bribery, or any other corrupt practices, this House will proceed with the utmost severity against all such persons as shall have been wilfully concerned in such bribery or other corrupt practices.

WITNESSES

Resolved,

That if it shall appear that any person hath been tampering with any witness, in respect of his evidence to be given to this House, or any Committee thereof, or directly or indirectly hath endeavoured to deter or hinder any person from appearing or giving evidence, the same is declared to be a high crime and misdemeanour; and this House will proceed with the utmost severity against such offender.

Resolved,

That if it shall appear that any person hath given false evidence in any case before this House, or any Committee thereof, this House will proceed with the utmost severity against such offender.

METROPOLITAN POLICE

Ordered,

That the Commissioner of the Police of the Metropolis do take care that during the Session of Parliament the passages through the streets leading to this House be kept free and open and that no obstruction be permitted to hinder the passage of Members to and from this House, and that no disorder be allowed in Westminster Hall, or in the passages leading to this House, during the Sitting

[Mr. Speaker]

of Parliament, and that there be no annoyance therein or thereabouts; and that the Serjeant at Arms attending this House do communicate this Order to the Commissioner aforesaid.

Mr. John Greenway (Ryedale) (Con): On a point of order, Mr. Speaker. Is this debatable?

Mr. Speaker: It is debatable, but let me put the Question first.

VOTES AND PROCEEDINGS

Ordered,

That the Votes and Proceedings of this House be printed, being first perused by the Speaker.

OUTLAWRIES

A Bill for the more effectual preventing Clandestine Outlawries was read the first time and ordered to be read a second time.

STANDING ORDERS (PUBLIC BUSINESS)

Ordered,

That the Standing Orders relating to Public Business be printed [No. 3]

Mr. Greenway: All I want to say, Mr. Speaker, is that, as the only former police officer serving in this Chamber, it occurs to me—as it has on many occasions at the point at which you put the Sessional Order in respect of the security of the Palace—that the House should thank the police and security staff for the work that they do in protecting this Chamber. They are very often unseen behind the scenes, but they do a first-class job, in the most difficult of circumstances at the present time, and somebody ought to get to their feet once in a while to thank them for it.

Mr. Speaker: I thank the hon. Gentleman for raising that point of order. As he knows, the Serjeant at Arms is the senior officer responsible for security. I assure the hon. Gentleman and the House that the Serjeant is regularly thanked personally by me, as the Speaker of the House, for the good work that is being done. He and his team are very much the unsung heroes in this House, particularly at the moment.

Queen's Speech

Mr. Speaker: I have to acquaint the House that this House has this day attended Her Majesty in the House of Peers, and that Her Majesty was pleased to make a Most Gracious Speech from the Throne to both Houses of Parliament, of which I have, for greater accuracy, obtained a copy.

I shall direct that the terms of the Gracious Speech be printed in the appropriate place in the Votes and Proceedings. Copies are available in the Vote Office.

The Gracious Speech was as follows:

My Lords and Members of the House of Commons

My Government will maintain its key commitment to economic stability and growth.

This will enable my Government to continue to deliver reform of the public services and continue to focus on greater opportunity and social justice, enhanced security and protection and constitutional reform.

Delivering a world class education system that enables individuals to achieve their full potential remains my Government's main priority for Britain's future success. Educational reform will continue to raise standards in all schools.

A Bill will be introduced to enable more young people to benefit from higher education. Upfront tuition fees will be abolished for all full-time students and a new Office For Fair Access will assist those from disadvantaged backgrounds. Universities will be placed on a sound financial footing.

My Government will continue to reform the National Health Service by giving more choice to patients, more freedom to National Health Service staff and more control over hospitals to local communities.

My Government will introduce a Bill that will provide all children born from September 2002 with a Child Trust Fund with an initial endowment from the Government and more for poorer children. This will mean that when children reach the age of 18 they have an asset to draw on as a springboard for the future.

Legislation will also be introduced to encourage both employers to provide good quality pensions and individuals to save more effectively for their retirement. A Pension Protection Fund will be set up to protect employees and pensioners if companies become insolvent.

My Government will maintain its commitment to increased equality and social justice by bringing forward legislation on the registration of civil partnerships between same sex couples.

A draft Bill will also be published responding to a review of the law relating to disabilities as part of my Government's programme to extend the rights and opportunities of disabled people.

My Government is committed to the maintenance of an effective asylum and immigration system. Legislation will therefore be brought forward to establish a single tier of appeal against asylum decisions, to reduce the scope for delay caused by groundless appeals, and to put in place a range of other measures to tackle abuse of the system and fraudulent claims.

My Government will take forward work on an incremental approach to a national identity cards scheme and will publish a draft Bill in the new year.

My Government will continue to make the reduction of crime and the fear of crime a priority. The Government will be implementing the Criminal Justice Act to ensure the effective punishment of dangerous and persistent offenders. Firm action will continue to be taken against anti-social behaviour by strengthening the powers available to schools and local authorities.

Measures will be introduced to modernise the laws on domestic violence and to establish a Commissioner to speak up for the interests of victims and witnesses.

A Bill will be introduced to improve the services designed to protect children. A Children's Commissioner for England will be established.

A draft Bill will be brought forward on the Criminal Defence Service.

The threat of international terrorism and a changing climate have led to a series of emergencies and heightened concerns for the future. My Government will introduce a Bill creating a long-term foundation for civil contingencies capable of meeting these challenges at national and local level.

A Bill will also be brought forward to improve the delivery of fire and rescue services, ensuring that they can respond to the changing demands placed on them in the modern world.

A Bill will also be introduced to regulate retention of human tissues after death.

My Government will continue its programme of constitutional reform by establishing a Supreme Court, reforming the Judicial Appointments System and providing for the abolition of the current office of Lord Chancellor.

Legislation will be brought forward to reform the House of Lords. This will remove hereditary peers and establish an independent Appointments Commission to select non-party members of the Upper House.

A draft Bill will be published to enable a referendum to be held on the adoption of the single currency subject to the Government's five economic tests being met.

My Government will continue to take forward a Bill on election pilots introduced during the last session.

My Government is committed to improving the quality of people's day to day lives.

Legislation will be introduced on housing that will help create a fairer housing market and protect the most vulnerable.

My Government will continue to take forward a Bill on planning introduced during the last session, which will make the planning system fairer and faster with greater community participation.

Legislation will also be brought forward to improve traffic flows and manage road works more effectively.

A draft Bill will be published to enable some local authorities to pilot new arrangements for school transport to reduce road congestion.

My Government will also introduce legislation on energy matters, to establish a Nuclear Decommissioning Authority and to promote secure, sustainable supplies and a safer environment.

My Government will maintain sound public finances and will continue to take action to secure high levels of employment and encourage enterprise.

Legislation will be introduced to implement the conclusions of the Government's review of the Employment Relations Act 1999.

Legislation will also be introduced to modernise company accounting and audit arrangements.

A thriving not-for-profit sector is part of the fabric of a modern democratic society. My Government will introduce a Bill to create Community Interest Companies which will enable social enterprises to meet the needs of their communities in new and innovative ways.

A draft Bill on charities will also be published which will modernise charity law and better enable charities to prosper.

Further draft clauses of a Bill on gambling will also be published.

My Government will continue to take forward a programme of Regulatory Reform Orders to simplify and reform burdensome and outdated legislation.

Members of the House of Commons

Estimates for the Public Services will be laid before you.

My Lords and Members of the House of Commons

My Government will continue to work closely with the devolved administrations in Scotland and Wales. Bills will be introduced to create a single public audit body for Wales and to retain the current number of members in the Scottish Parliament.

In Northern Ireland, my Government will continue to work closely with the political parties and the Irish Government to secure the full implementation of the Belfast Agreement. Legislation will be brought forward to establish a Northern Ireland Judicial Appointments Commission.

Other measures will be laid before you.

The Duke of Edinburgh and I look forward to paying a State Visit to Nigeria in December and attending the Commonwealth Heads of Government Meeting. We look forward to receiving the State Visit of His Excellency the President of Poland next May. To mark the centenary of the Entente Cordiale, we look forward to paying a State Visit to France next April and to receiving His Excellency the President of France in the autumn.

My Government will play an active role in preparing the European Union for the accession of ten new member states next May. They will work hard to conclude negotiations on a new constitutional treaty for the European Union, following which they will introduce legislation to implement the treaty.

My Government will work for a strong partnership between Europe and the United States, underpinned by NATO, and for effective action in tackling the threat from global terrorism and weapons of mass destruction.

My Government will maintain Britain's commitment to rebuilding Afghanistan and Iraq, to promoting peace in the Middle East, and to tackling the underlying causes of conflict and extremism. They will help war-torn countries, particularly in Africa, to seize the opportunities for development which peace can bring.

My Government will publish a Defence White Paper providing a statement of Defence Policy and an assessment of the new strategic environment in which the Armed Forces operate. A Bill will be introduced to give enabling powers to bring in new pension and compensation arrangements for the Armed Forces.

My Government will work to reduce world poverty and for the achievement of the Millennium Development Goals, including increased aid flows and effective debt relief for developing countries committed to reform.

My Government will press for a fairer trade system as part of the current round of world trade negotiations. They will work to strengthen the United Nations in response to key global challenges such as AIDS and climate change.

My Lords and Members of the House of Commons

I pray that the blessing of Almighty God may rest upon your counsels.

Debate on the Address

[FIRST DAY]

Mr. Speaker: It may be helpful if I announce to the House that the proposed pattern of debate for the remaining days of the debate on the Queen's Speech will be as follows: Thursday 27 November—international affairs; Monday 1 December—local government, environment and transport; Tuesday 2 December—home and constitutional affairs; Wednesday 3 December—public services, health and education; Thursday 4 December—economic affairs.

I now call on Mr. John McFall to move the Address, and Mr. Parmjit Dhanda to second it.

2.38 pm

Mr. John McFall (Dumbarton) (Lab/Co-op): I beg to move,

That an humble Address be presented to Her Majesty, as follows:

Most Gracious Sovereign.

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom and Great Britain and Northern Ireland, in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which Your Majesty has addressed to both Houses of Parliament.

I am most grateful to be moving the Address, along with my hon. Friend the Member for Gloucester (Mr. Dhanda), and particularly proud since I am the first Member from my constituency ever to do so.

I have been a Member of Parliament for 16 years, but I can honestly say that when I emerge from Westminster underground on a Monday, I still experience the same sense of elation at the sight of Big Ben and the magnificent edifice of the Palace of Westminster as I did on my very first, nervous day as a Member of Parliament in 1987. Like every other Member in this august place, I have had my ups and downs and highs and lows, but I have never lost sight of just what a privilege it is to serve the people of the area where I was born and grew up, nor my sense of reverence for this place, which, down the centuries, has seen so many dramas enacted and crucial decisions taken that have helped to shape our nation.

One of the highs of my parliamentary career was the time I spent as a Minister in the Northern Ireland Office. No one who has served in that capacity has left Northern Ireland without the fondest memories of the place and the people.

After my departure following the establishment of the Northern Ireland Assembly, I was delighted to be invited back, as a Back Bencher, to address a conference in the Waterfront hall in Belfast. I was booked into the Hilton hotel. When I arrived a great fuss was made of me, just as it was at all times when I was a Minister there. I was surprised and delighted to find that I had been assigned a suite on the executive floor, but when I had been in my room for only five minutes there was a knock at the door. It was the bellboy, who asked "Is your name McFall?". I replied "Yes". There was a moment's hesitation before he said, "There is a bowl of strawberries and a bottle of water on the table." "Yes," I said. He said, "Can I have them back? I thought you were a VIP." They were meant for someone else along the corridor.

All ex-Ministers will recognise that instant when the trappings of office, however modest, slip away.

The Government are to be commended on their consistency, energy and commitment to making the peace process in Northern Ireland work. Past Governments of all complexions have failed to make progress because, all too often, there has been a presumption of failure. When difficulties have occurred, there has been a Micawber-like readiness to leave things for a while in the hope that "something will turn up".

We all know how far there is to go until we can be confident that a real and lasting peace has been achieved in Northern Ireland, but make no mistake: we have already travelled much further in that direction than many people thought possible a few short years ago. That is in no small measure due to the huge personal efforts of the Prime Minister, who, no matter what other pressing matters he has attended to—and there have been many—has never failed to give Northern Ireland the attention it deserves. Today, when elections to the Assembly are taking place, I am sure that the best wishes of all Members are with the people of Northern Ireland.

Like the Palace of Westminster, the Dumbarton constituency is redolent of history. It includes the town of Dumbarton, the ancient capital of the kingdom of Strathclyde—a kingdom of the Britons until the 11th century. It stretched almost all the way to Merseyside. I was greatly disappointed, when the devolution settlement was reached, that we did not take the opportunity to reclaim the territory we had lost. I think that Blackpool could have rivalled Edinburgh as capital of a devolved Scotland—and building a parliament there might have been a little cheaper.

Dumbarton castle sits astride a 500-ft volcanic plug, and has dominated the Clyde coast skyline since before the beginning of recorded time. Scotland's Braveheart, Mel—sorry, William Wallace—took control of the castle at the end of the 13th century. In fact he was later held there as a prisoner, before being transferred to this very Palace of Westminster to stand trial in Westminster Hall.

The first king of a newly independent Scotland, Robert the Bruce, had many associations with the town, and retired there. He began the 700-year tradition of shipbuilding in my constituency, which sadly ended with the demise of the world-famous Denny's shipyard in 1963. Bruce's heart was buried in the grounds of a church whose ruins can be seen in the local Levengrove park. As a child, Mary Queen of Scots resided at the castle as she waited to sail to the safety of our old friend and ally—France.

The history books record that in 1494 a certain Baldred Blackadder was appointed keeper of Dumbarton castle. It is open to question whether a cunning plan was executed to install him in that position. In more modern times, shipbuilding has shaped and energised the town of Dumbarton. It was there in Denny's shipyard that the fastest clipper ship of all time, the Cutty Sark, was launched in 1869. It is now a significant tourist attraction not in Dumbarton, but in Greenwich. Mr. Speaker, we would like it back. I implore you, as protector of Back Benchers' interests, to help in this matter.

The first helicopter capable of flight was also constructed in Dumbarton in 1909 and one of the greatest champions in motor racing history, Jackie Stewart, is a Dumbartonian and a friend. In the Vale of Leven area in my constituency, there is a small village named Renton, which has a proud history. In 1888, the greatest event in Renton's history occurred when the local football team won the first ever World cup, beating the then mighty West Bromwich Albion 4–1 in the final. I am told that that was an even more convincing victory than the only other time a British team won this particular competition, which I believe was around 1966.

Recently, however, a third world cup has come Britain's way, and I am sure that the House will join me in congratulating the English rugby team on their—[Hon. Members: "Hear, hear."] Take it easy. The English rugby team won a magnificent victory in Australia, and the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), the Leader of the Opposition, has also added his congratulations, singling out Clive Woodward as standing out above all, as he was written off completely just four years ago. We can understand why that particular comparison comes to his mind.

Tobias Smollett, the man generally acknowledged as the author of the first English novel, was a Renton man. A few years ago, I visited a primary school in Renton and a teacher asked the children if they knew who I was. "Yes," one child retorted, "he's John McFall, the Prime Minister of Renton." So my right hon. Friend, the real Prime Minister, should be aware that when he visits my area again it is I who will be primus inter pares.

A few miles from Renton lies the gateway to Scotland's first national park. For 16 years, I have had the privilege of working with the community to ensure that there is national park status for Loch Lomond and the Trossachs. The history associated with Loch Lomond is impressive, from the Viking invaders to the colourful Rob Roy, who lived on the lochside. Its beauty is famed world wide and it is developing its full potential as a tourist attraction, enhanced by the new £60 million Loch Lomond Shores development, which has already attracted 1 million visitors in its first year and is already in the top 10 tourist attractions in Scotland.

Further west lies the elegant seaside town of Helensburgh, renowned for its architecture. Famous names associated with Helensburgh include Charles Rennie Mackintosh, the world renowned architect; Henry Bell, pioneer of steam-powered navigation; and John Logie Baird, inventor of television. Indeed, Andrew Bonar Law, Conservative Prime Minister in 1922, lived in Helensburgh for 30 years. Following a funeral service for Bonar Law in Westminster abbey, Asquith bitingly remarked:

> "It is fitting that we should have buried the Unknown Prime Minister by the side of the Unknown Soldier".

I welcome the 30 Bills—seven in draft—in this heavy legislative programme, and I am delighted to see in the Queen's Speech a Bill dealing with employment relations. The Bill rightly highlights the importance of management-worker relations in the workplace. This Government have always recognised the fact that employment is the key to both economic prosperity and

[Mr. John McFall]

a fulfilled life. It is to their credit that more than 1.5 million extra jobs have been created since 1997.

Only a few weeks ago, I was privileged to present a certificate of achievement to a young constituent, Paul Devine, to celebrate his success in obtaining full-time permanent employment through the assistance of the action team for jobs programme set up by the Department for Work and Pensions. Paul was the one thousandth action team client to be helped into employment in my area.

Paul had sadly become addicted to heroin when he was at school. Now, 15 years later, he is free of drug use and has launched a successful career in social work. He recently won the *Daily Record Sunday Mail* Young Scot award for an outstanding contribution to his community. The credit for that transformation must go to Paul for his determination and effort to succeed. However, without Government initiatives, such as the employment action team, the prospect of such success stories would be slighter. Happily, in the past few years the scourge of youth unemployment has been almost eradicated in my constituency, thanks to the new deal for young people.

We all lose our way at some time or other, and we need a helping hand to guide us, to get back us on track and heading in the right direction. The late Cardinal Winning, of the archdiocese of Glasgow, could testify to that. A few years ago, he came to Dumbarton for a civic reception for a retired primary head teacher, Sister Julie Marie. He was informed that the event would take place in the Burgh hall in Church street. Unfortunately, he entered the building on the opposite side of Church street and found himself in the entrance of the Masonic lodge. There was consternation when the person to whom he introduced himself informed the brothers, as they were about to undertake their Friday evening rituals, that there was a cardinal in reception looking for a nun. However, their composure was quickly regained, and his eminence was soon redirected and sent on his way with the best wishes of the brothers ringing in his ears. There was even an offer for the cardinal to call in at any time for a pint. There is no recorded sighting of such an event.

As a former teacher, I am deeply interested in the Bill on education. One of my areas of specialisation was pastoral care and guidance for pupils. The main focus was on encouraging all young people to use their talents and to maximise their educational opportunities. Nothing is so gratifying to teachers as to know that those whom they have taught have gone on to better things. Sadly, that is not always the case.

In the mid-1990s, as Opposition spokesman for home affairs, I was invited to Barlinnie prison in Glasgow to open "Prisoners Week". There was a full turnout, not least because the prisoners had heard that sandwiches and delicious home baking would be available. A very large inmate said to me, "You'll have had your food, wee man?". On learning that he was inside for grievous bodily harm, I readily concurred.

On the way out, I witnessed a young man coming out of the back of a prison van, handcuffed to two policemen. The look of recognition on his face was followed by the shout, "John!". Surprised and pleased at what I took as a sign of my growing fame as a politician, I asked him, "How are you doing?". He cast a glance at his handcuffs, then back at me and said with incredulity, "How am I doing? How do you think I'm ****** doing?". Hon. Members can guess what the omitted word was. As he was led away, he looked up at his guards, and gesturing to me with an obvious sense of pride said to them: "He used to be my guidance teacher". We all fail, and we all have to pick ourselves up and start all over again.

The child trust fund Bill is a welcome measure. It is an entirely laudable attempt to ensure that all young people are given a boost as they stand on the verge of adult life. The Chancellor is to be commended for this measure. I am sure that nowhere in his reasoning is the thought that a certain John Macauley Brown will benefit from the trust fund. I am also sure that, like a good parent, he will add what he can to the fund as the years go by. I should like to be there when young John reaches maturity to hear what advice his father gives him. I hope that he does not begin with a brief explanation of endogenous growth theory; or curb the young man's natural exuberance with warnings about adding to the fund by borrowing only if it is to invest; or, goodness forbid, set five tests before a decision can be reached to spend any of it at all.

There is so much to do and so far to go, but a lot has been achieved in the last few years in expanding opportunities and extending social justice. None of that would have been possible without the sound economic basis achieved by this Government, and the Chancellor deserves enormous credit for his part in that. As a Government Back-Bencher, it is my responsibility to do all that I can to ensure that the Government do not lose sight of the goals nor slacken their efforts to transform our society. The programme outlined today shows that they are as focused and as determined as ever to achieve their objectives, and I therefore warmly recommend this Queen's Speech to the House.

2.56 pm

Mr. Parmjit Dhanda (Gloucester) (Lab): As the first English-based Member of Parliament to address the House in the new Session, and since my constituency includes Kingsholm—the home of rugby and of the cherry-and-whites, Gloucester rugby football club—I must congratulate the local boys, Andy Gomarsall, Phil Vickery and Trevor Woodman, and join my hon. Friend the Member for Dumbarton (Mr. McFall) in congratulating the other 27 players of Clive Woodward's squad, the new world champions, England.

I do not wish to be partisan—

Mr. Stephen Pound (Ealing, North) (Lab): Oh, go on.

Mr. Dhanda: Well, just for a moment and to please my hon. Friend the Member for Ealing, North (Mr. Pound). I believe it was Harold Wilson who said that we only win world cups under a Labour Government. I have got that out of my system now.

The House will be aware of the campaign in the run-up to Saturday's final, urging us to "do the Jonny" as a gesture of good luck to the England No. 10. I do not have the space to demonstrate the Jonny here, but at the weekend I assured a group of my constituents that I would seek to emulate "Jonny." They did not realise that I was referring to my hon. Friend the Member for Dumbarton, who, as well as sharing his namesake's dapper build and winning smile, has demonstrated that he, too, is at the top of his particular field as a parliamentarian. I am delighted to pay tribute to him. I hope that he forgives the comparison with a Sassenach rugby player; I hope I pronounced that correctly.

The honour of commending Her Majesty's speech is an honour not just for me, but for the people of Gloucester, and one that, if I might say so, is long overdue—although not because of me, I hasten to add. There is no recorded history of a Member for Gloucester playing a role in this unique parliamentary occasion, either as proposer or as seconder—ever.

In Gloucester, we have a theory, Mr Speaker; you might say it is something of a conspiracy theory. If anyone was ever worthy of the honour, surely it was my predecessor Lieutenant Colonel Edward Massey, who, in 1642, fought—literally—for the parliamentary cause at the siege of Gloucester. The honour never befell Massey. Instead, he had to settle for being knighted and becoming governor of Jamaica. Some people have all the luck.

On many a long evening in Gloucester's New Inn, the England's Glory and the Linden Tree, Gloucesterians have wondered aloud as to how they have been overlooked when Her Majesty has made her speech to Parliament. Perhaps it was all Massey's fault, they say, for fighting the parliamentary cause in 1642, rather than the royal one.

So I resolved to change all this. I had to make friends in high places; I needed to undo my predecessor's work and to get in with the royals. So, as many of my colleagues will be aware, I headed to Buckingham Palace last November. As the copy of *The Guardian* that I am holding shows, it was the day the Conservative party had to unite or die. Well, it did not unite, but as the front page of that paper also shows, there was the far more important story of my trip to Buckingham Palace to make new friends and influence people. That night, His Royal Highness the Duke of Edinburgh and I had a chat. We talked about what each of us had done before our current roles in life. In the light of his time in the Navy during the war, and of my time as a student—doing not a lot—we struck up a real rapport. I would go so far as to say that we got on like a house on fire, regardless of what it said in *The Guardian*—and in the *Daily Mail*. And in *Private Eye*. And in *Corriere della Sera*. And in a Bolivian publication that I cannot quite pronounce. That goes to show that we really do live in a world of wall-to-wall media coverage.

Little did I know that so favourable was the impression that I left on His Royal Highness that he must have felt compelled to ring my Chief Whip himself to request that for this royal occasion, his old pal from Gloucester act as seconder—I stress, seconder—for the Queen's Speech. I hope that that clears up any confusion. I owe him a debt of gratitude for breaking Massey's curse for ever.

In making this speech, it is traditional to talk about one's constituency. But it is my constituents who make Gloucester what it is today, and it was for them that I said in my maiden speech that I wished to deliver a city fit for the 21st century. All Members of this House—on both sides—rightly consider their constituencies to be the best thing since sliced bread, but mine has been the hub of an unprecedented scale of investment in the past two years. A £30 million private finance initiative rebuild of the Gloucestershire royal hospital has allowed me to become the first Gloucester MP in a generation to open wards in Gloucester, rather than presiding over ward closures. But Gloucester has also received new money for a university campus, and we are working towards a new police headquarters, new road infrastructure and the best leisure centre in the region. In all, that is more than £100 million of capital investment in Gloucester, and more than 100 million reasons for me to be proud of the city that I represent.

In my first two years in office, I have realised that if you don't ask, you don't get. But so many times when I have asked on my constituents' behalf, the Government have given. I thank them for that, but that does not mean that I am about to stop asking.

My constituents will welcome the Government's measures to ensure that our people do not have to be of working age to earn security. Introducing baby bonds will ensure that all young families can be assured of a new level of security in life. Combined with the new measures to protect pensions, that reminds me of a phrase that first brought me into Labour party politics—for this is a Queen's Speech that improves the quality of our constituents' lives from the cradle to the grave.

Given that all news is local, my right hon. Friend the Prime Minister may be aware of a campaign that was initiated by my local newspaper and me, and which is supported by the cross-party consensus of the 61 Members of Parliament who signed early-day motion 1811. That early-day motion supports the steps that the Government have taken to ease pensioner poverty, and urges my right hon. Friend to consider appointing a Minister with responsibility for older people, who would have the power to work across Government Departments in the interests of all our senior citizens. That said, I can reassure him that I am not trying to create a job for myself. Honestly.

I believe the Government deserve particular praise for introducing measures that trade unionists everywhere will welcome, by building on the Employment Relations Act. When people like my mum and dad came to this country nearly 40 years ago, to clean hospital floors, like mum, or drive heavy goods vehicles, like dad, it was not the Government of the day they turned to for help and support.

They had a lot to contend with, with people accusing them of coming here to nick British jobs. But as mum often tells me, there was no queue of people at Ealing hospital lining up to clean the toilets—only migrant labourers, invariably women, doing their bit to build our NHS. I salute them for the work that they did, and I salute the trade unions for sending them on courses to teach them enough English to be able to represent themselves in the workplace. They helped to create a generation of workers with the self-respect and determination to push their own children to make the most of opportunities in life that they themselves could

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only have dreamed of. Trade unionists everywhere will welcome these new measures enhancing employment rights.

In 1997 my seat of Gloucester was the key seat. Labour needed to win it to achieve an overall majority in the House of just one. When my predecessor decided after one term that politics was not for her, my local party and the people of Gloucester took a chance. They took a chance on someone who did not look or sound like a typical Member of Parliament, someone who did not have the traditional background to be a Member of the House. I told my constituents that, if politics is about changing things—and I believe it is—in 2001, in the key seat, the barometer seat, the people of Gloucester had the chance to show the world that my party was changing people's attitudes for ever. Gloucester led the way that day.

After Labour's six years in office, the Gracious Speech demonstrates that the Prime Minister still believes that politics is about changing things for the better. I urge him to continue to do so, and I commend the Gracious Speech to the House.

3.7 pm

Mr. Michael Howard (Folkestone and Hythe) (Con): I begin by paying tribute to Paul Daisley, who came to the House with a formidable reputation as a reforming council leader. Tragically, his election to Parliament was overshadowed by the diagnosis of his cancer. Obviously in pain, but with an equally obvious pride in his constituency, many remember the courage that he showed when he delivered his maiden speech some eight months later. I am sure that hon. Members throughout the House will join me in expressing the hope that his spirit will live on after him through the work of the Paul Daisley trust. His spirit lives on in another way, too. Paul campaigned vigorously for his predecessor, Ken Livingstone, to be readmitted to the Labour party, and it rather looks as though he is going to have the last laugh. On both sides of the House, we will miss Paul Daisley.

I warmly congratulate the proposer and seconder of the Loyal Address. The hon. Member for Dumbarton (Mr. McFall) spoke with passion, great humour and great wit. He always does speak with passion. In common with the Prime Minister, he long had a passionate and principled devotion to the cause of unilateral nuclear disarmament—despite the fact that Faslane and Coulport employ hundreds of people in the hon. Gentleman's constituency. Indeed, the hon. Gentleman's constituency is undoubtedly one of the places in the world where even the Prime Minister could find weapons of mass destruction.

The hon. Member for Dumbarton also serves as the highly respected Chairman of the Treasury Committee, where he has a fearsome reputation. When he recently asked the Governor of the Bank of England the same question nine times, he was compared to Jeremy Paxman. Let me assure the hon. Gentleman that nine times is easy. He should try 14; then he really could move to "Newsnight".

I am sure I speak for the whole House when I congratulate the hon. Member for Gloucester (Mr. Dhanda) on his speech. He spoke with the eloquence that we have come to expect from him. But he must have been rather surprised to be asked to second the motion today, for earlier this year he voted against the war. His website diary gives a fascinating account of his private meeting with the Prime Minister hours before the crucial vote; it is full of startling political insights. The Prime Minister, the hon. Gentleman said,

> "had obviously had a long and hard day. His shirt, usually impeccably pressed, looked slightly creased. But his eyes were bright, focussed and full of conviction. 'Parmjit,'"

he said,

> "'We are where we are.'"

The Prime Minister was clearly at his most persuasive. He continued:

> "It's a far from ideal position, I know, but I need your support".

"A far from ideal position." I do not remember that phrase creeping into the Prime Minister's speech in the House that day. Could he just possibly have been saying one thing in public and another in private? Surely not. I hope that all this has not killed off the political prospects of the hon. Member for Gloucester, for on the basis of today's performance he has a great career ahead of him.

I, too, want to congratulate the English rugby team on their outstanding achievement in Australia; it is a great shame that the Minister for Sport was not there to see it. There are different accounts of his reaction when he was told to come back early. The Secretary of State for Culture, Media and Sport said that that had always been planned, but the Minister's spokesman,, when asked how he really felt, said, "I can't tell you. It's before the watershed." The Prime Minister was reported as being profoundly unimpressed by the Minister's reaction; indeed, a source close to the Prime Minister said of the Minister for Sport, "I think he may regret it." It may not be long before the Minister for Sport is proposing the Loyal Address.

Before I examine the Gracious Speech in detail, I shall mention certain matters that do not fall directly within the remit of the Government's programme. Today, the people of Northern Ireland go to the polls to elect a new Assembly. We support the Government in their efforts to re-establish devolution in the Province, and we hope that there will be a constructive and stable outcome to today's elections.

In Iraq, too, the Government are engaged in a commendable endeavour to replace tyranny and terror with peaceful democracy. The Prime Minister has shown political courage in standing shoulder to shoulder with our allies in America and elsewhere, and we support him. We must remember, in everything we say and do, that many British servicemen and women are demonstrating physical courage every day in Iraq. Their job is a dangerous one, and I am sure I speak for the whole House when I express my gratitude to them. In that context, I pay tribute to the two Members of the House whose duty as members of the reserve forces has taken them to Iraq—my hon. Friend the Member for Westbury (Dr. Murrison), who, happily, has returned safely to rejoin us, and my hon. Friend the Member for

New Forest, West (Mr. Swayne), who continues to serve our country in Nasiriyah.

Many of us have constituents who have suffered the tragic loss of close family members in Iraq, and we owe it to them to ensure that their loved ones did not die in vain. The House will also wish to pay tribute to the three British citizens, including the consul general, who died in the bombings in Istanbul, and to the many others who so tragically lost their lives there.

We welcome a number of the measures in the Gracious Speech. We regard them as constructive, and we shall support their passage. We are pleased to see the Government turn their attention to child protection and domestic violence. We will study the draft disabilities Bill when it is published, and we hope that it will live up to the billing that the Minister for Disabled People has given it.

We also support the principle of a civil contingencies Bill. Those recent terrorist atrocities in Turkey and elsewhere require us to do everything possible to protect British citizens and interests.

The civil partnerships Bill aims to address some genuine grievances that are acknowledged on both sides of the House. I believe that we all have a duty to recognise and respect the fact that people in our society choose to live their lives in many different ways. I also accept that there are a range of sincerely held opinions on how the law should reflect that. Conservative Members will have a free vote on the measure and I hope that will also be the position for Labour Members.

Although we welcome some of the individual proposals in the Gracious Speech, the overall reaction to it—even, I suspect, on the Labour Benches—will be disappointment. That sums up the general feeling of disillusionment that has built up over the last six and a half years. The Government were elected with great promise and a sweeping mandate. They had the world at their feet and a vast parliamentary army ready to carry forward whatever measures they proposed—and what has happened? In the words of Paul Daniels, "Not a lot." We are, after all, about to embark on the seventh parliamentary Session since the right hon. Member for Sedgefield became Prime Minister. He has been in office longer than Attlee—what has he got to show for it?

During that time, we have had seven education Acts. In 1998, the Government promised to cut truancy by a third. What has happened? Truancy has gone up by 15 per cent. overall and by 25 per cent. in our secondary schools. What hope is there for our future if so many of our young people are not even going to school at all?

Mr. Barry Gardiner (Brent, North) (Lab) *rose*—

Mr. Howard: I shall give way to the hon. Gentleman. While he is on his feet, I hope that he will tell us where he stands on top-up fees. Is he in favour of the manifesto proposal or is he in favour of the proposal in the Queen's Speech? Is he in favour of the Chancellor's policy or the Prime Minister's policy? I hope he will deal with that.

Mr. Gardiner: The right hon. and learned Gentleman said that the Government had achieved not a lot. What does he consider the 91 per cent. drop in unemployment in his constituency to be? Is that not a lot?

Mr. Howard: I am very, very sorry that the hon. Gentleman was unable to enlighten us about his position on top-up fees—*[Interruption.]* I was only trying to help the Chief Whip; she needs to know the numbers.

Since the Government came to office, we have had five transport Acts. Yet we have more congestion, and twice as many trains running late as before. We have had 18 Acts from the Department of Health—18—but none will be of any comfort to the million people languishing on waiting lists. We have had no fewer than 30 pieces of legislation from the Home Office, yet crime is up by 800,000, gun crime has doubled and we have the highest level of violent crime ever.

Are the major Bills in this year's speech likely to be any different? The asylum Bill—the third immigration and asylum Bill—is merely the latest chapter in the sorry story of incompetence and irresponsibility that has marked the Government's attempts to deal with the problem. Almost five years ago, the then Home Secretary said that he was legislating to

"provide the United Kingdom with a modern, flexible and streamlined system".—*[Official Report, 22 February 1999; Vol. 326, c. 50.]*

Whatever happened to that?

The Government have wasted—

Mr. Bob Blizzard (Waveney) (Lab) *rose*—

Mr. Howard: I shall give way to the hon. Gentleman. I hope that in order to help the Chief Whip he will tell us what his position on top-up fees is.

Mr. Blizzard: I thank the right hon. and learned Gentleman for giving way. What the Chamber would like to know, in view of his comments on the asylum Bill, is will he and his party oppose the Bill?

Mr. Howard: I promise that I shall deal with that. This Government have wasted the past six and a half years reversing the measures brought in by the previous Government, and then reintroducing them.

Mr. James Plaskitt (Warwick and Leamington) (Lab): Will the right hon. and learned Gentleman give way?

Mr. Howard: No, I am about to answer the hon. Member for Waveney (Mr. Blizzard). This time, the Government have gone further than any civilised Government should go. Earlier this week, we read in our newspapers that the Government propose to use the children of asylum seekers as pawns to cover up their failure to get a grip on their asylum chaos. Children of asylum seekers are to be taken into care in order to force their parents to leave the country. The Prime Minister and the Home Secretary should be thoroughly ashamed of themselves. We shall oppose any legislative provision that seeks to give effect to this despicable proposal. I have no doubt that when we do so we shall be joined in the Lobbies by the many Labour Members who, unlike the Prime Minister and the Home Secretary, retain their self-respect.

Now, what about pensions? The pensions Bill will do nothing to tackle the main causes of the pension crisis. *[Interruption.]* The Home Secretary needs to contain

[Mr. Howard]

himself. If he briefs newspapers so that they carry headlines such as we saw last week, he has only himself to blame for the furore that follows.

I repeat that the pensions Bill will do nothing to tackle the main causes of the pensions crisis. Without reform of the state pension and a reversal of the spread of means testing, that crisis will continue to get worse. Without new incentives to save, pension provision will continue to shrink.

What of the pledge in the 1997 Labour manifesto to make the House of Lords more democratic? We now know exactly what the Prime Minister means by democracy—one flatmate, one vote. While we are talking about manifestos, what happened to the pledge made in 2001, just two years ago? "We will not introduce top-up fees," it said—and there was more: the manifesto boasted that Labour had "legislated to prevent them."

When the Prime Minister gets up, perhaps he will say what exactly happened there. Was it a misprint? Was it the intention to say that the Government would legislate to introduce top-up fees, or did the Prime Minister simply miss that line altogether? Was it perhaps sneaked in by the Chancellor at the last minute? Is that why the right hon. Member for Hartlepool (Mr. Mandelson) has been brought back in to oversee the manifesto—to keep an eye on any last-minute changes by the Chancellor? Is it not extraordinary? It does not matter how many times that right hon. Gentleman is sacked from the Cabinet and forced to leave Downing street by the front door: the Prime Minister will always find a way to smuggle him back in through the back door.

Today, there was no mention of the phrase "top-up fees" in the Queen's speech. It is the tax that dare not speak its name.

Government plans for regional assemblies will take the number of referendums held by the Government to 37. However, the Queen's speech also refers to a Bill about a referendum that the Government dare not hold—the draft Bill for a referendum on the euro. There is one thing, surely, on which we can all agree. Since no one believes that the Government will call a euro referendum before the next general election, why on earth are we wasting any time on it?

On regional assemblies, we are being given referendums that we do not want. On the euro, we are being given a referendum that will not be called, but on the new constitution for Europe—a measure of the utmost importance—we are being given no referendum at all.

No one could say that the late Hugo Young was a Eurosceptic. Indeed, the Prime Minister recently paid a handsome and well-deserved tribute to him; but the Prime Minister would do well to listen carefully to Mr. Young's wise words. He wrote in July that

> "this change in the shape of the EU is indeed constitutional, does mark something pretty big, and merits the thumbprint of the nation to endorse it."

There is now total confusion at the heart of the Government. The Prime Minister said that the European constitution is good for Britain. The Chancellor says that it is bad for Britain. The Prime Minister has told us that the constitution is essential for enlargement. The Foreign Secretary has now said that it is not. That is why the Prime Minister will not hold a referendum, and why he will not even try to persuade the British people that the constitution is either good or essential. He cannot even persuade the Chancellor of the Exchequer and the Foreign Secretary, so it is no wonder that he will not allow the country a say. After all, it is not as though the Government are against consultation. This evening, the Prime Minister will launch what he pretentiously describes as a conversation with the nation. It will not come as much of a surprise to the nation to learn that that conversation will be rather one-sided.

On Sunday, the Leader of the House was asked by Jeremy Vine what would happen if the people said, in the course of that conversation, that they did not want top-up fees. In reply, the Leader of the House said,

> "Well indeed but er . . . well the point I'm making is that top-up fees are an issue which are current now, today, this year, in this coming year, in the coming couple of years."

That is all clear, then. What is the conversation with the nation about? Again, the Leader of the House was crystal clear. He said:

> "Because, in the context of a long term future . . . that is, that was what the Prime Minister was talking about and not in respect of, you know, the need for reform."

So it was not anything to do with reform.

We all know the real conversation that the Prime Minister needs to have. He needs to have a conversation with his next-door neighbour. The current situation makes one wonder who is the leader and who is being led. Real Prime Ministers lead their Chancellors: he follows his. What is the Prime Minister's response? He cannot get his way on policy. He cannot get his way on strategy. All he can do is deny his Chancellor a seat on the national executive.

The Prime Minister may strut his stuff on the world stage, but when it comes to domestic policy, never in recent history has a Prime Minister been so weak, so feeble and so utterly unable to do what he wants, even though he has a huge majority in the House of Commons. How utterly humiliating for him—and how very damaging for our country. He has been "outmanoeuvred" by a "politically obsessed Chancellor". Those are not my words, but those of the right hon. Member for Hartlepool, who is probably the world's leading authority on their 10-year feud.

Is it any wonder that the Government have given up on delivery? The House need not take my word for it. We have it on no less an authority than the Secretary of State for Trade and Industry. I am happy to see her in her place.

Andy King (Rugby and Kenilworth) (Lab): Will the right hon. and learned Gentleman give way?

Mr. Howard: No, the hon. Gentleman should listen to this, because it is rather important. The Secretary of State has admitted that

> "when we talked about delivery, that may have been something of a mistake . . . We are not in government in order to show that we can be more competent than the Conservative Party was."

The right hon. Lady knows, as we all do, that Labour promised far too much and has delivered far too little.

Labour Members know that they cannot deliver and they know that they are incompetent. They know that they have failed, and the Gracious Speech will do nothing to remedy that.

We could be doing so much better. We are the world's fourth largest economy. We are a nation of hard-working, enterprising, energetic people. We have great potential, but this Government—who promised so much—have let our country down. In the absence of real reform, their only answer is higher tax. When that fails, they turn to higher taxes still. They approach every problem with an open wallet and an empty mind. They are taxing and spending and failing. After six and a half years, the Prime Minister has lost his grip and the Government have lost their way. They are running out of steam, and they know it. We need better schools and the Government just give us top-up fees. We need safer streets, but the Government abolish the Lord Chancellor. We need improved hospitals but the Government give us legislation on the euro.

The Prime Minister and the Government are simply unequal to the task. They have run out of ideas, they have run out of money and they are running out of time. All they have to offer is open wallets and empty minds. [HON. MEMBERS: "You've said that."] And I will say it again, because it happens to be true.

This Queen's Speech should have included a programme that delivers real power to patients, to parents, and to front-line professionals. It should have included a programme that gives value for taxpayers' money and security for the national interest. But that programme will only be put in place by a different Government—a Government who boost the economy rather than chain it, who implement serious reform of our public services, and who give real power to people. That Government is the next Conservative Government, and the sooner it comes, the better life will be for the people of our country.

3.30 pm

The Prime Minister (Mr. Tony Blair): Let me start by remembering our colleague Paul Daisley, who sadly died in June this year. Paul had been a Member of Parliament for only two years when he died, but I know he made a great impact on both sides of the House and had many friends from all parties. As has just been said, his courage through his illnesses was remarkable, as was his service to his constituents both as a Member of the House and, prior to his election, as a councillor and, indeed, council leader in Brent. I know that the thoughts of the whole House are with his wife Lesley and his family.

Perhaps the House will permit me to express yet again our deep sorrow at the death of Gareth Williams, the leader in the other place. He was someone of quite exceptional ability, intellect and integrity, and I know that he, too, is missed on all sides of the political spectrum.

My hon. Friend the Member for Dumbarton (Mr. McFall) made an immensely engaging and witty speech, as we anticipated. I thank him in particular for his kind words on Northern Ireland and all that we have done over the past few years. I can assure him that we will carry on working for peace in Northern Ireland to the best of our ability, both now and after the elections today.

My hon. Friend is the well-respected chair of the Treasury Select Committee. [*Interruption.*] I am sorry, the Tories want me to say "Chairman". I thought they were getting up to date, but no. They could have a free vote on it maybe; I do not know. Anyway, my hon. Friend lists running among his hobbies. I understand that these two seemingly unconnected skills came together recently when, with just two minutes to go on the vote on paying Select Committee Chairmen, he found himself by mistake in the No Lobby. Who said Select Committees cannot move fast when they want to?

My hon. Friend has taken up many issues. I had occasion to read his maiden speech, which included an immensely powerful attack on the poll tax. I suspect that little did he know that, 16 years later, he would have the opportunity to move the Loyal Address, to be followed by Mr. Poll Tax himself—the right hon. and learned Member for Folkestone and Hythe (Mr. Howard)—so it is very much back to the future for him, and indeed for all of us.

As I am sure the whole House would agree, my hon. Friend the Member for Gloucester (Mr. Dhanda) also made an effective and amusing speech. I am particularly grateful that he did not remind me that before I entered the House I was rejected as the Labour candidate for Gloucester; obviously, his qualities are far more appealing both to the party and to the electors there. The Gloucester seat was, as he explained, the first seat for which my hon. Friend had applied, and as he said rather movingly in his tribute to his constituency, the people of Gloucester showed by sending him to the House that all they cared about was his character, his commitment and his talent, and that is an example to all. How right they were can be seen from the fact that my hon. Friend showed very early in his parliamentary career that he was a politician who could spot the issues and priorities of the future. How else can you explain a new Member of Parliament who, within weeks of arriving in the House, starts a campaign to ensure that top-class international rugby is open to all television viewers? I am sure that all of us would like to be able to see the future with such accuracy.

My hon. Friend is, I am sure, at the start of a long career in the House, but I have no doubt that whatever else he achieves in life, he will be for ever remembered for a publication that he authored in 1993 entitled "Measuring Distances using a Gallium Arsenide Laser." I am afraid that there is nothing further that I can say—that is clean—about that.

We have heard two excellent speeches—self-deprecating, generous, forward looking and compassionate. Now, though, I come to the speech of the Leader of the Opposition. Free and fresh from his leadership triumph, the Conservatives are consulting the people—a contest in the best tradition of the politics of North Korea, I thought. Six years ago, of course, when he last stood for his party's leadership, he came a poor fifth out of five candidates; but here he is today. Why did his party believe in 1997 that he was the very last person who could convince the country that the

[Mr. Tony Blair]

Conservatives had something to offer? I think that we all know why—it was because of his record in office. No wonder the Conservative party did not want juries to know about previous convictions—he has got form as long as your arm.

In fact, on almost every occasion when there was a serious crime against this country, the right hon. and learned Gentleman was on the scene. Who was the Environment Minister who personally brought in the poll tax? He was. Who was Home Secretary when police numbers were cut by 1,000 after he promised to increase them? He was. *[Interruption.]* We are talking about his record in government. Who was the Employment Secretary when unemployment rose by 1 million? He was. That represents 1,300 people added to the dole queue for every day that he was called the Employment Secretary. Not even Paul Daniels could make that record disappear.

It is no wonder that the Tories want to hide previous convictions. As the right hon. and learned Gentleman said when he was Home Secretary, "If you don't want the time, don't do the crime." His crimes were in government, and six and a half years in opposition is not long enough for him. Of course, we are told that he has changed. He stands before our wondering eyes the new born-again leader of the Conservative party, shedding all the earlier skins—something of the day about him. Along with the bright born-again leader comes a bright new born-again team. There they all are, the shadow Cabinet, facing tomorrow's challenges with yesterday's men—and one woman. At least the reshuffle has confirmed one thing: it takes two men to do one woman's work—two men trying to control the Tory party, but only half a man to run education and half a man to run our health service.

There are not just two party chairmen: the right hon. and learned Gentleman has also appointed three former Tory leaders and a former Chancellor as his personal advisory team. I can just imagine the discussion they will have. The right hon. Members for Chingford and Woodford Green (Mr. Duncan Smith) and for Richmond, Yorks (Mr. Hague) will keep telling him to turn right on every occasion. The right hon. and learned Member for Rushcliffe (Mr. Clarke) will want to turn left. The former Member for Huntingdon, John Major will most likely stop in a lay-by to consult the map. There has been nothing like that ominous presence in one group since the four horsemen of the apocalypse, but it is all a sham to let them concentrate on their real objective—and my goodness did we see it here this afternoon—to mount a ceaselessly negative attack, without anything positive to say about the future of this country.

I thought that it was the most predictable speech that we could have heard from the right hon. and learned Gentleman. He may want to pose as the nice Dr. Jekyll, but we know that, deep down, he is still the same old Mr. Howard—utterly negative. The NHS is apparently hopeless. The schools are all failing. The economy is on the road to ruin. It was straight out of the Saatchi book of negative campaigning [HON. MEMBERS: "Labour isn't working."] Oh yes, they are remembered for saying, "Labour isn't working." That was when unemployment was 1 million and then the Tories trebled it—not once, but three times.

This Queen's Speech, by contrast—*[Interruption.]* Oh yes, we are going to draw a contrast between the measures for the future and the return to the past under the Conservative party. The Queen's Speech addresses the issues, even difficult ones, that allow us to meet the challenges for the future on the basis of opening up opportunity to all. First, as the right hon. and learned Gentleman talked about delivery, we must preserve our hard-won economic stability. This country has weathered the storm best of all G7 countries. We have the lowest interest rates for many generations, low inflation, low unemployment, the highest-ever levels of employment, and debt down from 44 per cent. of GDP to 32 per cent.

If we want to contrast what we have done in the past few years on delivery with what the right hon. and learned Gentleman delivered, let us remember the interest rates at 10 per cent. to 15 per cent., the 1.5 million fewer people in work, the boom and the bust and the borrowing at 8 per cent. of GDP. How did the Conservatives create that mess? They promised tax cuts and higher spending at the same time, which is exactly their policy now. Re-linking the basic state pension with earnings was described a short time ago by the new member of the shadow Cabinet who speaks on policy development as

"not affordable and . . . not . . . well targeted"

and

"a wild and uncosted policy".

It is now their policy, however, along with 40,000 more police, extra spending on defence, farming and local government, scrapping university fees and their pensions pledge—which alone will cost about £8 billion over this Parliament—all at the same time as promising to cut taxes.

Mr. Crispin Blunt (Reigate) (Con): The Prime Minister has alluded to defence expenditure. How can the Government introduce a cut in defence expenditure of £500 million a year after he has taken the country to war five times in six years?

The Prime Minister: Defence spending is rising in real terms for the first time in many years. As we are declaring the contrast between the two parties, some of us remember defence cuts of 30 per cent. when the hon. Gentleman's leader was in office. We will therefore take no lessons in support for our armed forces from the Conservative party.

Secondly, as well as preserving stability, we must continue the investment in and reform of public services. Let us never forget that in the years before we came to power, hospital waiting lists rose by 400,000. Over six years, that has been reversed—they have fallen to their lowest level for over a decade. In 1997, for example, 30,000 people were waiting for more than 12 months—now the figure is 114; 118,000 were waiting over nine months—and now it is 42,000. By mid-2005, we will have a maximum waiting time of six months, and by 2008 that will be down to three months. In 1997, we inherited 70,000 out-patients waiting more than 26 weeks—now the figure is 700. The Leader of the Opposition says that we have wasted money, but that is where the money has gone. It has gone into 55,000 more nurses; 14,000 more doctors; 24 major new hospitals; 180 accident and emergency departments that have been or are being modernised; the NHS Direct helpline, which takes half a million calls per month; 42 walk-in centres; 23 diagnostic and treatment centres; 300,000 more operations a year; almost a million more elective admissions; cancer deaths down by 10 per cent.; and heart disease deaths down by 23 per cent. Yes, there is a long way to go, but let no one pay any attention to the Conservative party's campaign claiming that nothing has happened in the past six years, because it simply is not true.

Mr. Julian Brazier (Canterbury) (Con): Will the Prime Minister tell us why his Government are running down and partially closing the cancer centre at the Kent and Canterbury hospital—the first cancer centre in a generation to be threatened in this way?

The Prime Minister: We are improving cancer services throughout this country—*[Interruption.]* Yes, there will be changes in the service. We are putting almost £600 million into cancer in this country. The number of cancer deaths is down by 10 per cent. I suggest that the hon. Gentleman and other Opposition Members talk to people in cancer services, who will tell them that they are improving as a result of the extra investment.

We know what the strategy of the Conservative party is. The new Conservative chairman outlined it a short time ago. These are chilling words for the country to remember:

> "The first"—

phase—

> "is to persuade the public that the NHS is not working. The second is that it 'won't work' and 'can't work'. The final stage would be details for the manifesto, 'ultimately the most difficult phase'".

He is right there. Foolishly, however, the Conservative party has made a specific policy commitment—that patient's passport is an iniquitous proposal that will subsidise people to go out of the NHS but only to the tune of 60 per cent. of the cost. The other 40 per cent. must be paid by the patient. It is not just the unfairness and the dead-weight cost that would rip more than £1 billion out of our health service. It is not a policy that is designed to improve the health service, but one that would allow a small number of people to escape it. That is typical of Conservative policy and would simply take this country backwards. Pensioners and others would have to pay 40 per cent., and the cost of some operations would run into literally thousands of pounds for those people.

Mr. Howard: If the Prime Minister affects such anger at that, how can he condone the fact that the number of people without any kind of private medical insurance at all, and who leave the health service and pay for their own operations because they are so appalled at what they find, has tripled under his Government from 100,000 to 300,000 a year?

The Prime Minister: I do not believe that people are appalled at what they find in the national health service. The reason that we have been able to reduce waiting times—every single one to below what we inherited—is because of our investment. There we had another typical example. The right hon. and learned Gentleman stands and says that the national health service is failing people in this country. That is simply not true. The fact is that he wants to tell people the health service is failing because he does not believe in it, never has believed in it, and wants to get rid of it.

On the issue of schools, again the right hon. and learned Gentleman said that we have made no progress at all, but this is what the chief inspector of schools said a few weeks ago when discussing schools policy:

> "Government policies are rightly focused on raising standards. it wants more and more young people to achieve more and more. Our Annual Report shows clearly that these policies are bearing fruit."

The Ofsted report went on—this is what the right hon. and learned Gentleman should remember, because it offers a contrast to what used to happen—to say:

> "Standards of attainment are rising in England. We can look at improvements in National Curriculum tests and public examinations. In 1996, only 57 per cent. of pupils in their last year at primary schools reached level 4 or better . . . Six years later that figure stands at 75 per cent . . . A similar story can be told about mathematics. In 1996 only 54 per cent."

got those results. Now, three-quarters get the right results. That is what delivery is about for people in this country.

We are increasing nursery provision and expanding sure start, with 400,000 children benefiting. Yet again, if we want a sign of what would happen if the right hon. and learned Gentleman got his hands on power, the Conservative party has consistently refused to support the sure start programme. It delivers an immense amount of benefit to people. There are 200,000 modern apprenticeships. We know, however, that we have to do more. Education through life is now the key.

Mr. Alex Salmond (Banff and Buchan) (SNP): Will the right hon. Gentleman give way?

The Prime Minister: In a moment.

The vast bulk of the jobs of the future—certainly those with career prospects—require higher degrees of skill and learning, so we have to give greater access to higher education and skills and fund it fairly. I believe strongly that the proposed reforms on university funding are vital for the future of this country. They are vital to keep Britain at the top economically and not to put all the burden on the general taxpayer; they are vital to open access to university education for more and more children; and they are vital to preserve and enhance our universities as a great British asset. I believe that it is essential that we carry this through.

Mr. Robert Jackson (Wantage) (Con): Does the Prime Minister recall the all-party support for the Dearing's committee report on higher education a few years ago? Does he agree that it would be better to continue with the policy of all-party support for these important reforms that the Government are now implementing?

The Prime Minister: I thank the hon. Gentleman, who has long experience in these matters, for those sensible words. We all agree that universities need more money and, at least on this side, we believe that the idea that we have too many people going to universities or that there is some limit on how many students should go on to higher education is elitist nonsense. Many countries have 50 per cent. or more young people at university.

One thing is for sure—we cannot raise all this money from the general taxpayer. Over the past 25 years, with rising numbers of students, funding per student in this country has halved. That is simply unsustainable. Our proposals would abolish all up-front fees—no family, middle class or poor, would from then on be asked to find money for fees—they would ensure that repayment occurs on graduation; they are more generous than the present loans system, and payments would be linked to ability to pay. For example, someone on £18,000 a year would pay just £5 a week, not £13 as at present. As Ivor Crewe, president of Universities UK, said:

> "We need to make sure politicians understand just how serious for universities it is to lose the additional income offered by variable fees. There will be fewer student places, important subjects will not get taught and the quality of provision will be under threat."

I think we should at least pay heed in this House to his words.

Mr. Salmond: Will the Prime Minister give way?

The Prime Minister: In a minute.

Of course, there are two alternatives—

Mr. Salmond *rose*—

The Prime Minister: I shall give way in a moment.

There is the Liberal Democrat alternative. The Liberal Democrats agree that universities need more money, but all of it is to come out of a 50 per cent. top rate of tax. Some time previously, I totted up for the House their 70 spending pledges. They now have an alternative Queen's Speech with 40 measures, 34 of which are spending commitments. It is fair to say that there are very large sums of money, but nothing is too small for a spending commitment. This one in particular caught my eye the other day: spending on

> "supplementing home composting with doorstep collection of organic waste, subject to appropriate safeguards against contamination, and establishing a network of local closed vessel compost plants".

A fresh one just in from the Lib Dems is compulsory cod liver oil for everybody in England.

Mr. Salmond: Will the Prime Minister give way?

The Prime Minister: The hon. Gentleman is from Scotland; this is about England.

Mr. Salmond *rose*—

The Prime Minister: I meant, of course, the cod liver oil.

Mr. Salmond *rose*—

Mr. Speaker: Order. The Prime Minister is not giving way.

The Prime Minister: I shall give way in a moment. It was the cod liver oil, of course, to which I was referring.

There is an alternative, of course, from the Conservatives as well.

Rev. Martin Smyth (Belfast, South) (UUP): On a point of order, Mr. Speaker. You may not have heard it, but the Prime Minister said that this was about England, not Scotland. I understood that the Queen's Speech dealt with the United Kingdom. [HON. MEMBERS: "Hear, hear."]

Mr. Speaker: Order. I think that it was a slip of the tongue by the Prime Minister.

The Prime Minister: I was actually referring to cod liver oil, but I am very happy to pass on the comments that have been made to the Lib Dems; no doubt they will seek to make it compulsory in Northern Ireland, Scotland and Wales also.

Mr. Salmond *rose*—

Mr. Speaker: Order. I call again for some calmness, and I tell the hon. Gentleman that the Prime Minister is not giving way.

Mr. Salmond *rose*—

Mr. Speaker: Order. The Prime Minister is not giving way and that is the end of the matter.

Mr. Salmond: On a point of order, Mr. Speaker.

Mr. Speaker: I hope that it is a point of order.

Mr. Salmond: A few moments ago, the whole House heard the Prime Minister indicate that he would give way to me in a few seconds. Is this another broken promise from this man?

Mr. Speaker: That is not a matter for the Chair.

The Prime Minister: There is an alternative from the Conservatives as well—to abolish fees now. That is a £430 million cut from university funds, which would mean 100,000 fewer students at university. A further £740 million would be denied through the scrapping of variable fees. In total, there would be a quarter of a million fewer places at university. That is the real alternative posed by the Conservatives. It is hard to think, even from them, of a more reactionary, regressive and muddle-headed policy.

Mr. Salmond: Everything comes to he who waits. As the Prime Minister knows, every party in the Scottish Parliament, including the Labour party, opposes top-up fees, so they will not happen in Scotland. The Prime Minister should also know that almost every higher education institution in Scotland opposes top-up fees south of the border because of the knock-on effects in Scotland. Under those circumstances, how does the Prime Minister justify dragooning Scottish Labour Members of Parliament into the Lobby to vote for top-up fees in England?

The Prime Minister: Under devolution, Scotland is perfectly entitled to have its point of view. However, I shall tell the hon. Gentleman why I believe that all United Kingdom Members of Parliament should have a vote in the UK Parliament: it is the nature of the United Kingdom. It does not surprise me that he does not understand that.

The Queen's Speech also contains measures to continue the fight against antisocial behaviour and improve our criminal justice system. From February next year, there will be sweeping new powers for the police and others—

Mr. Gordon Prentice (Pendle) (Lab) *rose*—

Hon. Members: Give way.

The Prime Minister: In a moment. The police will have sweeping new powers to shut down drug houses, close pubs that are causing a nuisance and introduce on-the-spot fines for antisocial behaviour, including fining the parents of youngsters who engage in antisocial behaviour.

The Queen's Speech adds measures to license private landlords where persistent antisocial behaviour occurs and outlines new measures to tackle domestic violence, provide more support for victims of crime and establish a supreme court of justice.

The Queen's Speech signals yet more measures to curb the abuse of asylum. The problem is not confined to the UK, and we welcome the contribution that lawful migration makes to Britain. The proposed legislation will build on the previous Act, which cut asylum applications by more than half in one year. It will strip out the multiple tiers of appeal, make a presumption against asylum seekers who have destroyed documentation and extend the categories of those who will be subject to non-suspensive appeals and therefore fast-tracked. I am confident that it will continue to bear down on the problem. At least it is a serious proposal.

Now that we know from the right hon. and learned Member for Folkestone and Hythe that the Conservative party opposes our policy, what is the Conservative proposal? The right hon. Member for West Dorset (Mr. Letwin), who is now shadow Chancellor but was shadow Home Secretary a few weeks ago, gave an explanation. It is worth telling the House about it. A few weeks ago, he was interviewed by Andrew Neil, who asked:

> "This idea that you launched yesterday . . . that asylum seekers would now be shipped off to an island somewhere . . . You can't give us any idea what sort of island this would be"?

The right hon. Gentleman replied:

> "I have no idea where the island is at the moment".

The interview continues thus. Neil:

> "Well give us an idea of the kind of idea."

Letwin:

> "A place a long way away, that's poor."

Neil:

> "Is it the Cayman Islands, could it be Bermuda, how about the Pitcairns, how about the Isle of Wight?"

Letwin:

> "It's very unlikely to be somewhere like Bermuda because it has to be somewhere almost certainly that is very poor."

Neil:

> "What about St. Helena, we used to keep Napoleon there"?

Letwin:

> "I don't know why you're trying to tempt me into talking about places when I've said to you perfectly clearly, I don't currently know where it will be. But I believe that the British Foreign Office has the capacity to negotiate with some impoverished nation to allow us"

to go there. That would be an interesting conversation. The British Foreign Office: "Hello, are you a very impoverished nation? You've got to be really impoverished. How do you fancy a few thousand British asylum seekers?" A piece of cake. That is not fantasy island but a fantasy policy that shows that the Conservatives have no genuine policy agenda. Moreover, the right hon. Member for West Dorset claims that the Conservative policy would save £1.4 billion. The truth is that we need a new system and we are developing it.

We also need to confront the future challenge of a viable biometric identity card. Legislation will allow us to develop such a system while keeping the final options open until cost and technology issues are bottomed out.

The Queen's Speech includes essential reforms to promote a fairer society. The child trust fund will give each child a nest egg to which parents, families and friends can contribute tax free. It will help those from poorest backgrounds most. A children's commissioner will look after children's interests. A pension protection fund will help to guarantee against the collapse of a pension fund—that reform is long overdue. New employment rights will protect people at work and give them greater consultation rights. There will be recognition of the commitment that same-sex couples can give each other through civil partnership registration.

I want to make it clear that we intend to extend the new deal for the unemployed, not scrap it as the Conservatives want.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): Will the Prime Minister give way?

The Prime Minister: In a moment.

Just a few weeks ago, the right hon. and learned Member for Folkestone and Hythe described the new deal as an expensive failure. Eight hundred thousand people have been helped by the new deal. No wonder the right hon. and learned Gentleman thinks it does not work, for he is the man who told us that the minimum wage would cost a million jobs. He is the person who said that the social chapter would cost a million jobs. Since then we have seen an increase in employment and a reduction in unemployment—now that the right hon. and learned Gentleman's party is no longer in charge of this country.

Mr. Llwyd: On the subject of employment rights, will the Prime Minister tell us whether his Government will do away with the iniquitous eight-week strike rule?

The Prime Minister: The hon. Gentleman will have to wait for the details of the Bill, but no, we will not do away with it altogether. It is important for us to keep our labour laws and labour markets flexible, and also to ensure that when we make changes to employment rights we do not prevent companies from operating effectively.

Mr. Dennis Skinner (Bolsover) (Lab): My right hon. Friend has covered a lot of issues, but he has not mentioned a ban on fox hunting. Will he give the House, and in particular Labour Members—400 of whom have voted to ban fox hunting in the past—a guarantee that we are going to get rid of it before the next general election, possibly in the current parliamentary year, and certainly before the Tories appoint another new supply leader?

The Prime Minister: I have nothing to add to what the Leader of the House has already said. We have said that we will resolve the issue during this Parliament, and so we will resolve the issue during this Parliament.

Simon Hughes (Southwark, North and Bermondsey) (LD): On the domestic agenda—*[Interruption.]*

Mr. Speaker: Order. The House must allow the hon. Gentleman to speak.

Simon Hughes: On the domestic agenda, the one issue that the Prime Minister has not mentioned is housing. Are the Government committed to doing what they have not done in any of the years during which they have been in office—significantly increasing the amount of affordable housing in this city and elsewhere, so that the present housing crisis can be dealt with not in never-never land but in the immediate future?

The Prime Minister: We have actually put billions of pounds extra into social housing. The largest social-housing programme for many years is currently under way in this country.

It is no use the hon. Gentleman's lecturing me about never-never land. He is the person who represents the party of never-never land.

Mr. Gordon Prentice: Will my right hon. Friend give way?

The Prime Minister: No. Sorry. [HON. MEMBERS: "Give way!"] I am sorry, but I must make progress.

The Queen's Speech will allow us to put in legislation the outcome of the intergovernmental conference in a few days' time. I assure the House that in that negotiation we will rigorously protect Britain's vital interests, while playing our full part in shaping Britain's future in Europe. Let me say also that we will continue to work for peace, stability and democracy in Iraq, and that we will stay there until that job is properly done.

Two themes run through the Queen's Speech, the future and fairness. The first means that we must continue the reform programme in the health service and schools, and extend it to universities and skills. It means that we must change outdated planning laws, introduce still further measures on asylum and push forward the development of a British identity card. The second—fairness—makes us tackle domestic violence, protect children, help the poorest pensioners, give our work force new employment rights and bring an end to discrimination. Both—the future and fairness—mean our finally ending, once and for all, the absurdity of hereditary peers in our House of Lords and establishing an independent statutory appointments commission. If the Conservatives wish to challenge us, let them try and win a general election, rather than using the House of Lords as an unelected weapon to frustrate the business of a Government who were elected.

The future and fairness: let us contrast that with the negative destruction campaign waged by the Conservative party. The Conservative party is desperate to return to the past, and desperate to conceal it. There is a new driver, but it is the same old clapped-out Tory banger.

This country is better than it was six and a half years ago, after 18 years of Conservative government. A future of rising prosperity, quality personal services and high levels of education and skills, open to the many not the few: that is what the Queen's Speech provides, and that is what I commend to the House.

4.4 pm

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): It is a pleasure to join in the deserved compliments that have been paid to the hon. Members for Dumbarton (Mr. McFall) and for Gloucester (Mr. Dhanda) for their highly successful speeches in moving and seconding the Loyal Address. As one Scot to another, I say to the hon. Member for Dumbarton that, in days gone by, and he alluded to this, he was affectionately known as the unilateralist MP for Trident. It is quite an achievement to square such a circle.

Professionally, the hon. Gentleman has been an educationist—a teacher, and a senior one at that—and he remains a devoted educationist. Given the education content of the Queen's Speech and the controversy that we all know is heading inexorably in the House's direction over coming months, perhaps it was brave of the Government to allow him out to express his views this afternoon.

Talking of brave choices, it is appropriate that the hon. Gentleman is here, as he served in Northern Ireland. A brave choice is being made there today, and I know that he would be among the first in the House to say that, whatever the outcome of that democratic process, let us all hope that the peace process and the work of the Assembly can be re-established and put back on track.

The hon. Member for Gloucester did not refer to what is—not least for the parliamentary Labour party, never mind the rest of us—the most controversial issue in the Queen's Speech. The publication *Red Pepper* offered him the ultimate accolade when it described him as

"seen as reliable by Millbank",

That must single him out in the ranks of the parliamentary Labour party; indeed, these days it might even single him out in the ranks of the Cabinet. We congratulate him on his speech. It was a fine contribution and it was much appreciated in all quarters of the House.

At the last general election, it is fair to say that many of us experienced, not just at the outcome, a sense of disappointment that had taken hold after four years of a Labour Government who had a benign economic inheritance and who were bolstered by a big, three-figure parliamentary majority. Many of us would have been more ambitious over those four years had we been swept to power in such circumstances.

Since then, the sense of disappointment felt by those who hitherto have been Labour supporters, never mind those of a different political persuasion, be they Conservative, Liberal Democrat, nationalist or otherwise, has increasingly turned to one of despair. The Queen's Speech offered little to reverse that feeling—that mentality—that many people share in this country.

Indeed, it was reported a number of years ago—I do not know whether it is true, but it had the ring of truth about it—that former President Clinton once remarked to our Prime Minister that, whatever else he did, he should not make the mistake that President Clinton had made, which was to squander—*[Interruption.]* In world affairs there is perhaps more than one mistake that should always be avoided—one politician listening to another—but the mistake in question was the squandering of his second term. We are far enough into this second term for the Government, again bolstered by a big parliamentary majority, to say on what vital issues of the day, such as domestic public services and the international situation, they have delivered. An awful lot in the Gracious Speech will pass the vast majority of citizens by.

In the Prime Minister's first address to Labour MPs the day he was elected, he said:

> "We are not the masters. The people are the masters. We are the people's servants. Forget that, and the people will soon show that what the electorate gives, the electorate can take away."

Those words may have a more and more telling prescience. The international scene has overshadowed events inside and outside Parliament over the past 12 months or so, and the servant-master relationship that is necessary between an elected Government and a parliamentary democracy such as ours has become skewed.

There were sincerely held differences of view on that big issue among Conservative and Labour Members, such as the former Chancellor, the right hon. and learned Member for Rushcliffe (Mr. Clarke) and the former Foreign Secretary, the right hon. Member for Livingston (Mr. Cook), with whom many Liberal Democrats made common cause. I thought that mutual respect was a feature of the House of Commons throughout that difficult period of strongly held differences of view on the war, but there is now an insidious attempt in certain quarters to try to cast those of us who opposed the decision to engage in war as soft on the international scourge of terrorism. That is unworthy.

I remind the House of the Joint Intelligence Committee's assessment at the time, before the war was launched. It was revealed during the Hutton inquiry.

> "Al-Qaida and associated groups continued to represent by far the greatest terrorist threat to Western interests . . . That threat would be heightened by military action against Iraq."

It is worth reminding people of the clear facts of the matter, what was said at that senior level and what should be respected as events unfold.

The war has helped the terrorist cells of al-Qaeda and others to recruit new misguided terrorists into their ranks. It has also been unhelpful because, as we have seen again with the welcome visit of the French President this week, it has caused difficulties with those who should be our main European allies. If we do not pull together, Europe's capacity to conduct its important role in the fight against terrorism will be impaired.

In a few months or weeks, we will hear the outcome of the Hutton inquiry. There is no need for any of us to prejudge that now. If there is substantial criticism of the Government's behaviour at any level, we should expect the doctrine of collective responsibility to apply. That will be a test of the Prime Minister's view of integrity in public life.

Alternatively, if Lord Hutton interprets his remit, which was set by the Government, to inquire into the circumstances of Dr. Kelly's death narrowly and strictly, many important questions may remain unanswered, and more than a few of us in the House will demand, as we did earlier in the year, a fully independent judicial inquiry into the events leading up to the war.

On the specifics of the Queen's Speech, Liberal Democrats would obviously be expected to say that they would have liked it to contain a dose of liberalism. There is a danger that, on certain issues, the Government are displaying even more instinctive illiberalism than did their Conservative predecessors, which is a sad irony indeed.

In the previous Session, civil liberties were threatened by the proposals on jury trials. In the forthcoming Session, there are several new threats to civil liberties that, as a House, we must resist. As a party, we are determined to do so as strongly as we can.

There is one measure for which I give credit to the Government—the proposed Bill on civil partnerships, which is overdue but very welcome. We take a particular pride in the fact that it is modelled on a Bill drafted and proposed in the House of Lords by the Liberal Democrat senior judicial peer, Lord Lester. I am glad to see Anthony Lester's work finding fruition in the content of the Queen's Speech today.

Other proposals are extremely disappointing. Clearly, crime is a huge worry to some people. It is rising, and rising in tandem with the prison population, which is heading for record levels. We do not seem to be making sufficient progress on either front. Surely at some point we have to stand back and ask ourselves whether there is a better way of going about things.

First and foremost, people want a greater police presence on their streets and in their communities. All of us know from our dealings with the police locally that they would be delighted to deliver that, but they are bogged down by paperwork, bureaucracy and performing their day-to-day tasks. A lot more imagination could be applied; for example, people who have served in the police and who do not necessarily want to retire could be used. They might not be physically capable any longer of carrying out community policing, but their experience could be brought to bear in doing some of the work that currently

[Mr. Charles Kennedy]

ties up younger officers in local police stations. That should be a priority, rather than the type of issues that are being proposed.

That leads me to the emotive issue of asylum seekers—one of the central issues of the Queen's Speech. There is more than a hint of cheap populism here. I agree entirely with the sentiments of the leader of the Conservative party, who pointed out that it would be quite wrong for the children of potential or actual asylum seekers to be used somehow as bargaining chips. However, I never thought that I would see the right hon. and learned Gentleman suddenly emerge as the friend of the asylum seeker, let alone of the children of asylum seekers. I say gently to him—we enjoy a friendly relationship, and I congratulate him on his election—that I am aware that the identity of the island in the Conservative proposals remains unclear. I represent the Isle of Skye, and he need not look in that direction.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): The right hon. Gentleman is making assertions about what is and is not in the Queen's Speech. In this case, he is talking about asylum seekers. Does he not mean failed asylum seekers? Would it not help the debate if he got his facts right? [HON. MEMBERS: "Read the Speech."]

Mr. Kennedy: As my right hon. and hon. Friends are saying, the hon. Gentleman should read the Queen's Speech and the briefing that has accompanied it. There will be a big debate on that issue in which we will take part.

Reform—if that is the right word—of the House of Lords has to be a prime example of the political reformist fatigue that has set in in the Government. Indeed, it was the former Labour Foreign Secretary and Leader of the House who wrote recently with characteristic clarity that

> "Modernisation is to be limited to moving from the 15th century principle of heredity to the 18th century principle of patronage".

As things stand, that is pretty much it in a nutshell. The Government cannot count on our co-operation if they eventually decide to proceed in that way. In the 21st century, there has to be a substantially democratic House of Lords. A Government with a majority of this scale, and with the political co-operation that would be open to them, should waste no further time before moving in that direction.

As we know, on the domestic agenda it is the education measures that will probably prove the most controversial. I suspect that as we discuss these matters in the coming weeks and months, Liberal Democrats will speak for a number of Labour Members—perhaps including Ministers—who feel unable to speak out in public themselves. We should remember the survey recently completed by Barclays bank, which estimates that if the proposals on tuition fees and top-up fees go through, by 2010 the average student who—if they are lucky—gets a degree will have £33,000 of indebtedness wrapped around their neck. In Scotland, where the Prime Minister's party and ours have co-operated under a different system, there has been a 10 per cent. increase in potential applications to universities. In England, the equivalent figure is 1 per cent. People cannot tell me that the two different systems are unrelated, given the impact on students.

The Conservatives take a different approach that is equally unappealing. They favour the scrapping of fees, which is all well and good, but they would fund the deficit by cutting large numbers of university places. Indeed, the experience in Scotland was that in order to maintain the base of opportunity, one had to be willing to put more money into the system, as well as to implement a different policy. That experience has implications. I know that, of late, the Prime Minister is very fond of rubbishing Liberal Democrat economic approaches—in fact, he has been at it for years: he rubbished them when my predecessor was leader—but at least we are honest enough to say, "The very best off in society should incrementally pay that little bit more, but here are the priorities that it will be spent on." I offer the Prime Minister a deal; indeed, I offer it to the Conservative leader as well, with a view to the next general election. As we have done in the past, we will submit those proposals to public scrutiny by the Institute for Fiscal Studies. I wonder whether the other two are willing to do the same.

Clive Efford (Eltham) (Lab): Does the right hon. Gentleman agree that a review of the Barnett formula might finance the removal of top-up fees from English universities?

Mr. Kennedy: Our party has argued for many years that there should be a review of the Barnett formula. We want a needs-based formula that is transparent, but that is not how it works at the moment. For example, we currently try to compare the provision of education services in Cornwall with the amount of money that can be put into policing inner-city Newcastle. The formula is opaque, controlled by Whitehall and not subject to the level of regional negotiation that is the norm in Germany, for example, with its Länder system. We want more movement towards regionalism and decentralisation, and the fairer funding that goes with it. That is the way to win public consent for the important changes that need to be made.

Mr. John Redwood (Wokingham) (Con): Will the right hon. Gentleman give way?

Mr. Kennedy: I am sorry, but I want to conclude my remarks.

Obviously, our approach would have been very different. We would not have paved the way for top-up fees. We would have implemented the measure used in Scotland, through which the abolition of tuition fees has been achieved.

At the other end of the age spectrum, which is equally important, we would have introduced free personal care for the elderly. The Sutherland report recommended it, and one part of the United Kingdom demonstrated that the political will exists to implement it. There is no reason why that political will cannot find a similar reflection at Westminster, and no reason for it not to be delivered in the rest of the UK.

We would also want to abolish the council tax, which is increasingly unfair to people on low incomes, particularly pensioners. It is high time—

Mr. Redwood *rose*—

Mr. Kennedy: No, I am not giving way. It is high time that we replaced the council tax, which is regressive and unfair, with a local income tax based on people's ability to pay, which would be cheaper to collect. We need a fairer tax system and I have suggested how people at the better-off end of society could make a graduated contribution. We also need cuts in red tape and less over-centralisation in Whitehall, which we believe could release significant savings to put into improving front-line services, which would benefit people in the country as a whole.

Mr. Redwood *rose*—

Mr. Kennedy: No, I am coming to my final sentence.

There is a great absence yet again from the Queen's Speech. Governments are busy institutions, but the criticism applies to many Government statements. Successive Queen's Speeches have failed to advance the environmental agenda. That tells us a lot about the level of priority of the Government of the day. If we could, we would certainly introduce measures today to enhance environmental protection and sustainable energy.

The new circumstances of British politics in this new Parliament offer people a genuine choice. The divide or choice in British politics is increasingly between adopting a more liberal approach to politics and policies or an increasingly instinctive illiberal approach. I certainly know what side of the fence I feel most comfortable on. Increasingly, that is the side of the fence to which the British public are warming.

4.27 pm

Mr. Ken Purchase (Wolverhampton, North-East) (Lab/Co-op): While Members leave the Chamber, I congratulate my hon. Friends the Members for Dumbarton (Mr. McFall) and for Gloucester (Mr. Dhanda) on their excellent speeches in the finest tradition of the House.

I want to welcome the Queen's Speech, which provides the final opportunity for the Government to complete a full programme in advance of the next general election. It is exceedingly important that the measures introduced will be readily understood and identified with in the country—in other words, strike a chord with people's feelings about how the country is currently governed, about the conditions under which people go to work, and how they are educated in their schools and colleges, as well as about how they live generally.

The Labour party is about to embark on a perhaps historic enterprise—checking with the people of this country what should form the basis of future policies. I hope that those policies will provide a basis for the next Labour Government. Today, those privileged to be in the House can take the opportunity to set out some of our ideas, views and thoughts in advance of the so-called consultation programme.

I feel that the Labour party in government has made some significant advances for people who are less well off in this country. Redistributive policies have assisted families considerably. Our policies on education and health have improved immeasurably the services that we enjoy. They are now better than at any other time in my life.

I was born before the second world war, and I remember going to the local doctor and mother or father paying five shillings for tablets. I have grown up with the health service and the welfare state, and I have seen the many faults that the welfare state has developed over the years, dependency being perhaps the most problematic. Those of us with a soft heart—I am one of them—believe that we should do the best for people in all circumstances. Unfortunately, not all the people for whom we wish to do the best respond in like manner, so we need a tough as well as a tender approach to the modern world, to the place that people inhabit, and to their mores, their habits and their culture.

The improvements have been profound, though. After six years of Labour rule, things are by no means perfect, but progress has certainly been maintained, and has been speeded up in some ways. However, the light has often been hidden under a bushel. I have knocked on doors and asked young women with families whether they are doing well, and heard them respond, "Not too bad." I ask them whether they are getting family support through the income tax system and they say, "What's that?" I ask them whether their earnings have gone up recently, perhaps by £30 or £40, and they answer, "Oh, yes. I'm getting £70 more." When I ask how they think that came about, they reply, "It's in my salary cheque." They make no connection between the welfare of individuals that they have earned through their efforts at wealth creation, and the welfare for which the Government may be responsible, through the creation of the environment, systems and circumstances that benefit people who are not well paid.

That is not true of the Labour party alone; I can tell Opposition Members that with their parties, too, there is a disconnection between what politics does and what people understand and experience. We have to make that connection again, in all circumstances. We must ensure that people are inspired, not turned off, by political parties, yet we—both the Government and the Opposition—seem unable to get across the simplest messages. It does not concern me much that the Opposition's message does not get across, but in the great scheme of things, it is important that people understand the nature of politics and the difference that it can make to the society that they inhabit. Without that, the democratic process will not be enhanced. Indeed, it will begin to fail, as to some extent it already has.

I believe that democracy is the greatest force for progress that the world has ever known or ever will know. When people want to know more, when they are curious and interested, they are at their best. That is when they drive on the process and, ultimately, take care of their own welfare through their own efforts.

Mr. John Bercow (Buckingham) (Con): The hon. Gentleman's point about the pervasive cynicism about politics and politicians is well made and well taken. However, he is developing a novel line of argument

[Mr. John Bercow]

when he suggests that the Government have understated their case. Can he explain, for my benefit and that of the House, why the massive increase in expenditure on the health service has not been matched by a corresponding increase in clinical activity?

Mr. Purchase: We have heard, both today and on previous Wednesdays, the Prime Minister setting out the figures line by line, and I shall not repeat them today. The increases in clinical activity have been set out, too, and are clear for all who use the health service to see. No matter what politicians tell people, in the end it is the evidence of their own experience and their own eyes that counts most. My constituents certainly recognise that the health service in Wolverhampton has improved, is improving and is likely to continue to improve. More people are receiving treatment more speedily. Episodes are not recurring as often as previously and infections are down. It is extremely important that people are not sent home from hospital too quickly, otherwise another episode follows. Real improvements have been made.

I repeat that throughout my life I have seen improvements in the health service every year, some driven by medical technology and improved medicines. That must be matched by the political will to see the advances in technology incorporated in everyday medicine in our national health service. The question put by the hon. Member for Buckingham (Mr. Bercow) is answered in full, and he can look forward to that answer being given again, again and again. He need have no concerns.

Even under the Conservative Government, advances were made in the national health service. Regardless of Government, there have been advances in terms of the will, the understanding and the hard work of the people who live in this country. I am proud to be part of that. Politics can drive things on faster to produce better quality all round.

There is another reason why it is important to re-establish such connections. Hon. Members may have read a newspaper article about the constituency of my hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman), who is not in the Chamber, where a little vox pop was carried out. It showed that, despite an improving built environment, people made no connection between that and the tens of millions of pounds from the Government, through capital permissions, credits or investments. They made no connection between their improving physical environment and the work that their money—from their taxes—was actually doing for them. At one time, those connections were strong, but they seem to be getting weaker and it is important that we strengthen them.

I want to deal with only two or three of the measures in the Queen's Speech, as I realise that others want to speak. The first is employment. With the indulgence of the House, I shall read from an email sent to me by one of my constituents recently:

> "I was working as an inspector at a company . . . situated in Willenhall"—

which is adjacent to my constituency—

> "and was informed that redundancies were going to take place, at a meeting on 30th September. Then on 2nd October we were given the criteria for selection"

for redundancy.

> "I and three colleagues were made redundant. On 7th October we had three and half working days till I was made redundant . . . no formal consultation on any aspect of the process and no factual evidence was put forward . . . over criteria . . . no discussion with respect to how . . . people being made redundant could be redeployed and no elected representative"

was invited to discuss those matters.

The year is 2003, and we have had no end of industrial and employment relations legislation, so how can a man—I know him personally—with 30 years in industry, a skilled craftsman, be dismissed in such appalling circumstances? In part, it is because the company was small: it had fewer than 20 employees, so it did not have to give notification, as only a small number of people were being made redundant. However, if our Government—my Government—are to introduce more legislation on employment relations, provisions on such matters should be an important aspect of it.

I can recall many arguments in this place about small companies. I am a champion of small companies and understand the need for them to prosper without being burdened by red tape and difficulties, but to dismiss someone with three and a half days' notice is no way to treat a man or a woman who has been employed for such a long time.

Mr. Redwood: Does the hon. Gentleman think that his proposal should extend to Ministers of the Crown? Perhaps there should be a yellow card system, and perhaps the Prime Minister should not have the right to sack Ministers for a first offence.

Mr. Purchase: The right hon. Gentleman makes his point in a gentle way, and I am grateful for that. Hon. Members come into the House knowing that the rules of the game mean that our leader can dispense with our services very quickly. However, we are not dismissed from employment. We remain in employment until the great electorate say otherwise. Ministers get top-up fees, if I may use that phrase, but that is of secondary importance, as our main job here is to represent the people of our constituencies. Ultimately, they alone have the right to dismiss us as party representatives. I am grateful to the right hon. Gentleman for making that point, but I believe that I have rebutted it quite well, as I often do.

Mr. Redwood: That is for us to decide.

Mr. Purchase: Yes, of course.

The question of employment should exercise all hon. Members. The country depends on the efforts of people who go to work and produce the money that the Government can tax to meet the costs of vital services. We cannot do too much for the workers: that old saying remains true. I urge the Government, in respect of the employment relations Bill, to take the needs of workers in smaller companies fully into account, as well as the needs of people whose employment prospects are treated somewhat roughly.

I turn now to housing. My local council is currently recommending that its housing stock be transferred to what is called an arm's-length management organisation. That may be all well and good, but I cannot find out what real benefits ALMOs provide. I have asked many questions of Ministers, but their answers are all equally difficult to understand. I cannot determine whether council house tenants who vote for their homes to be transferred to an ALMO will get any long-term financial benefits.

This is a very important matter, because local authority housing at not-for-profit rents has formed the basis of public health in this country since the first Act passed after the end of the second world war. For the first time, the Government were prepared to build houses for general need and not just for the working classes.

Council housing has made an enormous contribution to the public health of this country. It must not be cast aside lightly. Any improvement is fine, but we need to know that ALMOs and housing stock transfers, for instance, will bring benefits. We also need to know whether such innovations meet the demands of ordinary tenants who want to be able to live their lives peacefully in the comfort of their own homes. They want rent collection or payment to be convenient, and to have their houses repaired when necessary. When they need to move house, they want to be able to do so.

Those are the basics, but the transfer of housing stock to ALMOs—whose managers will be people who have transferred from local authority housing departments—will not bring obvious material benefits for tenants. From the answers that I have received from Ministers, I do not believe that there will be long-term financial benefits, either.

Although top-up fees are bound to be controversial, I found no other reference in the Queen's Speech to education in general. I am especially concerned that secondary schools should be developed within a comprehensive framework. I am not sure that my Government continue to share the comprehensive vision for secondary education that has long been Labour party policy. I hear what is said—that it is intended to extend and widen opportunity for greater choice in secondary education, but it is schools that exercise choice, not the parents and the pupils. Children must pass the 11-plus—we still have it in my area—for the girls' high school, which is a very good school with excellent results, or the boys' grammar, which is independent and also has excellent results, but it is the schools that choose the students, not the parents who exercise choice. We have not widened choice but narrowed it, and that has built on the work carried out by the Conservative Government in their final term of office.

I want to see a return to Labour values, with equal opportunities for all secondary education students to take the subjects that suit them, at a time that is right for them, bearing in mind the fact that the maturation of young men and women occurs at varying rates, depending on the individual. We need appropriate education in a comprehensive setting, in which children who push ahead or fall a little behind receive an appropriate education in an all-in school. I am not sure that the Labour party that I joined, which had high hopes and broad visions for secondary comprehensive education, is the same party any more. We have to address the issues raised by the introduction of specialist schools and more and more testing, and the suggestion that teachers cannot be trusted. I want Labour to form the next Government. To do that, we will have to have the trust of teachers, parents and students, many of whom will be voters in the next general election. We need to rethink how we structure secondary education, because that is vital for our future.

Overall, the programme that we have set out will be a good one. We need to prosecute it properly and ensure that people understand it. That will mean using language that is accessible. By attending to some of the crucial issues that I have raised—other hon. Members will know of others from their constituency experience—we may yet win the trust of the people and re-engage them in the political process.

4.47 pm

Mr. Eric Forth (Bromley and Chislehurst) (Con): I wish to make a few remarks about choice, local decision making, markets and minimal state interference. I hope to carry both sides of the House with me on at least some of those issues. I appeal to those on both Front Benches to set those issues in the context of post-18 education and hope to persuade them to think a little more radically about the direction for post-18 and lifelong education.

I start with choice, because it always puzzles me that the debate is so patronising to those who are, by our definition, adults who have—we assume—the ability to make responsible, adult choices. After all, not only are they fully capable under the law of taking out loans and mortgages, but we give them the vote. It is patronising to say to people over 18 that we do not think that they are capable of making mature decisions about their education. We should adopt a system that gives maximum choice and responsibility to individuals for their own education, once they have completed their schooling. However, no one seems to want to do that. We remain hide-bound in an environment in which people are given the least possible choice and control over their educational destiny. I hope that we can make some progress towards allowing people to make their own choices and take responsibility for their own education.

We in the Conservative party sign up to local decision making, and the Government talk constantly about it. How about giving educational institutions local decision-making capabilities, not just on their courses and their admissions but, crucially, about what they charge people for those courses? We should give all post-18 educational institutions complete freedom to decide what to charge for the different courses that they offer, so that students can make an informed and responsible choice about what to study, and make a judgment about the value to them—the student—of that course of study.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): I am listening with great interest. The right hon. Gentleman was talking eloquently about choice but then he started to go into the issue of the market. If we have the market, is it not evident that some people will be unable to exercise the choice that he talks about?

Mr. Forth: I will come to that in a moment. It is a concern that many people have. I want to set the background, if I may, to try to make the case for educational institutional freedom, individual mature responsible choice and individuals taking responsibility for what they choose to study. At the moment, we pay lip service to some of those things but deliver none of them, because we kid ourselves that we have educational freedom in higher education in this country. We do not. Sadly, higher education is completely at the mercy of the Government of the day, because the Government dispense taxpayers' money to institutions, and the Government employ institutionalised interference through quality control and admissions policies. We have the reverse of educational and academic freedom in our higher and further education. I am making a plea for us to have that genuine freedom.

Rev. Martin Smyth: Would it not be to the advantage even of the universities if students were allowed the freedom of choice to go to courses in other establishments, just as happens in Germany and other places, so that students could pick the courses that would help them advance in their own careers?

Mr. Forth: Yes, I would hope that would be so. I am grateful to my hon. Friend for mentioning that, because in an ideal world I would like institutions to structure their offerings in a way that they choose and think best, and I would like students to make those choices, backed possibly by employers or, crucially—here is one of the answers to the question that the hon. Member for Barnsley, West and Penistone (Mr. Clapham) asked about affordability—by scholarships and bursaries.

I make no apology for the fact that I look to the United States as the model for much of what I am arguing. There, a wide range of courses are offered by a wide range of higher and further education institutions, paid for by students who work while they go through their education, which is a very good thing in my view, and who take out loans, which is not necessarily a bad thing. Also, crucially, the institutions offer scholarships to bright young people from disadvantaged backgrounds to allow them to take advantage of the courses on offer. So the market approach can be tempered by institutional support, but it can also be supported by a discretionary financial support mechanism offered by the Government of the day.

I believe that it is, in itself, a good thing that young people should be expected to take out loans to pay for their education. I have never believed that getting something "for free" is necessarily a good thing, because usually we do not greatly value things that we do not pay for. One only has to ask oneself why so many people do not turn up for a surgery appointment with their doctor to realise that if they think it is free, they do not value it enough to take it very seriously. I suspect, sadly, that if educational courses are offered free, many students do not fully appreciate what they are getting. Therefore, I do not shy away from the idea that students should be expected to pay a proper price for the valuable education that they are offered. That price will vary depending on the course and the institution, and students will make their own judgment about it.

I want to make another crucial point. I believe that the students should be the ones who make the distinction between what we now rather loosely call higher education and all the other sub-degree vocational and specialist courses that are and should be on offer. We should not have in our minds some arbitrary figure about how many or what proportion of people should go into higher education. A degree is what the institutions say that it is at any given time. This country is not crying out for more social workers and people with psychology degrees or whatever. It is crying out for people with valuable, relevant vocational qualifications, which we may not call degrees, but which will be very much more useful to society in the foreseeable future. That is where we risk falling down.

We have an obsession with something that we choose to call higher education. We are in great danger of missing out on and discouraging people from looking for valuable vocational sub-degree qualifications of the kind that our excellent polytechnics used to deliver before we, mistakenly in my view, abolished the distinction between polytechnics and universities. Frankly, that was one of the most ill-judged things that we did when I was in Government, and I look back on it with regret. If I thought that we could turn back that clock, I would argue for doing so, but that is probably now unlikely.

The institutions should distinguish between themselves, and those distinctions should not be deemed by Government or controlled by some sort of quality control mechanism; they should be judged by students, employers and institutions, thus producing much greater freedom of choice. That is my plea for education, so that it can break out of its straitjacket and so that we can break away from a sterile debate in which both the Opposition and the Government have become bogged down in top-up fees, arbitrary limits and whether this or that educational institution may be justified in charging this or that fee. We should allow the institutions to make the difficult choices about what they offer and what they charge, and let them justify those choices by attracting students who are prepared to make the sacrifice to pay.

Mr. Redwood: I have declared my interests in the higher education sector in the Register of Members' Interests.

Does my right hon. Friend agree that we have a very strange system in Britain? We have nationalised, price-controlled, managed and regulated system for British students, but a rather more open, market-oriented approach for overseas students. The danger is that universities would much rather offer places to overseas students than domestic students because of the imbalance in their freedom to attract overseas students and to charge differently and finance their courses differently.

Mr. Forth: My right hon. Friend makes a typically incisive point, and we should bear it very much in mind. There is now a global market for quality education, and we should be in a prime position to compete in that marketplace. If we do not allow our foremost educational institutions the freedom to charge fees domestically and in relation to the global market, the great risk is that we will lose our attractiveness and our competitive edge in that global market, and we will all suffer in the long term. So, there is my prescription for education. I suppose that I will almost certainly vote against the Government's Bill because, in a sense, they are not going far enough. They still seek to take us in the wrong direction, and I like to think that the Conservative party will take another look at this and think again.

Mr. Miller: I am intrigued by the right hon. Gentleman's approach to a market-driven education mechanism. What sort of mechanism would drive people away from, for example, an MA in politics and economics, which he took, towards something that he regards as perhaps more socially useful? Why was the degree that he chose so useless, according to his own analytical view?

Mr. Forth: My degree is a master of arts in politics and economics. Here I am: I rest my case. The one-word answer to the hon. Gentleman's very fair question is employability. It is for students to judge the relevance of their courses to their future and whether they are likely to be employed. Whether they do archaeology or electronics, or whatever, is for them to judge. They will look for the appropriate course, in terms of its content, duration, reputation and cost, and they will make their judgment on that basis. That is my plea.

Norman Lamb (North Norfolk) (LD): The right hon. Gentleman appears to be making the case for top-up fees without any limit—simply a market-oriented approach. With that approach, would we not inevitably see a widening of the gulf between access for students from poorer families and those from richer families? Surely the fear of debt, according to all the evidence, will put off students from poorer families from going to university, and bursaries simply would not be enough to cover the gulf.

Mr. Forth: That is a traditional patronising attitude that is somewhat old-fashioned now. At a time when we are told that debt is an increasing problem right across the social spectrum, I am not sure that the argument about fear of debt is valid any more. In any case, it does not have relevance, because if it were demonstrated to be a problem, which I am not sure that I accept, bursaries and scholarships are one approach, but there is another—the Government of the day can make financial provision through grants or loans skewed in the direction of able people from disadvantaged backgrounds who have some fear of indebtedness, if that is perceived to be the problem. If it is a problem—I am not necessarily convinced of that—it is eminently soluble through a whole battery of responses. What we must not do, however, is reverse matters and try to solve the problem from the other end. Incidentally, I am not making a plea for top-up fees; I am making a plea for fees full stop—full-blown, full-on, frontal fees, judged by the institutions themselves.

I have not done research in any detail, but I have probably not spoken in the House on Europe for something like 15 years. I have quite a lot to get off my chest, therefore, but I am watching the clock and shall try to speak as briefly as possible, because what I have to say probably will not—if I may put it this way—resonate in all quarters. We are often asked, are we not, to have a mature debate about Europe? We are to have a conversation led by the Government. Even the Opposition are occasionally invited to have a debate, although it does not last very long, because what usually happens is that the Euro-enthusiasts are encouraged to speak out, and us sceptics are asked to keep quiet in case we are deemed to be divisive. As a sceptic who is now in a position to speak out, I will say a few words to tantalise the House and will return to the subject in more detail subsequently.

My serious point is in the context of both the euro referendum Bill, which was referred to in the Queen's Speech, and the important issue of the EU constitution that now confronts us. The issue is becoming this: how do we as a people regard ourselves as a nation? Is our nationality important to us any more? What do we think should be the relationship between our nation and country and the European Union of which we are a member? If we look back at the argument for joining, and the referendum that was held in the 1970s, in which I voted yes—I had my eyes opened when I became a Member of the European Parliament in 1979 and rapidly became a sceptic—we see that all those questions have not been asked very much, because they have been discouraged in all political parties. The Liberal Democrats are Euro-fanatics, the Labour party has moved from scepticism to dewy-eyed enthusiasm and my party, it is fair to say, has moved from enthusiasm to scepticism.

At no time, however, have we been encouraged to debate whether we are satisfied about the way in which the European Union is developing, and, crucially, about our relationship as a country to that European Union. That is brought into focus by the extent to which, increasingly, decisions that affect our citizens and our voters are taken by institutions outside our country. In that crucial respect, the very democracy of which the hon. Member for Wolverhampton, North-East (Mr. Purchase) spoke with such pride is being undermined. His democracy, I suspect, is based in Wolverhampton, of which he is rightly proud, and in his country, the United Kingdom. I wonder how often Members of this House give serious thought to the extent to which more and more decisions that affect our citizens, taxpayers and voters are taken by bodies on which we, the British, have less and less of a view in the expanded European Union.

Mr. Kevan Jones (North Durham) (Lab): Does the right hon. Gentleman agree that those powers were transferred not under the Liberals or the Labour party, but under Conservative Governments?

Mr. Forth: Yes, I do. I regret that very much. One of the biggest mistakes that was made—I thought that I would never hear myself say this—was in 1985 with the Single European Act. I regret that very much too. If the hon. Gentleman thinks that he has just scored a bulls-eye in getting me to admit a mistake, let me tell him that one of the benefits of being in this place for a while and of being in and out of the Government is that one learns the occasional lesson and to regret things that are done. I regret what happened on that occasion; I do not deny the process.

In the context of the EU constitution that is facing us, the Government, Parliament and the nation will have an opportunity to look the issue in the face and to ask

[Mr. Forth]

ourselves seriously what we want of our membership of the European Union. Is our membership beginning to damage this country rather than to benefit it? We were told back in the 1960s and 1970s that one of the principal reasons for our joining the European Union—the EEC, as it was at the time—was that it would benefit this country and its citizens. If we reach the stage at which we judge that the EU is developing in way that has potential to damage this country and its citizens, we have the right to ask serious questions and to take serious positions.

I challenge not just the Government but my colleagues on the Opposition Front Bench. We have a duty to know what we will do in response to the constitution when we are faced with it. We in the Opposition have a duty to know how we will respond if the Government erroneously—fatally, in my view—sign up to the constitution and we subsequently find ourselves in Government. We must know what we will say to the country, and I do not think that we are quite there yet.

These questions are of the greatest seriousness and import. I am very conscious of them. They worry me enormously, and I hope that we will be able as politicians to speak out on them frankly and to have the debate and discussion that I would welcome so that we can make it absolutely clear to our fellow citizens where we are taking them and what our membership of the European Union means. We must explain where decisions are increasingly being made on their behalf and how they are less and less able to control them. That worries me, so I want to hear a debate. I look forward to it.

5.6 pm

Mrs. Barbara Roche (Hornsey and Wood Green) (Lab): It is of genuinely great interest to follow the right hon. Member for Bromley and Chislehurst (Mr. Forth), but may I offer him a small piece of advice if he does not think that too impertinent? The next time he addresses the House, he should really say what he means; he should not be so mealy-mouthed. We should be left in no doubt.

Mr. Bercow: My right hon. Friend is far too reticent.

Mrs. Roche: The hon. Gentleman is right. However, it is good to discover that I have something in common with the right hon. Gentleman. One of my very first votes was in 1975 when I voted yes in the European referendum. We are similar, given what we did in that important vote.

I believe strongly that the Gracious Speech marks an important point for the Government and the country. Since 1997, the Government have had a record to be very proud of, and I am pleased to have been able to support them as a Minister on some of the issues with which I am very proud to be associated. For example, the minimum wage and the working families tax credit are two measures out of many that have immeasurably improved the lives of many people and certainly many people in my constituency.

I am pleased to see in the Queen's Speech reference to measures for a child trust fund. I know from my background that there is no doubt that one of the big issues that separates many of our citizens is their power to acquire capital. Many children from poor and deprived homes have ability, dedication and the desire to work hard but, because of their family backgrounds, they will never be able to acquire the capital necessary to buy their own home or start a business. They will be unable to start married life with any capital behind them. The child trust fund will be important in that respect.

Norman Lamb: Is the hon. Lady concerned that Treasury officials revealed in evidence given to the Treasury Select Committee that no modelling had been done to determine whether the aspiration of the child trust fund would have the effect that the Government want to achieve? In fact, the people who will gain most are the middle classes, who will have the ability to make the top-up payments and gain the tax benefits.

Mrs. Roche: As a former Treasury Minister, I have the greatest respect for Treasury officials. I am sure that, when we see the detail of the legislation, the modelling will have been done and the measures will have been drafted to ensure that they help the children whom the policy is primarily designed to help. We know that the path that many children follow in the first 22 months of life is, through no fault of their own or of their parents, inextricably linked with unemployment and low achievement, and sometimes an inability to succeed in society. I therefore believe that the proposed legislation is of prime importance.

I wish to concentrate on a number of measures and indicate some areas in which I think that the Government need to move forward. I believe that we need to advance in a way that builds on the work that we have done already. I also believe strongly that the Government need to use much more of the language of equality and social inclusion. The notions of equality and social inclusion are not merely nice things that we do for other people, but are about the welfare and competitiveness of our country as a whole. If we have a country that does not include everybody because of a lack of social inclusion or equality, we will exclude people from the labour market, and we will exclude people who could make a significant contribution to our society.

I want now to concentrate on three measures outlined in the Gracious Speech. First, I welcome the registration of civil partnerships for same-sex couples—a proposal that I strongly advocated in government. It is now almost a year since I said that there were powerful reasons for civil registration. Many gay and lesbian couples have lived together for years as families and supported and looked after each other in sickness and in health, but have been affected at difficult moments of their lives, such as when a very valued partner has been unable to attend at the bedside in the event of a terminal illness or to have a say in funeral arrangements, when their relationship has ended because of death, simply because their partnership has not been recognised. Indeed, many same-sex couples who have built lives and purchased houses together see all that destroyed when inheritance tax comes into play, even though they have gone through life working hard, paying their taxes and participating in civil society. The measure is long overdue, and I warmly welcome it.

Mr. Patrick McLoughlin (West Derbyshire) (Con): The hon. Lady said that she was proud of the part that she has rightly taken in this process. When she was investigating the issue, did she consider what might happen when two sisters have lived together for a good many years? Does she anticipate that the legislation will also cover situations in which two sisters or brothers have lived together for a good part of their lives? Will the inheritance tax problem, which she rightly mentions, be recognised in respect of them as well?

Mrs. Roche: The hon. Gentleman raises an important point that hon. Members of all parties made in another place when the subject was debated there a little more than a year ago. I understand his comments. Not only the Government but other European Governments have considered the matter. Several European Governments and countries as well as states in the United States of America and in Canada have civil registration schemes, but I know of perhaps only one with something that would cover two sisters or brothers. People believed that such provision would be too complicated. The position is different from that of same-sex couples in a relationship in which they have dedicated their lives to each other in exactly the same way as heterosexual couples. There is an issue for the Law Society to consider in the case of two sisters or brothers, and it is one of property rights, but it is separate from the proposed legislation.

Mr. Bercow: The hon. Lady deserves credit for the groundwork that paved the way for introducing civil partnership registration legislation. Does she agree that, in introducing proposals to tackle the multiple discrimination from which gay couples undoubtedly and unjustifiably suffer, the issue and principle at stake is not political correctness but personal decency and equality before the law?

Mrs. Roche: I agree. I wrote an article that used a similar phrase. I thank the hon. Gentleman and I do not think that it will embarrass him if I say that he and I had several discussions about the matter. There is great sympathy for the proposals in all parties and I am grateful for the support of hon. Members who have contributed to today's announcement in the Gracious Speech.

I want to consider a related matter. Next month, the House and another place will incorporate in British law the European directive that will make it an offence to discriminate on the grounds of sexual orientation and religious belief in employment and vocational training. Many people are surprised that such provision is not already enshrined in law. The legislation will not extend to goods and services, which will not be protected. The directive does not oblige the Government to extend the law to goods and services but nothing prohibits them from doing that. As part of the striving towards social inclusion and equality, the law should be extended to goods and services.

Let me give some practical examples of discrimination. I pay tribute to Stonewall, which is one of the best campaigning organisations in the country. It records cases of same-sex couples who have been turned away from hotels. Even though the civil partnership proposals will be introduced and we shall have legislation as a result of the European directive, overt discrimination can continue. I shall provide another pertinent example. In the middle of November, when it rains all night and all morning, many people's thoughts turn to warmer climates, perhaps a holiday at Christmas, Easter or in the summer. We may consider a place in the sun, such as the Caribbean, for a holiday for ourselves and our families.

I was recently looking at a brochure from Sandals Holidays, which advertises holidays in the Caribbean—and very nice they look too: very romantic for couples. Indeed, the brochure mentions holidays for couples. However, when I looked at the website and the small print in the agreement, I noted that same-sex couples were banned. They would not be able to book a holiday. That is disgraceful, but the law can do nothing about it. Here is a golden opportunity for the Government to show their mettle, and extend the directive to goods and services. I look forward to hearing their response.

I congratulate the Government on what they have done so far in regard to domestic violence. When I was 22 or 23, I had just qualified as a barrister. I apologise for mentioning what is probably the most unpopular group in society: perhaps only politicians and journalists are ranked lower.

Mr. Miller: What about estate agents?

Mrs. Roche: I forgot about estate agents.

As many Members will know—some distinguished members of the legal profession are present—during the first six months of apprenticeship, or pupillage, trainee barristers earn no money. Things may have changed slightly, as there are a few more bursaries now. During the second six months, they are allowed to earn some money. During my second six months I was allowed to earn some money, and did so mainly by representing women in domestic violence cases. Interestingly, chambers would send the most inexperienced, rawest barristers to represent women in such cases because they did not consider such cases important. The police did not take domestic violence seriously, nor did the courts, and, if we are absolutely honest, we must add that the House did not either.

My experience then made me determine that if I were ever lucky enough to be elected to Parliament, I would try to do something about the issue. Having been elected in 1992, I became a member of the Home Affairs Committee, and in the same year I persuaded it to produce a report on domestic violence. I think that the other Committee members wanted to produce a report on car boot sales, but, along with some others, I managed to win the day.

It is a particular pleasure for me to note that legislation will be presented to the House—shortly, I hope—but there is no room for complacency. Although domestic violence is now recognised as the serious crime that it is, there are still areas that are patchy. For example, there is room for improvement in refuge provision, although it has already improved dramatically; and much work needs to be done in educating young people in particular. Girls and young

[*Mrs. Roche*]

women must not be allowed to grow up thinking that this is the way in which all men behave, and boys and young men certainly must not be allowed to grow up thinking that this is how their mothers should be treated. If the present situation continues, it will affect not just those young people but all of us. This is an essential part of child protection. Children are often the forgotten victims of domestic violence, and all hon. Members should treat the issue very seriously.

Mr. Bercow: As well as providing the vital legislative framework for the tackling of domestic violence, should we not continue to stress the contribution that volunteers can make? In that context, may I say how proud I am that my mother—who has never herself been a victim of domestic violence—will spend Christmas day helping battered women in a refuge?

Mrs. Roche: I agree absolutely, and I am happy to pay tribute to the hon. Gentleman's mother, as well as volunteers up and down the country. Volunteering is a mark of our country, as is the number of people who volunteer in all sorts of ways, giving up their family time to assist others. That is tremendous.

I spent some time earlier this year going around refuges up and down the country, and I was astonished by the number of people—mainly women, but some men as well—who have dedicated their lives to the issue for 20 or 30 years. When one thinks what the burn-out rate must be, it is a genuine tribute to their courage, integrity and dedication that they go on. The legislation will be a tremendous fillip for those people, but I urge the Government—I plead with them—not to stop there, as there is still a great deal to do.

When we look at the figures, it is salutary to remind ourselves that, while I have been speaking and we have been debating the Gracious Speech, a great number of women across the country will have been victims of domestic violence. We must continue to redress that and to take it seriously.

Tuition fees and top-up fees will clearly be an issue of controversy and interest not only to the House and the other place, but to the country as a whole. Like many on this side and, I suspect, quite a few Members in all parts of the House, I was the first in my family to go to university. At the age of 18, I was the first person from my school, which had become a comprehensive, to go to Oxford university. I went up to Oxford and had three wonderful years.

I remember my first day at Oxford vividly. I grew up on a council estate in Hackney. My father was at work and we did not have a car, so, with my mother, I got the No. 6 bus for Paddington to get on the train to go to Oxford. Absolutely terrified, I had never been away from home before. I shall get into terrible trouble for this, but going from Hackney to Oxford took me the furthest north that I had ever been. As far as I was concerned, Oxford was the north. I have made up for that by representing a north London constituency.

I remember what I felt at 18, and I have to ask myself a question, which is where my difficulty with variable top-up fees arises: if my family and I had known that gaining a place at Oxford meant that I would incur at the end of it a greater debt than if I had gone to another university, would that have made a difference? I like to think that perhaps it would not have, owing to the support of my family—I was very keen to go—but I cannot be sure. Nor can I be sure what would be in the minds of today's 18 and 19-year-olds from similar backgrounds who will have to make that choice, which is one of the most important that people have to make.

Mr. Forth: Will the hon. Lady consider at least two possibilities? One is that she and others like her may well have qualified for scholarships, which I hope will be much more freely available here, as they are in the United States. The other is that, possibly, the generations now are much more mature and capable of handling the idea of borrowing and indebtedness in a controlled and responsible way and for the best possible cause—namely, educating themselves. Are not those big changes that would go some way to ameliorating the difficulties that she outlined?

Mrs. Roche: I understand the right hon. Gentleman's point. I listened carefully to his thoughtful speech. I did not agree with him, but I understood his train of thought. The situation in the United States is interesting. It is not just the poor children who do not get to Ivy League universities, but those from lower-middle-class income families. It has been strongly argued that Ivy League universities are much more elitist than universities in this country. I know of a family whose children are at Harvard. They got there purely on merit, but 13 generations of that family have been to Harvard. That makes the record of our universities pale into insignificance.

The difficulty with the right hon. Gentleman's argument is that bursaries and scholarships do not cover everyone. They may cover some people at the bottom of the scale, but they may not cover children from families who are a little above the minimum level—lower middle class or upper working class, to use the old terminology. Those people will not make it, even though they have the ability and enthusiasm. That is the difficulty.

All of us want people with merit, ability and dedication to get to university, but if they are put off because of the variable nature of top-up fees, and if it deters them from choosing to go to what are perceived, rightly or wrongly, as some of our better universities, that will be greatly detrimental to those individuals and to society as a whole. We would lose their contribution and their ability, and those universities would be poorer places without them. I urge the Government to think again. I think that this idea is extremely divisive and could cause a great deal of unnecessary damage.

I shall end where I started. I am proud of what the Government have done so far, but there are tremendous challenges ahead. To ensure that we rise to those challenges and build on what we have achieved, we must talk a new language not only to the parliamentary Labour party and Labour party activists and supporters, but to the country as a whole. We must talk the language of inclusion and equality. We must ensure that we extend inclusiveness and equality where we can.

We are in perhaps the most competitive age possible. We compete not only with the United States of America, Europe and the rest of the world for the best and the brightest, but to ensure that everyone in our society is productively engaged, so that our industry and commerce can be the best in the world. We need the best brains and the best people in our work force. We should not consider policies of inclusion and equality as soft, nice or at the easy edge of politics. They are not. They are vital to our economy and competitiveness, and I urge the Government to take them on board.

5.33 pm

Rev. Martin Smyth (Belfast, South): Madam Deputy Speaker, I appreciate your calling me after the hon. Member for Hornsey and Wood Green (Mrs. Roche). It is interesting that I differed from the hon. Lady and the right hon. Member for Bromley and Chislehurst (Mr. Forth), who both confessed to having voted yes in the European referendum. I voted no, because I had read what had been done. What we discovered, even in the Maastricht debate, was fascinating. When the then Father of the House, Sir Edward Heath, was challenged on the fact that the European Union was supposed to be an economic union, he said that we all knew that it was a political union. The tragedy is that spinning has been going on in politics for a long time to confuse the unwary.

I wish to say a few words of caution to the Leader of the Opposition, the Prime Minister and the other Members—including the proposer of the Loyal Address, the hon. Member for Dumbarton (Mr. McFall)—who have referred to the elections taking place today in Northern Ireland. One regrets that the weather has proved to be unkind, but we will have to wait until tomorrow, when the count starts, and until Friday evening, when the last count is over, for the results.

It is interesting that a House of Commons brought into being by England, the mother of parliaments, has given us a system in Northern Ireland where, if one pundit is correct, there could be four differing parties, covering about 100 Members, pushed into a Government, with eight Members in opposition. It is a wonderful day for democracy—we have decided to have a Government by d'Hondt. There is nothing in that situation that allows the electorate, as the hon. Member for Wolverhampton, North-East (Mr. Purchase) said, to sack Members and to say that they have had their day. We must look more seriously at that aspect of the Province.

In England, people are complaining about the police service amassing fines from cameras. In east Belfast, a sign was put up next to a camera saying, "Motorists are fined and murderers are freed." We talk about a peace process—there has been a political process, which I welcome—but there is no real sign of one as yet. Some of those who would qualify, under d'Hondt, to go into government have a private army, which they equate with the constabulary, which was disarming around 1966–68 but was re-armed as a result of the insurrection. Subsequently, those people want the British Army to disarm. That is what they mean when they talk about demilitarisation. I would not hold my breath on that issue until we see how the count goes on Friday.

I welcome some of the proposals in the Queen's Speech. I agree with the hon. Member for Wolverhampton, North-East, who talked about selling the situation. The main problem is that when successive Governments have told us that they are giving £5 million to the health service, we have then seen that £2 million of it goes on staff wage increases and £1 million on capital, leaving £2 million, which, incidentally, has not been paid up-front for developments nationally. However, we welcome some of the things that have been done in particular areas.

On the ground in England, Scotland and Northern Ireland, there are hospitals that cannot cope with the demands made upon them. Some wonderful things have been done, and I pay tribute to the staff, but we live in an age in which people have greater expectations. It is folly for the Government to accuse the Opposition of trying to take money out of the health service by allowing a voucher to be used in private services. The family of a pensioner and ex-serviceman who required a heart operation had to pay £9,000 so that it could be carried out in a national health hospital. There are further cases of ordinary people, who were not part of BUPA or other private medical schemes, and who were told by the hospital that, regrettably, their operation could not be done on the national health service, but that it could be done—in the same hospital and with the same facilities and staff—if they paid up-front. We must reach beyond that degree of hypocrisy. The national health service, which I support and still use, is not properly funded to meet the demands of a generation who should not have to put up with second-class provision.

The points that were made about education are helpful. Graduates in my constituency—it is one of several in which house prices have rocketed—tell me that they cannot afford a house there. How will these people be able to live in such areas if, on graduating and seeking a loan to purchase a house, they are burdened with a massive overdraft? They can go to private developers, but they charge very high rents for their properties. We must face that reality.

I share one of the views expressed by the right hon. Member for Bromley and Chislehurst (Mr. Forth). People speak about choice and discrimination in Northern Ireland, and I had a choice to make. As a student, I was called to the ministry. My scholarship could have taken me to Trinity college or to Queen's university, but I chose instead to go to Magee university college, Londonderry, and graduated ultimately from Trinity. Magee is a Presbyterian foundation that was open from the beginning to all types of students. In my time there, Roman Catholic students from outside Northern Ireland attended, because the bishops in Northern Ireland would not allow Northern Irish Catholics to go there. But the Government of the day did not spend a single penny on that college because it was under Presbyterian auspices. Ultimately, it became a completely secular college. While I was there, the theological faculty was separated and put in a remote house, and ultimately it was taken back to Belfast.

I had a similar experience to the hon. Member for Hornsey and Wood Green. My family encouraged me to become a student. They never had a car—I was the first member of the family to own one—and they made sacrifices. Perhaps I was one of the fortunate ones, in that I managed to get a job in the summer vacations, which helped me to pay my way through college. That

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did me no harm; it helped me to understand other people's circumstances as I developed. It is important that we look at these issues carefully.

Returning to health, I regret the fact that people who served this country in Her Majesty's forces during the Gulf war, at the behest of the Government of the day, are still suffering. They have had to go to court to get an acknowledgement that their illnesses were at least aggravated by, if not due to, the failure of certain vaccinations received while serving in the Gulf. A recent case caught my eye because it involved someone in Knutsford, which is where my sister-in-law lives. Major Ian Hill's widow had to get the coroner's court to acknowledge that he died not of natural causes, but of causes that were at least aggravated by what is commonly known as Gulf war syndrome. As we anticipate the cutting of Army numbers, my plea is that we do not simply use soldiers in wartime and emergency situations and then forget them, as happened after the first world war. Back then, it was "Tommy this" and "Tommy that", but when the war was over it was just "Tommy rot". I believe that if our Parliament calls people to serve in the forces of the Crown at home or abroad, we should look after them because they are serving us.

The Prime Minister made a slip of the tongue, according to the Speaker, when I raised a point of order earlier. Unfortunately, too many slips of the tongue are a problem. In the modern world, politics becomes devalued when politicians promise one thing, using language that gives people the impression that something is to be done in a certain way, and then do something completely different.

Parliament in the United Kingdom begins its proceedings in prayer to the Almighty, so we should recognise that although people throughout the land have different viewpoints, there are moral standards, which are important not just within a Christian community, but apply to Jewish, Muslim and other communities. We recognise the problems of people who have particular relationships, but I regret to note that already the papers are talking about civil registrations and civil partnerships as though they were civil marriages. The more that Parliament devalues the family by devaluing the marriage of man and wife, the more difficulties we will face.

I recall one particular difficulty when we debated mental health legislation that applied to England some 20 years ago—the question of how long relationships should last. One noted libertarian argued that three months was sufficient. I said in the debate that our American cousins called us the flip generation because we kept changing. I said that if the Committee regarded three months as the standard for a stable relationship, I believed that we had flipped. I wonder whether any consideration has been given to the definition of a lifelong or stable relationship. It was touched on earlier, and I hope that when it comes before us again, the House will give proper consideration to the issue.

We should not be trying to get rid of one inequality by introducing other inequalities. I think of the lifelong relationships of spinsters who often look after their parents even though they receive no benefits for doing so. In the Ulster countryside, rural bachelors have lived together for years and do not seem to have acquired any other benefits. We have to be careful that in passing legislation to remove one inequality, we do not create other inequalities. We live in an age of civil rights. That often means, "What I want, I should have. I call it my right and the Government should deliver it."

5.48 pm

Mrs. Ann Cryer (Keighley) (Lab): I start by dealing with a particular aspect of the Gracious Speech:

> "My Government will take forward work on an incremental approach to a national identity card scheme and will publish a draft Bill in the new year."

I want to talk about identity cards because I know that many hon. Members are concerned about their introduction. If people are living honest lives and are not of a criminal bent, they should have nothing to fear from them. I have given considerable thought to the issue since the Home Secretary discussed it a few days ago. It is a difficult subject to talk about without being misquoted, so I have written out exactly what I am going to say.

Earlier this year, I raised the question of prescription fraud with the Department of Health, and was told that recent checks introduced by the Government had reduced the cost of patient prescription fraud from £117 million to £69 million a year—a significant decrease, but still an unacceptable figure. More importantly, that cost is unnecessary; the problem could be tackled.

Responsibility cannot, of course, lie with health professionals or dispensing chemists. They should not have to refuse to dispense drugs because a patient cannot produce sufficient evidence or demonstrate an exemption from prescription charges. As things stand, the simple declaration on the back of the prescription form will suffice. Given the sheer volume of prescriptions processed every day, it is inconceivable that every one could be checked. The cost of checking and enforcement would be astronomical.

However, the presentation of an ID card containing information about the holder's eligibility or otherwise for benefits would leave no room for dispute. Presentation of such a card could be required to prove an exemption from charges for the dispensing of drugs and medicines.

Likewise, it is not for health professionals to check the status of those who present themselves at hospitals or GPs' surgeries for treatment. However, for the sake of managing and planning resources, it is imperative that we know how many people are entitled to free health care and can identify those who do not qualify and need to pay.

I deal with a lot of visas, and I know that the terms of the visas of people who enter the country as visitors specifically say that there is to be no recourse to public funds. Similarly, people granted leave to enter the country as spouses will have no recourse to public funds for two years; that is the probationary period now.

I do not believe that health professionals presented with a patient give any thought to his or her immigration status—nor should they. However, should one of us have an accident or become ill while on holiday and require medical assistance, we would be asked whether we had medical insurance, and, if we were in an EU country, whether we held an E111. I doubt whether such checks are made here. Perhaps we should require medical insurance when an entry visa is issued. My constituency work demonstrates that some people who manage to gain entry clearance as visitors have no intention of returning to their country of origin upon expiry of their visa, yet their call upon the health service is probably never questioned.

I am not suggesting that the use of identity cards is the answer to all our social problems. Those problems, and their potential solutions, are much more complex. To be honest, as someone who has advocated and fought for human rights for the whole of my adult and political life, my instinct is naturally opposed to the idea. In an ideal world there would be no need for identity cards, but we now live in a global village. The ease and accessibility of international travel, coupled with a stronger tendency to economic migration, inevitably means that it is becoming more difficult to ascertain who is in any particular place at any particular time.

I am an old-fashioned socialist who has always believed in the benefits of a planned economy, and if we do not know how many people are eligible to be cared for, educated, supported and protected, how can we ever plan accurately for the future? What is the point of making plans, only to allow them to be undermined by those who are not entitled to reap the benefits?

The arguments in favour of ID cards are not all based on the principle of control and management. For example, I remember all too well that when my first husband was killed in a car accident his organs were not used to save someone else. Had he been carrying an ID card that could provide access to his wishes, I am sure that I would have been given some measure of help in knowing that something positive had come from such a tragedy.

I shall now move on to other aspects of the Queen's Speech, on which I have made some fairly scruffy notes, which I shall try to read. The phrase that is relevant to schools in my constituency is:

> "Delivering a world class education system that enables individuals to achieve their full potential".

I am glad that my right hon. Friend the Minister for the Arts is here now, because I want to pay tribute to the work that she did over many years as an Education Minister in introducing excellence in cities and Sure Start in towns such as Keighley.

In Keighley many children go to school at the age of four without a word of English, and sometimes never having heard English. Sure Start is one way of introducing such children to the world beyond their own street and their own community. They hear other children—white children—and white women, the helpers at Sure Start, speaking English. That prepares them a little for the day, which can be a terrible day for them, when they have to leave their mother and their community and go to a school where there are strange white women who dress in a strange way and speak a strange language. Sure Start is an excellent scheme. It is working well in Keighley, and is greatly appreciated by all who use it.

Chris Grayling (Epsom and Ewell) (Con): Is it not a terrible shame that while Sure Start is being established with Government funds, the equally admirable home-start scheme, which has existed in the voluntary sector for years, is under pressure in many areas because of a lack of grant funding? Some local schemes, such as the one in my constituency, face an uncertain future because they do not have enough money, while just up the road Sure Start is being established to do exactly the same thing.

Ann Cryer: I agree; I was one of the women who had small children when pre-school playgroups were being introduced. I am going back a long way now; my son is nearly 40—what a terrible thing—but I know how difficult it was then to get playgroups going on a voluntary basis. We ran one in an old Church school, and we had to have jumble sales and all sorts of other activities to raise funds to keep it going. It was at Oakworth, in my constituency, and it is still running 36 years on, so such arrangements do work. I understand the point that the hon. Gentleman is making, but by and large, in the areas where Sure Start is being introduced there are many very poor families, and we must give them priority.

The Queen's Speech also says:

> "Universities will be placed on a sound financial footing."

I am pleased about that. I am pleased that our universities will not have to run jumble sales to continue operating. However, I am concerned about the introduction of top-up fees, and unless I can be persuaded to the contrary I shall probably vote against them, because I do not want young people to enter the world of work with enormous debts hanging over their heads.

I am probably one of the few Members of Parliament who experienced that sort of thing in the past, not because I was a student—I left school at 15, and did not have the advantage of a university education—but because my late husband was. He went to Salts grammar school in west Yorkshire, which was then called the West Riding. The county council had a peculiar view about giving grants, and my late husband was not given one, so he had to borrow some money from the education authority, and from a bank, to go to university. That meant that for the first three years of our marriage we were struggling to pay back those loans, which is not easy for people who are bringing up two small children and taking on a mortgage for the first time.

The proposed child trust fund, or baby bond, is an excellent idea that will help even poorer families to contribute to their children's adulthood and put some money in the kitty for when the children leave school and want to buy a house, or whatever.

When my first grandson, Conor, who is now 11, was born, I bought him a national savings children's bond, to which I add every year on his birthday. However, I now have six grandchildren, so I have to do the same for all of them. September, when I top up all their savings bonds, is an expensive time for me, so I think that it is terrific that the state will be helping out.

The speech states:

> "A Pension Protection Fund will be set up to protect employees and pensioners if companies become insolvent."

I cannot begin to count the number of times I have sat in my advice surgery listening to the sad stories of constituents whose company has gone down the tubes,

[Ann Cryer]

taking their pension fund with it. That is especially sad for people of my age who are coming up to retirement with no decent private pension to look forward to, only state benefits. It is most upsetting when people who have been careful throughout their lives and have contributed to a fund find that it has disappeared—that it has been stolen.

My hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) mentioned the measures to modernise laws on domestic violence. Earlier this year, the Lord Chancellor's Department held a conference in Bradford to discuss domestic violence in the Asian community. Of course, the problem is not greater in the Asian community than it is in the white community, but the Asian community is still in a state of denial; people do not think that domestic violence occurs in their community.

The conference was most successful. The vast majority of the people who attended were from the Asian community, and many of the speakers had suffered domestic violence. The conference pushed the problem up a notch or two on Bradford's agenda, which is a good thing as it had not been discussed previously.

This summer, during the school holidays, I held a conference at a primary school in my constituency, which was attended by about 100 people, including head teachers, teachers who deal with domestic violence problems, social workers and community workers. We discussed the proposals published by the Home Office, and as a result I am convinced that the problems must be talked about in schools, as my hon. Friend pointed out earlier. We cannot discuss domestic violence too early; it is difficult for children brought up in the presence of domestic violence to understand that it is wrong, that it should not be happening and that there is another way. Schools should be discussing such problems even with young children.

The Speech states:

> "Legislation will be introduced on housing that will help create a fairer housing market and protect the most vulnerable."

Part of my constituency is the small town of Ilkley—it has a moor. Ilkley is a posh small town; it is very nice and many people want to live there. Due to the burgeoning economy of Leeds, there are many professional people who, unsurprisingly, want to live in Ilkley, so houses in the town are now the most expensive in Yorkshire. That means that there is no affordable housing in Ilkley, so when the young people of the town get married they cannot stay there.

Ilkley used to have a lovely council estate, but nearly all the houses have been sold off. I am not knocking the tenants who bought their houses—they were fully entitled to do so—but young married people in Ilkley are having to move out to Bradford, Shipley or Keighley to find affordable accommodation.

I look forward to the possibility of more housing associations being set up in areas such as Ilkley to provide accommodation for such people at the beginning of their married life. Affordable housing is fine if it means houses that continue to be sold cheaply, but in fact a house is only affordable once. In Ilkley, as soon as a house goes on to its second owner, the price shoots up and poorer people, and even the reasonably waged, can no longer afford it.

The Speech noted that a Bill on planning, introduced in the last Session, will be taken forward to

> "make the planning system fairer and faster with greater community participation".

I am not sure what "greater community participation" means, but I should like it to mean that people in Keighley will at last be able to stop a particular developer. He is a good builder of excellent houses, but he has a bad habit: when he presents his planning proposals there are no objections and local people approve, but when he builds the houses they realise that instead of building 20 houses, as planned, he is building 30. The houses are pushed together, people do not get the view they expected and rights of way are blocked. Many things are done for which there was no original planning permission.

Bradford council often challenges that builder, who is doing a lot of work in the Keighley area. Many of my constituents are upset about the matter, as I hear in my advice surgeries, so they will be pleased that I am mentioning it in Parliament. I should like "greater community participation" to mean that people in my constituency will have a fairer say in developments and that they will no longer be told by the local authority that there is nothing it can do, that it is too expensive to stop the builder in his tracks, that the process will become protracted and that it is all too difficult. I hope that some of my constituents will be able to put their ideas to the local authority when it makes decisions on planning permission so that such situations do not occur in the future.

6.7 pm

Tony Baldry (Banbury) (Con): The hon. Member for Keighley (Mrs. Cryer) made an interesting speech. I am sure that the Government Whip on duty will have noticed that, so far, every Labour Member who has spoken has expressed concerns about the direction that the Government are taking, especially on top-up fees. When a political party says one thing in its election manifesto yet months later does a complete about-turn, it is hardly surprising that there is growing cynicism in politics.

Much of today's debate has been concerned with the need to improve public services. Nothing is more important than more effective police, good teachers, improved education, a well-motivated and well-rewarded NHS staff and a better health service. The only difficulty is that we hear the same claims from the Government every year. In last year's Queen's Speech, the Government trumpeted:

> "This approach will enable my Government to continue to invest in the public services, while supporting major programmes of reform on health, education, transport and crime".—[*Official Report*, 13 November 2002; Vol. 394, c. 3.]

Can anyone name a single Act from last year that made a difference? Last year's legislation brought no real change to my constituents in north Oxfordshire.

Brian White (Milton Keynes, North-East) (Lab): Will the hon. Gentleman give way?

Tony Baldry: No, I have only just started.

One year on, I doubt whether—

Tom Levitt (High Peak) (Lab): The hon. Gentleman asked a question.

Tony Baldry: I gladly give way, then, to hear the answer.

Brian White: Does the hon. Gentleman not consider that the Communications Act 2003, which fundamentally changes how telecom companies and broadcasting will work over the next few years, made a major difference?

Tony Baldry: First, I must declare an interest as the director of a company involved in interactive digital television. However, if I were to walk down the high street of Banbury or Bicester asking people to name a piece of legislation that the Government introduced last year, I hardly think that they would be pressing me on communications legislation. The hon. Gentleman, rather tellingly, reinforces the point that I was making.

I very much doubt that much of this year's legislation will make much difference either. We have another rag-bag of Bills; there are 23 Bills and seven draft Bills. By my calculations, we shall be trying to force through almost a Bill a week for every week of the parliamentary year.

It is clear that the Government have lost their way, or their third way. On the radio last weekend, Ministers said that, as part of the third way, the Government would launch a national conversation so that they can hear what the country wants. Well, Ministers may listen, but they do not learn. I shall give two straightforward examples of that.

Home Office Ministers have proposed to build an asylum accommodation centre for 750 people in Bicester in my constituency. It was opposed by local people and the local authority, and by every organisation from the Refugee Council to the Red Cross. No organisation concerned with the welfare of asylum seekers supports the proposal, but Ministers pushed ahead and the proposal went to a public planning inquiry.

The Minister for Citizenship and Immigration said at the Dispatch Box that the Government had made it clear that they would abide by the planning process and by the outcome of any public inquiry. She said that that was "both fair and democratic." I suspect that hon. Members hearing those words would assume that the Government would abide by the advice that they received from the planning inspector. However, the inspector said, unambiguously, that the asylum accommodation centre was a bad idea and should not go ahead. The Government's response was to execute a volte-face on their clear commitment. Notwithstanding the planning inspector's recommendation, they decided to go ahead with their plans. The clear inference is that planning inquiries are fair and democratic only when they tell the Government what they want to hear.

An asylum accommodation centre at Bicester would be bad news for the people placed there, as being stuck in the middle of the Oxfordshire countryside for up to six months with nothing to do would be pretty depressing. However, it would also be a huge financial burden on the local authorities involved. We understand that, under the asylum Bill announced today, parents whose claims for asylum have been rejected will be offered a choice—to take a voluntary airline flight, paid for the by the UK, back to their native country, or to lose all their benefits in the UK and have their children taken into care.

If the Government proceed with the plan for a 750-person accommodation centre on the outskirts of Bicester, new and serious issues will arise about the financial burden falling on Oxfordshire county council. From ministerial statements, we know that a significant number of the asylum seekers who would be accommodated at Bicester would be families with children. I understand that, at present, taking a child into care costs £16,900 a year at the very least. Of course, children taken into care stay there until they are 18. Moreover, the county council pays as much as £90,000 per year so that some children with special needs can be in care. The cumulative costs are therefore likely to be very substantial.

Is the Home Office willing to give an undertaking that it will underwrite the costs incurred by Oxfordshire county council if it has to take into care any asylum seekers' children as a result of the forthcoming legislation, or are the Government expecting Oxfordshire council tax payers to pick up the extra financial burden, without compensation? The potential costs of the accommodation centre were one reason why the planning inspector gave his negative recommendation. How on earth can the country be confident that the Government will listen to whatever message is given to Ministers in the national conversation?

My second point concerns the Bicester community hospital. The previous Secretary of State for Health, the right hon. Member for Darlington (Mr. Milburn), when he was Minister of State, made a commitment at the Dispatch Box in 1999 that a new, 30-bed community hospital would be built in Bicester. He said that it was important to develop "modern, effective and dependable" services, and "improved fairness" in Oxfordshire's health services. That commitment is now three years overdue.

Recently, I presented to Parliament a petition signed by 7,000 Bicester residents, outlining how NHS officials now say that funds intended for the new Bicester community hospital, following the closure of Burford and Watlington community hospitals, had been "invested in the system" already.

It is fair to say that we in Bicester were surprised and concerned to learn that, from the next financial year, there appears to be no money for project finance to take the work forward. Also, there appear to be no funds to finance the project team, as the mechanism by which the team has been paid so far is being scrapped. Understandably, that leaves a sense of great betrayal locally. Ministers cannot tell a community one day that it will have a new hospital, and then change the rules completely a couple of years later. It is not enough to say, "Terribly sorry, there is now no money for a

[Tony Baldry]

community hospital, and no mechanism to take the process forward." If the Government cannot keep the commitments made by Ministers at the Dispatch Box, no one who asks for anything during the so-called "national conversation" should expect delivery.

Rag-bag Bills to wallpaper over bad Government policy have been announced today. For instance, this year we have yet another proposed antisocial behaviour Bill. The Gracious Speech states:

> "Firm action will continue to be taken against anti-social behaviour".

The announcement of another Bill on this subject in the Queen's Speech is almost as predictable as the fact that Christmas comes every year. I doubt that I am the only hon. Member able to recount how different antisocial crimes affect different parts of my constituency pretty much all the time. Ahead of last year's Queen's Speech, a constituent wrote to me as follows:

> "The situation here is quiet, but as I stated in my last letter I believe the gang have only moved on to another part of our community to get their fun."

That is in rural north Oxfordshire, not some inner-city area. What do I tell my constituent of the Government's new Bill on antisocial behaviour? Should I tell him that last year he was the victim of the wrong type of antisocial behaviour, which will be addressed in the new legislation? That is absurd.

Last year, the Government presented a Bill to introduce antisocial behaviour orders. So far, Cherwell district council in my constituency has managed to secure just two ASBOs, and that took over a year. The process was subject to delays, red tape and, not surprisingly, obstruction by the individuals on whom the orders were to be served. If it takes a district council more than a year to get a single antisocial behaviour order, does that not suggest that a certain amount of gimmickry is involved? Would it not be better for the Government to look at the measures that they have introduced already and ensure that they are effective, rather than trying to give the impression that they are doing something about crime by producing more and more Bills and putting them on the statute book?

Yet another antisocial behaviour Bill is simply a Government decoy to distract people in north Oxfordshire and elsewhere from the real cause of the rise in low-level antisocial behaviour: the increasing invisibility of police officers on the streets as a result of severe under-resourcing for the Thames Valley force.

Every year since this Government came into office, spin rather than substance has dominated our criminal justice system. Practically every year, a new criminal justice Bill is dragged to the statute book to give the impression that the Government are doing something—anything—to tackle crime in general and antisocial behaviour in particular.

I suspect that my constituents want more than anything to know that there are capable and experienced police officers out on the streets. I should prefer the Home Secretary to give attention to the haemorrhaging of experienced police officers in the Thames Valley area, and the increasingly difficult financial situation in which that force finds itself.

In a recent briefing note to Members of Parliament, the chief constable of the Thames Valley force observed that

> "organisationally, the single most important issue for the force remains police officer retention. Thames Valley police has suffered a significantly greater drain of fit, trained and experienced police officers who have transferred to other forces over the past two and half years . . . A total of 314 officers have left in that time. For many the prohibitive housing costs associated with the region mean that home ownership prospects are bleak."

He went on to say that for other officers, and especially those living in the south-east, there were

> "prospects of earning at least an extra £4,000 per annum working for the Metropolitan police service, which has aggressively targeted officers to encourage transfers".

The chief constable went on to observe that

> "the loss of these experienced officers creates an experience vacuum which impacts upon the quality and volume of operational activity."

The concern about experienced officers is demonstrated by the fact that it is getting increasingly difficult, in the Thames Valley force, to identify qualified people to promote to the ranks of sergeant and inspector. That is a matter of real concern in a public service that relies on effective operational supervision. Last year, Thames Valley police lost 160 officers, and this year they lost 180 experienced officers. The situation is not getting better—it is getting worse. For year after year, Members of Parliament from the Thames Valley area, such as myself, have called on the Government to introduce sensible regional cost of living allowances for police officers and other key workers, but the Government do nothing to help.

I recently received a letter from the Oxfordshire weighting allowance campaign. It says that

> "the case for, effectively, London weighting to be extended to Oxfordshire is simple. In a nutshell it is that those workers in the county whose pay is linked to national scales are in a bind. Their standard of living is diminished through the high local cost of living. In comparison with other regions of the country and with London, where weighting is universal, they are at a disadvantage."

Indeed, the Government's proposals will make the financial prospects for the Thames Valley police increasingly difficult. As the chief constable observed in his briefing to MPs,

> "the financial outlook for 2004/5 and beyond appears rather bleak . . . early indications from the Home Office are that the financial settlement for 2004/5 will be very tight".

He concludes that

> "unless something extraordinary happens to the Authority, they will once again be faced with making some very difficult and stark choices between providing the Chief Constable with the necessary resources he requires to deliver an effective police service across the Thames Valley whilst at the same time limiting the annual increase in Council Tax to a realistic and affordable level."

I strongly suspect that my constituents would wish to see less spin on legislative gimmicks and more substance to enhance experienced police retention and police pay, and proper financial provision for the Thames Valley police as a whole.

The Queen's Speech contains many measures, but Ministers promised to introduce some legislation that, unfortunately, does not appear. One example, which does not even appear as a draft Bill, is legislation on corporate manslaughter. On that issue, I wish to refer to the tragic case of my constituent, Simon Jones, who was brutally killed. He was a student at Sussex university and had to work during the vacation to earn some money. He went to Shoreham docks and was killed on his first day in tragic circumstances. I do not use that word glibly, because in many ways his death has destroyed the lives of his parents and family.

I went to the Old Bailey to watch the trial of the chairman of the company concerned. Under our present law, it is almost impossible to get a conviction against an individual director or person responsible, and the company was fined a derisory amount. The Government have been consulting for a long time on the issue, and they had almost got to a draft Bill. However, they simply backed away in the face of pressure from employers. Such a Bill would not be about bashing employers, but about promoting safety in the workplace. When people go to work in the morning, they are entitled to know that they will come home safely at night. Many companies do a good job, but some do not.

Mr. Miller: The hon. Gentleman makes a valuable point from his experience of the case of his constituent. If the Government were to introduce such a Bill, would it have his support?

Tony Baldry: Of course it would have my support, and that is why I regret that it did not appear in the Gracious Speech.

A report yesterday in the *Financial Times* observed that

> "critical questions remain about what those proposals will compromise despite earlier rounds of consultation. The Home Office is understood to be reconsidering its definition of what should trigger corporate liability. Business is lobbying government to water down the original proposal that companies would be liable if serious 'management failure' led to a fatality."

Our record on deaths at work in this country is appalling, and some sectors of industry have particularly poor records. I know that the Health and Safety Executive does a good job, but if directors—I speak as a director of several companies, as anyone who consults the Register of Members' Interests will see—knew that they stood in peril of losing their freedom if they did not ensure that their work force had, so far as is possible, a safe place of work, it would substantially reduce the death rate of people at work in this country. I understand from Simon Jones's parents, who have campaigned tirelessly to change the law, that fines for poor safety are to be reduced: if there is to be a deterrent, this legislation will clearly have to be it.

The other parts of the public services about which we are all concerned are our hospitals and schools. Oxfordshire's hospitals, in comparison with much of the country, are under severe financial pressure. Nothing in the Queen's Speech will address that. In May, I held a public meeting to establish an action committee to keep my local hospital—the Horton—a general hospital. The campaign is supported by members of all political parties in north Oxfordshire and by members of the local community, and it seeks reassurance that services will not be removed from the Horton general hospital to downgrade it gradually.

The public meeting was attended by the then chief executive of the Oxford Radcliffe hospitals trust. Local people in Banbury and I were given reassurances that there was no hidden plan to close or downgrade the Horton and that managers would look for ways of treating people closer to home. I later met with senior NHS managers and was given assurances that no details were available of what services were being reviewed as part of the health plan being developed at the Horton. To put it simply, there was no review of removing services taking place at the Horton. That was in May 2003. Since then not a week has gone by without further suggestions for removing services from the Horton to the John Radcliffe. That is leaving local people with the feeling that they have been deceived by Oxford Radcliffe hospitals trust.

In May 2003, it was suggested that mortuary services were to be closed at the Horton. Only two months later, we saw the reduction of paediatric care at the hospital, with the loss of two consultant paediatricians and a freeze on staff replacement. The same month, it was announced that the viability of the nighttime accident and emergency service, nighttime emergency surgery, nighttime trauma treatment and nighttime maternity is now in question. Indeed, only last night the local action committee met again on that matter. I am told that there are no details of what services at the Horton will be part of the health plan review, because no services have been identified. Then we get three announcements that services are planned to be removed from the Horton. Is it seriously suggested that the removal of those services is separate from the health plan review for the Horton?

It is clear that a comprehensive review of health services in Oxfordshire is now needed, but to make the health system in the county a success, funding will have to be forthcoming from the Government. As matters stand, Oxfordshire's hospitals have little chance of the independent financial status for foundation hospitals that the Government introduced in last year's Queen's Speech. If Ministers cannot deliver on the proposals for public services made in previous Queen's Speeches, that means little optimism locally for anything different this time around. Indeed, given the situation with the Horton hospital and the Bicester community hospital, my constituents will find hollow indeed the words in the Queen's Speech about giving

> "more choice to patients, more freedom to NHS staff and more control over hospitals to local communities."

They see little choice when promised community hospitals disappear and services are taken away from their general hospital.

The Queen's Speech makes significant proposals for higher education. I have mentioned those that the Labour party's manifesto said would not be introduced. It will be interesting to see how the Labour party will square the social exclusion that such proposals are likely to cause with its supposed championing of social inclusion elsewhere.

In pre-university education, little encouragement is being given to schools. The Government have made a total dog's breakfast of schools funding, and the situation is all the more disappointing because this year Oxfordshire has had the benefit of damping worth £4.7 million. It will not receive that next year, so it will effectively have a standstill budget, which will make the school funding situation much worse.

[Tony Baldry]

The confusion over school funding this year was characterised by the fact that almost at the last moment the Learning and Skills Council came up with an additional sum for some schools in Oxfordshire with sixth forms, based on their ability to secure high attendance levels from sixth-form pupils. Obviously that money was welcomed by those schools that benefited, but the House will agree that it was farcical that such an announcement came so late in the day and after many of the schools concerned had agonised for some time about whether they had to make staff redundant.

It was also disappointing that this year the Government chose to seek to blame everyone but themselves for the chaos in school funding. First, they blamed local education authorities, such as Oxfordshire, when it was clear that they had passed through to schools every single penny they could. Then we had the unedifying spectacle of Ministers seeking to blame the schools for the financial position that they found themselves in.

None of this blame game helps with morale or helps to resolve the situation. Given last year's chaos, I very much hope that this coming year Ministers will make every possible effort to ensure that local education authorities know at the earliest possible opportunity the exact funds that they will receive, and that schools know all the funding that they might receive from all possible sources—not only from the LEA but from organisations such as the Learning and Skills Council—at the earliest possible opportunity, so that when they set their budgets they can be confident as to the exact amount that they will receive.

The Government are introducing proposals on pensions, but I suspect that, as has been said, most of my constituents are concerned not about those new proposals but about how they will manage on their existing pension. They are concerned about the fact that many of them are not getting all the various benefits and credits that they should, because the system has become so involved. Also many pensioners are really concerned about the fact that any pension increase that they receive is eaten away by higher council taxes and other burdens. A constituent wrote to me the other day, and the letter summarised the feelings of many of my constituents. It said that

> "the Government seems able to find billions of pounds to fund the war, but the pensioners' plight is mainly ignored. For instance our combined monthly pension increase for the coming year is £15.32. The council tax increase is £13.00 per month, leaving a balance of £2.32 per month. The landlord will increase the rent for this property in June".

I very much hope that when Ministers are having a "national conversation" they will have a conversation with pensioners and others, and discover their true circumstances.

Tom Levitt: I can barely recognise the situation that the hon. Gentleman is describing. I will not go into education funding, but I do remember the cuts and cuts under the Tory Government. However, on pensions, I strongly recommend his constituents to ring 0800 99 1234 to see whether they can get up to £30 a week extra on the pension credit, which many of my constituents are getting and enjoying.

Tony Baldry: It is a really sad situation when our constituents who are pensioners have to start ringing freephone numbers to see whether they are eligible for particular benefits. I very much hope that during part of this so-called national conversation, Labour Members and others will go down some streets in their constituency and discover just how much increased poverty has come about because so many pensioners now can survive only on means-tested benefits. Indeed, huge numbers of people—not only pensioners but those who receive the working families tax credit and others—are being drawn into the benefit system, and pensioners in particular find that unpalatable and difficult.

Mr. Philip Hammond (Runnymede and Weybridge) (Con): While my hon. Friend is on the subject of broken Government promises, does he remember that before the 1997 general election the current Chancellor of the Exchequer was promising to end means-testing altogether for pensioners?

Tony Baldry: Yes, absolutely. Labour Members of Parliament cannot be surprised to hear that there is increasing disenchantment when pensioners and others who are not well off in our society find themselves drawn into an increasingly complex means-related, means-tested benefit system, which they find very convoluted.

Finally, as my right hon. and learned Friend the Leader of the Opposition mentioned earlier, we are about to see—allegedly—referendums for regional government, which the Government seem determined to introduce. We now have an unelected regional planning authority for the south-east. In Oxfordshire we have very little in common with Hastings and Dover, and Kent and Sussex, and we find the idea that more and more decisions affecting Banbury and Bicester will be made in Dorking and Guildford increasingly alien. The idea that regional government will bring greater local democracy is a great mistake. Regional administrations will remove local democracy.

Any regional assembly in the south-east would leave Oxfordshire isolated, left on the edge by another remote tier of central, not local, government. I very much hope that the Government will recognise that, rather than undermining district and county councils, these tiers of local government have worked well for many years and should continue to work. Local minds should be put to local matters wherever possible, so when Ministers tour the country, telling people they are listening to the "conversations" that they are having with local people, perhaps Ministers should remember that it is local government, not they, that has the best record of standing up for people's needs.

At the end of the day, the Government will be judged not on the number of Bills they manage to force through Parliament during the legislative year but on whether they do actually enhance social justice and improve public services. On the basis of their immediate past record and of the proposals in the Gracious Speech, I do not think we should hold our breath and expect that either social justice or improved public services will be seen in the coming year.

6.35 pm

Ross Cranston (Dudley, North) (Lab): The Gracious Speech is a useful occasion for stocktaking because it enables us to reflect on the Government's legislative intentions in the context of what has gone before and what may happen in future. Of course it provides only an incomplete audit of legislative activity, quite apart from other measures that may be laid before us, since so much effort these days is expressed through secondary legislation. Moreover, a great deal of Government activity occurs through administrative effort and public spending, which is not directly related to legislation.

If it is to be effective, Government activity must accord with a philosophical position, even if that is only to keep the ship of state afloat. The Government's prospectus will be published on Friday, and I hope that the specific proposals will be placed in a more philosophical context. None the less, I think that we can appreciate the measures in the Gracious Speech, because they do fit into a framework, I would argue, that can be generally described as designed to produce a more socially just and civil society worked by modern institutions.

First, I want to say something about the constitutional measures in the speech. Historians looking back on what has occurred since 1997 will see a period of very significant constitutional change — changes to our Parliament, the devolution of legislative powers in Scotland, Wales and Northern Ireland, and the protection of individual rights through measures such as the Human Rights Act 1998. That constitutional change continues with the proposals in the speech for the abolition of hereditary peers. The justification for the hereditary principle for parliamentarians has long since gone. If individuals who are hereditary peers have a contribution to make, they should do so as life peers or as elected Members of this place, such as the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso).

I shall say a few words about the proposed changes to the justice system — the establishment of the judicial appointments commission and the supreme court. I declare my interest as a barrister and a recorder. These proposals have already been subject to considerable debate. Their goal is to widen the pool for judicial appointments while retaining the merit principle, and they are designed to end the perceived anomaly that our most senior judges are part of the legislature. The new arrangements will need to be carefully constructed and will need to avoid unintended consequences. I shall confine my remarks to judicial appointments.

First, I foresee an initial period in which outstanding candidates will be reluctant to apply for judicial appointment. Successful members of the Bar, for instance, may not risk the potential blight to their career if they apply unsuccessfully. Reputation, at the Bar, is everything. That necessitates a mechanism of head-hunting, to ensure that those inhibited from applying are encouraged to do so.

Secondly, committees are typically unimaginative and risk averse. It is always a salutary experience to re-read C. Northcote Parkinson's accounts of the principles of selection, the point of vanishing interest and palsied paralysis. Given those characteristics of committees, there needs to be a corrective mechanism if there is no longer to be a role for a renaissance Lord Chancellor. Earlier this week, for example, the Society of Black Lawyers characterised the proposed reforms as window dressing and said that it preferred a Lord Chancellor to deal personally with judicial appointments.

Frankly, I can see the necessary corrective mechanism that I have mentioned coming only from the Secretary of State having the discretion to initiate candidates before the commission and to choose between names advanced by the commission for appointment. Of course, there is a fear that ministerial discretion will give rise to political interference, so undermining judicial independence, but the current mechanisms for accountability, including the media, are strong enough to ensure that that does not occur.

Thirdly, in any event, there needs to be ministerial discretion in appointments if legitimacy is to be maintained. Unless there is some political involvement in appointments, we politicians will, at the very least, have fewer inhibitions in relation to criticising the judiciary. So, somewhat ironically, I am at one on this issue with Judge — formerly Professor — Posner of the United States, who argues that political involvement in the appointment process protects the tenure of judges during their judicial life.

Let me turn to the public sector and how it pursues the philosophical aims of social justice and strengthening civil society. The public sector has an important regulatory role in pursuing social justice. I am pleased that the employment relations Bill will make it illegal for employers to offer financial inducements to exclude individuals from the fruits of collective bargaining. I welcome, too, the company law Bill, which will strengthen the investigatory powers of Department of Trade and Industry inspectors when they are inquiring into corporate wrongdoing. I am especially pleased that the Bill will provide potential whistleblowers with legal protection from accusations of breach of confidence.

I also welcome the Bill that will encourage employers to provide good occupational pension schemes and establish a protection fund to safeguard employees when those employers fail. My hon. Friends the Members for Wolverhampton, North-East (Mr. Purchase) and for Keighley (Mrs. Cryer) have already mentioned that. Unfortunately, the measure will not be retrospective, so it will leave high and dry a number of my constituents who have contributed faithfully to occupational pension funds for up to 30 years and have received nothing, but who find that the directors of the failed companies have protected their own pension rights. The Government have to address that serious problem.

The hon. Member for Banbury (Tony Baldry) mentioned the corporate manslaughter Bill, which has been promised many times and which must be one of the other measures to be laid before us. Perhaps my right hon. Friends on the Front Bench need to say, perhaps in a modified version of the Book of Common Prayer, "Lord, let me know the number of my days, that I may be certified how long I have to legislate." We promised such a Bill in 1997.

[Ross Cranston]

The public services also have an important role in providing universal services, which can have an ameliorative effect on social inequalities and provide a foundation for a strengthened sense of community. In the last few days, the No. 10 strategy unit has published a detailed document that demonstrates that substantial and significant progress has been made as a result of the investment and administrative changes made by the Government over the past six years. That refutes the points made by various Opposition Members. My right hon. Friend the Prime Minister set out a number of the achievements.

The strategy unit document mentions steady improvements in education results—in reading, maths and science—and in health outcomes, such as the 19 per cent. reduction in cardiac deaths and the 9 per cent. reduction in cancer deaths since 1997. Crime, too, is down a quarter, in part reflecting investment in law enforcement. Many of those improvements in the impact of public services result from spending power and administrative changes that are only tangentially reflected in legislation.

In that context, let me say something about the proposed Bill to allow universities to levy higher tuition fees. Last week, I received my copy of the newsletter, "Harvard Law Today", which announced that the current Harvard law school general fund-raising campaign launched in June this year has already clocked up $170 million. The programme is designed to raise $400 million in the next year, and I am sure that that will be achieved. That is but a small part of the enormous funds available to Harvard law school, which is one part of one American university. Our universities cannot compete with that sort of money, which buys brains and facilities.

We need more money to be invested in our universities, and the only way to do that is to charge those who are able to pay for their university education. That is socially equitable. The great majority of my constituents do not have a university education and are on incomes below the national average. Historically, they have subsidised the better-off elsewhere to go to university. It makes sense for different universities to charge different fees for different courses, and for universities to be able to charge different amounts. That would reflect both the cost of different courses and the returns to students from those different courses in different universities. The Government's proposals are consistent with social justice since students pay only on graduation, when they receive the financial benefits of their qualifications. Moreover, their payments will be linked to earnings. My right hon. Friend the Secretary of State for Education and Skills has patiently developed a fair and practical deferred fee system. The yellow brick roads of the Opposition parties are precisely that: roads to fantasy lands.

Finally, let me to turn to the advancement of individual opportunity and rights, as set out in the Queen's Speech. The child trust fund will have an initial endowment, with a higher amount for poorer children, so, as the Queen's Speech states, children will have an asset to draw on when they reach the age of 18. I support that innovative idea. I am pleased that there will be a Bill to introduce a new form of company designed especially for social enterprise and the not-for-profit sector—an important and thriving sector of our economy. Many of those enterprises pursue important social and environmental objectives, but to be successful, we must ensure that the details of the model set out in the Bill will be sufficiently attractive to encourage social enterprises to use that new structure rather than other options.

My hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche) mentioned the proposals on domestic violence. I applaud the proposal to appoint a children's commissioner in England. Moreover, the victims Bill will create a commissioner to champion the rights of victims and witnesses. That is especially welcome to those of us who want the criminal justice system to be reoriented in favour of those who actually suffer at the hand of defendants, while not trenching on defendants' rights.

I want to say something about the proposed Bill to deal with the rights of the disabled. I am honorary president of the Blue Badge Network, which safeguards the concessionary parking permit for people with disabilities. Its head office is based in Dudley. The blue badge scheme is vital for the mobility of more than 2 million people who qualify for it. It allows those with disabilities to shop, visit friends and family and so on, but it is open to abuse, often by able-bodied motorists. It has been estimated that about 700,000 fraudulent abuses of the badge take place each year. Badges are copied, borrowed, stolen or sold on the black market, so places are used by able-bodied people. That devalues and discredits the scheme in the eyes of the public, so harming the people whom it was designed to help. I therefore hope that the draft disability discrimination Bill will include legislative measures, which the Government have promised, designed to remedy that problem, such as giving powers for police officers, traffic wardens and parking attendants to check the details of a badge and providing for penalty notices to be issued to vehicle owners who park in spaces designated for badge holders.

I turn to the civil partnership Bill. I pay tribute to my hon. Friend the Member for Hornsey and Wood Green for her contribution when she was in government and to the work of Lord Lester. This issue has been subject to extensive consultation, and I am not sure what numerical weight can be attached to the responses, as there were orchestrated campaigns both for and against the proposals. It is important to state what the Bill will not do. It will not create a form of gay marriage. Instead, it will sensibly set out the rights and responsibilities that will flow when same-sex couples register their relationships. They include, for example, rights to welfare benefits, parental responsibility and what happens to benefits and property following the death of one of the individuals involved.

My puzzle, however, is that the Bill will not extend to opposite-sex couples. It is not enough to say that opposite-sex couples can attain legal rights and status for their relationships through marriage when the statistics clearly demonstrate that many opposite-sex couples cohabit but choose not to marry. Moreover, it seems that some unmarried opposite-sex couples are still under the mistaken belief that they have a legally recognized status as common law husband and wife.

The courts have done their best to grapple with the consequences of such cohabitation when there is a breakdown of the relationship or the death of one of the partners and the other party is left financially vulnerable or unable to claim ownership of the property to which they both contributed in the course of the relationship. It is high time that this problem was addressed. When the Law Commission examined the issue a couple of years ago, it identified the registration of civil partnerships as a way forward—precisely what this Bill would confine to same-sex relationships.

Tom Levitt: Perhaps the issue is not whether heterosexual couples should be able to have the equivalent to civil registration. The Bill will say that no couple—whether heterosexual or homosexual—will have the right to civil partnership unless the partnership is registered. It will be registered either through marriage in the case of a heterosexual partnership or through civil registration in a same-sex partnership. Those who have not registered—whether they are heterosexual or homosexual—will not receive the benefits of the partnership, so it is clear that the Bill will give equivalence to the two situations in that respect.

Ross Cranston: I hear what my hon. Friend says, but many heterosexual couples choose not to marry. Women often contribute significantly to the property but find that, when the property is registered in the man's name, they have no access to it on the break-up of the relationship or on the death of the man. There is a definite problem there.

Let me return to the strategy unit audit, which has just been published. As well as setting out the achievements, it lays bare the fact that much more has to be done. With human capital, for example, our top quarter of school children are world class, but there is still a long tail of under-achievement. We have a strong science base, but investment in research and development has fallen in recent decades. Substantial progress has been made in tackling poverty, reducing social exclusion and rebuilding a sense of community, but persistent poverty remains and it is associated with the highest rates of teenage pregnancy in Europe.

The Sure Start programme operates in the Kates Hill and Sledmere areas in my constituency, and I support it wholeheartedly. However, it should be extended more widely, and it could operate successfully in deprived wards in Dudley, North such as the Castle and Priory ward. The strategy unit audit sets out the very clear evidence of the high returns and cost effectiveness of targeted investment in children—such as provided by Sure Start—in increasing education attainments and reducing crime.

Mr. Miller: My hon. and learned Friend makes a very good point about the way in which the Sure Start boundaries were set up. Is he aware that, under the new legislation for children's centres, there is much more local flexibility to allow for tweaking the boundaries to suit local demographics?

Ross Cranston: The ward that I mentioned will benefit, to some extent, from that. However, the people there would very much like Sure Start—I appreciate their concerns—to operate in full-blown form.

The Queen's Speech is one more brick for building a more socially just and inclusive society. As I have suggested, it is not sans crack or flaw but, on the whole, the constitutional proposals are an attempt to mould venerated and successful institutions to modern demands. The regulatory proposals recognise the reality that rewards from the market alone must be modified to achieve social justice. The proposals for the collective provision of public services not only pursue this social justice goal, but contribute to a strengthened sense of community, and the proposals for enhancing individual rights guarantee greater opportunity for all. I support the speech.

6.55 pm

Mr. Andrew Robathan (Blaby) (Con): Although I did not agree with everything that the hon. and learned Member for Dudley, North (Ross Cranston) said, he spoke with great authority about legal matters. However, his colleagues on the Government's Whips Bench might be more interested in the fact that he is the first Labour Member apart from the Prime Minister who has said that he will support top-up fees. We look forward to that.

Tom Levitt: I will be the second.

Mr. Robathan: The hon. Gentleman will be the second.

Like my hon. Friend the Member for Banbury (Tony Baldry), the hon. and learned Gentleman spoke about corporate manslaughter and the fact that a Bill was promised in 1997. I should like to develop that theme, because there was tremendous enthusiasm among Labour Members in 1997 that was matched by a certain unhappiness on our side after the election that year. We all remember, "Things can only get better", but we are now six and a half years on and the hon. Member for Dumbarton (Mr. McFall) said that there was so much to do, so far to go. However, we should rely on the experience of our electors—be they in Dudley, North or Blaby or wherever. After six and a half years, the Prime Minister seems detached from the experience of my electorate. He suggested that everything was getting better, but that is not what I hear from my electors.

The speech and this legislative programme show that the Government have lost their way. I understand that there will be 30 Bills altogether, and the Gracious Speech says that the

> "Government is committed to improving the quality of people's day to day lives."

It is difficult to get a comment much more trite than that. The Government are failing to deliver.

The Prime Minister said that he was achieving much in the national health service, and it is true that a lot of money has gone into it and that some things are certainly better. I do not deny that, but let me give an example from my constituency. In September 1999, the Prime Minister said that, by September 2001, everybody would be able to get an NHS dentist. That was a clear promise that everybody would be able to get an NHS dentist within two years. I cannot, my family cannot and nor can any of my constituents around Lutterworth and Broughton Astley under the South Leicestershire

[Mr. Robathan]

primary care trust. Two years after the promise was meant to be delivered, it has not been delivered. That is the experience of many of my electorate.

Patrick Mercer (Newark) (Con): It is all jaw.

Mr. Robathan: It is.

Leicestershire is the worst-funded education authority in the country. I accept that one authority has to be, but I have received letters from people who I am almost certain voted Labour at the last election and from head teachers and others who say that they heard much about "education, education, education", but it all turned out to be worthless. They make the points that more money has gone in, that money has been ring-fenced and that classrooms have been built. But I was shown a classroom by a head teacher and governors who I know are not Conservatives, and they said, "There is the brand-new classroom but, unfortunately, because of the education funding this year, we cannot put a teacher in it." The Prime Minister's speech was full of assertions that did not reflect the experience of our constituents.

Much of the Gracious Speech is about putting right the Government's earlier mistakes. There will be another Bill on asylum and immigration but, in 1997, the asylum situation was improving and the number of asylum seekers was falling dramatically. Under my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), firm measures had been introduced to deter economic migrants from claiming asylum but currently about 200,000 illegal immigrants enter this country each year.

I think that we have a fine tradition of accepting refugees in this country—they have included the parents of my right hon. and learned Friend the Leader of the Opposition—when they have feared repression. The statistics from the Government's own courts tell us that the majority of people who come to this country are not asylum seekers, but economic migrants who understandably want to better themselves. If about 200,000 people a year are entering the country—and the numbers are increasing—by a fairly simple equation, about 2 million such people will enter in a decade, and we will have to build two cities approaching the size of Birmingham to accommodate them.

I receive letters daily about congestion on our roads and the failing transport system, as well as the education system, hospitals and waiting lists. If we are taking on 2 million extra people in a decade, we must consider the implications. When the Home Secretary says that he envisages no limit on the number of new immigrants, we should all discuss the matter in a grown-up way, without accusations of racism, and talk about what we want from migration and who should be allowed to come to this country.

On my second point, the Government are again turning to an issue that they have made worse and trying to fix their own problems. I have yet to see the details of the so-called pension protection fund, which may be welcome. Other hon. Members have mentioned the genuine issue that arises when companies go into liquidation and the last people to benefit are the poor pensioners, who may have worked for that company for 40 years. That is a disgrace. None the less, the Chancellor is also culpable. Since 1997, he has taken £5 billion a year out of pension funds through the abolition of advance corporation tax. More than £30 billion has been taken out of private pension funds. He cannot say, "It's got nothing to do with me, guv", because it has a hell of a lot to do with him. The crisis—it has now been admitted that there is a crisis—has partly been caused by the Government. Indeed, I pay tribute to my hon. Friend the Member for Banbury, who spoke about how the state pension and credits, which are apparently so marvellous, are eaten away by other tax increases. In particular, he mentioned the council tax increase, which is eating away at a £15 state pension increase and leaving a £2 monthly increase.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Abolish it.

Mr. Robathan: I hear from the Liberal Democrat Benches that we should abolish the state pension. I suspect that that was meant as a joke, so I shall treat it as such—and I should like to put that on the record.

Sir Robert Smith: I meant the council tax.

Mr. Robathan: Indeed.

Mention is also made of a Bill to retain the current number of Members of the Scottish Parliament. The reason is that all MSPs want such a measure, as they have got their jobs and voted themselves a pay increase, and they now like the idea. However, we were promised in the devolution settlement that when the number of Westminster MPs was reduced, the number of MSPs would be reduced as well. Personally, I think that there are far too many politicians, and I would reduce the number of politicians in the House of Commons. I would not, as a turkey, vote for my own Christmas, but we should own up to the fact that there are too many MPs and reduce the number gradually to, say, 500 or 400. The people of Britain would appreciate such action as a statement from us. The process could be relatively painless for individuals. However, the matter is not mentioned in the Queen's Speech, so I shall not go too far down that road.

Patrick Mercer: There should be fewer MPs in Leicester.

Mr. Robathan: It is as my hon. Friend says, and there should certainly be fewer around Newark as well.

The Queen's Speech also talks about implementation of the Criminal Justice Act 2003. Of course, the Prime Minister tells us that all is well in criminal justice, but that is not the experience of people on the streets of Blaby, London, Newcastle or wherever, who have seen a rise in violent crime and a dramatic rise in gun crime, and who are becoming more and more frightened.

There will be another Bill to establish a supreme court. That is an issue of the Government's own making, as most lawyers, including the Law Lords and others, and most people in the street, are not worried about the higher judiciary. They are not fed up with the Lord Chancellor and will not necessarily even understand the issue. Perhaps the system could do with improving, but it has worked relatively well, and I see no likelihood that a supreme court will make things better.

Yet again, there is so-called reform of the House of Lords. The Opposition said in 1999 that the matter should be sorted out at once and that we should introduce proper reform, but the Government went ahead with phase 1. We asked what phase 2 would be, and we now know: it will be to get rid of the remaining hereditaries, and that will be it, as the rest will all be appointed. I voted for an elected House of Lords. Since we are changing these things, we should have a proper, elected, Senate-type organisation. As Labour Members know, we will end up with a bunch of Tony's cronies. I do not think that that is desirable in any circumstances. What was working relatively well is working less well. In my opinion, it will work even less well after getting rid of the remaining hereditaries. I shall not die in a ditch for the remaining hereditaries, although they contribute well to what happens in the House of Lords, and I pay tribute to them for it. None the less, if we are to have a second chamber, I think that we need to work out what sort of chamber it should be. It is no good the Government saying "It's got nothing to do with us; we'll just get rid of the hereditaries." We need a proper revising chamber and we should sort out how we wish it to be.

Various hon. Members referred to the child trust fund and said what a marvellous idea it is. I do not think that putting £250 in a fund for 18 years is that good an idea. As has been pointed out, it is the middle classes that will benefit. It is people such as me and other hon. Members who will understand how to operate the system and benefit from it. Things should be made a great deal easier. We should encourage a savings culture—something that the Government have not done by introducing means-testing—and not pile on yet further bureaucracy in respect of the child trust fund, which is an easy gimmick, but will not be popular. I understand that the fund will almost certainly come into operation the month before the next general election. Of course, it is cynical of me even to imagine that those two facts might be related.

I am glad that my hon. Friend the Member for Newark (Patrick Mercer) is present because we are also to have a defence White Paper that may lead, we understand, to the abolition of a further 10 infantry battalions or certainly a reduction in infantry numbers. I find that staggering when British troops are hugely overstretched. Today, while we sit here in the House of Commons, troops who have been deployed in Iraq are risking their lives for British interests. If it is true that there is to be such a reduction, it is a great worry.

I also noticed that this statement had been snuck away at the end of the Gracious Speech:

> "A Bill will be introduced to give enabling powers to bring in new pension and compensation arrangements for the armed forces."

I hope that that has sent a shiver down the spine of every serving member of the armed forces. We already know what it is likely to mean to a certain extent—less good pensions. I declare an interest because, like my hon. Friend the Member for Newark, I receive an armed forces pension. It is not great, but when I was serving and stuck in some dump for six months, living in a tent or a hole in the ground, I knew that, although I might not be earning a great deal, I was running up a decent pension. *[Interruption.]* Believe me, I have spent six months living in some very strange places, but I shall not name them for fear of offending their inhabitants.

The Government are kicking loyal and brave public servants in the teeth. The Prime Minister has called upon them in Sierra Leone, Kosovo and elsewhere, and they are even now risking their lives in Iraq, where some have died. The fact that the Government are kicking those brave public servants in the teeth shows how undervalued they are by the Prime Minister.

I think that it was the Prime Minister himself who described the European constitution as a tidying-up measure, but it is probably the most significant measure that will be introduced during my time in Parliament and it will dramatically change the constitution of this country. Is it the end of the nation state? I do not know. On the continent, many people believe so and think that it seals a federal nation and union, which is what they want. The British people do not want legislation to implement the treaty, as mentioned in the Gracious Speech; they want the chance to vote on the treaty. The Foreign Secretary said at the weekend that we may veto the treaty. Few people know what it introduces, and I believe that we should hold a serious, grown-up, public debate on the provisions on defence and tax harmonisation and all other aspects and allow the people to vote in a referendum on how they want their country to be governed in the long term.

The Queen's Speech also mentions legislation for a referendum on the single currency. Why? The Prime Minister does not intend to hold a referendum at the moment because he knows full well that he would lose. When we witness France and Germany tearing up the stability pact, as they did yesterday, the eurozone hardly appears an attractive option. Indeed, the Chancellor of the Exchequer views it as unattractive.

Other hon. Members, especially Labour Members, have spoken about top-up fees and their opposition to them. Again, we need a more sensible discussion about funding higher education. When 40 per cent. of students drop out of some courses before the end, we need to consider the matter closely.

What is not in the Queen's Speech? Hunting is not included, except where Her Majesty had a slight trip and talked about the national hunt service. The newspapers report that Back Benchers were offered a bribe to compel—I should say, "encourage"—them to vote for foundation hospitals. We should know whether that is true. We also need to know the Government's position on the matter. Outside the House, there is no appetite for such a mean-minded and chippy measure, which, we now discover, may infringe the Human Rights Act 1998 if we do not offer compensation.

The Government need to deliver for the British people on law and order, on education, on health, and on delivering less bureaucracy, form-filling and regulation for business instead of delivering on the class envy of some Labour Back Benchers.

The Queen's Speech does not mention reform of the common agricultural policy. A so-called mid-term review has taken place. I declare an interest because I speak as a farmer who received an integrated

[Mr. Robathan]

administration and control scheme cheque last week. The CAP is complete nonsense. The current reforms do not go nearly far enough, and it should be scrapped.

I support some items in the Queen's Speech. For example, I support encouragement for renewables in the energy Bill, working against the AIDS pandemic and rebuilding Afghanistan and Iraq. The speech states that the Government

"will work to strengthen the United Nations".

I hope that they will do more than that and work for full-scale reform. Although the UN remains the best show in town, I regret to say that it is increasingly becoming a bloated bureaucracy, which does not achieve what we wish.

The Queen's Speech mentions development. I hope that the Government will move away from saying that the New Partnership for Africa's Development is a great thing. Most people realise that it is a fig leaf and an offering from some corrupt African leaders to the west to suggest that they will put their house in order. Actions speak louder than words—that will become apparent as matters develop. I trust that the Government will pile the pressure on Zimbabwe at the Commonwealth Heads of Government meeting, raise the matter at the UN Security Council, push South Africa further and take away President Mugabe's knighthood. The previous Conservative Government gave it to him in 1994, to little opposition from Labour Members. However, it is time we recognised that he is an evil tyrant to whom we should give no credence.

The speech is without a theme.

Mr. Miller: The hon. Gentleman is self-deprecating.

Mr. Robathan: How kind of the hon. Gentleman.

The Gracious Speech is without a theme. Labour Members know that the Government have lost their way. They return to hear about another Bill on asylum and immigration. It is tiresome when the same subjects appear time and again. It was evident in the faces of Labour Back Benchers who listened to the Prime Minister that they believe that the Government have lost their way. What about the office for fair access? Surely we all believe in university places on merit. That measure will not even placate class warriors. The hon. Member for Wolverhampton, North-East (Mr. Purchase) called for a return to Labour values.

The Gracious Speech disappointed Labour Members. We shall oppose it, as the new Leader of the Opposition said in an excellent speech. It presents a dog's dinner of a legislative programme. The Government know it, as do the people of Britain.

7.14 pm

Jon Trickett (Hemsworth) (Lab): I disagree with the claim of the hon. Member for Blaby (Mr. Robathan) that the contents of the Queen's Speech will not make a difference to people's lives. I shall try to show why I believe that in some of my later comments.

Like hon. Members from all parties, I am disturbed by the current political situation. It was deeply troubling that some detachment of the people from the political process was clear at the previous election—turnout was deplorably low. It is clear to many of us that the detachment continues and will eventually pose a danger to democracy. Like other hon. Members, in the summer recess I made a huge effort to contact as many people as possible. I visited every house in several villages in my area. Two reflections that are relevant to the Queen's Speech emerged from that.

First, poverty remains deep, acute and chronic in the Yorkshire coalfield area that I represent. It is profound—severe poverty exists there—and it is chronic because it affects tens of thousands of households in contiguous wards. For example, four adjacent wards are in the bottom decile of wards throughout the country—they are therefore among the worst 10 per cent. One would expect the mining legacy to prove especially difficult for health, and we have serious problems. Health indices reveal three wards that are in the worst 5 per cent. for problems. We do not only have old men dying from lung disease; shockingly, cancer rates among young women are high in my constituency. Most depressing, suicide rates among males aged 18 to 25 are high. We live in troubling times.

Secondly, there are signs that the Government and their programmes have made a difference. Some areas are imprinted on my mind from my first visit to the constituency in my by-election campaign in 1996. The effects of changes are beginning to be clearly felt. However, the beneficiaries of the Government's programmes frequently do not recognise that a Labour Government introduced the changes. The welfare benefits programme, the tax reforms, the tax on benefit changes and introducing people, whom the Tories had thrown on the scrap heap, back to work are frequently not recognised as Labour initiatives. The combination of the two points—the continuing decline of some coalfield areas and many working class people not recognising reforms as those of a Labour Government—reinforces detachment. I am deeply troubled, in a supposedly safe Labour seat, by the extent of disaffection with the political process and institutions.

The Queen's Speech reflects the Labour Government's strengths and weaknesses, but if we are not careful we will reproduce the conditions that I have described. The Queen's Speech clearly contains measures that are intended to help people in my constituency. For example, the trusts for newborn children will make a huge difference. I stress that to Conservative Members, who appear to have several sources of income. The sum of £250—£500 for the poorest—for each newborn child will make a difference when that child enters adulthood.

Mr. Robathan: Will the hon. Gentleman give way?

Jon Trickett: I would rather not give way now, as I am trying to develop a theme.

The housing Bill will also make a difference. The housing market in former pit villages in my constituency has collapsed, and people in rented housing are migrating. The villages are imploding. They are dying before our eyes, and we are being left with ghost villages. Part of the problem is private landlordism. Responsible landlords are doing a fantastic job in my area, but too many are not responsible and tolerate antisocial—

sometimes criminal—behaviour by tenants provided that there is a cheque at the end of the month. There is usually a cheque from the state as well, incidentally—from the Department for Work and Pensions.

Decent people can leave the villages because they are in rented accommodation. It is then impossible to move anyone else into the properties involved, and a rapid process of collapse ensues. The pattern will be familiar to hon. Members representing areas in the M62 corridor generally, not just mining areas. It can be observed in Burnley and in other parts of Lancashire. Provided that the details are right, the housing Bill will make a real difference by allowing local authorities to license landlords, with the not-so-hidden threat of revoking the licence if they do not deal with nuisances committed by tenants. I look forward to working on the Bill.

The proposed employment legislation will also help. We have already seen the difference made by allowing people with difficult employers to face them in the company of a trade union or other representative. The legislation will be particularly helpful in areas where employers use agency and temporary labour as devices. Indeed, the Government's legislation has already made a difference. A senior trade unionist in Yorkshire told me only yesterday that many employers had adopted a much more civilised partnership approach.

The problems experienced by my constituents, many of which I think the Government's proposals will address, lie not with existing legislation but with the way in which the Government articulate their case. Their role is being reduced to that of technocratic managers. They are managing the system well, and introducing legislation that we want—legislation that produces equity, equality and social justice. However, they do not always argue their case, and they do not always connect with those whom we aim to represent and whose lives we want to improve.

We must abandon the managerial vocabulary and adopt the vocabulary of values, equality and even redistribution—not for reasons of jealousy, as suggested by the hon. Member for Blaby (Mr. Robathan), but for the sake of equity and a fairer, more decent society. I think that the Government have been afraid to tackle what they perceive as a conservative—with a small "c"—political culture. We have introduced legislation in an attempt to solve problems left by the Tories, but we have done so in a technocratic rather than a value-driven way. That has been a mistake. It has resulted in the kind of behaviour that I described earlier: people who are benefiting from the Government's initiatives are not connecting that with the election of a Labour Administration, which I find deeply troubling.

Other parts of the Queen's Speech trouble me even more, because I think we have simply got it wrong, or are in danger of getting it wrong. Higher education is one example. Education is probably the only key to social mobility and to a breaking down of the ossified class structures that still exist.

Like many others who have spoken today, I can say that mine was the first generation to go to university, in my family and in my community. Going to university provided me with a fabulous opportunity. Many of my friends, neighbours and members of my family could not do the same—not because, in those days, they would incur debts, but because they had to go to work in order to contribute an income to the household. That pressure continues, but is exacerbated by the fact that the departure of a family member at the age of 16 or 18 now represents not just the loss of an income, but the incurring of a debt. We must not underestimate the effect that the thought of large-scale debt can have on poor and working-class families. I am deeply troubled by the incurring of debt by students, which I believe will reinforce the present social composition of university entrants.

The Government have a strong argument for enhancing entry to higher education. As I said earlier, we have allowed ourselves to fall into the trap of engaging in a managerial or technocratic debate on a funding crisis without first engaging the nation in a debate about why higher education constitutes a tool for social change and a modernised Britain. Had we tackled the latter debate first, we could have created the conditions for a sensible, mature discussion about finance.

The proposed planning Bill interests me. As I have said, my area is in desperate need of further regeneration. All too frequently, planning applications decided on by local authorities are called in by the Secretary of State, often for mysterious reasons. In fact, that is nearly always done by civil servants, with no political control. I hope that the Bill will return control to local level. In my constituency, for instance, a retail development is proposed. I know of no institution in the area that opposed the application, which, after some debate, was approved by the planning authority. The proposal is a purely local matter, relating to a town centre rather than an out-of-town area. There is high unemployment in the town, which is in danger of dying altogether. It is impossible to discover why the application was called in. If the planning Bill will enable us to regain control of what happens in our communities, it is a good thing.

I spoke earlier of the bridge between institutions and Government on one side and the people on the other. I believe that at the core of any political reform should be a closing of the gap between us and the electorate. House of Lords reform is desirable in that it will abolish the hereditary principle once and for all, and also bring about much-needed change in the role of the Lord Chancellor; but we shall be left with a House that will depend on patronage and appointments. We shall have a complex bicameral system, involving both an elected Chamber and a non-elected, appointed one. That is not an easy principle to argue with the population. I think that we will lose them, which will not at all help to make government more simple, and the House of Lords will believe itself to have a legitimacy that it did not have when it had an hereditary principle within it. In fact, the process of government will be made more complicated. At the same time, the proposals will not appeal to the electorate, who will not understand how we have produced such a complex, unresponsive and unaccountable second Chamber. I am troubled about that, although I am broadly happy to go along in the direction in which we are proceeding. I only hope that, if this is the second phase, very soon there will be a third, which creates a more legitimate upper House.

[Jon Trickett]

My final point is on asylum. Like many Members, my early ancestors were victims of anti-Jewish pogroms in imperial Russia. They set off on the long trek to America. Some got as far as Leeds, some got to Manchester and some reached Liverpool. The others finally got to the United States. My family remained in Leeds because there was an elderly relative there to be cared for. The city of Leeds, which is my native city, has had wave after wave after wave of immigrants and asylum seekers. They are part of my composition, and I believe that I represent this mongrel nation in my ethnic make-up.

I yield to nobody in taking a tough line on bogus asylum seekers, but my stomach turned when I heard the spin that was on the radio the other morning—we are going to separate families and take children into care. That is not something I could warrant. I hope that that was spin by some over-enthusiastic youngster who will be reprimanded in No. 10 or elsewhere. If such a proposal comes before the House, I would have the greatest difficulty in supporting it.

With those reflections, I believe that the Queen's Speech achieves a great deal for my constituency, although the Government need to articulate their case in a different way. They need to move away from managerialism and to look again at one or two of their proposals, which are either inhumane or will reproduce the iniquities that already exist in British society.

7.32 pm

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Thank you, Mr. Deputy Speaker, for giving me the opportunity to take part in the debate on the Queen's Speech. Before discussing the Queen's Speech, I want to reinforce what Mr. Speaker said in the statement he made before we dealt with the Sessional Orders.

There is a report on the Table from the Procedure Committee that, I hope, will enable us to see a way forward that would make it easier for Mr. Speaker to start the Session of Parliament in a way that allows slightly more access for the watching public. It occurred to me that when Committees of the House publish such reports for the House's benefit, perhaps we should alert people to their existence by means other than the traditional ones, as quite a few colleagues did not know of the existence of the Procedure Committee report. As a plug, I should say that the Procedure Committee report on proceedings, the way in which debates are handled and related issues comes out tomorrow. Members might want to have a look at it.

I want to touch on aspects of the Queen's Speech that affect my constituency as well as issues raised with me by constituents. The first is the proposed legislation on occupational pensions and the guarantee that will be introduced to protect people in the future. Other Members have spoken about the pension issue and the problems for pensioners in certain schemes, but the biggest victims at the moment are those coming up to retirement, who have trusted in a scheme and put their money into it only for it to go bust at the last minute. They are the last in the queue and the greatest victims of anything that goes wrong. While it would obviously be welcome to have some underpinning and protection for the future, I am concerned that during the passage of the legislation we find a way to deal with current victims of schemes that have gone bust, leaving them high and dry.

I understand where the civil contingencies legislation is coming from and the concern to address the threats that society lives with, but I hope that we do not develop a fortress mentality as the legislation progresses. At the weekend, people were talking about trying to defend all the iconic buildings in London to the same extent as the American embassy is defended, but I do not think that the British public would want to see such protection in our country. I should like to see much more intelligence-based and much more sensitive policing and reaction to the threats that we face.

Members should compare the protection needed to bring our Head of State to this Parliament to open it and that which the American Head of State had to have to come through our streets. On the whole, this country would prefer to stick with the British style of doing those things.

Phase 2 of House of Lords reform has already been touched on. Quite honestly, it is not phase 2. We were promised a two-stage process.

Mr. Andrew Love (Edmonton) (Lab/Co-op): It is phase one and a half.

Sir Robert Smith: It may be half a stage, or even a backward step. Unless the Government are going to come up with the proper final package, we should carry on with the House of Lords that we have until we see something tangible that takes us forward into the 21st century.

On the plus side of involving the public, a draft Bill is to be produced for the euro referendum. Obviously the Government have not gone far in taking this country towards joining the euro, but the benefit of making some progress is that it at least sends the market and those who are thinking of investing in this country because they still see a long-term chance of it taking a step towards euro membership a signal that the debate is still going on.

The longer we wait, however, the more we will adapt our economy to living outside the eurozone and the less easy it will be for us to join the euro. I was talking to some large manufacturers, who were concerned that their investment for the European market would have to shift to mainland Europe and into the eurozone. To get round that, although they are outside the eurozone here, they are sourcing all their supplies in euros, so either suppliers in this country have to take the currency risk or suppliers inside the eurozone have an advantage over the domestic supply. It is extremely important that the Government take the matter forward.

The Government have finally made proposals, it would appear, to take forward the energy White Paper, which is welcome. If they take forward the opening up of Scotland's electricity market, that, too, will be welcome. The Trade and Industry Committee has been considering draft clauses of a Bill in respect of the British electricity trading and transmission arrangements, but the Government will still have to address anomalies in the different transmission systems in Scotland and England and ensure that small generators are not penalised for trying to connect to the network.

The Government finally recognise the need to deal with the huge liabilities of the nuclear industry, but I am disappointed that they are not willing to go the whole hog and establish a segregated fund for those liabilities. Instead, they have opted for a segregated account, but the worry is that future Governments could raid that account. Perhaps the proposal for a separate fund can be addressed when the energy Bill goes through the House.

I hope that the energy Bill will be sufficiently widely drawn that it will deal with other concerns raised by my constituents about renewable energies and alternatives. On Monday, I was looking at proposals for a district heating scheme in Braemar that would rely on wood fuel as its source of heat. A lot of hard work has gone into the scheme, but there is frustration that the incentives for biomass and renewables do not apply to wood taken from the thinning of forestry.

It is important that the Government readdress that to try to get the balance right. In the same way as nuclear power was the cuckoo in the nest that took all the money for alternative energy sources, there is a worry that wind power is so far ahead that it will become the cuckoo in the nest that holds back other alternative renewable sources of generation. I hope that the energy Bill will propose ways of levelling the playing field to encourage other long-term alternative energy sources. The United Kingdom has plenty of coastline, so we could take advantage of tidal stream energy. If we could crack that, it would be a reliable and predictable source of energy.

If the timber from the thinning of forests were counted towards renewable supply, it would have the double benefit of encouraging people to manage their forests better. If the next generation are to get the best productivity, many of our forests need to thinned now. The market for that timber is so bad that people are neglecting the management of their forests.

The Government give renewable incentives only to renewable electricity, but heat from other renewables instead of carbon fuels is equally beneficial in tackling global warming. I hope that the energy Bill will be amended to deal with that issue.

The hon. Member for Blaby (Mr. Robathan) referred to the size of the Scottish Parliament. I welcome the recognition that the Scottish Parliament is there to serve the people of Scotland, and should be of a size that best enables it to fulfil that function. Its size should not, as the Prime Minister wanted, be dictated by the number of MPs at Westminster. We welcome the reduction in the number of MPs at Westminster in recognition of devolution to Scotland. Like the hon. Gentleman, I would go further and would contend that, as we make constitutional changes, we could reduce the size of this Parliament as well.

The size of the Scottish Parliament should be dictated by its needs—its Committee structure and the structure of the Executive—and what the Scottish electorate want from it. I hope that the legislation to deal with the size of the Scottish Parliament will allow us also to consider the method of election to it. There is a desire to move to a system that gives more power to the electorate and reduces the power of the parties. It should also make all Members of the Scottish Parliament equal. There has been some concern that the list system has produced two types of MSPs: one for the constituency and one for the list, and those on the list sometimes tread on the toes of those for the constituency. A switch to a single transferable vote system would be extremely attractive.

Mr. Love: The hon. Gentleman should not hold his breath.

Sir Robert Smith: Well, there is a groundswell of opinion. It appears that we will have a single transferable vote system for local government. That Bill has been introduced in the Scottish Parliament, and I think that the electorate will be attracted by a similar system for the Parliament that represents them in Edinburgh.

The Gracious Speech refers to the draft constitutional treaty for the European Union and to legislation to implement the treaty. I hope that the Government will finally wake up to the fact that, if the treaty still contains constitutional changes, its implementation should involve the British public in a referendum. That would have several benefits. It would enable us to have a debate in the country about our relationship with Europe. It would focus people's minds, and we could decide where we want to be in Europe.

A referendum would also strengthen the Government's negotiating arm. It is always handy to be able to say, "I understand where you're coming from, but I have people back home whom I have to convince." The Prime Minister wants to draw a red line on certain aspects of the constitution, and a referendum would be beneficial to him in his negotiations.

I declare an interest, which is in the Register of Members' Interests, in oil and gas exploration. I want to highlight the concern of many of my constituents about future investment in the North sea. They are worried that the current drafting of the European constitution contains a chapter on energy that holds the door open for the European Commission to get involved in the licensing regime in the North sea. The constitution has been broadly drafted and it needs to be amended. At this late stage, the Government seem to have woken up to the need to amend it, and it is now important that they show the resolve to achieve that amendment in negotiations and not to use it as something to be negotiated away in order to gain other benefits.

The Commission claims to have no interest in the North sea in the short term. However, if the treaty is not amended and a future Commission realises that it has powers that it did not have before, or if the European Court says that the Commission has the power to intervene and the Commission does so, it will upset the arrangements that have attracted investors. No amount of reassurance that the Commission will not use that power will protect investors from that uncertainty. We saw what happened when the Chancellor changed the tax regime in the North sea. It was not just the change that frightened investors, but the fact that he showed that things could suddenly change. Investors need some certainty, and they welcome the fact that the Foreign Office will tomorrow meet an all-party delegation to discuss the clauses in the energy chapter. We must ensure that the Government remain robust.

[Sir Robert Smith]

The media have focused on the Bills in the Queen's Speech. The Government might be introducing too many measures, and we need time to scrutinise them effectively, but government is about not just producing Bills but executive action, the day-to-day workings of government and the delivery of government functions. At the end of the Queen's Speech are more fundamental aspects that will affect our constituents, such as security and the international climate, the threat of terrorism throughout the world, and the work of this country in promoting peace in the middle east. There is a commitment that the defence White Paper will finally be published. There is concern in many quarters about the future of our regiments. I hope that the White Paper will end the uncertainty, and that regiments such as the Highlanders will be able to continue to recruit. We must get the message to young people that they could have a long-term career in the Army.

Mechanisation and automation of the battle stage of conflict is increasing. As a result of the military's investment in equipment, the Army may need fewer troops at that stage. However, given the need for a flexible response to an uncertain world and for the policing that follows military operations, it is people on the ground who are important, and this country can be proud of the professionalism and the quality of its military personnel. They offer the rest of the world a shining example of how to police such situations. They need to maintain numbers, and it would be dangerous for the White Paper to recommend any reduction in the size of the Army. I hope that we can get the message across to young people in our constituencies that there is a future and a career to be had in the Army.

Many of my constituents lobbied hard for the reduction of debt in the Jubilee Debt Campaign. They want the millennium development goals to be achieved, and the commitment in the Queen's Speech to be translated into action. They also lobbied hard on the issue of fair trade. I still have reservations about Cancun. I am not sure what is the best outcome. The worry is that the breakdown of the talks in Cancun may have been seen as a victory for the smaller nations, but if it means that the United States of America is more likely to walk away from international engagement and go for bilateral deals, some of the poorest nations will suffer. We must get trade negotiations back on to an international footing.

The Government will have to work hard in that respect, because the USA may abandon the multilateral approach, as it did in the run-up to the Iraq conflict. In the aftermath of the Iraq war, it is beginning to wake up to the need for help, but by not preparing the ground beforehand, it has done a lot of damage. I am concerned that, given its over-involvement in Iraq, there is a danger that for domestic political reasons the USA will disengage too quickly and in the wrong way, and having gone so far will leave behind more damage than it sought to remedy.

Given the Government's engagement with the USA, they face a real challenge on world trade, on multinational issues and on Kyoto. They must say to America that we all live on the same planet and that we all interact with each other. Economically, it is better to open up trade so that we all get the best products from those most able to produce them at the best price, and we can all then produce, in our own countries, what we are best at. In that way, we maximise the growth potential of all countries to our mutual benefit.

7.50 pm

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): I am pleased to follow the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith), who made a thoughtful speech. Unlike the speeches from most Liberal Democrats, it contained no fresh spending commitments. I agreed with what he said about the future of our armed forces and the work that they are doing. I urge right hon. and hon. Members not to add fuel to the fire while we are waiting for the White Paper, because nothing is more draining on morale than hearing stories about the future of regiments.

During the first Gulf war, I worked with the then hon. Member for Stafford, now the hon. Member for Stone (Mr. Cash), when there was a threat to merge the Cheshires and the Staffordshire regiment. It was a totally false threat—

Patrick Mercer *indicated dissent.*

Mr. Miller: The hon. Gentleman shakes his head, but it turned out to be a false threat. One might argue that that was a result of the campaigning of Members of this House, but the threat did a lot of damage to morale. I hope that my colleagues in the Ministry of Defence will think about these issues carefully after the publication of the White Paper. It is vital that we address that key issue, particularly while our armed forces are working in difficult environments in Iraq and Afghanistan.

On the current constitutional position, I welcome the further commitment to reform the House of Lords. We need to make it clear that, whatever happens in terms of the future structure and role of the House of Lords, the House of Commons must have primacy. We can no longer tolerate the ludicrous position where Bills from an elected Government with a substantial majority are subject to continual ping-pong backwards and forwards and attempts to wreck them in an unelected upper House.

I accept that there are experts in the other House and that we should be prepared to listen to advice and guidance from experienced people who have contributed a lot to the nation. However, it is outrageous that an unelected Chamber should seek to block proposed legislation.

My next point concerns a subject on which my hon. Friend the Member for Bolsover (Mr. Skinner) intervened on the Prime Minister today—foxhunting. I welcome the Prime Minister's commitment. The Lords must be told in no uncertain terms that they cannot continue to act in an undemocratic manner, as they did by abandoning the Hunting Bill. The will of the elected House must prevail.

There are some considerations that we must accept about the House of Lords, on which a number of Members have touched. We should start by reflecting carefully on its function. If we start to define that, we can move more neatly towards a description of how we think the Lords should get to that position. By doing so, we can move more logically towards resolving the appointed-or-elected conundrum. There are powerful arguments in terms of maintaining a House of experienced people who have contributed to public life in the political and other spheres.

Twenty years ago, I would have been of the view that the upper House should be wholly elected. However, that would weaken our ability to get the first category of people. I have moved towards the concept of an appointed upper House, mainly because I believe that the process of checks and balances can be better exercised by people with particular experience of the areas in which we are seeking to legislate. However, I very much resent the notion of any appointed House seeking to wreck legislation coming to it from this end of the Corridor.

In the past 12 months, substantial improvements have been made across the country, affecting our constituents in all sorts of ways. In my constituency, and across the whole nation, we are seeing record employment levels and the lowest unemployment in the G7. When I was elected in 1992, unemployment in my constituency was at least 20 per cent. in some patches and in the mid-teens on average. I would not have believed then that we would see unemployment down to 1.7 per cent., as it is today. The enthusiasm among the various agencies in that area ought to be commended, along with the partnerships with the private sector. The public and private sectors have worked brilliantly together in an attempt to drive down the unemployment figures.

We now have one of the lowest inflation rates in the EU and the lowest mortgage rates since the 1950s—certainly pre-dating my mortgages. I can remember paying much higher rates under the previous Conservative Administration and I am sure the same is true across the country. Our economy is predicted to grow twice as fast as the rest of the EU this year, and the stability that has come from our economic policy has helped deliver the basis for real change. That ought to be welcomed.

Consequently, we have been able to release resources to invest in public services. We have record numbers of police officers—that is certainly the case in my area. However, we need to work out how those police officers are best used and how best to provide them with modern aids and resources to allow them to spend more time on the streets, fighting crime. They have been successful, and we have seen reductions in crime.

On the NHS, massive investment is being made in hospital facilities in and around my constituency, helping to contribute to the 300,000 extra operations that have taken place this year compared with 1997. On a very personal note, I pay tribute to the work that has gone on in cardiac technology. My younger brother recently had a major heart operation, and thanks to the fantastic brand-new facility in Swindon and then the Bristol royal infirmary, he is back on his feet and was discharged, amazingly, a day after his heart operation. That is an extraordinary reflection of how technology is impacting on our ability to deal with problems that might otherwise have killed.

My hon. and learned Friend the Member for Dudley, North (Ross Cranston) touched on Sure Start, which is a magnificent example of what can be done by drawing together agencies across the board that have not previously worked together in a co-ordinated way. I was delighted to attend the annual general meeting of the Ellesmere Port Sure Start yesterday. It was thrilling to see that people from so many agencies are working with the voluntary sector and with families and communities, and that they are excited about the impending projects. It was even more exciting to discover that Hungary—I have connections with Hungary, on the Foreign Office's behalf, in respect of its efforts to accede to the European Union—has started to emulate Sure Start. That reflects well on what is happening here in the UK.

We know from analysing the many unstructured comments of the Conservatives that they are trying to present the public with something of a false prospectus. I was anxious to intervene on the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) when he was going on about referendums. I wondered whether, with hindsight, he thought that it might have been better to have had a referendum on the poll tax, given that he is now keen to have referendums on subjects such as which day of the week it is. The Tory claim that one can lower taxes and deliver more and better services sounds like a new piece of alchemy. We heard plenty of that from the right hon. and learned Gentleman. In essence, it is a black magic art, especially given that it came from a man who has "something of the night" about him. The notion that it is possible to get out more than one puts in seems to be based on an attempt to create a perpetual motion machine.

The Tories are about cuts, charges and privatisation, whereas the Liberal Democrats—with the honourable exception of the hon. Member for West Aberdeenshire and Kincardine—as usual, are about uncosted, unclear and unaffordable proposals. I was very interested to hear the way in which the right hon. Member for Ross, Skye and Inverness, West (Mr. Kennedy) approached the Gracious Speech. On several occasions, a couple of which I shall shortly cite, he carefully amended the facts or introduced concepts with no analysis whatever. For example, he spoke at length about the recent war and asserted that al-Qaeda has grown in strength since. I do not know what special intelligence briefings enable him to come to that conclusion. He may or may not be right, but it would have been interesting to hear the evidential basis for his assertion.

Similarly, when I intervened on the right hon. Gentleman, he referred to our policies on asylum and the apparent taking away of children from their parents in the context of "asylum seekers", but as he knows full well, the draft legislation will deal with failed asylum seekers—those who have gone through the entire process. Moreover, he is of course basing his speculation on press comment, rather than on published fact. Such poor choice of language has the propensity to mislead members of the public, and as parliamentarians we must be extremely careful about that.

The Gracious Speech represents a radical agenda of a reforming Government. It seeks to make communities more safe and secure; it addresses social justice and will create lifelong opportunities. Importantly, it deals with quality of life and economic stability, and starts to tackle the very difficult task of modernising our democracy.

[Mr. Miller]

Several Members have talked about the pension protection fund proposal, which is a very welcome step. Of course, several of us have dealt with extremely difficult pension cases over the years—indeed, I suspect that half of us have had some dealings with such cases. H. H. Robertson, the steel manufacturing company in my constituency, went into liquidation just before the 1997 general election. I pay tribute to the then Trade Minister, the hon. Member for Solihull (Mr. Taylor), who was very prompt in referring the matter to the Serious Fraud Office. Such serious fraud ought to have been subject to a trial, under the terms of legislation such as that which we were debating last week. Had a pension protection fund been in place, my constituents and those in the surrounding constituencies would have benefited from it.

Given the nature of the proposed pension protection fund, larger funds will inevitably contribute proportionately larger amounts, so I suspect that the larger funds themselves might act as a better check and balance on the operation of some of the smaller ones. Had such a fund existed, perhaps H. H. Robertson would not have gone into liquidation, with £5 million owing to its pension fund, and neither I nor the Serious Fraud Office being able to do anything about it. The question of backdating also arises. I know that my hon. Friend the Minister for Pensions has met various delegations. I congratulate him on having had the courage to attend the pension summit arranged by my hon. Friend the Member for Sittingbourne and Sheppey (Mr. Wyatt), and on listening carefully to the proposals. The previous Government promised that the 1996 legislation would be the saviour of all pension funds, following the Maxwell collapse. That manifestly has not happened, and there is an argument for establishing whether there is some mechanism by which we can gain redress for those fund members who have lost out.

I turn now to the part of the Gracious Speech dealing with identity cards. We all have a pile of such cards in our back pockets—I counted nine in mine—and they are covered by a single universal scheme. I spend a few pounds a year on mine so that, should I lose them, they can be cancelled and protected by a single phone call. I have absolutely no problem with consolidating everything on to one card—that would make my wallet considerably thinner—but I want to be in control of access to the various layers of information contained within it. The key to any ID card system is that we ensure that the user is in control of access.

Before we embark on the ID card exercise, we need to create a national change of address system like that used in other countries. Then, when one changes one's address, all the relevant state agencies—as agreed by the individual citizen—can be automatically notified. It would have to be done only once instead of so many thousand times. Having such a mechanism in place would move us neatly in the right direction, which could help us to prevent people from entering into criminality and so forth.

Finally, I want to touch on the civil contingencies Bill, which is particularly important in a constituency such as mine, where there are many major hazard sites. I certainly praise companies and the fire brigade for the fantastic work that they do to protect citizens in and around the chemical plants. I never want to see again the sort of action that put the safety of my constituents in jeopardy, as occurred during the fuel protests a couple of years ago. Fire engines could not then have attended in any emergency. Serious major hazards require handling with care, and I hope that in developing the civil contingencies Bill we will find a way of dealing with those problems without jeopardising people's legitimate right to protest about things that they disagree with.

We have heard another bold Gracious Speech and I certainly look forward to its key elements being brought into legislation over the next few months.

8.11 pm

Mrs. Patsy Calton (Cheadle) (LD): I am grateful for the opportunity to participate in the debate and raise several issues that directly affect my constituency on which I happen to have worked over the past year or so. I shall make suggestions to the Government in a spirit of helpfulness in respect of any omissions in what they have proposed or where additional points might be incorporated in their legislation.

I should like to start with current planning legislation. I would like the Government to deal with permitted development rights. The Office of the Deputy Prime Minister has undertaken a review of permitted development rights, and I understand that consultants were engaged and Nathaniel Lichfield & Partners Ltd. commissioned to produce a report, which was published on 10 September.

I tabled a parliamentary question about what would flow from the report and what progress the Office of the Deputy Prime Minister was making. I hoped to hear that the parts of the report that affect my constituency—particularly part 17 rights in schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995—had been dealt with and that some information would be provided to explain what would happen next. Unfortunately, my question was not reached last Wednesday, but I promptly—on the same afternoon—received a written response that stated that no decisions had been made about any changes to permitted development rights and that full public consultation would take place before any changes were made.

I fully understand the need for public consultation, but the report made it clear that 150 organisations and individuals had already been consulted. The proposals were excellent and many of them were wholly in line with what I have tried to achieve over the past year or so. There have been about 60 structured interviews as well as case studies. I repeat that I am absolutely in favour of public consultation, but I believe that the Government have an opportunity use their planning legislation to make the minor changes that part 17 requires in primary legislation in order to allow some of the changes that the Government's own consultants' report says are needed. It would not take a great deal to make progress on that.

My private Member's Bill fell, technically, last Friday, although it had really fallen before then. It was mainly concerned with the permitted development rights of rail undertakings, particularly those of Network Rail with respect to telecommunications masts. Network Rail has a perfect right to install such masts anywhere it wants on its own operational line up to 33m in height, although doing so will have caused considerable upset in some places. In my constituency a 20m high mast was put up 16m from the nearest house—not the garden—and having such a mast so near to one's house is obviously noticeable when people walk out into their back garden. People are left feeling helpless because they are incapable of doing anything about it.

Every possibility was explored. One suggestion made by the consultants was that article 4 directions, which local authorities are currently loth to engage in because of the costs, might not in fact entail costs to such authorities. It would be simple to put that right, and local authorities would have an opportunity to make a difference. I greatly commend the suggestions that were made in the report, which reflected on the private Member's Bill that we drafted and agreed that aspects of it would have been useful. Parts 11 and 17 of schedule 2 to the 1995 order—parts relevant to communications masts—should be amended in line with part 24, which would then bring all the Government's intentions with respect of visual amenities into play. At present, Network Rail does not have to comply with them.

I believe that the Government have an opportunity to make real progress on the problem without incurring extra expense. In so doing they could meet the needs not only of my constituents, but of others throughout the country who live alongside railway lines. I would be grateful if the Government gave serious consideration to that.

The second issue that I want to deal with is the change to charities legislation. I have taken part in consultations during the past year because my constituency has a particular charity issue, which has caused me and others—particularly the Charity Commission and a specific charity—great worry. The Cheadle Royal hospital is a charity in my constituency whose assets over the past few years have been used for a private hospital, a 57-acre business park and a grade separated roundabout.

I lived in the area for some years and was unaware that the charity had financed all those things. I tried to find out how much the charity had in its coffers, and it was much less than I had expected. I had expected a great deal more. After two years of work, I concluded that there is a heavy burden of responsibility on trustees who can become too few in number and can suffer from advancing years and find it increasingly difficult to cope with the large burden that the highly complex law surrounding charities places on them. It is clear that the Charity Commission finds it exceedingly difficult to cope. For example, in that case the charity and the hospital had originally been set up as the result of an Act dating back to 1844, but the Charity Commission was unaware of that Act, so it did not have a clear picture of what was required.

I found out about the case only when a statutory instrument under the negative procedure crossed my desk, simply because it contained the name Cheadle—and the only reason why I noticed that there was anything wrong was that there appeared to be a mistake in the drafting, which suggested that the hospital had had to be sold, whereas as far as I knew, it was still operating as a mental hospital. I subsequently found out that it had been subject to a management buy-out, which I had not known, and it was not well known in the community, either, although all the procedures had been carried out.

The business park will generate substantial funds, and if we are to be certain that such matters are transparent, there must be something in the charity law covering the funds generated by charities that ensures that it is easy for everybody, including the Charity Commission, to understand exactly what is going on. Without a great deal of digging, it would have been very difficult to find out what was happening in the charity that I have described. There may be other charities in a similar position, and charity law must reflect the reality, and the very large sums involved. In that particular case, millions of pounds, not just a few thousand, have resulted from what started as public subscription in the 1750s and carried on with public donations thereafter.

As for the changes to the law on disability discrimination, I welcome the fact that the Government intend to examine the definition of discrimination—at least, I hope they do. A great many people with disabilities are not covered by the legislation now, so neither their disability nor the discrimination against it is recognised. I can think of three groups with which I have worked in my constituency over the past year that fall into that category.

First, there is the Restricted Growth Association. We had an Adjournment debate here a couple of weeks ago, and a very large lobby: 200 people filled a Committee Room and made it clear that they wanted their disability to be recognised. Because their condition cannot be regarded as an illness, those people cannot get the discrimination against them recognised as it should be.

Similarly, people with some forms of autism—high-performing autistics with Asperger's syndrome, for example—do not have their disability recognised. Whatever the wording of the legislation, it needs to recognise that there are people being discriminated against who do not fall within the existing disability discrimination legislation.

Thirdly, people with some mental health conditions may not qualify under the current Act. Whatever else the new legislation does, I hope that the draft Bill will extend the definition to allow many more people to be recognised as suffering discrimination.

I am pleased to hear that the Government intend to bring HIV and cancer within the definition. A constituent with breast cancer recently came to see me, and although she has had to give up her job because of her chemotherapy, is moving on to radiotherapy and is clearly not well enough to cope, she cannot have disability living allowance because her prognosis is good. The fact that she is ill and needs help now cannot be taken into account, and that situation must be cleared up.

The Government have said in two different ways that they intend to reduce congestion—a subject linked to the quality of day-to-day life, which they have also said that they want to improve. In my area, one in three people say consistently in different surveys that reducing congestion would improve the quality of their lives, and that they regard it as a top priority. Some of the recommendations of the south-east Manchester multi-modal study have already been incorporated in my area, and we are seeing some improvements, but that does not

[Mrs. Patsy Calton]

alter the fact that the road network must be completed. I am happy to say that we are making dramatic progress on the planning for that.

Improving traffic flows and managing roadworks are extremely important in suburban areas, such as mine, which suffer from constant traffic. We need good management. At present, an experimental scheme is operating whereby all the traffic lights are controlled from central Manchester—I am not sure how. From time to time, one gets stuck in traffic queues that are considerably longer than they used to be, but things are improving, and I am happy to give credit where it is due. Some of those initiatives will improve people's quality of life.

I was sorry that there was no mention of public health in the Gracious Speech, as it has much to do with quality of life. The things that enhance public health also enhance quality of life. There is scope for measures on the environment, on housing and, especially, on local government. The Liberal Democrats have made it clear that we want health impact assessments of national legislation and of local government policies and priorities. To those Members who may ask why, I offer two examples: school meals and junk food machines. Indeed, my first question in this place, two and a bit years ago, was about what the Government intended to do about the sale of junk food in schools. I was told that it was a matter for school governors. However, over the past two years, everybody has begun to realise that health is much too important to be left to individual school governors and governing bodies. There has been an explosion in the number of obese children, which indicates that there is a problem. That is a quality of life issue; it affects the day-to-day life of young people as well as of everybody else.

Another worry relates to the fact that at one time, schools were at the centre of their community and most children went to a local school; they were not taken by car to another school somewhere else. The Government are considering pilot schemes for school transport, possibly using yellow buses, but that misses the point; it would be much better if far more children walked to their local school and for the local school to be the centre of the community.

The hon. Member for Belfast, South (Rev. Martin Smyth) and others talked about our treatment of ex-servicemen and women. I am especially concerned about ex-servicemen, now in their 80s, who played a large part in the second world war, such as members of the Arctic convoy and the Calais diversionary force, about which I tabled an early-day motion in the last Session. I am disappointed that we cannot find a quicker way of obtaining recognition for those groups; it took several years for the Suez medal to come through. It is important that those people should receive the recognition to which they are entitled while they are still alive.

I was heartened by the Prime Minister's response at Questions a few weeks ago when he said that the Government keep that matter constantly under review. I hope that they will give it a high priority because so many of those service people feel unrecognised for the very real part that they played during the second world war.

8.29 pm

Brian White (Milton Keynes, North-East) (Lab): I welcome the opportunity to speak on the first day of the new Session, as I have done ever since I became a Member of this place. It is nice to see some of the same people in the Chamber, making some of the same comments, year after year.

Given my interest in energy conservation, I am especially pleased that the Queen's Speech contains an energy Bill. Last year, I was lucky enough to be able to take a private Member's Bill through the House, and luckier still to see it become the Sustainable Energy Act 2003. It called for targets to be set for energy efficiency and renewables, and I am very pleased that the Government have accepted that. I hope that the introduction of the energy Bill will silence some of the critics who have accused the Government, in their attitude to the White Paper and to my Bill, of being long on talk without delivering anything. I hope that the energy Bill will allow the Government to demonstrate the importance of energy conservation and of a sensible renewable energy policy.

Interestingly, the Opposition seemed to have a different spokesperson whenever I brought my private Bill to this Chamber or before the Standing Committee. I note that energy has been demoted even further in the recently announced shadow team.

In that connection, I draw the House's attention to early-day motion 96, set down today with 179 signatures. It calls on the Government to set an energy efficiency target, under my Act, with the aim of making 5 megatonnes of carbon savings per annum by 2010. It will be important, when the Government bring forward their energy Bill, to highlight that.

Like my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller), I welcome the introduction of draft legislation on identity cards. I welcome the commitment made by my right hon. Friend the Home Secretary in his statement of 11 November to engage in a sensible and thoughtful debate on the matter. Such a debate is needed. Some people oppose identity cards strongly, and fear an incremental creep towards a Big Brother state. That is a genuine fear, and it needs to be tackled. However, as my hon. Friend the Member for Keighley (Mrs. Cryer) said, the use of cards brings benefits when it comes to accessing public services.

At the moment, the same data about people are stored in a number of locations. The data are relevant to various Departments and Government agencies, and are often subject to various anomalies and mistakes. Providing the information repeatedly increases the risk of error and the insecurity of the data. In an increasingly global marketplace, identity fraud and theft are becoming easier. The danger is growing, and criminals are reaping greater rewards. We must find new ways to tackle the problem, and the debate on identity cards provides an opportunity for that.

My right hon. Friend the Home Secretary has promised that the identity card scheme will be evaluated properly. In that connection, I draw the Government's attention to the credit card industry, where identity verification technology has existed, and been continually developed, for a long time. I urge the Government to look at what the private sector is doing. They should not try to reinvent the wheel as a square.

with the Home Office working to develop its own system. The Government should engage with the private sector, create a true public-private partnership, and use the technology that already exists. If I am lucky enough to be a member of the Standing Committee considering that Bill, I hope to expand on some of those points.

The legislative programme announced today reaffirms the Government's commitment to fairness and equality. The proposals on civic partnerships and on disability are to be welcomed. They would certainly transform the rights and opportunities available to disabled people in my constituency.

Mr. John Hayes (South Holland and The Deepings) (Con): Does the hon. Gentleman believe that many disabled people and their supporters are very concerned about having a single disability Act? Disabled people have particular needs. Some disabilities are dynamic by nature, while others can be acquired. Disabled people do not make up a single group, capable of being covered by one piece of legislation. Does the hon. Gentleman have any observations to make on behalf of disabled people?

Brian White: As in any proposal, there are dangers if we get it wrong. If that happens, the hon. Member for South Holland and The Deepings (Mr. Hayes) may have a point. However, the key is that we recognise the issues and needs faced by disabled people. The debate on the Bill will allow us to move matters forward. There are many things that could be improved, and I am confident that the Bill will take us forward. I recognise the potential dangers that the hon. Gentleman has pointed out, but the fact that he has highlighted them means that we should be able to avoid them.

I have sat on two pre-legislative scrutiny Committees, one a Select Committee, and the other a Joint Committee. I am therefore very aware of the improvements that can be made to Bills. I especially welcome the fact that seven of the Bills announced today will be published in the form of draft legislation. That will save Parliament's time, and enable people to get to the issues involved—such as the point about disability made by the hon. Member for South Holland and The Deepings—in a far more open way. I urge the Government to consider using pre-legislative scrutiny for the Bill on top-up fees and higher education. Top-up fees are controversial and would benefit from the utmost scrutiny by all parties so that the final proposals have no inadvertent consequences. Given that we have said that we will not implement the legislation until after the next election, there is no time barrier to such scrutiny.

Pre-legislative scrutiny would change the debate from the present media speculation about who might rebel to a proper consideration of the issues. The Queen's Speech contained the announcement that up-front tuition fees will be abolished, but all the media want to talk about is tuition fees going up. On the doorsteps of a middle England constituency such as mine, people say that they oppose top-up fees. When asked what they would put in their place, they describe most of what the Government intend to do for higher education. There is a disconnection in the debate that a draft Bill and pre-legislative scrutiny would help to resolve.

Mr. Brazier: In encounters on the doorstep with constituents, has anyone argued strongly in favour of the current phase of expansion of higher education? It will cost more than top-up fees will raise.

Brian White: In a constituency such as mine, which relies on high technology and a skilled work force to compete in the global economy, the skills and the dynamism of universities are necessary. In 1975, when I left school, I received an offer of a place on a degree course at Sheffield and an offer of a job on the same day. At the time, unemployment was more than 500,000, so I chose the job rather than the course. Whether that was the right decision is a matter for history, but we need the skilled work force that is provided by lifelong learning opportunities. University is not something that happens only between the ages of 18 and 21. It should be a continuous process.

The research that universities do is important, and we need to take account of the wide range of skills and give people opportunities. One of the dangers of a system that restricts opportunities is that talent is wasted. People in my constituency understand all too well that if we are to provide opportunities for their children we have to widen access to higher education.

Tom Levitt: I agree with what my hon. Friend says on this issue, but does he realise the significance of this moment? We have just had official confirmation from a Tory Front Bencher that the Conservatives oppose the expansion of higher education.

Brian White: That should not come as a surprise to my hon. Friend, given that the Conservatives always look backwards, never forwards.

I have the largest university in the country in my constituency in the Open university. After the NHS, the Open university is the best gift that a Labour Government have given to the people of this country. Given that the Open university has many part-time students, including many who have had to find alternative ways into higher education, we must not lose that jewel in the crown of higher education. The future of the OU is crucial to the Government's proposals.

Mr. Brazier: My party has made it clear that it is not happy with the most recent phase of expansion in higher education. As someone who represents two universities and an excellent tertiary college, I see great scope for putting more emphasis on vocational training for those skills that are needed directly in the marketplace at present.

Brian White: I am sure that if the Government accept my proposals for a draft pre-legislative scrutiny committee, proposals of the type that the Opposition are making will be well tested and rejected.

Much of last Session was dominated by the misjudgments over Iraq. It is vital that we help to rebuild Iraq, but we must not do it at the expense of other countries, and we should not walk away. However, one

[Brian White]

question that I have about the rebuilding of Iraq is, under which economic policies it will be rebuilt? Will it be under the "caring conservative" policies of George Bush, which brought 3 million more unemployed to the United States, turned a budget surplus into a deficit and introduced protectionist measures, linked aid to abortion policies, scorned international treaties and undermined international institutions, introduced tax cuts for a few and brought misery to millions by the decimation of public services? Or will Iraq be rebuilt under economic policies of the type put forward by our Government, who have kept us out of the world recession—ours is the only major nation not to fall into the world recession—maintained the lowest interest rates for a generation, put 1.5 million more people into work, created a cleaner environment, introduced a minimum wage and better working conditions, increased aid to developing nations and invested massively in rebuilding our public services?

It is the economy that is crucial, and one of the dangers of being too closely involved with the Bush Administration is that it gives credibility to the Conservative economic policies that would be a disaster for our economy. As we saw earlier today, leopards do not change their spots, and those people who say there is no difference between the parties should just look at what happened in the US with the election of a Republican Government committed to "caring conservative" policies and just look at what the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) said today and the damage it would do if he were ever to form a Conservative Government in this country.

I welcome the omission of any reference to a draft civil service Bill. I take that to mean that the Government have recognised the inherent problems that such a Bill would create. The Public Administration Committee is conducting an inquiry into a draft Bill at the moment and was asking witnesses to define a civil servant, which is kind of important in the context of a civil service Bill. Various descriptions were offered but there was no single definition on which everyone could agree. I am pleased that there is unlikely to be time in this Session for a civil service Bill, not only because it would apply to Whitehall only, but because it would neglect the good work that is being done in the public services and the dedicated public servants who are working in the NHS, in schools and throughout the public services, and who are delivering high-quality services day by day. All that the right hon. and learned Member for Folkestone and Hythe did in his speech was to denigrate the hard work and commitment of those people; they will remember that.

Like my hon. Friend the Member for Ellesmere Port and Neston (Mr. Miller), I regret the omission of proposals for a hunting Bill and I hope that the Government will bring such a Bill back under the Parliament Acts.

Finally, I want to raise two key issues. The first, which my hon. Friend the Member for Keighley (Mrs. Cryer) highlighted, is the need for more affordable housing; the housing Bill will address that. A decent home is a fundamental right and today's package of measures is particularly welcome, especially the Government's proposals to introduce a system of national licensing for houses in multiple occupation.

It is important that we get the legislation right, but one aspect has been too often neglected in the House: we are very good at passing legislation but not particularly good at reviewing it, and we are not particularly good at the delivery end. If we do not have the resources for enforcement or, more important, if local authorities do not have the political will to implement it, no amount of legislation will solve the problem. I urge the Minister, as the Bill goes through, to ensure that the provision of resources—the implementation—goes in parallel with the passage of the legislation through this place. Delivery must be integral to legislation instead of following on, as has been the past practice. That has been especially true of the culture of the Home Office. Over the years the Home Office has generated lots of laws, but it has neglected to give active attention to the manner in which they are implemented. That was never more clear than when the right hon. and learned Member for Folkestone and Hythe was in charge of the Home Office.

There is no point in introducing new asylum measures if the competencies of the immigration and nationality directorate are not raised to deal with them. I shall highlight one important aspect, although there are many. A lot of people have been through the appeals system, including the second level, and their appeals have been rejected. They are told that their appeals have failed, and no one ever contacts them again. They are not deported. They are not told what they can and cannot do. They are just left in limbo—sometimes for years, with no word from the Home Office, simply because it does not get its act together. That Department needs to address that far more than any of the issues raised in the legislation proposed in today's Queen's Speech. If nothing else, I urge the Minister to take on board the consequences of legislation in relation to the delivery mechanisms in Departments.

This is a good Queen's Speech. It builds on what we have done so far, and it concentrates on bread-and-butter issues, which is welcome. It will make the daily lives of my constituents better. It shows the challenges that we face and forces us to look to the future. It also shows a clear divide between how the Labour Government are investing in our communities and the nit-picking Opposition. The comments made by the Opposition tonight show what a future we would have if they were ever to form a Government. I hope that the message that comes from today's Queen's Speech is that this important set of proposals will benefit the lives of my constituents.

8.46 pm

Mr. David Amess (Southend, West) (Con): The Gracious Speech represents the seventh year of failure of this dreadful Government—seven years of their failure to deliver on their promises or to improve public services. On Sunday, when the Leader of the House was interviewed on BBC 1's "Politics Show", he said:

> "Everyone will be excited by the legislation planned for next year."

I for one am not excited by the 23 Bills and seven draft measures. In fact, I am deeply depressed because we have heard it all before.

When the House listened to the Prime Minister, whose performance today was abysmal, I wondered for a moment which world he is living in. He took the American President to his constituency last week, but of course, he did not allow him to meet the real people. As ever, that visit was stage-managed. The real people in every constituency have a completely different experience of this dreadful Government's performance over the past seven years.

I note that the Government's annual report has vanished. In 1997, when the Government came to power telling everyone that things can only get better — yes, we will all remember that record — they decided that an annual report would be published every year. I asked at the Vote Office today for last year's annual report. Surprisingly, there was not one; nor was there one the year before. I have asked parliamentary questions on matter. Exactly who paid £2.99 to purchase that garbage?

The reality is that the Government no longer issue an annual report because the general public realise that everything that the Government tell us is completely fictitious, but I make an offer to the Minister: if the Government feel that they can no longer raise the cash to publish an annual report, I should very much like to be given the job of issuing an annual report on behalf of Her Majesty's Government, and I promise the House that I will be absolutely fair.

Tom Levitt: As I recall it, for the first two or three years after the 1997 election, Opposition Members had nothing better to do than argue from time to time that the annual report should be scrapped. Surely the hon. Gentleman should welcome the fact that a listening Government are engaging so positively with the Opposition.

Mr. Amess: For goodness' sake, does the hon. Gentleman think that that will wash? He knows only too well that Government Members do not listen to, or act on, anything that Her Majesty's loyal Opposition say or do. If only it were different. The Government have dumped their annual report very quietly but some of us will not let them forget that that report, which we were told was crucial, has disappeared. I repeat my offer to write an annual report on the Government. I would be only too delighted.

Brian White: Is the hon. Gentleman aware that one of the reasons for the Government ending the annual report was the action taken by the Select Committee on Public Administration? It suggested to the Government that there were better ways of dealing with such issues.

Mr. Amess: I am delighted to hear that that is the reason, but I am surprised that the Prime Minister has not made a statement to the House to apologise to the House and the country for the waste of taxpayers' money. If it is true that the report was scrapped because of the Public Administration Committee's report, I will be only too happy to remind the Prime Minister of that fact should I be lucky enough to have an opportunity to do so.

The idea that the Prime Minister and the Government are again embarking on a nationwide consultation is crazy. Does he honestly think that the general public will be taken in yet again by one more consultation exercise? The idea that the Government consult and listen if they receive an answer that they do not like does not reflect what happens. He should save the Government a great deal of money by abandoning the consultation, because the British people will tell him that, over the past seven years, the Government have absolutely failed to deliver on their promises. The gut feeling of the British people is that they have no confidence whatever in anything that the Government do or say. Fundamental to that is the issue of law and order, to which I will come shortly.

The Gracious Speech tells us:

> "Delivering a world class education system that enables individuals to achieve their full potential remains my Government's main priority for Britain's future success. Educational reform will continue to raise standards in all schools."

We all agree with that, but all hon. Members know from their visits to schools that teachers complain endlessly about the extra burdens of regulation and administration. Teachers can no longer do that which they are best at — teaching — because of the constant interference from this dreadful Government.

Two weeks ago, I and others met the Minister for School Standards. Among the group was Councillor Sally Carr, the chairman of the Southend education committee, and we had a good meeting in which we discussed in detail the authority's financial settlement. However, the next settlement has been announced and it will simply not provide enough money to offer the education that the children who live in Southend deserve.

Tuition fees, on which my right hon. and learned Friend the Leader of the Opposition brilliantly chided the Government, are fundamental to this issue.

The Gracious Speech tells us:

> "A Bill will be introduced to enable more young people to benefit from higher education. Upfront tuition fees will be abolished for all full-time students and a new Office For Fair Access will assist those from disadvantaged backgrounds. Universities will be placed on a sound financial footing."

Labour Members will groan at this, but I am what is described as a working-class Conservative. I come from an entirely working-class background in the east end of London and was born within hearing of Bow bells. The reason why I am a Conservative is that, unlike Labour Members, who are so good at describing poverty and dreadful living conditions but doing nothing about them, it is the Conservatives who believe that every woman and man, regardless of race, creed and finances, should be given the opportunity to make the most of their God-given talents.

That is why what this dreadful Labour Government are now going to do about tuition fees is so hypocritical. When I was given the opportunity to go on to higher education, my parents did not earn enough to make any contribution to the grant. I was one of those lucky individuals on a full grant. *[Interruption.]* There is no doubt this is why Labour Members are embarrassed — that once the tuition fees kick in, they will definitely be a penalty against children of working-

[Mr. Amess]

class parents who want to go into higher education. *[Interruption.]* It is no good Labour Members shaking their heads. That is what will happen.

Ian Stewart (Eccles) (Lab): The hon. Gentleman is wrong.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must say to the hon. Gentleman that keeping up a running commentary from a sedentary position is not assisting the debate.

Mr. Amess: I have five children. Although some Members of Parliament say that we are not particularly well paid, by and large, we are pretty well paid in comparison with the rest of the population. I am now experiencing trying to pay for some of my children to enjoy higher education. I tell the Government now that burdening youngsters later with high debt, in the very early years of their working careers, will be an absolute disaster.

The reason why I find the Prime Minister's position completely untenable is that he leads the party that grew out of Keir Hardie, in whose seat, which was a working-class area, I fought my first parliamentary election in 1979. He is now betraying the many Labour Members who, in their heart of hearts, are still working class and want to support working-class people. I hope that, when it comes to the vote on that dreadful measure, they will do the right thing and vote against it.

The Gracious Speech tells us:

> "My Government will continue to reform the National Health Service by giving more choice to patients, more freedom to NHS staff and more control over hospitals to local communities."

I am a member of the Select Committee on Health, an excellent Committee led by the hon. Member for Wakefield (Mr. Hinchliffe), who is a very fair-minded Chairman. There is no doubt that the Health Committee has found wanting the Government's policies, which they tell us are intended to give

> "more choice to patients, more freedom to NHS staff and more control over hospitals to local communities".

All the arguments from academics that we read in our papers and journals say that the Government's obsession with sticking to targets is undermining clinical priorities. As long as they continue with that obsession, our wonderful national health service will continue to struggle.

There was a moment when the Prime Minister shook his head in despair at the Leader of the Opposition because he did not like what my right hon. and learned Friend said about asylum seekers, especially their children. We will have to see what eventually happens but it would be shameful if Government Members, who believe in their heart of hearts that it would be dreadful for asylum seekers' children to be taken into care, stood by and did nothing. Many Labour Members know that when the Government say, "Oh, this is stuff that the media have got wrong", that is not the case. The Conservative party intends to watch the measure on asylum seekers' children carefully.

I draw hon. Members' attention to early-day motion 1695, which the hon. Member for Peterborough (Mrs. Clark) and I tabled in the previous Session. It called on the Government to allow asylum seekers to work while their applications were being considered. My views on the subject are well known. The Prime Minister and the shadow Chancellor of the Exchequer have had some amusement about asylum seekers, who, I believe, should be in secure units while their applications are being processed. As they are not, it behoves the House to seek an alternative, and allowing them to work is an obvious solution.

The Gracious Speech stated that the Government wanted to

> "take forward . . . an incremental approach to a national identity cards scheme"

and that they would

> "publish a draft Bill in the new year."

I introduced a ten-minute Bill on 12 May 1993 for voluntary personal security cards. It was the first time that a Bill, albeit a ten-minute measure, went unopposed. My supporters were Mr. Jacques Arnold, Mr. David Ashby, Mr. Roy Beggs, Mr. James Hill, Lady Olga Maitland, Dame Jill Knight, Sir John Hunt, Dame Elaine Kellett-Bowman, Mrs. Angela Knight, Mr. Ralph Howell and Sir John Wheeler. Apart from me, only one remains a Member of Parliament. I hope that we shall both be here when we do not simply talk about identity cards but do something about them. A lot of nonsense is spoken in resisting the change. Every human being has a birth certificate and when we die, a death certificate. Why does the bit in the middle—our lives—have to be a secret? I am not bothered about whether the Home Secretary has fallen out with another member of the Cabinet. The British people want identity cards and if the Government are serious about law and order, they should introduce them.

We hear yet again that there will be more antisocial behaviour orders, that the laws on domestic violence will be modernised and that a commissioner will be established to speak for the interests of victims and witnesses. The British people are sick and tired of Government gimmicks on law and order. Since the Home Secretary was appointed, there have been 30 Acts. We all know that despite the wonderful technology that is available today, there are not enough policewomen and policemen. There might be in the rest of the country, but that does not apply to Southend or Essex where the numbers are way down. All Members of Parliament know that the general public's first concern is law and order. They say, "Oh David, there's no point in reporting crime anymore. You can't get through to the call centre." When police eventually come along and take the details of whatever has been stolen, they simply shrug their shoulders and nothing is done. "But", they add, "you might get caught by a speed camera."

People see the unfairness of that. Law-abiding citizens who do a wonderful job in their communities can be criminalised for driving at 32 mph, while the big criminals get away with everything scot-free because there are not enough policewomen and policemen.

Mr. Kevan Jones: I am sad to hear that Southend has been passed by. County Durham has been given an extra 100 police officers and an extra 25 community support officers since 1997, and crime in my constituency has fallen by 50 per cent. What is unique about Southend?

Mr. Amess: I am delighted to hear what the hon. Gentleman says, and extremely jealous. As his constituency is doing so well in crime reduction, perhaps he will be magnanimous and encourage some of those extra 100 police officers to relocate to Southend. We are losing officers to the Met because they are paid £6,000 a year more than they would receive in our area. We have a terrible problem. Our policewomen and policemen are working hard to control the situation, but they do not have the numbers to deal with it properly. That is the biggest complaint that we hear from the public.

Given that the Prime Minister made his name with "tough on crime, tough on the causes of crime", it is about time he did something rather than continuing with these gimmicks. We have seen the introduction of curfews for children, for goodness' sake. I do not think one has ever been imposed anywhere—and it seems that we are to have yet more gimmicks. I ask the Government to do at least one sensible thing, and introduce identity cards.

The Queen's Speech tells us

> "A Bill will also be brought forward to improve the delivery of fire and rescue services, ensuring that they can respond to the changing demands placed on them in the modern world."

I have the honour to be joint chairman of the all-party parliamentary fire safety group, which will examine that measure very carefully. While we welcome changes, it is of paramount importance that the professionalism of our firefighters is not undermined in any circumstances.

We are also told that the House of Lords will be reformed. The Government

> "will remove hereditary peers and establish an independent Appointments Commission to select non-party members of the Upper House".

I am afraid that when I heard that I had to be scraped off the floor. The idea of the Government appointing non-political people in larger numbers than those who were truly independent is crazy.

The Prime Minister quoted an Ofsted report. Of course things are marvellous now, but the Government did not retain the last chief inspector of schools because he did not have so many good things to say about the Prime Minister. I am not in the least confident that the Government would appoint independent people to the House of Lords.

I am sorry that the House of Lords was sabotaged in the first place. The idea that there was always a Conservative majority there is nonsense. During 18 years of Conservative government, the House of Lords rejected Bills time after time. As the Labour Government have introduced more and more of their own appointees to the Lords, more and more have resisted their Bills. It has done the Government no good at all.

The Gracious Speech tells us that there will be a Bill

> "to enable a referendum to be held on the adoption of the single currency subject to the Government's five economic tests being met".

Along with other Members I was in Rome yesterday, where we had interesting meetings on the single currency with Italian politicians. We were intrigued to learn that the Prime Minister was being feted by the left in Italy. The Italian experience was, "Do not, under any circumstances, enter the single currency at the moment." We should be very, very cautious, but we all know that the Government do not have the slightest intention of having a referendum on the single currency—this is yet another gimmick from them.

The Gracious Speech tells us that the Government

> "is committed to improving the quality of people's day to day lives."

Wonderful, but when is that going to happen? We are told:

> "Legislation will also be brought forward to improve traffic flows and manage road works more effectively."

Marvellous, but how on earth is that going to happen? I expect that we will have yet more gimmicks. I welcome the draft Bill on charities, which I understand will be published shortly and will

> "modernise charity law and better enable charities to prosper."

I end with some brief remarks on what is not in the Gracious Speech. The hon. Member for Cheadle (Mrs. Calton) referred to an issue on which I feel very strongly—mobile phones.

Mrs. Calton *indicated dissent.*

Mr. Amess: The hon. Lady, I thought, talked about the particular height of a mast.

Mrs. Calton: I was referring to Network Rail's telecommunication masts, not mobile phones generally.

Mr. Amess: I was going to make the same point about the nearness of a mast to properties. The situation whereby planning matters involving mobile phones are pushed from local authorities to the Government, backwards and forwards, is ridiculous. We have had many public meetings in Southend on the issue, but we have been told:

> "That mast has been designed so that it looks like a flagpole . . . it is Permitted Development under Par 24 of the Town and Country Planning General Permitted Development Order 1995."

That is crazy. The Government are saying that they are introducing an important planning measure, but if a mobile phone mast is disguised as a flagpole it can go ahead.

Mobile phones are overused and what is happening is out of all proportion. I welcome the Government criminalising people using mobile phones as they drive along in cars. That will be unlawful from this month, and I look forward to the Government enforcing it.

I am disappointed that there is no animal welfare Bill in the Queen's Speech—we had expected one. I introduced a ten-minute Bill on stray animals, which is a matter on which the Canine Defence League feels strongly as it tries to re-home animals. Later, when the so-called owner turns up, there could be civil litigation. I am also disappointed that there is no mental health Bill. The number of people who feel helpless because they cannot get the support they require for their mental health difficulties is a serious matter.

The private Member's Bill on fireworks introduced by a Labour Member was a step forward, but the Government will have to look at the issue again as we need to deal with the suppliers.

[Mr. Amess]

Is it any wonder that the Queen faltered when she uttered the words "national hunt" rather than "national health"? I suspect that her mind was wandering at that time.

Mr. Deputy Speaker: Order. The hon. Gentleman has been a Member long enough to know that he must not invoke Her Majesty in debate in the House.

Mr. Amess: I simply say that, for seven years, we have had a failing Government. I look forward to the time when I will be able to make a speech in favour of the Gracious Speech, but I feel that that will not happen until we have a Conservative Government re-elected. Judging by today's performance by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the Leader of the Opposition, the Conservatives are coming home and we will once again have a Conservative Government.

9.14 pm

Mr. Harry Barnes (North-East Derbyshire): An academic article is due to be printed soon entitled "Sheep that bark". It is about rebel Labour MPs, and it will come as no surprise to anyone that I am included in that list. I intend to bleat and woof about various measures in the Queen's Speech that I would like amended. I hope that my suggestions are constructive. I also have some opposition to particular items.

I want to say something about higher education, but I shall not deal with the problem of top-up fees as people know where I stand on that. The Queen's Speech refers to a new office for fair access to assist people from disadvantaged backgrounds. I have considerable interest in that proposal, as I am a product of the liberal education tradition. I went to Ruskin college without any formal qualifications and was there from 1960 to 1962. From 1966 to 1987, I taught at Sheffield university extra-mural department, which then became the division of continuing education. Through industrial day release, many trade unionists went to places such as Ruskin college, Fircroft, Coleg Harlech and the Northern college. I also ran access courses for people who had no formal qualifications but who then found their way into colleges and universities. There are many late developers, and many people need a second chance.

I am worried that the trend in education is for testing in schools and elsewhere, and for modular provisions. People are expected to attain a certain standard before they move on. That overlooks the separate culture of the liberal adult education tradition. That tradition has been strong in the Workers Educational Association, and we should nurture it and make use of it for the office for fair access. When the proposals are introduced, if that area is missing or has been downgraded by too much stress being placed on testing and modules, I shall seek to amend the legislation.

A number of hon. Members have stressed the importance of the proposals on company and individual pensions. A White Paper was published, and the Secretary of State for Work and Pensions made a statement in the House on 11 June. There have been many encouraging proposals to protect pension funds. There is the problem of existing cases in which people's company pension funds and private pension arrangements have gone down, but past cases also need to be tackled.

Coalite in Bolsover, where a number of my constituents work, went into receivership and their pension fund was hit. UEF Chesterfield Cylinders went into administration and was taken over by Apolda GmbH, and the pension fund was hit. Demaglass in Chesterfield was similarly hit. There is also the Equitable Life problem, and we are waiting for Penrose in that connection.

I urge hon. Members to consider the arguments that were used across the House when the Secretary of State made that statement. Ideas of how to deal with this difficult problem have been suggested. Finding the funding is problematic, and there is no simple answer that would solve the difficulties. I am an advocate of progressive taxation, but I am in danger of proposing it as a solution to all problems. I know that it is not, and that there must be priorities. Nye Bevan said that socialism was the language of priorities, and we must decide what we do at every stage.

Hon. Members, including the hon. Member for Cheadle (Mrs. Calton), mentioned the disability provisions contained in the Gracious Speech. There has been a considerable battle in this House to advance the civil rights of disabled persons. In 1991, when he was in this House, Lord Morris of Manchester proposed a wide-ranging Bill on civil rights for disabled people. My hon. Friend the Member for Kingswood (Mr. Berry) picked up the Bill in 1993, and I did so in 1994 in competition with a Government Bill.

The definition of disability needs to be put right. We have a medical and restricted definition at the moment, but a social definition, directed towards the discriminators, which says that one can never use disability as a ground for excluding people from a particular area, needs to be put forward.

I urge the Government to go back to the Civil Rights (Disabled Persons) Bill, although they have proposed a number of related measures, particularly the setting up of the Disability Rights Commission, which was contained in the Bill and is advancing matters considerably. In my version of the Bill, I added the issue of access to polling stations, which is not dealt with properly now. Limited measures were contained in recent representation of the people legislation, and the arguments developed by Scope need to be taken on board.

My next point concerns identity cards. Fruitful amendments can be tabled on this issue and some socially useful items could be proposed in connection with ID cards. I have a suggestion that ties in with my interest in electoral registration and people exercising their franchise rights. I would advocate votes at 16, with the time that voters were registered and identity cards established being the last year of school as pupils approached 16. They would then be on registers and would have an ID card. It should then be possible to get them on to new registers, instead of the present situation in which masses of people are still missing from electoral registers. We attempted to tackle that with the rolling register introduced in 2001.

I wish to refer now to the reform of the House of Lords. Some Members have suggested that there are too many Members in this House. I would remind them that if we had fewer Members in this place, the power of the Front Benches would be proportionately greater. We should watch out for that. Front-Bench Members could be sent along to the other place, as was almost suggested in a pamphlet in the 1950s by a chap who was then called Anthony Wedgwood Benn. He argued that the second Chamber should be occupied by the Privy Council, which would account for most Front Benchers. Perhaps if Back Benchers ran the affairs of the Commons, it would be of interest.

Abolition of the Lords should be one option to consider, as its scrutiny functions could be undertaken in this House. The best bit of this House is often what takes place in Select Committees, which break down some of the rigid yah-boo party games of the Chamber. If we do not achieve that, there is the possibility of indirect election. Trade unions, voluntary organisations and professional bodies should have a say, although I am not so sure about the CBI and industry, which seem to run things already; however, perhaps they could have a minority representation. If we fail in that regard, the final democratic resort is direct election to the other body, despite the fact that that may create certain problems.

The Queen's Speech also contains a section on Europe. I have always been in favour of referendums where major treaty changes are involved. What happens automatically in the Republic of Ireland under its constitutional provisions should happen here. I say that despite the fact that if we had a referendum on constitutional matters, I could well campaign in favour of the measure in question and not against it, depending on the final package. In this case, I am not arguing for a referendum on the basis of what I think the likely outcome will be.

The Queen's Speech also refers to planning and to "greater community participation" in it. One thing that could be done is to strengthen section 70(a) of the Town and Country Planning Act 1990. Under it, the planning authority can kick into touch repeat applications that have been refused through the system, on the ground that they are too similar to previous representations. However, that provision is not currently used because it is very narrow; it needs to be rather broader. In this regard there is a relevant case involving Barnes farm, in Dronfield, which is in my constituency. I should point out that I do not own Barnes farm—it has nothing to do with me. In fact, I own very little. Two planning applications by Hutchison 3G UK Ltd. have been rejected by the district council and rejected on appeal; a third application is currently going through the relevant procedures. Making it easier for the district council to reject the application would be of considerable advantage. In addition, perhaps the inspectors themselves should have the right to kick such applications into touch if they feel that an unnecessary number are being made in particular areas.

There are several other issues that I would have liked to mention, but as I want to accommodate those Members who have yet to speak, I shall finish by dealing with the section at the beginning of the Queen's Speech that refers to continuing

> "to deliver reform of the public services",

and continuing

> "to focus on greater opportunity and social justice",

and on

> "enhanced security and protection".

I want to deal briefly with three things that could be done in this regard. I am very concerned about the interface between the Child Support Agency and income support. A particular constituent of mine moves in and out of the two because her husband, who is the absent parent, is in and out of work. Procedures have to be gone through in respect of the CSA arrangements and attachment of earnings work; then, she reverts to income support. She has to provide notification each time she moves; otherwise, she would be considered guilty of fraud. She is better off under income support because it draws down other benefits. However, such people must know how to subsist and to advance their position without being hammered.

I have been dealing with the vaccine damage case of another constituent of mine ever since I entered the House. In fact, my predecessor, who was the MP for my constituency before 1987, also dealt with this problem. There are aspects of vaccine damage that we need to return to; we should not worry about the vast problems associated with furthering legislation that is regarded as retrospective.

My final point is about the need for the Government to tackle legal professional privilege. They should move towards ending it as far as many of their own operations are concerned. Ministers invariably seek to uphold legal advice received from their Departments or Treasury counsel under the blanket of the provision of legal professional privilege. That applies even where the draft legislation or regulations are designed to protect the public for unfair treatment. The end of the use of legal professional privilege over measures intended to protect the public interest would facilitate the fuller understanding of the implications of legislative and regulatory proposals so that more relevant amendments could be tabled. Such an approach would be in keeping with the general intentions of the Data Protection Act 1998, the Freedom of Information Act 2000 and the code of practice for access to Government information.

It is important to have opportunities to attach amendments to particular measures in the Queen's Speech or to look to other avenues such as ten-minute Bills in order to advance various parts of my agenda for the coming Session.

9.31 pm

Mr. Alistair Carmichael (Orkney and Shetland) (LD): It is, as ever, a pleasure to follow the hon. Member for North-East Derbyshire (Mr. Barnes), who, as always, favoured the House with a thoughtful and well-argued case from first principles. Sadly, an independent cast of mind is all too rarely demonstrated in the Chamber. I know that the hon. Gentleman will be with us only until the next election, so we should savour his contributions between now and then.

Like many right hon. and hon. Members, I find much to welcome in the Gracious Speech, but I am indifferent to some aspects of it and hostile to others. I am struck by the number of proposed Bills or draft Bills that will affect Scotland. From a quick count through the

[Mr. Alistair Carmichael]

paragraphs in the Queen's Speech. I estimate that about 18 Bills or draft Bills will apply north of the border. It is worth reminding people both here and north of the border of the continuing importance of the House to daily life in Scotland.

Since becoming a Member of Parliament in June 2001 I have spent a great deal of my time in Standing Committees. As a result of what I have observed I have become concerned about the manner in which Scottish interests are dealt with in the House and by the civil service in Whitehall post devolution. It has become apparent to me that Scotland has, for all intents and purposes, fallen off the civil service radar in Whitehall so that there is now almost a presumption that Scotland has its own Government or Executive who should deal with Scottish issues. Sadly, that is not the case.

I recently had a conversation with a senior member of the Crown Office, the head of the prosecution service in Scotland, who told me that it is sometimes consulted on legislation that will have an impact on the Scottish legal system, but that it is invariably done too late. It is done after decisions have been taken and after any point at which the distinctiveness of Scottish law can be taken properly into account. It is the integration of Scots law into the business of the House that continues to concern me. I can think of many examples—the Extradition Bill and, more recently, the Crime (International Co-operation) Bill, on whose Standing Committee I served.

It seems to me that the problem is somewhat unnecessary. I have expressed doubts about the need for it in the past, but we continue to have the Scotland Office. Surely the job of Scotland Office Ministers, instead of running around trying to find photo opportunities, should be to give their time to Standing Committees and to Report stages of Bills. The Crime (International Co-operation) Bill is a recent classic example. We were dealing with amendments that had come from the Law Society of Scotland, and the Home Office Minister more or less shrugged her shoulders and said, "We haven't heard from the Scottish Executive about this, and we don't see what the problem is." Of course the Government had not heard from the Scottish Executive. Why would they have done? The matter was not devolved.

One subject that would normally be a devolved matter, but which will come to the House in the coming year because the Scottish Parliament has passed a Sewel motion, is the registration of civil partnerships. I am prepared to give a broad welcome to that because it is long overdue, and it is certainly proper that we should recognise that people in same-sex relationships have hitherto had highly prejudicial and unequal treatment in law.

However, I echo a point that was made earlier: there should be some provision to apply the legislation to opposite-sex couples who choose—because of their personal circumstances, for religious reasons, or for any other reason—not to get married in either a civil or a religious ceremony. I hope that the Government will give that idea some consideration during the Bill's passage. The Leader of the Opposition said that this provision was about life choices, and he was right—but we must recognise that a great many people's life choice is to cohabit with someone of the opposite sex without getting married. If we make provision for same-sex couples but not for opposite-sex couples, that may not be understood by the population at large, and we risk damaging what will already be a difficult and controversial piece of legislation.

I would not be a Liberal Democrat if I could resist the temptation to speak about constitutional issues, and a number of those are dealt with in the Gracious Speech. First, there is the abolition of the remaining hereditary peers in the other place. That is overdue and I welcome it, but I regret that at this stage the Government have chosen not to go the whole hog and allow the second House to be properly elected. That will become a more clamant case as the years go by. Patronage is no substitute for democracy.

There is something else that I do not quite understand. At this point I should declare my Presbyterian interests. If we are getting rid of the hereditary peers, why are the Church of England bishops to be kept? As a Presbyterian, I find it obnoxious that the Church of England should remain established, and episcopalians should still be represented in the other place. If that is how I, as a Presbyterian, feel, how must Roman Catholics, Hindus, Muslims and those of any other faith feel about that? I shall seek to return to the subject by tabling amendments later in the Session.

I also broadly welcome the long-overdue legislation to create a supreme court. Scots law has not always been treated well by the Judicial Committee of the other place, and I hope that as the mechanisms of the supreme court are being constructed, one can be found to involve a minimum representation of Scottish qualified jurists in the determination of any civil case that comes to the supreme court from Scotland.

I have no truck with those who say that Scottish civil cases should be repatriated to the Court of Session. That would not be a sensible or workable operation, given the great interaction that there now is between our common civil law and the statute law that affects the whole of the United Kingdom. We should not miss the opportunity offered by the supreme court to deal better with Scots law.

From a constituency point of view, one of the most important measures in the Gracious Speech will be the energy Bill—in shorthand, the BETTA Bill. It will have a profound impact on access to the national grid for developers of renewable energy generation in my constituency. That is essential if we are to develop our abundant wind, tidal and wave resources, which we are keen to share with the rest of the country. The current system requires massive up-front charges for grid connections, due to the byzantine rules operated by Ofgem. I do not think that that situation will improve, so we in the northern isles will be looking closely at the progress of the BETTA Bill.

May I make a plea for a change of mind in the operation of Ofgem? Only last week, Ofgem announced that it deemed the hydro benefit—in effect, a subsidy to electricity distribution in the highlands and islands that has existed in some form for many, many years—contrary to European competition law, and that it was to be abolished. That announcement seemed to come as something of a surprise to the Department of Trade and Industry but, to his credit, the Minister for Energy, E-

Commerce and Postal Services said that he would seek other ways of preserving the benefit. I hope that he is able to do so. The benefit is crucial to the highlands and islands and especially to my constituency, yet I first heard about the matter only last Monday on Radio Scotland. Surely, there should be better provision for consultation with communities and their representatives, such as me, on issues of such fundamental importance.

I shall finish by talking about asylum. Like many Scots, I have looked with concern, growing occasionally to horror, at the manner in which Dungavel detention centre in Lanarkshire has operated. Nothing that I have heard in the past few days from Government spokesmen and others about the proposed treatment of children makes me feel more optimistic about the centre. We must take seriously the treatment of children in detention centres. It is already bad enough that we detain them in Dungavel for as long as we do, but now it is suggested that they are to be put into care. Whose care? There is already a paucity of foster places and places in children's homes.

I am concerned about the abolition of the second appeal in asylum cases. Twenty per cent. of such appeals are successful. What will happen to such people if that provision is removed?

I am aware that at least one more Member wants to contribute to the debate so I end with this point: as a representative of one of only three entirely island constituencies, I look forward with great interest and a small measure of apprehension to learning to which island the official Opposition intend to send their asylum seekers.

9.43 pm

Tom Levitt (High Peak) (Lab): In the early years of the Soviet Union, it is said that a message went out from the communist party to the country: "The dawn of socialism is just over the horizon". One peasant turned to another and said, "I'm quite happy with all this socialism stuff, but what's this word horizon?" His colleague said, "The horizon is an imaginary place; the closer you get to it the further away it seems".

That may have been the case in the Soviet Union, but in real politics, in democratic politics, things that are just over the horizon tend to creep up on us and suddenly arrive. There is no pretence that today's Gracious Speech does not take some cognisance of the fact that a general election is just over the horizon. That election will creep up on us pretty quickly, in political terms.

The Government's first term in office was about getting the basics right. The Government implemented 176 manifesto commitments in a period when they also had to control the country's economic circumstances. The Government were successful: inflation and interest rates were under control, unemployment was falling, and economic competence and stability were at a high level. Without that economic success, we could not have had the spending policies that have been put in place, or the investment in public services. We would not have been able to prepare the Queen's Speech for this coming year, and we would not have been able to start to prepare for a third term in office.

The Government's second term in office—this term—has been about delivery. It has demonstrated that the pain of holding back on investment, as happened for some of the first term in office, was worth while. It has shown that the Government's investment of cash in the public services, and their modernisation of those services, have worked to improve delivery. As a result, those public services are able to fulfil the functions that they were designed to perform. The task has not been easy, but people will judge the Government on their record in respect of the delivery of public services and the management of the economy.

The Government's third term will be about renewal, and about moving on to a future that is fair for everyone. That is where today's Queen's Speech starts to lead us. It will be about making sure that boom and bust can never return, because they will be designed out of the economy. It will be about giving ordinary people ownership of the ideas that drive our public services, and not just of the services themselves and of the choices that can be made. That ownership will be experienced, both collectively and individually, within a framework made up of community and social values and the progressive politics espoused by Labour Members.

Only when the practical approach and the ideas and values that drive it are in harmony can we ever hope to succeed in our delivery. The Queen's Speech shows that we are moving in the right direction.

The Queen's Speech is consistent with the preparatory work of the past six years—or one and a half terms of office. It contains some excellent measures. For four years, until last summer, I was Parliamentary Private Secretary to my hon. Friend the Member for Hornsey and Wood Green (Mrs. Roche). For two years of that time, she was the Minister with responsibility for equality. I know how hard she worked to get the civil partnership legislation ready, and I am delighted at its inclusion in today's Queen's Speech.

However, I want to turn to a matter touched on by the hon. Member for Orkney and Shetland (Mr. Carmichael) and others. The civil partnership legislation means that any couple—same-sex or otherwise—can have certain legal rights if the two members of that couple are prepared to make a lifetime commitment to each other. That right has always been available to heterosexual couples, but the proposed legislation will bring parity for homosexual couples. Even so, registration will play an important part, and ensure that the two sets of circumstances will be equivalent. Without registration, questions will be asked about commitment, and every couple could end up in court in an attempt to determine what rights—in respect of pensions, parenting, immigration, property and so on—should be shared. Registration will make it clear that any long-term commitment between two people, regardless of the circumstances, will be recognised in law.

Mr. Carmichael: Will the hon. Gentleman give way?

Tom Levitt: I may give way a little later on. The hon. Gentleman and I have been restricted to 15 minutes, whereas other speakers in the debate were able to go on for nearly 20 minutes.

As a former trustee of the Royal National Institute for Deaf People, I am especially pleased that the draft disability Bill was mentioned in the Queen's Speech. In 1997, the Government set up the disability rights task

[Tom Levitt]

force. We then went on to establish the disability rights commission, and my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) was instrumental in that long campaign. In 2001, the Government published "Towards Inclusion", their response to the report from the disability rights task force. Many of the issues addressed in "Towards Inclusion" are now in law, but outstanding issues remain that the new Bill will address. It will address transport issues and—I hope—it will give public authorities a duty to promote equality for disabled people. I also hope that it will expand the definition of disability more widely, as the hon. Member for Cheadle (Mrs. Calton) suggested, to include those with HIV and cancer.

As chair of the all-party group on the voluntary sector and charities, I am especially pleased to see that the role of charities will come of age in a new charities Bill. We often see the economy as having three sectors—the public sector, the private sector and the voluntary sector. However, over the past few years, other sectors have emerged. For example, we have the compact between voluntary sector and public sector operations. Co-operatives and not-for-profit companies fit in between the voluntary sector and the private sector. Public interest companies, with a charitable purpose, will be established by another Bill and will fall between the public and private sectors. We no longer have a triangular model, but a continuum of different vehicles with different functions that work to deliver quality services in partnership with other parts of the economy.

The Bill will enable the charitable and voluntary sectors to maximise the contribution that they make to society. It will remove arbitrary restrictions on their operation, modernise the definition of "charitable purposes" and greatly benefit national voluntary sector organisations and charities, as well as the small ones with which we each work daily in our constituencies.

The future of our economy depends on investment in skills. We need more graduates. The target of 50 per cent. of 30-year-olds—not 21-year-olds—with degrees is modest compared with some countries with similar economies. We need investment and we need to generate more graduate-style jobs. We need to ensure that we are a highly skilled, highly paid economy and that we resist the temptation to fall behind and become a warehouse economy. Therefore, we rely on a healthy, vibrant higher education sector to teach students and for research.

Where should the investment come from? I hope that we have all agreed that up-front fees are dead, because they are politically difficult and there is no reason for them. The taxpayer spends about £6,900 on every university student, about £4,500 on every sixth former, about £4,000 on every secondary school pupil, about £3,000 on every primary school pupil and about £1,800 on every pre-school child. If we are serious about a long-term commitment to, and investment in, education to improve the qualifications that people achieve and to benefit the economy, we should put our investment in the early years. That would generate a more receptive generation for higher education later down the line. That is why I have no qualms about asking graduates to make a contribution to pay for what they have received. Many will not be asked to pay anything because they will not earn enough. Nobody who earns under £15,000 a year will be asked to make a contribution. The advantage of this proposal over a graduate tax is that graduates pay a graduate tax for the rest of their life. Under our proposal, graduates will cease to pay when their debt has been repaid and it will not be a lifetime burden.

Some countries are ahead of us on this matter. Australia's system for financing undergraduates and graduates could be a successful model to follow. It is essential to stress that, under a top-up system, universities should not and will not be free to choose what fees they levy, but that fees will be approved by an independent body—a regulator—and in that sense there will not be a free-for-all for universities to charge what they want.

My local university is the university of Derby and it has establishments within the High Peak constituency, in the town of Buxton. Derby is almost unique because it represents a coming together of higher and further education. I would argue that, if we are going to have deferred fees for higher education, let us have them for further education as well.

I have a constituent who, three years ago, had to give up his job as an engineer because, through meningitis, he contracted epilepsy. As a result of epilepsy he can no longer work with machinery. He wants to become a quantity surveyor—it takes all sorts, but apparently there is a great demand for quantity surveyors and there is a choice of ways of qualifying. However, he has found that the fees for that non-degree course, which he wants to take by distance learning, are higher than those that are being proposed for the highest level of fees for higher education.

There is a huge disparity between FE fees in different parts of the country and for different courses. For most people, further education is much more tied in to people's vocational experience and development than higher education is. Further education is more likely to involve working on the job and is more likely to have that vocational link to a person's earnings. It may not produce as dramatic an effect as getting a degree would, but certainly the person studying moves onwards with more qualifications. I realise that FE is a complex sector but I do ask that we look very seriously at producing the same sort of equity in FE as deferred fees will produce in higher education.

I would have liked to dwell on other elements of the Queen's Speech, but time has almost eluded me. I very much welcome the creation of a children's commissioner for England. The measures proposed on domestic violence, which accounts for a quarter of all violent crime, are also very welcome indeed. I am absolutely confident that the hunting legislation is not in the Queen's Speech simply because it is not this year's legislation but last year's unfinished business, but as unfinished business we must tackle it. It is a question of faith and I am absolutely certain that when the time comes, it will be there and it will have my support.

The measures in the Queen's Speech stand out as being sensible, appropriate, measured, practicable and necessary—and many are exciting too. I am looking forward to this Session and the legislation therein. I have great pleasure in contributing to the debate. My maiden speech was in the Queen's Speech debate in 1997, so I have pleasure in being the one who has the privilege of bringing the first day of debate on this year's speech to a close. I hope that we shall move on quickly into the legislative programme and deliver, deliver, deliver.

Debate adjourned.—*[Vernon Coaker.]*

Debate to be resumed tomorrow.

Mersey Ambulance Service

Motion made, and Question proposed, That this House do now adjourn.—*[Vernon Coaker.]*

9.59 pm

Helen Jones (Warrington, North) (Lab): I rise to express my deep concern about what is happening inside the Mersey regional ambulance service—a concern that is shared by several other hon. Members, particularly my hon. Friends the Members for St. Helens, North (Mr. Watts) and for Knowsley, North and Sefton, East (Mr. Howarth), who, along with me, have already written to the Minister about this issue.

Let me make it plain at the outset that this is not a debate about Government funding—in fact, the income base of the service has increased by 9.9 per cent. in a year, according to the most recent figures I have, and it is not underfunded for emergency care—nor is it a reflection on the front-line staff, for whom I have the greatest respect. Indeed, I agree with the Commission for Health Improvement's last report on the trust in which it said:

> "The enthusiasm of ambulance crews to deliver an efficient service to the public is remarkable."

It is very sad that that enthusiasm is not matched by an efficient management, for I have reached the conclusion that the trust has serious management problems that must be laid at the door of the chief executive and, ultimately, the strategic health authority, which has not taken the appropriate action when matters have been drawn to its attention.

Let us remember that it was a good trust. It was one of the first to meet the eight-minute targets for emergency responses in urban areas, for example. It is now a one-star trust, and the CHI report pointed out serious problems in its procedures and practices. For some time, hon. Members have received information from inside the trust about its management and the problems in its control room. This issue came to a head when my hon. Friend the Member for St. Helens, North and I received information that, over the weekend of 1 and 2 November, there had been serious shortfalls in ambulance provision in Warrington and St. Helens. We were not notified of that by the trust. When we started to make inquiries, the trust's response told us much about its management failings.

I tabled a question that was answered by the Parliamentary Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), on 17 November. That answer told me—I am sure that she answered in absolute good faith—that the shortfalls were due to the closure of Warrington hospital to emergency admissions. May I caution Ministers to be very careful about the information that is relayed from the trust and the SHA? I have a copy of the trust's occurrence log for that weekend. The Department of Health tells me that that log is not available centrally, but may I tell it that, as almost every newspaper in my area has a copy, it ought to obtain one?

The log runs from 7.5 on 31 October to 5.45 on 3 November, and it shows an organisation in real crisis. Shortfalls in ambulance provision kept being reported all through that weekend, the first of which occurred at 10.17 on 31 October. Other shortfalls were recorded at

[Helen Jones]

16.2, and again at 20.13 and 20.24. The same thing is apparent in the records for the next day, not just in Warrington and St. Helens, but throughout the area. People called in sick. Ambulances were single-staffed or unstaffed. That was long before Warrington hospital closed its doors to all but life-threatening emergencies, which did not happen and was not recorded in the log until 18.13 on 1 November. Although the sudden surge in emergency admissions throughout the area on that day certainly exacerbated problems for the ambulance service, it was not the cause of them.

Even more worrying is the way in which the trust deals with 999 calls. I asked a question about how many times the trust had been contacted by BT in the past six months to express its concern about the handling of 999 calls. In answer, I was told on 19 November that it was contacted once. If that is what the trust is telling the Department of Health, it is guilty of a gross deception, because the log clearly shows that, over that weekend, BT rang 10 times to complain about difficulties in putting through 999 calls. On one occasion, there was a delay of more than eight minutes, and on another, of nearly seven minutes. At 1.38 on 1 November, BT Newport rang the critical contact number to complain that it had a critical call that it had been unable to pass for 11 minutes. Merseyside police also rang that weekend to express their concerns that 999 ambulance calls were coming through to them, presumably because BT could not get them answered in the ambulance control room.

The trust's response is to say that it was an exceptional weekend. Sadly, that is not the case. I have an email that was sent to Mr. Jackson, the director of critical care at the trust, on 7 October. It comes from Mr. Ian Hall, who is 999 liaison manager at BT. It makes it clear that BT has been in contact with the trust for some months—and most of us would regard that as more than once—over the trust's failure to deal with 999 calls in

"a timely manner and without undue delay".

He says in the email that there has been little improvement despite that contact, and he points out some of the delays. He says that BT operators are being put in "an almost impossible position" because of the delays, which he calls "potentially life threatening".

Mr. Hall also gives some interesting figures. It appears that among 999 calls in August, 195 were not answered within two minutes. By September, the figure had gone up to 236, and the latest parliamentary answer that I have gave the figure for October as 332. The situation is getting worse, not better.

Mr. Hall's email also reflects the fact that what we saw in the log for 1 and 2 November has been happening at other times in this trust. Delays of seven and eight minutes are reported. On one occasion, when a call was not answered until seven minutes had passed, BT rang the critical contact number and was told that there was only one person in Mersey regional ambulance service available to take calls. On another occasion, when BT tried the three numbers available to it and a call was not answered after 11 minutes, it rang again and was told that the control room was very short-staffed and would be all night. It asked whether it could put through calls to a neighbouring trust, but that request was denied.

I ask my hon. Friend the Minister to investigate why that request was denied, because surely the point of an ambulance service is to get ambulances to the sick people who need them. The point is not for a trust to defend its own bailiwick. If this had been going on for months and was not being remedied despite BT's contact, we have to ask what on earth was happening.

Mr. Jackson's response to the email was to say that he would discuss it with his executive colleagues as a matter of urgency. Whatever action they took was clearly ineffective, because the problems were still occurring into November. I suggest to my hon. Friend the Minister that they will continue to occur until there are changes in the management of the trust.

The CHI report made it very clear that many staff in the trust feel devalued and vulnerable because of the way in which changes are being introduced, and it pointed to poor morale in the trust. Sadly, there is no evidence that the problems have been addressed since the report was produced. Members constantly receive reports of increased stress on staff leading to increased sickness absence. There are poor industrial relations and the number of grievances lodged is a cause for great concern. The report recorded 153 grievances lodged between April 1999 and March 2002, and a parliamentary answer given to me says that there have been 66 since then. All that speaks of a trust in which the management are not able to tackle the problems that face them, industrial relations are poor, and they are unable to manage change effectively.

What is happening in the control room is a good example. I am told that there were recently only five staff on duty there instead of 15. The number later rose to seven or eight. In response, the chief executive was quoted in one of our local newspapers as saying that the trust could not magic people up to answer calls. Of course not, but one would expect that any trust that had such a problem would be looking at the causes of the absences and doing something to tackle it. There is no evidence that that is taking place. I also ask my hon. Friend the Minister to consider seriously why two managers were moved out of the control room—as I understand it, one was moved out to do project work, while the other went on secondment—with the funding following them. What kind of system of priorities is operating in a management when a control room is short-staffed, but people and funding are taken away from it, rather than put in?

I suggest that what we are seeing is the result of a particular management style, and particularly that of the current chief executive. I think that she has shown herself to be unable to accept any form of collegiality or to respond to criticism. Let me give one example. Shortly after her appointment, the chief executive decided to reorganise the management structure. She did so without any reference to the salary and appointments committee whose remit is to review and endorse such changes. When the committee reviewed the matter, she said that the chairman and non-executive directors were acting inappropriately. Despite the fact that an internal review of the trust concluded that they had acted perfectly appropriately, and the endorsement of that conclusion by the trust's solicitors, a highly respected local firm that has acted for many parts of the health service for a good number of years, she refused to accept the conclusion. I understand that, when mentoring was offered, she turned it down.

That is a style of management that not only destroys personal relationships but has led to the introduction of procedures in an unsafe way. For example, call stacking was introduced in the control room. That is not a bad procedure in itself, but the way in which it was introduced led a manager to send an email to the director of performance saying that it was unsafe because no written protocols were in place. Instead of being treated as the whistleblowing email that it clearly was, that communication was reported to the chief executive, who promptly called in the manager and moved him from his post. What are we to make of a trust that deals with concerns about patient safety in such a cavalier fashion?

Unsurprisingly, a grievance was then lodged. During the hearing of the grievance, it emerged that another procedure, "treat and refer", had also been introduced in a very odd way. Again, there are arguments for using treat and refer, which can be a very useful procedure, but it requires proper training for paramedics and clear written protocols. The procedure was being trialled in the trust by a small group of paramedics. The chief executive unilaterally ended that trial and rolled out the procedure across the trust. I understand that there was no consultation with either the medical director or the director of clinical care, no written protocols were in place and the trust board did not approve the procedure prior to its introduction. What we have to remember is that there are patients on the receiving end of these procedures, and their safety should be the prime concern. The trust's solicitors advised that by taking such action the trust had laid itself open to an increased risk of litigation. I find that a cause for deep concern.

I also find cause for concern when I hear about what happened at the end of the grievance procedure. I understand that, before the result was announced, the papers once again passed to the trust's solicitors. They advised not only that the grievance should be upheld but that there was a prima facie case of gross misconduct against the chief executive. That was, as I understand it, never investigated. It should have rung alarm bells at the strategic health authority because I am told that its chairman had been notified of the problems with the management structure early on, and both the chairman and the chief executive were made aware of the grievance procedure's outcome and the advice of the trust's solicitors. One might have expected them to support the trust's non-executive directors when they decided—I believe properly—to call in an independent person to review what had happened, with a view to possible disciplinary action against the chief executive. However, they did not do that.

The control room is in crisis, procedures are introduced without the proper protocols being in place and the solicitors are advising that a prima facie case of gross misconduct requires investigation. Instead, the chairman and chief executive of the health authority tell the trust board that it should get someone in to do what they call "board development work." If I had a suspicious nature, I would assume that they were trying to protect their friends. That is what happened. The trust brought in a lady called Pearl Brown to undertake what was effectively consultancy work. She was taken on, because there was a vacancy in the trust, through a firm that provides interim executives at £1,000 a day. Yet the chief executive constantly tells the press that the trust does not have enough money.

The board gave Pearl Brown a fairly wide remit, but I understand that most of her work focused on the relationship between the chairman and the chief executive. Nevertheless, I am told that her report concludes that the management of the trust is dysfunctional. It is not simply dysfunctional but a disaster for the front-line staff and for the patients on the receiving end. That cannot be allowed to continue.

I ask my hon. Friend the Minister to examine those points carefully. I strongly suggest that there should be a review of what happens in the trust. It should involve outside people, possibly someone who has experience in ambulance services and someone with experience in industrial relations, which are clearly disastrous there. She should examine the role that the SHA played. Did the chairman and chief executive consult their board before advising the trust? If so, what information was given and on what basis did they decide to disregard the trust's solicitors' advice, which would have been properly investigated if it applied to another employee? I make no comment on the potential outcome, but the advice would have been investigated. Those matters should be considered urgently before the words "potentially life-threatening situation" become simply "life-threatening situation". Our constituents deserve better.

10.18 pm

The Minister of State, Department of Health (Ms Rosie Winterton): I congratulate my hon. Friend the Member for Warrington, North (Helen Jones) on securing the debate, which reflects her long-standing interest in health provision in her local community. I know that she has expressed the views of other hon. Friends in the area.

As my hon. Friend knows, I visited the Mersey regional ambulance service recently and, like her, I was impressed by meeting some of the front-line staff who are clearly dedicated and enthusiastic about participating in some of the new ways of working. Mersey regional ambulance service was the first regional ambulance services to be created in the United Kingdom and one of the first to undergo a review by the Commission for Health Improvement. That took place in October 2002, and the trust gained one-star status in 2002 and again in 2003.

Since the CHI review, the trust agreed and published in March a comprehensive action plan that spans two years and deals with the comments and recommendations in the report. Not only the trust board but the strategic health authority monitors progress.

As for the organisational development of the trust, the roles and responsibilities of the executive directors have changed in the last financial year to improve management performance throughout the organisation. The trust has also been refocused, covering seven areas rather than three to reflect changes in the NHS and the local health community. A locality manager has been appointed in each area, which has improved clinical supervision.

My hon. Friend mentioned concerns about the trust's performance. I certainly know of occasions on which the 75 per cent. target for category A life-threatening calls has not been met. In August, for example, the figure was

[Ms Rosie Winterton]

72.9 per cent. There was, however, a significant increase in the number of 999 calls during that month, mostly owing to the heat wave. The increase in activity is a general trend experienced by the trust. Between April and November 2002, the number of 999 calls was 120,576. During that period in 2003, the number increased by 8,174, or 6.7 per cent.

Like other one and two-star NHS trusts in the Cheshire and Merseyside strategic health authority, as part of the local health economy's commissioning plan, this month the Mersey regional ambulance service submitted an action plan to the central commissioning group representing the 15 primary care trusts in Cheshire and Merseyside. The individual action plans formed a part of a process to improve overall performance. The trust and the commissioning group continue to work together to establish whether any further action is needed to ensure that the trust meets an 80 per cent. target from April 2004. Last month, the 75 per cent. target was exceeded, with a figure of 79.23 per cent.

My hon. Friend referred to events that took place over the weekend of 1 and 2 November. Between 6.45 pm on Saturday and 8 pm on Sunday, Warrington hospital's accident and emergency department was forced to divert blue-light ambulance admissions. The temporary diversion from the hospital put pressure on other hospitals, and on the ambulance service. The impact on other hospitals was relatively minor, but the effect on the ambulance service was much more obvious.

Ambulances were diverted on occasion as far afield as Stoke and Manchester, outside the Cheshire and Merseyside area. The diversion meant that ambulances took longer to return to the area and respond to other calls, which had an adverse effect on the performance of the ambulance service. Moreover, the number of calls received over that weekend was much greater than usual: there were approximately 500 extra calls.

My hon. Friend is obviously concerned about the process of dealing with emergency calls. As she said, 999 calls are initially routed through British Telecom, whose performance target is the answering of 95 per cent. of calls within five seconds. Those calls are then passed to the appropriate emergency service.

If BT experiences a consistent delay in the answer of calls, it will contact the service to check whether there is a problem. Over the weekend that we are referring to, the trust received calls from BT to check their status. However, even though those calls were received, it was not necessary for BT to divert calls for Mersey regional ambulance service to other ambulance services. I take on board the points that my hon. Friend made about the log, and perhaps we can come back to that if we can have further information from her on that particular issue.

In terms of BT having difficulties in contacting the trust, which resulted in e-mail correspondence, I know that the e-mail my hon. Friend referred to was received by the trust in October. That is the only formal contact in the last six months, and a BT liaison manager felt it necessary to raise with the trust the handling of its emergency calls. The purpose of the e-mail was obviously to arrange a meeting to discuss what improvements could be made.

Helen Jones: The e-mail says:

> "Jim Elliott of my Newcastle team has been in regular contact . . ."

it names the people he has been in contact with

> "over the delay situation."

That does not appear to me to be simply one contact. It says clearly that things had been going on for several months.

Ms Winterton: The contact to which I am referring would be what is considered a formal contact—that is, one requesting a meeting.

As we have said, there has been an increase in the number of calls. As a result, in mid-September the trust identified a number of measures that would concentrate investment on more staff, better systems and improved ways of working. There is a series of ways in which the trust is looking at that matter. In view of the time, I will not go over those individually, but, to give an example, in terms of recruiting more staff, the first 11 of 22 posts identified as being needed will start on 1 December. Also, a bank scheme is being considered to allow staff from elsewhere in the trust to take calls in the emergency control room.

In addition, a meeting between representatives of the trust and BT took place on 10 November at which emergency call handling and the trust's action plan were discussed. My hon. Friend knows that in our shifting the balance of power policy we give local people the power and resources to commission services that best meet the needs of the local population. It is the role of the strategic health authority to manage the national health service locally and to provide the link between the Department of Health and the NHS. However, I assure my hon. Friend that strategic health authority monitoring and support arrangements are also in place within the Department.

On where we go from here, I understand that a meeting has been arranged between local MPs, the Mersey regional ambulance service and the strategic health authority. I hope that its outcome will be clarity about the action plans that are in place to improve the trust's performance. However, I fully accept that my hon. Friend has raised a number of points tonight that she might wish to pursue further and the Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), will be more than happy to meet local MPs to discuss any further concerns that arise, perhaps following on from that meeting.

I hope that I have also been able to assure my hon. Friend the Member for Warrington, North that measures are in place to improve performance. On top of that, if she still feels that there are concerns that she wishes to raise, my hon. Friend the Under-Secretary, who has responsibility for public health, will be more than happy to sit down to discuss them to see whether further measures need to be taken.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Ten o'clock.

House of Commons

Thursday 27 November 2003

The House met at half-past Eleven o'clock

PRAYERS

[Mr. Speaker *in the Chair*]

Business of the House

Mr. Oliver Heald (North-East Hertfordshire) (Con): Will the Leader of the House please give us the business for the next week?

The Leader of the House of Commons (Mr. Peter Hain): Mr. Speaker, you informed the House yesterday of the subjects for debate on the Queen's Speech. The business for next week will therefore be as follows:

From Monday 1 December to Thursday 4 December, continuation and then conclusion of the debate on the Queen's Speech, with Divisions expected on the final two days.

The provisional business for the following week will be:

Monday 8 December—Remaining stages of the Planning and Compulsory Purchase Bill.

Tuesday 9 December—Conclusion of remaining stages of the Planning and Compulsory Purchase Bill, followed by a debate on fisheries on a motion for the Adjournment of the House.

Wednesday 10 December—A debate on European Affairs on a motion for the Adjournment of the House.

Thursday 11 December—Estimates [1st Allotted Day]. There will be a debate on child care for working parents, followed by a debate on people, pensions and post offices. Details will be given in the *Official Report*.

At 6 pm the House will be asked to agree all outstanding estimates.

Mr. Speaker, the House will wish to be reminded that the next meeting of the Standing Committee on the Intergovernmental Conference is on Monday 1 December at 3.30 pm.

Mr. Heald: As the Leader of the House knows, the Prime Minister launched his great conversation with the nation yesterday, but within hours the Leader of the House went on "Newsnight" and refused to debate with other parties. Does that mean that the conversation does not include Opposition Members?

The Leader of the House will also know that the right hon. Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown) has suggested that the Prime Minister might like to extend the conversation to include Labour MPs, in particular because 128 Labour Members have signed early-day motion 7 on university top-up fees:

[That this House recognises the widespread concern about the effects variable tuition fees and the perception of debt may have on access to universities, particularly among students from families on modest or lower middle incomes; notes that there are alternative models of funding higher education, which the Department for Education and Skills has considered and which do not involve variable top-up fees; and calls on the Government, therefore, to publish full details of these alternatives to facilitate proper, informed debate and understanding before proceeding with legislation to reform the higher education funding system.]

If the conversation is to include Labour MPs, are we to expect an early statement from the Secretary of State for Education and Skills?

Will the Home Secretary be making an early statement abandoning his plan to put the children of asylum seekers into care? That is clearly an obnoxious proposal, with no support, and it should be withdrawn.

Can the Leader of the House confirm whether there was a printing error in the Queen's Speech? Is it really the case that the Government are to put forward a Bill for a referendum on the euro, when we all know that they have no plans for such a referendum this side of a general election? Surely, the Bill should have been for a referendum on the Euro constitution, especially in the light of recent information that Britain would lose the right to determine its own foreign policy. Would the right hon. Gentleman like to contemplate his previous remark that that was merely a tidying-up exercise?

The shadow Leader—[Hon. Members: "Shadow?"] Sorry, it was a freudian slip, Mr. Speaker; the right hon. Gentleman is soon to be shadow Leader. The Leader of the House will know that concerns have been expressed that no Bill on mental incapacity was announced. Can he explain what has happened to that? Were all the Bills anticipated for the Session announced in the Queen's Speech? If not, can he list what we are to expect? For example, I understand that the gender recognition Bill, which was not in the speech, was given its First Reading in the other place today. What is the true Queen's Speech? Where are the other measures and what is to happen to them?

The Leader of the House will be aware that our armed forces are greatly overstretched at present. Recent reports suggested that some of the oldest and most illustrious regiments, such as the Black Watch, may be under threat. In an interview in *The Times* yesterday, the Defence Secretary denied wholesale redundancies, but can the Leader of the House tell us when the House will hear what the true position is? Will the statement on the Defence White Paper be made on 11 December? If not, can he tell us when it will be made?

Finally, there is considerable concern on both sides of the House about the new sitting hours, which have also led to the Catering Committee reducing hours in the Refreshment Department. What representations has the Leader of the House received about that? Is he prepared to undertake research into Members' views with the idea of producing a consultation paper—say, before the summer break—and to make a commitment that the

[Mr. Heald]

matter will be fully debated, perhaps in September? Can the right hon. Gentleman at least make his views known on the process of review?

Mr. Hain: I am glad to see that the hon. Gentleman is getting up to speed in his job as shadow Leader of the House. I look forward to enjoying jousts with him.

The hon. Gentleman asked about the Government's great conversation. He knows the protocol that has been adopted with regard to programmes such as "Newsnight" by Ministers of all parties over the years. Frankly, the idea that, when we engage in debate, as I am doing now, with Conservative Members, the Liberal Democrats and other Opposition Members, we are afraid of debating or having a conversation with them—*[Interruption.]*—the conversation is ludicrous—*[Laughter.]* Conversation with them is absolutely ludicrous.

Why is the big conversation important? No Government in living memory, if ever, have undertaken such a degree of consultation on the future big challenges facing Britain and, indeed, the whole world. When well into their term of office, the Tory Administration—the Thatcher and Major Governments—ran out of ideas, ran into trouble and fell out of touch with the people. I should have thought that, by contrast with that record, people would welcome the fact that we are saying in this big conversation with every citizen that we want to know their views on big issues that confront the country—for example, how we will fund pensions for an ageing population. Indeed, I know that that conversation will be welcomed when the Prime Minister launches it tomorrow, because people want a form of politics that engages them. The hon. Gentleman should be concerned that the whole Westminster bubble in which Opposition Members, Government politicians and the media live is completely divorced from the issues about which most people are concerned. The big conversation is about engaging with the people on the future challenges for the country.

We know where the Opposition stand on student fees. They want to deprive 250,000 students of the opportunity to go to university. The dividing lines, therefore, are clear. We are trying to find a better way of funding higher education than exists at present, for future years when there will be a funding shortfall. What do the Conservatives propose? Their solution is to cut out the opportunity of 250,000 students to enjoy university education. We want a more highly educated work force because we know that Britain's future lies in having a highly skilled, highly educated work force in a knowledge-based economy. That is the big debate before us.

The disgraceful, opportunistic way in which the hon. Gentleman and the Leader of the Opposition yesterday misrepresented the Government's policy on asylum obliges me to explain the Government's policy to the House. Let us look at our proposals.

Mr. Speaker: Order. I have announced to the House that we are discussing the business for next week. We must concentrate on that.

Mr. Hain: I was asked, Mr. Speaker, whether there would be debates on this subject next week. Of course the Government's legislation will be discussed during the Queen's Speech debates and there will be an opportunity to raise these issues. In anticipation of them, let me make a succinct rebuttal of the hon. Gentleman's point. We are talking about asylum seekers who have lost their appeals. The Government are saying that we will pay for return air tickets for the whole family and provide a rehabilitation allowance to settle them in their country of origin. I should have thought that most fair-minded people would say that that was a reasonable attitude for the Government to take. It is firm, but fair. Or is the hon. Gentleman's case simply to let open the doors to all asylum seekers and let them stay here even if they lose their appeals? If that is Conservative party policy, perhaps the shadow Home Secretary will announce it next week.

Yes, there will be a Bill on a draft referendum on the euro. We need to be prepared to make a decision on joining the euro on meeting the five tests. The hon. Gentleman asked why there was no referendum on the constitution. We have gone into that argument time and again. The fact is that the negotiations have not yet been concluded. We are negotiating hard and all our red lines will be met.

Yes, there will be a mental incapacity Bill and yes, there will be a gender recognition Bill. All Governments have additional Bills, and draft Bills in our case, in their legislative programme that are not in the Queen's Speech. It is a regular occurrence. There is nothing new in that.

A defence White Paper will be issued on 11 December. The Defence Secretary made it crystal clear in *The Times* this morning that old regiments will not be abolished. As he said, he would expect to have the same sized armed forces in five years' time as today—about 103,000 trained soldiers. The issue is whether we reconfigure our defence forces in order to meet the challenges of the future. That is what this is about.

The hon. Gentleman asked about sitting hours and catering. I was as surprised as everyone else to receive the letter from the Chairman of the Catering Committee about the new arrangements. The Chairman and indeed the Committee as a whole are keen to hear the views of hon. Members and will respond to them. The Chairman has assured me that that will happen. He listened to hon. Members' views in respect of the Smoking Room, where the hours that were originally proposed have been readjusted but the same cost savings achieved.

I put this point to the House, because it is an important matter for hon. Members. There is a £6 million subsidy for catering in the House. I do not think that taxpayers should be subsidising to the extent that they are.

Mr. Peter Luff (Mid-Worcestershire) (Con): It's the hours.

Mr. Hain: I am coming to the hours. I think that the hon. Gentleman will find that his argument does not stand up. I do not think that taxpayers should be subsidising catering in the House to the tune of £6 million. I am not suggesting that we should have the kind of commercial rates that are charged around Westminster. We should have reasonable rates, especially for the 4,000 people who work here, not just

Members of Parliament, but taxpayers will find it hard to understand why they are subsidising meals—heavily, in the case of the Members' Dining Room—to the tune of £6 million in total.

That is in the end a matter for the Catering Committee, and not a matter for me, but I want to refer specifically to the hours issue. The truth is that demand for catering has gone up since the hours have changed.

Mr. Eric Forth (Bromley and Chislehurst) (Con): What?

Mr. Hain: Indeed. The right hon. Gentleman will be interested in the facts that have been provided for me from the Refreshment Department. Demand for the Members' Dining Room has increased by 5 per cent. since the hours have been changed and demand for cafeterias has increased by 13 per cent. The most dramatic increase in business has been in the use of meeting and conference rooms in Portcullis House, which have experienced an increase in demand of more than 50 per cent.

Mr. John Bercow (Buckingham) (Con): These are statistics from the Chancellor.

Mr. Hain: These are statistics from the House authorities. Excluding banqueting, which is not subsidised, catering income in the first 10 months of 2003, coinciding with the change in hours, increased by 16 per cent. against the same period last year.

Right hon. and hon. Members may have legitimate questions—I have myself—about the proposals from the Catering Committee, which came rather out of the blue and have been adjusted since, but it has nothing to do with the sitting hours, as those figures conclusively show that catering income and demand in the key areas have gone up since the hours have been changed.

Mr. Paul Tyler (North Cornwall) (LD): The Leader of the House said that the Prime Minister will make an announcement tomorrow about his so-called conversation with the nation. Will that statement be made in the House, and if not why not? Surely, as representatives of the nation, Parliament must be involved. Can the Leader of the House confirm that the current legislative programme, including the proposals on student fees, will be among the subjects discussed during those conversations, and if not why not? What is the point of them if people are not allowed to comment on issues of immediate topicality?

Surely a practical way in which the Leader of the House could help the House at this stage in the parliamentary year would be to give us a simple, straightforward list of the Bills and draft Bills that are coming forward, each with the sponsoring Department. That is not available to us—or indeed to anyone else. Will he look at that simple, practical proposition?

In relation to the so-called Lords reform Bill, some weeks ago at business questions, I asked the Leader of the House whether he had seen the exchange of letters between the outgoing Lord Chancellor, the Secretary of State for DCAff, and the Chairman of the Joint Committee on House of Lords Reform, the right hon. Member for Copeland (Dr. Cunningham). Now that the Leader of the House has had time to study that correspondence in detail, perhaps he would be kind enough to clarify its significance.

For example, the Leader of the House will recall, as I pointed it out to him, that the Committee—if it is to be reconstituted—is given a very wide remit. Will he now confirm that there will be a draft Bill on House of Lords reform for that Committee to look at before any final decisions are made about the format? What is the point of having a Committee of both Houses of senior parliamentarians to look at the proposals if the Bill is already set in concrete? Can he confirm that there will be plenty of time for that Committee to consider that Bill, and will he give us an undertaking that its views and recommendations will be published before the Government come forward with the Bill itself? What will be the remit when that Committee is reconstituted, and when will it be reconstituted? Will there be a motion before the House to ensure that the Committee is given the widest possible remit to meet the requirements of the Lord Chancellor?

The Leader of the House will recall, because we were on the same side, that on 4 February the House voted soundly to defeat the proposition for an all-appointed House of Lords, despite the support of the then Lord Chancellor and the Prime Minister. He will also remember that more than half of MPs voted for a 100 per cent., 80 per cent. or 60 per cent. elected House. When will he stand up for the views of MPs against the undemocratic dinosaurs of Downing street?

Mr. Hain: The Labour party's big conversation will be launched tomorrow by the Prime Minister at the party's policy forum in Newport in south Wales. I do not want to spend too much time on this matter, but it will deal with the big challenges facing Britain. That is the importance of it. I should have thought that the hon. Gentleman would welcome the fact that the Government, in the mid-term of their second term of office, are looking to the decades ahead and consulting people about the big issues facing Britain. We are a Government and a party who face the future with fairness and firmness, but Opposition parties do not seem to be interested in the future.

The issue of student fees will doubtless come up, as it did in some of the interviews and conference calls that I did yesterday on the Queen's Speech. We need to engage people in a debate about the future of higher education. The Liberal Democrats' alternative method of funding higher education is more tax increases across the board. *[Interruption.]* Well, we know where the dividing lines are—tax increases from the Liberal Democrats, cuts in student numbers from the Conservatives and the Labour Government saying that we need to find a different way to move forward.

On the issue of a list of draft Bills and Departments, the hon. Gentleman will have seen the Queen's Speech and he will be able to align the Departments with the Bills. He asked about the views of the Secretary of State for DCAff. I am a decaff drinker myself, although in my trade union days my horny-handed colleagues used to prefer caffeinated coffee. If the hon. Gentleman was referring to the Secretary of State for Constitutional Affairs and House of Lords reform, I confirm that we are committed to that and, indeed, the Bill was announced yesterday. The consultation paper that the

[Mr. Hain]

Lord Chancellor issued has been widely consulted on. He has written to the Joint Committee, we have taken account of the views that have been expressed and, in due course, the Bill will come before Parliament. I remind the hon. Gentleman that the House of Lords voted for an all-appointed Chamber and it will be interesting to see whether it will do a somersault over its earlier decision.

Mr. Dennis Skinner (Bolsover) (Lab): Is my right hon. Friend aware that it is apparent that many of my colleagues are already engaged in the big conversation and are spreading the message from one end of the country to the other? I have been engaged in it this morning at Chelsea royal hospital, and I have some good news. That hospital is so good that the doctor told me at my cancer check-up at 8 o'clock this morning that I do not need to go back for another 12 months. That was a good Christmas present and the best sort of conversation. The health service is doing so well that it has helped to cure me of cancer and has got me a new United Nations heart. I cannot go wrong with the health service. Keep putting the money in. Unfortunately all those people I met at the hospital this morning did not find a BBC reporter waiting to talk to them when they came out. That is because the NHS is a great success story, and that is the conversation that we should have.

Mr. Hain: Absolutely, Mr. Speaker. I look forward to having many such great conversations with my hon. Friend, who is a brilliant exponent of all sorts of big conversations. The point he makes about very good treatment in the health service under this Labour Government is one that all Labour Members—and, if they are honest, Opposition Members will acknowledge. People who use the health service overwhelmingly find it an excellent health service, whose nurses, doctors and consultants give fantastic support, and I am glad that my hon. Friend has been able to praise it.

Mr. John Hayes (South Holland and The Deepings) (Con): The British public and the House are surely entitled to expect consistency from their Government, but in respect of house sales and purchases, the Government are being very inconsistent. We are told that the housing Bill will contain a proposal for a seller's pack, to make house selling and buying easier, yet simultaneously we are told that the Chancellor is considering raising stamp duty, which will make buying and selling houses more difficult. Can the Leader of the House confirm that the Chancellor will make that clear in his pre-Budget statement—or are the Government planning to make an earlier statement, so that this inconsistency can be cleared up and those who have profound concerns about these matters can have those concerns put to rest?

Mr. Hain: The hon. Gentleman will have to wait for the publication of the Bill and any Government statements that might or might not accompany it, but there is no inconsistency at all. We all want a modern housing market, able to cope with the demands of the coming decades and to provide a much better deal for home buyers and home sellers. That is the objective. The present system is far too complicated and rigid and it is important that we free it up, so that house sales and purchases can be more easily accommodated to the needs of home owners.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): May I welcome the inclusion of the housing Bill in the Queen's Speech? Can my right hon. Friend give any indication as to when its Second Reading will be? If there is to be any delay, will he arrange for a more immediate debate on the very welcome proposals to license houses in multiple occupation? This is a measure, for which many Labour Members have argued for several years, to deal with some of the worst properties and some of the most vulnerable tenants—a measure which the Conservative party resisted over and over again when in government.

When Ministers come to the House to consider this issue, will my right hon. Friend ask them to look again at the definition of HMOs? It is rather complicated. It could exclude some of the worst properties and some of the most vulnerable people, and it would be a shame if this excellent measure were in any way compromised by a technical deficiency.

Mr. Hain: I welcome my hon. Friend's question. I cannot give him a date for the Bill's introduction or Second Reading yet, but it will be coming forward and I am glad that he welcomes it. I know that the issues he has raised will be listened to carefully by the Secretary of State, not least because of my hon. Friend's long-standing experience and expertise—I know his constituency concerns on this issue. However, I am sure that he will welcome the fact that there is £5 billion more of Government investment in affordable housing—double what it was in 1997.

Sir Patrick Cormack (South Staffordshire) (Con): Everybody will have been delighted to see the hon. Member for Bolsover (Mr. Skinner) here this morning and will have been particularly glad to hear what he had to say, but it is clear that most of his colleagues on the Labour Benches do not find the new hours very convenient. Will the Leader of the House think again on this one? All we are asking for is a conversation with Parliament, followed by a vote.

Mr. Hain: There will be a conversation with Parliament followed by a vote, because that was the decision that Parliament took when it said that it wanted to change the sitting hours for the rest of the Parliament. Then there will have to be a review, and I will be considering how to take that forward.

I am aware of the concerns of the hon. Gentleman, who is a long-serving, experienced and senior Member of the House. This is an issue on which there are strong concerns on both sides of the argument, and my duty as Leader of the House is to take the issue forward in a way that recognises the strong feelings on both sides rather than prematurely rushing into a decision which, in my view, would not be in the interests of the House and could be highly divisive. We will keep the issue under review, and I will obviously wish to consult the hon.

Gentleman and all Members of the House as we take this matter forward, in time for the decision that we are obliged to take before the end of this Parliament.

Sir Nicholas Winterton (Macclesfield) (Con): Would the Leader of the House accept that he has two very heavy and important responsibilities first, his responsibilities, as Leader of the House, for the Government's legislative programme, and secondly, his responsibilities to the House as a whole, not just to the Labour Government of the moment? Would he try to get the two more in balance, because to my mind it is critical that his interest in the well-being and proper functioning of the House should be more evident than it is?

In that connection you referred to this in your statement yesterday, Mr. Speaker will the Leader of the House find a very early day for a debate on the Sessional Orders and Resolutions report of the Procedure Committee, which the Metropolitan Police Commissioner, the Serjeant at Arms, the Clerk of the House and the Home Office all consider to be important, and which, I believe, a majority of Members of the House likewise consider to be very important? Will he find an early day for that very important debate?

Mr. Hain: It is an important issue, and I very much agree with the hon. Gentleman's definition of the role of the Leader of the House. He knows that my door is always open to him, because he has come through it regularly, and we have lots of conversations, given his important role as Chairman of the Procedure Committee. I welcome his report and I am grateful to him for his work and that of his Committee. Of course, Mr. Speaker has expressed a view, which we will need to take closely into account. A decision will be needed on this matter in the light of the Committee's important recommendations, which we will obviously study carefully.

Matthew Green (Ludlow) (LD): Will the Leader of the House find an early date for a full debate on farming? The dairy industry is in continual financial crisis and tuberculosis is spreading among cattle. There is a debate about whether the new payments under the common agricultural policy should be based on the historic or the area-based system, and the House should have an opportunity to be involved in that debate. Is this not the time for the Government to prove that farming is not a forgotten industry for them?

Mr. Hain: Farming most certainly is not a forgotten industry, as is evidenced by our continuing support for the rural community and by the priority given it by the Secretary of State for Environment, Food and Rural Affairs. I will certainly draw to her attention the hon. Gentleman's concerns, because they are important issues. Of course, he could apply for a debate. Given where we are in the parliamentary calendar, I cannot promise him an early debate, but we will take close note of his concerns.

Sir George Young (North-West Hampshire) (Con): Further to the question asked by my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) and the response that was given, the Leader of the House will know that paragraph 22 of the Procedure Committee report includes a recommendation that the Government introduce legislation to deal with Parliament square. Does he agree that, in a country where there is ample opportunity to protest, it is wholly inappropriate that there is an unsightly demonstration and placards in one of the most historic landscapes in the country? Will he commit the Government to introducing the necessary legislation, so that we can resolve that issue once and for all?

Mr. Hain: We will have to resolve that issue. We have to balance the rights of people to protest and express their views I have done a bit of that myself in my time with the rights of Members of Parliament to proper access to the Palace and to go about their business normally. It is to balancing those rights that the Committee has helpfully drawn our attention; we need to take that forward, and I shall do so in close consultation with you, Mr. Speaker, and other hon. Members, not least the Committee Chairs.

Sir Nicholas Winterton: Chairmen.

Mr. Hain: Committee Chairmen in the case of the right hon. Member for North-West Hampshire (Sir George Young) and the hon. Member for Macclesfield (Sir Nicholas Winterton), who have a direct interest in this matter, which needs to be resolved sooner rather than later.

Mr. Speaker: I call the hon. Gentleman.

Mr. Peter Luff (Mid-Worcestershire) (Con): Thank you, Mr. Speaker. I am most grateful I won the jackpot.

Mr. Bercow: What it is to be well known.

Mr. Luff: Indeed.

May I draw the attention of the Leader of the House to the last *Hansard* of the last Session Thursday 20 November, part 2, which contains the large number of written answers given at the end of the Session? Does he really think that the answers given by the Home Office are adequate and enable the House properly to do its job of scrutiny? By rough calculation, 302 questions asked of the Home Office were answered on 19 and 20 November, 285 of which received the answer:

> "I will write to my hon. Friend and place a copy of my letter in the Library."

I accept that some of those questions were difficult and would have required some time to answer. Other Departments have used that tactic, too, but the Home Office has done so much too often, and it denies those outside the House the results of effective scrutiny by the legislature. Please do something about it.

Mr. Hain: I got to know the hon. Gentleman well on an overseas trip a few years ago, and I can confirm that he is a decent and amiable Conservative though that has probably finished his career for good.

[Mr. Hain]

I will draw his point to the attention of the Home Secretary. The Home Office is a large Department with considerable responsibilities, but equally, it is the right of Members of Parliament to have their questions properly answered.

Mr. Eric Forth (Bromley and Chislehurst) (Con): Although we shall shortly have a pre-Budget statement from the Chancellor, the Leader of the House knows that that allows only about an hour or an hour and a half for Members' questions. There are headlines today such as "Negative equity to peak in 2006 says consultancy" and "Brown faces risk of raising taxes", which was endorsed by no less a body than the Organisation for Economic Co-operation and Development. Given that, and the fact that, since 1997, central Government employment has risen by 200,000 and local government employment by 150,000, while manufacturing employment has fallen by 600,000, when are we going to have a debate about the Government's disastrous record on employment? In view of those shifts in the pattern of employment and the dire warnings being issued by reputable bodies outside the Government, when are we going to have a debate?

Mr. Hain: Disastrous record? The Government have presided over probably the longest period of sustained growth, low inflation, low interest rates and high employment of any Government in living memory, if not ever. If that is a disastrous record, I would like to see what a successful record is like. The truth is that the Government have been successful economically and in other ways. The right hon. Gentleman complains about the level of public investment, but that is not surprising coming from a Conservative, because the Conservatives want to slash public spending by 20 per cent. At this point in the economic cycle, with world trade conditions being stagnant and with virtually every one of our economic competitors either in recession or stagnant, we have seen not just high consumption, but high public investment. Over the cycle, we shall have to stabilise public spending and investment and ensure that private investment fills the gap, as it is already starting to do, with an upturn in manufacturing reflecting another good success story under the Labour Government as compared with the decline in manufacturing in virtually all our competitor nations.

Mr. Michael Jack (Fylde) (Con): Will the Leader of the House re-examine the policy that determines when Ministers come to make statements before the House? I ask that because in the last few days we have learned that, instead of dealing with the difficulties of getting tax credits, the Inland Revenue is, on account of mistakes, demanding the repayment of overpayments of moneys. Secondly, we have recently learned that the new computer of the Child Support Agency has gone on the blink to the extent that further misery will be visited on many of our constituents with deeply personal issues. Will the Leader of the House ensure that we have the chance to probe Ministers on such matters? Finally, will he confirm whether there is any truth in the rumour that the Prime Minister will be at Speaker's Corner on Sunday to take forward the great conversation?

Mr. Hain: The Prime Minister, other Ministers, and indeed the whole of the Labour party will be involved in a great conversation with the whole of the public right across the country—

Mr. Forth: Where?

Mr. Hain: That will no doubt include the constituency of the right hon. Member for Bromley and Chislehurst (Mr. Forth), if he wishes to take part in it.

On Ministers making statements, when they are to be made, Ministers will make them in the normal fashion. There have been some hiccups in the tax credit administration, but the right hon. Member for Fylde (Mr. Jack) would not want to detract from the fact that this is an overwhelmingly popular measure that has brought huge income and benefit to those on low incomes. I accept that if there have been administrative hiccups, they need to be sorted out.

As to the Child Support Agency's computer, big computer projects are often difficult to bed down. That is true in the private and the public sector. The problem is being sorted out. There have been some problems, but the right hon. Gentleman exaggerates them enormously.

Mr. Andrew Robathan (Blaby) (Con): The Leader of the House will have been as disappointed as I was to hear that Benjamin Zephaniah has turned down the offer of an award for his poetry — an offer that I am sure was made purely on artistic merit. Will the Leader of the House find time for a debate on poetry, which we should encourage? There is already one budding poet in the House, who wrote the immortal words:

"She came in the night
Breasts rising as I feel the urge to bite
Who would mess with this amazing sight?"

Perhaps we could encourage poetry in the House by instituting a poet laureate of the House of Commons. It would show an inclusive and forgiving nature in the Government if the author of those lines were to be the first recipient of such an award.

Mr. Hain: I am tempted, but on reflection, I will not be seduced.

Mr. Nigel Evans (Ribble Valley) (Con): Will the Leader of the House arrange an early debate on means-testing? I am not just talking about the increasing number of pensioners who are means-tested in every fashion, but middle income earning middle Britain and the sort of people who pay full prescription charges, full council tax, full payment for school meals and full tuition fees. They are the sort of people who pay full for absolutely everything. Now we hear that access to free school buses, a tradition in this country, will be means-tested as well. When are the Government going to stop kicking middle Britain?

Mr. Hain: This business of means-testing goes back to the 1930s when it was punitive. If the hon. Gentleman is suggesting that giving people on low pensions and low incomes an entitlement to extra benefits through tax credits and pension credits is the equivalent of means-testing, that is a joke. The truth is that the Conservatives oppose such support for people on low incomes and low pensions, because they plan to scrap it. We are putting in extra resources to make work pay and to make sure that thrifty pensioners who have worked hard all their lives can benefit and enjoy retirement.

On school buses, the hon. Gentleman has completely misrepresented—as have the newspapers—what is proposed in the draft Bill, which he will have an opportunity to subject to pre-scrutiny. The Government are seeking to deal with an issue. First, there is much traffic congestion during the school run. Traffic is up by about a fifth, so we want to try to get more children to go to school in buses and out of cars. Secondly, there is the question of child safety. The issue is complicated by the fact that school transport is generally not provided for journeys of less than three miles, so how do we change the regulations and configure school transport in a way that, especially in rural areas, provides for a better deal? That is what the proposal is about and the hon. Gentleman should not seek to mislead the House—inadvertently, I am sure—in the way that he has.

Mr. Alistair Carmichael (Orkney and Shetland) (LD): May I bring to the attention of the Leader of the House an item from yesterday's Gracious Speech that I hope there will be no rush to bring before the House, namely the Civil Contingencies Bill, which is currently published in draft? It will be apparent to anyone who has read the draft Bill that it poses a very real threat to civil liberties in this country and that it is widely drawn in that it would give wide powers to the Government. Indeed, many of the definitions in the Bill, such as that of an emergency, are widely, loosely and dangerously drawn. I understand that the Joint Committee that examined it is due to report tomorrow and I hope that there will be plenty of time for the Government to consider the terms of that report before the Bill comes to the House for Second Reading.

Mr. Hain: The hon. Gentleman will have a chance to raise whatever detailed points he wants, but it is extraordinary that he is effectively saying that people in this country who stand in danger of being blown up by terrorists or attacked by suicide bombers should not have proper civil contingency arrangements in place. If that is what he saying, he will no doubt vote against the Bill. If he has constructive amendments to move or thinks that some detail could be better, we will consider his suggestions.

Nobody should be in any doubt that this country faces a terrorist threat that is very serious indeed even when compared with the worst days of the IRA. We therefore need proper civil contingency arrangements in place and systems prepared to allow us to deal with that. That is what the Bill will do.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Will the Leader of the House find time for a debate on post offices so that a Minister could explain to me why the Post Office proposes to close 80 per cent. of the post offices in Belper? It wants to close four of the five post offices that serve the people of Belper, so how on earth can the Government give a commitment that pensioners will still be able to collect their pensions from a post office when the Government will leave only one post office serving more than 20,000 people? That cannot be right. What are the Government going to do to instruct the Post Office to alter these disastrous proposals?

Mr. Hain: We will certainly not privatise the Post Office in the way that many Conservatives have advocated. The Post Office obviously uses criteria for local post office provision and, as I have said on many occasions before when answering questions in this slot, I find the decline of local post offices extremely regrettable, but it is a long-term trend. If the hon. Gentleman wants a debate about the subject, there will be one on 11 December, as I announced only a few moments ago.

Sir Sydney Chapman (Chipping Barnet) (Con): May I take the Leader of the House back to an aspect of the business that he announced for the next two weeks? He said that, a week on Monday and for part of the following day, the House will be asked to consider the remaining stages of the Planning and Compulsory Purchase Bill. He will know that the Bill had a rocky, long and rather strange ride during the past Session and that it was sent back to Committee. How much time on the Tuesday will be devoted to the Bill before consideration of the other measure that he announced? Will that time be only for Third Reading or will Report continue on Tuesday?

Mr. Hain: The conclusion of the remaining stages will take place over two days—a long day on Monday and part of a day on Tuesday. The consideration on Tuesday will be followed by a debate on a fisheries motion, which the House expressly asked for before the Christmas recess, to which we agreed. There will be plenty of time to address the issues. As the hon. Gentleman knows, the Bill's purpose is to end the bureaucratic logjam that has existed in the planning system and to allow businesses to invest more easily in enterprise to go forward in a better way so that communities may prosper more effectively. He will find that we have allocated plenty of time to address the remaining stages.

Mr. Bercow: Given the serious concerns that have already been expressed about the Government's intended asylum policy and the evident and extreme discomfort of the right hon. Gentleman, who is a distinguished humanitarian, when trying to defend it today, may we have an urgent statement on the Government's plan to chuck asylum seekers' children into care and break up families simply to boost the breast-beating, sabre-rattling, macho-posturing, he-man image of the Home Secretary? That crypto-fascist policy will be deservedly rejected by the fair-minded majority of the British people.

Mr. Hain: The hon. Gentleman knows that there will be a debate on home and constitutional affairs next Tuesday. He is a distinguished parliamentarian, if I may pay him that compliment, and his intemperate outburst is wide of the mark. As I have said before, the proposals that the Home Secretary has brought forward are to be considered for situations when people have lost an appeal—sometimes multiple appeals—and gone through the whole process, when they are due to go back to their country of origin after being provided with air

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fares and a rehabilitation allowance, and when we have said that if they choose to leave their children behind, they will be looked after. What more can we do? We have an obligation to ensure that legal migrants who come here are safely accommodated and can find their own way in British life and that those who are here illegally are returned to their country of origin. That is precisely what we are trying to do in a humane and sensible fashion.

Gregory Barker (Bexhill and Battle) (Con): May we have an urgent debate on the national roll-out of the digital transmitter network? In large parts of my constituency in East Sussex, digital television and radio are not available. No date has been set for that availability and it is well nigh impossible to get answers about when a date might be set. What is more, many of my constituents still cannot receive Channel 5 on a free-to-view analogue basis and some cannot even get Channel 4. With Christmas schedules plastered across the media, many of my constituents rightly feel cheesed off.

Mr. Hain: If I am right, the problem in the hon. Gentleman's constituency is the south downs. I know that, in my area in south Wales, valley communities also find it difficult to get digital transmissions. We, as a Government, are committed to the nationwide roll-out of digital and I shall certainly draw the points that he raised about his constituency to the attention of the Secretary of State.

Mr. Andrew Turner (Isle of Wight) (Con): Will the Leader of the House think back to the answer that he gave my hon. Friend the Member for Mid-Worcestershire (Mr. Luff)? Written answers are printed in *Hansard* not only for our benefit but so that the public may read them. Will he arrange for answers that are laid in the Library to be made available to members of the public?

Mr. Hain: I will certainly consider the hon. Gentleman's precise point more carefully, but frankly, I would have thought that that is done already.

Points of Order

12.19 pm

Mr. Patrick McLoughlin (West Derbyshire) (Con): On a point of order, Mr. Speaker. Can you instruct the Serjeant at Arms to investigate urgently whether the monitors in the offices of Labour Members are working? Only two Labour Back Benchers asked the Leader of the House questions, which I think represents 0.4 per cent. of the parliamentary Labour party, compared with more than 14 of my hon. Friends. There was also a good attendance by the Liberal Democrats. Something is obviously wrong with the monitors.

Mr. Speaker: I can assure the hon. Gentleman that the monitors are fine. There is nothing wrong with them.

Mr. George Osborne (Tatton) (Con): On a point of order, Mr. Speaker. In the Prime Minister's response yesterday to the Leader of the Opposition's reply to the Queen's Speech, the House heard him refuse to give way to the hon. Member for Banff and Buchan (Mr. Salmond) because he was from Scotland and the Prime Minister was referring to an English matter. You charitably described that as a slip of the tongue by the Prime Minister, but has he confirmed that? In the forthcoming legislative programme, controversial measures may get through only with the support of Scottish Labour Members.

Mr. Speaker: I remember that the hon. Member for Banff and Buchan (Mr. Salmond) got his way yesterday when the Prime Minister gave way.

Mr. Eric Forth (Bromley and Chislehurst) (Con): On a point of order, Mr. Speaker. Do you approve of doughnuts? You will have noticed that, mysteriously, even as we speak, a number of Labour Members have appeared and are sitting just behind the place from which the Foreign Secretary is about to orate. Do you approve of or deprecate that habit, or is it simply a strange coincidence? Perhaps you could tell us.

Mr. Speaker: I will not be drawn into that argument.

BILLS PRESENTED

Child Trust Funds

Mr. Chancellor of the Exchequer, supported by Mr. Secretary Prescott, Mr. Secretary Blunkett, Mr. Secretary Clarke, Mr. Paul Boateng, Ruth Kelly and John Healey, presented a Bill to make provision about child trust funds and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 1 December, and to be printed. Explanatory notes to be printed. [Bill 1].

National Insurance Contributions and Statutory Payments

Mr. Chancellor of the Exchequer, supported by the Prime Minister, Mr. Secretary Murphy, Mr. Secretary Smith, Ms Secretary Hewitt, Mr. Paul Boateng, Dawn Primarolo, Ruth Kelly and John Healey, presented a Bill to make provision relating to the payment and administration of national insurance contributions and the provision of information in connection with the payment of statutory sick pay and statutory maternity pay, and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 1 December, and to be printed. Explanatory notes to be printed. [Bill 2].

EUROPEAN PARLIAMENTARY AND LOCAL ELECTIONS (PILOTS)

Mr. Christopher Leslie, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Secretary Darling, Mr. Peter Hain, Mr. David Miliband and Mr. Denis MacShane, presented a Bill to make provision for piloting in certain regions different methods of voting at the European Parliamentary general election in 2004 and at certain local elections held at the same time; and to enable consequential alterations to be made to voting procedures at local elections.

Pursuant to Orders [29 October 2002] (Carry-over of Bills) and [21 October 2003], the Bill was read the First and Second time without Question put; and ordered to be considered on Monday 1 December, and to be printed. Explanatory notes to be printed. [Bill 3].

SCOTTISH PARLIAMENT (CONSTITUENCIES)

Mr. Secretary Darling, supported by the Prime Minister, Mr. Chancellor of the Exchequer, Mr. Secretary Murphy, Mr. Peter Hain, Mrs. Anne McGuire and Mr. Christopher Leslie, presented a Bill to replace Schedule 1 to the Scotland Act 1998 making new provision in relation to the constituencies for the Scottish Parliament: And the same was read the First time; and ordered to be read a Second time on Monday 1 December, and to be printed. Explanatory notes to be printed. [Bill 4].

ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.)

Mr. Secretary Blunkett, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Straw, Mr. Secretary Darling, Mr. Secretary Murphy, Mr. Peter Hain, Beverley Hughes and David Lammy, presented a Bill to make provision about asylum and immigration: And the same was read the First time; and ordered to be read a Second time on Monday 1 December, and to be printed. Explanatory notes to be printed. [Bill 5].

Orders of the Day

Debate on the Address

[SECOND DAY]

Order read for resuming adjourned debate on Question [26 November].

That an humble Address be presented to Her Majesty, as follows:

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which Your Majesty has addressed to both Houses of Parliament—*[Mr. McFall].*

Question again proposed.

International Affairs

12.23 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): The House last debated foreign affairs in the Queen's Speech debate almost 30 months ago, in June 2001. I had just taken over as Foreign Secretary and thought that my new job might be rather quieter than my job in the Home Office. However, it was not, and the world is less certain and more dangerous today than it has been for decades. Since our last Queen's Speech debate, we have seen the appalling attacks of 11 September; Britain has had to join in military action in Afghanistan and Iraq; and there has been the ever more violent intifada in the middle east. People's awareness of global insecurity is probably greater than at any time since the Cuban missile crisis in the early 1960s.

Last week I saw for myself in Istanbul the carnage and destruction wrought by the terrorist attacks on the British consulate-general and the HSBC bank building on 20 November. Ten consulate-general staff, British and Turkish, and 23 other innocent people lost their lives. I know that the thoughts of all of us in the House are with the families and friends of all the victims. Let me pay tribute to all those, both diplomats sent from the United Kingdom and UK local staff, who work in often dangerous circumstances at our missions abroad.

Here in the UK, we have had to live for more than 30 years with terrorism. We know all too well from that experience how everyday life could and can be tainted by the fear of terrorist attack. However, over those decades we have refused to bow to the terrorists and let that fear take over. We have to show the same resolve and determination now with the global threat—and fact—of terrorism that we all face. That means, not least, that we must show understanding and support for our allies, such as Turkey, who are facing terrorist threats. We need to balance carefully the advice that we provide for the public. Where we have intelligence of a specific threat, we will advise the public against travel to certain countries or regions abroad, but as far as possible, we will avoid blanket advice against travel. We must not do the terrorists' work for them. Life has to go on.

The attacks in Istanbul showed yet again how terrorists claiming to act in the name of Islam have perverted a peaceful religion and, in doing so, claimed

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many innocent Muslim victims. Muslim religious leaders around the world have condemned the attacks. Even extremists have been shocked by terrorism into changing their views. Only last Sunday, a leading militant cleric in Saudi Arabia, Sheikh Nasir al Fahd, publicly retracted fatwas that he had previously issued in support of terrorists, in shock at the attacks in Muhaya earlier this month. Killing innocent people, he said, was not jihad; suicide bombers were not martyrs.

Terrorism is an international threat, and it requires a concerted international response. However, it is not the only threat to our security today. Combating weapons proliferation is also a priority of our foreign policy. Like terrorism, it requires concerted international engagement. As the House will be aware, I visited Tehran last month with my French and German colleagues, with the aim of bringing home to Iran the seriousness and urgency of international concerns about its nuclear programme. As a result of that visit, Iran said that it would co-operate fully with the International Atomic Energy Agency, and it undertook to suspend uranium enrichment and reprocessing. Those are welcome promises. The key, of course, will be Iran's willingness to keep them.

I know that the House will also welcome the adoption by consensus on 25 November of the IAEA resolution, based on a French-German-UK draft, in respect of Iran. That was the result of the intensive diplomatic consultations that followed our visit. We and our partners look forward to continued co-operation with Iran. Already our approach, based on international unity and constructive but critical engagement, has brought us further forward than many had imagined possible.

International action backed by strong institutions, such as the United Nations and the IAEA, is essential to combating proliferation. The Government are committed to strengthening the multilateral system and to making it more effective. That also means that we need to be prepared to follow through resolutions with action, as we did in the case of Iraq, which had defied UN Security Council mandatory resolutions for more than a decade.

Mr. George Osborne (Tatton) (Con): That action in Iraq took place without the support of many European Union countries. I welcomed the fact that the Government decided to proceed with the United States in defiance of those European countries. Does the Foreign Secretary agree that on the current draft of the European constitution it would be almost impossible for the UK to take similar action in future?

Mr. Straw: The Iraq issue showed that Europe was split down the middle. It is important that we do not get the idea that it was Europe versus the US with the UK tagging along. At least as many countries in Europe supported the position—among the 25—as opposed it. On the specific issue raised by the hon. Gentleman, I do not accept his interpretation of the draft text, but I make it clear that we do not accept the idea of qualified majority voting for foreign policy decisions—except in a specific way that is in the current draft text, which was published at the end of July—and we will resist it.

Defeating terrorism and tackling the proliferation of weapons of mass destruction are vital to protecting our security, but we also need to pursue longer-term goals that will create a more stable world and tackle state breakdown and the conditions in which violence and extremism can thrive. The world today is too interlinked and interdependent for us to be indifferent to insecurity in any region, however remote it may appear to be.

The events of 11 September 2001 brought the violence and chaos of what was then seen as a distant country about which we knew very little—Afghanistan—to New York, to Pennsylvania and to the heart of the American Government in Washington. Part of our response to the threat from Afghanistan was military action against the Taliban regime and the terrorists whom it harboured. But building lasting security there has meant following that up with equal efforts to help Afghanistan to move towards stability and democracy. Our efforts are paying off. Four million Afghan children are back at school, including girls and young women who were denied an education under the Taliban; the economy grew by an estimated 30 per cent. in 2002–03; and more than 2.5 million refugees have returned. Next month, the Afghans will decide for themselves a new constitution, to be followed by elections next year.

I returned last night from a two-day trip to Iraq. In Baghdad, I met Ambassador Bremer and General Sanchez, Sir Jeremy Greenstock and many of the staff of the Coalition Provisional Authority, and President Talabani and his leading colleagues in the governing council. In Basra, I met General Lamb, the British General Officer Commanding, many of his staff and that of CPA South, Italian military personnel and Danish police advisers, and Judge Wael Abdul Latif, Governor of Basra.

I am proud of what the coalition has been able to achieve so far in Iraq, and I expressed my gratitude for the American contributions to Ambassador Bremer and General Sanchez. They will, I know, not mind my expressing my especial pride in and gratitude for the extraordinary work of British military and civilian staff across Iraq. To a man and a woman, these are people of calibre and commitment who are, as I saw, dedicated to making a better Iraq for the Iraqis. I am sure that I speak for the whole House when I express my thanks to their families and loved ones, who have experienced months of separation and inevitable anxiety.

Despite the terrorist attacks, Iraq is making good progress. With the welcome acceleration of the political process announced earlier this month, an elected Iraqi Transitional Government should be in place by July 2004. By the end of 2005, Iraq should have a new constitution approved by its people, and national elections. Only last week, Iraq took another important step towards a normal relationship with the international community after decades as a pariah state under Saddam, when the UN oil-for-food programme was formally wound up and its responsibilities handed over to the Iraqi governing council and the Kurdish regional government.

It is easy to forget that only nine months ago, the stifling tentacles of Saddam's regime extended into every corner of life in Iraq, and his murderous habits are chillingly recorded in the more than 250 mass graves now discovered, containing just some of the 300,000 poor souls killed or missing under Saddam. Today, the Iraqi people can read, say, buy, and watch what they want. Public sector pay has been massively improved: the real income of police officers has tripled, the Governor of Basra told me. The Iraqis have a new currency in their pockets and goods in the markets to buy with it.

More than 14,000 reconstruction projects have been launched. Almost all 240 hospitals and more than 1,200 clinics are open, as are almost all schools. More than 200 newspapers have appeared. Satellite dishes, which were illegal under Saddam's regime, are now freely available and widely used, as I saw in my helicopter trips over Baghdad and Basra. Electricity production, which was something of a story in the immediate aftermath of the major military conflict in March and April, has surpassed pre-conflict levels. Building a free, prosperous, democratic and stable Iraq should make a powerful contribution to lasting security across the middle east, as was well recognised in my discussions with the leading members of the governing council.

Jeremy Corbyn (Islington, North) (Lab): I am pleased that my right hon. Friend mentioned the numbers of dead discovered in Iraq. Will he comment on the current security situation? What is his estimate of the number of American, British and other soldiers who have died since March, the number of Iraqi soldiers and civilians who have died, and the number who are suffering because of depleted uranium and cluster bombs used during the conflict?

Mr. Straw: I do not have those figures to hand, but I shall be happy to supply them to my hon. Friend. Yes, sadly, there have been casualties among British, American, Italian and other coalition forces, and there have been a greater number of casualties among Iraqi people. However, I think my hon. Friend will find that since the end of the conflict, a large number of the Iraqi victims have been subject to violence, not by coalition forces, but by other Iraqis, former loyalist elements and outside terrorists. Overwhelmingly, it is Iraqis who have been killed in the major terrorist incidents. If my hon. Friend wants to go in for this kind of calculus, and if he looks at the number of people who have died even over the past six months, including during the military conflict, and compares that with the numbers routinely killed under Saddam Hussein, he will see that Iraq today, notwithstanding its difficult security situation, is a safer and better place than ever it was under the murderous Saddam.

Dr. Julian Lewis (New Forest, East) (Con): On that very point, can the Foreign Secretary advise the House through which countries he believes foreign terrorists are getting into Iraq?

Mr. Straw: I discussed that matter with General Sanchez, General Lamb, other military advisers and others during my two days in Iraq. The borders of Iraq are huge and relatively porous, and even with the best policing, which Iraq does not have at present, some people would still come through. Of all the borders, the most probable route is through Syria. I accept that there is work to be done by the Syrian Government better to understand that their interests, as well as the interests of everybody else in the middle east, lie in clamping down on terrorism and on that element, which is adding to the disruption in Iraq.

Mr. Crispin Blunt (Reigate) (Con): Will the Foreign Secretary give way?

Mr. Straw: I will, then I must make progress.

Mr. Blunt: I hope the right hon. Gentleman will agree with the statement of the Labour leader of Reigate and Banstead borough council, Councillor Michael Ormerod, who said that the action on Iraq

"was presented as part of the 'war on terrorism'. It has done nothing to prevent terrorism; terrorism has increased."

Does the Foreign Secretary agree that the intervention in Iraq, the case for which I support, and the replacement of Saddam Hussein's regime did not have anything to do with international terrorism, which has increased as a consequence, and did not have anything to do with weapons of mass destruction, except at the margins?

Mr. Straw: My apologies to the hon. Gentleman. I had not caught up with the remarks of the leader of Reigate borough council.

Mr. Blunt: The leader of the Labour group.

Mr. Straw: A great man, but that does not alter the truth of what I just said. My apologies to him, too. I am glad to know that his Conservative Member of Parliament takes such notice of him. That shows that Labour is leading the way, even in Reigate.

The decision that we took for military action was based on Saddam Hussein's flagrant violation of United Nations resolutions, and on what was assessed not by us and the US alone, but by the whole international community in resolution 1441 to be a threat posed by Iraq to international peace and security, by reason of its defiance of the UN, its long-range missile systems and its proliferation of weapons of mass destruction. I am convinced that the judgment made by the international community a year ago this month was correct then, and it is correct now.

I never claimed, nor did the Prime Minister, that there was any direct link between al-Qaeda terrorists and those of the Saddam regime. Indeed, I remember a number of questions from the hon. Member for New Forest, East (Dr. Lewis) in which he asked me about that. I said, accurately, that the Saddam regime had been sponsoring and harbouring terrorists operating in Israel and the occupied territories. There is no question about that: the regime paid a pension to the families of suicide bombers.

As for whether terrorism has increased since, and as a result of, the conflict, the figures on terrorist incidents are there to see. The claim that there is a connection—that the terrorism has been caused by the conflict and that, as a result, the coalition is somehow indirectly responsible for it—I regard as complete nonsense. I do not accuse the hon. Member for Reigate (Mr. Blunt) of this, but sometimes it appears that some commentators

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think that 11 September happened not in 2001, but in 2003, or that the bombings of the US embassies in Nairobi and Dar es Salaam happened not in 1998, but in 2003. For six or more years, there has been a build-up of terrorism by international terrorists—al-Qaeda and its associates. The only criticism that we might level at ourselves is that we did not take that threat seriously enough until 11 September 2001.

Mr. Harry Barnes (North-East Derbyshire) (Lab): Will my right hon. Friend give way?

Mr. Straw: May I first make some progress?

Building a free, prosperous, democratic and stable Iraq should make a powerful contribution to lasting security across the middle east, but we also need urgently to make progress on the Israeli-Palestinian conflict, which feeds an environment of hatred and despair in which terrorism thrives. The road map published by the Quartet of the EU, the US, Russia and the UN sets out an international consensus, endorsed by Israelis and Palestinians, for what a just solution to the middle east conflict should look like: two states living securely side by side. We continue to call for both Israelis and Palestinians to fulfil all their commitments under the road map, which has just been explicitly endorsed in Security Council resolution 1515.

David Winnick (Walsall, North) (Lab): Will my right hon. Friend give way?

Chris Bryant (Rhondda) (Lab): Will the Foreign Secretary give way?

Mr. Straw: Let me make a little more progress, then I shall give way.

In the wider middle east region, we are determined to work harder to build lasting stability. Stability does not mean no change: it means changes in the right direction, towards economic development, greater democracy and greater protection of human rights. As many hon. Members pointed out last week after my statement on the Istanbul attacks, the example of Turkey shows how mistaken it is to argue that there is somehow an incompatibility between Islam and a democratic, vibrant and secular society. However, in the Arab world, human development is worryingly low, as Arab authors themselves have pointed out in two recent UN reports. With our partners, the Government will continue to promote better governance and reform across the Arab world by funding grass-roots projects aimed at building up capacity locally, by encouraging our international partners to do the same, and through dialogue with Arab leaders.

Mr. Barnes: I tried to intervene at the end of my right hon. Friend's remarks about the reconstruction of Iraq, before he turned to his important comments about the Arab-Israeli situation. Is not the Foreign Office to be complimented on the role it is playing in Iraq in working with and facilitating the development of the new free trade union movement? Why are the Americans not acting in a similar way? Are there links between the Foreign Office and the American equivalent that can be used to get the Americans to follow the line taken by the Foreign Office?

Mr. Straw: I am grateful for those remarks. My hon. Friend did part of his national service in Iraq and knows the country better than most hon. Members, and I pay tribute to him as one who has prompted our work on trade unions. We have strong, continuous links with our American colleagues, and I promise that I shall follow up that issue with them.

Richard Ottaway (Croydon, South) (Con): I agree with the Foreign Secretary that the success of the Israel-Palestine road map is key to peace in the middle east. Does he agree that more robust intervention than is currently happening is needed? There are problems of dispute resolution, and a third-party authority with genuine powers is needed to drive the process forward.

Mr. Straw: We need more robust intervention. We must make it clear that third-party intervention is required, but achieving that and getting both parties to accept it will be difficult. However, I support the recent courageous decision of the United States Government to stop loans to the Israeli Government as long as they continue to build the security fence. On my way to Iraq on Tuesday, I flew over Israel and saw the security wall, which, in some places, completely surrounds Arab towns and villages, imprisoning their people. We all understand the security threat to Israel, but I think I speak for the whole House when I say that that is not the way in which it should ensure its own security.

David Winnick: I welcome what my right hon. Friend has just said, but does it not emphasise that the wretched existence that Palestinians have had to endure for years on end should stop? Unfortunately, despite all the promises about road maps and the rest, the United States in particular simply refuses to take the necessary action and take Israel to task. Unless the United States takes that line, the wretched existence and humiliation that Palestinian men, women and children suffer every day will simply continue. We should demand more than words.

Mr. Straw: I understand my hon. Friend's concern, but I am not in any doubt about the American Government's commitment to pursuing the road map. They expect, as we do, movement by the Israeli Government and by the Palestinian Authority regarding the continued operations of terrorists from their territory.

In Africa, too, we are helping to lay the foundations for lasting stability, which means promoting good governance and democracy, as African leaders themselves recognised in the NEPAD—New Partnership for Africa's Development—initiative launched in partnership with the G8, which will be followed up at the Commonwealth Heads of Government meeting at the end of next week. We have important assets with which we can achieve our foreign policy goals: permanent membership of the United Nations Security Council and membership of more international organisations than any other country except France; excellent armed forces; a widely respected and growing aid programme; the network available to us through the Commonwealth and the English language; and our strong relationships across the world.

The Government's foreign policy rests on two pillars—our relationship with the United States and our membership of the European Union. It is false to argue, as people sometimes do, that we have to choose one or the other. Our future security and prosperity depend on both working together to pursue our common interests. Our membership of the European Union is essential for our security and prosperity. More than 3 million British jobs in over 800,000 British companies depend on it; almost 60 per cent. of our exports are to the rest of the EU; and EU co-operation is vital if we are to tackle cross-border issues such as the environment, illegal immigration and organised crime.

Mr. Eric Forth (Bromley and Chislehurst) (Con) *rose—*

Mr. Straw: I am always happy to give way to the right hon. Gentleman, but, if he will allow me, I shall continue for a little.

Given all that, I find it quite bizarre that the Conservative party—the party that took us into Europe in 1973, helped to create the single market in the 1980s and signed the Maastricht treaty in 1992, created the concept of EU citizenship and a common foreign and security policy and extended qualified majority voting to 30 new policy areas—should now argue that Britain should turn its back on Europe. I am the first to accept that the EU is not perfect, which is why we are at the forefront of calls for reform, but we can deliver only by active engagement with our partners. Isolation and withdrawal will result only in marginalisation.

The expansion of the EU in May will be an historic milestone of which we in Britain can feel justifiably proud. After all—I know that this point will be uppermost in the mind of the right hon. Member for Bromley and Chislehurst (Mr. Forth)—it was our Prime Minister who led the calls for enlargement to take place before next year's European elections, and that is now being achieved.

Mr. Forth: On that very point, will the Secretary of State confirm that if the proposed EU constitution is not proceeded with—as a result, I hope, of our Government's actions—an enlarged EU will be capable of functioning perfectly well under the Nice treaty?

Mr. Straw: I am glad that the right hon. Gentleman asked that question. He will recall that I spelt out the Government's position at paragraphs 26, 36 and 107 of our White Paper, and in a major debate on the White Paper on 9 September 2003, and what I said is as true today as it was then. I said:

> "It needs to be understood that the argument for the changes is to make enlargement work. However, if it happened that the Convention process ran into the ground and one country or another did not ratify it, then, to put it bluntly, it would not be the end of the world. We would have to get by with Nice. My objection to Nice is that it is unsatisfactory and inefficient".—[*Official Report*, 9 September 2003; Vol. 410, c. 181.]

It would not, as I said, be the end of the world. We need to apply ourselves to how to reform the institutions in order to make the EU work better. I do not recall the right hon. Gentleman suggesting that Nice was a paradigm of perfection, any more than Labour Members suggested that.

Enlargement will create a market of 500 million consumers—by far the largest single market in the world—but, of course, it will represent something more than that. It will represent the triumph of democracy and human rights in Europe, and the affirmation of a common European destiny.

Mr. William Cash (Stone) (Con): Will the Secretary of State give way?

Mr. Straw: Allow me to make a little progress.

Romania and Bulgaria should soon also be ready to join the EU, and in due course I hope that Turkey will do so too, but for enlargement to operate effectively there must be a change in the way in which the EU works.

I present my apologies to the House, Mr. Speaker, because I have to leave before the close of the debate to fly to Naples for a further two-day session of the IGC. I am particularly distressed about that because I shall miss the winding-up speech of the hon. Member for Mid-Sussex (Mr. Soames), and I should like to add my congratulations to those that he has already received on his long-overdue promotion to the Front Bench. May I say, without a word of hyperbole, that faced with the choice of two days in Naples talking about the finer detail of the Convention text and listening to the hon. Gentleman's speeches, I would go for the latter any day.

Even more important than that, I am having to miss, I think for the first time in 24 years, the annual dinner of Blackburn Labour party. [HON. MEMBERS: "Shame."] It is a terrible shame, and good comrades in the party will miss my pre-Christmas speech.

Tomorrow and Saturday, we shall be considering the current proposals from the presidency in respect of part, but not all, of the text. The document has been made public and I should stress that the text itself makes it clear that this is not a final document. It says that

> "the current document is intended to evolve in light of subsequent discussions".

Nothing is agreed until everything is agreed. I can assure the House that there will be ample further occasions to discuss the constitutional treaty over the next few weeks. There will, of course, be the usual pre-European Council debate on 10 December, and I shall appear before the IGC Standing Committee on 1 December and the Foreign Affairs Committee on 11 December. I make this plea for those Conservative Members who are so worked up about the draft Convention to come to the IGC Standing Committee and contribute to the discussion. The hon. Member for Stone (Mr. Cash), to whom I present my condolences for his brutal removal from the Front Bench in the coup d'état that took place just a few weeks ago, is an assiduous attender, but very few other Conservative Members are.

Mr. Cash: I am not in the slightest bit concerned about what happened on that occasion, and I am very happy to be here on the Back Benches. Having said that, the Foreign Secretary may recall that around 16 September we had an altercation on the question of the supremacy, as he put it, of international treaties over

[Mr. Cash]

national laws. Does he agree that, if the European constitution was to go through, and if, subsequently, a British Act of Parliament, clearly and unambiguously, was to make provision for the repeal of that constitution, the United Kingdom courts would be under an obligation to give effect to that subsequent domestic Act of Parliament?

Mr. Straw: I have always acknowledged that Parliament is supreme, and I have written to the hon. Gentleman, as I have written to his colleague, the hon. Member for Aldridge-Brownhills (Mr. Shepherd), about the issue. He needs to understand that, if we sign up to international treaties, they take precedence in our domestic law, and, where necessary, we have to have domestic legislation in order to implement them, which we expect of our partners. What on earth is the point of signing up to an international treaty with another country, only to find that that other country has not incorporated the treaty's obligations into their own domestic law where that is necessary? If Parliament were to pass an Act of Parliament renouncing the Convention, and if the Convention became the new treaty of the EU, the Act would have to be observed—but let us all be clear that the consequences of that would be to renounce our membership of the EU.

Happily, one of the many benefits of the draft constitution before the IGC was written with the hon. Gentleman in mind. For the first time, we have ensured—something that the Conservative Government never provided—that there is proper provision for a member state to withdraw from the EU. The issue is not whether it can be done, but whether it is right and proper and in this country's interests. I speak for a united Labour party in saying that that would be against Britain's interests. Yet again, the hon. Gentleman's remarks and his brutal removal from the Opposition Front Bench illustrate how divided the Conservative party still is on Europe.

Donald Anderson (Swansea, East) (Lab): My right hon. Friend is missing Blackburn and going to Naples on Friday and Saturday, and there is then the IGC on 12 and 13 December. Does he believe in miracles? Does he believe that there is any realistic prospect of the many problems being resolved by the IGC?

Mr. Straw: No, I do not believe in miracles. I think that the chances are reasonable, but such things cannot be predicted.

Chris Bryant: Talking of miracles, I wonder how my right hon. Friend hopes that we shall resolve the issue of whether God will be in the final draft.

Mr. Straw: My understanding of ecclesiastical law—it is a little known fact that I was pupilled to an ecclesiastical lawyer—is that one can sort of resign one's holy orders, but once a cleric, always a cleric. If money were being taken on this, I suspect that there would be nothing in any final treaty on the issue of Judaeo-Christian heritage, but we cannot be certain.

These parliamentary occasions follow a pattern. Since May, there have been seven debates or statements in the House on the IGC or the Convention. I have twice given evidence to the European Scrutiny Committee and once to the IGC Standing Committee. The Minister for Europe has also given evidence to the IGC Standing Committee. There have been two reports on the Convention or IGC by the European Scrutiny Committee, and 13 reports by the Lords European Union Select Committee.

I hope that the IGC will agree a constitutional treaty that modernises the way in which the EU takes decisions in preparation for a union of 25 or more. I also believe that national Parliaments should, for the first time, be given a formal role at the EU level and that the new treaty should make an explicit acknowledgment that the EU's power derives from its member states, ending the hopes of those who seek the creation of a federal United States of Europe. I have already set out the position on the draft in the White Paper and in the House on 9 September. If we can get agreement, as I hope and believe we should, the new treaty should be a good result for Britain and for the EU. As with previous EU treaties, the Government will lay a European Union Bill before the House in order to enact the treaty in UK law.

Britain is more influential today because of the active and engaged foreign policy of the Government. I was struck by a recent poll published by a German magazine, which showed that the German population rated Britain as the most influential nation in Europe, above France and Germany itself. Furthermore, the rating was seven times greater than when the last such poll was taken, when Britain's score was only 4 per cent. [HON. MEMBERS: "When?"] It was in the last full year of Conservative Government in 1996—[HON. MEMBERS: "Ah."] Thank you for the cue.

Next week, I shall lay before the House a strategy setting out how we see the world developing over the next 10 years—the main threats and the main opportunities that we expect to face. It will set out the Government's agreed medium-term international priorities and will stress the interlinked nature of today's world and the need for us to work more closely together, both within government and with our international partners, to deliver our goals. Whether it is limiting the flow of drugs to British streets, promoting British trade, tackling illegal immigration to our shores or creating a cleaner domestic environment, delivering national outcomes requires an international role.

More than ever before, our destiny as a confident, progressive, prosperous and secure nation requires an active and engaged foreign policy. Whether or not internationalism was ever an idealist luxury, today it is an essential part of pursuing our national interests. Withdrawing to the sidelines of international debate, as some advocate, or isolating ourselves from the international scene as a way of avoiding the effects of global change, would simply undermine the way in which we cope and adapt to that change, and undermine, too, vital British interests. Withdrawal and isolation are not the road to national liberation, but instead the road to national ruin.

Since 1997, the Government have pursued the active and engaged foreign policy that we need in today's world. Thanks to the Government, Britain is today a leading player in the European Union, a solid and staunch ally of the United States and a strong and committed supporter of the United Nations and of the system of international law. The United Kingdom is delivering a greater commitment than ever before to action on world poverty and development, and is a country prepared to put all its assets, including, where necessary, our armed forces, behind the goals of enforcing international law and promoting justice and democracy.

This is our record and it is one of which I am proud—and it is an agenda that we will continue to pursue with vigour and determination.

1.2 pm

Mr. Michael Ancram (Devizes) (Con): I welcome the Foreign Secretary back from his travels; it is good of him to look in on us between flights, before he heads off again this afternoon. It was a little unfair of my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth), who has left the Chamber, to talk about doughnutting. I thought it was rather touching to see the affection that Labour Members feel for the Foreign Secretary; on his rare visits to this place, they like to surround him with close protection. [HON. MEMBERS: "Where are they?"] Having heard what he had to say, they have now, with relief, managed to get away for their lunch.

The Gracious Speech is, as ever under the Labour Government, paved with good intentions: tackling the underlying causes of conflict and extremism; working to reduce world poverty; effective debt relief for developing countries committed to reform. They are all there. They are great aspirations, and as such I commend them. However, aspirations come cheap under this Government; it is their actual delivery that is lacking.

Sir Nicholas Winterton (Macclesfield) (Con): Is not my right hon. and learned Friend surprised that the Foreign Secretary made no mention of Zimbabwe in a speech on international affairs? There is a deep and growing crisis in that country, yet we heard nothing from the Foreign Secretary about how we might increase pressure on Mr. Mugabe and his regime by extending sanctions and perhaps even by encouraging South Africa to do something about the supply of energy to Zimbabwe.

Mr. Ancram: As ever, my hon. Friend has with great prescience taken some of the words that I was going to use later. He makes a good point, not only about Zimbabwe but about some of the other issues that were omitted from both the Queen's Speech and the Foreign Secretary's speech.

As I was saying, it is the delivery of the Government's aspirations that is lacking, which may explain the strange lack of direction in the speech that we have just heard. The Foreign Secretary's theme, which he tried to establish at the very end of his speech, was one of active engagement, if I understood it rightly. His general themes were those of purpose and success. However, they are hardly borne out by reality. We see Europe at odds with itself, the Commonwealth no longer able to deliver on its basic principles, and the United Nations gridlocked at crucial moments. That is the reality, but it is not the one about which the Foreign Secretary spoke today.

To be fair, there are exceptions; for example, the fight against terrorism. I will not call it a war, because a war honours its combatants and there is no honour in terrorism. There is only the blackmail of fear seeking to force concessions that cannot be democratically won; at the cost, as we saw so tragically in Turkey last week, of the lives of innocent victims—our consul-general, Roger Short, and two of his staff, Lisa Hallworth and Nanette Elizabeth Kurma, among them. We pay tribute to all those who lost their lives, and we offer our thoughts and prayers to those who are injured or left behind.

The Government have been right in their response to terrorism. Although there are certainly serious questions to be answered about the levels of intelligence and security in relation to the suicide-bombing of the British consulate, and I have tabled those questions, I acknowledge the refusal of the Government to be cowed by those evil attacks. Indeed, I welcome the Government's commitment in the Gracious Speech to effective action on tackling the threat of global terrorism and weapons of mass destruction. The fight against terrorism is worthy because it faces up to the most dangerous international threat today. That threat must be pre-empted before it is realised.

Pre-emption may sometimes be military, but by no means inevitably so. It can also be economic, to pre-empt impending humanitarian disasters within which future terrorism may find shelter. The developing world needs a fair deal if it is to compete with the developed world. Cancun exposed a major problem with global trade: rich countries are over-prepared and over-represented, leaving poorer countries with very little voice. The playing field must be made more even.

In May, the Opposition proposed an advocacy fund that developing countries could use to provide themselves with quality legal and economic advice on trade issues. We looked to the Government to take that up, so it is a matter of great regret that there is no reference to it in either the Gracious Speech or the Foreign Secretary's speech today. That is an opportunity missed.

The Gracious Speech mentions the millennium development goals, which the Government are way off meeting. There was no mention in either speech of the fact that, as the Chancellor was recently forced to admit, in sub-Saharan countries, on present trends, it will take 126 years to meet primary education targets, 147 years to meet extreme poverty targets and 162 years to meet child poverty targets. Those figures show that yet again an opportunity has been missed.

Pre-emption can also be political and diplomatic. Recent progress in both North Korea and Iran demonstrates the value of strategically planned and internationally co-ordinated pressure, backed up by regional political clout. Friendly but necessarily circumspect influence has helped to lead to the current and very welcome ceasefires in one of the most dangerous of all global flashpoints: India and Pakistan in Kashmir. I visited the line of control last year and experienced the tension. Encouraging genuine dialogue at different levels, matched by a clear determination not to take sides, is the best service that we, as old friends, can render in that dispute.

We supported the war in Afghanistan because it was aimed at al-Qaeda and its supporters, the Taliban; but al-Qaeda needs constant attrition if it is not to re-grow

[Mr. Ancram]

and rearm. For all the success about which the Foreign Secretary spoke, there were worrying signs when I visited Kabul this summer that a lowering in the profile and intensity of the fight against terrorism in Afghanistan has led to a reappearance of terrorist organisations. Along with a resurgence of opium poppy production, there are storm signals that renewed levels of commitment in Afghanistan are urgently required if the objective of a more democratic, stable and above all anti-terrorist Afghanistan is to be achieved.

We welcome the undertaking to promote peace in the middle east. I am a long-standing friend and admirer of the people of Israel. I also have great affection and sympathy for the Palestinians. I can understand the fear each has of the other, but I can see the potential for peaceful coexistence in two viable and secure states to the west of the Jordan. Fear breeds the violence of the intifada on the one side and disproportionate reactions, including the security fence, on the other. Against this there is the moral high ground of the road map, within which each can offer the other a genuine hand of friendship, along with the resumption of dialogue that alone will secure peace and a lasting settlement. We must more directly help to promote the principles of that road map and encourage that dialogue. I agree with my hon. Friend the Member for Croydon, South (Richard Ottaway) that there is a need for a constructive third party to help that process along. But first the duress of terrorism must be removed. There can never be a sustainable settlement negotiated with guns on the table, guns under the table or guns outside the door.

We continue to support military involvement in Iraq. The Government were right to take action. If not this year, action would almost certainly have had to be taken in the not too distant future when the risk and cost would have been far greater and the danger considerably more far-reaching. What was done was right, legal and necessary. Seventeen United Nations Security Council chapter VII resolutions establishing Saddam Hussein as a threat to international peace and security confirmed that. The ending of a vicious reign of terror may not of itself have been a reason, but from what I saw when I visited Baghdad in July it was certainly a most worthy outcome. I welcome the genuine, if somewhat belated, progress now being made in Iraq and sincerely congratulate the Foreign Secretary on his visit. I join him in paying tribute to our armed forces for their work not just in Basra, but in other areas of that country.

The overall objective, which we will continue to support, must be the establishment of a representative Iraqi Administration, presiding over an acceptable and sustainable level of security. While speed of transfer of sovereignty to Iraqis is important, there must be no short cuts. To leave behind an unstable Administration incapable of preserving public order would be to betray everything that we have sought to do and would create a great danger for the future.

There is, however, in what has happened in Iraq one blot, and that is the conduct of our Government. While we await the outcome of the Hutton inquiry on one part of that conduct, I would not seek to pre-empt the detailed findings. What is already clear is that the Government did not play straight. The intelligence information in the dossier of 24 September 2002 was, according to an insider, "over-egged". The second dossier of 3 February 2003 was described by the Prime Minister to the House as "further intelligence", when it was nothing of the sort. A number of claims were made, largely by the Prime Minister and not least after the conflict was ended, about evidence of the existence of weapons of mass destruction in Iraq. While we still cannot be sure about WMDs, we can be pretty sure that the claims of evidence of their existence do not stand up; otherwise we would have seen that evidence by now. All that undermines confidence and leaves a bad taste in the mouth. The case for military action was sound. There was no need to manipulate the truth. That is why we have called for and continue to call for a comprehensive independent judicial inquiry to ascertain the facts.

The truth is that this Government, for all the words of the Foreign Secretary today, have not got a foreign policy, nor indeed ever had one. A foreign policy means identifying national interests, recognising limitations, setting out objectives, matching them with available resources and being true to one's word. Labour Members need not take such criticisms from me. The Foreign Secretary confirmed today that next week the Foreign Office is for the first time to set out in a White Paper its long-terms strategic goals. Those were the words used by a spokesman for the Foreign Office this morning. Is it not appalling that the Foreign Office has only just woken up to the fact that Britain's foreign policy must be based on long-term strategic goals? Surely that should have been happening all along.

Mr. Henry Bellingham (North-West Norfolk): Before my right hon. and learned Friend moves on from Iraq, may I point out another blot in the Government's conduct? While there are literally millions of Iraqis still waiting for better services and a better infrastructure, is he aware that the Foreign Office has now appointed a gender equality adviser on about £150,000 plus a year and other expenses? Surely this is political correctness gone mad and a ridiculous insult to the Iraqi people.

Mr. Ancram: That certainly indicates two things: first, the Government's priorities in relation to what is happening in Iraq, and secondly, how bad the planning was for the post-war period in Iraq, if it was planned for at all, that they should have to make these arrangements now.

Mr. Straw: Can the right hon. and learned Gentleman say in which year between 1979 and 1997 the previous Conservative Government published a strategy paper of their foreign policy?

Mr. Ancram: We did not need one because we understood—*[Laughter]*—the principles which go to make up a foreign policy. Let me inform the House of a little more about the White Paper. An official in the Foreign Office talked about the purpose of this. He said:

> "The exercise is intended to focus our resources on what our priorities are. That means you need a much more formalised process of defining what your priorities are."

He went on:

> "The number of things we are dealing with at once is unprecedentedly high, so that does mean that you have to think very carefully."

After seven years this Government have realised that they have to start thinking very carefully. Their foreign policy over the past seven years has all been catch phrases and soundbites. In 1997 we had the "ethical foreign policy". That did not last long before it ran on to the rocks. Two years ago the Prime Minister gave us

"the moral duty to act",

which was closely followed by

"healing the scars on the conscience of the world".

They, too, have passed on. In the Gracious Speech there is no sign of a consistent foreign policy: just one more soundbite. It talks about helping

"war-torn countries . . . to seize the opportunities for development which peace can bring".

What on earth does that mean in practice? Yet more words. No shape, no direction, no purpose—just a series of reactions, or in some cases a shameful lack of reactions, to events as they happen.

Chris Bryant: The right hon. and learned Gentleman is accusing the Government of a foreign policy of catchphrases and of not doing anything in concrete terms. Is not the truth of the matter that the Conservative Government let Kosovo bleed and only this Government took action?

Mr. Ancram: If the hon. Gentleman had been in the House, he would have heard the detailed debates on the Balkans and our discussions on the strategy and priorities in that area. We have here a Government who make much of their active engagement, but there is no philosophical strand behind what they are doing, no purpose and no direction.

I was coming to the omissions from the Gracious Speech, because they are indicative of the way in which the Government approach foreign affairs. Where is there any mention of Zimbabwe? I agree with my hon. Friend the Member for Macclesfield (Sir Nicholas Winterton) about the horrors perpetrated by the tyrant Mugabe on the suffering people of that once thriving land. If we believe in releasing oppressed people from despotism and restoring democracy, why does that belief seem to disappear into the sands of the frontiers of Zimbabwe?

Why when the people of Zimbabwe look to us for international leadership to end the deliberate starvation, murders, beatings, ethnic cleansing, abuse of human rights and suppression of free speech—all of them hallmarks of Mugabe's brutal regime—are we so feeble in our response? Why are we so half-hearted about targeted sanctions? Why do we not do what the Americans have done and take action against those who bankroll Mugabe? Why do we continue to baulk at raising Zimbabwe in the UN Security Council? Why do we always walk by on the other side? The time for appeasing Mugabe is over. Quiet diplomacy has failed. It is time to play hardball.

David Winnick: The Mugabe regime is absolutely disastrous. No one is likely to disagree with that, but can the right hon. and learned Gentleman explain why we stood on the other side when the genocide took place in Rwanda, where it is estimated that some 800,000 people perished? I do not remember any call from the Conservative Government of the time for intervention. Why did we show such indifference to what was happening in Bosnia? The reason I supported the action in Kosovo, apart from anything else, was to demonstrate that what we did not do in Bosnia we should do in Kosovo, and we did—congratulations to the Government.

Mr. Ancram: If the hon. Gentleman went to Zimbabwe, as I did, he would discover one thing, which filled me with shame. The people of Zimbabwe, black and white, said to me, "You know this country. You were involved in it. You have something to do with what is happening now. You have a responsibility to take action." They heard the Prime Minister say at his party conference that he would not tolerate the behaviour of Mugabe or his henchmen and then they saw nothing happen at all. They feel betrayed. I felt shame because they feel betrayed by a British Government.

The Gracious Speech refers to the celebrations that will mark the 100th anniversary of the entente cordiale with France, a country not over-renowned for its cordiality to us. Why then is it silent about celebrations to mark the 300th anniversary of British sovereignty over Gibraltar? The Government should be seeking to rebuild the shattered bridges of trust with the people of Gibraltar, who have always been loyal to this country. It should be a natural instinct to want to celebrate 300 years of British history and to reassert British sovereignty over the Rock. I understand that the big day will be 4 August. What plans have the Government to mark that great anniversary, and who will attend on behalf of the Government? Will the Foreign Secretary be there? Will the Prime Minister be there? Can the Foreign Secretary undertake before the House that the Government will not seek to dissuade the Queen or any other member of the royal family from taking part?

Mr. Cash: Will my right hon. and learned Friend note that it appears that the Government are not intending to take part in, or for that matter to make provision for, proper commemoration of the anniversary of the Normandy landings? Does he agree that the Government should make such provision?

Mr. Ancram: Indeed. This year will be a great test of the Government's patriotism, pride in the history of this country and belief in the importance of Britain. We will see over the next 12 months just how sincere their protestations about believing in Britain are.

May I come to Europe, or more specifically, the proposed European constitution? Over the past few weeks, the Government have been all over the shop. We have been told constantly by the Prime Minister and the Foreign Secretary that that wretched constitution is essential to make the enlarged Europe work. As of Monday this week, it is apparently merely "highly desirable". For months, we have been told that the constitution does not involve fundamental change. Now we are told that, unless it is changed, the Government will veto it. The Foreign Secretary proclaims that the constitution

"equips the Union with the machinery it needs to embrace the challenge of enlargement",

yet a

"senior government source close to the negotiations",

[Mr. Ancram]

the words used in the newspapers on Tuesday, otherwise known as the Foreign Secretary, suggested totally the opposite. We have had a week when, in the mouth of one man, two totally contradictory positions have been put forward. It will be interesting to see how he negotiates when he gets to Naples and whether he has made up his mind when he gets there.

No wonder the promised roadshows to sell the constitution have never seen the light of day. The Foreign Secretary would not know what to sell or how to sell it. It would be charitable to suggest that he and his team are merely incompetent and confused. It would not be the first time he has changed his mind on Europe. In October 1979, this great pro-European opposed the accession of Greece to the EEC because it would be

"bad . . . for the idea of wider European co-operation which some of us seek as an alternative to membership of the EEC."—[*Official Report*, 30 October 1979; Vol. 972, c. 1057–8.]

Three years later—I love the language that the Foreign Secretary used in those days—he was at it again, urging upon this House

"disengagement from this extravagant, inefficient, and wasteful madness."

What wonderful words. He went on.

"That is the only sensible basis for our relations with Continental Europe."—[*Official Report*, 23 July 1982; Vol. 28, c. 714.]

And he calls us viscerally anti-European! That was what I suppose we can call the first Straw. Now we have to deal with the last Straw.

The Foreign Secretary talks about red lines. He knows that references to tax harmonisation, a single foreign and defence policy and social security are small parts of the treaty as it stands, if they are there at all. They are arguments that the Government should certainly win. He hopes that the British people will believe that he has fought for them and won, and that somehow, therefore, the constitution is all right; but the British people will not so easily be fooled, and even if those red lines had real merit, the Government must explain why, after months of negotiation, the red line on foreign policy and indeed on other matters appears in the latest Italian proposals to be moving in totally the opposite direction.

We do not believe in red lines. Like the Prime Minister three years ago, we do not believe that the constitution is necessary or desirable. We just want to get rid of the constitution, but we have a right to test the Foreign Secretary's position. If he were serious about red lines, he would tell us what specifically he wants to see put in the constitution and what specifically he wants taken out. Where among the so-called red lines is the Chancellor of the Exchequer's call three weeks ago for tax harmonisation to be explicitly excluded? Where is the prohibition on making the charter of fundamental rights legally binding, as promised by the Prime Minister on 15 October 2000? Where is the specific prohibition of the creation of a defence capability outside NATO? Where is the removal of the "escalator" clause, which if left intact will allow the EU to take control of defence and foreign policy without any reference back to national Parliaments?

If red lines are to be credible, they must be more than the red herrings paraded this week. If the Government really meant business, those would have been included in the off the record briefing that we heard on Monday. This matter is too serious for smoke and mirrors. That is why in the end the British people must be allowed to decide in a referendum.

A Bill to allow for such a referendum on the new treaty should have been in the Gracious Speech. There is a referendum Bill in the Gracious Speech. It is on the wrong referendum. It is on the single currency, which will not happen, rather than on the constitution, which the Government for all their smoke and mirrors are apparently determined will happen.

It is a measure of the contempt that this Government have for the intelligence and good sense of the British people that there is not to be a referendum. We believe in trusting the British people and we will continue to campaign to allow them to have their say.

I make no bones about the fact that we are opposed to this or any European constitution. That is our red line. It is not just a matter of detail, although losing control of our asylum policy and perhaps of our oil are of immense importance. This constitution is a step change away from the Europe of nations towards a single European state. The rest of Europe knows it. As the Belgian Prime Minister said only yesterday, the constitution will be the "capstone" of a "federal state". He knows it. We know it. Only the British Government deny it. It is time that the Government came clean.

We want a Europe that is a genuine partnership of sovereign nations, which recognises differences as strength and not as weakness. We want to see the completion of the single market and the implementation of the Lisbon agenda. We want real deregulation. We want to promote greater accountability. We want to restore the primacy of the national Parliaments in the European Union, with power emanating from them and not from Brussels. We want a Europe for its peoples and not for its elites.

We want a Europe that can genuinely work in partnership with the United States; the phrase is mentioned in the Queen's Speech. That means creating a Europe with the flexibility to do so. It does not mean imitating the Prime Minister by being pro-American one day and pro-European the next. It does not mean, either, the fudged language of the Anglo-French summit on Monday, where we had the incredible spectacle of the French President praising the military capability of NATO—a military alliance in which the French refuse to participate and which it remains their intention to corrode. Nor was it served by the bland way in which the Prime Minister dismissed fears about the creation of a European military capability outside NATO, both in operational and planning terms.

We on this side of the House value NATO as the cornerstone of European security. That phrase used to appear in the Gracious Speech, but—interestingly—it was not present this year. We believe that the wholehearted commitment of the United States to NATO is vital, and we deprecate the tacit anti-Americanism that motivates some European leaders to seek a separate European military capability. It is not good enough for the Prime Minister to give repeated assurances about the primacy of NATO when indications from Paris and Berlin suggest a totally different intent. Playing fast and loose with NATO is dangerous for this country, for the transatlantic partnership and for the security of Europe.

The Foreign Secretary's speech was the speech of a man who has lost his way in a Government who never had one. As usual, he was long on rant and short on reason. He faithfully replicated the almost total lack of direction in national matters that marked the Gracious Speech. That lack of direction is now damaging our country. It is overstretching our armed forces, undermining our security, squandering our reputation for reliability and trustworthiness abroad and doing Britain down. Let us hope that this empty Gracious Speech marks the beginning of the end of this failing Government. For the sake of our country, that would not be before time.

1.31 pm

Donald Anderson (Swansea, East) (Lab): I wish first to make a few general remarks about the Gracious Speech. I had the privilege of being brought up in a household that had on the wall the old National Union of Railwaymen slogan "Unity is Strength", and in the House I have always worked on the principle, "If in doubt, vote Labour." I have no doubts about the majority of measures in the Queen's Speech and I shall vote enthusiastically for Bills to protect the vulnerable, whether from domestic violence or from the danger of losing all or part of the pensions to which they have contributed.

With some doubts, I shall even support the Government on top-up fees. Surely we all agree that we need to channel further resources into higher education if we are to open the doors to more students. Conservative party policy is to restrict or freeze access, and I hope that it will say so honestly in its manifesto. The Liberal Democrats believe that the general taxpayer should pay, and I hope that they will also say so honestly—and with costings—in their manifesto. Top-up fees may be the least unsatisfactory method of providing increased access, as long as we protect those from less prosperous homes.

I have more fundamental doubts about the proposals for civil partnerships. The state has an interest in reinforcing the status of marriage and should do nothing to undermine its status. Making partnerships the legal equivalent of marriage sends the wrong signals.

I shall now address the key parts of the Queen's Speech in relation to foreign affairs, including Iraq, the intergovernmental conference and our system of alliances. At the time of the state opening of Parliament last year, one issue dominated the international agenda—Iraq. Resolution 1441 was passed some five days before the Gracious Speech, and it was a high point for the international community. The unanimous vote and the international consensus put pressure on Saddam Hussein's regime. Since then, we have seen momentous developments in foreign affairs, which culminated in the Iraq war in March.

The question now is whether we should dwell on the conflict and the steps leading to it or look forward and move on. Both the Foreign Affairs Committee and the Intelligence and Security Committee produced reports on the run-up to the war, reaching broadly similar conclusions on the role of intelligence. Most people would accept that the current situation, however imperfect, is an improvement for the people of Iraq. Without the intervention in March and April, Saddam Hussein would still be in power, and almost certainly preparing the succession for one of his two sons. The focus must now be on reconstruction and the future of Iraq.

The present violence is likely to continue. Resolution 1511 has not been translated into sufficient changes on the ground. Many of the hugely sensitive issues have yet to be tackled, including the distribution of power between the centre and the regions, and the role of Islam in the future governance of Iraq. The governing council of Iraq and its successor will have to tackle those issues.

Jeremy Corbyn: Is my right hon. Friend concerned that the Iraqi governing council, which was largely appointed by the Americans, is busy handing over state assets to any international buyer that comes along, and is limiting levels of taxation on international and local corporations to 15 per cent.? The council assumes that the people of Iraq want an unbridled free-market, capitalist economy in the future.

Donald Anderson: I hear what my hon. Friend says, but no one can doubt that the situation is substantially better and that rapid steps are being taken towards a Government for Iraq chosen by the people of Iraq, not appointed by the occupying powers. I hope that my hon. Friend agrees that that would be a substantial step forward, as we seek to win hearts and minds in Iraq. I also recommend that he read the recent report of the International Crisis Group. Much remains to be done, but in the longer term we can be positive about much of the future of Iraq, especially because of its national resources—its oil, its agriculture and its human resources, which have enormous potential.

In June next year, sovereignty should pass to a more representative authority, although the occupying power will remain responsible for security. Therein lies one of the problems—how the relationship between those responsible for security and those responsible for the governance of Iraq will be arranged. We will need to wait until the next Queen's Speech to see how successful the reconstruction and the succession of power have been. It is a battle we dare not lose. The battle is against terrorism and the wreckers who blow up UN buildings, destroy pipelines and wreck police stations and the civil infrastructure. They should not be allowed to win. It is in the interests of all of us to succeed and to end up with an Iraq that, while probably not a model of democracy in the region—as was initially trumpeted—is far better governed than it was under Saddam Hussein.

At the time of the Queen's Speech last year, the European Convention on the constitution had been meeting since February. It produced its report in July this year and we are now trying to see whether the cacophony of different views can be reconciled. My right hon. Friend the Foreign Secretary was good enough to accept that it would be miraculous if the two-day meeting in Naples this weekend and the intergovernmental conference in December—however much it is extended—could reconcile the opposing views. The prospects are not good, because there are clear dividing lines on the future of Europe, which were

[Donald Anderson]

revealed this week in the collapse of the European Union's stability and growth pact and the Italian draft, which was mentioned by the right hon. and learned Member for Devizes (Mr. Ancram) and is light years away in several areas from being something that we would be disposed to accept.

Chris Bryant: My right hon. Friend mentioned the collapse of the stability and growth pact. Does he believe that what has happened this week is likely to lead to faster reform of the pact, and that such reforms might be in Britain's interests, especially if we subsequently want to join the euro?

Donald Anderson: Well, that is a possible scenario, but it does seem very clear that the doubts expressed by my right hon. Friend the Chancellor of the Exchequer have some substance in the light of what has happened this week.

Mr. Andrew Mitchell (Sutton Coldfield) (Con): In sharp contradiction of what the hon. Member for Rhondda (Chris Bryant) has just said, would the right hon. Gentleman not agree with me that the stability pact's treatment by France and Germany demonstrates that the euro remains above all a political rather than an economic construct, and that these other countries will always put their national domestic economic interests ahead of the greater interests of the European Union?

Donald Anderson: Clearly, both interpretations can be well founded. The jury is out, as the dust settles, on the direction in which the pact will move. The extent to which the big players, France and Germany, will be enabled to have their way is one of the problems that will have to be resolved at the intergovernmental conference. Another factor is the way in which the European Parliament and the Commission are opposing the Council with charges of backsliding since the Convention was agreed in July, particularly with regard to the proposal by my right hon. Friend the Chancellor of the Exchequer and other ECOFIN leaders on the role of the Parliament over the budget. Spain and Poland are trying to ensure that the Nice arrangements on the weighting of their votes will be maintained, but there is a key difference over structural co-operation, which is institutionalised, and enhanced co-operation, which is more ad hoc. There are other differences. Obviously there must be a procedure for amendment for minor matters, but the passerelle clause, clause 24.4, which would allow, with unanimity, a move to qualified majority voting in key areas, clearly could bypass national Parliaments and needs to be opposed.

Perhaps most important of all is the European security and defence policy. Since the chocolate summit in April, there has been some retreat by the four countries concerned—France, Germany, Belgium and Luxembourg—but the Prime Minister made a compromise at Berlin about six weeks ago and the Government may well be making a similar compromise at Berlin today. Surely the correct hierarchy is to have NATO first, NATO being the only institution for collective defence, then the carefully negotiated Berlin plus, whereby the European Union may use NATO assets, and then, if there is to be planning, first the national Governments who are able to do that, notably France, Germany and ourselves, and then, if there is to be a separate planning unit at all, it should be sited at Mons, at Supreme Headquarters Allied Powers Europe, rather than in Kortenberg, because there is a real danger of movement from there.

Perhaps the real danger now is that the Government may be prepared to pay too high a price to kill Tervuren and the initiative that came in April. In my judgment, no European defence without UK participation will be credible, so we have a major negotiating asset in trying to ensure that any European defence will indeed be credible. There will be areas, such as Bosnia, where the United States—perhaps because of overstretch—is more ready to see a European presence, and there will be areas, such as the Democratic Republic of the Congo, where the US will not wish to be involved, but it is mightily in our interests to ensure that the United States stays fully engaged in European defence.

Mr. Kevan Jones (North Durham) (Lab): Although no one wants to see a duplication of NATO planning, does my right hon. Friend agree that the benefits of defence co-operation in Europe will clearly be of advantage not just to the UK but to other European Parliaments? For example, there will be greater capacity for heavy lift and other capabilities within Europe, which we often look to the United States to provide but in future could be provided within Europe through better co-operation.

Donald Anderson: That prompts the question whether people are prepared to pay for that heavy lift. Currently Germany, in relation to Afghanistan, is chartering Antonov aircraft from Ukraine at, I think, several hundred thousand dollars a sortie, and yet Germany is paying 1.4 per cent. of its wealth on defence. That may be part of the difference between the Europe of declaration and the Europe of delivery—I draw a parallel with defence policies in this country.

Finally, having dealt in passing with Iraq and the European Union, I turn to our own foreign policy alliances. The Iraq war threw the spotlight on all our alliances and on our role in the world. The Government took a strategic decision to ally with the United States. A year ago it seemed plausible to argue that that decision had brought influence for us—influence in terms of the US taking the United Nations route, which it largely did, certainly until March, and in terms of the middle east peace process.

Part of the tragedy on the middle east now is that the road map has been stalled because the attention of the US has been diverted elsewhere, understandably to Iraq, but perhaps also as a result of frustration at the lack of willingness on either side to make the necessary changes, as Israel continues to build up its settlements and the Minister of Housing gives new moneys for those settlements, and as the Palestinians seem incapable of bringing together their security forces in an integrated unit under Abu Ala. Only the US can decisively intervene in the middle east process, and at the moment the US seems unwilling or incapable of doing so.

However, I found the speech by President Bush last Tuesday not only a very sound speech in itself but extremely well delivered, and in my judgment it could not have been delivered a year or so ago in terms of its multilateralism, its commitment to democracy and its stress on use of force as a last resort. Obviously, over the year, major strains became apparent in our alliances as a result of the response to Iraq. A French view of the European Union as a counterweight to the United States perhaps reached its apogee at the Tervuren summit in April. The interest now clearly is in the question, if there were to be another Iraq, another challenge of that nature, how should we respond?

One of the better parts of the speech by the right hon. and learned Member for Devizes (Mr. Ancram) was what he said about pre-emption. This is a subject that we should not and cannot ignore. It has already been put on the table by a major speech by the Secretary-General of the United Nations. I consider that Solana made a significant contribution in his security report. This is not an academic debate; it is a very serious debate as to how we respond. The classic formulation of the pre-emptive use of force was of course in the Caroline case in 1837. I will not quote what US Secretary of State Webster said at that time, but those sentiments can still apply even at a time of weapons of mass destruction and can be adapted to some of the challenges of our modern world. We do not want to be killed before we act in self-defence. Where should the line be drawn? Therefore I am pleased that the international community is seeking to grapple with this question, and that on 5 and 7 December a reform panel set up by the United Nations Secretary-General, which includes Lord Hannay, will start to address the very serious problem of anticipatory self-defence or pre-emption.

Clearly, the international community needs to move beyond the tensions of the past year and resolve its differences if we are to tackle the clamant problems that face us today: terrorism, the proliferation of weapons of mass destruction, HIV/AIDS, drugs and so on. The Prime Minister set out the basic tenets of the Government's foreign policy in his speech at the Lord Mayor's banquet on 10 November. The right hon. and learned Member for Devizes chided the Government for being slow in formulating their foreign policy principles, but he slightly contradicted himself by referring to the principles set out by the former Foreign Secretary in 1997, and he clearly showed the danger of setting out principles when he talked about an ethical foreign policy—a soundbite. If he trawls through all the speeches made by the former Foreign Secretary, he will find no reference to an ethical foreign policy, only to an ethical dimension to foreign policy. I guess that, even between 1979 and 1997, there was indeed an ethical dimension to foreign policy.

The Prime Minister stressed that our foreign policy rests on the twin pillars of alliance with the United States and membership of the EU. He said that, if either of those were taken away, Britain would be weaker and that it is not necessary to choose between them. I hope that the House fundamentally agrees that the concept of a transatlantic bridge in our foreign policy has much to commend it and that we should not be pushed into making such a choice. Europe should be viewed as the partner of the US, not its servant.

I end on the role of the Foreign Affairs Committee in this rapidly changing world. I believe that, over the past year, we have made a significant contribution to the debate. We have covered a wide range of issues and published more than 10 reports, including on the decision to go to war in Iraq and several reports, in June and December last year and July this year, on the war against terrorism. We have had numerous evidence sessions on those themes. We have decided as a Committee that we shall continue to open new chapters on the war. I understand why the right hon. and learned Gentleman said that it should be called the conflict against terrorism. This is a war that will have no end, so long as people are prepared to perpetrate outrages such as those in Istanbul.

Clearly, we as a House and a country have an enormous task ahead, which includes Iraq and countering international terrorism, and we in the United Kingdom must make full use of all our alliances—the UN, the EU and NATO—and do so to our best advantage. Only by working together can we expect to make progress on the manifold threats that we face today. Let us pray that the period until the next Queen's Speech will be less exciting than the year that has passed since the last one but more productive in terms of greater international understanding and co-operation.

1.53 pm

Mr. Menzies Campbell (North-East Fife) (LD): May I begin by congratulating the hon. Member for Mid-Sussex (Mr. Soames) on his return to the Front Bench? He was a most distinguished Armed Forces Minister, and he is still remembered with a great deal of affection and respect in the Ministry of Defence. In appointing him, there is no doubt that the leader of the Conservative party has strengthened the Front-Bench team.

These occasions become something of a tour d'horizon, and we have already had something of such a tour from the Foreign Secretary, who goes from Basra to the bay of Naples, but without Blackburn—an omission that grieves him considerably. It is a pity that the White Paper, which is now promised for next week, was not available to us in advance of the debate, but I make no criticism. I hope that we will have an early opportunity, when the White Paper has been published, to visit some of the issues that it will contain. It is also inevitable in a tour d'horizon of the kind that I describe that one may not be able to deal with every topic that is thought to be pressing by any hon. Member.

As a country that has traditionally operated its foreign policy through international institutions, we have to accept that, if the institutions of the EU, the UN and NATO have not taken a battering, they have certainly sustained some damage in the past 12 months, and I hope that the policies of Her Majesty's Government will be designed to seek to repair those institutions so far as that is necessary.

One institution that has stood up fairly robustly is the Commonwealth. The Foreign Secretary will know that, by and large, we have been supportive of the Government's position on Zimbabwe, but there is now a case for imposing sanctions rather further down the Government line. Those who support Mr. Mugabe's regime, even those at fairly junior level, should not be permitted free passage to the United Kingdom or to send their children to United Kingdom schools. If we are serious about bringing pressure to bear, that is at least one of the sanctions that we could adopt.

[Mr. Menzies Campbell]

The Government's attitude to the UN has been that it is somehow damaging if we seek a resolution and we fail to get it, but I suggest to the Government that that would now be a sensible policy because we would flush out those who are willing to tolerate what goes on in Zimbabwe. In particular, the Foreign Secretary could confidently expect some pretty robust support from the United States, the Congress of which has been notable in the extent to which it has been willing, first, to be critical, and secondly, to impose measures against the Mugabe regime.

Obviously, Iraq and the campaign against terrorism dominate all other issues. It is well known in the House that my hon. and right hon. Friends and I were sceptical about using military force. The reasons for that have been well rehearsed, and I do not propose to burden the House with them again. But we have to live in the world that we find ourselves in, not the world as we would wish it to be, and there is absolutely no doubt that an overwhelming priority must be the restoration of Iraq to stability and the opportunity given to the Iraqi people to adopt democratic institutions.

Iraq cannot be allowed to fail, first, because of the dire consequences for the Iraqi people if that were to happen; secondly—perhaps rather more selfishly—because of the enormous blow that that would represent to the influence of the United Kingdom and the United States in the region; and thirdly, because of the serious risk of dismemberment, with ominous implications for regional stability if Iraq were to divide into, let us say, three constituent parts.

The right hon. and learned Member for Devizes (Mr. Ancram) said that he would not prejudge the Hutton inquiry report, nor indeed will I, but it appears likely that, if Lord Hutton continues with a narrow interpretation of the remit entrusted to him to examine the circumstances that led to the death of the unfortunate Dr. Kelly, other questions may still remain—in particular, the central question to which I have referred in the House on a number of occasions: did we go to war on a flawed prospectus, either because of inadequate intelligence or because intelligence was mishandled once it was obtained? The longer the investigating group in Iraq takes and the more obvious its failure to find any evidence of weapons of mass destruction capable of being delivered even on a battlefield at 45 minutes' notice, the more acute becomes that central question.

The Foreign Secretary is robust in his argument that no one can automatically claim that military action in Iraq has increased the threat of terrorism and that terrorist incidents have increased. He rightly points to the atrocities in east Africa and to the fact that the attack on the twin towers took place in 2001. There is a catalogue of terrorist activity, but one of the issues that I should like to be considered as part of that central question—it would best be considered by some form of judicial inquiry, along the lines of that carried out with such distinction and dispatch by Lord Hutton—is that raised by the Intelligence and Security Committee, whose Chairman is no longer with us. I call her Chairman because that is how she is described in the document, not from any lack of sensitivity for how she would prefer to be described. After the atrocity in Istanbul we are entitled, indeed obliged, to consider again what the Intelligence and Security Committee recorded in paragraph 126 of its report, which was published in September 2003. It states:

> "The JIC assessed that al-Qaida and associated groups continued to represent by far the greatest terrorist threat to Western interests, and that threat would be heightened by military action against Iraq."

In paragraph 127, the report records:

> "The JIC assessed that any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of terrorists, not necessarily al-Qaida."

Are not those two propositions certainly worthy of further and, I would argue, detailed judicial consideration? To be fair, I remind the House that in paragraph 128 the Prime Minister is reported as having said to the Committee:

> "One of the most difficult aspects of this is that there was obviously a danger that in attacking Iraq you ended up provoking the very thing you were trying to avoid. On the other hand I think you had to ask the question, 'Could you really, as a result of that fear, leave the possibility that in time this developed into a nexus between terrorism and WMD in an event?'. This is where you've just got to make your judgement about this. But this is my judgment and it remains my judgment".

He added, in words that may come to be regarded as prophetic:

> "I suppose time will tell whether it's true or it's not true."

We know that there has been a step change in the nature of the arrangements for the transition in Iraq. I would also like to associate myself with expressions of congratulation and good will to all British nationals who serve there in either a military or a civilian capacity. I certainly subscribe to the principle that there should be a transfer as soon as possible to the Iraqi people. However, I would like to subject that to several different qualifications.

I do not believe that we should set artificial timetables for the transfer, though I believe that it is sensible to have target dates. If a target date is missed for good reason, however, it should not be viewed as constituting some damaging criticism of the process. I also believe that there should be greater involvement of the UN to provide both improved legitimacy and increased political support.

I must say that we cannot leave Iraq until the security situation has been resolved. Nothing could be worse than handing over to an Iraqi Government, however constitutionally founded, a security position that they were incapable of dealing with. I saw reports last weekend that British troops could be expected to be in Iraq for up to four years. If the reports are correct and are properly based on Ministry of Defence assessments—I am sure that somewhere in the recesses of that Ministry the military planners are considering precisely what the obligation may be and the level at which it will be required; and no doubt in the Treasury someone is working out just how much it will cost—four years is a measure of the commitment that we have undertaken. We really should explain that commitment to the British people not only because of the financial consequences, but, unfortunately, because of the potential consequences to the life and limb of our troops.

I realise that it is not the particular responsibility of the Foreign Secretary, and I hope that the Secretary of State for Defence will be able to deal with the matter on another occasion, but reports of the reasons for the loss of life of Sergeant Steve Roberts are important. He lost his life on 24 March and it has been alleged that a contributing factor was the fact that his body armour did not have the ceramic plates that might have saved him. It is argued that not enough of those plates were available.

I remind the House that throughout the conflict hon. Members of all parties asked Ministers whether they were satisfied that our troops had everything that they needed for their protection. The response to that question was almost always in the affirmative. I understand that there will be an inquiry into the matter, which I do not want to prejudge, but we are entitled to say that Ministers were prevailed on to ensure that adequate materials were available to all our troops. If it proves that that was not the case in this instance, the House will, to put it mildly, be extremely disappointed.

Mr. Paul Tyler (North Cornwall) (LD): As my right hon. and learned Friend will know, Sergeant Roberts was one of my constituents, and I had the privilege on Remembrance day of placing a commemorative flag on a war memorial. Does my right hon. and learned Friend accept that the Ministry of Defence has an obligation to the families of those who served us, not just those who lost their lives, and that the lack of clarity and lack of dispatch with which information has been made available is a sad reflection on the Ministry of Defence's responsibilities in that matter?

Mr. Campbell: If there is an inquiry, I hope that it will meet the criticisms that my hon. Friend has made. Since he raises the question of dealing with the families, we note with interest the proposals in the Gracious Speech to deal better with compensation and pensions, on which my hon. Friend the Member for Hereford (Mr. Keetch) has been particularly assiduous as a result of a tragic case involving one of his constituents. If there is to be enhanced provision, we should clearly welcome it.

We are told in the Gracious Speech that there is to be a defence White Paper. The last defence White Paper was the result of extensive consultation and it was a document that could legitimately be described as having been drawn up with considerable intellectual rigour. It enjoyed considerable support on both sides of the House and indeed outside it. I express the hope that the same sort of intellectual rigour will be evident on this occasion. If we are looking at the sort of extended engagements of British troops that might be necessary in Iraq, I hope that when it comes to the retention of regiments, there will be no exercise in cost-cutting for the sake of cost-cutting.

To make a personal plea, one of the regiments thought to be under threat is the Black Watch, a distinguished Scottish regiment that happens to recruit in my constituency and nearby. From the point of view of recruitment in Scotland, if any such famous regiments were to be further amalgamated or disbanded, the Army might find it difficult to draw from Scotland the sort of quality and numbers that it has been able to call on in the past.

I shall now deal with the campaign against terrorism. One could argue, even putting Iraq in such a prominent position as I have, that that must be the No. 1 priority for British foreign policy. I have some anxieties about the more evangelical rhetoric that the Prime Minister and President Bush used last week. Far be it for Liberal Democrats to object to something approaching a Gladstonian vision, but one has to be more pragmatic about the way in which one tries to bring about, for example, the spread of democracy in the middle east. There is a risk that talking in evangelical terms makes it sound like a crusade, which tends to suggest the Christian west against the Muslim east. Using the right language in these matters is extremely important, and sensitivity to different traditions is essential.

We must try to deal robustly—if necessary by military means—with direct signs of terrorism, but we must also try to deal with the factors that allow terrorism to exist and to flourish. I am not so naive—nor is anyone in the House so naive—as to believe that a settlement between Israel and the Palestinians would induce terrorists throughout the world to lay down their weapons and declare that the reason for their existence had been removed. However, it is important to find mechanisms that undermine the popular support that terrorist organisations enjoy, particularly in the middle east, and there is no doubt whatever that making progress on the dispute between Israel and the Palestinians would go far in that direction.

I have been critical of the United States and President Bush, but we have to recognise that information is now available that certain credits have been held back. We should acknowledge and be grateful for that, because any knowledge of the American political system and the onset of a presidential election year makes one understand that such steps, which may have an effect on the powerful pro-Israel lobby in the United States, may be difficult for any presidential candidate to take. The move contains echoes of that taken by the President's father who similarly held back credits to Israel because of the settlements policy. His father was also responsible for driving forward the Madrid conference that ultimately led to the Oslo accords that, unhappily, did not reach the fruition for which we all hoped. However, we should acknowledge—particularly those of us who have been critical in the past—that the US Administration have taken a step that we hope will have some influence on the policies of Mr. Sharon.

Mr. Barry Gardiner (Brent, North) (Lab): The right hon. and learned Gentleman speaks with great authority and much common sense. However, will he say whether he agrees with the argument that the terrorists themselves have made it clear by their actions against the Muslim populations in Indonesia and Turkey that this issue is not about a clash of religious ideologies? Many Muslims have been the victims of terrorist outrages.

Mr. Campbell: The issue may be more complicated than the hon. Gentleman and I have put it. Among those in Iraq are those who have come through the porous borders in exercise of some kind of jihad. In the terrorist activities that have taken place, they have been wholly indiscriminate about the consequences of

[Mr. Campbell]

what they do. To that extent, I certainly agree with the hon. Gentleman. However, it is not difficult to discern, not least from the rhetoric, that the view of some of these terrorist groups is that they are concerned with what they perceive in their rather perverted way to be a robust exposition and implementation of a code of Islam. As we have already heard in the debate, such views have been roundly condemned by many leading scholars and imams. The issue is a little more complicated than the hon. Gentleman and I have acknowledged, but I am certain that we must not let the argument descend to the terms that it is about such a clash. It is essential that the response that we think is right does not assume the aspect of a crusade or something of the like.

As for the European Union, the draft constitution is not perfect. On subsidiarity and proportionality, it is too weak. There is provision for a so-called yellow card, but there should be a red card if a sufficient number of Parliaments object to proposals. It is technically true that we could have enlargement without a fresh treaty—the provisions of the Nice treaty allow for that—but it would be a pretty peculiar European Union if we were to proceed not just on the basis of Nice, but on the basis of Rome, Maastricht and Amsterdam as well. The purpose of a constitution is to try as far as possible to introduce clarity into an institution that has developed and grown—of that there can be no doubt—but whose powers and competences are often very difficult to ascertain. Such powers and competences often appear on the face of it to contradict one another.

I do not believe that the Government will make any concessions on defence, tax, social security, own resources or, despite Mr. Berlusconi's best efforts in Naples, even on foreign policy, either now or in a fortnight. In that regard, the Government obviously have the support of the whole House.

The constitution is an exercise that is well worth conducting and I hope that it will produce, after the intergovernmental conference, a document that can fulfil the objectives that I have described. I dismiss the views attributed to the Foreign Secretary last week as an effort to set up a negotiating position or something of that kind. I cannot really believe that he thinks that we could live with an enlarged EU that is based on existing treaties with all the defects in them that, I hope, I have outlined.

I shall refer briefly to the United Nations. In 60 years, the UN has increased its membership from 51 countries in a world population of 2.5 billion to 188 countries in a world population of about 6 billion. In that time, the institution of the UN has barely changed. That is why reform of the Security Council is certainly desirable. This is not the occasion to discuss the details, but we should have a Security Council that better reflects the world in 2003 and 2004 rather than one that reflects the peace settlement of 1945.

The UN must direct its attention to one issue, and I hope that it falls within the scope of the group established by the Secretary-General and of which Lord Hannay is to be a distinguished member. I refer to the speech made by the Prime Minister in Chicago on 22 April 1999 in which he quite rightly said that the

> "most pressing foreign policy problem we face is to identify the circumstances in which we should get involved in other people's conflicts".

In September of the same year, the Secretary-General, Kofi Annan, said in his annual address to the General Assembly that

> "no legal principle—not even sovereignty—can shield crimes against humanity".

He is further on record as saying that, although we should recognise the sovereignty of states by all means, we must recognise the sovereignty of individuals as well.

If we are to give any credence to a doctrine of intervention, it must have a clear framework and be defined and qualified by formal criteria and principles. That doctrine must also be endorsed by the UN as a whole. I will not try to give an exhaustive list of what it should contain, but it must certainly contain the proposition that all diplomatic and political methods have been tried and have failed. It should also contain the proposition that intervention is likely to result in a better state of peace and that those who intervene will be willing to commit themselves not only to peace enforcement but to peacekeeping and, if necessary, to the provision of substantial economic resources in the long term once stability has been restored.

A final issue is Guantanamo bay. Although in some respects it is a Home Office matter, it is a foreign policy matter as well. The proposed military tribunals are unsatisfactory and do not constitute fair trial or due process. They most certainly do not meet the standards of the domestic law of the states of the United States. As I have said before in the House, if we were keeping people on the Isle of Wight in similar circumstances with similar intentions, every Senator worth his salt would be over here knocking on the door of the Foreign Office and saying, "This will not do." No doubt, they would be accompanied by every Congressman as well.

We now understand that Guantanamo bay is an affront to the Law Lords and it is certainly an affront to legal academics, to many people in the United States and to public opinion. I discern that it is an affront to the British Government. We must continue to press the United States to ensure that there is a proper and fair trial that is consistent with the recognised principles of criminal law, that allows people the representation that they want and that allows them to see all the evidence that may be used to convict them. The Government have an overwhelming obligation to do that. Both sides of the House and, no doubt, Labour Back Benchers too will hold the Government to their obligation to ensure that, no matter how heinous the allegations may be against any British citizen, he or she is entitled to due process and a fair trial.

For us, foreign affairs involve the application of the principles of internationalism, liberal values and a respect for human rights. We shall judge the Government by those principles in the forthcoming year. When Government policy adheres to those principles, they can look forward to our support. However, if we are not satisfied that those principles lie at the very heart of their foreign policy, we shall take every opportunity to criticise them and to remind them of their failures.

2.19 pm

Mr. Andrew Dismore (Hendon) (Lab): In this debate on foreign affairs, I want to concentrate on our relationship with a country that is a close friend and with which we have great ties—Cyprus. In doing so, I should draw attention to my entry in the Register of Members' Interests about my recent visits to the island. I have only recently returned from the island with a delegation of Friends of Cyprus, of which I am vice-chairman.

It was an interesting time to visit Cyprus, given the onset of EU accession in May next year and the so-called elections for the Turkish Republic of Northern Cyprus Parliament—I should put that in parentheses so that I do not imply any degree of recognition. The green line opened earlier this year, which created many new hopes, but it cannot be considered to be a solution. Kofi Annan has also made efforts to try to broker a settlement on the long-standing Cyprus problem.

During my visit, I had the opportunity to meet many leading members of both communities on the island. I shall start my detailed remarks by talking about the elections in the north that are due to be held on 14 December. I am worried about the extent to which the elections may not be fair. Ten days ago, I had the opportunity to see again the Costa Gavras film "Z" at a special showing to mark the 30th anniversary of 17 November—not the criminal gang, but the terrible events in Athens when the then Greek junta stormed Athens polytechnic and killed many students. It was also the 35th anniversary of the film itself and the 40th anniversary of the murder of the Greek politician in Thessaloniki on which the film was closely based. What I saw in northern Cyprus really brought the film home to me because the atmosphere there is redolent of the situation depicted in the film.

I had the opportunity to meet Sevgul Uludag, a journalist who has been subjected to frightening victimisation and death threats, all of which have remained uninvestigated by the Turkish Cypriot authorities. With Sevgul, I met the widow of Kutlu Adali, a journalist who was murdered in 1996. The intimidation of journalists continues, and I know that my hon. Friend the Minister for Europe is aware of many of the problems from the full, comprehensive and welcome answer that he gave to a parliamentary question that I tabled about the matter a couple of weeks ago.

The terrorist organisation Grey Wolves is active in northern Cyprus. It is organised and funded by the Turkish military, which gave it its headquarters. Murat Kanatli, the editor of a pro-solution newspaper, was attacked and beaten by 30 Grey Wolves and the so-called state of northern Cyprus is victimising journalists. For example, it has brought prosecutions in military courts over attempts by the Opposition to hold a referendum on the Annan plan earlier in the year, which was denied to the people at large in northern Cyprus by the Denktash regime. The state-supporting television company, Avrasya, staged a stunt at the offices of the BDH, which is one of the leading Opposition parties, by themselves stamping on a Turkish flag on the floor and citing that as an example of how the BDH shows disrespect toward the Turkish flag. The footage was broadcast and the matter was taken up in pro-Denktash newspapers without any indication that it was a staged stunt. When a journalist attempted to discuss the matter on air, the plug was pulled and the programme switched to martial music.

The intimidation in northern Cyprus is very worrying. Commanders of the Turkish army visit villages and intimidate settlers. While I was in Cyprus, I heard of an incident in which a Turkish army officer visited a village and used its facilities to speak at Friday prayers to tell settlers, "If you don't all vote for Denktash, you'll be on the first boat home leaving all your possessions and belongings here in northern Cyprus."

The extent of employment in the TRNC is rather peculiar because some 20 per cent. of the total population work for the state. That gives those people, to put it mildly, a vested interest in, or a real incentive to vote for, the Denktash regime. The situation is getting worse because there is a huge job creation programme effectively to employ more supporters of the Denktash regime. The state broadcaster, BRT, now employs 1,350 people, although its normal staffing level is 150. The stories of overmanning in Fleet street in the early days—I know that my hon. Friend the Minister has experience of that—are weak compared with what is going on there.

The Prime Minister's office in northern Cyprus has employed 50 new members of staff. I know that the Opposition have criticised additional staff in Downing street, but that situation pales into insignificance compared with what is happening in northern Cyprus. Those events are contrary to a protocol that was signed by Turkey and the TRNC to say that no more than 5 per cent. of people would work for the state. Surprise, surprise, the Government plan to pay bonuses to civil servants in November and December—the run-up to the elections.

The military and embassy are also involved, and perhaps I may refer to the way in which the electoral roll has been manipulated. Some 10,000 extra voters have been put on the roll, which now stands at 140,000 people. That is a huge increase as a proportion of the overall total, and many of the extra people are settlers who have arrived on the island only recently. The Turkish Government are abetting the process because such people may join the electoral roll only if they have a certificate of good conduct, which must be produced by the Turkish embassy in the TRNC. All sorts of abuses are going on and the prospects for a fair election are slim.

The speech made by the Turkish Prime Minister, Mr. Erdogan, on the 20th anniversary of the so-called TRNC attracted much criticism from not only the Republic of Cyprus but the Turkish Cypriot Opposition because it seemed to back Mr. Denktash. There was no reason for Mr. Erdogan to attend the event because it coincided with the appalling terrorist incidents in Istanbul, so many people would have understood why he could have thought that it was a greater priority to deal with that rather than supporting the TRNC. There was perhaps a silver lining to what he said because he did not specifically endorse Mr. Denktash and he indicated that Cyprus

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was subordinate to Turkey's European ambitions. Nevertheless, the speech was not a welcome development in the elections.

Mr. Gardiner: Does my hon. Friend agree that it is absolutely unacceptable that any prospective candidate country to the EU should fail to recognise the sovereignty and existence of an existing accession country, and that it is inconceivable that such a country should continue its occupation?

Mr. Dismore: My hon. Friend makes an important point and I shall refer shortly to some of the implications for Turkey of a lack of a settlement in Cyprus.

The Opposition have already challenged the fairness of the elections, and especially the register. Mr. Durduran has made a challenge in the European Court of Human Rights and the Opposition parties have made a challenge in the constitutional court of the TRNC. However, the outcome of the challenges is not expected until well after the elections. One could hope that if the elections are not seen to be fair and Mr. Denktash wins, it might give Turkey the opportunity to order them to be rerun, if it wanted to do that. However, it remains to be seen whether that would happen, so we have to hope that the Opposition parties can succeed. The elections probably represent the best chance that they have ever had, despite all the obstacles that have been unfairly put in their way.

Although there are three separate Opposition lists for the election, the parties have a common platform. They want a settlement based on the Annan plan and to join the European Union as a reunited island. They have the common platform of removing Mr. Denktash as the negotiator and replacing him from among their ranks. However, there are separate lists for the CDP, the republican Turkish party of Mr. Talat, the BDH, which is the peace and democracy movement of Mr. Akinci and Mr. Izan, and the CABP, which is the EU and populist party of Ali Erel. There is a risk that some of the votes might be dissipated because of the list and there is a chance that the CABP might not pass the 5 per cent. electoral threshold.

What is also interesting is the extent to which the Opposition parties are attracting support from the settler vote in addition to the traditional vote of Turkish Cypriots, themselves victims of the occupation. Dr. Nuri Cevikel, one of the leaders of the Turkish settler movement in the TRNC, is standing as a candidate for the Opposition party, the CDP, as No. 2 on its Famagusta list. He has paid a price for that: he has been sacked from his job as a university lecturer and faces victimisation.

The Turkish Cypriot Opposition are critical of the Republic for not doing more to implement its measures to ease the plight of the Turkish Cypriots and to build confidence measures. The problem is, however, that the Denktash regime has frustrated many of those measures and there has been a backlash as a result. I hope that the Republic establishes the proposed bureau for Turkish Cypriots as part of the administration of the Republic in the near future. That would provide a useful boost to the Turkish Cypriots who are fighting the Denktash regime. It was probably wrong not to arrange non-governmental organisation observers for the elections. For some, that would have smacked of recognition for the Turkish Cypriot state. The role might be taken on by embassies, and Oslo university is working on monitoring the outcome and process of the elections.

If the Opposition win, some of the problems within Cyprus might be unlocked. They say that they will replace Denktash as a negotiator and are committed to a settlement. So rapid progress could be made. The key issue is whether Turkey would respect the outcome of the elections. Some people think that it would want to keep Mr. Denktash, damaged though he may be. Serdar Denktash, his son and leader of the minority party in the coalition, has said that he will be happy to form other alliances only if Mr. Rauf Denktash remains the negotiator. If the Opposition fail, there is little question of the UN re-engaging with the process, and Turkey will be left with a serious problem for its accession aspirations. It will have to find a way through the mess on its own. There are suspicions that Turkey and the Denktash regime are trying to work out a different plan—a bottom-up arrangement—in response to the Annan plan, but that plan would imply recognition and enable a velvet divorce to take place from the new state of affairs shortly after it is established.

The Republic of Cyprus remains committed to the Annan plan as a basis for negotiation. There are, however, serious reservations about settlers, property rights, freedom of movement, and finance and economics. The opening of the green line has released some of the pressure building up in the north, but that is not a solution, especially as people travelling from the Republic need to produce passports. That has caused splits in the Greek Cypriot community.

Mr. Andrew Mitchell: I was a soldier in Cyprus serving in the United Nations force about 25 years ago, in 1975. Does the hon. Gentleman share my deep depression about how little has changed on that beautiful but benighted island?

Mr. Dismore: That is a simplistic analysis. Mr. Denktash's position has not changed, but many other things have, especially over the past few months and years as a result of the EU acting as a powerful catalyst to unlock the long-standing problems on the island, as the opening of the green line has shown. People now travel north and south across the green line, albeit with the production of passports, with no incidents or confrontations, just good old-fashioned Cypriot hospitality and friendship demonstrated even by those who occupy houses owned by people on the other side of the green line. The only problems are those caused by people euphemistically referred to as the ancient Britons, who bought houses in northern Cyprus with dubious titles and who, when the Greek Cypriots return to visit them, run them off the land by hurling the ironic insult, "Have you no respect for private property?"

Jeremy Corbyn: Can my hon. Friend remind the House of the process to resolve some of the land and property ownership problems? That sore runs through the Cypriot community in Britain as well as in Cyprus. Many people believe that they have a right to return to the home that was taken from them in the 1974 invasion.

Mr. Dismore: The Annan plan deals with those issues. The question is whether the plan is acceptable. There are serious reservations about it. This year's Cyprus report recently published by the Friends of Cyprus contains a flow chart of the processes through which property issues have to be processed. It is complicated and the prospects of getting land back at the end of it are slim. One of the big concerns of many in the Greek Cypriot community is that the acquis communautaire will not apply in the north and human rights will not be respected. The issue needs to be re-examined, as does the compensation for those who want to accept it. It is doubtful whether settlers in the north would have the resources to pay compensation. The Turkish Cypriots who occupy land in the north that belongs to Greek Cypriots may have properties in the south that they could use as collateral, but settlers from mainland Turkey will have no assets other than the property they occupy.

It has been estimated that if the settlers were to return, the compensation costs would be 5 billion to 7 billion Cyprus pounds, but if they do not, the costs would be 17 billion Cyprus pounds. The Cyprus pound is worth rather more than the sterling pound, so the numbers are serious. There are also concerns about whether the Republic can afford the costs of the Annan plan. The report produced by former President Vassiliou, their former EU negotiator, says that the plan is workable, but the Cyprus Government are doubtful. The Central Bank of Cyprus is working on that.

It has been suggested that the Republic of Cyprus Government are happy to sit back and wait for EU accession without a settlement, thinking that their position will be strengthened once accession is complete. That does not recognise the serious pressures building up within the Greek Cypriot community. If Cyprus accedes as a divided island without a settlement, there is a strong risk that Turkish Cypriots, who are entitled to Republic citizenship—indeed, many have Republic passports—will become EU citizens and come south, with a view either to moving to other parts of the EU, perhaps to Britain, or to reclaiming the properties occupied by Greek Cypriots in the south. The latter is the more worrying for the Republic. It involves 200,000 properties. In practice, those people would be entitled to that property even without a settlement. That would create serious problems for the Republic, which would have to rehouse the individuals concerned.

There is a greater minefield to consider. If a sufficiently large Turkish Cypriot community moves south, it could claim its rights under the failed 1960 constitution to the vice-presidency and seats in the House of Representatives. The risk is that those people who migrate south would be replaced by settlers from mainland Turkey, making a solution even more difficult to achieve. The Republic also thinks there is a prospect of a Schengen frontier within the middle of the island, effectively restricting crossings of the green line, with Greek Cypriot border posts required by the EU.

There are also issues about the extent to which Turkish Cypriots will vote in the European Union elections in June. The Republic is keen to ensure that they can exercise their democratic rights, but whether they can do so without harassment and victimisation by the Denktash regime remains to be seen. I am pleased that Turkish Cypriots, in particular Mr. Shener Levent, have made moves to stand as candidates in the EU elections. Shener Levent is the editor of a newspaper, *Afrika*. He has been imprisoned and his newspaper offices have been firebombed, so it shows a great deal of courage on his part to stand. AKEL, one of the Greek Cypriot coalition parties in government, also says that it will have Turkish Cypriots on its list. The election will be by open party list, with cross-community voting possible, which gives Greek Cypriots and Turkish Cypriots the opportunity to come together.

On Turkey, there are still doubts whether it gets the message that it will not get a date to start accession negotiations without a Cyprus settlement. It wants the world to be as it sees it rather than as it is. That is evidenced by its approach to the Loizidou case. It is still to pay compensation several years after the judgment of the European Court of Human Rights. However, Turkey has paid compensation to a Turkish Cypriot, Mr. Cavit An, in respect of his human rights case over freedom of association. He insisted on payment in euros rather than Turkish lira.

We must do all that we can to get the message over to Turkey that a Cyprus settlement is essential if Turkey is to join the EU. It was an interesting time to visit Cyprus. Important issues are arising that, over the next six months to a year, will be critical. This is the best time that there has ever been for a settlement, but the prospects of a settlement with Mr. Denktash in power remain very difficult. I believe, with the Turkish Cypriot Opposition, that we must do all that we can to make sure that the elections are fair. Let us hope that they are able to succeed and to unlock a long-standing and difficult problem so that when we talk about Cyprus the next word is not "problem" in future.

2.40 pm

Sarah Teather (Brent, East) (LD): It is with great pleasure that I rise to make my maiden speech, especially as I follow the hon. Member for Hendon (Mr. Dismore), who is almost a parliamentary neighbour of mine. As I speak for the first time in the Chamber, I am reminded of election night. I have the same sense of awe and honour that I had that evening.

I am proud to be the first woman to represent Brent, East or, as it used to be known, Willesden, East. I am also the first Liberal Democrat Member to represent the seat, though it has a proud Liberal history. Gladstone used to stay at Dollis Hill house, which is in a park that was renamed in his honour. It is in the centre of my constituency.

As a young woman, I am often asked about the problem of the lack of women in this place and what we should do about it. I have always been interested in the idea of all-women shortlists. That is probably because as

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a woman who is almost always the shortest, I would be guaranteed to win under such a system. Mercifully, I was elected without the aid of such mechanisms. As the newest and the youngest Member of this place, my overwhelming sense as I speak is one of privilege. It is a huge privilege to be here. It was a huge privilege to be elected to serve the constituents of Brent, East. It is also a huge privilege to walk in the footsteps of so many great men and women who have debated in this place before me. However, privilege is not enough. Politics is about changing things, and at the end of the day I will be judged on my ability to influence change on the issues that are important to my constituents. I owe them a debt of thanks but also a debt of work. I will work extremely hard to repay that debt over the forthcoming years.

Right hon. and hon. Members will be aware that I stand here today only because of the sad and tragic death of my predecessor, Paul Daisley. I never met Paul, but he was widely liked by my colleagues on Brent council and by politicians across the political divide at all levels. Those who knew him spoke of him as a giant of a man. They said that his determination and courage were matched only by his compassion and his concern for others. He made a huge contribution to Brent. His national political career was cut short but his local legacy lives on. As leader of the council he worked tirelessly to turn round a failing authority, which at that stage was pilloried by *Private Eye*. He is rather flippantly said to have put back the "r" into Brent. He will be a tough act to follow. I hope that in time I may be able to prove myself to be a worthy successor to him.

I wish Lesley—Paul's wife—well. She has launched the Paul Daisley memorial trust in his memory, and I think that it will do great work in trying to improve the quality of life of people suffering from cancer and to raise awareness of that illness, which affects so many people and kills an enormous number.

As I speak about my predecessors, perhaps right hon. and hon. Members will remember that a well-known political refugee lives in my constituency. I am terribly concerned about that constituent because I understand that he has some serious money worries ahead in the new financial year. He has real problems with housing, transport and even crime. I say to him, as I would say to all constituents, that should he ever want any advice from his local Member, he is welcome to pop into one of my local advice surgeries. As a Liberal Democrat, I am always willing to see any of my constituents, regardless of the party to which they may be affiliated.

It is conventional on these occasions to speak a little about one's constituency. I am lucky because most Members of this place went canvassing in my constituency during the summer, so I know that many Members are familiar with it—almost too familiar. It is said that there was a veritable economic boom at Willesden high road and Walm lane among the restaurateurs and fast-food outlets. It worried me that one shop took on extra staff to cope with the load; I hope that it does not now fear a recession.

Those Members who visited my constituency will know a little of it. It is a constituency of great vibrancy and diversity but also one of great need. The wealthiest and the poorest live side by side in some of the most densely populated areas in the country. The crime rate is very high. The incidence of burglaries and violence is almost twice the national average. The incidence of robbery is six times the national average. Yet, despite the huge and real fear of crime, I have found in Brent a sense of community, welcome and openness that I have never come across anywhere else in London.

It is said that 130 languages are spoken in Brent schools. There is a kaleidoscope of religions—Christian, Hindu, Muslim, Sikh, Buddhist and Jewish. There is a large Irish population. The ethnic minority community is about 50 per cent. of the local community. It is perhaps fitting, therefore, that I should speak in a debate that has the theme of international affairs. I often comment that when I visit local community groups, I am as likely to be berated on international issues—be it Kashmir, the middle east, Iraq or the Eritrean-Ethiopian situation—as I am to be asked about local issues. Today, however, I want to talk about other things.

Despite the debate to which I have referred, which is often heated and controversial, the different communities co-exist happily. The constituency is a model of tolerance and acceptance. I shall never forget my experience only last month during the Diwali procession in the borough. I watched young children from a local primary school, who were dressed in the most beautiful costumes. They were proud to wear them. There was lots of bustling and excitement. Nor was it only the Hindu children who took part in the procession: all the children from the local community took part—white, black and Asian. To me, that is a model of multiculturalism.

I hope to champion many issues during my time in Parliament, which I hope will be very long. Among them are the closure of local post offices, funding for local schools, the need for more police and general practitioners, and the need to campaign to ensure that councils are more responsive to local need.

I shall touch on another issue that is of huge importance in Brent—it was raised with me regularly on the doorstep—and that is tuition fees and top-up fees. I hope that hon. Members will not think that I am being too controversial in raising that issue in my maiden speech. The Opposition side of the Chamber may be united on it, but as there is a huge debate throughout the House, I feel that it is not strictly a party political issue. The matter is dear to my heart. As the youngest Member, I dare say that I am the only Member still paying back a student loan. However, I am aware that I am extremely lucky. When I went to university, I received a full grant. Tuition fees had not been introduced. Students who are studying for GCSEs and hoping to go on to university face extraordinary levels of debt. The Barclays bank survey shows that the debt per student will be £33,000 by 2010. That is more than my parents' mortgage; it is more than the mortgage of most students' parents. It is a huge amount.

I feel immense frustration when I hear talk about widening participation while we are debating the introduction of a policy that will deter the very students we are trying to attract. Fear of debt is just as real as debt, and that is why this is such an issue in my constituency. It is likely to deter students from lower-income backgrounds and ethnic minority communities—particularly the Muslim community, which is very large in my constituency—who often have very different attitudes to debt.

My concern is that this debate is really about whether we want a world-class education system or whether we are looking to move back to a class-based education system, in which students choose universities according to their ability to pay, and universities are judged on the level of their fees. That is not a system that I would look forward to, and I hope that Members from all parties will unite in opposing it when the time comes.

In conclusion, I hope that I have convinced the House of the uniqueness of my constituency, and of not only its wealth of diversity but its social need. There is much work to be done, and I look forward, now that I have made my maiden speech, to being able to raise the issues in Parliament. I thank the House for welcoming its newest Member.

2.50 pm

Sir John Stanley (Tonbridge and Malling): It gives me the greatest pleasure to follow the maiden speech of the hon. Member for Brent, East (Sarah Teather). I add my congratulations to the many that I am sure she has already received on her remarkable by-election victory at the expense of the Labour party and, I have to say, my own party. On the strength of her maiden speech, I can say to her that she need have no worries whatever about either her age or her height. She spoke with confidence, lucidity and, clearly, great knowledge of her constituents and her constituency, and we look forward to having the pleasure of hearing from her on many future occasions.

One of the most sobering experiences of this calendar year, 2003, for me has been to go and see at close quarters the Israeli security wall. I am glad that the Foreign Secretary has, apparently, flown over it recently, and I hope very much that he and his colleagues from the Foreign Office and other Departments will go and see it for themselves at close quarters, because the wall needs to be seen closely for both its scale and its impact to be fully appreciated.

During the cold war, I, like other Members in all parts of the House, had the opportunity on a number of occasions to see, both from the ground and from the air, the Communist wall down the centre of Europe. I did not go as close to it as I did to the Israeli security wall, because that would have guaranteed a bullet in either one's back or one's front, but one was able to see it at reasonably close quarters. The Israeli security wall is pretty well a carbon copy of the cold war wall built by the Communists. It comprises a combination of wall in built-up areas, electrified razor-wire fencing beyond the built-up areas, watchtowers, lighting, anti-vehicle ditches, smoothed sand strip for the detection of footprints, and military road, with dogs available. The only things missing, so I was assured by the Israelis, were anti-personnel landmines. They, happily, are not present, but the wall is a formidable construction.

I do not in any way deny the right of the Israeli Government, or indeed of any other Government, to take what measures they feel necessary on their own soil to provide for the security of their people. The significance of, and the element of controversy arising from, the Israeli security wall is not those of its sections that follow the line of Israel's border, the green line, but those increasingly long sections that have already been and continue to be constructed inside the occupied territories.

In this matter we have some experience to bring to bear. If, to try to deal with the terrorist threat in Northern Ireland, we in this country had ever contemplated the creation of such a wall along the entire length of the border between Northern Ireland and the Republic of Ireland, we would agree in all parts of the House that it would have done virtually nothing to contribute to security, and it would have been absolutely catastrophic for our attempts to achieve a political settlement and a resolution of the difficulties that we have experienced from terrorism in Northern Ireland.

I hope that, inside Israel, there will be a continuing and accelerating debate as to whether the wall provides any reality of security or simply an illusion. I have welcomed the recent public statements by no fewer than four former members of the Israeli security service, Shin Bet, who have expressed doubts about the value, in security terms, of the policies being pursued by the present Israeli Government. Even more significantly, those doubts have been expressed by no less than the current Israeli chief of army staff, General Moshe Ya'alon. That debate most certainly needs to continue.

What is not in any doubt is the impact of the wall on the everyday lives of Palestinians: farmers unable to get to their crops; mothers in labour unable to get to hospital in time; workers unable to get to their jobs; and businesses unable to secure delivery of their goods and services on time. Some of us on the Foreign Affairs Committee had the opportunity of going to the town of Qalqilya, which was alluded to by the Foreign Secretary in his opening speech. Qalqilya is a town of 43,000 Palestinians, and as of today, right now as we have this debate, that town is encircled, 360 degrees, by the massive Israeli security wall. There are just two entry and exit points.

The impact on the town has been absolutely devastating. If one goes up and down the main street one sees shops boarded up, one after the other, because they no longer have the business contact and trade that they once had. Of course, if the businesses close down, that impacts directly on the standard of living and well-being of those in the town. It is a bitter historical irony—some might say a historical inversion—that in Qalqilya now there is the spectacle of 43,000 Palestinians effectively in a ghetto, walled in by an Israeli wall, watched over by Israeli guards in towers. I have to hope and believe that inside Israel there are plenty of people who are appalled by that spectacle, and I hope and believe that there are many people in the Jewish community worldwide who are equally appalled.

The United Nations, in its recent compelling and important report, which was put out by the office for the co-ordination of humanitarian affairs in east Jerusalem, assessed the impact on the lives of Palestinians of the construction of the security wall. If I may, I shall read the few concluding sentences of that

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report, which was published at the beginning of this month. Under the heading, "Humanitarian consequences", it says:

> "Little consideration appears to have been given by the Israeli Government to the Wall's impact on Palestinian lives.
>
> More people, unable to reach their land to harvest crops, graze animals or to reach work to earn the money to buy food, will be hungry. The damage caused by the destruction of land and property for the Wall's construction is irreversible and undermines Palestinians' ability to ever recover even if the security situation allows conditions to improve.
>
> Residents risk being cut off from schools, universities and specialized medical care. The Wall fragments communities and isolates residents from vital social support networks.
>
> If the military orders that restrict entry into the closed areas between the Green Line and the Wall are applied to the new parts of the Wall, then many thousands of Palestinians are likely to be forced from their homes and land."

The Foreign Secretary said that the section of the new security wall inside the occupied territories is illegal, and I welcome his acknowledgement of that. However, it will not be sufficient for the Government or other Governments simply to wring their hands and say the wall is illegal. What is at stake is far greater than the legality or otherwise of the security wall. What I believe is at stake is the entire future of the peace process between Israel and her Palestinian neighbours. As the wall is constructed and extended in the occupied territories, mile by mile, any prospect of being able to achieve a viable—I stress viable—Palestinian state is being destroyed. The issue is becoming time-critical as the wall continues to expand.

Although the Foreign Secretary referred to greater pressure being applied on the Israeli Government in connection with the wall, we shall need an unprecedented degree of pressure—a greater degree of pressure than has ever been applied before—by the UK Government, the European Union, the United Nations and, above all, the United States Government, to try to persuade the Israeli Government to stop the construction of the wall inside the occupied territories, and to take down those sections of the wall that have been constructed inside the occupied territories. I sincerely believe that unless those steps are taken by the Israeli Government, there is no prospect whatever of being able to bring the road map policy to fruition.

Mr. Gardiner: I agree with everything that the right hon. Gentleman said about the illegality of the wall in the occupied territories and the negative effect that the whole of the wall is having, but will he consider that, this far into his exposition, he might have presented a more balanced picture had he mentioned the suicide bombers and the very real threat and danger that the people of Israel feel from that?

Sir John Stanley: I am certainly ready to acknowledge that, and I have already referred to it in my remarks. I said at the outset, and I hope the hon. Gentleman heard it, that I totally defend the right of the Israeli Government to take whatever measures are necessary within their own territorial boundaries to protect their own people. I do not have, and I do not believe that the Government have, any difficulty whatever with the construction of the wall along the green line. That is not the issue. The issue is the construction of the wall inside the occupied territories.

The second matter that I want to raise is Iraq. Last week, during President Bush's state visit, I listened carefully to what the Prime Minister said on the subject. He called on us in this country to stop raking over the coals as to why we went to war in Iraq; it was time to move on and to focus on the benefits that the war was bringing to the people of Iraq. I felt that that was a somewhat self-serving invitation from the Prime Minister, which I do not intend to accept. I do not believe that we can airbrush away any future debate about the circumstances in which we undertook war in Iraq.

As the Prime Minister has acknowledged on more than one occasion, the decision whether to take the country to war is the single most important decision that any Prime Minister and any Government can take. It is a very serious matter also because more than 50 British servicemen have already lost their lives during and since the war in Iraq, and because the issue does not concern merely the Government. It concerns each and every Member of the House of Commons because the Government, uniquely on this occasion—I give the Government credit for it—decided to seek the approval of the House of Commons on 18 March for the decision whether we went to war. To that extent, each and every one of us participated in that decision.

I shall not rehearse the case that the Government put forward on 18 March and in the weeks and months beforehand for going to war against Iraq. The House is intimately familiar with the arguments. They are encapsulated in a single sentence in the opening paragraph of the Government's paper which they published days before the war started, entitled "Iraq: Military Campaign Objectives". In that paper, the Government stated:

> "The prime objective remains to rid Iraq of its weapons of mass destruction and their associated programmes and means of delivery, including prohibited ballistic missiles, as set out in the relevant United Nations Security Council resolutions".

The justification for the war was to rid Iraq of its weapons of mass destruction.

What we all know, and the Government, I am sure, privately acknowledge, is that since the war ended and the weapons of mass destruction have not been found, the Government have shifted their grounds of justification for the war. Every criticism that is made of the Government as to whether the grounds for going to war have proved valid is met with the response with which we are all too familiar: "We have toppled Saddam Hussein, the old regime has gone, the Iraqi people are much better off, so what are you complaining about?"

I want to answer that. We would have no grounds for complaint if the Prime Minister had made a different speech in the House on 18 March—if he had come to the House and said, "The reason why we are going to war is to remove Saddam Hussein and change the regime." He could have made a powerful speech arguing that case. He could have said that Saddam Hussein was guilty of mass murder. In his opening speech the Foreign Secretary referred to 300,000 Iraqis killed or missing. The Prime Minister could have said that Saddam Hussein was guilty of mass imprisonment without trial, torture and rape, that Saddam Hussein was guilty of massive crimes against humanity and that, for those reasons, the Saddam Hussein regime must go.

The Prime Minister would have had to add that, although that was a powerful moral case for going to war, it would be illegal. He would have had to make that clear. He could well have argued from the Dispatch Box that notwithstanding the illegality, on this occasion the moral imperative was the greater and justified the military intervention. But that was not the speech that the Prime Minister made. It is hugely significant that the justification of going to war for regime change was explicitly and emphatically, in black and white terms, rejected and repudiated by the Prime Minister on 18 March, because that justification would have been illegal.

I remind the House of two critical sentences in the Prime Minister's speech on 18 March. They are there in black and white in *Hansard*, as follows:

> "I have never put the justification for action as regime change. We have to act within the terms set out in resolution 1441—that is our legal base."—[*Official Report*, 18 March 2003; Vol. 401, c. 772.]

Today, the country and we in the House of Commons face an extraordinary and deeply concerning situation in which the Government's original justification for going to war in Iraq has so far proved to be invalid, and the Government are now using to justify their action a justification that on 18 March they repudiated and said was illegal.

Mr. Gardiner: The right hon. Gentleman has quoted two key sentences. Will he address the questions posed by two other phrases, the first found at the beginning of resolution 1441, which states that

> "Iraq has been and remains in material breach of its obligations";

and the second at the end of resolution 1441, in which Iraq is afforded

> "a final opportunity to comply"?

What does he understand by the word "final"?

Sir John Stanley: The hon. Gentleman's point reinforces my argument. The non-compliance with the resolutions was all related to failure to comply with weapons inspectors' efforts in relation to weapons of mass destruction. It was all about weapons of mass destruction. At no time did the UN resolutions endorse the proposition that military action should be taken simply to change the regime in Iraq.

This country has been taken to war on a ground that has so far proved to be invalid, and the Government are now using a justification that they previously repudiated and stated was illegal. Perhaps in the end everything will come right for the Government: perhaps over the next few months or year, weapons of mass destruction will be found. If they are, I, as one who supported the Government on 18 March, will feel a distinct sense of relief—hugely exceeded, I am sure, by the sense of relief felt by Ministers. I voted in support of the Government in good faith, on the basis of the evidence about Saddam Hussein possessing weapons of mass destruction that the Government put before the House on 18 March and in the September 2002 dossier.

If in, say, a year's time, however, there is still no sign of those weapons of mass destruction, as I said in our debate in July, it will become incumbent on the Prime Minister, and the senior Ministers most closely associated with the decision, to consider their personal position, in view of the fact that they have taken the country to war on grounds that cannot be established. That is a matter for them, but at the very least, I sincerely believe that if no weapons of mass destruction are found, before this Parliament ends the Prime Minister will owe the country, this House of Commons and, most important of all, the families of the servicemen who have died a proper apology for being the first Government in our modern history to have taken this country to war on the basis of a threat assessment that was shown to be invalid.

3.14 pm

Jeremy Corbyn (Islington, North) (Lab): First, I congratulate the new hon. Member for Brent, East (Sarah Teather) on her election victory and on her excellent speech today. Yet another Islington person has made their way into the House of Commons—and there are many more yet to come. Her speech was very good, especially her reference to the joy of representing an inner-city, multi-ethnic constituency. The strength of communities working and living harmoniously together, expressing their cultural diversity, is a joy to behold in this country. The right-wing journalists who continually denigrate multiculturalism as political correctness would do well to understand the fact that there is a joy of life in inner London that the rest of the world should understand and respect. I wish the hon. Lady well in her career in Parliament.

When he introduced the debate, the Foreign Secretary said that a strategy document would be produced next Monday. I am pleased to hear that, but find it a little odd that he announces that the document is coming on the day we debate foreign affairs. Why on earth could the document not have been made available to us today, so that we could have debated it today? Since it is not available, may I express the hope through you, Mr. Deputy Speaker, that the usual channels will ensure that there is a substantial debate in the near future on the strategy document, which will enable it to be properly analysed? Otherwise, what is the point of having the document at all?

The Foreign Secretary made the point that one of the underpinning principles of British foreign policy is support for the United Nations. I am sure that the whole House supports the UN—everybody supports the UN. The only problem is that the policies that have been followed by the United States and Britain in the past year have done enormous damage to the principles of the UN, UN law and international law in general. George Bush took us into the Iraq war specifically without the endorsement of the UN, and specifically claimed that the war was legal, when in fact the only basis of a legal war is self-defence. As the right hon. Member for Tonbridge and Malling (Sir John Stanley) explained, we were taken into war on the basis of the existence of weapons of mass destruction, none of which, strangely, have yet been found.

[Jeremy Corbyn]

I hope that the strategy document contains a serious affirmation of our support for the UN and reforms within it. The UN is a major world institution, it has an enormous effect on the lives of millions of people around the world, and many people living in the most desperate circumstances pin their faith and hope on it, yet we spend little time debating UN reports on the Floor of the House. Might there be a case for having a Select Committee on UN affairs, in addition to the existing Select Committee on Foreign Affairs?

Mr. Gardiner: I agree, of course, with my hon. Friend's assessment of the importance of the UN, but he stated that the only basis of a legal war is self-defence. Does he accept that military action is a penalty for failure to comply with obligations under chapter VII of the UN charter, which deals specifically with weapons of mass destruction?

Jeremy Corbyn: My hon. Friend is correct to say that that is a possibility under chapter VII. The problem with his submission is that neither the United Nations nor the Security Council ever agreed to such action in Iraq, no weapons of mass destruction have been found, and, crucially, Britain and the United States prevented Hans Blix and his team from returning to Iraq in January this year to continue their weapons inspection programme. They were replaced by the Iraq survey group, which is vastly larger and better funded than Hans Blix's team, but which, after several months of trawling through every building in Iraq, has come up with absolutely nothing.

Perhaps someone at some point in the future will find weapons of mass destruction, but I suspect that had such weapons been available to the Iraqi regime, they would have been used at the point when the invasion occurred. They were not. I suspect that we were taken into war on the basis of misinformation in the documents that were presented to this House. That is a serious matter because of the damage that it has done to international law and to the esteem in which the British and American Governments are held.

Last week, President Bush visited this country. It was a deeply controversial affair—indeed, I tabled an early-day motion, signed by a number of Members, requesting that he should not be invited and that the visit be cancelled. However, the visit went ahead, apparently costing us between £7 million and £10 million and causing a great deal of disruption. A large number of people took part in demonstrations against the visit. The Foreign Secretary and others were wont to say that the participants were deeply anti-American and only wanted to attack the United States. However, having been involved in the demonstrations, I should like to tell the House that the march last Thursday was led by Americans, particularly the Vietnam war veteran Ron Kovic, who made a moving speech in Trafalgar square in the evening about the issue of American power and influence in the world and what could be done to try to curtail those ambitions and bring about a sense of world order.

Ron Kovic is an interesting man. He grew up in a deeply patriotic American household, and was proud to join the marines. He went to Vietnam and, on his second tour of duty, was shot and paralysed from the chest down. He came back home, where, frankly, he was ignored. Since then, he has spent his life campaigning for peace and justice. It is sometimes as well to remember that people who have made a personal voyage of discovery, as he has, have a contribution to make. He nearly died in Vietnam in a war that, at the time, he supported. He has drawn parallels between Vietnam and Iraq. He does not support Saddam Hussein any more than anyone else in the Chamber, but he has said that the invasion, the occupation and the large number of deaths from depleted uranium and cluster bombs and from activities resulting from an unlikely alliance of opponents to the occupation are not a recipe for a long-term peace—they are probably a recipe for long-term instability, not just in Iraq but elsewhere.

I received an interesting email yesterday from the International Longshore and Warehouse Union of San Francisco, which sent a delegation to Iraq to meet people in various factories. I shall not read it all, as it is very long. However, the ILWU complained about order No. 39 of 19 September issued by the provisional Administration in Iraq, which I mentioned in an intervention on my right hon. Friend the Member for Swansea, East (Donald Anderson), the chair of the Foreign Affairs Committee. The ILWU said that the order permits

> "100 per cent. foreign ownership of businesses—except in the oil industry—and allowing companies to take their profits out of the country. Order No. 37 suspends income and property taxes for the year, and limits taxes on individuals and corporations in the future to 15 per cent."

The email went on to discuss the number of state-owned industries in Iraq that are being sold by the US-appointed Administration to any American company that comes along and wants to buy them. What kind of message does that send to the people of Iraq? The supposed liberation of Iraq, which took place in the interests of its people, has in fact resulted in a lot of George Bush's cronies being able to buy up a lot of real estate very cheaply indeed. We need to think about where that will lead.

The war on terror declared by George Bush after 11 September 2001 is simplistic in approach. It led us into Afghanistan, where there were 8,000 dead, and it has led us into Iraq, with all the dead there. I suspect that both those military activities undertaken on behalf of the United States have probably increased support for rogue groups around the world that will commit unspeakable acts of violence against individuals. The solution is not to meet the threat by saying that we will go to war anywhere, any place, any time. Surely, the solution is to look at what feeds those groups, the issues that face us and the poverty around the world that drives people to desperate measures. If we are to preach democracy and the rule of international law, and if our influence over the United States is supposedly so great following the visit of President Bush, why is the legal void of Guantanamo bay allowed to continue to exist? The United States created a non-existent legal phrase of "illegal combatant", and, for almost two years, has used it to incarcerate people in Guantanamo bay and other places without charge, trial or representation. There is only the unsatisfactory prospect of a possible military tribunal in the United States.

I plead not just on behalf of the British nationals in Guantanamo bay but for everyone else there. They all deserve a fair trial with independent representation in which they know the charges against them. Before we get too high and mighty, our own anti-terrorist legislation allows similar actions to be taken against non-British nationals whom the Home Secretary believes may have a connection with international terrorism. I have no time for criminals or people who commit criminal acts, but if we are to defend democracy we must have an open form of legal judgment in which defendants have the right of independent representation.

I listened carefully to the right hon. Member for Tonbridge and Malling, who spoke about the construction of the wall between Israel and Palestine, much of it on Palestinian land. I agree with him—I saw the wall under construction last year, and it is an unbelievable act of madness to assume that it will bring about a peace. The inability of countries that are closely allied to Israel—in particular, the United States but also, to some extent, Britain—to bring sufficient influence to bear on it to stop the construction of the wall sends a message across the whole region that western countries will support Israel come what may and will carry on funding it and supplying it with arms. That will not bring about a long-term peace—it is a recipe for more long-term conflict and problems.

I have met people from the peace movement in Israel and many people in Palestine and various Palestinian organisations and groups. There are brave people in Israel who are campaigning for peace, justice and recognition of Palestinian rights, including the right of return and the liberty to reside in Jerusalem. They surely have the vision and ability to look to the future, whereas the Sharon Government are offering a recipe for long-term disaster and conflict in the region. We could and should put far more pressure on Israel, including the suspension of all arms supplies while the construction of the wall and the illegal occupation continue. We should also recognise, as I have said, that many brave people in Israel have campaigned for peace, not least Mordechai Vanunu, the nuclear scientist who will be released, we hope, early next year.

The right hon. Member for Tonbridge and Malling talked about the wall between Israel and Palestine, which is designed to achieve security for Israel, although I am not sure that it does. In October, I had an opportunity to visit another wall, which was constructed illegally by Morocco across the western Sahara to prevent the Sahari people from reoccupying land from which they were expelled in 1974. I should be grateful if, in his reply, the Minister can give us any further news of diplomatic initiatives to ensure that the UN agency dealing with Western Sahara and Morocco, MINURSO, is allowed to continue its work. I also hope that he can give us some hope that an early referendum will take place as part of the decolonisation process, as it is fundamentally wrong that more than 100,000 Sahari people, who were expelled from their land in 1974, should live in the misery of refugee camps in southern Algeria, forgotten and ignored by the rest of the world. I hope that progress has been made.

The Minister for Europe (Mr. Denis MacShane): My right hon. Friend the Secretary of State for Defence will reply to the debate, but I shall ask the Foreign Office to provide the fullest reply to the points that my hon. Friend has raised.

Jeremy Corbyn: I thank the Minister for that. I look forward to his reply and I hope that a good response will be forthcoming and that Britain will continue to support the efforts to obtain a peaceful solution.

I visited the refugee camps and I went to the Polisario Front's 11th congress, which was held in a disused Spanish fort hundreds of miles into the desert in what is termed liberated Western Sahara. The sense of anger, frustration and outrage of people and their families can boil over at any time, although no one wants it to. One sees anger there, among young people in Palestine and in other parts of the world, and we have a duty and responsibility to try to bring about a peaceful resolution of those conflicts, otherwise the alternative is war, conflict, death and destruction.

We have been told that it is important for us to maintain close links with the United States, and that that underpins our foreign policy. I just wonder whether our message to the world is not a bit skewed when we are spending increased amounts on defence when we should be cutting it, when we have signed up for national missile defence, and when we are apparently prepared to countenance the use of nuclear weapons and the continued holding of nuclear weapons while condemning other countries for doing the same thing.

The real issues facing the world are the facts that a quarter of the world's population is living in desperate poverty, that we have a trade system that is skewed against the poorest people in the poorest countries, and that we are increasingly trying to look after the interests of western Europe and north America at the expense of the rest of the world. That is why the Cancun summit broke down.

We have a responsibility to take a more global view, and one of redistribution and sharing of wealth and resources, because at the end of the day it is instability, poverty, greed and the grabbing of natural resources that bring about war and conflict, and unless we change our attitudes in those respects, the war on Iraq will, unfortunately, not be the last of these gruesome conflicts and all the deaths, misery and destruction that go with them.

3.31 pm

Mr. Andrew Mitchell (Sutton Coldfield) (Con): It is a pleasure to follow the hon. Member for Islington, North (Jeremy Corbyn), not least because, as well as being a constituent of his in the past, I had the privilege of being the chairman of the Islington North Conservative Association. On the strength of his contribution today, I think that he is probably held in higher esteem among some of his constituents like me than he is by his own Front-Bench colleagues. He has always shown an admirable consistency.

We have had a number of truly excellent speeches in this debate and I have no doubt at all that the comments today of my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) will have sent a shiver round the occupants of No. 10 Downing street, and a warning of battles that are to come. The

[Mr. Andrew Mitchell]

hon. Member for Brent, East (Sarah Teather), who made such an admirable maiden speech and told us about her constituency, will clearly make a big contribution in the House.

I start by referring to what the Foreign Secretary described rather grandiloquently as the Foreign Office's 10-year strategy for the world, which is to be published shortly. I have no doubt whatever that right at the top of his agenda must be the war on terror. We have only to hear the words of the lady who is responsible for our security services and of the chief of police of the Met to understand that the war on terror is critical to our future. Terrorism is a direct threat to all our constituents, and I emphasise today that combating it is our first objective.

The middle east peace process, on which a number of speakers today have commented, must also be right at the top of the Foreign Office's agenda and our national agenda. Quite often, we hear the Prime Minister's honeyed words—I do not doubt his commitment—but it is essential, as my hon. Friend the Member for Croydon, South (Richard Ottaway) said, that we see more third-party intervention in the middle east peace process in order to bolster support and take forward this critically important endeavour for our own security and for the security of the world. The Gracious Speech refers to tackling the underling causes of conflict and extremism, and in those two specific areas nothing could be more important.

The Gracious Speech contains quite a few measures of which I and my constituents will strongly approve. In Sutton Coldfield, we will be particularly pleased to see that the Planning and Compulsory Purchase Bill has been recommitted because there are a number of protections that we urgently need from the planning process. I am very pleased that seven Bills have been published in draft and that there is a tremendous increase in the amount of pre-legislative scrutiny that is taking place. Nothing could be more important for the respect with which the processes of the House are viewed from outside than that expert bodies on which we seek to legislate should feel that they are properly consulted and their advice taken before legislation is framed and passes through the House.

I approve of the provision for child trusts. Had the last Conservative Government come up with such a proposal, Labour Members would have laughed at it as arch-Thatcherite. However, the proposal is welcome; it is a minor matter and will no doubt pass rapidly through the House.

I am pleased that child protection legislation is envisaged and that the post of children's commissioner will be established. Of course, it is easy to come up with such structural proposals, but it is vital that we prioritise far more than we have in the past legislation to protect our children.

I have previously raised in the House something that saddens me greatly: the tremendous risks to children in Birmingham. The social services inspectorate recently reported that social services in Birmingham are among the worst in the country. The inspectorate expressed serious concerns about vulnerable children and remains uncertain of the authority's capacity for improvement. Health Ministers must be put on notice that we expect provision for the care of children in the Birmingham area to be massively improved. Their urgent attention to that issue is required.

The reaction in Sutton Coldfield to the speech in general will be that the Government should spend more time sorting out the problems that they have failed to solve so far, rather than embarking on new legislation, worthy though some of it may be. The problem with the Government's approach to public services is that although they frequently will the ends, they do not will the means. Nothing demonstrates that more eloquently than what happened to foundation hospitals. They are a good idea and they would genuinely improve the quality of health services for my constituents, but the measure has been so filleted, in order for it to be accepted by Labour Members and the House of Commons, that it is meaningless. The original proposals made by the Prime Minister and the modernisers around him deserved support, but alas they have been so destroyed by pressure from Labour Back Benchers that they are relatively worthless.

If anyone in the City had produced a prospectus on university fees that said, as the Queen's Speech did,

> "Upfront tuition fees will be abolished for all full-time students",

they would be guilty of misrepresentation and would be up before the Financial Services Authority. The language of those on the Labour Front Bench, as it appears in the Gracious Speech, shows that the Government have not renounced, as they said they would, their propensity for spinning everything.

I have no doubt that radical changes must be made to the funding system for university students, but it is clear that the Government's proposals will be unable to provide the required extra funding. I very much doubt that the measure will get through the House. Were it successful, it would massively increase the amount of debt hanging around the necks of students, which would be a serious mistake.

There is a flaw at the heart of the Government's proposals: a student from a poor family who became a lawyer, perhaps working for a City company such as Linklaters and Paines, where they could be earning hundreds of thousands of pounds quite soon after graduation, would pay nothing back; yet, if someone from a middle-class family in my constituency became a vicar, the level of their parents' earnings could be such that they would have to pay back the fees from their own relatively modest earnings. As far as I am aware, the Government have never addressed that important point.

The Government also will the ends but not the means on defence. We are told that there is to be a defence White Paper. I do not think that any defence White Paper since the Korean war has proposed an increase in spending. Such documents are always Treasury-driven, so they always look for spending cuts. I profoundly hope that that will not be the case on this occasion, although the omens, according to the leaks in the press, are not good. We face huge challenges on defence. On that area at least, in view of my opening remarks, I hope that the Government will will the means as well as the ends.

The Gracious Speech refers to a number of quality of life issues and I shall mention a couple of them. For the past six years the Government have told us that they will tackle crime. We have seen many gimmicks, but precious little reduction in crime. Since 2000, there has been a 15 per cent. increase in the use of guns in muggings here in London. According to the national crime statistics, in the past year we have seen a 19 per cent. increase in violence against persons, an 18 per cent. increase in sexual offences, a nearly 15 per cent. increase in robbery, an 8 per cent. increase in domestic burglary, an 8 per cent. increase in criminal damage and a 12.3 per cent. increase in drug offences. Labour Members are fond of saying that crime rose under the last Conservative Government, but they will also have noticed that during the tenure of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) as Home Secretary crime consistently went down. It is that record that they will have to match, but so far they have lamentably failed to do so.

Taxation is a quality of life issue. When the Government take huge sums through the 60 tax increases that they have imposed, my constituents have less choice in how they spend their money. It is an insult to hard-working families that the Government spend huge sums without much thought and certainly without achieving reform, waving and wafting money over all manner of different public service organisations. The Government will be found out. The case against the Government on taxation goes further than that. Many people, in particular elderly people, live in fear of council tax increases. That, too, is a quality of life issue.

Finally, the Government's approach to our constitution remains a complete dog's breakfast. The Prime Minister shows no respect for the conventions and constitution of our country. I shall raise two specific points. According to the Gracious Speech there is to be a Bill to make preparations for a referendum on the euro. We will undoubtedly look at that with great interest. It will not escape my hon. Friends that this proposition comes at the same time as the stability pact has been torn up by France and Germany. That will have a massive effect on opinion, particularly among the business community who are regularly asked to prepare for the euro in case Britain chooses to join. The evidence of this week alone and the reaction of the German and French Governments to the stability pact demonstrates, if evidence were needed, that the euro remains for them first and foremost a political construct, not an economic one. The best possible advice to British businessmen is to make sure that they do everything they can to ensure that we do not join the euro. It would not give them anything like the economic or financial guarantees that were inherent in the stability pact, but which are now laid bare as completely meaningless.

I shall pass over the fact that the Government set their face adamantly against a referendum on the European constitution, which my right hon. and learned Friend the Member for Devizes (Mr. Ancram) mentioned this afternoon. We now hear mixed messages from the briefing machine in Downing street that perhaps a referendum could be held. I would be delighted if that were the result, which would be excellent. The Government would be hard put to have any success in such an endeavour.

We have now seen the Government's proposed next stage in their shambolic reform of the House of Lords. I do not hold a particular candle for the hereditary peers, but the Government had an easy option open to them to make the 90 remaining hereditaries life peers. That seamless arrangement would have got the Government what they wanted but would not have insulted many of the most hard-working and effective Members of the House of Lords. The Government have again approached constitutional change with all the instincts of a vandal. *[Interruption.]* The Minister is showing some signs of chirpiness and life. Nor do I approve of his Government's proposal for an appointments commission. I cannot for the life of me see why we should hand the power to put people into the other place to a distinguished grandee who runs a building society, a political activist from Islington and a governor of the BBC. People should be appointed to the House of Lords through the Prime Minister and through the traditional channels in No. 10 used for such things—those are the correct conventions. Then, if Conservative Members do not like it, we can throw rocks at the Prime Minister, taunt him, tease him and hold him to account at the Dispatch Box for his decisions on who should go into the House of Lords. We are being given a piece of political correctness to appease that argument, but it does not deal with what is required.

In that respect, as well as in many others, the Queen's Speech is deeply defective. There are things that I look forward to supporting and that I think will genuinely help my constituents in Sutton Coldfield, some of which I have mentioned, but by and large it is, alas, as so often with the Government, a litany of missed opportunities and continued failure.

3.46 pm

Richard Ottaway (Croydon, South) (Con): Listening to my hon. Friend the Member for Sutton Coldfield (Mr. Mitchell), I realise that Sutton Coldfield's gain is Islington's loss. Following the energetic and articulate way in which he delivered his speech, it is a privilege to follow him.

Although she has gone, I congratulate the hon. Member for Brent, East (Sarah Teather) on her admirable maiden speech. I seemed to spend a lot of September in Brent. I was thinking that, if I had tipped that extra 10,000 votes, I would have been deprived of hearing her excellent speech.

I wish to make a few general points on the Queen's Speech. Looking at it and at the papers this morning, it has taken a scatter-gun approach. It seems to have no real theme—if there is one theme, it is of broken pledges on House of Lords reform and on tuition fees. Hardly anything is said on reform of public services. My right hon. and learned Friend the Leader of the Opposition put his finger on it yesterday when he said that the approach in the Queen's Speech seems to be of an open wallet and an empty mind.

On higher education and tuition fees, the Prime Minister got it absolutely right when he said that, under a Conservative Government, fewer students would have university places. I agree with the Minister for Children, who said that we do not want Mickey Mouse degrees—people are doing degrees in hairdressing and in shoe design. The best way of funding higher education is a graduate tax, to which I have always been attracted.

[Richard Ottaway]

As a Member of Parliament for a south London constituency, I give a cautious welcome to the draft Bill on identity cards. I am persuaded by the conversion of the Metropolitan Police Commissioner, Sir John Stevens, who considers it necessary for fighting crime in London. That must be taken into account. I give the draft Bill a cautious welcome. I hope that I can persuade Conservative Front Benchers to do the same.

As a London MP, I welcome the transport Bill. Those of us who remember the chaos before the introduction of the congestion charge in central London will realise that something must be done about the way in which utilities work on the roads. I do not particularly expect the Minister or his colleagues to reply to this point tonight, but will the legislation apply to acts by the Mayor of London, who seems to take a hands-on approach to manipulating traffic levels for his political convenience?

I give a cautious welcome to the civil partnership Bill. There is an issue that needs to be addressed—how to deal with property issues relating to same sex couples—but I give a tentative welcome because the details are unclear. Does it relate to taxation matters? Will there be exemptions from capital gains tax and inheritance tax? What happens in the case of a divorce between a couple in a partnership? What rights will platonic couples who live together have?

The theme of today's debate is, of course, foreign affairs. The Government's priority of doing their best to support international stability is essential to the defence and security of this country and to our trading interests. Our focus must be to reduce global tension, especially in the middle east, which is the flashpoint for global conflict wherever it is found. We live in a fast-moving world with a growing population and instant communications, and vigilance and diplomacy are more necessary than ever before.

Like my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), I was in Tehran when the Foreign Secretary came to negotiate the agreement on Iran's nuclear capacity. I congratulate him on what he achieved that day, although the picture since has been confusing. The clerics in Iran have crowed that it is a meaningless agreement and the United States has remained critical of the situation in Iran despite it. Indeed, the UN seems to have censured Iran following the agreement, although the basis for that is not clear. We must keep a close watch on the situation, because there are developments of concern to us all.

The case for war, which my right hon. Friend the Member for Tonbridge and Malling dealt with so admirably, does not need repeating by me today. We will come back to the issue in the new year, when we receive the Hutton inquiry's report on the tragic death of Dr. Kelly. Whatever the outcome, it is a matter of trust. If we cannot trust the Government to put it to us straight on the case for war, why should we trust them on anything else that they say? In this case, we would probably have gone along with them, but that problem with trust hampers everything that the Government do. It will be the central theme when we debate the issue next year.

Mr. Paul Keetch (Hereford) (LD): Does the hon. Gentleman agree that the next time a British Government seek to deploy our forces overseas, everybody will ask whether we can trust that decision, because of the apparent mistrust of the Iraq decision? It will make it much more difficult for any future Government of any colour to convince the House and the people of the necessity for military action.

Richard Ottaway: I agree. The parallel is with the boy who cried wolf. I could not disagree with a word of the speech by the right hon. and learned Member for North-East Fife (Mr. Campbell), and he made a similar point.

The situation in Iraq today is tense. We have daily attacks, with terrorists loyal to Saddam freely operating in the country. I was struck by a letter I received today from the Free Iraq Council, which claims that some 30,000 fighters are operating inside Iraq. The borders to Syria and Iran are also open. I am sorry that we no longer have a Foreign Office Minister on the Front Bench—

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): What do you think I am?

Richard Ottaway: I beg the hon. Gentleman's pardon, but he changes Departments so often. Given that it now seems to be common knowledge that terrorists are entering Iraq through Syria and Iran, I hope that the Minister who winds up the debate will tell us what is being done about that. Will we just acquiesce, or will we join the United States in sanctions against Syria? We cannot sit back and do nothing. The situation in Iraq is very difficult. There are attacks in Baghdad, which appear to be co-ordinated. The situation is unstable and it raises question marks over the extent to which we are in control.

The Foreign Secretary spoke about the plans for a handover to a transitional Iraqi Government. Those remarks are obviously welcome, but I query whether the situation is stable enough at the moment for that type of handover. It will work only if it is sustainable and the rule of law can be maintained. The Government must not overplay their hand. They exaggerated the case for war; they should not now exaggerate the case for peace. I am not convinced that the climate is right. If the Government try a handover and fail, it will be a disaster and set back the cause out there for very many years.

I nevertheless consider that the Government should spell out in much greater detail the post-transitional arrangements. What is the plan? What is the exit strategy? Are we planning for troops to be there for many years? We also need to address with care the need for extra investment; for example, the oil industry must be a top priority for the transitional Government.

I shall now discuss the war against terrorism in the wider scale. The campaign is relentless; there will be no let-up. We shall live with it for generations. Some say that this is all the fault of the war in Iraq. I have no doubt that the invasion has agitated the situation but, as many people have pointed out, it is a long-running campaign. I cannot remember the date of the attack on the USS Cole, but it was several years ago; it certainly pre-dated 9/11.

I was listening the other day to a lawyer who was speaking, I think, in the context of Guantanamo bay. I do not criticise her position, but she said that this was not a war by definition. I believe that it is a war; it is simply that the rules have changed. Usually, wars are waged against other countries, but now we have an unseen enemy who leaves no fingerprints, observes no boundaries and dies for the cause—as suicide bombers—and we must recognise that the rules of the game have changed. The events of 11 September changed everything; the United States now marches to a different drumbeat.

I wish that I had had a chance to listen to President Bush's speech in the Banqueting House, but none of us got an invitation. He spoke of the bombings in Bali, Jakarta, Casablanca, Bombay, Mombasa, Najaf, Jerusalem, Riyadh and Istanbul, and in all these, the common theme was that they targeted innocent people regardless of their religion. He said that if the people who perpetrate these crimes could get their hands on weapons of mass destruction, they would use them, killing millions of people, and that we must face these threats and defeat them.

It is important to address what is going on in the Islamic world. I appreciate that this is the most sensitive of subjects, but I am concerned that much of this terrorism is being done in the name of Islam, yet the Muslims in my constituency do not recognise what is going on and it is not their way. The Minister for Europe, who sadly is not in the Chamber, rather blundered into this recently in his comments, when he said that the Muslim world must choose between the British way and the way of the terrorist. I know what he was trying to say, but I think it was rather inept. The question that he must put to the Muslim world is about what it is doing to prevent this happening again.

The terrorists say that they are responding to the call of a jihad, and that that is the duty of all Muslims. My judgment is that it is no such thing, and that the challenge to moderate Islam is to find ways to deal with this very difficult situation and put pressure on the fundamentalists to persuade them that they are going down the wrong path and that they should reject the way of terror.

At the heart of all this is the dispute between Israel and Palestine. That is a cause for which terrorists around the world campaign, and it is how they justify their actions. I have no doubt that that conflict is the sparkplug and flashpoint for global instability, that there will be no peace in the world until it is truly resolved and that it should be our No. 1 priority.

The road map was published in June last year. It is performance-based and goal-driven, with a two-state solution, but the key to its success—I made this point in my intervention on the Foreign Secretary, who did not demur—is that it needs third-party involvement to make it happen. The road map calls for an independent, democratic and viable state by 2005. That is a hugely challenging concept, but it is based on a weak document. However, it is the only plan that we have. It is consensual and it has international backing, and it must be made to work.

The problem with the road map is that there is no dispute resolution procedure. To give an illustration, it states that the Palestinian Authority must undertake visible efforts to prevent attacks on Israelis. The then Prime Minister, Mahmoud Abbas, said that that issue, as well as unauthorised weapons, must be addressed. Hamas immediately said in response that it would not disarm until Israel ended its occupation. Those are entrenched positions, and the situation worsens.

Prime Minister Sharon, who is considered a moderate and pragmatic politician in Israeli politics, is under considerable pressure and has agreed to the construction of the separation wall, to which my right hon. Friend the Member for Tonbridge and Malling referred. The wall would be okay if it was built within recognised boundaries, but it is not. That is the problem, and that dilemma has been well illustrated.

I am a great supporter of Israel's right to exist. As a serving officer, I was in Aden in 1967, when the six-day war started, and the British Government's immediate reaction was to support the Israelis. I was proud to be part of that, but what is going on now is not the way to proceed. However, the Palestinians are not helping. There is huge mistrust in Israel. A ship carrying aid was arrested by Israel, as it was carrying arms procured by the Palestinian Authority from Iraq. President Arafat's wife, Suha, said that, if she had a son, he would be a suicide bomber. How can a peace settlement be achieved against that sort of background?

Dr. Julian Lewis: Is my hon. Friend aware of the fact that one of the principal suicide bombers' organisations—the al-Aqsa Martyrs Brigade—is organically linked to Yasser Arafat and is indeed a militant arm of Yasser Arafat's own organisation?

Richard Ottaway: My hon. Friend makes a powerful point. That is the problem. The latest reports in the past few weeks from Yasser Arafat show that he is perhaps beginning to appreciate that he has to do something about those links, but there is a long way to go.

The United States was right to lean on Israel by withdrawing its loan guarantee support. If there is a way to persuade Israel to review its policy, it is economic. The economy is not good in Israel. Strikes are widespread, and unemployment is high and rising.

My central point is that international intervention is needed. The present arrangements are under-resourced and have no power. The monitors report to their own Governments. Sustained and robust intervention is needed, as well as a third-party arbiter. We have seen that before in Israel—monitors have been in place ever since the 1979 peace agreement between Israel and Egypt and they have worked very successfully—but who is the right party to intervene? The US is wary because it will be an election year and there is worry about upsetting the Jewish vote. Frankly, any one of the Quartet could step in to take its place. There is the EU or the UN—Kofi Annan has called for an intervention—but whoever intervenes must work to

[Richard Ottaway]

end violence. We need a conflict resolution mechanism, an exchange of security information and the creation of secure conditions that will allow economic activity and a return to normal life.

The challenge will be to inch the parties along on a parallel course so that confidence can be increased, in the same way as we have seen peace developing in Northern Ireland. It needs a robust engagement and I call on the Government to make it their No. 1 priority; otherwise global instability will continue, which is in no one's interests.

4.5 pm

Mr. Crispin Blunt (Reigate) (Con): It is always a pleasure to follow my neighbour, my hon. Friend the Member for Croydon, South (Richard Ottaway), and I would like to start by developing some of his points about the middle east, which should also be viewed in the context of what was said by my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), whose speech was a significant and powerful indictment of the Government's approach to Iraq. He began with a description of the wall that is currently disfiguring the occupied territories, and I concur with everything that he said about it.

We should not for one minute forget the fact that the position was wholly unacceptable even before the wall was erected. Roads have been built all over the occupied territories, to which the people who live there legally—the Palestinians—have no access. Access points to the new roads are denied to them. If they drive on the roads, their cars are stopped and impounded by the Israeli security forces. The illegal settlements in those areas dominate all the high ground, and all the Palestinian settlements have been subject to the most disgraceful intimidation—quite apart from the degrading treatment that they have received at check points when they try to cross within their own territory.

I must say to my hon. Friend the Member for Croydon, South, and to my hon. Friend the Member for New Forest, East (Dr. Lewis) who intervened to point out that the al-Aqsa Brigades were intimately linked to Yasser Arafat, that that is not remotely surprising. Anyone who has visited a Palestinian refugee camp, as I did last year, will know that the al-Aqsa Brigades and their supporters represent, frankly, the mainstream of Palestinian opinion in those camps. As I say, that is not surprising in view of their experience as a people over the last 50 years.

Dr. Julian Lewis: One problem is that many people friendly to Israel, such as myself, do not particularly admire the present Government of Israel, but have to ask themselves why that Government came to power. One of the answers is that the moderate Barak Israeli Government, who brought events to within a whisker of a two-state solution, were rejected primarily by Israel's Arab neighbours. That is probably the reason why the hard-liners came out on top in Israeli society.

Mr. Blunt: I commend to my hon. Friend, whom I know to be a fair-minded man, the work of the Palestinian negotiators support unit, which is funded by our Department for International Development and gives legal advice to the Palestinian leadership. The unit would provide a clear exposition on why that solution was not a fair solution in the eyes of the Palestinian people and could not be sold to them. My hon. Friend is right that we need to work towards a solution, and we must accept that any agreement between Israel and the Palestinians will be rejected by extremists on either side. After any agreement, terrorism remains highly likely to continue from either extreme in either camp. We have seen the tragic assassination of Prime Minister Rabin by an Israeli extremist, and I am equally certain that any Palestinian leader who signs a settlement with the Government of Israel will be putting his life in peril, as did President Sadat when he settled with Israel over the return of Sinai. It is simply no good for the Government of Israel to say that until there is no terrorism at all, there will be no deal. That is no basis on which to proceed.

Our Prime Minister has made the achievement of progress on the middle east peace process an extremely high priority, but the tragedy is that he has failed to get real American pressure on the Israeli Government to come to a settlement. I shall return to the wider point about the Prime Minister and our relationship with the United States. However, the middle east peace process is a good example of an absolute No. 1 priority for the United Kingdom in the Prime Minister's eyes. He managed to get Mr. Bush's attention on the issue but, when it came to the US doing anything to exercise leverage over the Israeli Government, nothing effective happened. I shall return to the detail of our bilateral relationship with the US in a moment.

I want to follow up the remarks of my right hon. Friend the Member for Tonbridge and Malling about the reasons for the war. I wholly concur with his indictment of the Government about the false reasons that they gave for the war, but I point out to him and the House that the Government have form. They did the same over Kosovo. They took us to war over Kosovo without the benefit of a United Nations resolution, and they justified it in terms of the humanitarian catastrophe that then overcame the people of Kosovo and was caused by the bombing of Serbian forces in Kosovo by the United States and the United Kingdom. That led to the expulsion of many Kosovans from Kosovo. The war then became justified on the basis of what had happened but, to a large extent, that was caused by our military action.

The Government have taken us to war five times in six years. With such willingness to go to war, perhaps it was hardly surprising that the Kosovo Liberation Army was wise enough to begin a campaign of terrorism inside Kosovo in 1996. The campaign followed the Dayton accords, and it led to Serbian repression and an incompetent, ill-managed over-reaction from President Milosevic's forces. That led directly to the Clinton and Blair Administrations being drawn into action in Kosovo without the UN's authority.

We should remember just how close we came to NATO breaking up. The air campaign was meant to work within 72 hours, but it took 78 days before the whole campaign was rescued by the Russians persuading President Milosevic to withdraw his forces from Kosovo. By that time, the Prime Minister had become convinced of the necessity for a ground campaign. He had to convince the Americans of the necessity for that campaign to rescue a military action that was not working. Had that campaign taken place to bring the war to a conclusion, NATO might have faced the most enormous difficulty, with other NATO countries being absolutely opposed to a ground invasion.

The lesson for the Government is that they have been far too willing to enter into military action without properly exploring all the potential consequences of that action. If they fail to justify properly the military action that they take, they will, as the hon. Member for Hereford (Mr. Keetch) made clear, take the most appalling risk with their ability to convince the electorate of the need to take military action when there is a real and absolutely pressing need to do so.

I wish to concentrate the rest of my speech on British influence and interests and to focus on the position of our Prime Minister. I believe that no Prime Minister since Winston Churchill has enjoyed such stature in the United States as the current Prime Minister does today. Even Lady Thatcher in her heyday did not enjoy the universal acclaim accorded to the Prime Minister, which reached its spectacular climax with that extraordinary joint session of Congress in July. That was not the first time that he had received a tumultuous reception from Congress. When President Bush addressed the emergency session of Congress in the wake of the events of 11 September, the Prime Minister was there. He received a standing ovation on his arrival in the Senate and during the President's address. The President addressed his remarks directly to the Prime Minister and said:

"Thank you for coming, friend."

Twice in two years, the British Prime Minister has received a unique accolade that has been delivered with huge warmth and enthusiasm by the most powerful legislature that the world has ever known. Of course, the image favour was returned last week. The President made his state visit and had pictures taken with Her Majesty—no doubt the pictures have been safely banked for next year's election campaign.

All that makes it more galling to those of us who fundamentally believe in the Atlantic alliance that such influence and status have failed to deliver effective protection of British interests in the substance of American policy not only on post-war Iraq but in several other key areas of British interest. Our wider reputation in the rest of the world has suffered. Poodle is the term most frequently used by British ambassadors who report back on how Britain is viewed by their host countries.

A British Prime Minister who achieves great respect in the United States should be viewed as an important national success, but that achievement should be for something other than the self-image of the individual. The uncomfortable truth that we must face is that the Prime Minister has achieved his personal status, to an extent, at the expense of British interests. It has come to a pretty pass when the great achievement of our influence on the United States that is seen during the President's visit to this country is a hint—no more than that mind you, Mr. Deputy Speaker—that we might have the singular honour of having some of our citizens in Guantanamo bay returned to us for trial here.

The debit side of the bilateral relationship is rather more substantial. Under the current American Administration, farmers have been given such spectacular subsidies that the common values of global free trade have been appallingly violated and the hand of the French and the subsidisers in the European Union has been reinforced. All that has been directly contrary to British interests and led directly to the collapse of the latest world trade round, which was a disaster for a nation such as ours that relies more on free trade than any other large nation in the world.

Steel tariffs have been imposed, with a direct cost for British steel producers and at the expense of a growing trade war between the European Union and the United States, in which Britain will lose the most. Kyoto was denounced by the Americans. The International Criminal Court has been made largely worthless by American non-participation. On the Prime Minister's central plank of policy in the middle east, as I have said, the Americans have failed to use their leverage to help to find a solution for Israel and Palestine. Indeed, the policy was actively derailed by supporters of Prime Minister Sharon in the United States Administration. We should not forget that the Prime Minister's efforts to persuade President Clinton to commit ground troops to the war in Kosovo failed.

We now see the consequences of our full-blooded support for the United States in the war on Iraq with the tragic consequences of the attack on British interests in Turkey. I accept that that was the inevitable consequence of a policy that I support, but it forms part of the debit side of the bilateral relationship. Our interests should be protected in return for the risks that we run and the investment that we put into the relationship.

People will say that, although there are overt signs of limited British influence, underneath that, during direct discussions between the Foreign Secretary and Colin Powell, and Sir David Manning—in his previous capacity—and Condoleezza Rice, some real, sophisticated British guidance is effectively being given to the naive and heavy-handed Americans. If that were true, the occupation of Iraq would not be such a mess, but the UK is tied to a Pentagon-led occupation that has experienced dreadful and avoidable misjudgments. Frankly, we should have prevented the Pentagon from being in charge in the first place. It should have been possible for a Prime Minister with huge public status in the United States decisively to influence the American Administration's internal debate in our interests, not to mention their own, but he failed to do so.

The early plan was for the State Department to lead the administration of the occupation and the change from coalition to Iraqi control. Eight months of State Department planning ended in an internal American Administration victory for the Pentagon. All the expertise on the region and the need for a political process to take precedence were handed over to the Pentagon when security priorities were put in the lead—a direct rejection of British experience for the past 100 years or more. It led to the two most serious misjudgments: the dismantling of the Iraqi army and the Iraqi civil administration. Saddam Hussein had

[Mr. Blunt]

largely removed the zealots from the Iraqi army by creating the Republican Guard and the Special Republican Guard. Any country needs an army, not least one the size of Iraq. The decision to put 300,000 men on the streets with no pay and to create Iraqi security forces from scratch was a dreadful mistake. We should not wonder why there is significant, well-organised resistance to coalition forces.

All that could have been avoided had the UK exercised real influence within the American Administration. The Foreign Office and the Ministry of Defence implored their American counterparts to put far greater resources into dealing with the aftermath of war on Iraq from July 2002. It is true that the Department for International Development was working to rule on preparing for post-war Iraq during 2002. Despite the fact that the rest of the Government were prepared for the inevitability of war, the right hon. Member for Birmingham, Ladywood (Clare Short) refused to believe that it would happen.

The problem for the UK is that a junior partner that is taken for granted has no influence. That is how the UK is now regarded around the world. The Prime Minister is seen, to a degree, as President Bush's Foreign Secretary who simply travels rather more than Colin Powell in pursuit of American policy goals. The Prime Minister seems to have forgotten that the Americans are pragmatic. They will work with those who give them something useful in return. Britain's support is of enormous value, and that is why our Prime Minister is so highly regarded in the United States, but if in dealing with the Americans we do not follow the basic principle of negotiations—that we are prepared to walk away—we can hardly complain if our interests are walked over.

The Prime Minister's status is personal. It reflects the very personal way in which he conducts foreign policy. He believes not only in his ability as a mediator, but in the moral purpose of his mission. That is why we have gone to war five times in six years under his premiership. His beliefs have led to Britain being caught up in an American policy based on a new doctrine of American primacy and pre-emption that is the product of only one part, although the dominant part at the moment, of the American Administration. Under the Prime Minister, Britain has bought in completely to that approach, yet it is highly questionable whether the strategy will survive engagement in Iraq, let alone whether it is in the interest of the UK. Never have we been so committed to United States policy; never have we been so taken for granted. The irony should not be missed: our Prime Minister has all the appearance of influence—the image of importance in the US—yet that influence is a chimera, never effectively deployed to advance British interests. Style has triumphed over substance again.

4.23 pm

Dr. Julian Lewis (New Forest, East) (Con): I hope hon. Members have noticed that my hon. Friend the Member for Reigate (Mr. Blunt) and I have felt it necessary to initiate a debate on the Opposition Benches in light of the fact that on the second day of the new Session the Government are represented at this moment in the debate on the Queen's Speech by the Minister, the Whip and the Parliamentary Private Secretary. They are not doing very well. Before the hon. Member for Hereford (Mr. Keetch) gets too jovial, I should explain that whereas Conservative Members outnumber Labour Members by 3:1, we outnumber Liberal Democrats by 10:1. Having said that, however, it is naturally a pleasure for me to add my congratulations to the hon. Member for Brent, East (Sarah Teather), who I am sure will shortly be resuming her place, on her excellent maiden speech.

My hon. Friend the Member for Croydon, South (Richard Ottaway) said that he spent much of September in Brent, East, sadly to little effect. I spent much of August in the High Court, I hope to somewhat greater effect. I am glad to say that I was not in the dock. I was not even in the witness box. I was watching from the wings at the Hutton inquiry as a succession of Ministers from the Prime Minister downwards, a succession of civil servants and a succession of journalists were paraded for the edification of the public as to the inner workings of this new Labour Government in the run-up to the war on Iraq, although admittedly the terms of the inquiry are more narrowly defined to the events that led to Dr. Kelly's tragic death.

I wish, seeing that there is such an absence of Government representation this afternoon, to try to do a little favour for the Government and try to make a case for the Government. I am not sure that I will entirely agree with my own arguments as I do so, but I will see what I can do to add a little grit to the oyster, as it were, in the hope that a few pearls might be formed.

At the Hutton inquiry on 21 August, something was said by one of the journalists—Nicholas Rufford—which I found revealing and informative. It was to remind us of what a weapon of mass destruction really is. The essence of such a weapon is that it is a relatively small device that can cause, if used, a large number of deaths and injuries. So it is in the nature of a weapon of mass destruction that it is easy to conceal. Nicholas Rufford, in his testimony—I found it to be rather reliable and convincing—about a telephone conversation that he had had with Dr. Kelly in June 2003, said that he, Dr. Kelly, mentioned that

> "it was very easy to hide weapons of mass destruction because you simply had to dig a hole in the desert, put them inside, cover them with a tarpaulin, cover them with sand and then they would be almost impossible to discover."

If that is true, it is hardly surprising that nobody has yet managed to discover these devices, if they exist. We can be sure that if Saddam decided to conceal them, he had plenty of time to do so. Saddam evidently decided to conceal himself, and so far he—a human individual—probably not much smaller in bulk than a fairly lethal dose, if we were to measure the dimensions of chemical and biological weapons, has not been discovered either, despite the best efforts of an army of people to find him.

Later testimony at the Hutton inquiry on 21 August came from a former British ambassador to Prague, Mr. David Broucher, who at one stage seemed to be contradicting the testimony that had been given in the morning. He said, recollecting a distant conversation that he had had with Dr. Kelly, that he thought that

Dr. Kelly felt that inspections properly carried out would give a degree of certainty about compliance. That appeared at first impression to contradict what the journalist had stated was Dr. Kelly's view—that it was well nigh impossible to find weapons of mass destruction such as biological and chemical devices if they had been systematically concealed.

But Mr. Broucher went on to explain that it was from Dr. Kelly's experience in Iraq that

> "his judgment was that you could gain quite a lot of certainty about compliance with the Convention"—

on biological weapons—

> "because, in the case of Iraq, there were very precise written records about what they had made and destroyed. This was something he said that they had learned from the British."

One would think that, if it was going to be well nigh impossible to discover systematically concealed chemical and biological weapons without assistance, it would have been a top priority of the coalition to have two intelligence targets. One would be the personnel who had a hand in the production, storage and concealment of those weapons, and in that sense the coalition has done quite well in apprehending the individuals concerned. The other would be the documents in the Foreign and Defence Ministries and the intelligence headquarters giving the details of where the weapons had been produced, where they had been stored and where they had been hidden.

We all know, however, that the task of going after the documents was lamentably neglected. We know the story of how even a fortnight after the fall of Baghdad on 9 April this year journalists, not to mention looters, were going in and out of the Ministries, rifling the contents, destroying some and taking away the rest. It must be said that if the campaign had been properly planned, properly thought through and properly executed, such neglect would never have been allowed to happen.

At the end of the second world war, for example, the Americans and the British set up something called the combined intelligence objectives committee, which was specifically designed to target documents, weapons systems and scientists and to make sure that they were secured and brought back to this country and the United States. I have yet to receive a convincing explanation from our Government as to why that did not happen.

So much for a Government failure. But I think that the Government could have made a stronger case than they did for going to war. I consistently supported them in their wish to go to war, and I think that where they went wrong was in thinking themselves too narrowly confined by what they interpreted international law as saying at the present time are the only grounds on which one can go to war. What are those grounds? I think that there are three, as commonly understood.

As commonly understood, we can go to war if we or allies of ours are attacked. As commonly understood, we can go to war if we or our allies are in imminent danger of being attacked. And as commonly understood, we can go to war, somewhat more controversially, as we have heard in the debate today, if we believe that our military intervention is necessary to prevent a humanitarian catastrophe. Where I think the Government went wrong was in slavishly trying to twist the facts and to make a presentation to enable one or other of those existing perceptions of international law to come into play.

Let us look at the three of them again. We could not say that we were going to war because we or an ally had been attacked—that had applied in 1990 when Saddam invaded Kuwait, but he had not done anything like that this time. As for the third reason, the humanitarian catastrophe that had to be prevented, we could hardly say that we were doing that this time. After all, despite those hundreds of thousands of victims who are now, retrospectively and belatedly, being mourned by the Government, we had not intervened to save them, so it would be rather strange to say that we were suddenly becoming conscience-stricken and had to intervene to stop Saddam.

That left the Government with the middle reason—the reason of imminent danger of attack. Looking at the matter as I now can, because we have had that inner sight of what was going on in the intelligence community, which we were denied at the time when we had to take these decisions, I believe that the Government tried to invest every scrap of intelligence, half-intelligence, semi-intelligence and pseudo-intelligence with a degree of significance which, in the cold light of day, perhaps it did not fully bear. That is why the Government did what they did.

What should the Government have done? I said that I would try to make the case for the Government, and they may feel that I have not been trying very hard up to now. I see the Minister smiling. I believe the Government should have said that international law is not fixed in concrete or set in aspic. If it is to be taken seriously, international law must evolve in order to recognise circumstances as they develop in the world. International law has yet fully to adjust to the significance of 11 September 2001. Before September 2001, in so far as these matters had impinged on our consciousness widely in America and the United Kingdom, we relied on principles of containment and deterrence. Those principles had served us well.

With the advent of the suicide terrorist, however, those principles, though not falsified in general, are no longer sufficient. In the past it might have been enough to say that with respect to a country such as Iraq, with a regime such as Saddam's, which has a track record of trying to get weapons of mass destruction, we would contain and deter it because we thought that whatever else those people are—they may be ruthless, brutal and bestial—they are not idiotic. They are quite calculating, and the last thing they want is their own lives to be prematurely ended.

We could have taken the view that we could live with the possibility that Saddam had the potential to create such weapons, even though we might not be sure whether he still had them. Post-September 2001, that is no longer adequate. It is no longer satisfactory to say that we are content that rogue regimes with a track record of trying to get weapons of mass destruction or, in the case of Saddam, actually getting weapons of mass destruction, and in the case of Saddam, using weapons of mass destruction, should be allowed to go their own sweet way.

[Dr. Julian Lewis]

We can no longer accept even the possibility that a country with such a regime—still less a country in which such a regime might give way to another regime that might be more closely allied with the suicidal Islamist movements that could have taken over, and could yet take over, if we make a mess of the handover in Iraq after the end of Saddam's rule—might create those weapons and hand them over to groups that could not be deterred by any rational method from using those weapons, because such groups use suicide terrorists who believe they are going to paradise when they die.

I am drawing my remarks to a conclusion, and I shall end on a slightly more positive note. A few months ago I was delighted to be contacted by the secretary of a group called the Islamic Society of Britain. I should like to inform the House that a group like that, which regularly holds panel discussions and meetings in the House of Commons, is out there ready to engage, usually from a different political perspective, but on democratic terms, with those of us who believe in dialogue, debate and discussion.

I have had the privilege of taking part in two of the society's events in the House of Commons. It was interesting when, during the second event, towards the end of our discussions—lively discussions on the middle east, as one might expect—two or three people successively rose to their feet and started to rant at the assembled people that they should not be sharing the platform with infidels and that jihad was the only way. What was impressive about the incident was not only that in the large assembly of people present there was no support whatever for those extreme views, or that it was entirely agreed that those individuals should resume their seats and, if they did not do so, we should ask the police to remove them, but that it was obvious that those few individuals who were trying to wreck the discussion saw the danger of a relationship between moderate young British people of the Islamic faith and the democratic political process which that meeting represented. I take encouragement from the fact that such a dialogue is going on. I believe that Islamist extremists are no more representative of the Muslim community than the extreme left was representative of socialist democratic opinion in this country in the 1960s, 70s and, to some extent, 80s.

I believe that there is hope for the future, but we have to ask ourselves one question. Why do some people believe that they will go to paradise if they kill themselves while killing civilians in a suicide attack? They must have got those beliefs from somewhere—someone must have inculcated and taught them those beliefs. The religious hierarchy of the Muslim community must try to explain on religious grounds why those beliefs are false. If people do not think that they will go to a better world if they do such terrible things, they might be dissuaded from doing them in future.

4.42 pm

Hugh Robertson (Faversham and Mid-Kent) (Con): I start by adding my congratulations to the hon. Member for Brent, East (Sarah Teather) on her maiden speech. As one who also made his maiden speech in this Parliament, I can say that she comfortably put mine in the shade and that she will clearly be a great asset to the House.

It is, as always, a pleasure to follow my hon. Friend the Member for New Forest, East (Dr. Lewis). He has a wonderfully lucid and informed style and made his customary considerable contribution to the debate.

The Queen's Speech debate on international affairs takes place, once again, against a backdrop that can only be described as challenging. The past year has witnessed the war in Iraq and the ongoing post-conflict situation; the continuation of the fight against international terrorism, particularly in Afghanistan; concerns about weapons of mass destruction in places such as Iran and North Korea; the ongoing middle east crisis; and, lest we forget, problems in sub-Saharan Africa, in countries such as Sierra Leone, Liberia, Congo and Zimbabwe. I fear that there is little to suggest that the coming year will be any less turbulent. However, those of us who are interested in defence await the publication of the defence White Paper, due next month, and I shall address my remarks today to the background to that review.

Our world has seldom been more dangerous. For more than 45 years after world war two, defence policy was governed by the certainties of the cold war. With the collapse of the Berlin wall, all that changed. There was talk of peace dividends and brave new worlds, but instead, freed from the straitjacket of communism, the world became a radically more dangerous place. Sir Anthony Parsons, our former ambassador at the United Nations, brilliantly summed up the position with the phrase:

"From Cold War to Hot Peace."

The indications of that new and dangerous terrorist threat were evident throughout the 90s, from the World Trade Centre to the USS Cole and the embassy bombings in Africa. They finally reached fruition in the attacks on the twin towers on 9/11, with the loss of more than 3,500 lives including, lest we forget, the single largest loss of British lives to a terrorist action.

This is a new and utterly lethal enemy, which wants not simply to occupy our country, as others have in the past, but to destroy our entire way of life. Our response to that enemy must be more proactive, wide-ranging and co-ordinated. International institutions have a large part to play. The modern world needs strong international institutions. My right hon. and learned Friend the Member for Devizes (Mr. Ancram), the shadow Foreign Secretary, has talked at length about the need to repair the fractured institutions of NATO, the United Nations and the EU. It is a tragedy that they are weakened and divided at the very time when the need for them is so great. NATO needs to be reformed and refocused so that an institution that won the cold war can be turned into one that can meet the challenges of the 21st century. It is vital that it remains the cornerstone of our defence.

The United Nations also needs to be reformed. In an excellent debate in the House three weeks ago, a number of areas requiring reform were highlighted, including structure, financing and staff recruitment. There was widely held admiration across the House for the UN's work in many areas. As a number of

Members said, the glass is half full rather than half empty. However, there was recognition across the House that the UN must change and reform. With the entry of accession states into the EU, existing practices must change. In future, there may well be ways in which EU countries can work together in the spheres of defence and foreign policy, but the track record thus far is not encouraging. In Bosnia in the early 90s, there was a ridiculous situation in which the French backed the Serbs, the Germans backed the Croats, we were sitting in the middle, and the Americans backed the Bosnian Muslims. The lessons were clearly not learned, as those divisions were present again in the recent Iraq crisis. I suspect that the countries of the EU have their own historical links and attachments, which it is unrealistic to expect them to drop in a new and untested system.

Three practical issues cause me concern, the first of which is overstretching. The European security and defence policy can only be an extra commitment for our already overstretched armed forces. New headquarters will have to be manned and employed. Where on earth will the manpower come from to meet that new commitment? There is also the technology gap. The United States is the world's only hyperpower, and Britain is unlikely to mount a full-scale war without it. Better, surely, to ally ourselves with it in a tried and tested alliance such as NATO than to open up a new front.

There is also a huge cultural difference between NATO and the EU, because as an organisation the EU tends to concentrate on inward matters. The current international threat requires outward-looking solutions and an outward-reaching focus, but I wonder whether the EU in this day and age is capable of delivering that. International institutions are only one aspect of defence policy. We need to broaden the scope of defence policy to react to the new and increasingly complex political and military environment. Asymmetric threats demand responses that are not purely military but are often political, humanitarian, economic and legal. Iraq is an extremely good example. The military response—the fighting of the war—was an outstanding success, but the political preparations were clearly inadequate, and we are paying the price for that now. I am not alone in thinking so. The right hon. Member for Birmingham, Ladywood (Clare Short), the former Secretary of State for International Development, said that

"preparations for the post-conflict situation were inadequate."—[*Official Report*, 4 June 2003; Vol. 405, c. 210.]

That must never happen again.

The build-up to the war in Iraq also highlighted the inadequacies of the international legal system. As somebody put it to me at the time, "You can get international law to prove almost anything." International law must be updated to meet the challenges of the 21st century.

A number of lessons must be learned and the relevant structures put in place, but there are also lessons to be learned at political, strategic and military levels. On the political front, if ever the importance of a clear aim, a fundamental military principle, was shown, it was during the current Iraq crisis. The 1991 Gulf war had a clear, simple and achievable aim. By contrast, in this conflict we moved from weapons of mass destruction to international terrorism to regime change, with huge implications for the military. The constant shifting of the war aim is directly linked to many of the difficulties that we have seen in the post-conflict environment.

At a strategic level, the conflict in Iraq also showed the need for reliable intelligence. I fear that the Iraq war may go down as one of the greatest intelligence failures of modern time. That is evident not only in the case of weapons of mass destruction but in the failure to predict that the Iraqi army would fade in the early stages of the war and that urban guerrilla warfare would predominate afterwards. The Government must examine the reasons for that failure and do everything to ensure that it never happens again.

A number of military lessons can also be learned directly from the crisis in Iraq. Before I come to that however, two points are worth making. First, the fighting of the war in Iraq was an outstanding success. I suspect that the campaign will be studied in staff colleges across the world for many years to come as a classic of its type. It is right that we in this House should record our gratitude not only to the men and women of the armed forces who did the fighting but to all those at the Ministry of Defence, at Permanent Joint Headquarters and at other defence establishments who were involved in the planning and execution. I hope that the Foreign Secretary, whom I am delighted to see back in his place, and other Ministers feel proud of their achievements in that regard.

One other wholly extraordinary feature of the conflict is not so much that the operation demanded so many different phases of war, from the delivery of humanitarian aid to the actual war fighting, but that it demanded so many of them simultaneously. I do not believe that that has ever happened before, and to pull it off was a remarkable achievement.

However, there are lessons that can be learned. I think that all would agree that there was a lack of an adequate strategic deployment force. A heavy strategic lift capability based on aircraft will be vital in the years ahead. There was also a lack of a strategic and operational intelligence, surveillance, target acquisition and reconnaissance concept. I am told that unmanned aerial vehicles flew 3 per cent. of the sorties but acquired 55 per cent. of the targets. If that is true, our forces must plan now for the integration and manning of the new Watchkeeper equipment, because that will be a vital area of the modern battlefield.

There is also the perennial problem of communications, which is vital for network-centric warfare. A recent visit that I made to HMS Marlborough highlighted that problem. We looked at the desk at which the principal warfare officer sat, and there were his computers in front of him and the American one behind him. The two systems were wholly unintegrated. That clearly cannot work in future.

There is also the question of the identification of friendly forces. My own regiment suffered in that regard during the Iraq war. The development of an electronic identification system must be a top technical priority for the Ministry of Defence.

[Hugh Robertson]

Finally, I should like to mention a few of the issues concerning equipment. The carriers are clearly a topic of the moment. Last week during a cross-party group visit, the flag officer sea training made the point clearly that the new carriers must be as big as possible to generate the maximum number of sorties.

There is also and will always be a need for heavy war-fighting equipment. Challenger 2, Warrior and AS90 have all proved themselves in recent years to be battle-winning assets. As recently as this summer, one of the brigade commanders in Iraq described the Challenger 2 battle tank to me as the man of the match. I would wholly welcome moves to develop a medium armoured force, based around the future rapid effects system concept, but it must not be at the expense of our heavy capability.

This year, the debate on the Queen's Speech once again takes place against a difficult and dangerous international backdrop. Our response to the threats must be more proactive, more co-ordinated and more wide-ranging than ever before. The defence White Paper, due out next month, must take into account the need to strengthen our international institutions and to anchor our defence policy in NATO. It must develop the formal mechanisms to integrate political, military, economic and humanitarian responses to the threats of modern warfare. It must review the organisation of our armed forces, which must be driven by a current threat assessment, not by the Treasury.

We certainly need to develop and support the modern equipment necessary to fight network-centric warfare, but that must not be at the expense of manpower. Even in a modern battlefield, we still need men, women and equipment "to take and hold the ground", in military terms. It is hard to imagine any strategic analysis, especially after five wars in six years, that could possibly justify a reduction in manpower.

Finally, the most important thing is that the defence review recognises that the men and women of our armed forces are our most important assets. They are feeling overstretched and unappreciated at present, and we must correct that. Without them, nothing is possible.

4.56 pm

Andrew Selous (South-West Bedfordshire) (Con): It is a pleasure to follow my hon. Friend the Member for Faversham and Mid-Kent (Hugh Robertson) who, as a former regular officer, always speaks on military matters with real knowledge and experience. He and I have a link, as I have just learned that his regiment suffered a friendly fire incident in the recent Iraq conflict and my regiment, the Royal Fusiliers, suffered a similar shocking incident during the first Iraq war.

It was also a pleasure to listen to the maiden speech of the hon. Member for Brent, East (Sarah Teather). I am sure that all Members agree that she spoke with great style and poise and will join me in wishing her well in Parliament.

My right hon. and learned Friend the Member for Devizes (Mr. Ancram) opened the debate for the Opposition. He pointed out the huge inconsistency in the Government's position on the European constitution. They say that it is a matter of such little importance—a mere tidying-up exercise—that it is not necessary to put it before the British people, yet at the same time they say that the matters before our country are so urgent that they may need to veto the whole treaty. Those two positions cannot logically be held at the same time. We should be aware of that significant point.

I was pleased that my right hon. and learned Friend mentioned Zimbabwe and Burma. It is certainly true that the UN has failed those countries especially poorly. We have a special duty to the people of Zimbabwe, a country in which I declare a personal interest, as my great-great uncle showed Cecil Rhodes where it was. The situation is appalling, with nearly 6 million people facing starvation. The citizens of Zimbabwe rightly look to the UK to make a serious effort at the UN on their behalf. If we can do that for Iraq, we can do it on behalf of the people of Zimbabwe—we have been remiss in that regard.

Similarly, Burma is all too prone to slip from the gaze of the international community. The UN should consider the situation there much more seriously.

We have heard some outstanding speeches this afternoon. I do not think I am showing bias by saying that they came mostly from the Opposition Benches, as we have heard relatively few contributions from the Government Benches.

My hon. Friend the Member for Reigate (Mr. Blunt) was right to say that, as a loyal partner of the United States, the UK needs to make sure that we are not ignored by the US. There should be some payback for our loyalty to and support of the United States, but that has often been lacking.

My hon. Friend the Member for New Forest, East (Dr. Lewis) correctly pointed out that international law has not caught up with events after 11 September. That is one of the most urgent issues facing the world community, if we are properly to deal with such threats legally in the future. He raised an important matter, and we are all indebted to him.

I pay particular attention to the speech of my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley), who put with greater clarity and force than I have heard to date the appalling fact that the Government are now claiming a justification for the war with Iraq which they clearly said in column 772 of *Hansard* of 18 March was not a legal one. That is a shocking state of affairs. The British people will not easily forgive or understand it.

I understand that during these debates it is the convention for hon. Members to raise issues in any part of the Queen's Speech or that they think should have been included. I want to move away from international affairs to consider one or two items that I am extremely sorry that the Government have not included. In particular on social policy, I believe that family breakdown and father absence are among the most severe issues facing us. The figures are shocking. Recently we learned that a quarter of all dependent British children live in single-parent households. The average across the European Union is 14 per cent. When I mention that figure, many people suggest that that must be because the Catholic south, with its greater sense of family values, brings the average down. They are wrong in that assumption. In the Netherlands and Luxembourg, only one in 10 children live in single-parent families.

This country sticks out poorly and worryingly in this area. The situation causes massive distress to parents and children and it costs the country a huge amount—a conservative estimate is about £15 billion a year. We spend peanuts by comparison on trying to do something about the problem—about £5 million or £6 million a year through the Mars—marriage and relationship support—programme and support for community-founded trusts, which do excellent work. Is it not time that we put greater emphasis on prevention rather than cure? We have heard a lot about pre-emption in international affairs this afternoon. What about some focus on prevention in this area?

It is a shame that there is only one Government Back-Bench Member present this afternoon, and he is the Minister's Parliamentary Private Secretary. The links between child poverty and single-parent households are significant. I serve as a member of the Select Committee on Work and Pensions. We have just had a briefing on the subject in which we were told that 22 per cent. of children in couple families live in poverty, compared with 54 per cent. of children in lone-parent families—a full 32 percentage points more.

The good news is that there is a road map to do something about it. Only a few weeks ago we were privileged to have a visit to this country and House from Dr. Wade Horn, the United States Assistant Secretary for Children and Families in the Department of Health and Human Services. He would be the equivalent of a Minister of State, probably in the Department for Work and Pensions. I chaired the meeting in Committee Room 12 which was attended by Members from all parties, and indeed the Work and Pensions Minister Baroness Hollis. We learned about the welfare-to-work programmes in America, and in particular the family support measures focusing on father absence, healthy marriage programmes and support for fragile families. They have had real success. In America in the past five years, child poverty has reduced from 22 per cent. to 16 per cent.

Dr. Horn was formerly the president of the National Fatherhood Initiative. We need a similar body to undertake such work in the United Kingdom. We need a body that emphasises fathers' responsibilities, not just fathers' rights. There are issues around fathers' rights—access and the way in which courts deal with cases—but for the good of our children, the emphasis should be on responsibilities. That is urgent. I personally would like to be involved in such moves. In America today, there are about 24 million children in father-absent households. As I have said, a quarter of all British children are in that position.

It is a great pity that the Queen's Speech did not say anything about that important matter, which is of great concern to hon. Members on both sides of the House. Sadly, children in father-absent homes are significantly more likely to do poorly, on any measure of child well-being. Figures for America tell us, and I have no reason to suppose that they are hugely different from those for this country, that 72 per cent. of adolescent murderers and 70 per cent. of long-term prison inmates grew up in homes without fathers. It is always important that we handle these issues sensitively, and we are talking about generalities, but we cannot ignore such figures if we are to do the best for our country.

The United States Government are putting money into programmes that are having positive results. I regret that the Queen's Speech said nothing about that. Those programmes are having demonstrable results and making the situation better. For example, 16 per cent. of couples in the study group who did not attend the prevention and relationship enhancement programme divorced after five years, but only 3 per cent. of couples who were on the course divorced.

Another programme, known as relationship enhancement, had dramatic effects on reducing domestic violence. Of 90 violent husbands, all of whom were first offenders for spousal abuse, not one who was on the programme was arrested again for the same offence within a year, whereas 20 per cent. of those who were not on the programme were arrested again. The Queen's Speech refers to a Bill on domestic violence, but it is a question not just of passing a law on such behaviour but of providing the courses that will help to change behaviour. That will have results and lead to improvements.

The United States is spending £300 million a year on what it calls its healthy marriage programmes. Those are for people who have decided to get married and want to stay married. Who could possibly be against that? It is not the state interfering in people's private lives, because these people have already made that choice freely. It does not involve taking any money from programmes in support of single parents. I am saddened when I see the contrast between America and this country. We learned yesterday from some of our press that page 41 of the Government's paper on civil partnerships says that they want to abolish the words "marital status" from all Government forms. Why cannot we just have the words "spouse/partner"? What would be the problem with that? That would recognise the world as it is and give some recognition in that area.

It is a concern that we trap so many lone parents in poverty by treating lone parents better than those who live together. I give two brief examples: the council tax discount for single occupiers and the invisible second adult in the tax credit regime.

Those are hugely important areas of social policy. The Queen's Speech could have said something about them. It is not a case necessarily of passing laws or even spending vast amounts on those programmes, but we urgently need a national debate. We need to spend time and attention on these matters. I hope that that will happen in the very near future.

5.9 pm

Mr. Nicholas Soames (Mid-Sussex) (Con): It is a great honour to have been given the job that I have, and I appear here tonight as a happy and proud person. I wish to start by congratulating the hon. Member for Brent, East (Sarah Teather) on a formidable, excellent and witty maiden speech, in which she paid handsome tribute to her predecessor, as did my right hon. and learned Friend the Leader of the Opposition yesterday. The House was impressed by

[Mr. Nicholas Soames]

her contribution and I am sure that we will hear much more from her in the future, to our great advantage. She deserves to be thoroughly congratulated on a competent and confident performance.

I do not wish to strike a sour note, but it is astonishing that, on the second day of debate on the Queen's Speech, there were long periods for which not a single Labour Back Bencher was present in the Chamber. That shows an extraordinary sense of priorities on something so deeply important to our country. Nevertheless, this has been a good debate with many good speeches, especially from the right hon. and learned Member for North-East Fife (Mr. Campbell). I thank him for his most generous words and, as usual, a formidable speech. The House clearly agreed with his views on Zimbabwe, as it did with those of my right hon. and learned Friend the Member for Devizes (Mr. Ancram). The right hon. and learned Member for North-East Fife was also interesting on the subject of Iraq, and many of us agreed with his comments.

The right hon. Member for Swansea, East (Donald Anderson), the Chairman of the Foreign Affairs Committee, who is unfortunately not in his place, made an important speech, as did my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley). The House appreciated what he had to say. I was struck by the fact that he said that he voted for the Government in good faith and would be much relieved if weapons of mass destruction were found. Many of us are in the same boat.

The hon. Member for Islington, North (Jeremy Corbyn) gave his usual rant on Iraq, the United States and Israel. My hon. Friend the Member for Sutton Coldfield (Mr. Mitchell), in an effective and interesting speech, covered a broad range of issues of interest to himself and his constituents, especially in respect of the care of children in the Birmingham area and quality of life issues. My hon. Friend the Member for Croydon, South (Richard Ottaway), who is a distinguished member of the Foreign Affairs Committee, spoke knowledgeably about the middle east and made some important remarks about the peace process there.

My hon. Friend the Member for Reigate (Mr. Blunt), with that capacity unique to him, spoke with great authority and courage about a matter of profound and primary importance to our foreign policy. Many will have agreed with what he said. My hon. Friend the Member for New Forest, East (Dr. Lewis), who spoke to great effect about the Hutton inquiry and the arguments for going to war, made some telling points about the development of international law after 11 September 2001. As usual, he made a well-informed and interesting speech.

My hon. and gallant Friend the Member for Faversham and Mid-Kent (Hugh Robertson) spoke powerfully about the harsh realities of terrorism since the end of the cold war and highlighted the importance of multilateral institutions, especially NATO and the United Nations. He also raised, as many of us will wish to do in coming months, the issue of overstretch in the armed forces. My hon. Friend the Member for South-West Bedfordshire (Andrew Selous), who speaks so effectively on social matters, also made an important speech.

I join the Foreign Secretary in paying tribute to the staff of the Foreign Office, and I join my right hon. and hon. Friends in extending our sympathy to the families of those killed or injured in the terrible atrocity in Istanbul.

We welcome the content of the Gracious Speech and we look forward with interest to the forthcoming defence White Paper. We will wish to examine with the greatest care the armed forces pension and compensation Bill, to ensure that our servicemen and women are properly and honourably dealt with. I thank the Secretary of State for Defence and his colleagues for their kind, courteous and helpful response to my appointment, for which I am extremely grateful.

Mr. Keetch: I congratulate the hon. Gentleman on his appointment. Concerning the defence White Paper, he will have heard the Secretary of State talk in the past about network-centric warfare. Smart weapons undoubtedly win wars, but does he agree that given that peacekeeping and peace enforcement are being carried out now by soldiers and armour on the ground, the rumours about cuts in infantry are particularly worrying? We need a balanced White Paper, not one that puts too much emphasis on smart gear instead of troops.

Mr. Soames: I wholly agree with the hon. Gentleman, and of course it would be wrong if the White Paper were to assume that it is not boots on the ground and the armour issued that offer the means to hold, consolidate and control security. If that arrangement went out of kilter it would have serious implications. I echo the hope expressed by other hon. Members that, given its nature, the White Paper will contain real detail of what is to come.

I pay the fullest tribute to the British armed forces, who have again covered themselves in glory in Iraq. They have again done wonders for the name and fame of Britain. By their gallantry and determination, and above all humanity, and by the patience and fortitude of service families and the very impressive efforts of MOD civilian staffs, they have proved yet again that there is no other place in our British national life in which there is so much human achievement in such small institutions as there is in the armed forces of the Crown.

The security challenges that the United Kingdom faces today have significantly changed since the cold war and will continue to do so. We live in an unpredictable world, where the proliferation of weapons of mass destruction, international terrorism and regional instabilities combined with civil strife represent our new security threat. It is important that we ask what alliance, institutional or framework changes, if any, should be implemented to ensure that the UK's security interests are addressed and that we are properly prepared for the challenges of the 21st century. Furthermore we must ask, is European and American security indivisible and does the development of an autonomous EU force defence capability—the ability to plan and conduct military operations without NATO—contribute to or undermine our own security?

We agree with the Government that European nations should increase their military capabilities. Europe should be able to do more and I welcome the EU's efforts, under NATO's auspices and help, in Macedonia. But the truth remains that many continental forces have only the most basic logistic communications facilities and can hardly operate at any distance from their home bases. Few can sustain operations with any credibility, and in almost every respect those forces have to rely almost entirely on the United States for intelligence, strategic support and military muscle. The Government must do more with our European partners to see to it that they address the need for operational capability and effectiveness within their force structures. This is important for all of us in NATO and the wider Europe.

So far, however, the European defence project has failed to deliver on capabilities. Defence budgets are decreasing rather than increasing, while defence programmes are being slashed. Meanwhile at home, so great is the monetary pressure that the axe is poised over the Type 45 and over the Astute submarine programme, while possibly dozens of Challenger tanks are due to be mothballed and the number of the joint strike fighters is to be cut. Such cuts are particularly serious, given that we are clearly engaged in a process of fundamental and essential change, which will lead to the introduction of new technologies. That process will have to be properly funded, and we all look forward to the defence White Paper offering us some real substance and detail about that, not just a long blue-skies essay.

The sole contribution of the European defence project thus far is the creation of proposed duplicate and competing structures that will dilute NATO and could eventually lead to the decoupling of the United States from the defence of western Europe.

The problem for us is that perfectly good arrangements already exist to deal with understandable European defence aspirations. Those arrangements were agreed in Berlin in 1996 and later reaffirmed at the Washington summit in 1999. Paragraph 10 of the Washington summit communiqué calls for assured EU access to NATO planning capabilities to contribute to military planning for EU-led operations and the presumption of availability to the EU of pre-identified NATO capabilities and common assets for use in EU-led operations.

It is difficult to know what more they could want, but there is now truly widespread confusion about the Government's apparent inability to ensure that European defence remains anchored in NATO and, indeed, what truly are the Government's intentions, for we really do not know which Prime Minister we should believe. Is it the Prime Minister who assures the President of the United States that European defence would in no way undermine NATO, that there would be a joint command and that planning would take place in NATO? Or is it the Prime Minister who goes to Europe and agrees with the German Chancellor and the French President that

> "together, we are convinced that the EU should have a common capability for the planning and leadership of operations independent of NATO means and capabilities"?

The danger of weakening NATO when readily available, well-trained and interoperable forces are needed in Afghanistan and Iraq is what we ought to concentrate on. NATO has indeed a vital ongoing role to play, and the Opposition assert that NATO is absolutely crucial to a stable world at a time of considerable uncertainty. It is the only organisation that binds the United States to Europe and Europe to the United States.

Afghanistan is only the beginning: discussions about more NATO involvement in Iraq are already taking place. Some at NATO are openly calling for a NATO peacekeeping force for the middle east. It would be a monumental folly to undermine that capability at a time of genuine uncertainty and very considerable danger—facts that have been brought to our attention today by many colleagues on both sides of the House.

On overstretch, particularly in the Army, the underlying picture is that it is often clear that the Government's ambitions on defence do not match reality or just simply ignore it. The overstretch of the armed forces is a case in point, particularly in the Army. In June, 55 per cent. of the Army was either deployed on or recovering from operations. The Navy regularly reports that its ships routinely go to sea with gaps in their full complement. There are reports that RAF training flying hours have been cut. Since 1997, our forces have been heavily deployed, yet we have almost 12,000 fewer trained regulars than six years ago and the Army is still nearly 4,000 men understrength, even on the reduced manning requirement figures.

The Opposition most earnestly warn the Secretary of State that, in the present circumstances, we believe that it would be an act of cardinal folly to use the Army's strength as a peace dividend if normalisation were to occur in Northern Ireland. If any troops were to be released from that task, they would be urgently required elsewhere in the Army to reduce overstretch and increase the opportunities for a more normal military life. The Secretary of State for Defence is seized of that, but the fact remains that he is under gross pressure on manpower, and it would be a great mistake if he were to allow the forces of darkness to prevail upon him in respect of numbers. It is well known that the Treasury does not work for us; it works for the enemy.

Last weekend, it was reported that some of the Army's most famous regiments are to be disbanded, when those in the infantry—the workhorse of the British Army—are already operating at an intolerable level of activity. Surely that would be an act of cardinal military folly. The Royal Scots, the Black Watch, the King's Own Scottish Borderers and the Prince of Wales's Own Regiment of Yorkshire are reportedly to be disbanded. I would be grateful if the Secretary of State could give us some idea of his intentions on those matters tonight. What impact does he believe that proposed cuts of that size and scale will have on the morale of the forces?

Mr. Blunt: I understand that the Secretary of State has given a public undertaking about cap badges and regiments, but he should not be allowed to get away with what he did to my own regiment. He was supposed to retain four armoured reconnaissance regiments, but he achieved that by giving such

[Mr. Blunt]

regiments three squadrons rather than four. If he starts stripping companies out of infantry battalions there will, frankly, be no point in what he is proposing.

Mr. Soames: My hon. Friend raises an important point, and we look to the Secretary of State tonight to give us an assurance about his intentions, so that the forces can be clear about what will happen. These men are putting their lives on the line and it remains unclear whether their jobs will be on the line tomorrow. What effect will that have on the tour gap, on hard-pressed families and, indeed, on further recruitment and retention?

Sir John Stanley: As the House knows, I chair the all-party Nepal group. Does my hon. Friend share my concern that any threat of major cuts to the Gurkhas, who have made an enormous contribution to the British Army for more than a hundred years, would be most profoundly unwelcome, particularly in view of the current serious position in Nepal?

Mr. Soames: I wholly endorse the views of my right hon. Friend and I pay tribute to the Gurkhas for all that they have done in their military service of the Crown over the years. The Secretary of State will understand that cutting the Gurkhas below a certain level cuts into the critical mass of the entire Gurkha operation. That would be a catastrophe, and it would be wrong—for international relations and the interests of the British Army—to make cuts in such signal service that has been provided for generations.

Intervals between operational tours are well below the guideline figure of 24 months, with some people having as few as six months respite between operations. It is wholly unrealistic for the Secretary of State to go on expecting the armed forces to be able to continue at that rate. The impact of overstretch on individuals and their families, particularly in forces experiencing significant manning shortfalls, is an issue of major concern.

When the services are meeting an extraordinarily high level of operational commitment at the same time as training hard for other contingencies, my colleagues and I recognise the real pressures that can be brought to bear on the families of servicemen and women. I should like to take this opportunity to pay the warmest possible tribute to service wives, their children and their wider families. At a time of high levels of commitment, when their loved ones are away a great deal, I want to acknowledge each and every one of them for their patience and their forbearance. I am personally very conscious that theirs is sometimes not an easy life and I want them to know that their concerns and anxieties are very much at the forefront of our thoughts.

Soldiers today have less time for training and for personal development through career courses. Furthermore many planned exercises have been cancelled already this year, which is becoming a wholly unacceptable feature of the operational tempo, and will in time have profound implications in all three services for efficiency and effectiveness. Not only is the overstretch of regular forces disrupting the training cycle—this year, for example, with the fast track—but further problems have been caused by the lack of resources in the training system.

We believe that it is true, and not an idle boast, to say that the British armed forces are, man for man, the best in the world. In the Gulf, Afghanistan, Sierra Leone, Kosovo, Bosnia and Northern Ireland, both enemies and allies have been truly amazed by their fitness, their determination, their courage and their professionalism. The question is, why are they so very good? The answer is that their training and discipline are extremely thorough and very robust. They deliver first-class young men and women with absolute confidence in themselves and their commanders. Any threat to training is therefore profoundly serious, and we would be grateful for an assurance from the Secretary of State tonight that there is no intention to degrade the rate of training or the ability to train the large numbers of manpower that are required for the very high tempo of operation, and for his absolute assurance that he is satisfied that service training is not being degraded across all three services.

The pressures on the armed forces mean that the reserve forces are being intensively used. I pay a warm tribute to all those involved for the tremendous skills and enthusiasm that they bring. The Territorial Army, in particular, has been heavily used. In operations in the Gulf, I understand that the reserves account for 25 per cent. of the total deployment. The question is: do we give them a fair deal?

On 1 October 2003, *The Times* reported that some of the 5,800 reservists mobilised compulsorily for war duty in Iraq were given such short notice that they had no time to prepare their families or their employers. Some employers did not even know that they had reservists on their payrolls and complained to the Ministry of Defence about a serious lack of information. This is not acceptable.

I understand that the problem is being addressed. Indeed, I chaired a session at the Royal United Services Institute conference on the use and call-up of the reserves. Of course, there are lessons to be learned and the Ministry of Defence will learn them, but I would be grateful if the Secretary of State could give us an update. How long does he believe that we can expect to maintain this level of commitment from the Territorials? Does he therefore believe that an increase in the strength of the Territorial Army is necessary given the extraordinarily increased demands on it and the great value that it provides?

Andrew Selous: I was a Territorial for 12 years. Does my hon. Friend agree that we need to consider the peacetime employment protection of our reserve forces? Given that we give local councillors the right to attend council business for a limited time in their working hours, is it not outrageous that there is no right in peacetime for our reserve forces to undertake the training that they need to be competent at time of war? Does he not agree that we should consider this issue?

Mr. Soames: Yes, I do. When my hon. and gallant Friend the Member for New Forest, West (Mr. Swayne) returns from his service in the Gulf, we shall put him to work to see how we can better operate. Given the extraordinary demands that the Government make on the TA, it is inexcusable that the process for a call-out should not run as smooth as silk.

I hope that the House realises how extraordinarily lucky we are in Great Britain to have such armed forces. At every level of command in all three services, and indeed throughout all ranks, they are truly formidable in their standards both personally and professionally. In their teamwork and in their highly developed sense of cohesion, duty and obligation, they are an institution that forms a matchless asset for Great Britain in the pursuit of our aims and interests both at home and abroad. It is of enormous credit to the quality of the forces' leadership that, in a period of considerable upheaval, they have retained exceptional flexibility combined with great clarity of purpose and endeavour.

As I said, we welcome some of the items in the Queen's Speech. As my right hon. and learned Friend the Member for Devizes said, we particularly welcome the proposal for an armed forces pension and compensation Bill—an issue to which we will wish to give detailed scrutiny. However, my message to the Secretary of State is that we believe that, whatever the Government's intentions, it looks as though the armed forces of the Crown are being used as a political pawn in a high-stakes poker game over the future defence of Europe. It is not good enough.

5.34 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): May I begin by congratulating the hon. Member for Mid-Sussex (Mr. Soames) on his well-deserved, although belated, return to the Front Bench? However, I must warn the House that that is likely to have extraordinarily serious consequences on the Ministry of Defence's budget. I have already authorised emergency action to reallocate extra funds to the catering corps. As I speak, our best logisticians are scouring our stores to find a suitably sized set of combat clothing.

Mr. Soames: I have already got one.

Mr. Hoon: But does it still fit?

I also congratulate the hon. Member for Brent, East (Sarah Teather) on her superb maiden speech. On behalf of Labour Members, I am especially grateful for her moving tribute to Paul Daisley, her predecessor. That was most appreciated and I thank her very much.

When my right hon. Friend the Foreign Secretary opened the debate, he outlined the common series of security threats that we and our allies face. First, and most obviously, international terrorism presents a real and immediate danger, and we saw the devastating consequences of terrorism yet again in Istanbul. Secondly, the proliferation of weapons of mass destruction technology and the delivery systems required to launch attacks pose a direct threat to our peace and security as access to technology and production becomes easier. Our obvious concern is that international terrorists will manage to acquire such weapons. The third key challenge concerns weak and failing states that are characterised by political mismanagement, ethnic and religious tensions or economic collapse, which in turn can lead to humanitarian crises and mass migration. Such circumstances may provide an environment in which terrorism and organised crime can flourish.

Therefore, to achieve our foreign policy and security goals, we will need to engage directly with our international partners. We will need a still more joined-up approach across Government to ensure that the diplomatic, economic and political instruments available to us are used to best effect. However, the ability of the UK to project and deliver armed force is, and will remain, a vital instrument of our foreign and security policy. Not every problem demands a military solution, but as my right hon. Friend the Foreign Secretary pointed out, we must be prepared to act when and where necessary.

The challenge that I put to the hon. Member for Mid-Sussex remains the same as that which I put to his predecessor. If he says that the armed forces are overstretched, which I do not accept, he must explain which of the challenges that the Government took up to act as a force for good in the world he would not have undertaken—that is the issue. Unless Opposition Members wish to remain permanently in opposition, it is no good for them to criticise without addressing that question. Unless and until they answer the question, they cannot pretend to form a fit and proper Opposition that could act as a Government.

Mr. Keith Simpson (Mid-Norfolk) (Con): To help us to answer that question, will the right hon. Gentleman provide us with the detailed information that we require in the White Paper, as my hon. Friend the Member for Mid-Sussex (Mr. Soames) suggested, or will there be merely a long essay?

Mr. Hoon: I shall deal with the White Paper shortly and I hope that the hon. Gentleman will read it with interest in due course. White Papers are always designed to set out the principles of Government policy. I am sure that if he consults all the White Papers published while the Conservative Government were in office—I accept that that Government are fading a little in the memory, but nevertheless they published White Papers—he will see that they adopted the same practice, which this Government will follow.

British forces have conducted a series of successful combat and stabilisation operations in recent years. They fought against international terrorism and its supporters in Afghanistan, achieved peace and greater stability in Sierra Leone, East Timor, the Balkans and the Democratic Republic of Congo, and most recently, of course, undertook high-intensity combat in Iraq, where they are currently engaged in stabilisation operations. Those successes are in no small part due to the excellence of the brave men and women who serve in the United Kingdom's armed forces. We owe them and their families a debt of gratitude.

Jeremy Corbyn: Will the Secretary of State confirm how many troops are still in the Congo and tell us his plans for their future? Will they be joined by further UN staff and what hopes does he have for a solution?

Mr. Hoon: A small number of international forces remain in the Congo. Their presence has been largely

[Mr. Hoon]

successful, but I recognise that it is in a limited area. The problem in the Congo is much wider than that, however. The country is large and still unstable.

Donald Anderson: Will my right hon. Friend say more about peacekeeping and peacemaking in Africa? From time to time, the point is made that Africa should provide its own peacekeeping forces, albeit trained by outsiders such as the US, the UK and the French. South Africa already plays a part in the DRC. Surely, with the African Union, there should be greater efforts to help Africa to help itself across the board politically and economically, but ultimately with military forces.

Mr. Hoon: My right hon. Friend is right. He refers to the training efforts under way on behalf of the South African Government. He will be aware that the British Government support those efforts not only financially, but by providing people to work with members of South Africa's armed forces to give the training that he describes. In addition, British forces intervened to stabilise the situation in Sierra Leone after a ruthless and bloody uprising. They are still there, training its armed forces. I have been privileged to visit Sierra Leone a number of times and have seen their excellent work. Our armed forces also appreciate that work. They get enormous satisfaction from providing the high-quality training that they enjoy and from extending the benefit of that to Sierra Leone. Stability for its armed forces is crucial to the country's future.

Mr. Dismore: Before my right hon. Friend leaves the continent of Africa, will he comment on the situation in northern Uganda, which many constituents have raised with me? The civil war has caused serious humanitarian problems there. Is there anything we can do to help?

Mr. Hoon: The Foreign Secretary extended his apologies to the House for not being here at the end of the debate. Unfortunately, he did not leave his notes behind. However, I do not anticipate that in each and every country of the African continent there is necessarily a military solution. That point is well taken by the Opposition Front Bench in relation to our geography tour of the African continent. I am sure that my observations will be noted by those who are here representing the Foreign and Commonwealth Office. No doubt they will write to my hon. Friend.

The Government plan to introduce a Bill to provide enabling powers to bring in new pension and compensation arrangements for the armed forces. The new pension scheme will continue to be based on defined benefits at a time when such schemes are under increasing pressure in the private sector. It will provide equal terms for officers and other ranks, and benefits for spouses will be extended to include unmarried partners in a substantial relationship. The new arrangements will offer a high level of assurance for service personnel appropriate to the demands of military service.

The Gracious Speech also set out the Government's intention to publish a defence White Paper before the end of the year. It will provide a comprehensive statement of defence policy and the security and policy baseline against which future decisions will be made. The Government remain committed to the process of reform and change set out in the strategic defence review and the new chapter. An expeditionary capability will be even more necessary for future operations. Counter-terrorism and counter-proliferation operations in particular will require rapidly deployable forces that can respond swiftly to intelligence and achieve precise effects in a range of potential theatres across the world.

The White Paper will set out the need for flexible armed forces that are structured and equipped to deploy globally and rapidly on a small and medium scale, able to link up with our allies quickly and effectively when they arrive in theatre. Future priority will be given to meeting a wider range of expeditionary tasks at a greater range from the UK and with increased strategic, operational and tactical tempo.

The White Paper will also set out the case for change to exploit new technologies while restructuring those force elements that are less relevant and less useful in meeting future challenges. The focus will be on capabilities rather than on volume or numbers of platforms, with the emphasis on the delivery of military effect. I assure the hon. Member for Mid-Sussex and the right hon. and learned Member for North-East Fife (Mr. Campbell) that contrary to speculation about cuts in the Army, no decisions have been made on numbers or regiments. The same point was made by the hon. Member for Sutton Coldfield (Mr. Mitchell), who is also back from the Chingford chill but double-hatted now, being on both the Opposition Front Bench and the Opposition Back Benches. I am delighted that he participated in the debate.

I shall address some of the other issues raised during the debate. Right hon. and hon. Members rightly referred to the arrangements for commemorating the 60th anniversary of D-day next June. As my right hon. Friend the Prime Minister announced on Monday 24 November during the British-French summit, Her Majesty the Queen and he have been invited to lead the United Kingdom's participation in the commemorations next June. A programme for parades and services are planned in Normandy. A number of units are planning to attend, although it is too early as yet to provide precise details.

Across Government, a range of measures have been agreed to support the celebrations, including the provision of free one-year passports for veterans who wish to attend second world war commemorations. A 50 per cent. discount has been generously offered by P&O Ferries for veterans' groups travelling to Normandy in 2004.

The right hon. and learned Member for Devizes (Mr. Ancram) sought clarification of the Government's intentions—

Mr. Dismore: There is some other unfinished business arising from the second world war, and that is the question of the civilian prisoners of the Japanese. My right hon. Friend knows that the Government introduced a generous compensation scheme. Unfortunately, some people were omitted from the scheme because their grandparents were not born in the United Kingdom. Several of my constituents are in that position. I know that there has been litigation involving the campaign group and the Department, which was not successful for the group. However, these people feel a real sense of injustice. Many of them are UK residents, and have been for some time. Will he think about this issue again?

Mr. Hoon: I am grateful to my hon. Friend for raising the issue, which has been a difficult one. A great deal of detailed consideration was given to eligibility issues when the initial scheme was devised. As he said, that scheme was the subject of litigation. In accepting the judgment of the courts, the Government sought to extend that scheme as fairly and consistently as we could, without necessarily opening it up to all-comers. I invite him to recognise that for every extension of the scheme, we would bring in not only his worthy constituents, but the worthy constituents of all other right hon. and hon. Members. That is not something that we can accept. If he writes to me about the particular case, I will ensure that it is considered carefully in the context of the revised scheme as currently operating.

The right hon. and learned Member for Devizes sought clarification of the Government's intentions to support the celebrations to mark the 300th anniversary of our association with the people of Gibraltar. We intend to play a full part in celebrating the warm relationship that we have enjoyed with the people of Gibraltar for the past 300 years. There is an extensive programme of commemorative events to take place in Gibraltar next year, in which I certainly intend to take part.

The bands of the Royal Marines, the Royal Engineers and the Royal Air Force, and the pipes and drums of the Royal Irish Regiment, are planning to participate in four major events. The Royal Gibraltar Regiment and military units from the United Kingdom, including Royal Navy ships and the Royal Fleet Auxiliary will take part in a total of more than 20 events throughout the year. I hope that that more than satisfies the right hon. and learned Gentleman's ambition in terms of the UK's involvement.

As for the provision of support for our troops in Iraq, I remind the House that the operation to support more than 40,000 members of the armed forces in Iraq was the biggest logistical effort undertaken by the armed forces for more than a decade. I recognise, and have told the House before, that while there were some individual shortfalls, the overall effort was a considerable success. The right hon. and learned Member for North-East Fife raised the case of Sergeant Roberts. I have met Mrs. Roberts and members of the family to discuss their case. I know that the right hon. and learned Gentleman and the House will understand that, as the death of Mrs. Roberts's husband is currently the subject of a detailed investigation, it would be inappropriate for me to comment at this stage.

I shall deal with the observations about NATO made by the right hon. and learned Member for Devizes. It is increasingly clear that our response to the security threats that we face needs to be taken in conjunction with our allies and partners, whether it be diplomatic and economic engagement or the deployment of military force. It is wrong and dangerous to talk of the need to make a choice between the United States and Europe. Those who founded NATO recognised that a strong relationship between European states and the United States offers the best prospect for international peace and stability. NATO will continue to provide the collective forum through which we can defend, discuss and promote our common security interests. But NATO itself also needs to reform and change. We will need to continue to develop the crisis management and expeditionary capability of NATO and encourage members of the alliance more effectively to develop their own military capabilities.

Some commentators have in recent times predicted the end of NATO, questioning its relevance. In fact, the alliance has made itself still more necessary. While fighting was continuing in Iraq, NATO agreed to take over the international security assistance force in Afghanistan, its first operation outside the traditional Euro-Atlantic area. NATO's June ministerials reaffirmed the unity of the alliance and its commitment to implement the Prague agenda. Since then the alliance has made progress on its transformation agenda, with agreement on a newly streamlined command structure. The interim operating capability of the NATO response force has been established ahead of schedule. NATO continues to be relevant and to develop in ways that are relevant to today's security challenges.

As the House will know, the UK is also a strong supporter of developing EU military capabilities on a basis that complements NATO. The EU has now established an operational security and defence policy with the military structures needed to support it, though recognised shortfalls remain to be met before the Helsinki headline goal is achieved in full. One of those is, indeed, strategic heavy lift, as the hon. Member for Faversham and Mid-Kent (Hugh Robertson) identified. However—and I hope that he gives us credit for this—the UK has made a significant contribution in that respect and intends to go on doing so.

The successful EU-led action in Macedonia and the Democratic Republic of Congo provides evidence that an EU crisis management capability is now a reality. Those operations illustrate the complementary role that the European security and defence policy plays, where NATO as a whole is not engaged, as a means of supporting the EU's common foreign and security policy. It is vital that, in the process of engagement with the EU that the Government are setting out, we are capable of improving European military contributions. Without that, NATO itself will be weakened.

I simply invite Opposition Members who have criticised the EU's involvement to recognise the need to engage European nations, through whatever mechanism is appropriate, in the improvement of their military capabilities. *[Interruption.]* I hear the suggestion from those on the Opposition Front Bench that this is about money. It is about increasing the amount spent by European nations in their own defence, but it is also, crucially, about encouraging those nations to spend that money more effectively.

Donald Anderson: Does my right hon. Friend agree that it is also, crucially, about where the operational

[Donald Anderson]

decisions will be made? If they were to be made at SHAPE—Supreme Headquarters Allied Powers Europe—they would be intimately linked with NATO. If they were to be made at Kortenberg, the point of principle would be conceded, and even though that might be a small baby at the moment, there would be a danger of it growing in a way that some in the Union want but which is very different from the path on which we set out.

Mr. Hoon: We have made clear the need to avoid duplicating military capabilities. Returning to the point about more money, we have debated consistently in the House the importance of reforming the UK's military capabilities to take account of the very significant changes in the strategic environment. We need to develop structures in NATO and complementary structures in the EU to persuade our partners and allies to embark on the same course. Many have started on that course, but they need to go further and they need to go faster; otherwise we will see not only a weakening of Europe's contribution to NATO, but a weakening of NATO's position. In the new spirit that pervades the Opposition these days, I invite them to start thinking hard about the importance of European defence, rather than simply having these knee-jerk reactions to that important development.

Mr. Soames: The right hon. Gentleman is in danger of reducing this to a facile argument. There are very important issues at stake, and those are made more serious by the astonishing behaviour of the French and German Governments over the stability pact. Does he accept that reliability is a major factor, and that there is a real question arising from the fact that in these alliances we depend on people turning up, with the kit that they say they will have, on the day that they are due to turn up? People remain extremely anxious about anything that would be outside the NATO umbrella, where all the good military practice exists, which the right hon. Gentleman knows is the key to all successful military operations.

Mr. Hoon: I do not necessarily disagree with the hon. Gentleman, but he is missing the point that I was making. It is a matter of improving European military capabilities and the various ways in which that can be achieved. *[Interruption.]* I hear from the shadow Foreign Secretary that that must be within NATO, but that is not always so. Not all the United States forces are committed to NATO. Not all of the United Kingdom's forces are necessarily always committed to NATO. It is about developing and harnessing national military forces to be used in the context of NATO and in the context of United Nations operations—coalitions of the willing. It is about having usable, effective military forces. I invite the Opposition to think about how to engage other European nations in that process.

We agree across the Dispatch Box that the United Kingdom has gone a long way towards ensuring that our armed forces are usable and effective in the modern strategic environment. The challenge for the Opposition is to ask themselves why, in a knee-jerk anti-European spasm, they feel the need to criticise any effort made by the European Union to achieve a perfectly proper outcome—the improvement of European military capabilities. They say that they want to improve European military capabilities, but they deny the means of achieving that through the European Union. I invite them to consider that as they refresh their policy.

Mr. Mark Francois (Rayleigh) (Con): Will the Secretary of State concede that there is a difference in principle between allowing military units to serve in certain operations under NATO and in certain operations under the EU, and establishing a rival military planning headquarters for the EU, which would be a direct rival to what already exists at SHAPE? That is a fundamental change and it is wrong for him to try to fudge that.

Mr. Hoon: I am not in any way trying to fudge that. I said that the developments in the European Union and the improvements in military capability, whether they are in structures, items of equipment or trained forces, need to be complementary to the efforts made through NATO. I emphasise to the House once again that it is important that NATO reforms. NATO was, and largely still is, couched in the cold war. Too much of its organisation, bureaucracy and committees are based on cold war concepts. The challenge for most of our European partners is how to re-organise their armed forces to ensure that those forces are capable, as I believe ours are, of dealing with a modern strategic reality.

Mr. Soames: I imagine that the Secretary of State was intimately involved in the defence capabilities initiative at NATO, where the capabilities have not moved on. He accuses us of being anti-European, but why does he believe that those capabilities would move on outside NATO, when there already exists a coherent, joined-up command structure, with all the means of delivering our military requirements?

Mr. Hoon: As the hon. Gentleman knows, there are countries that give greater weight in their international relationships to membership of the European Union than to membership of NATO. It seems eminently sensible that we should encourage those countries to develop military capabilities, whether through the mechanisms of the EU or through NATO. What difference does it make in the end, if we get better military forces that are better organised and better structured to engage in overseas operations? That must be something on which everyone should agree.

We spoke about multilateralism. That has been a recurring theme of our international relations, and is reflected in Iraq, which is a thoroughly multinational effort. There are currently more than 30 countries on the ground there, contributing military forces, and helping to set the conditions for a secure, stable and prosperous Iraq. The United States continues to provide the bulk of the international presence, but many of our European partners and a host of other countries are helping to provide security in large areas of Iraq, where there is no American presence. As well as providing much-needed military capability, such a presence demonstrates the political will of the international community to help Iraq get back on its feet.

There are many positive developments in Iraq that we simply do not hear as much about as we should. I am grateful to the right hon. and learned Member for Devizes for the tribute he paid to the work of British forces in Iraq, and for his acknowledgement of the progress being made in restoring stability there. My right hon. Friend the Foreign Secretary said that the provision of basic services—water, electricity and oil—has improved significantly. Almost all of Iraq's 240 hospitals are now functioning and the child vaccination programme is much wider and more effective than ever before, as is the system for distributing medicine. The school year began last month and more than 1,500 schools have been refurbished.

Debate adjourned.—*[Mr. Ainger.]*

Debate to be resumed on Monday next.

BUSINESS OF THE HOUSE

Ordered,

That Private Members' Bills shall have precedence over Government business on 30th January; 6th and 27th February; 5th, 12th and 26th March; 23rd and 30th April; 14th and 21st May; 18th June; 16th July and 15th October 2004.—*[Mr. Ainger.]*

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

Ordered,

That, for the purposes of their approval under section 5 of the European Communities (Amendment) Act 1993, the Government's assessment as set out in the Pre-Budget Report 2003 shall be treated as if it were an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation).—*[Mr. Ainger.]*

Question agreed to.

BUSINESS OF THE HOUSE

Ordered,

That, at the sitting on Tuesday 9th December, proceedings on the Motion for the adjournment of the House in the name of the Prime Minister relating to Fisheries may continue, though opposed, for three hours or until Seven o'clock, whichever is the later, and shall then lapse if not previously disposed of.—*[Mr. Ainger.]*

SITTINGS IN WESTMINSTER HALL

Ordered,

That, on Thursday 18th December, there shall be no sitting in Westminster Hall.—*[Mr. Ainger.]*

PETITION

Council Tax

Dr. Andrew Murrison (Westbury) (Con): I rise to present the petition of 298 residents of the Westbury constituency. The petition states:

"To the House of Commons.

The petition of residents of the Westbury constituency.

Declares that high rates of council tax impose an unfair financial burden on residents, and on pensioners in particular.

The petitioners therefore request that the House of Commons urge the Government to take steps to prevent rises in council tax & to safeguard the interests of pensioners.

And the Petitioners remain, etc."

To lie upon the Table.

Recyled Liquid Fuel

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Ainger.]*

6.1 pm

Dr. Andrew Murrison (Westbury) (Con): Lafarge Cement works has submitted an application to the Environment Agency to run a trial using recycled liquid fuel. RLF is a soup of things that no one wants: it includes windscreen wash, antiseptic, nail varnish remover, cosmetics, paints and thinners, and photographic material. The cement works already co-incinerates tyres with coal and coke, but there are serious questions about the way in which the Environment Agency has managed permissions to burn tyres. It is therefore understandable that the local public are concerned that their interests will not be adequately protected in relation to RLF. The use of tyres as a substitute fuel has been driven by the need to comply with European Union directives, including the landfill directive. Given that imperative, it is easy to see how the Environment Agency, as an agency of Government, could be steered in a direction that might not be in the direct interest of people who live cheek by jowl with what has become, by the back door, an incinerator in west Wiltshire.

Lord Whitty wrote to me on 30 October in response to a petition raised in my constituency that requested a public inquiry into the use of RLF at the Lafarge Cement works. He was not minded to grant the request, which is a pity, as I believe that there is a need to examine and test in public the evidence on RLF and tyre burning. It is a pity that we are not at this juncture to have the opportunity of a full public inquiry into both matters. I shall press the Minister for the Environment on that point later in my speech, and I am grateful for the opportunity to bring my constituents' concerns to his attention. I am indebted to the Air That We Breathe Group based in Westbury, West Wiltshire district council, Wiltshire Friends of the Earth and, indeed, Lafarge Cement and the Environment Agency for their input. My right hon. and learned Friend the Member for Devizes (Mr. Ancram) shares my concerns, as Devizes lies downwind of the cement works. He has asked to be associated with my remarks.

Let me say at the outset that the cement works in Westbury is a very good local employer. Lafarge, formerly Blue Circle, is actively engaged in the community in west Wiltshire, and provides £10 million a year for the local economy. As a heavy manufacturing concern, it is something of rarity in rural west Wiltshire, and broadens our economic base considerably. The Environment Agency, as the principal statutory authority involved, has a lot of work to do to convince me and, more importantly, my constituents, that the disposal of waste as fuel at the plant will not pose a danger to public health.

The use of substitute fuels- is governed by the Environment Agency's substitute fuels protocol, which, unsurprisingly, the cement industry, wants to amend. Indeed, recent decisions by the European Court of Justice have paved the way for that. The Environment Agency says that it is consulting the public on proposals to revise the protocol, and is having its own "big conversation". How closely the end result will match public opinion rather than the directives of various European institutions is a matter for speculation. That is especially the case as the Environment Agency does not seem to like public consultations. Its director of environmental protection wants to trim the current requirement to consult, and says that there is no need to consult twice, first in the run-up to a trial for an alternative fuel and again before a commercial licence is granted. I hope that the Minister for the Environment agrees, in the spirit of the big conversation, that that is not the way ahead.

I worked with the Environment Agency before I became an MP, and developed a healthy respect for it, so I am somewhat saddened that it has not gained the confidence of the public in west Wiltshire. Historically, monitoring procedures regulated by the Environment Agency in connection with the cement works could have been better. Contrary to the impression given at the time, there was no like-for-like comparison of emissions between the old coal/coke regime and the current co-incineration of tyres. Moreover, recent data show that total particulates have gone up since tyres have been burnt at Westbury, and other key pollutants have either gone up or not been monitored at all.

We have little idea of what the electrostatic precipitators in the chimney at the Westbury plant are removing. Surprisingly, the Environment Agency does not seem to know whether they remove small particles—the so-called PM2.5s, which measure 2.5 microns across or less and have recently been linked to a range of human illnesses. If PM2.5s are venting to atmosphere, there is a potential problem with RLFs. One does not need a GCSE in chemistry to appreciate that halogens are an integral part of solvents. Halogens cling to small particles, so the co-burning of RLFs may increase the amount of highly toxic halogen leaving the plant.

To make matters worse, it seems that we will be disposing of other people's toxic waste. The UK management plant for the export and import of waste sets out policy on the trans-frontier shipment of waste. It is based on the EU waste framework directive, and it rightly bans the import of waste for disposal. However, when is waste not waste? The answer is when the European Court of Justice says that it is an energy recovery material. In other words, people cannot import French RLF to burn in a designated incinerator but they can if it is heading up the A350 to be burnt as a fuel at the French-owned Westbury cement works.

The Environment Agency may refuse the Lafarge application following the receipt of a health impact assessment from the primary care trust. That assessment is overdue, and is eagerly awaited. However, the Environment Agency stated from the outset, in a slightly prejudicial way, that it was minded to allow the trial. The Minister may have a view on that, and he will perhaps agree with me that if a trial is permitted at Westbury, it must be subject to the heaviest scrutiny. It must have a minimum three-month baseline monitoring period so that changes in atmospheric pollution during the burning of RLF and afterwards can be properly assessed. Monitoring must be geographically exhaustive and continuous, as required by West Wiltshire district council and neighbouring authorities. That will allow the agency to move away from its heavy reliance on modelled data. I am sure that my right hon. and learned Friend the Member for Devizes would insist that monitoring be carried out up to and beyond Devizes. Lafarge has undertaken to pay for monitoring, but it must be conducted rigorously, independently and to the satisfaction of the district councils involved. Any possible impact on the food chain must be clarified, and I hope that the Minister will outline the Food Standards Agency's involvement.

It must be clear to the public during any trial period that air quality is not deteriorating. If it is, the trial must be stopped immediately. Assurances must be given to my constituents living along the A350, and particularly in the town of Westbury and the villages of Yarnbrook and West Ashton, that they will not be put at risk from tankers bearing toxic material. If that assurance cannot be given, transport by the existing rail link into the cement works must be a condition of the trial.

Finally, and this is vital, if the Government are to have any chance of convincing sceptics such as me that our backyard has not become home to a back-door incinerator, there must be an unequivocal undertaking that unless any trial gives confirmation of environmental benefit, no definitive permissions shall be granted at the end of the trial.

Lord Whitty has rejected a public inquiry at this stage. I very much regret that, because such an inquiry would have clarified many issues, both to do with RLF and other novel fuels. Certainly it was the wish of my constituents that one should be carried out at this juncture. I hope that the Minister can give me some of the assurances that my constituents seek today.

6.10 pm

The Minister for the Environment (Mr. Elliot Morley): I congratulate the hon. Member for Westbury (Dr. Murrison) on securing the debate, and I assure him that the Department's and the Government's priority is to ensure that the very best environmental standards apply. It is perfectly reasonable for people to raise questions about the impact of changes, in this case in relation to what is burned in cement kilns, but I am sure that he would agree that, if one is to take people's legitimate concerns seriously, it is not reasonable to distort the arguments or unnecessarily frighten or worry people when there are no grounds to do so.

I should like to correct one point that the hon. Gentleman made about the EU hazardous waste directive. That is entirely a matter for the company and its commercial decisions; it is not driven by the Environment Agency. The agency has no involvement in the implementation of the directive, only in monitoring. The changes are a matter for the Department for Environment, Food and Rural Affairs. We will deal with those, but that does not necessarily involve the burning of such wastes in cement kilns. We do not want to set hares running without justification.

As the hon. Gentleman rightly states, the Environment Agency is involved in the evaluation. I do not have all the details in relation to the emissions that he mentioned, but for the record, I do have some figures in relation to the emission limits set for the Westbury cement works for 2000 to 2003, and they have been tightened up. For example, the oxides of nitrogen limit has been reduced by 43 per cent., from 3,528 mg to 2,000 mg per cubic metre, and the particulates limit, which he mentioned, has been reduced by 55 per cent., from 78 mg to 35 mg per cubic metre. That demonstrates that the agency is doing its job in terms of applying good standards in relation to the operation of the works. I have considerable confidence in the operation of the agency, which influences such matters as calls for public inquiries.

As the hon. Gentleman rightly states, under regulation 17 of the Pollution Prevention and Control (England and Wales) Regulations 2000, the operator, Lafarge, applied for a variation to the integrated pollution prevention and control permit on 18 June to allow the trial use of RLF, and the hon. Gentleman explained what that was.

Such waste liquid solvents have been used in other cement works in the UK and elsewhere in Europe for over a decade, so the technology is not new and the risks associated with it are well known and understood. The Environment Agency is considering the application under its substitute fuels protocol. The protocol is readily available on the agency's website and includes an extensive consultation process. I agree with the hon. Gentleman that consultation is important, as is access to information, subject to normal commercial confidentiality.

The hon. Gentleman is right to say that no decision about the application for a variation to the IPPC permit has yet been made by the Environment Agency. For six months after a decision is made, it would be open to Lafarge to appeal to the Secretary of State if the company were aggrieved by the decision. For that reason, the hon. Gentleman will appreciate that, in view of the company's legal rights, it is inappropriate for me to speak in great detail about the application or the determination process.

I have noticed the coverage of the issue in the local press, which understandably reflects local concerns. However, it is important that local newspapers, too, adhere to the facts. I have seen references to such things as "poisonous clouds". We shall not tolerate clouds of poisonous gases—that will not be tolerated by DEFRA or the Environment Agency. I repeat that we take people's concerns seriously, but they must be judged on the basis of the facts so that there can be proper evaluation of the risks and of the restrictions and protection to which people are entitled.

The hon. Gentleman has called for a public inquiry and he has written to my noble Friend Lord Whitty. I understand that he was motivated in part by a paper presented by the Environment Agency to the board of its regional environmental protection advisory committee. My impression is that that has been understood to mean that the agency is automatically in favour of the application. However, my understanding is that the paper asks the committee to comment on how the Environment Agency should determine applications to burn waste as a fuel in instances where the waste could not be reused or

[Mr. Elliot Morley]

recycled. The agency appears to be seeking expert opinion on draft proposals, and I do not think that that action merits a public inquiry.

Similarly, I see no justification for the Secretary of State to call in the variation application for her determination. Rules apply both to such procedures and to public inquiries. The main rule is whether the issue is one of national controversy or importance. I do not doubt that it is of considerable local importance. I understand that, and I respect the hon. Gentleman's right to raise points in the House and directly with DEFRA. That is entirely proper and appropriate. I also respect people's right to ask questions and to seek assurances that there will be proper monitoring of the trial. However, as the process has been used for nearly a decade in the UK and in Europe, the matter is not of national importance—it is not new in that sense.

With the greatest of respect, I point out to the hon. Gentleman that there are many public inquiry applications of that type. These days it seems to be the fashion immediately to demand a public inquiry, whatever the issue. We have confidence in the Environment Agency to carry out its duties and to follow its procedures. We cannot hold a public inquiry whenever there could be a controversial decision; otherwise we would be bogged down with endless inquiries. Procedures are in place; when a change is of national significance it is appropriate to hold a public inquiry. Although I understand local concerns, they do not fit that category, so an inquiry is not warranted under the rules that are currently applied.

The hon. Gentleman said that there should be proper monitoring. I agree. If the trial goes ahead, I understand that there will be thorough monitoring of the process. That is what DEFRA expects and it certainly applies in other trials of that type. I would expect the information to be made available publicly, subject to the caveat of commercial confidentiality, and I cannot see why much of it should not be provided. I again agree that it is a matter of reassuring people and answering their concerns.

I understand that the Environment Agency will also look into other issues, particularly the safe storage of any recycled liquid fuel at the works, should that be required. I take the point about lorry movements in the area. There are rules in relation to the movement of any kind of hazardous waste. They apply to all vehicle movements and we would expect them to be applied. I was interested in what the hon. Gentleman said about the rail link. Rail links are often an advantage in moving bulky goods. I do not know whether, if the trial gets off the ground now or in future, that would be appropriate given the quantities going into the works. I certainly hope that it would be considered on environmental grounds, if it were appropriate. I stress, however, that for it to be economic, large loads are generally required. I am not at all sure that the quantities that we are talking about are large ones. Obviously, that issue will be considered and determined in the application.

In conclusion, I fully understand local concerns. There are always local concerns about changes of this kind that involve incineration. That is common across the country. I live downwind of a power station that burns waste—in this case, meat and bone meal from cattle that have been taken out of the over-30 month scheme. As the hon. Gentleman will be aware, that is not uncontroversial in itself, so I well understand local concerns.

The priority from the environmental point of view is to ensure that the methods are justified and properly monitored, and that there are rules and procedures in place to protect the health of people in the area and to minimise the potential impact on the environment. We expect the EA to put those criteria in place as part of any monitoring of this trial, if the trial is given the go-ahead. I can assure the hon. Gentleman of that. I am sure, too, that the EA will be only too happy to discuss with him personally, should he so wish, the details, monitoring procedures and any other points that he would wish to raise on behalf of his constituents.

Question put and agreed to.

Adjourned accordingly at twenty-two minutes past Six o'clock.

House of Commons

Monday 1 December 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Points of Order

Mr. Tam Dalyell (Linlithgow) (Lab): On a point of order, Mr. Speaker. Have you had any requests from the Foreign Office to make a statement on the weekend's events in Iraq and the difficulties between Iraqis and the coalition forces?

Mr. Speaker: I have had no such approach.

Mr. John McFall (Dumbarton) (Lab/Co-op): On a point of order, Mr. Speaker. I wish to raise the issue of the recent activities of the hon. Member for Argyll and Bute (Mr. Reid) in my constituency. I have given you notice in writing of this point of order and I have spoken personally to the hon. Gentleman today and told him that I intended to raise the issue in the Chamber. Our exchanges have been both courteous and friendly, but given the complaints I have received from different constituents and members of different parties, I wish to place the matter on the public record. I ask you to make a statement on the conventions that apply when one Member visits the constituency of another without notice and engages in activities.

Mr. Speaker: I am grateful to the hon. Gentleman for giving me notice of his point of order. I should like to take this opportunity to refer to the letter that I sent to all Members on 24 February 2003, in which I set out the conventions and courtesies of the House. That letter has helpfully been reproduced as an appendix to the recently published Procedure Committee report on "Procedures for Debates, Private Members' Bills and the Powers of the Speaker". In that letter I made it clear that individual Members should notify colleagues whenever they intend to visit a colleague's constituency, except when such visits are entirely private.

I also invite the House to recall the ruling of Madam Speaker Boothroyd, which was reported in *Hansard* on 22 February 1996 at column 520. I, too, deprecate the activities of any Member who interferes inappropriately in another Member's constituency. I know that the hon. Members for Dumbarton (Mr. McFall) and for Argyll and Bute (Mr. Reid) are mature and sensible enough to have resolved these matters between themselves, but I want to make it absolutely clear that the conventions and courtesies that I set out in my letter of 24 February are there for a reason, and that is that they enable all right hon. and hon. Members to go about their business in a proper manner. Once again, I commend those conventions and courtesies to all Members, and I hope not to have to listen to any similar points of order again.

BILL PRESENTED

PLANNING AND COMPULSORY PURCHASE

Mr. Secretary Prescott, supported by the Prime Minister, Mr. Chancellor of the Exchequer, Mr. Secretary Blunkett, Secretary Margaret Beckett, Mr. Secretary Darling, Mr. Secretary Reid, Ms Secretary Hewitt, Mr. Paul Boateng, Mr. Peter Hain, Keith Hill and Yvette Cooper, presented a Bill to make provision relating to spatial development and town and country planning; and the compulsory acquisition of land.

Pursuant to Orders [29 October 2002 (Carry-over of Bills) and 21 October 2003], the Bill was read the First and Second time without Question put; and ordered to be considered on Tuesday 2 December, and to be printed. Explanatory notes to be printed. [Bill 6].

Orders of the Day

Debate on the Address

[THIRD DAY]

Order read for resuming adjourned debate on Question [26 November].

That an humble Address be presented to her Majesty, as follows:

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which your Majesty has addressed to both Houses of Parliament—*[Mr. McFall].*

Question again proposed.

Local Government, Environment and Transport

2.38 pm

The Deputy Prime Minister (Mr. John Prescott): I am pleased to see that the Curry shadow Cabinet has turned out in full today. On Wednesday, the Prime Minister set out our strategy for legislation and reform. The Government's legislative programme for the next session will enhance economic stability, further reform and improve public services, and create a fairer, more secure and more just society. The measures that my Office will bring before the House build on those objectives.

Our housing Bill will protect the vulnerable in our society by tackling unscrupulous landlords. Our planning Bill will speed up the delivery of new homes, schools and hospitals—the very infrastructure that creates sustainable communities—and the fire and rescue services Bill will improve our security by enabling the service to respond to the threat from terrorism.

Over the past 25 years the role of the fire and rescue service has changed fundamentally. That role will continue to change in the future, in particular in response to the new threat from terrorism. The fire and rescue services Bill will be the first substantial piece of legislation to modernise the fire service for 50 years. It will reflect our White Paper published in June and the findings of Sir George Bain's independent review of the fire service. The Bill will create a service better able to protect the public and respond to changing demands.

Miss Anne McIntosh (Vale of York) (Con): Is the right hon. Gentleman aware of the widespread concern about local fire services being told, on the one hand, to consider sharing control room and other facilities with other emergency services, such as the police and ambulance units, and on the other, to desist from that and consider regionalisation policies and their impact on fire services? Is he aware how much confusion that is creating?

The Deputy Prime Minister: The hon. Lady will be aware that one has to take a regional approach to the process of change and meeting new demands, particularly the threat of terrorism, and the fire authorities and the police are already doing so. We propose certain legislative changes to meet those new demands. I agree that a certain amount of confusion may be caused while the debate is ongoing, but change is certainly necessary and the fire and rescue services Bill will give us the power to get on and do what is needed.

I give my fullest support to firefighters, whose dedication and courage is evident every day of the year. Indeed, I am sure that the House will welcome Friday's overwhelming decision when, on a high turnout, 75 per cent. of the Fire Brigades Union voted in favour of continuing with the process of modernisation and reform agreed in June this year. I do not see any of my hon. colleagues who used to be critical about that matter, but I will claim the ballot in my favour.

Mr. Dennis Skinner (Bolsover) (Lab) *rose*—

The Deputy Prime Minister: My hon. Friend is always here.

Together, we can build a better service that saves more lives and offers a rewarding career for everyone who works in it. The fire and rescue services Bill will underpin the process of reform by repealing outdated legislation and putting in place a legal framework that reflects the wider role that the service now has. It will create a new duty for fire and rescue authorities to respond to serious civil emergencies, ranging from flooding to terrorist incidents. The hon. Member for Vale of York (Miss McIntosh) well knows the importance of integrating the emergency services with regard to flooding. Such integration happens at the moment, but it could be done better.

The fire and rescue services Bill will also create a duty to promote fire safety, recognising the role that firefighters have long played in preventing as well as fighting fires. For far too long the service has operated in a vacuum. Successive Governments have failed to provide it with clear direction. We will therefore shortly publish a new national framework for consultation, which will provide the strategic direction that the service requires. Within that framework, fire and rescue authorities will have greater flexibility to set priorities locally, and they will work together regionally. That will reduce bureaucracy and ensure that functions are carried out at the appropriate operational level, releasing more resources to be spent on fighting and preventing fires. The Bill will help to save lives.

The other two Bills that my Office will introduce will address the quality of people's lives in and out of their homes. Eighteen months ago, the Prime Minister established the Office of the Deputy Prime Minister with responsibility for creating sustainable communities by delivering radical improvements in housing, planning, regeneration and local and regional government. The House will recall that when I published the sustainable communities plan in February, I made it clear that for decades all Governments have failed to meet housing need in this country. We did not invest enough in housing and we used land wastefully. The communities plan set out my Office's programme to reverse that. The Bills that we will introduce will drive forward the delivery of that programme.

We have already done a great deal. We are on course to reduce by about 1 million the number of non-decent social homes by April 2004, and we will have helped more than 9,000 key workers into home ownership through our starter homes initiative by the same time. We will provide about 100,000 new or improved homes for low-cost renting and home ownership by 2004. We have already exceeded our target to provide 60 per cent. of new homes on brownfield land. We are funding about 1,500 wardens, mostly in deprived neighbourhoods, and most hon. Members comment favourably on them, saying that they help to improve security.

Joan Ruddock (Lewisham, Deptford) (Lab): I applaud all the policies that my right hon. Friend describes because they have had a major effect in my constituency, but I want to take this opportunity to remind him of some crucial figures for my borough that are typical for London: 260 new units of accommodation last year, 15,000 people on the waiting list and almost 1,200 homeless families. May I impress on him the continuing need to address the housing shortage in London, while applauding him for the fact that so much has been done?

The Deputy Prime Minister: I am grateful to my hon. Friend for those comments. Indeed, she is absolutely right: we are putting more resources into London's housing than before. Tonight, I shall visit her constituency as part of a national conversation, where housing will be an important element, and I look forward to debating that as we continue our discussion with the people.

We have introduced new freedoms and flexibilities for our best-performing local authorities and there will be referendums next autumn on elected regional assemblies in the three northern regions.

Bob Spink (Castle Point) (Con): To pull the right hon. Gentleman back to a very serious note, does he accept that there are now record numbers of homeless people in this country, and at the same time there are three quarters of a million empty houses that should be brought into use? Why has he not addressed that in his legislation?

The Deputy Prime Minister: We are doubling investment over these years, but the hon. Gentleman points to a fair concern—there are an awful lot of empty properties. That review is under way at the moment. English Partnerships, working with the Housing Corporation, is looking at precisely how we can utilise those properties to meet the housing demand. He is right to point that out. It is a pity that his party did not do anything about it when it was in office.

Mr. Edward Davey (Kingston and Surbiton) (LD): The Deputy Prime Minister talks about empty homes, and his Department has a consultation paper on compulsory leasing. Why is that proposal not being included in the housing Bill that is due to come before the House, as the Select Committee recommended?

The Deputy Prime Minister: I am grateful for the hon. Gentleman's comment. That was a recommendation of the Select Committee, which largely welcomed this Bill, for which I am grateful. The Law Commission report, which we are studying, deals with some aspects of tenancy and compulsory purchase that we will be considering. Perhaps that point will be made during the progress of the Bill, and we will look at it again.

The achievements that I have mentioned are within the framework of the £22 billion sustainable communities plan, which committed us to increase the provision of high quality and affordable housing in areas of high demand, particularly in London and the south-east; to regenerate deprived communities; to address housing markets in decline, especially in the northern areas; to bring all social housing up to a decent standard by 2010; and to improve the efficiency of the planning system while protecting the countryside and improving the local environment.

The housing Bill announced in the Gracious Speech will help to create a fairer and better housing market and protect the most vulnerable tenants, particularly in the private sector.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): I commend my right hon. Friend on everything that he has said so far. However, are not the Government in danger of missing a great opportunity to reform the law on park homes as part of their housing legislation? The work has been done, the working party has reported, and the Government have pledged themselves to reform. Should not we take this opportunity to protect the most vulnerable people living in the private sector?

The Deputy Prime Minister: I thank my hon. Friend for his intervention. He is well known for doing an awful lot in this area, and has been campaigning for park homes to be covered by this legislation. I do not mean this as an excuse, but we gave serious consideration to the matter, and again it is affected by the Law Commission's report, which we are considering. I have no doubt that he will be as active making exactly the same points when the Bill comes before the House. At present, however, we have made the choice not to put the matter in the Bill.

I am grateful to the Select Committee on Housing, Planning, Local Government and the Regions for its report on the draft Bill. It has once again demonstrated the value of pre-legislative scrutiny—there is no doubt about that, and anyone reading the report can see how it adds to the value of the Bill. I am pleased that the Committee broadly welcomed the Bill's aims. In our response published on 10 November we were able to respond positively to 40 of the Select Committee's recommendations, out of approximately 72, and to its conclusions, including those on houses in multiple occupation, the right to buy and the possible phased introduction of home information packs.

The housing Bill will provide new powers to tackle problems and inequalities in the private housing sector. Many of the most vulnerable in our society live in private sector accommodation, often in conditions that we should not tolerate. In some parts of the country, areas are suffering from housing market collapse, which can often be attributed to the actions of bad landlords and antisocial tenants. The Bill will give local authorities new powers to license selectively private landlords when there is a particular problem such as antisocial behaviour. If a landlord is not fit and proper, a council will be able to take over management of that property until a decent manager can be put in place.

[The Deputy Prime Minister]

Houses in multiple occupation represent some of our worst properties. They are often badly managed and in poor physical condition. We therefore intend to fulfil a manifesto commitment and introduce a licensing scheme for the highest risk houses in multiple occupation. Licensees will need to show that they are "fit and proper" to manage the property and that arrangements are in place to ensure that adequate management standards are met. Responsible landlords, decent tenants and the local community will all benefit from those provisions.

Mr. Harold Best (Leeds, North-West) (Lab): Perhaps only my right hon. Friend and a few others in the Chamber understand the depth of appreciation that the Bill is to come before the House. The devastating effect that houses in multiple occupation have had on certain communities is shown by the way in which he described his intentions. When considering such issues, it is important to bear in mind the devastating consequences of a high concentration of houses in multiple occupation and the way in which my constituency of Leeds, North-West has been seriously damaged by the transfer of 60 per cent. of its housing to houses in multiple occupation.

The Deputy Prime Minister: My hon. Friend has made those points many times and we intend to do something about that. I think that I am right in saying that we had hoped to implement a relevant measure in a Bill that fell after negotiation between the two Houses during the previous Parliament. The sound arguments that we made then are applicable now, which is why we are bringing forward the Bill. It must be implemented because there is great need for it.

The House is aware—this is connected with my hon. Friend's point—that there is a close link between poor housing and poor health, which is a point that has been made for some time. Our proposals, together with the new housing health and safety rating system, will help local authorities to target the properties in which health and safety hazards and risks to residents are greatest.

The housing Bill will also continue the modernisation of the right-to-buy scheme and will tackle abuses and reduce profiteering. Both the Select Committee and the home ownership taskforce, under the very able chairmanship of Baroness Dean of Thornton-le-Fylde, welcomed the provisions in the draft housing Bill. However, they called for more, so we amended the draft Bill to give social landlords the right of first refusal if owners wish to resell a property within 10 years of exercising their right to buy. The provision will not be retrospective. In addition, we will suspend the right to buy from properties that are scheduled for demolition. That is especially relevant in areas in which regeneration schemes are proposed, because if people want to make a quick buck that will be prevented.

It is our duty to ensure that we get value for money from funding for new affordable housing. The Bill covers both England and Wales and will thus provide for the Housing Corporation and the National Assembly for Wales to pay grant to organisations other than registered social landlords. That will encourage competition and increase the supply of affordable homes. Private developers who receive such grants will be required to reach the same high standards as registered social landlords.

More people than ever own their own homes and that trend has been evident for decades. In 1940, 32 per cent. of homes were privately owned and that figure rose to 57 per cent. in 1980. The figure today is 70 per cent., and the housing stock has doubled from 10 million to 21 million homes over that period. However, the process of buying and selling a house is shambolic and stressful for many people. It gives consumers a raw deal and nine out of 10 people are unhappy with the process. The Consumers Association strongly supports change. We therefore intend to make provision for the introduction of home information packs. Our research so far indicates that making key information available right at the start of the process will make home buying and selling easier and more transparent and successful.

I am aware of concerns about the cost of home information packs. The main components will be a search, a home condition report, an energy efficiency certificate and legal fees, although people have to spend money on many of those items within the current process. That said, we recognise the Select Committee's concern and we are discussing with consumer and industry stakeholders the possibility of a phased introduction of home information packs as part of a national roll-out.

The housing Bill will improve the quality of people's lives by making a difference to where they live and by protecting the most vulnerable. Above all, it will contribute directly to the creation of sustainable communities. The delivery of new housing and sustainable communities will require a flexible and quick planning system, as we set out in the 2001 Green Paper.

Mr. Skinner: On the question of housing, my right hon. Friend knows that in Bolsover a considerable amount of money—millions of pounds—has gone into renovating some of the old Coal Board properties, which is welcome. However, there is a problem—which is, I suspect, the big conversation in Bolsover—namely, council houses. I was up there the other week discussing how there could be a level playing field for authorities such as Bolsover and others that do not want to hand over their council housing stock on principle.

Can I have a guarantee, a little bit better than what was said on 18 June this year, that no local authorities will be penalised if they hang on to their council stock? In other words, if money is to be given for handing over the stock, there should be an equivalent amount for keeping it.

The Deputy Prime Minister: When I visited my hon. Friend's constituency, the tenants made it absolutely clear that they lived in an area that they liked and they wanted to stay there, but they wanted the properties improved because they were all clearly in desperate need of a great deal of investment. We have developed a whole range of policies: some authorities have transferred housing functions to private finance initiatives or trusts—

Mr. Skinner: We do not want that.

The Deputy Prime Minister: I am well aware of that.

In addition, the policy on arm's-length management organisations recognises that local authorities can, if they wish, borrow money and keep housing under their control. In the case to which my hon. Friend is referring, the housing stemmed from the coalfield communities and the coal industry and, as he knows, we are *discussing with the council a number of options for* meeting the capital requirements necessary to improve the properties. [HON. MEMBERS: That means no then.] Discussion with the Tory Administration may have meant no. If hon. Members look at the record they will find that the Tories had no money to put into housing, but we have made resources available. I have been looking at the record of the right hon. Member for Skipton and Ripon (Mr. Curry), one of about six shadow Secretaries of State. I cannot keep up with it, but I think that he is the leader of the group of shadow Secretaries of State. Over five or six years when he was in office housing investment halved, but it has doubled in the same amount of time under this Administration, and I am happy to point out the fundamental differences between us.

The Planning and Compulsory Purchase Bill is part of the wider strategy to reform the planning system, making it fairer, faster and more predictable. It will bring clarity, certainty and a new sense of strategic direction to the planning system. It will also make the compulsory purchase system simpler, fairer and quicker. It will support investment and major infrastructure and regeneration. Most importantly, the Bill will put sustainable development at the heart of a system of regional and local plans.

In the debate on the Gracious Speech, my hon. Friend the Member for Keighley (Mrs. Cryer) expressed concern about community involvement in the planning process. Our proposals will open up the planning system by introducing local development frameworks, local development orders and statements of community involvement. That will strengthen the opportunity for local people to make their views known and to have a say in the future of the area in which they live. The new statement of development principles will govern the development of planning agreements such as those to which my hon. Friend referred in her speech.

Mr. Henry Bellingham (North-West Norfolk) (Con): How does the Deputy Prime Minister reconcile those remarks with what he is planning to do with regional planning frameworks, which will effectively bypass, or get rid of, county councils?

The Deputy Prime Minister: We have made it clear that regional planning frameworks should not be in the hands of the counties. We now have regional planning and spatial development. The county council will still be entitled to have a discussion about that, but in the main planning will be done at a regional level. That is what we have always said, and we will continue to do so. The regional spatial frameworks and the local frameworks will fit together to achieve sustainable community development.

Mr. Edward Davey: Does not the Deputy Prime Minister feel a little uncomfortable taking power away from elected bodies and giving it to unelected regional planning boards?

The Deputy Prime Minister: I cannot make up my mind where the Liberal Democrats stand on regional elected assemblies, but in the north, where we will be giving people the opportunity to choose such assemblies, if they say yes the democratic accountability *will exist. That choice may come later to other areas, but* at the moment indirectly elected bodies or assemblies will be consulted on regional spatial development. I have not noticed Liberals or Tories being unwilling to clamber on board the idea for an assembly, and quite right too. I support them in that; it is just their national parties that find themselves in a quandary about whether they can support it, but what is new?

There is one other change in the Bill that I should cover—it seeks to make the planning system more acceptable and transparent for all. It will increase the predictability of planning decisions and speed up the handling of major infrastructure projects, and not before time. I am sure that the House will also be pleased to note that the Bill removes Crown immunity from planning control, and it will now apply to planning as to everything else.

On planning obligations, the Bill contains provisions to deal with abuses of the planning system by business—*[Interruption.]* Is that the normal Liberal-Tory line—to check things with each other?

Mr. Eric Pickles (Brentwood and Ongar) (Con): We are having a conversation. *[Laughter.]*

The Deputy Prime Minister: That is a new dimension—the Liberals and the Tories working together on conversation.

The Bill also contains provision for the new business planning zones. At present, major planning applications are accompanied by complex and slow negotiations regarding the provision of infrastructure and other community facilities by the developer. Known as section 106 agreements, it is generally recognised that they could be made to work better—I think that that view is shared across the House. That is why we proposed new changes to section 106 in the consultation document we published on 6 November. The House will have a chance to debate our proposals, which are additional to those contained in the original draft Bill. They will be debated on Report, which I believe is to take place next week.

We will reform the section 106 process by making provision for a new optional planning charge, which will give developers a choice between the current negotiated approach or paying a pre-determined fixed amount.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): Will my right hon. Friend reassure me on one point? Currently, if part of a section 106 agreement is that social housing be provided on a site, the social housing can be integrated with the other housing. However, if the developer pays a fee, the social housing will be built separate and distinct from the other housing. That causes me concern.

The Deputy Prime Minister: That is a valid point. However, the matter can be part of the process of negotiation, or decided separately. Both parties are involved in the decision.

The legislation and our wider programme to create sustainable communities represent a comprehensive and powerful agenda for change, backed by significant

[The Deputy Prime Minister]

resources. Our proposals will enhance economic stability, promote prosperity and jobs, further reform and improve our public services, and create a fairer, more secure and more just society. I commend the proposed Bills to the House.

3.2 pm

Mr. David Curry (Skipton and Ripon) (Con): First, I am grateful to the right hon. Gentleman for his welcoming words in reference to my team. Occasionally I think I have more disciples than The Almighty, but let me make it clear that none of us is a miracle worker.

Secondly, my family home is near Saffron Walden; therefore when I make references to the communities plan or to airport expansion, it should be clear that I shall be affected by those policies. I just wanted to put that on the record so that there should be no misunderstanding.

Most of my remarks will, perhaps eccentrically, be addressed to what is in the Queen's Speech, but I shall start with what is not in the speech. Something very important is missing: any mention of the draft Bill on regional assemblies. Both the right hon. Gentleman and I represent constituencies that will be affected by that policy. The Prime Minister can hardly contain his enthusiasm for the idea, and it will be interesting to learn how many people participating in "the big conversation" came and spontaneously said to him, "Prime Minister, I just want you to know what a bloomin' good idea these regional assemblies are." I have to say that people making such a demand have not been crowding out my constituency surgeries.

A decision has been made to hold referendums in the three northern regions, based on expressions of interest that were so meagre as to be practically subliminal; and now we have preliminary proposals on the reorganisation of two-tier government in those areas—with no price tag attached, of course. We know that that reorganisation will be unwanted, unnecessary, disruptive and expensive.

Andy Burnham (Leigh) (Lab): I am interested in finding out the right hon. Gentleman's policy on regional government. Last week on Radio 4's "Any Questions?" he said that if powers

"were genuinely devolved from London, I would be much more sympathetic than I am now."

When did it become Conservative party policy to favour stronger regional government than that which is currently on offer? Precisely which powers would he transfer to the regions?

Mr. Curry: The hon. Gentleman listened to "Any Questions", which came from Stockton-on-Tees. He will be happy to know that Jonathan Dimbleby conducted a poll of the audience immediately after the question. He asked how many people were in favour and how many people were against: 20 were in favour and more than 200 were against. That is in the Labour heartland of Stockton-on-Tees. My position has always been clear. To save trouble in future, I have always said that if the regions were offered devolution in the same way as Scotland, we would be bound to consider that to ascertain whether we could benefit from it. However, as there is not a snowball's chance in hell of the Government offering anything like that, the question is purely academic.

The Deputy Prime Minister: The right hon. Gentleman mentioned that perhaps the referendum Bill or the regional assemblies Bill does not appear in the proposed legislation. He must be well aware that I have promised that after the referendum takes place a Bill will be brought before the House that spells out the proposed powers. That is the proper way to proceed. *[Interruption.]* It makes sense to proceed in that way after people have voted, rather than introducing proposals beforehand. The right hon. Gentleman will have a chance to tell us whether the proposed powers are sufficient for him to give them his endorsement, along with the regional assemblies and regional Bills.

Mr. Curry: The right hon. Gentleman has said something absolutely extraordinary. He has said that people will be invited to vote and then will be told on what they have voted. It is like going to the polls without being told what parties are in contention to form a Government. That is what the right hon. Gentleman has said.

The Deputy Prime Minister: The position is exactly the same as in Scotland and Wales. We have produced a White Paper that spells out the proposed powers and how things will be done. We have promised the House to produce the Bill in the July before the referendum takes place in the autumn. That is precisely what happened in London and it is precisely what happened in Scotland and Wales. That is the proper way in which to proceed.

Mr. Curry: The right hon. Gentleman has spent a lot of time today talking about planning. I invite him to consider the Planning and Compulsory Purchase Bill, which will conclude its passage in this place next week. Let him consider the initial shape of that Bill and the concluding shape. The two shapes are almost unrecognisably different. If people must come to a conclusion on whether they want regional assemblies, they must know clearly what they are to vote for before they vote. They will then discover what a meagre and puny bunch of assemblies they have been offered. We know that because we have a little document from the Office of the Deputy Prime Minister that tells people in Yorkshire and Humberside about elected regional assemblies. It is a profoundly misleading leaflet. It was produced at public cost and it argues only one side of the cause. The only suggestion that people might say no is a handful of little thumbs pointing down.

Of course, there are some things that will set pulses racing in Skipton. There is the reference to a regional cultural consortium. That certainly has them seized in Skipton. We are told that there might even be a civic forum. I am sure that we will all be grateful for small mercies. However, the document is misleading when it comes to powers. The impression is given that there will be executive decisions. It is misleading as to the competence of the assembly because it is said that there will be a Government grant. The Government always refer to Government money. They seem to forget where the money comes from. There will be a Government grant so that expenditure of £570 million can be controlled. That is £1.5 million a day. Identifiable public expenditure in Yorkshire and Humberside in the year 2001–02 was £25.5 billion, and it is ignored. That is £70 million a day. In other words, the assembly will control, to use the Deputy Prime Minister's words, £1.5 million out of £70 million a day, which is 2 per cent. of public expenditure. That shows how flimsy, insubstantial and token these bodies will be.

The Deputy Prime Minister has even hinted at a great northern alliance to squeeze more money out of the Government. Whether the Chancellor of the Exchequer has approved of that is not very clear. The situation is also misleading when it comes to accountability. The councillors who are nearest to the people are district councillors. What happens when there are 30 to 35 regional members who represent constituencies? I am taking the Scottish example, on which I assume the electoral system will be based. They would each represent about 250,000 people. In north Yorkshire, for example, there would be two assembly people representing an area stretching from the Cumbrian border to Scarborough.

The Deputy Prime Minister: I think that the right hon. Gentleman was a Member of the European Parliament. How many people did he represent as one person?

Mr. Curry: One reason why elections to the European Parliament have always been disappointing is that people do not make a connection between them and anything being at stake, such as a change of power. The right hon. Gentleman knows that is the case, given that the Government and everybody else are currently anguishing about election turnouts. I invite the Deputy Prime Minister to accept a wager—what turnout does he think there would be at the second set of elections for regional parliaments? That turnout would make the turnout for European Parliament elections look positively torrential.

Mr. Betts: I should like to find out where the right hon. Gentleman stands on regional government. A few minutes ago, in response to an intervention by my hon. Friend the Member for Leigh (Andy Burnham), he said that if the Government offered the English regions the same powers as the Scottish Parliament the Opposition would have to take that seriously. However, as that is not going to be offered, he said that he would not deal with the question. Is he therefore suggesting that a future Conservative Government whom he served as Secretary of State would offer the English regions the same powers as the Scottish Parliament? Does he favour a stronger position on regional government than he has been advocating?

Mr. Curry: No. I was asked about the views that I had expressed on the subject, and I told the House honestly what they were. It is as simple as that. The policy of the Conservative party is to be against regional assemblies and reinforce the power of existing councils. I am entirely happy with that policy.

Mr. Gordon Prentice (Pendle) (Lab): The right hon. Gentleman has been a local government Minister in the past and knows all about the costs of reorganisation. One thing that concerns me is the fact that we are going to embark on a hugely expensive reorganisation of local government. Does the right hon. Gentleman have any idea of how much that reorganisation will cost; and does he agree that when voters come to put their cross on the ballot paper there should be an estimate of the cost to local government of the reorganisation?

Mr. Curry: That should certainly happen, and the Government should spell out clearly what will happen if there is either no consensus in the ballot on the shape of local government to succeed the two-tier system or if there is only a small majority on a low turnout. When we debated the issue in the House the Government's reaction to the possibility of such a turnout was utterly obscure. We need to know how they would respond before people go to the polls.

Mr. Peter Pike (Burnley) (Lab): Does the right hon. Gentleman not accept that the Northwest Development Agency is doing excellent work in the north-west and is involved in many important projects in constituencies such as mine? There is only one fault at the moment—there is no democratic accountability. I welcome the opportunity for democratic accountability that my right hon. Friend the Deputy Prime Minister is proposing.

Mr. Curry: The total amount of public expenditure in the north-west is £36 billion. Nobody pretends that the regional assembly would have more than a tiny fraction of that sum, nor do I accept that that there is no accountability for that money. There is accountability to Parliament, where the estimates originate. I do not buy the hon. Gentleman's argument, even though I usually have a high regard for him.

Several hon. Members *rose*—

Mr. Curry: I shall make some progress before accepting interventions.

The Deputy Prime Minister said that the Planning and Compulsory Purchase Bill would create a fairer and faster planning system, with greater community participation. Nobody can object to that ambition, but can it be delivered? After all, the Bill has been around for a long time. It is supposed to democratise planning, but does the regional framework make that process more, rather than less, remote? The right hon. Gentleman dismissed concerns that the removal of the county role would reduce local democracy, and did not spell out whether there would be any statutory consultation role for councils. He said that they would have their say, but that should be a practical consideration, not merely an aspirational goal.

The measure is supposed to speed things up, but there is an extraordinarily complex web of schemes, including a local development framework, a local development scheme, a local development scheme document, local development plan documents, and development plans and policies, each with their own timetable for community involvement, revision and appeals. The unhappy Minister for Housing and Planning is no doubt the parliamentary porter who will have to carry all that excess baggage through the House next week.

The Bill, of course, is not the last of the major planning changes. I am glad about what the Deputy Prime Minister said about proposals to commute

[Mr. Curry]

section 106 of the Town and Country Planning Act 1990 and give developers the option of paying a fixed tariff. It was not clear whether he intended that to be covered by the Bill, because the consultation, I believe, does not finish until 8 January. It is therefore not clear whether things that flow from the consultation will come into the Bill.

As the hon. Member for Sheffield, Attercliffe (Mr. Betts) said, there are enormous implications for the provision of affordable housing. If a developer can buy himself out of the right to put a certain proportion of affordable housing into a development, there will be a danger that he will buy the right to deal with the easier developments, while the housing associations will be left to deal with the more difficult ones and will find that their ability to cross-subsidise has been affected. We do not want to return to the ghettoisation of social housing.

Jim Knight (South Dorset) (Lab): Given the right hon. Gentleman's concern about affordable housing, does he still support the Conservative policy on right to buy for housing association tenants? In the rural part of my constituency, that will take out yet another swathe—the remaining swathe—of affordable housing for rent. The environment in the area is the most protected in England and Wales, so building more housing is not an option.

Mr. Curry: I shall come to the right to buy in a moment, and the hon. Gentleman will no doubt wish to pay attention to what is said about it.

Sir Paul Beresford (Mole Valley) (Con): Does my right hon. Friend accept that the Welsh have had the common sense to reject the approach that will be imposed on English local authorities, which involves all the complications that he has just listed?

Mr. Curry: Given my new responsibilities, I am much more sensitive to the sense and intelligence of the devolved Administrations than in the past. I am delighted that the Welsh have set such a sensible example, as the Scots so often do.

The Deputy Prime Minister: The right hon. Gentleman is dealing with a serious point. The Housing, Planning and Local Government Sub-Committee encouraged us to include in the Bill enabling powers to deal with changes made in respect of section 106 of the Town and Country Planning Act 1990. He can be assured that we will be able to answer in the proposals on guidance and regulations some of the questions that he is posing. None the less, it was right not to miss the legislative slot in making the changes, on which everyone agrees.

Mr. Curry: I am grateful to the right hon. Gentleman. Provided that we have a proper opportunity to discuss the very serious implications that are involved, I shall be content to proceed in that way.

We also welcome the fire services Bill. I agree with what the right hon. Gentleman said about the result of the ballot. I am pleased about that result and the fact that some of the militants may have been thwarted on this occasion. Everybody wants firefighters to get back to work, including them. We also agree that it is important to refocus the service on prevention. We notice that some powers are being devolved, although they are often controversial locally, while the national framework of strategic controls stays with him.

The Opposition are concerned about what is happening offstage with regard to the fire services Bill. If it is intended to save lives, it is difficult to know why a target of achieving a 20 per cent. reduction in accidental fire deaths in homes by March 2004 has now been pushed forward to 2010. New Zealand managed to halve the number of such deaths within four years. The target of cutting the incidence of deliberately started fires by 30 per cent. by 2009 has now been cut to 10 per cent. by 2010. While a Bill is being introduced to deliver more effectively on prevention, the targets on prevention appear to be becoming much more lax, and I find it difficult to square those two issues.

I agree with a great deal of what the Deputy Prime Minister said about housing. Some extremely important issues are involved. The hon. Member for Bolsover (Mr. Skinner) mentioned the transfer programme, which is one of those issues, where it is still in place, following the setback in Birmingham and some large authorities' withdrawal from it. Will the transfer of 200,000 houses a year that the Government anticipated in their Green Paper on housing still be realised? How will they establish a divide between the classical transfer and arm's-length companies? What are the implications for each of those approaches, according to how the split happens? Does the arrangement mean that the Government will meet the decent homes target? A great deal depends on the continuing transfer movement, as the private sector money will not be delivered without it.

I agree that we must address the problems of housing failure not only in the north, but in the midlands and other areas; indeed, there are serious social problems in parts of the south. That means that housing must be stitched into a much wider regeneration programme. All the indications suggest that the best form of regeneration is a job.

Unless the Office for National Statistics has managed to misplace large numbers of people, we appear to face a continuing drain out of the cities into the suburbs and beyond. The statistics indicate that the only big northern city that is resistant to that is Leeds—the others are experiencing, to a lesser or greater extent, a continuing move outside. Until we can anchor the jobs in those inner cities, we face a continuing social problem of enormous proportions.

The Deputy Prime Minister has put a great deal of emphasis on his communities plan. The needs are undeniable, as is the imperative of sustainability. However, sustainability is not a quasi-religious notion that descends mystically on a community: it is, especially where attempts are being made to build new communities, a very practical physical quality that depends not only on good design and good behaviour, but crucially, on the delivery, as the settlement grows, of basic services such as hospitals, schools, waste disposal, water, transport, policing and the maintenance of a safe environment, so that they become knitted into the fabric of that community. Some dangers are involved, however.

Mr. Bellingham: Will my right hon. Friend reflect again on affordable housing? In my constituency, there are several schemes that are subject to section 106 agreements, and parish councils tell me that they would like to have more say in their allocation to ensure that they are genuinely for local people.

Mr. Curry: When large volumes of new housing and population are introduced into areas, the danger is that the people who lived there in the first place might feel disempowered because they see an expansion that will necessarily mean the total transformation of their environment. As far as they are concerned, what might seem to be an opportunity for somebody else appears to be the loss of the very qualities that made them want to live there.

There is also the danger that the whole programme will add to the overheating as people continue to spill out of London into the south-east, which continues to feel the pressures of immigration, as well as of people moving out of the cities: those twin factors are at work throughout the region. Of course, that brings a new demand for housing, along with sociological issues such as the multiplication of households that has already been experienced. The Cambridge-Stansted corridor is already earmarked as one of the four major areas for housing development. If the Secretary of State for Transport goes on to identify Stansted as the airport that is to take one or more new runways, that will create a serious potential for overheating in the area, reproducing in the future the problems that it has faced in the past.

As far as the Bill is concerned, I am not sure whose pet obsession sellers' packs are.

The Deputy Prime Minister: They are supported by the Consumers Association.

Mr. Curry: I note that and will make no comment upon it. I have listened to the Consumers Association's comments on a number of issues, none of which I intend to mention now.

Sellers' packs are like the mother-in-law—they keep turning up and one hopes that they will not stay for too long before they go away again. My advice to the Government is, quite simply, "Forget it."

Mr. Colin Challen (Morley and Rothwell) (Lab): Does the right hon. Gentleman accept that sellers' packs would be a great boon to first-time buyers?

Mr. Curry: I disagree—it is as simple as that.

Bob Spink: While my right hon. Friend is on the subject of consumers, is he aware that it has been estimated that this Government policy would cost consumers some £322 million a year, as well as creating additional regulations and the possibility of their being able to break yet another law?

Mr. Curry: Not only have sellers' packs been inadequately tested and shown no great outcome when they are tested, but they will be bureaucratic because an army of staff must deliver the surveys and provide training. Moreover, the £700 or £800 may not be enough even when added to the perverse effects of stamp duty in leafy suburbs. In inner city areas and areas under stress, there could be a genuine burden. Some hon. Gentlemen have argued that areas of low-cost housing should be exempt. Indeed, I recall the hon. Member for Burnley (Mr. Pike) saying months ago that perhaps sellers' packs should not have to apply to the bottom tier of housing. However, that would severely affect some housing by stigmatising it as almost unsaleable.

Mr. Pike: I argued that, but the concept of the housing pathfinder renewal project has been introduced since then. I am waiting to see exactly what that will deliver. Everything is relative, but it would be pointless not to touch the market as it exists now. I hope that it will change.

Mr. Curry: The hon. Gentleman substantiates my point. Although pathfinder schemes are welcome, they are not universal and large areas are not covered by them.

Mr. Betts: The right hon. Gentleman simply dismisses sellers' packs, but is he content with the current position whereby the majority of people buy their home with nothing more than a building society survey? They do not get a proper survey of their property. Sellers' packs would introduce that, and I hope that he welcomes that important aspect.

Mr. Curry: The question arises of whether people should take proper care when purchasing homes. Should it be the Government's responsibility to provide for that or should people have the sense to do it themselves? It is not the Government's job to step in every time an individual makes an imprudent decision. The damage that that will cause to many people outweighs the benefits to a limited number of people. Many questions remain about how long sellers' packs will be valid and whether they will thwart the efficiency gains of modern technology.

I fear that we are considering a tax on mobility; not facilitation of the market but an impediment to its functioning.

The Deputy Prime Minister: The right hon. Gentleman makes some serious points that have been discussed inside and outside the House. We have now accepted that we can roll out the scheme in some areas to see how it works. Does he support that?

Mr. Curry: If the Government carry through their programme and the schemes become law, it makes sense to trial them effectively. So far, only the little, inconclusive trial in Bristol has taken place. It would make sense to trial it more effectively, if the Government get their way.

Mr. Edward Davey: I agree with the right hon. Gentleman. The Government wish to make the sellers' packs compulsory. I believe that hon. Members of all parties would be happy if a standard were set for the

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home information packs and people could choose to have them, but making it illegal to market one's home before paying £600 to £1,000 to get the pack is absurd.

Mr. Curry: The hon. Gentleman makes an effective point.

Mr. Brian Jenkins (Tamworth) (Lab): I have listened to the right hon. Gentleman with great interest, as always. However, he misses a crucial point. What would he say to a constituent of mine who tried to purchase a house two years ago? He paid for three surveys on three houses because the first two attempts to buy fell through. The owner of the first property was merely testing the market and my constituent's second attempt failed because he was gazzumped. How can we simply say to him, "I'm sorry you lost your money but we haven't got a better way of doing business in this country"?

Mr. Curry: But how does the hon. Gentleman respond to people who consider selling their homes but may be deterred by the cost of providing the sellers' packs, and do not know how long they will last and how often they must be reproduced? One cannot build good law on isolated cases of things going wrong. That is not a practical proposition for legislation.

Mr. Betts: I thank the right hon. Gentleman for giving way again. I do not know whether he read the Select Committee report on the subject. The Bristol experiment included a scheme to pay the costs at the point of sale, not up front. The Select Committee had all the evidence, which shows that that scheme could be rolled out nationally.

Mr. Curry: I have read the Select Committee report, which states that the scheme is half baked, not thoroughly worked out and not properly tested. If the hon. Gentleman believes that the Select Committee endorsed the scheme, he has not read the report.

The Deputy Prime Minister mentioned developers' social housing grant. He answered one important question about whether there would be a level playing field for private developers and housing associations on the standard of the homes. It is important that housing associations are regulated by the Housing Corporation, the Audit Commission and the Charity Commission. That is an expensive business. It is important that the regulatory framework for the private sector should ensure that competition is effective between them, and it should be possible to play any benefits that the private sector gets back into the housing association sector.

It is quite clear that the Treasury thinks that housing associations have become rather lazy on the fat of the land and that there is an efficiency gain of about 15 per cent. to be achieved by bringing in the private sector, although it remains to be seen whether that is the case. However, it is important that it should have the same terms in order to compete.

The right to buy is a crucial part of the proposals. The Housing Corporation study, "A Home of My Own", has been praised by the Deputy Prime Minister, and I am happy to praise it as well. It is a sensible, efficient document, which contains some clear and good recommendations. It shows clearly that right to buy is the most accessible, affordable and efficient route to home ownership for social housing tenants. It is simple, it works and it makes a big contribution to creating mixed communities, whose importance has been demonstrated by the Rowntree Foundation. Incidentally, right to buy has also brought about what has been virtually a social revolution in the United Kingdom.

I do not dispute that circumstances differ across the country. The Heriot-Watt study, which the Deputy Prime Minister commissioned to consider the question of abuse, said that most users of companies for right to buy do so either because they cannot get a conventional mortgage, so they have to go for what I think is called in the trade a sub-prime offer, or because they wish to purchase property that the conventional market finds unattractive—high-rise buildings, for example.

I accept that there has been abuse—I do not pretend that there has not been any—but the Deputy Prime Minister has already tightened the rules significantly to the point where it may even be that sales are being strangled completely in London. We do not know whether that is a fact, whether a lot of sales took place before the cut-off point, which is what is being reflected in the low level now, or whether the market will resume. However, there is at least a danger that there is a strangulation in those schemes. Perhaps the discounts are now too small to bridge the affordability gap.

I want the Deputy Prime Minister to give the clear assurance that he is seeking solely to deal with abuse, not to deliver under the cover of tackling it a death blow to a scheme that still marks the fulfilment of aspiration for about 50,000 people a year. I commend the Housing Corporation study to the House. Some ideas are interesting and the unification of the schemes to promote affordable housing across the social sector, the rationalisation of the range of schemes and the means of getting value for money in social and cash terms are all important conclusions. The policies that have eased people into affordable housing may need to move forward by a generation as well.

On houses in multiple occupation, I accept the need to tackle problems of poor standards, bad landlords and nasty tenants. The difficulty I have is that what is proposed is potentially very confusing. The Deputy Prime Minister outlined three schemes: the mandatory national licensing scheme, which addresses the areas of highest risk; discretionary licensing in problem areas; and selective licensing to deal with bad landlords and antisocial tenants in areas of low demand or serious social dislocation.

The difficulty I see is the danger of a heterogeneous and variably enforced regime in different parts of the country, and perhaps an exodus from the small landlord sector. We know that the private rented sector is the smallest in the western world, yet it is a crucial element of housing provision in the UK. We know equally that where there have been new standards in care homes, we have seen an exodus of people from that sector as they were unwilling or unable to meet those new standards. There is a serious risk there.

We must also consider whether there might be some perverse deterrence risk—will the provision catch people it was not intended to catch? For example, some parents buy property in university towns when a child is going to university. They rent the spare rooms to colleagues of their children. Will they be caught? *[Interruption.]* The Minister for Housing and Planning expresses some surprise, but that habit is much more widespread than perhaps he recognises.

Mr. Best: Does the right hon. Gentleman accept that the practice to which he refers leaves great numbers of houses not registered in such usage, which can be seriously detrimental to the surrounding community? I refer to the parent who might have bought for a student.

Mr. Curry: I am tempted to say that some parents can obviously afford property that is rather better than that which can be afforded by other parents. I do not wish to mention Bristol too much in this context.

My point to the Deputy Prime Minister is that the Bill should not have an unintentional effect and deter a practice that is providing accommodation. That is the crucial thing here.

The Deputy Prime Minister: I find myself in great agreement with the right hon. Gentleman. We would not want to discourage the private rented market, as that is one of the difficult areas in our housing provision. The Bill allows greater flexibility because the problems in the south are different from those of the north and because there are areas of low demand and high demand. We hope to deal with the right hon. Gentleman's points in the advice given about the operation of the schemes.

Mr. Curry: One huge question is presented by the right hon. Gentleman's proposals and by the legislative programme, and that concerns the capacity of local authorities to deliver. Some 16 Bills in the Queen's Speech have implications for local authorities. Some—the housing Bill for example—have enormous implications where local authorities will be in the front line. The Bill on school transport is smaller, but nonetheless has implications. The planning Bill has enormous implications for local authorities. In this complex, modern world—in which a lot depends on forecasting technologies—we are discovering that the capacity of public bodies to deliver is under-stressed.

Until recently, I was the chairman of the Select Committee on Environment, Food and Rural Affairs, which dealt with complex environmental legislation. There was a problem of capacity in terms of translating that into national law and administering it, especially when complex statistical or econometric calculations were required to create quasi-market mechanisms. Local authorities will be under immense pressure to deliver the mechanisms from the legislative programme. That is on top of the already severe demands from the army of gendarmes mobilised by the Government for inspection. Local authorities need resources, skills and capacity.

Local authorities will be under severe financial pressure this year. The Minister for Housing and Planning has been having fun, telling everyone that capping will be back for local authorities. Yet many will find that increasing council tax by two or three times the equivalent rise in the rate of inflation is inescapable. We know that district councils and those services closest to the citizen will be under pressure because of the general 2.2 per cent. increase.

Some local authorities might increase council taxes more than might be necessary. No one has ever denied that a local authority, having some limited freedom, occasionally might try "swinging the lead", but, for many, there is no choice. Bills will rise and resentment will rise with them, at a time of continually mounting demands on local authorities.

The Government talk about lots of local authority freedoms, but they are imposing a large number of responsibilities on local authorities. Authorities will not wish to repudiate those matters and will be happy to undertake them, provided they get the means to do so. It is for the Government to make sure that they get the means.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): The right hon. Gentleman skipped rapidly over the issue of school transport. Are we to assume that he is in favour of local authorities extending their provision for school transport, or not?

Mr. Curry: I was illustrating the degree to which the Queen's Speech was imposing new obligations upon local authorities. I am sure that the environmental implications of those measures on school transport will become clear during the winding-up speeches.

The Deputy Prime Minister: The right hon. Gentleman has been generous in giving way. The financial situation for local authorities during the period in which I have been responsible can be compared with a similar period—1992–97—when he was the Minister responsible. Does he accept that the financial resources given to local authorities were cut by 7 per cent. in real terms during his period and that they have increased by 29 per cent. in real terms under this Administration?

Mr. Curry: First, the obligations on local authorities are infinitely greater now than they were then. Secondly, alongside his table showing the grant increase, the right hon. Gentleman should set another table showing the council tax increases equivalent to those earlier years. He will find that, under the last Conservative Government, the council tax was under nothing like the strain that it is under now as a result of the massive increase in public expenditure. For every increase in spending that the Government require but do not meet, local authorities must increase council tax by 4 per cent. to raise 1 per cent. of the deficit in funding.

That has been the heart of the problem for the past few years. It is the Government's demands that have put local authorities under such pressure, and which have caused local taxpayers to feel such a strong sense of resentment.

This Queen's Speech is a bit of a rag-bag. It does contain some sensible measures that we welcome, and where we do welcome them, I shall not hesitate to say so. Where the detail requires examination in order to find out how a particular Bill will work in practice, we will focus on such scrutiny. There are, however, some measures that we oppose, not because of any ideological concern, but simply because they are daft, will not work and are unnecessary. There are other measures that we

[Mr. Curry]

oppose because they are ill-conceived and will do nothing but damage. I look forward to having that debate with the Government.

This Government are losing their way and the Prime Minister is losing his grip. The Deputy Prime Minister even referred to the Administration as being his. I knew that there was one other contender for power; I did not realise that there were two.

3.40 pm

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): This Queen's Speech is widely regarded as one of the most important, and possibly the last entire Queen's Speech that will address the Sessions before the next general election. Frankly, I hope that that does not prove to be the case, because I rather approve of Sessions that run until a reasonable point at which we can get on to the statute book all the changes that we require. But given that it could prove to be the case, it is remarkable that this Queen's Speech contains very little about transport. That may be a sensible acknowledgement on the part of Her Majesty's Government that they have committed large sums of money to reorganising the rail industry, to road building and to changes in other forms of transport; however, there are some aspects that concern me greatly.

I hope to discuss school buses and buses in general, but perhaps I might begin by dealing with private finance initiatives, particularly those relating to transport. In Whitehall today, we were informed that the Gershon review is looking to all Ministries to implement considerable savings in the next spending round. That concerns me, not least because public transport is becoming an increasingly large part of the budget. That is understandable, because as anybody in their right mind knows, major infrastructure projects will always have to be funded by the state. It is quite ridiculous to suggest that bankers or those who speculate will make large long-term investments in infrastructure if they are not to be guaranteed a considerable rate of return—one greater than that which they normally receive—or if they cannot protect their investment in some way.

In the past five to 10 years, it has increasingly been suggested that private finance can inject enormous change into major transport structures, not just in the culture of how we plan and anticipate the creation of new and efficient transport systems, but in terms of how we look at transport. The reality is, I am afraid, rather sadder. It is vital that we know, for example, why the Gershon review does not include PFIs. If we want to make savings right across Whitehall, why are we not looking at the money that the Government are currently spending on underwriting PFIs? If it is true that we have had a clear demonstration of the initiative, brilliance and lateral thinking of private finance providers in creating new transport schemes, I am afraid that I must have missed it. Somewhere along the line, those schemes seem not to have arrived.

Let us look at what happened with the channel tunnel. In the final analysis, when considerable difficulty arose, public provision was made. My Select Committee identified difficulties with the PFI for the London underground. There were very real problems, and clear indications emerged that PFIs require more monitoring, rather than less. Does what happened with Railtrack and the provision of monitoring for contractors on the overground railway constitute a clear demonstration of a successful system, or of the fact that the railway industry has been pushed into losing total control of its overheads? In the meantime, private companies walked away with increasingly large sums of money, and the railway system did not benefit.

Indeed, the acknowledgement by firms such as Jarvis that it was necessary to pull out was not just a matter of saving the face of the directors, whoever they might be. It was really an acknowledgement of the fact that firms could not provide a history of efficient operation of high-quality services or a clear pattern of development that would have enabled them to prove that private finance initiatives were the only way forward. Why, then, are we not examining in today's debate what private finance initiatives are costing the taxpayer, which would be an extremely revealing exercise?

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Would the hon. Lady admit that PFI is a good idea, but needs two things to make it work properly? First, it needs a clear brief from the public procurer who administers it and, secondly, it needs to pass risk to the private sector, so that failure to conform to the brief will hit the contractors' pockets. That is how to make it work.

Mrs. Dunwoody: I would be happy to know that sanctions were available to the public sector that hit the contractors in the pocket for not achieving results as efficiently as they should. However, the history of these arrangements shows that the public sector loses out irrespective of whether it is a big problem for the private sector to pick up the entire bill, a medium-sized problem for it to pick up half the bill or even a small problem to pick up the major part of the arrangement.

For example, last winter the contractors providing services failed disastrously in their task of gritting the roads. They failed to provide even a minimal standard that was acceptable in respect of either road safety or protecting motorways. What happened? My Transport Committee discovered that the Highways Agency had absolutely no sanctions to apply to these people who were responsible for performing such a disastrous service. Indeed, we were told that the contractor had many people working for him and that he had no way of reaching them himself because the radio system that he used was out of action. The Department had no way of dealing with the contractor's responsibilities and did not conduct day-to-day monitoring. In the final analysis, large numbers of people ended up sitting on motorways for up to 11 hours doing nothing. What sort of efficiency record is that? If the hon. Member for Cotswold (Mr. Clifton-Brown) is looking for further examples, I could introduce him to my well-known friends Virgin Rail, to whom I devote larger amounts of my time than I do to any other man in the world—and, frankly, with even less profit than I usually obtain. If he is not worried about that, I could take him through virtually any other PFI arrangement in the transport sector.

Certain factors always prove central in respect of PFI. First, the initial contracts always provide a much higher rate of return than they should. Secondly, whenever there is a problem, the PFI provider almost inevitably comes back to the taxpayer or the ratepayer, asking them to underwrite the fact that the contractor is not operating properly. Thirdly, the total benefits to taxpayers, ratepayers and passengers are infinitesimal and almost impossible to see. So why are the costs of PFI and the supposed advantages not being properly examined in the debate?

Mr. Kenneth Clarke (Rushcliffe) (Con) *rose—*

Mrs. Dunwoody: I shall give way to the right hon. and learned Gentleman, whom I hope I may call my friend.

Mr. Clarke: I agree with the hon. Lady, whom I am pleased to call friend. She is probably in agreement with my hon. Friend the Member for Cotswold (Mr. Clifton-Brown)—that PFI is fine, but only so long as there is a proper transfer of risk. Does she appreciate that PFI has gone wrong because of what happened when the Government first took office? They were suddenly in favour of PFI, but said that no schemes were advancing at an adequate speed. Negotiations on PFI tended to be held up because private contractors wanted to resist the transfer of risk. The Government were so anxious to get all sorts of capital investment flowing along and off balance sheet that they altered all the rules. Suddenly, the sort of contracts about which the hon. Lady rightly complains, were being entered into in many different sectors with the result that we now face mounting financial liabilities and no means of obtaining a higher quality of performance, which was the original object of the whole policy.

Mrs. Dunwoody: I have the greatest respect for the right hon. and learned Gentleman. However, for the past 30 years, I have disagreed with most of his views with great aplomb and I disagree with him again today. In all the PFIs, business writes the contract itself, no safeguards for the taxpayer are negotiated and we end up with inadequate schemes that have, in some instances, put passengers at risk. That is wholly unacceptable.

The Government already have the power to reorganise transport rapidly and with some efficiency—presumably that is why the matter was not mentioned in the Queen's Speech. However, that requires a greater degree of savagery from the Department for Transport than we have seen so far. In the rail industry, the Strategic Rail Authority is apparently renegotiating franchises, yet it still does not take into account the fact that about eight railway companies are operating under management buy-outs and that a large number of the other companies are not, apparently, producing suggestions for their franchise that will change the situation. Indeed, what is worse is that where the franchise has been taken back due to the inadequacy of the company, it is still seriously suggested that we look for another private supplier. When will Ministers get it into their heads that backers and investors will not put their money into such schemes? Nor will they support a railway system that is more than 100 years old; they are looking for quick, large returns and they will not get them from the railway industry.

We need a clear steer from the Government as to how they expect the SRA to proceed. We are putting more and more burdens on to the SRA. We expect it to fit in with regional planning initiatives. Quite right. It should take note of the important aspects required by the regions. We expect the SRA to provide links between vital economic developments—for example, between our ports and our major cities—yet it has stated clearly that it has neither the money nor the ability to undertake such work quickly. We expect the SRA to plan for forward development by providing infrastructure for connections with the aviation industry, yet there is no evidence that it has the personnel, the ability or the clarity of vision that would produce such changes.

We are also told that other bodies such as the Health and Safety Executive are dysfunctional. I do not know what a dysfunctional HSE is, but it frightens the hell out of me if it means that the people who should be planning and monitoring the efficient working of transport projects are incapable of delivering the degree of day-to-day care that is essential. We have a rail industry where the SRA, the railway executive, the rail regulator—whose role is still unclear to me—and old uncle Tom Cobley and all are arguing and squabbling in a happy little private world and they are not delivering the care that we need. When will we look into that?

I do not want to take too much of the House's time so I shall gallop rapidly on. Why is there nothing in the Queen's Speech about a new plan for buses? Of course, most people do not find bus services interesting; they are used mainly by women and people in the lowest quartile of the employed so they do not have a high profile in this place. However, that is all the more reason why we should state plainly what we intend to do about them. Bus companies are taking the ratepayers to the cleaners. In more and more local authorities, the provision of bus services depends on deals with bus companies, which roar with laughter when reminded of the responsibilities of the local planning authorities.

Mr. Tony McWalter (Hemel Hempstead): Does my hon. Friend agree with the Minister who wrote to me, when I suggested that we have a strategic bus authority, saying that there was no demand for such a thing?

Mrs. Dunwoody: Well, it is ridiculous. More and more, people run services that we know to be viable and then go back to the local authority and say, "Whoops, we have changed our minds. We are not going to run that service any more, unless you give us a big pot of gold to keep it going." Companies change services without proper notice and leave local authorities in intolerable situations. For example, my own county frequently has to provide substitute services, at considerable expense. It often cannot find a company to tender for certain routes. Unless the Government urgently face up to the problems of the bus industry and how it is failing the passenger, we will be in considerable difficulty.

The Queen's Speech mentions school transport and that will provide an opportunity to address the issues that I have mentioned. It is suggested that school buses will increase road safety and provide a much better service. Most people accept that the three-mile rule is no longer viable and, in fact, causes considerable difficulty. If we are seriously to consider using school buses in the middle of the day for social services or hospital work, we had better be clear that hospitals—like schools—like to have their patients delivered as they begin work. We

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cannot say to consultants, "Whoops, we are terribly sorry, but your bus is nipping around the back streets because it had to do two school runs and a college run before bringing your patients in." Let us have some clear thinking on that and face up to the responsibility. We should now plan a complete revolution in buses, because the system is failing and it is expensive.

My last point is also a negative one, but it is a wet Monday and it seems appropriate. All Secretaries of State, especially those with responsibility for transport, are allowed one mistake. The present Secretary of State for Transport is widely regarded as a responsible and hard-working Minister. He has produced some good results and is pulling together several disparate policies. I admire what he is trying to do and believe that he sincerely wants to make the system work. That is why it is sad that the suggestion has leaked that Stansted will get the new runway. That is nonsense. The local people do not want it, the airlines do not want it and the passengers do not want it at Stansted. I am not sure who does want a new runway at Stansted or where the money will come from.

On the whole, the Government have a good record of taking fairly sensible decisions and trying to make them work. However, if we fail to grasp the nettle of development at Heathrow, which is essential for our economic development, we shall do for aviation what we did for ports and what we may be doing now for railways. Because we have been prepared to allow the infrastructure to decline and have ignored opportunities for development, we have handed much economic—quite apart from social and political—development to our opposition on the continent, in this case, and to anyone who wants to pick up a market that we have apparently abandoned, in other cases. There is no case for the development at Stansted. It is a barmy idea. I know that and the Government know that. The Government are sensible, so why not—for once—risk saying something that is not popular? Giving the runway to Heathrow would not make the Government much loved by obsessive lobby groups, but it would be in the interests of the United Kingdom to develop extra capacity at Heathrow. If that is not acceptable to European institutions, perhaps we could break the habit of the past 20 years and tell them where they can go, along with some of their other colleagues.

3.59 pm

Mr. Edward Davey (Kingston and Surbiton) (LD): It is always a pleasure to follow the hon. Member for Crewe and Nantwich (Mrs. Dunwoody), who makes her point with her usual grace and vigour. I hope that the Prime Minister will have one of his big conversations with her. She achieved the impossible by making me feel sorry for Richard Branson, which I never thought would happen. She is right about the need for the public sector and the Government to give a lead on big transport infrastructure projects. The desire to push everything on to the private sector without the Government taking responsibility is why transport infrastructure projects have been continually delayed. I think that she would agree that we need clear Government leadership on Crossrail—the prime example—particularly if the sustainable communities plan is to work, especially in the Thames gateway.

There was a fascinating development in today's debate: a new Conservative policy. We now hear that the Conservatives favour regional parliaments rather than regional assemblies. The right hon. Member for Skipton and Ripon (Mr. Curry) told us that, if regional assemblies had the power of the Scottish Parliament, he would be more interested in considering the idea. That puts him on the extreme of British politics with respect to regionalism because even the Liberal Democrats, with our desire to have regional assemblies, would not wish to give them the power of the Scottish Parliament. We would not want them to have primary legislative capacity and competence or the many other abilities of the Scottish Parliament.

I welcome the fact that the Conservatives are now at the cutting edge of the pro-regional devolution debate, but I wonder whether the right hon. Gentleman has had a chance to speak to any member of his own team about the issue. I debated the Regional Assemblies (Preparations) Bill with the hon. Member for Runnymede and Weybridge (Mr. Hammond), and the best that he could do was to admit that the people of the north-east had regional aspirations, but he was not prepared to say how the Tory party would meet those aspirations. I am pretty sure that the hon. Member for North Essex (Mr. Jenkin) could not be described as a regionalist. I shall be interested in how that policy develops. It was the first case of an own goal in the first five minutes of a speech that I have seen for some time.

Although there may be confusion on the Conservative Benches about that important policy, I am concerned about the Government's approach and how it relates to their whole approach to the responsibilities of the Office of the Deputy Prime Minister. There was no vision in the package of measures proposed today. Ministers' rhetoric sometimes has vision and includes devolving power from Whitehall, as well as a new localism and strengthening local government. They talk about decentralisation, but when we consider the Queen's Speech, none of that rhetoric is included in the programme of the ODPM.

The Planning and Compulsory Purchase Bill clearly shows that such powers will not be passed down but will come up from elected bodies to unelected bodies, which is the complete opposite of the Deputy Prime Minister's rhetoric on such issues. Even with Bills such as the fire and rescue services Bill and the traffic management Bill, Government press releases and press comments show that the Government will keep or increase central powers and that they intend to have draconian reserve powers. That is not new localism, and it does not bear up to the rhetoric.

As the right hon. Member for Skipton and Ripon said, there was a major omission. We had been promised a draft regional powers Bill. We want to know what powers the regional assemblies will have, and he was right when he said that just publishing the White Paper is no use because we all know that huge things can change between the White Paper, the draft Bill and the Act.

The Deputy Prime Minister made a very important point. I should be interested to know whether Ministers could confirm whether this was a full announcement, but he said that we would have a draft regional powers Bill by July. If so, that is very welcome. If that is a pledge that the House will get that Bill by July, it is good news because the Government have not been definite about that until now, but we want to know what powers will be included. Have the Government changed their mind?

The right hon. Member for Skipton and Ripon was right to say that a very weak form of devolution is on offer, and we can understand why people are hardly excited about it. Where are the powers on transport? There was a time when the Deputy Prime Minister was a real supporter of using regional transport policy to encourage economic development, but no transport powers will be devolved.

One would have thought that the learning and skills councils should come within the ambit at least of the regional development agencies, but they are being kept under the control of the Secretary of State. Linking the two would have made sense, but again, those powers are to be kept at Whitehall. It does not make sense. There is no vision, and the omission of the Bill from the Queen's Speech is much to be regretted, despite today's announcement about July.

We hear that the Government are going to have a big conversation. I wonder whether that explains why there was not more on devolution in the Bill—the Government seem to have lost their way and their courage. I looked at the website to find out what questions on local and regional government the Government intended to ask in their conversation with the British people. They want to know,

> "How do we do more to connect politics and people?"

That is a fair enough question, but we look at their manifestos and we thought that we had had an answer. They say:

> "So we need to ask where we go next on constitutional reform".

I thought that regional devolution was the next step, but, clearly, it is not in the Queen's Speech.

The questions also include,

> "how to re-engage people in our democracy, how to renew local government, and how to strengthen civil society."

As they are the Government's questions, one would have thought that the Queen's Speech would have had some answers.

We are concerned not only about the lack of vision and direction, but about the priorities that the Deputy Prime Minister has chosen for his package of Bills in the Gracious Speech. Some of the priorities for local government are not even mentioned in the Queen's Speech. Talking to councils and councillors up and down the country, it seems to me that the top issue is the unfair council tax. That did not get a single mention in the Queen's Speech—no plans to reform it, nothing. We have been told that the Government intend to ape the Conservatives' capping regime, but the proposal for capping legislation did not get into the Queen's Speech. I have done a little research on capping, because the Labour Opposition were not too happy about previous capping legislation. The Prime Minister, the Chancellor, the Deputy Prime Minister, the Foreign Secretary and the Home Secretary, in previous guises, all voted against capping legislation proposed by the right hon. Member for Skipton and Ripon. How the tables have turned. No wonder people are so cynical about this place.

Let me refer Ministers to what the Foreign Secretary said back in 1993 about capping:

> "The Labour party is wholly and unequivocally opposed to the capping of a council's budget. It is an abuse of central power, it demeans democracy, it undermines the right of local people to decide what services they are ready and willing to pay for, it is in breach of one promise after another".—[*Official Report*, 9 June 1993; Vol. 226, c. 385.]

We will remind Labour Members about breaches of promises on capping over the next few weeks and months.

Mr. Challen: Does the hon. Gentleman recognise that, even in government, circumstances can change, and now we have hundreds of profligate Tory and Lib Dem councils that need to be reined in?

Mr. Davey: The hon. Gentleman says that even in government things can change. Let me take him back to last May, when the Minister for Local Government, Regional Governance and Fire told the public that councils deemed as excellent by the comprehensive performance assessment and the Audit Commission review would not be capped. Three months later, he changed his mind. What are we supposed to make of ministerial pronouncements if they can change at three months' notice? How are councils expected to approach long-term planning if they are subject to such change? Back in 1998, the Deputy Prime Minister said:

> "This is the last year in which I intend that the crude capping principle of the Tory party should apply."—[*Official Report*, 5 February 1998; Vol. 305, c. 1254.]

If only that were so. I am afraid that in this Session we will consider capping legislation, even though the Government said that they opposed it.

Mr. Nigel Jones (Cheltenham) (LD): Does my hon. Friend recall that, in 1992, when I first came to this place, Gloucestershire county council, on which I was a councillor, was capped three years out of four? We are still recovering from those terrible capping days. Does he think that those Labour MPs who voted with me against capping then should vote against any new capping introduced by their Government?

Mr. Davey: My hon. Friend is exactly right. The problem with capping is that the cuts imposed by central Government are indiscriminate. They hit the vulnerable and lead to sudden cuts to programmes that people had put in place years earlier and looked after, which can wreak havoc on local services.

Jim Knight: If the hon. Gentleman does not want the Government to impose capping, will he talk to Liberal Democrat councillors such as those on Weymouth and Portland borough council who seem to want to face both ways? That is extraordinary for Liberal Democrats. They say that the council tax should not increase by much but, at the same time, they oppose every attempt to streamline services and achieve the savings that we want to keep the council tax down.

Mr. Davey: The hon. Gentleman seems to be advocating service cuts. Liberal Democrats advocate replacing the council tax because it is unfair and prevents local authorities from taking control of their budgets. I hope that he agrees that this year's settlement is imposing huge pressures on local authorities throughout the country. Some 297 out of 387 local

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authorities have received a non-education grant increase that is less than inflation, which is astonishing. If he becomes cognisant of that, he will realise that there are huge pressures on authorities to put up council tax. We argue that fundamental reform by getting rid of the council tax and introducing a fair local tax system will allow us to move on.

Mr. Betts: The hon. Gentleman said that the Government should have all the answers instead of asking questions. His party has had a policy of replacing council tax with a local income tax for a long time. Will he tell me whether there is a fully worked out and costed local income tax proposal from the Liberal Democrats that deals with such issues as whether people should pay their taxes in the area in which they live or the area in which they work?

Mr. Davey: The hon. Gentleman should calm down. We shall publish detailed proposals, as we did in 1989, 1990 and 1991 during the poll tax years. In fact, our party was the only one that produced such publications because his party failed to engage in the debate on poll tax by producing any worked-through proposals. We are borrowing on experience from American states, Switzerland, Sweden, Finland, Norway, Denmark, Japan and many other mature western democracies. They have solved the problem of local government finance by adopting a local income tax.

May I return to the Queen's Speech and talk about the housing Bill? The Bill contains several measures that we welcome in principle. The proposal to review fitness standards for housing is welcome, as are many reforms to the right to buy. We welcome the proposal to regulate houses in multiple occupation and the selective licensing proposals in part 3 of the draft Bill, especially those that deal with antisocial behaviour. There will be cross-party support for those proposals. We will debate whether there is too much regulation and whether the detail of the regulation has the right balance. I am especially worried about the proposals for fitness standards in version 2 of the new standards in the Bill, although that is perhaps too detailed for this debate. Version 2 has not been tried out, so local government officers are worried about whether the system will work. Nevertheless, it is right to change the old fitness standards in principle.

One of my main problems with the Bill is what has been omitted from it, which was picked up in the report by the Housing, Planning, Local Government and the Regions Committee. The Government have consulted on a statutory tenancy deposit scheme and there is widespread agreement that it is time to introduce such a scheme. Private tenants put millions of pounds into deposits. They get no benefit from the money because it stands idle for years, and they often do not get the money back at the end of their tenancy because unscrupulous landlords keep the cash and the interest accrued from it. It is time to change the system. Landlords hold nearly £1 billion of private tenants' money on deposit, so the Government should act.

The Government make excuses by saying that they must wait for the Law Commission to comment and for this and that report, but the scheme is well thought-out and they have already consulted on it. There is no reason for delay, so they should go forward. I hope that the many Labour Members who have signed early-day motions on the matter will work with us—and perhaps Conservative Members, although I do not know their position—to push Ministers to get a statutory tenancy deposit scheme in the housing Bill.

Dr. John Pugh (Southport) (LD): Does my hon. Friend agree that one of the groups worst affected by the lack of such legislation is students? The National Union of Students is keen that we make progress along those lines.

Mr. Davey: My hon. Friend is right. I am glad that he mentioned student housing, because that is one of the omissions from the regulation of houses in multiple occupation. That is not covered by the licensing regime. I have heard no plausible argument why students should not have quality housing.

I am also concerned about the omission from the Bill of compulsory leasing schemes. The Government are consulting on those schemes, which are important for dealing with empty homes. In my constituency, private landlords own a large number of empty homes. In two streets near the Hook roundabout just off the A3, there are 27 empty family properties, and some have been empty for three or four years. The local council is trying to work with the landlord and his advisers, but it has little leverage. We need empty property management orders soon, so that we can start tackling the shortage of affordable housing in areas such as mine, where houses prices are high and it is difficult for the council and registered social landlords to meet demand. I hope that the Government can fast-track the consultation on compulsory leasing schemes and include them in the Bill, so that they become law as soon as possible.

There is one policy in the Bill with which we fundamentally disagree, and I think that we have that in common with the Conservatives. Sellers' packs are a nonsense. They are a solution in search of a problem. Whether one is purchasing or selling, the housing market works pretty well. That is why hundreds of thousands of homes are bought and sold every year. If there was a problem, we would find that the market had seized up, and that is not the case. To argue that in the odd case a purchase did not go through and people lost their money is not a good way to produce law: hard cases make bad law. We need to look at the vast majority of house purchases and sales, which happen without a problem.

The Minister for Housing and Planning (Keith Hill): The hon. Gentleman should bear it in mind that some 30 per cent. of house sales fall through; that that is estimated to cost would-be house purchasers and, for that matter, sellers £350 million annually, not to mention all the personal heartache and anguish that results; that nine out of 10 house purchasers favour a reform in the law; that the Government will roll this out, as they say nowadays, on a regional basis and in an entirely pragmatic fashion when all appropriate certification, training and insurance arrangements are in place; and that the measure has been enthusiastically endorsed by the Consumers Association and even, I might add, by Halifax Estate Agents.

Mr. Davey: Methinks the Minister doth protest too much. I recommend that he read the report by the Housing, Planning, Local Government and the Regions Committee, which could not be clearer. It says:

> "At this stage we cannot recommend that Home Information Packs are made compulsory"—

the exact point that I made earlier. It also says:

> "It is unclear to what extent the Pack will serve the Government's objective of speeding up the process of residential property sales, and of reducing the proportion of sales falling through."

There is no logic behind the proposal. The Minister can quote the Consumers Association, but many other bodies are against it. The Royal Institution of Chartered Surveyors has grave doubts.

Keith Hill: It would have.

Mr. Davey: Absolutely not—the reverse is the case. One would have thought that chartered surveyors would have been in favour because the proposal would give them more work. The fact that those who would be the main professional beneficiaries are against it ought to make Ministers think twice. Other professional bodies are against it, including the National Association of Estate Agents and the Council of Mortgage Lenders. They are all concerned that the proposal will mean a huge degree of market intervention, which will make the market seize up and lead to higher house prices and moving costs. It is a regulation too far.

Mr. Challen: Does the hon. Gentleman recognise that the second most important and valuable investment that most people make usually comes with an MOT certificate? Why should not a similar logical approach apply to the largest investment that they make?

Mr. Davey: The building society or lender will always take out a survey, because they do not want to lend money on a substandard property, so there is always a test. A financial institution will not lend thousands—in some cases, hundreds of thousands—of pounds secured on a property that might be about to fall down. It wants to be sure of its security. Anyone who has had dealings with banks and building societies knows that they want more security than any other institution. They ensure that their lending is secure. There is already protection.

Mr. Lindsay Hoyle (Chorley) (Lab): I am concerned by the hon. Gentleman's suggestions; in fact, he has convinced me that the Minister is right. He suggests that building societies, rightly, will not lend money unless the purchaser has paid a huge fee to find out whether the property is overpriced. How many people have to pay such fees? If the position were reversed, the seller would have to pay the money, and buyers would not lose money willy-nilly.

Mr. Davey: The problem is that the legislation will result in a huge number of surveys—far more than are carried out now. Many people who have surveys will not go on to sell their house, and some buyers will not trust a survey carried out by the seller's agent and will insist on their own. The professionals in the field are worried that there are not enough trained people to do that work, with the result that there will be long delays and bottlenecks while people wait for their survey. That will slow the process. The Government tell us that their proposals will speed the process, but their logic has been found wanting yet again.

Mr. Betts: The hon. Gentleman quoted selectively from the Committee report. He did not point out that the National Association of Estate Agents said that, if the scheme was to go ahead,

> "we believe it should happen on a regional basis".

That is precisely what Ministers are now saying. The one pilot of any size was conducted in Bristol and run by independent estate agents. In that pilot, the drop-out rate was 5 per cent.—95 per cent of sales went through to completion. That seems to show that where packs were provided, people had greater confidence in the system and sales went through to completion at a greater rate than they do under the current arrangements.

Mr. Davey: My reading of the report is that the Select Committee was rather more damning of the proposal. The hon. Gentleman may be a member of the Committee, but I have read the report. That Labour-dominated Committee does not think that a compulsory scheme should be introduced.

Let me be clear: I have no problem with a voluntary scheme, or with the Government setting out what an information pack should contain. Those sellers who want to have a pack because they think it will speed up their sale can get one.

Mr. Hoyle: If people speak one way then recommend another, they get sore heads.

Mr. Davey: The hon. Gentleman is not listening. It will be up to the seller to decide whether to take that route. It is the compulsory element that is wrong.

The muddled thinking in housing legislation is also detectable in the sustainable communities plan, which often reveals that the Government are not joined up. We are told that the plan is about bringing different Departments together, but in reality nothing like that is happening. To draw an example from transport, I said to the hon. Member for Crewe and Nantwich that Crossrail is a huge part of the Thames gateway development jigsaw, but it is not clear whether the Government will support it. We face the prospect of the Treasury leading the whole project, driven by concern about numbers, not about quality of build or sustainable communities. Treasury Ministers seem to want all the houses to be built tomorrow without having to worry about building the underpinning infrastructure.

Let me give an example from Milton Keynes. Ministers at the Office of the Deputy Prime Minister asked Milton Keynes council and local partners to provide 70,000 new homes in the Milton Keynes area in the next few years. When they talked to the council and the partners, they promised that funding would follow the scheme to build local support for that huge increase in population.

[Mr. Davey]

However, that promise has not come through in the local government finance settlement for Milton Keynes.

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): The settlement is 7.3 per cent.

Mr. Davey: The Minister says 7.3 per cent., but all that money is earmarked for education. There is nothing for social services, nothing for all the other services that Milton Keynes council has to provide for its population, and the population data that have been used for the settlements are two years out of date. That means that Milton Keynes has lost £5 million just on the population data issue. The fact that it has hit the ceiling means that it has lost £5.44 million as well. The Minister may say that it is a great settlement for Milton Keynes, but I can assure him that the council tax payers of Milton Keynes will not look too happy. The Minister is forcing council tax payers to pay for the Minister's huge expansion.

I ask the Minister to say, if he will pay attention, whether he is prepared to meet the leaders of Milton Keynes council to work out how they can proceed. Are the Government prepared to consider extra support to ensure that sustainable communities can operate successfully in Milton Keynes?

I move on to the proposed fire and rescue services Bill. Lest Ministers think that we are against the whole of their programme, I can confirm that we are largely in favour of the measure. It builds on the White Paper as it does on the Bain report. Members on both sides of the House will welcome many of its proposals. The new risk assessment procedures, community fire safety work and the non-fire emergency work that will become the statutory responsibility of fire authorities for the first time are exceedingly welcome. However, we have concerns where things in the Bain report have not filtered through from the White Paper to proposals that will be set out in the Bill. I have sprinklers in mind especially. It is clearly important to have sprinklers, misting systems and other new technology in new build to facilitate fire prevention. However, we are waiting to see whether the Government are committed to such regulation. I hope that they will be.

We want the details of the new charges that fire authorities will be able to impose on businesses. Will it be restricted to false alarms, repeat offenders or negligent businesses, or will there be charging left, right and centre? There could be some worrying perverse incentives. We want to ensure that businesses are prepared to install fire alarms and smoke alarms and are not deterred by the charging regime. I am sure that our concerns can be dealt with, and I salute the Government on their bold approach to modernisation of the fire service.

There are one or two other issues that do not feature in the main part of the Queen's Speech. There is concern about the way in which the Government are approaching local government finance. There is a need for drastic reform. The Government have set up a balance of funding review but there is a lack of urgency. Local services must be properly financed so that local authorities and local communities can take power over their services. I do not see that the Government are prepared to tackle that properly.

The Queen's Speech contains nothing about the environment. We thought that the Government had realised that the environment was a key issue for the country, for the population and for the planet. It was bizarre not to find one measure on the environment. My hon. Friend the Member for Lewes (Norman Baker) sends his apologies for his absence because he is in Hartlepool looking at ghost ships. He wished me to put it on record that the Liberal Democrats will challenge the Government on their failure to give a strong lead on the environment. We will challenge the Government time and time again on the Bills that will be put before the House by the Office of the Deputy Prime Minister. They do not have the vision and they do not have their priorities right.

4.29 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East) (Lab): I wish to say a few words about the Gracious Speech before talking about local government, the environment and transport.

The Queen's Speech is challenging and historic. It is challenging because it proves that the Government are certainly not afraid of tackling the big issues, including top-up fees, asylum and many other issues, which we will not duck, but meet head-on. We are certainly not affected by special interests or vested interests. The Queen's Speech is historic because this is the first time that a Labour Government have presented their seventh legislative programme and my right hon. Friend the Prime Minister is the longest serving Labour Prime Minister in the history of the Labour party. This is therefore an historic moment for Labour Members. I have no doubt about the importance of most of the measures in the legislative programme, and I shall strongly support them.

Turning to the matter at hand, housing, local government, transport and planning certainly affect our communities. I want to concentrate on the parts of the Queen's Speech that relate to Planning and Compulsory Purchase Bill, much of which deals with technical matters, such as changes to the patterns of development plans. It also adds a regional dimension to the planning process by introducing changes to regulations affecting the handling of public inquiries and reforms to the system of planning obligations. However, I want to focus on the provisions on greater community involvement that should be at the heart of the Bill. I shall make some small suggestions about the way in which that aim can be achieved.

Community involvement was highlighted as a key test in a Green Paper called "Planning for Change":

> "A key test of the planning system is the extent to which the community trusts it. Its workings have to be honest and transparent and allow access by the people who want to engage in the process of planning the future of their community. That trust depends not only on the formality or length of the process, but whether it allows the community's influence to be felt".

We have now formalised that aspiration in a dramatic fashion. For the first time ever, a Government have decreed that all planning authorities will have a statutory duty to state a policy of public involvement in the planning process. That duty and requirement will have a lot of resonance in communities where large scale development is under way, including areas experiencing new growth, such as parts of the south-east, and, perhaps more importantly, communities undergoing fundamental change as part of the housing renewal process. My own area of Teesside falls squarely in the latter category.

We all know what housing market failure means—empty houses and communities where antisocial behaviour problems follow the physical desolation to which abandoned housing leads. The Government have taken the bold step of saying that they will resolutely face up to housing market failure and the problems that are hindering their drive to achieve decent homes for all. In the north-east, significant amounts of money have been put into programmes run by the new North East Housing Board that are designed to mark the rebirth of communities and offer freedom for people to choose new forms of decent and affordable homes. New master plans for estates suffering from the planning and architectural mistakes of the '50s and '60s are being drawn up and implemented, and there are new master plans for communities made up of the terraced housing built in the century before last—the cheap and nasty two-up, two-downs thrown up by 19th-century mine owners and manufacturers to house the new urban population. For historical and social reasons, much of the north-east is made up of such housing. Despite the new building of the past 20 years, such stock still accounts for much of Teesside's housing.

A large rate of demolition is being envisaged. A report commissioned for the Government office for the north-east and conducted by the centre for urban and regional studies at Birmingham university identified the scale of the issue. It found that more than 200,000 dwellings in the north-east could be at risk of clearance due to dilapidation, low demand and decay, including 59,400 in my area. Such dwellings are concentrated together in areas of Teesside and spread across the whole of the Tees valley and its five council areas.

Those problems are not made by the people living in those communities, but are caused by changes in population distribution and new patterns of social and occupational mobility. Such patterns affect some communities positively, but they affect many negatively, and the people living in such communities face real problems in their day-to-day lives. They are proud of their communities, but concerned about what they see around them. If we are truly to build new communities on the foundations of the old, we must take those people with us.

When we are planning for the new Teesside, we need to plan for communities that are the result of the conscious choice of the people in them. That lies at the heart of the duty of community involvement set out in the Bill. The mistakes of the past were rooted in the fact that planning was seen as a top-down bureaucratic exercise. Although that exercise was often carried out in the spirit of a desire for change for the better, it was seen as the exclusive preserve of the planners and architects, and the civil servants in Whitehall and the local town hall. People naturally reacted against that elitism. At that time, ordinary people were trying to tell the planners and politicians that living in the sky in a tower block was not always sensible or sustainable. The splitting of old communities and their fragmentation into new estates that were often situated many miles away on greenfield sites, with few, if any, services, was not an exercise that would keep neighbourhood solidarity alive. Treating people as the passive recipients of state policies is not the best way of encouraging what we now call active citizenship.

We must guard against the bypassing or minimising of the new obligations that we are introducing. We need a concept of involvement and participation that goes further than merely allowing people to let a planning committee know their views about a project that has, for the best part, been predetermined. We need to guard against the syndrome of community revolt that blazes up after someone has read a statutory notice tied to a lamp post or posted on a wall—a revolt fuelled by a feeling that they are the last to know about something important to their lives. We need a form of community involvement that will allow communities to shape their own lives.

We need to look at the basics of the planning process and see how best we can integrate community feelings and demands into a master plan from day one. There are ways of doing that. I commend some areas of good practice that we can build on, such as the work of planners and architects who have developed community involvement strategies around what are called "planning for real" exercises, carried out with community forums and groups. In such exercises, proposals are thrashed out and debated in an open forum and people know that they are communicating with agencies of power on an equal footing.

The new and developing technology of virtual reality is being applied to the planning process. Such technology can allow interaction between developers, planners and communities. It allows the virtual image of a possible new development to be projected in order to show its potential impact on the surrounding community. The image can be revised on-screen to accommodate ideas and suggestions that come directly from the host community.

I commend the extension of the planning aid service across the UK, especially in areas such as mine that will be subject to vast change. At present, planning aid is managed by the Royal Town Planning Institute on a voluntary basis, whereby planners acting in a voluntary capacity can give advice on third-party rights and on the merits and demerits of planning applications to communities and individuals who are concerned about the impact of such proposals. Crucially, that advice is given by a planner who is employed by an authority other than that which covers the local authority area that is the subject of the application—an approach that guarantees genuinely disinterested and proper information and advice. The planning aid service and its ethos was endorsed in the planning Green Paper, which stated:

> "Individuals and community groups often feel in need of independent and impartial advice about how to engage properly with the planning process. They are often people who lack the resources to use planning consultants. They want help to develop planning advocacy skills and they need access to better training and planning advisory services."

Planning aid must go deeper if we are successfully to tackle housing renewal issues. The Minister for Housing and Planning, my right hon. Friend the Member for Streatham (Mr. Hill), recently attended the Royal Town Planning Institute's planning aid conference. He will have picked up some useful ideas—one of which, I am

[Dr. Ashok Kumar]

sure, was the extension of the service to allow a planning aid team to be "embedded" into a community that is undergoing physical change, where they can act as community advisers and technical assistants at all stages of the renewal process, from the first draft proposals for clearance, through to the compulsory purchase order stage, and onwards to the physical planning of the new community that will be born. That, I would argue, is planning in the real sense: it has at its root the betterment of the community and all who live in it; and, bearing in mind that a new community will be set in bricks and mortar for possibly a century or more, a betterment of life for those as yet unborn.

In concluding with those thoughts, I warmly welcome the Queen's Speech.

4.42 pm

Mr. Kenneth Clarke (Rushcliffe) (Con): The Government made the usual efforts to find a theme for this Queen's Speech: as far as I can recall, they came out with some flannelly language about the future and fairness. I agree with those who said that it is impossible to find a theme, and that it merely shows that, as they get towards the end of their second term, the Government have lost their sense of purpose and direction. A very mixed bag of measures has come before us, most of which are ad hoc—either the latest bright idea from some think-tank that happens to be close to the No. 10 policy unit or an old departmental idea that has been taken out of a cupboard and had the dust blown off it to be brought forward to address one issue or another.

I agree with the hon. Member for Middlesbrough, South and Cleveland, East (Dr. Kumar), whose speech I enjoyed, in only one sense. If the Queen's Speech is in any way historic, as he suggests, it is because it contains two measures that could prove to do lasting damage to the fabric of our society. I strongly disapprove of the proposals for changes to access to higher education—I shall return to that in a few moments—and I strongly object to the proposals for constitutional reform of the upper House. The measures on top-up fees and the House of Lords have, rightly, dominated the discussion so far; and they are the two measures that will do the most damage if Parliament is unable to stop or to modify them in the course of the next few months.

Much of the Queen's Speech was dull but worthy. I begin with the subject that was chosen for today's debate and on which Front-Bench Members concentrated: planning, housing and fire. That is all dull but worthy and was introduced by a most unlikely character—the Deputy Prime Minister, for whom I have a high regard and who is certainly not dull. I do not regard his politics as worthy—indeed, he and I have disagreed politically on every subject that I can envisage and for as long as I can remember; his politics and mine resemble each other like chalk and cheese. He loves the red meat of politics and political controversy, which showed when he read his brief on the Bills that happen to fall within the extraordinary remit that has been created for him and is called the Office of the Deputy Prime Minister.

The right hon. Gentleman reminded me of one his heroes, Mr. Michael Foot, who, when he was put in charge of a worthy measure, read the brief carefully, left the Chamber as rapidly as possible and trusted that his junior Ministers would sort out the consequences in his absence. The difficulty with that approach is that we are considering important matters, not least in a constituency such as mine, and serious dangers can be tucked away in what do not appear to be the most controversial measures.

Rushcliffe is a constituency like many others: largely rural, largely suburban and around and between great conurbations. All the arguments about planning and housing centre on the pressure on the green belt and greenfield sites and on getting the balance right for development without destroying the environment.

I listened to the Deputy Prime Minister speaking about his subjects and he did not entirely reassure me, but left me with some fears that he might be taking things in the wrong direction. The planning structure is too bureaucratic, too remote from the population and often too remote from local needs. The current process of structure planning has never worked properly. We have a long process of regional structure plans, county structure plans and so-called public consultation, which attracts only special interest groups to make representations and comes to life only when the most local authority—the district authority—deals with an individual planning application and the local residents suddenly become aware of what might happen and start to react.

Having listened to the Deputy Prime Minister's description of his Bill, I fear that the distant and regional aspect is about to be strengthened and that the process is likely to become more, not less bureaucratic. He strengthened my view that planning, like most other features of local government, is best delivered on the smallest scale possible and nearest to the population who will be affected. The more power that can be given to the local planning authority and the less that can be moved up to regional level, the better.

Mr. Challen: I represent part of Leeds, which was mentioned earlier. We started a unitary development plan in 1992 under Conservative arrangements. It took 10 years to get to deposit that plan and the problem is that by the time it affects the public, the original thoughts behind it may be long forgotten. I therefore appreciate much of what the right hon. and learned Gentleman says. However, the problem in Leeds arose under Conservative arrangements. Will he therefore accept that the current system is not perfect?

Mr. Clarke: Far too many of my political remarks take on a touchingly non-partisan aspect. I accept that the strategic planning that I am criticising goes back to the time of Conservative Administrations. As with the example in Leeds, so in the east midlands and Nottinghamshire. The process can take a long time to get from the spatial planning, about which my east midlands development association continues regularly to bombard me with glossy documents, to the reality years later, when many original concepts have undoubtedly changed. I regard what has been said about that with suspicion.

I heard the fashionable emphasis on affordable and starter homes, which I accept are necessary. Until recently, there was a huge gap in the provision of affordable housing, especially for young and for single people, which has to be filled in urban and rural areas. Again, the problem is best tackled locally. The increased provision of suitable housing for single people, who like living in cities and bring them back to life, is one of the best aspects of what is happening in cities. In rural and suburban areas, it is often easier to get planning consent for so-called affordable housing. The result is that high-density planning applications succeed and the properties that are available on the market are unaffordable to anyone looking for a starter home.

That merely distorts the development that takes place in areas where there is no doubt that the market will drive the price up beyond the affordable level. Again, in all the structural planning I am deeply suspicious of that.

I am interested to hear what has been said about multiple occupation, and I agree with those who have already said that the problem with student accommodation should be addressed. Nottingham has become a great student city, and I am glad to say that large numbers of students look for accommodation in the suburbs, which I represent. They add life and quality to the area, but there can be sudden influxes of student occupiers. That is not always strictly multi-occupation; they are merely put in a house by a landlord, which they share, so there is little control over the change of use that takes place. We need greater control over the extent to which whole neighbourhoods can suddenly change, with implications for services. I also think that students are entitled to whatever protection is going to guarantee the quality of multi-occupied accommodation as well. I hope that the student accommodation problem is addressed.

On home information packs, I echo exactly what has been said by Liberal and Conservative spokesmen. This is an old idea that has finally been given in to, and I believe that its main effect will be to add to the cost and to increase the delay that occurs in the housing market when there is no need to do either. That measure also brings home to me—as does the fire Bill, worthy though that is—the dangers, under this Government particularly, of ever more and costly regulation being imposed on most transactions and quite a lot of business activities.

This Government just love regulation, all of which is produced and driven by worthy purposes and worthy bodies, whether that be the Consumers Association or people interested in food safety or health and safety of various kinds. In this case, I do not think that most purchasers would be well advised not to have their own survey done because a home information pack has been produced. In the end, the proposal will add to the cost of the housing transaction. Also, it will probably give rise to more litigation, not less, as people dispute whether the property matches up to what they were told in the home information pack. It is yet another regulatory activity that will serve no worthwhile purpose.

Fire Bills always do the same thing, but no one will oppose anything put forward in the name of fire regulation because one is instantly accused of wishing to see most of one's neighbours fried to a frazzle if one resists any suggestion that comes back from the fire service or the fire prevention authorities. We should consider the compliance cost of what is proposed. The cost in relation to the risk that is being averted is usually staggering. Although I have not looked at this particular Bill, such measures are usually one of the sources of highest cost and most difficulty to many property owners and many small businesses. I am quite sure, however, that the Bill will go through the House completely unopposed, because nobody ever challenges any advice on fire prevention.

Mrs. Dunwoody: Is the right hon. and learned Gentleman aware that for £1,000 most buildings could have an efficient sprinkler system? Such a measure would have saved £9 million-worth of expenditure on a school that I have just lost—it has been completely destroyed—and would have meant that the school could have begun to operate that same day.

Mr. Clarke: That might be defensible if someone, at the same time, was looking at the cost of the existing regulation and trying to get rid of other things already done in the name of fire prevention, which cause a great deal of cost.

This is an area where it is impossible to resist pressure for more statutory requirements—to protect against fire, of course. However, that impossibility to resist also leads to ever mounting requirements, none of which is ever removed, and ever greater cost for people undergoing all kinds of activity.

The home information packs illustrate to me the fact that the Government are also a bit of a sucker for any lobby that walks through the door. One thing they will always give in to is pressure from any well-organised group. That leads me on to at least one of the measures that I particularly object to in the Queen's Speech—the proposals on higher education.

The two measures that I have already identified as most objectionable to my mind are those on top-up fees and on House of Lords reform. Both have something in common, although they relate to different areas of political activity.

The first thing is that neither would be in the Queen's Speech were it not for the personal insistence of the Prime Minister. I do not believe that many Government Members have great enthusiasm for what is proposed on student finance. I do not believe that many Labour Front Benchers have great enthusiasm for an all-appointed House of Lords. It is the personal determination of the Prime Minister to make those proposals a test of his leadership that has resulted in them being put into the Queen's Speech. I hope that the test proves a particularly examining one.

The other thing that the measures have in common is that both are things that the Labour party committed itself against at the last general election when it consulted the public. Both are in defiance of clear manifesto pledges; earlier, we saw the Liberal Democrat spokesman, the hon. Member for Kingston and Surbiton (Mr. Davey), getting a Minister to go through hoops in trying to explain how the measures complied with the manifesto. The measures deserve the most serious opposition because, in both cases, the damaging effects on the opportunity to go into higher education and on the constitution of this country and the ability to hold the Government to account will last far longer than all the other dull and worthy measures presented to us last week.

[Mr. Clarke]

Top-up fees are an old idea that has been debated for the last 10 years. They have always been an enthusiasm of some of the vice-chancellors of some of the universities with the highest reputation, who have urged the proposal upon successive Governments because they have not received the public money that they require to finance their expansion. Failing anything else, the vice-chancellors have decided that top-up fees are the only way of getting an income to meet their needs. If the proposal comes into effect in 2006, most of the money raised will go on increasing academic salaries. When pressed on what is required to maintain high academic standards, most dons reply in terms of their salaries, making the comparison with senior teaching staff and the surge in public sector pay that has gone on in every sector save theirs. They have a case—one that is better than most—and I agree that they are in something of an international market.

The Government defend the proposal as the only means of financing their target of 50 per cent. of the population under 30 going into higher education. They stick to that target doggedly, but they should not do so if they cannot come up with a better way of financing or affording it. However, the idea is being put forward on the basis of increased take-up. We have always accepted in this House that there is a case for students and their parents making some contribution towards a student's time at university. I well remember frequently debating student loans, against the bitter opposition of the entire Labour movement, when we introduced them. The argument was, "Why should the dustman's taxes subsidise the living standards of the trainee doctor?" It was one that I used frequently—as did most of my hon. Friends—to defend the introduction of student maintenance grants for living costs.

Up to a modest level, the living costs of a student at university should be borrowed, on favourable terms, and paid back; the terms of that measure have become reasonably settled. However, having introduced the principle of loans—this is what Labour used to say to us—the danger is that the Treasury will want students and their parents to pay for a lot more. We crossed the rubicon when the Government accepted the idea of paying tuition fees. Now we have a proposal that people should borrow to pay not only for their living costs, but for their tuition fees. The fees are set arbitrarily; the universities bid for £5,000 and are now to be given £3,000. The cost of going to university is now a tax, and the total burden imposed on students from ordinary families will be much greater.

My argument has always concerned the ordinary student from an ordinary, average-income family who will get an ordinary degree and go into an ordinary job. I wholly approve of such people, who will improve the quality of their own lives and of society. But they will not have enormous sums of money, or be able easily to handle huge burdens of debt. The very poor will find that all their problems are solved, because the universities will give them bursaries and the Government will tweak the scheme to make sure that such people are helped. However, the very poor will not go to university in great numbers because the school system is not good enough to prepare many such people for higher education. The very rich will not mind because they already take the student loan and put it into investment clubs. Their parents buy a flat for them when they go to university as an investment, which is realised when they leave.

Those whom we must consider are, for example, the two children who live in a household in which the parents have a combined income of about £25,000 a year, and who emerge from three years of university—with perhaps a rather poor second-class degree—get a job and, by their early 30s, are earning some £25,000 a year. In fact, they are the solid citizens of most of our constituencies. What is proposed is that they will leave university with some £20,000 to £30,000 worth of debt, depending on the circumstances and the course that they take. I regard that as an unreasonable social burden; and if it is the best that we can come up with by way of subsidising higher education, it is also an admission of defeat.

I want to offer one or two more warnings. We should not believe that the figure will stick at £3,000. I concede that the Labour party was right to attack us by describing student loans as the tip of the iceberg. The vice-chancellors nearly persuaded the Government to sign up this time to the figure of £5,000. They have settled for £3,000, but they will go further. I do not agree with those Labour Members who think that it does not matter, so long as all universities charge the same. I am afraid that the status of the university of Cambridge is slightly higher than that of the university of Derby, and with the greatest of respect to my hon. Friend the Member for West Derbyshire (Mr. McLoughlin)—he is listening to me—I doubt whether that comes as a great revelation to the outside world. Once the limits are pushed up, the university of Cambridge, the London School of Economics, the university of Bristol and various others will undoubtedly push their fees very high indeed. The university of Derby will eventually get caught and will have to keep its fees down. It will have more and more working-class students, fewer and fewer of whom will go to the LSE, because of the adverse effect on the ability of people of ordinary income to contemplate such debt.

The Government's response is to create another regulator to control access. As I have said before, the Government are obsessed with regulation. The Labour movement may have changed in every other way, but social democracy still spawns regulation on a grand scale. There are more than 100 regulators of various types, and we will have another one—"Oftoff", or whatever it is to be called—to regulate access to university. But in fact, the mechanics of debt will make sure that the better off will tend to dominate in the better universities, and that the poorer will not.

I say to those vice-chancellors who disagree with me—who think it dreadful that I resist the increase in tuition fees that would give them more income—that I hope they do not think that the Treasury will let them get away with this. It is nonsense to imagine that in every future spending round, the Treasury will allow the Department for Education and Skills to increase public sector, taxpayers' support for universities, regardless of the fact that universities will be receiving loan income. The Treasury will be very keen on this issue, because in terms of higher education the pressure on it will be taken off. Every time that the Education Secretary wants more money for higher education, he will be told to go away and see how far he can tweak the tuition fees upwards, and to get people to borrow more money. I am strongly against the proposal and I see no reason why the Conservative party should support it. We Conservatives have always believed in equality of opportunity; this proposal goes in quite the wrong direction.

What should we do? It is obvious that, first, we should drop the 50 per cent. target, which was arbitrarily chosen. I am all in favour of opening up access to the university system, but in terms of this country's population we do not have a particularly low graduation level. Not only do I doubt whether the school system is yet capable of preparing for real higher education 50 per cent. of the population; I seriously doubt whether universities can cope with such a continuing rapid rate of expansion, without damaging the quality of some of the courses offered.

I rely on the statement of the previous Minister for Lifelong Learning and Higher Education, the right hon. Member for Barking (Margaret Hodge), who said that there were already too many Mickey Mouse courses in the universities, so there was no point in hitting targets by creating more.

The proposal may not pay for the good quality higher education that is required for existing students, and I admit that that lack is a weakness. The Government may well have to contemplate including higher education establishments in the list of institutions that have to be taken into account in the public spending rounds. That is where we have gone wrong over the last 10 years and it means that we Conservatives have to say what we would not spend equivalent moneys on.

It is appropriate for me, having heard all the talk today about regional government, regional development agencies and the regional aspirations of the Labour party, to say that I am quite unreformed on those matters. I would not regret the abolition of the regional development agencies. I believe that the Department of Trade and Industry dispenses money on countless schemes as if it has gone out of fashion, a practice that the Secretary of State is trying to rationalise. I share all the enthusiasm of the hon. Member for Middlesbrough, South and Cleveland, East for urban regeneration and reviving the economy of the north-east, an effort which has been spectacularly successful in some places. However, I do not believe that the expenditure of vast sums of public money on such projects should be protected when higher education has been so neglected by successive Governments over recent years.

Dr. Kumar: The right hon. and learned Gentleman attacks us for trying to fund the universities, but does he recall that when his Government were in power the universities suffered the loss of billions of pounds of support, which we had to put right when we came into office? We had to invest £2 billion in the sciences, which the Conservative Government had underfunded so much. Does not the right hon. and learned Gentleman recall his own Government's record?

Mr. Clarke: We did make some mistakes. We also expanded the numbers of students attending universities quite dramatically and we increased expenditure on higher education, but we squeezed the funding per student. We did so because we believed that British universities should move away from being wholly dependent on taxpayers' money and develop assistance from endowments, links with private industry and local industry—in short, to follow the example of the better aspects of the American higher education system.

With hindsight, I can say that we produced some beneficial changes—universities now look much wider for their sources of income and have much better contacts with industry and the outside world than they ever had before—but we overestimated the pace at which the universities could achieve them. Given that we overestimated, there is absolutely no point in driving on with an even faster rate of expansion, to be paid for by students and parents. That is a bigger mistake than any that we made. The time has now come to consolidate, to lower the targets and ensure that we can finance existing provision without opting for top-up fees.

Finally, I should like to make a few brief comments about the House of Lords. It is a disgrace to see before the House a Bill to change the House of Lords. My specific reason for saying so is that I wasted much of the previous Session attending the Joint Committee on House of Lords Reform, whose purpose was supposedly to discuss the final stages of reforming the House of Lords. I do not know why I served on that Committee, as I realised that it would be a complete waste of time. It was simply another means of using up another 12 months while we talked about a variety of schemes. Although we all contemplated an elected element in the upper House, we ended up with a complete horlicks, largely because of House procedure. A full range of options was finally presented to the House of Commons and it was obvious that a majority wanted an elected element in the upper House, but there was no majority for any one solution. That enabled the Government to return to what we all knew was the Prime Minister's favourite option of a wholly appointed upper House.

The Prime Minister has brought us here. It was certainly not the responsibility of the previous Leader of the House or, indeed, of anyone else. In the end, the Prime Minister decided that he had two objectives. The first was to secure a majority in the upper House, because it was holding his Government to account too firmly. The second was to secure a wholly appointed upper House through some quango of nice establishment people who could appoint their friends steadily to the upper House while allowing him additionally to appoint a few party people. That would lead to an altogether quieter and less troublesome House of Lords.

I shall not argue the case all over again, but in any other developed country the idea that the upper House of Parliament should be wholly appointed for life by a combination of party leaders and some quango would be regarded as ridiculous and unacceptable—as it is in this case.

Parliament must be strengthened. I am in favour of a wholly elected upper house, although I would settle for 80 per cent., or even 60 per cent., but I am certainly not prepared to settle for the current proposal. If it goes through, the House of Lords could last for decades in its present state. In 30 years' time, people will be saying of some elderly peer, "Why has he been a legislator for 40 years? Can anybody remember how he got here? Why is he still sounding off about legislation?" The reply will be, "Don't you remember, he gave a financial

[Mr. Clarke]

contribution to the Labour party's campaign in 1997, and 40 years later he is still sounding off about the legislation of the land".

The current proposition is dangerous. Many people on both sides of the House believe in a stronger Parliament and in parliamentary reform, and I hope that many Members from all parties will stop the Government in their tracks and prevent them from moving to a wholly appointed upper House.

5.10 pm

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): Although I shall direct my comments to the subjects chosen for debate today—planning, housing and transport—I shall end my speech with a few words about pensions and top-up fees, on which I hold particular views.

I welcome the fact that the Planning and Compulsory Purchase Bill is coming back. The rollover procedure is entirely sensible; we have already spent so much time debating the Bill that it would be nonsense to start the process all over again. That is certainly a welcome benefit of the modernisation procedure.

I welcome, too, the Government's commitment, to which the Deputy Prime Minister referred, to ensuring that every local authority has a proper consultation procedure for planning applications, whereby those in the community who are especially affected will be able to check that their local authority has followed a properly set down procedure. I hope that will put an end once and for all to those deplorable situations where local residents find out, or, more often, do not find out, about planning applications that affect their lives and the lives of their families from a notice stuck on a lamp post near—or, sometimes, not very near—their home. The measure will deal with that.

I am glad that it will no longer be possible automatically to renew an approved planning application year after year after year. Some time ago, a neighbouring authority to my constituency, Rotherham district council, agreed a planning application for an out-of-town store. It did so before PPG6 was changed by the previous Conservative Government—one of the few good things they did during their 18 years in power. As a result of that change, new out-of-town stores were no longer allowed at sites such as Catcliffe in the Rotherham district council area. However, as the application had been approved and renewed several times before the change to PPG6, with changes to the original application, the Morrison supermarket group was given permission to build a new out-of-town store.

As a result, Morrison closed a store in Darnall, an inner-city part of my constituency, and the shopping centre no longer has a food store. Pensioners and others cannot get to the out-of-town store, which is several miles away and has no direct bus service, so there is almost nowhere for them conveniently to do their food shopping. The heart has been knocked out of the shopping centre and—to make a non-planning point—the Morrison group is being especially unhelpful by refusing to come to a reasonable agreement with the local Co-op, which was prepared to move in and set up an alternative food store for the poorer local people, the pensioners and others who do not have their own transport. The new store could have opened by Christmas, but Morrison prevented it. That example shows the need to prevent planning permissions from being rolled on into the future, irrespective of national planning guidance changes.

I have some sympathy with some of the points made by Opposition Members in the Standing Committee, of which I was a member. We should not have a general third party right of appeal and the Government should look into the issue again. Such appeals slow the planning process and far too many applications are referred on for an inspector to determine. In general, I am in favour of such applications being determined at local council level, but in cases where a local authority makes a planning decision that is contrary to its local plan, especially where the planning authority itself has a financial or other interest in the decision—for example, where the land is owned by the local authority and it would gain a capital receipt from its sale—local residents should have the right to appeal.

Any overextension of the decision-making process could be dealt with by saying that when an authority makes a decision that is wholly in line with its local plan, the applicant should not have a right of appeal. If Ministers addressed that point, they could do away with many appeals and give democracy back to local councils that act wholly in line with their local plans. I hope that we will be able to debate such issues further when the Bill comes back on Report.

I look forward to seeing the wording for the new arrangements for the payment of fees. At present, section 106 agreements are negotiated for the provision of social housing by a private developer and the social housing is integrated into the scheme, but if the private developer simply has to pay a fee the social housing could be removed off site or to the back of the site, with an exclusion zone separating the private housing from the social housing. We had some assurances on that point from my right hon. Friend the Deputy Prime Minister and I look forward to seeing the wording.

I welcome the housing Bill and I especially support the Government's attempts to provide additional resources for social housing. We in Sheffield have benefited from that and my right hon. Friend will visit us shortly to see how the local council, in a genuine consultation exercise with council tenants, has raised money to meet the decent homes standard. One possibility is a city-wide arm's length management organisation—or ALMO—and some tenants have voted for that. It is a genuine consultation process. That is the proper way to hold a conversation with people, and the Labour party nationally might learn from that.

I also welcome the provisions on the licensing of houses in multiple occupation, which many hon. Members have advocated for many years. I remember sitting on a Committee several years ago with the right hon. Member for Skipton and Ripon (Mr. Curry), the then Minister responsible for housing. I asked the previous Government to introduce licensing for HMOs, because it would do so much to protect some of the most vulnerable people in our society who often live in some of the worst housing. I hope that Ministers will look carefully at the details of any proposals. In principle, licensing is right, but if the detail is wrong enforcement will be very difficult. The Committee that considered the draft housing Bill said that it thought that the definitions of HMOs were confusing and complicated. The Government have accepted that and will reconsider. As the draft Bill stood, if a property had no shared amenities, but consisted of several bedsits, it would not be classed as an HMO. Some landlords would use that to get round the licensing requirements. The Government have so far refused to accept that they should change the provision that a property should be at least three storeys high before being defined as an HMO for the purposes of the licensing scheme. That worries me, because in Sheffield we have many two-storey houses that could contain five or more bedsits but would not fall under the definition of an HMO as the Bill is drafted. I hope that the Government will reconsider. As has been said, licensing for HMOs will be an expensive scheme for local authorities to operate. It must be done properly, with adequate enforcement and inspections, either with a fee system or extra grants to ensure that local authorities are recompensed.

I welcome the new proposals for the licensing of landlords in areas of low housing demand. Many of us have pathfinder schemes in our constituencies, and Darnall and Tinsley in my constituency fall in one such area. None of us who went on the Committee's visit to Burnley and parts of Lancashire and saw the appalling abuses by many landlords could fail to support the Government's proposals.

We had an interesting debate about the sellers' pack. I was fairly neutral about the idea and the Select Committee on the Office of the Deputy Prime Minister tried to undertake a genuine investigation into the scheme. In my view, the Select Committee thought that it had some good points. It particularly liked the idea that people could fall back on the fact that houses would be surveyed properly before they bought them. To some extent, the Government have a responsibility to protect people from their own worst excesses—for example, people sometimes skimp on an initial survey and later rue the cost of doing so.

The Committee was concerned about the practicalities of implementing the scheme all at once. For example, we were concerned that next year the Government would simply say, "This scheme will come into effect at the same time throughout the country", but we have had welcome commitments from Ministers that the scheme will be rolled out regionally. We have also been assured that inspectors will be thoroughly and properly trained and that enough inspectors will be in place before the scheme gets the go-ahead.

We have had assurances that there will not be one big bang before sufficient inspectors are trained and that, in many respects, the scheme will be easier—there will be only one search and one survey on which everyone will be able to rely. We have also been assured that the buyer will have redress against the inspector, despite the fact that, technically, the seller pays for the inspection. That point has apparently been cleared up.

Estate agents will clearly become increasingly important in buying and selling houses. The Select Committee felt that there is a case for licensing estate agents, and I hope that the Government will take another look at that. We do not allow unlicensed people to sell financial products to consumers, so when people are buying something as important and expensive as their homes—probably the biggest, most expensive purchase of their lives—they ought to be able to rely on the advice given by estate agents. A licensing scheme and ensuring that estate agents are properly trained ought to be considered.

I agree with the hon. Member for Kingston and Surbiton (Mr. Davey), who speaks for the Liberal Democrats, that a proper tenancy deposit scheme should be introduced at some point. Whether the Government do so as part of the housing Bill or whether they wait to consider the whole issue of tenants' rights and provide one type of tenancy agreement for all forms of tenure throughout the country is a moot point, but we need to protect tenants in the very near future. The cost-benefit survey on tenancy deposit schemes said that there were costs and benefits. The sums involved may often be very small to the large landlords involved, but they are very significant to relatively poor tenants, who can lose out because of unscrupulous treatment by landlords.

I very much agree with what my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) said about the fact that the Queen's Speech does not mention the bus transport industry. I have spoken in the House before about bus transport. Although the newspapers and the rest of the media concentrate on rail transport, the reality is that most of my constituents who use public transport travel by bus or, indeed, tram in Sheffield, rather than on the rail system. The tragedy is that, apart from in London, the number of people who use buses has fallen in each of the 10 years since deregulation. In London—the one place where the bus transport system is regulated—1 million more passengers a day now use the buses than three years ago. That is not so in Sheffield, where passenger numbers continue to fall, which is not surprising given the fact that bus passengers want consistency.

People want to know that they can catch a bus to and from work, to take their children to their grandparents as part of their child-minding arrangements or to visit an elderly person in an old people's home. If, however, at 42 days' notice, their bus service is changed or stopped altogether, there is not the consistency or reliability of service that ensures that they will regularly use buses even if they have cars available. That is one of the main issues that we have to consider.

Why are local authorities not using the quality partnership or quality contract arrangements? I urge more local authorities to have a go at using them, but they seem to think that they are far too bureaucratic and complicated. Certainly, one of the criticisms is that the quality contract arrangements—a form of regulation—take more than two years to implement and that, meanwhile, an area's bus services can disintegrate completely. I ask Ministers to consider introducing either regulations that could shorten the time taken to introduce quality contracts, which the Scottish Executive have done, or a completely different system—a form of franchising, as in London, or even area franchising—that will provide stability and reliability and ensure that public authorities lay down the service framework and the fare pattern and quality of buses provided.

I accept that some good things are happening in the bus industry. On Friday, I launched a new fleet of buses that First Mainline purchased for one of the local routes in Sheffield. Of all the public services that were privatised by the previous Conservative Government,

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bus transport is probably the only one without effective competition or effective regulation. We ought to address that, as it is important to many people, and as my hon. Friend the Member for Crewe and Nantwich said, it is often the poorest—women, single parents and pensioners—who rely on that form of transport most.

I very much welcome the new pensions measures and the protection for those workers who, through no fault of their own, find that their pension entitlements have been removed altogether or substantially reduced—often when they are in their 40s and 50s and can make no alternative provision—for the simple reason that their firm has gone out of business. Those measures are very welcome, as were the previous changes in regulations to protect would-be pensioners whose employers decide to terminate their final salary scheme. The issue remains, however, of those workers whose firms have already gone out of business or whose schemes have already been shut down, who are not covered by the new regulations and will not be covered by the new legislation. Is it not possible for the Government to find some way to help them at least partially? When people are coming into our surgeries who are 55 years of age and who thought that they would retire on a pension that was around half their salary but who find suddenly that they will get less than half that and that all their plans for the future are being thrown out of the window in one go, we must address that. The Government are right to introduce the pensions Bill, but that unsolved problem needs to be addressed.

I signed the early-day motion on top-up fees, and I have reservations. I agreed with some of what the right hon. and learned Member for Rushcliffe (Mr. Clarke) said a few moments ago. I do not agree that we should not be trying to expand the numbers going into higher education. I want more of my constituents to get into higher education—standards in my secondary schools are improving, and many of them will be well able to meet the challenge. I do not think that 50 per cent. is an unreasonable target. It is an acceptance of our failure as a nation if we cannot manage to deliver places for 50 per cent. of our young people to go on to higher education. I do not agree with the Lib Dems' position either—the House would probably not expect me to do so—and if we are to have a successful numeracy strategy we should at least try to include the Lib Dems within it. Their Front Bench's answer to everything is: we will pay for it out of taxation. Of course, they never cost all the promises that they make, and they never add them all up and explain to us the percentage increase in income tax that would result.

I accept that we must find a way whereby those who benefit from a university education make some extra contribution. I am worried that the student fees and the loan element that that will produce will deter some people. The right hon. and learned Member for Rushcliffe was right to say that it will deter people in the middle-income groups. We can probably help the poorest, and it will not really concern the rich. The people in the middle are the ones who will probably be put off and will probably suffer. My concern—I would like to have a proper debate and a conversation about the alternative idea of some form of graduate tax—is that if people are to pay more, it should be related to their income. One of the problems with the current proposals, as I understand them, is that in each year those who earn not quite so much, such as £20,000, will not pay as much as those who earn £30,000 or £40,000. In the end, however, they will pay back the same amount of loan—they will simply pay it over a longer period. Some people, particularly if they have periods out of work to look after a family, may find that they are paying such loans off right up to the age of retirement. We must address those concerns.

I have read the press this weekend and the Government are probably now listening and starting to address some of those concerns, but the one concern that they are not addressing is the differential element of fees. The right hon. and learned Member for Rushcliffe was again right to say that that will not stay at £3,000 but will be extended and extended. At the top end, universities could charge £10,000, and at the bottom there will be a struggle for people to pay £1,000 for a course at a different institution.

There are problems with the proposals, and I hope that the Government will listen, as there are great concerns among Labour Members. I hope that they will be willing to consider alternatives. We should keep the 50 per cent. target, and people who benefit from university education ought to pay more. There may be other ways of doing it, however, and I hope that the Government are in listening mode.

Having expressed a few concerns about some issues in the Queen's Speech, I should say that I thoroughly support many other proposals, such as those in relation to planning and housing, and I hope to make further contributions when those Bills appear for their Second Reading.

5.29 pm

Mr. Michael Fallon (Sevenoaks) (Con): I remind the House of my interests as recorded in the register.

There is always something to welcome in the Queen's Speech and I certainly welcome proposals on domestic violence and the modernisation of child protection law. I was hoping to welcome a Bill to speed up banking and payment transactions because that seemed to appear in the publicity that surrounded the Queen's Speech, but I cannot find a reference to it in the speech. Perhaps the Minister will enlighten me about whether that measure will be introduced because such a Bill would certainly be good news for small business and it is some time since it was recommended by the Cruickshank report.

The rest of the Queen's Speech, as has been said, lacks a clear theme. It is hard to understand how several of the measures will help my constituents. I hear few calls for the urgent reform of hereditary peers or the update of legislation on same-sex couples. In all my time in Parliament, I have not received letters complaining about those things.

I want to talk about measures to improve the quality of life and behaviour and also tuition fees. I must tell my right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke)—my former Secretary of State—that I do not wholly agree with his remarks on tuition fees. I shall come to that in a moment, although I fear that that may mean that he will have to listen to the end of my speech.

Quality of life matters to all our constituents, as does their total environment. I wish that there were more evidence of joined-up thinking behind measures to improve the planning and housing system and those that are being introduced to try to tackle criminal behaviour yet again. Huge swathes of doughnut housing have been pressed for by developers and built around our towns because people want to move out of the centres to escape drugs and high crime rates. There is less of a problem in inner cities because a lot of regeneration is going on there. The housing and planning legislation that the House constantly passes must be considered alongside the need to improve policing and security inside our town centres or constant pressure will be caused by those who can afford to do so moving out of town centres while more deprivation and disorder is left in such centres.

Those of us who represent high-cost areas in the south-east experience specific problems with security and policing. The Government have had to wrestle with those problems and much of what they have done has been a mess. Police officers are resigning in droves from West Kent and North Kent police because they can continue to live in their houses yet earn an extra £3,000 or more by crossing the border to do exactly the same job for the Met. We experienced the same problem with nurses. After a long campaign, Ministers eventually listened and our health authorities were given more money so that the subsidies offered in London were equalled. The problem needs to be tackled more broadly. My constituents should not be underpoliced, so I would have liked to hear about genuine measures for police reform to allow chief constables to vary local rates of pay so that it could be ensured that high-cost areas—even those within county constabulary borders—would be able to pay the necessary amount to recruit and retain the police whom our constituents need.

Similar reform for schools is not contained in the Queen's Speech. We all welcome specialist schools, of course, and I especially welcome the fact that almost all the non-selective schools in my constituency enjoy specialist status. However, status alone is not enough because it has not yet been accompanied by genuine reform and deregulation to promote more performance-related pay and to encourage schools to deploy their staff better and compete at the edges in the way in which they deliver and design the education that they offer. I would like more of the regulatory reform measures that were promised at the end of the Queen's Speech to be applied to the Government themselves so that some of the nit-picking regulation that applies to schools could be swept away to allow head teachers and governors to get on with designing the public service that they believe their local communities need.

That is equally true in the national health service. I now read that Ministers are going to get rid of half the quangos that they set up in their first three or four years in government to regulate, as my right hon. and learned Friend the Member for Rushcliffe said, and to provide accountability. Quangos are to be merged or abolished. There is an equal failure on the part of Ministers in the Department of Health to measure the effect of the legislation to which they are signing up.

My hon. Friends will have read in the weekend press of the long-term effect of the working time directive, which will hit junior doctors and those NHS trusts that employ them particularly hard. But it will hit even harder those trusts, like my own, that have multiple sites. In the Maidstone and Tunbridge Wells NHS trust, for example, we have two hospitals, the Kent and Sussex and the Pembury hospital, both of which serve my constituency. It will be financially impossible to meet the demands of the working time directive if they are not ameliorated to deal with the particular circumstances of trusts with two or three sites.

I turn now to what the right hon. Member for Birkenhead (Mr. Field) in a debate the other day called "the politics of behaviour". We need to think more radically about behaviour. I am struck by the increasing numbers of my constituents who, in their letters or in the advice bureau that I, like all MPs, hold, complain about the unreasonable behaviour of other people, such as their neighbours. I notice that slowly but surely in this House Ministers are trying to get to grips with that. We are now to consider a third Bill dealing with antisocial behaviour orders, and we see in the Queen's Speech the suggestion that there should be more and more fines, including on-the-spot fines. There is also a proposal for identity cards, to identify people who are behaving badly. Those policies require more and more Acts of Parliament.

We need to think a little more deeply about how we tackle the politics of bad behaviour. It seems to me that we have not yet quite realised that if everything is legislated on and regulated, and the gap narrows between what is compulsory and what is forbidden, there is less support for the norms of public behaviour that used to apply. I do not mean the fashionable causes of private behaviour that we are all enjoined to support; I mean behaviour in public space, towards one another and towards those who serve us, whether in the public services or the private sector.

The Queen's Speech has picked out one aspect of that. It says that more powers will be given to head teachers and schools to deal with difficult children and so on. Head teachers do not talk to me about difficult children; they now talk to me about difficult parents: parents who are unreasonable, who take their children out of school without notice, who park unreasonably and all the rest of it. As well as passing all these laws—none of which ever seems to quite do the trick, so every Queen's Speech must contain another one—we need to look again at what we can do to re-establish the private contract.

One of this Government's biggest mistakes was not to make the home-school contract legally enforceable and give head teachers the power, which would apply in the independent sector, to reject children whose parents are not prepared to conform to the contract that they have signed. In other words, it is not so much the relationship between the state and the individual that applies here, but the contract between the individual and the service to which he or she is contracting.

Finally, in order not to detain my right hon. and learned Friend the Member for Rushcliffe, I move on to tuition fees. He is right: we should call this a student tax because that is what it is and that is how it should be labelled. However, I do not think that the argument about the level of fees that will rage throughout the House over the next few weeks and months, and the balance to be struck between individual and general advantage from going into higher education, should obscure the equally important issue of institutional

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freedom. With great respect, I do not think that my right hon. and learned Friend attributed sufficient importance to that.

Universities in the United States, some of which, as my right hon. and learned Friend said, are of a high standard, flourish; they manage to educate a higher percentage of the age profile than do ours; and they certainly are able to attract much more money into higher education.

Why is that? In essence, it is because they are not run by the Government. In this country, all such institutions are, in effect, run by the Government—or, as my right hon. and learned Friend implied, mis-run by successive Treasuries. We must get away from the one-size-fits-all Government idea of a university. If that is no longer the right model for secondary schools, it seems odd to continue to insist that it is the right model for universities.

I offer the House a lesson drawn from practical experience—a rather rare experience for a former Minister. In 1993, I was made a board member of the Higher Education Funding Council, so I had the unique experience of being one of the Ministers—not the primary one—in the Department that drew up the Further and Higher Education Act 1992, and then, outside the House, of being one of those who had to live with its consequences.

The HEFC for England was set up to fund higher education, but we ended up not simply funding it, but directing it, homogenising it, and centralising it. It was a fallacy of the 1992 Act that all the new universities that my right hon. and learned Friend and his colleagues created were somehow immediately equal with the old ones. We were encouraged to believe that and we responded to that belief. Sure enough, in the fulness of time, almost all the 100 universities, new and old, made their various research proposals and treated themselves as though they were as good as the university of Cambridge, to which my right hon. and learned Friend referred. Ultimately, that was a deception—a deception perpetrated above all on the students who followed the path into those universities that all degrees are of equal academic rigour and practical usefulness, and all will be equally acceptable to future employers. I do not believe that they are, or that they can be, or that they necessarily should be.

If we continue on our present course, we will have a university system in which overall—of course, the best will always survive—standards will continue to decline. Rather than apply to the great universities of this country, more and more of my constituents will apply to universities elsewhere—to Princeton, Harvard and Brown—as they are already beginning to do. Our universities will fail in competing for the staff they need. As my right hon. and learned Friend said, the market for university staff is increasingly international, and he concedes that academic salaries are important.

It is up to Ministers now to explain how the very limited fees that they currently propose—each time I read my newspaper, the level seems to have dropped—will put our university system on what was described in the Queen's Speech as "a sound financial footing" given their ambitions for expansion, given other pressures for public spending, and given that, as I think we all agree, universities are already underfunded. Ministers have to explain how equal, common, single tuition fees at the low level they propose will do the trick. Equally, it is for my Front Benchers to explain how their policy—even if we were to stop expansion in its tracks, as I think is being suggested—will deliver the type of devolution and differentiation that we seem to favour almost everywhere else.

One cannot argue that hospitals and schools—which are, after all, public bodies—should have more freedom, but not be in favour of more freedom for universities, which are private institutions. One cannot on the one hand promise to be in the business of trusting professionals—head teachers, doctors and police superintendents—but on the other say that one is not prepared to trust a university vice-chancellor. I do not believe that a political party can advocate localism and difference in provision and simultaneously suggest that all universities, from the university of Abertay in Dundee to the university of Oxford, should be exactly the same.

In other words, I believe that the level of tuition fees is not exactly the issue. Students are paying already, and they will probably have to pay some more. I agree with those who say that there is probably a better way of ensuring that that extra payment is secured to a graduate tax or whatever. The real issue is how we encourage a university system that fosters diversity and benefits from difference, in which students—properly funded and properly bursaried, if they have not the means—have a real choice of courses and can know the outcome if they stick to them.

I am sure that my right hon. and hon. Friends on the Opposition Front Bench will rise to the task of explaining all these matters to me in due course as our debates unfold. I have no doubt that they will do so far more successfully than Ministers have so far defended their own proposals.

5.45 pm

Mr. Colin Challen (Morley and Rothwell) (Lab): I was surprised earlier to hear the forlorn Liberal Democrat spokesman, the hon. Member for Kingston and Surbiton (Mr. Davey), say that there was no mention of the environment in the Queen's Speech. Surely an energy Bill would be at the heart of the environment. I see that the hon. Gentleman has now been replaced by the hon. Member for Caithness, Sutherland and Easter Ross (John Thurso). Perhaps he will be able to take my message back, or perhaps not.

I hope that we can learn a simple lesson, and that is that the environment does not seem to be a great vote-catcher. Nor does it generate great headlines in the newspapers, except when things go badly wrong. It is a subject that tends to put people off. It is so complex, and it is difficult to understand how one thing impacts on another. People would perhaps rather ignore such matters. It is also a negative sort of subject, because usually we are expected to pay more for solutions that are advanced. There are many other problems on which I shall touch.

The Government have shown considerable courage in setting demanding targets not only to meet our obligations under the Kyoto agreement but to go much further. The target of a 60 per cent. reduction in carbon dioxide emissions by 2050 seems long-term, but the steps along that path come sooner rather than later. It is a cumulative target and not something that will suddenly happen on 1 January 2050.

The Government accept that during the period up to 2020 the extra burden of changing to green energy might add 5 to 15 per cent. to household electricity costs, and 5 per cent. to gas costs. I would argue that energy prices have been artificially low in the past four or five years, and that that has been a restraint on developing new green electricity generation.

We know the damage that the new electricity trading arrangements have caused to the development of combined heat and power, for example, but until fairly recently, everybody paid a 10 per cent. surcharge on electricity bills to prop up the nuclear power industry through the non-fossil fuel obligation. Mrs. Thatcher's nuclear tax put billions of pounds into a failing and unaffordable industry when that money should have gone into research and development work on renewable alternatives, a resource which the country possesses in abundance.

If we had followed that route, it would not now be the Danes and the Germans rubbing their hands with glee at the prospect of our providing them with new export markets; it would be the other way round. On my visit to those countries to see their renewable energy industries, I was struck that they were investing so heavily not merely to reduce their dependence on fossil fuels but to develop extremely high-value new technologies to support their industrial strategies. I am sure that their approach will pay off big time. Their technology is at the cutting edge, and it is currently to these countries that we look when we seek answers to tackling climate change.

A backward-looking approach to our energy needs came to an end with the publication of the energy White Paper.

It is one of the best things published by the Government, at least since I was elected, and I say so despite my membership of the Environmental Audit Committee, which was critical of parts of it. Those criticisms reflect our impatience to get beyond the starting gate and move well and truly down the road that other countries are progressing along. True, some of those countries have not been saddled with an outmoded technology as we have. It is also true that we will now be groaning under the enormous burden of nuclear decommissioning costs as well as ongoing commitments to dinosaurs such as British Energy. If only the £3 billion to £4 billion cost of decommissioning just one nuclear power installation could be spent on developing wind, tidal and wave technology, combined heat and power and solar technology instead—what a missed opportunity—but we are where we are, to coin a phrase, and we must make progress as swiftly as possible.

I call on the Government to develop new thinking on air transport, as well as on investment in research and development of alternatives to fossil-fuelled road transport. In the latter case, I have no doubt that car use will continue to rise, because people enjoy the freedom it confers, as well as the comfort and sense of security. However, most car use is for relatively short journeys to the shops or work—precisely the kind of journeys where rechargeable battery-powered vehicles, or perhaps hybrids to start with, could make all the difference in reducing pollution. We should be doing more as a nation to invest in research and development work on such vehicles.

As for air transport, the argument now is that everyone should have the so-called right or freedom to fly, which sounds attractive. We are told in the air industry's lobbying and propaganda that it is a class issue. All I can say is that that is patent nonsense, as the projected growth rates for air transport produced by the Department for Transport clearly show that gains elsewhere in carbon reduction will be greatly reduced, or even knocked out, by the impact of all that extra flying. While electricity consumers at home, including working families, will be asked to pay an extra 5 to 15 per cent. for their green electricity, all the gains from that sacrifice may be swallowed up if people are not asked to pay any more for their cheap holidays. That is not a sensible balance, nor is it joined-up government. Air fares and air travel need to be managed. Prices have fallen every year for umpteen years, when they should at least have gone up in line with inflation. The fantastic freebies that the airlines get should be abolished. Fuel duties and VAT should be charged, and we should pay no attention to the fallacious and misleading arguments that the airlines lobbying industry is putting around.

I suppose that that is one reason why there are no votes in the environment. Everyone wants the new human right to fly, but nobody wants to live under a flight path. Everyone wants safe and secure electricity, but no one wants to live next to a wind farm. A lot of the people who do not want to live next to a wind farm—I can think of some fairly well-known if not infamous names—are the very same people who would not dream of living next to a coal-fired power station with all its slag heaps, nor indeed next to a nuclear power plant with all its inherent dangers. Nimbyism is rife, which is why I support the Government's endeavours to loosen the planning laws and ensure that the country's strategic environmental needs are not derailed by nimbyism.

Once again, however, there is a need for joined-up government. A good part of Yorkshire—Yorkshire is full of good parts, and I cannot think of any bad ones—is tied up by Ministry of Defence exclusion zones in which no wind farms can be developed. The MOD seems to have a much more refusenik attitude than is taken in other European countries, and I am not aware that their defence has been impinged on in any way whatever. The MOD must move into the 21st century, or it may be spending all its time in future defending vulnerable gas pipelines through some of the most hostile, unstable terrorist-infested territory in the world. In connection with nimbyism, I welcome the Government's introduction of a Bill on community interest companies, which could be used to emulate the German model. In Germany, people's objections to wind farms have been reduced because they can participate in companies that own the wind farms and generate electricity and income for the local community. I hope that the Government will give that model serious consideration.

We have a choice. We can either continue to base our economy on the energy of the 19th and 20th centuries, which has brought us to the brink of a global calamity, or we can behave responsibly in the 21st century and wholeheartedly embrace clean, renewable energy. The

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decision must be made now. As Professor Lester Brown, one of the world's leading environmentalists, told a recent seminar in Portcullis House, the consequences of climate change are already showing themselves very clearly. He noted that grain and rice crops are beginning to fail, notably in China, where the reduction is equivalent to Canada's entire grain harvest. Global warming is contributing to the fact that grain reserves are at an all-time low, and countries that were once self-sufficient are coming to the world market for supplies. Food prices will inevitably be forced up, probably in the next two to three years. Land where crops were once grown is succumbing to desertification and irreplaceable aquifers are becoming exhausted. Those are consequences of carbon-dependent economies, so the Government's energy Bill will, I hope, receive all-party support. It should be welcomed not as an end in itself, but as a new beginning.

5.56 pm

Mr. John Randall (Uxbridge) (Con): I thank the hon. Member for Morley and Rothwell (Mr. Challen), particularly for his comments on the aviation industry and the excellent report that the Environmental Audit Committee published on aviation. I have a constituency interest, as Heathrow is in my constituency. I was not going to argue about why we should not have any further expansion at Heathrow, but then I heard the comments of the hon. Member for Crewe and Nantwich (Mrs. Dunwoody). I am sorry that she is not in the Chamber at the moment, but I am also rather relieved, because it is always best not to upset certain Members. I may be an MP but I am not completely stupid. I rather took exception to her saying that people who oppose further expansion at Heathrow are part of an obsessive lobby group. In fact, they are ordinary people who are concerned about their health and that of their children, as well as the future of their communities. As there is no Transport Minister in the Chamber at the moment, suffice it to say that the Government can read my arguments against expansion at Heathrow in *Hansard*.

My remarks also apply to other parts of the south-east, and what the hon. Member for Morley and Rothwell and his Committee have said must be taken seriously. Despite the fact that it is not a vote winner, perhaps we have to face up to the reality that cheap flights are not a human right. I am sure that the hon. Member for Crewe and Nantwich is an assiduous reader of *Hansard*, so I had better say that I agree that there is very little legislation on transport, which matters a great deal to all our constituents and needs to be addressed.

I noticed that a Bill on school transport is to be introduced. Until I see its detail, however, I will keep my powder dry. I know that it is a draft measure, and may even come before the Transport Committee if we are lucky, but it may be worth widening its remit so that it covers more than school transport. Brunel university is in my constituency, and many problems are caused by students arriving by car. The university is doing its best to try to encourage them to use public transport, but its attempts are not entirely successful. It is all very well introducing legislation and saying that people must use public transport, but there is usually a way around it. It will be interesting to see what happens.

I suppose that it is a sign of getting older when the debate on the Queen's Speech seems to come around more quickly. This year, it was a bit later, as the Government had a bit of trouble in the other place with some of their legislation. Interestingly, as our job is to legislate, we feel that we always have to find Bills to introduce. It would be nice to hear a Gracious Speech in which Her Majesty said "There's not much else that I've got to do, as my Government have done it all." Patently, however, this Government have not done it all. I look forward to a Conservative Government sending us all away again once we arrive, saying "There's not much to do; come back in a couple of months and we'll tidy up a couple of things." I know that that would go down well, but colleagues will be pleased to know that I am not making a leadership bid.

The Queen's Speech contains some measures that we should be pleased about, including on domestic violence, which my hon. Friend the Member for Sevenoaks (Mr. Fallon) mentioned. Those of us who support improved legislation to protect the environment, however, will be especially disappointed with what is, or is not, in the Queen's Speech. The issue of most concern to me personally is the lack of any proposals to improve the conservation and management of the marine environment. Labour Members might say that there is not enough time and that they have had two terms and are still looking for another to try to sort out the things that they promised to sort out in 24 hours, but I can make a few suggestions about measures in the Queen's Speech that we could possibly do without.

I am not averse to the idea of House of Lords reform, but the suggestions that have been made over the years in which I have been in Parliament have not taken my fancy. Although people might assume that I take a certain view on hereditaries, as I speak as an hereditary retailer myself, I cannot see what point there is in removing them if we are not going to go the whole way. Still, in a rare admission of getting something wrong, I must say that when I first voted against the three-line Whip, it was on House of Lords reform and in favour of an all-elected Chamber. The policy changed shortly afterwards, but—perhaps this is a little bit of the strange behaviour of those of us from Uxbridge—I have now changed my view and do not think that a wholly elected Chamber is the answer. It is not that that option is not intellectually the answer, but that I think that it does not work practically. That is one Bill that the Government could remove to make way for a Bill that I shall suggest in a moment.

The abolition of the office of Lord Chancellor falls into the same category. I dare say that there are people who know much more about the legal system than me and say that it is a jolly good idea, but it has not struck the average man and woman in the street in my constituency as the most important issue. My right hon. and learned Friend the Leader of the Opposition demolished the Government's argument in respect of the referendum Bill for the euro, and I shall not repeat what he said.

I shall be stepping into controversial territory in speaking about the next Bill that I want to mention, which I know did not feature in the Queen's Speech, and I see that the Minister for Rural Affairs and Local Environmental Quality is in his place to respond. I refer to the Hunting Bill. Before Labour Members get excited and think "There goes another Tory on this subject," I should say that it is a matter of record that I have voted against hunting, and in favour of a ban. I am, however, getting sick and tired of the whole thing, and the Minister may share my views, having been given what is known in rugby terms as a hospital pass in being landed with the Bill last time around, when he became tied up in his golden threads and so forth. The Government seem unwilling to do what members of their party and some Opposition Members want to do. If we waste any more time on the subject, it will upset a lot of people who have strong views. However, although most people in my constituency would say that they were against hunting on being asked whether they took a view on it, I do not think that they want a great deal of time to be wasted on legislation when there are so many other important subjects to be looked at.

Hon. Members who occasionally find themselves in the Chamber on a Friday may remember that I was lucky enough a couple of years ago to come top in the ballot for private Members' Bills. I introduced the Marine Wildlife Conservation Bill, as I was seeking to do my bit for our seas and for important wildlife sites that are currently unprotected. I am pleased to say that that Bill enjoyed good cross-party support, as well as firm backing from the former Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher). I think that the principle was also supported by the now Minister for the Environment. He is a fellow birdwatcher, and I know that, like me, he recognises the value of the UK's marine environment and understands why we need to do more to protect it.

Hon. Members will probably know—they will almost certainly be saddened—that my Bill was defeated in another place, despite the strong support that it had in the Commons and in the other place. You, Mr. Deputy Speaker, may also think that that would give me a reason to want House of Lords reform, but I stick to what I said earlier: the suggestions that have been made will not help the situation, as appointed Lords will not have to listen to constituents.

I was especially disappointed to see that the Government's new programme of legislation contained nothing on those issues. I hope that that is not because the Minister for the Environment was unable to persuade the Secretary of State for Environment, Food and Rural Affairs that the marine environment is a priority; if he wants some help, I shall come round and see what I can do. However, I shall be positive. I know that the Minister will be pleased to hear me say that the Government have published their marine stewardship report. There is also an ongoing Government-sponsored review of marine nature conservation, which I think will issue its report soon.

The Government will say that that should be proof of their commitment to introduce legislation, but no amount of consultation and deliberation can disguise the fact that we seem to have been waiting for legislation for an awfully long time. Those of us who support better marine conservation and management are beginning to feel that we might be waiting for Godot. I hope that the Government can assure me that we will see some legislative proposals very soon. Perhaps Ministers will have some exciting news for the Select Committee on Environment, Food and Rural Affairs when they appear as part of its current marine environment inquiry.

Ministers will be aware of the campaign being conducted by the Wildlife and Countryside Link, which includes organisations such as the Royal Society for the Protection of Birds, the WWF-UK, the Wildlife Trusts, the Marine Conservation Society and the Whale and Dolphin Conservation Society. They are all seeking comprehensive legislation to improve the protection and management of our marine environment. I support their campaign, as I am sure many hon. Members do, and their contention that the protection of our seas has fallen well behind what we are doing on land and urgently needs to catch up. The Wildlife and Countryside Act 1981, and more recently the Countryside and Rights of Way Act 2000, have been introduced to sort out the way in which we protect our most precious wildlife sites on land, and we urgently need equivalent action on the marine environment.

Those measures serve only to highlight the chasm or abyss—I think that that is the appropriate marine term for a deep, dark hole—that has opened up between terrestrial and marine conservation. We need a saltwater equivalent of the Wildlife and Countryside Link's campaign. Specifically, we need better protection of marine wildlife and heritage sites, which my private Member's Bill, in a modest way, went some way towards securing. That includes improved species protection and stronger enforcement of marine legislation to ensure that we can deliver what we say we will deliver in the marine environment.

There should also be a marine spatial planning system. The Planning and Compulsory Purchase Bill deals with land-based issues, but we should also think about the marine environment, because intelligent and informed decisions must be taken about which parts of our marine sphere we can and should develop and which areas we should protect, as well as about the better management of inshore fisheries. That might appear to be an expansive and ambitious package, but it is one that we should all support.

I recognise, of course, that legislation on the environment is more likely to be given Government time if it is seen as having wider benefits. In my opinion, comprehensive marine laws could be a winner in that respect, too. At present, the marine environment is governed—I use the term loosely—by a range of often conflicting and outdated legislation and regulation, with plenty of gaps between the constituent parts. That is bad news not only for marine wildlife but for commercial, industrial and leisure users of the marine environment. New, rationalised legislation to provide a more strategic approach to marine planning could deliver a range of benefits for those sectors. For example, developers of offshore wind farms face the same problems with locating wind farms at sea as they do with those on land.

Jim Knight: I wholeheartedly agree with the hon. Gentleman's remarks about the marine environment. He may be interested to know that in my constituency a project is emerging for a wind farm on the breakwater of Portland harbour, with the prospect that local people will have no say in the granting of planning permission.

[Jim Knight]

The decision will be made by three or four separate Departments, because the project is neither offshore nor onshore—it is in a no man's land.

Mr. Randall: The hon. Gentleman is absolutely right. That problem is becoming increasingly significant, but has so far been neglected. If we do not address it, there will be long drawn-out planning disputes between developers and objectors. The Planning and Compulsory Purchase Bill aims to avoid such wrangles, but they will occur if the protection is not put in place to start with.

A gentleman called Charles Wilson, the one-time president of General Motors, once said:

> "No plan can prevent a stupid person from doing the wrong thing in the wrong place at the wrong time—but a good plan should keep a concentration from forming."

I would not suggest for a moment that any of the users of the marine environment should be given the "stupid" tag, but if we can put a good plan—and a good planning system—in place, we might be able to achieve a more sensible approach to the way in which we develop and use the marine environment. In Australia, no-fishing zones that protect spawning grounds for fish have had a good knock-on effect for surrounding fisheries and increased their stocks, and there is good potential for similar measures here. Moreover, if we were able to identify, and therefore to protect, nationally important wildlife sites, that would have major benefits for tourism. There are already examples of whale watching and trips to see basking sharks, sea birds and so on bringing people and money into local economies.

I hope that hon. Members of all parties would agree with the need for more streamlined regulation. Echoing the comments of the hon. Member for South Dorset (Jim Knight), someone who wishes to develop an offshore wind farm could require licences under the Food and Environment Protection Act 1985 and the Coast Protection Act 1949, consents under the Electricity Acts and the Transport and Works Act 1992, and—if the proposed development was in an important wildlife area—a consent from English Nature or the Countryside Council for Wales. Although I am all in favour of getting decisions right and developing in a careful manner, it is difficult to believe that those labyrinthine consenting regimes could not be tidied up somewhat to the benefit of all involved. That requires introducing wide-ranging legislation that considers marine issues in the round, not merely tacking a little bit on to a planning Bill.

I do not expect the Minister to provide an answer today, although it would be very nice if he did so. I often hopefully enter the ballot to secure a debate in Westminster Hall: that would give him ample opportunity to explain the Government's current policy and thinking. They may surprise me by saying that they have a piece of legislation up their sleeve that they intend to introduce in an idle moment between some of their more controversial measures. I am certain that that would be welcomed by hon. Members of all parties and that no early-day motion on the matter would be anything other than supportive. After all, it is good to have a bit of harmony in the Chamber from time to time.

Mr. John Horam (Orpington) (Con): I leaped into the Chamber as soon as my hon. Friend's name came up on the Annunciator, because I felt sure that he would mention what I think of as the Randall Marine Protection Bill—an admirable Bill that I was sorry to see fall in the Lords. I share his desire for a little harmony with those on the Government Benches, and such a Bill would be an excellent way in which to achieve that objective, because there is strong all-party support for it—even from the Liberal Democrats. I hope that it will reappear, to acclaim, during this Parliament.

Mr. Randall: I thank my hon. Friend. I always knew that he was psychic—or perhaps I am becoming an obsessive lobby group; it is one or the other.

Another reason why such a Bill would be a good idea is that many people in the Department put in a lot of hard work to help me to get my Bill to the stage that it reached. It would be admirable, not only for the marine environment, but for all those people, if the Government were to pick it up—perhaps even to make it a little better, given that I was constrained by the nature of a private Member's Bill. I hope that at some stage a Minister of the Crown will say that the omission of such a Bill from the Gracious Speech was just a mistake—that they did not mean it and that it was not mentioned only because Her Majesty did not have time. I shall then be quite happy for a short while.

6.17 pm

Jim Knight (South Dorset) (Lab): As I shall be talking about fire safety, I draw the House's attention to my entry in the Register of Members' Interests in relation to my directorship of the Fire Protection Association.

It is a great pleasure to follow the hon. Member for Uxbridge (Mr. Randall), who, as a representative of land-locked Uxbridge, has been a great advocate for the marine environment. Speaking as a representative of the beautiful coast of South Dorset, I welcome and support his work.

I welcome the Gracious Speech, which deals with the challenges that the Government need to address in the 21st century: extending opportunity to all our people to enable them to realise their full potential, providing security to our population so that they feel safe as they go about their legal business, and modernising our public services. I welcome the introduction of measures to widen opportunity, including the children's trust Bill and the abolition of up-front fees for students in higher education, and to tackle the important issue of security, including the domestic violence and victims Bill, the asylum Bill and the civil contingencies Bill. When I was a member of the Select Committee on Defence, we considered civil contingencies as part of our work on our report, "Defence and Security in the UK". I am glad that the issue has finally emerged in the Queen's Speech.

Given the theme of today's debate—local government, environment and transport—I want to focus on modernising our public services and infrastructure. The key issues for my constituents are the lack of affordable housing, especially in rural areas; rising council tax; transport problems in both rural and urban areas; and the protection of our environment, including the marine environment and the coast that is the only natural environment in England and Wales with world heritage status, to which I have already alluded.

Before I consider the welcome measures, I shall comment on what is absent from the Queen's Speech. When I was preparing my speech, I did not realise that I would follow someone who focused almost exclusively on what was not included. I am confident that the hunting issue will be resolved in this Parliament—we have had that reassurance. However, I am disappointed that a measure from the Department for the Environment, Food and Rural Affairs to simplify the care of wild animals was not included. I know that a draft Bill will be presented and I had therefore hoped that the Gracious Speech would include it.

Five separate measures currently govern keeping a wild or dangerous animal. They cover keeping such animals as pets, in a pet shop, in a zoo, in a circus or in a laboratory. The same species of endangered animal must be kept in different ways according to the five measures. It is important to resolve that issue, which is of great public concern. Animal welfare matters make up a popular part of our postbags and e-mail inboxes.

By contrast, I welcome the fire and rescue services Bill. The fire community has worked with the Fire Services Act 1947 for more than 50 years and it is high time that it was amended. The tasks that the fire and rescue services perform have changed considerably in the past 50 years, for example, in the amount of road traffic accidents with which they have to deal. In my constituency, firefighters train for cliff-top rescues and do much community fire safety work, too. Funding for much of the rescue activity has had to be found from discretionary budgets in the fire and rescue services because it is not statutory. A statutory duty to perform those functions is welcome; it will make the budgeting considerably easier. I pay tribute to all those in the fire service who perform a great service for the people of this country despite working in such an antiquated legal framework.

I welcome the changes in the fire and rescue services Bill that will build a more flexible service. I also welcome the use of integrated risk management plans, which will ensure that we do not allocate resources to empty office buildings at night but consider how to protect people more than property. But I have a word of warning about automated fire alarms. I am anxious about authorities such as Oxfordshire and Somerset making moves not to respond to automated fire alarms because of the number of false alarms that they generate. That takes too much of a risk with human life.

We need to find new protocols and new ways in which to work with automated fire alarms, similar to those that the security industry developed and used for burglar alarms some years ago. It was possible to develop maintenance protocols then. In many cases, false alarms are generated by badly maintained automated fire alarm systems going off.

Mr. Clifton-Brown: The hon. Gentleman will have heard my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) talking about the Government's targets for deliberate deaths and attacks on property being put back, while in New Zealand, such deaths have been halved in the past four years. How does he feel about the targets being put back when people's lives will be at risk?

Jim Knight: We could hold a long debate about targets and their usefulness. Clearly, they have an important function in the public services. However, we are going through a period of great change in the fire services. Introducing new flexible ways of working, new forms of risk management and a new emphasis on fire safety mean that setting targets would be arbitrary because of the extent of the change. We will have to reset the targets in the context of new working practices, but we must introduce the practices first.

I am a strong advocate of fire sprinklers—I am a patron of the National Fire Sprinkler Network. We should target prisons, hospitals and especially schools—I shall consider houses in multiple occupation later—so that we can reduce the risk of death. No one has ever died in this country in a building with a maintained fire sprinkler system. We could bear down on the issue that the hon. Member for Cotswold (Mr. Clifton-Brown) rightly raised if we extended the use of fire sprinklers.

Mr. Clifton-Brown: The hon. Gentleman is talking about positive actions in respect of how we can reduce fire-related deaths. The precise measures that he describes have been adopted in New Zealand and fire-related deaths have halved there in four years, yet the Government have put back a target to five years hence. That is unsatisfactory and people's lives are at risk.

Jim Knight: The work that has gone on in New Zealand, Vancouver and parts of the United States, especially Scottsdale in Arizona, bears close scrutiny because it has led to good progress in cutting fire-related deaths. Other savings are being made in insurance loss, damage to the environment through fire and in a complete reconfiguration of the way in which firefighters work by turning them into advocates and inspectors of fire safety. We can agree about that, but on the hon. Gentleman's substantive point, I refer him to my answer to his previous intervention.

There is anxiety about automated fire alarms in the national health service. Nurses' toasters were confiscated during the fire dispute because they caused so many alarms to go off. We can make some good progress on that, especially on poor design of systems in NHS hospitals, with smoke detectors in stupid places. They should be replaced with heat detectors; that could make a considerable difference.

I welcome regionalisation and the joint procurement proposals for fire services because of the civil contingency issue to which I referred earlier. Many civil contingency arrangements are and should be organised regionally. It therefore makes sense for fire services to be able to respond in that way. The benefits and savings of joint procurement were apparent with Airwave, the emergency services radio system. I should like them to be rolled out further in the fire service.

Reorganising the fire service does not generate huge correspondence for me as a Member of Parliament—unlike traffic management. In Weymouth, we are waiting for the Department for Transport to reach a decision on the local transport plan for Dorset. That includes the important issue of finance approval for the Weymouth relief road. I recently conducted a survey among households affected by the Weymouth relief road proposal and the great congestion, especially along the Dorchester road. Some 90 per cent. of those who responded viewed congestion as their No. 1 political issue—higher than council tax rates, the future of the

[Jim Knight]

NHS and all the matters that we would normally expect to feature at the top of their lists. For 40 per cent., the reason was the health effects of living on such a busy road; another 40 per cent. were worried about the effects on the area's economic and business prospects.

In Weymouth, there is a united view that we need our relief road. I take the opportunity to encourage Transport Ministers to listen to local people in South Dorset rather than groups such as the Campaign to Protect Rural England, which is campaigning against the road and does not speak for local people on the issue. The environment is crucial to us in Weymouth; we have one of the most protected environments in the country. We depend on tourism and people who want to enjoy that environment. Local people are fully aware both of the need to protect it and to get visitors to and from the beach and the coast. I want the Department for Transport to hear that voice loud and clear.

I therefore welcome the traffic management Bill, which aims to tackle congestion with new powers for local authorities to deal with utilities. The Dorchester road has all the utilities running down the middle. It is almost the only way in and out of Weymouth and every time someone wants to carry out work on our sewers, as Wessex Water did last year, we undergo months of hideous disruption, with a journey up the road taking half an hour. That is intolerable for my constituents.

The Gracious Speech also covered finishing work on the Planning and Compulsory Purchase Bill. That excellent legislation looks to cut by a third the time taken for major infrastructure projects to go through the planning system. Again, that would be welcome for my constituents in Weymouth. The relief road project has already cost the council tax payers of Dorset £5 million over the past 30 years while we have been trying to achieve it.

That £5 million could have been far better spent elsewhere as we have been trying to line up simultaneously the three items that we need to get our road: the finance, the planning permission and the compulsory purchase orders. At any given time, we may have had one or even two of those, but never three simultaneously. For 30 years, we have thrown all that money down the drain. I have made my appeal for the finance and the local transport plan settlement, so I now urge the House to support the Planning and Compulsory Purchase Bill, which could allow the planning and the compulsory purchase order public inquiries to be heard simultaneously as part of a single process, thus speeding up the way those issues go through the system. Crucially, the Bill would also improve community involvement, which I hope would thereby ensure that the community voice that I talked about earlier is not drowned out by organised lobbies such as the CPRE and Transport 2000 from outside the area.

Just as important in tackling congestion is school transport, which is why I am pleased to see a school transport draft Bill in the Gracious Speech. I have a constituent who lives in the village of Langton Matravers in the rural area of my constituency and who came to see me because he lives just over the 2-mile limit for free school transport. That means that his seven-year-old daughter has to walk down the unlit country road to the middle school in Swanage. He was on working families tax credit, but just failed on the income threshold to get free school transport, so he has to walk his daughter to and from school down that unlit country road, even on nights such as tonight, through the dark and in an unsafe environment for her.

In that context, I was appalled by the behaviour of the Conservatives on Purbeck district council and Dorset county council when they removed the subsidy for our bus service after 6 o'clock for all the people who live in my area of the Purbecks. I plead with the Tories on the Front Bench tonight to support the draft school transport Bill and to work with their colleagues in local government in Dorset to develop imaginative new schemes so that we can apply to pilot some of the opportunities created by the Bill, tackle the congestion created by the school run and improve access to facilities and services in rural areas such as mine.

I have gone to the local education authority with what I think is an imaginative idea in relation to the National Trust and its ownership of Studland beach, which is in the top 10 most visited attractions owned by the National Trust. Huge traffic movements are generated in the summer, but it would be perfectly possible for it to reuse a school bus fleet to cut the cost to the public purse. We need to achieve the transfer from private cars to public transport. In that, I agree with the CPRE and Transport 2000, which I was a little harsh on earlier.

On environmental protection, I must also welcome the energy Bill. We heard my hon. Friend the Member for Morley and Rothwell (Mr. Challen) give his strong support to the Bill. I represent the area that contains the only de-licensed nuclear site in this country—at Winfrith—and it achieved its de-licensed certification from the nuclear inspections authority a year or so ago. That shows the House that it is possible to de-license nuclear sites and liberate the land, giving it back to the natural environment. The energy Bill will facilitate that process, and I hope that it will also clear up some of the issues relating to wind power. In an intervention on the hon. Member for Uxbridge, I mentioned the problems in clarifying who will give planning permission, as well as when and how, in respect of a wind farm proposal for Portland bill.

I also want to comment on the housing Bill. The lack of affordable housing is the biggest single issue affecting the rural part of my constituency.

Mr. James Gray (North Wiltshire) (Con): I thought that congestion was the top priority.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order.

Jim Knight: Congestion is certainly the biggest issue for my constituents in Weymouth, but, if hon. Members on the Conservative Front Bench were listening carefully, they would have heard me say that the biggest single issue facing my constituents in the rural part of my constituency is the lack of affordable housing.

A Joseph Rowntree Foundation report published in May last year showed that Purbeck had the biggest affordable housing problem outside London and the area was the fifth worst of any authority in the country in terms of the gap between average wages—those in Dorset are the same as those in County Durham—and average house prices, which are rising all the time. That is in part due to the effect of the right to buy council homes, which was introduced by the last Conservative Government. I dread to think what would be the effect on that rural part of my constituency of a right to buy for housing association tenants, which would drain the area of all the remaining affordable houses to rent, so I welcome the modernisation of the right to buy proposed in the housing Bill to protect the availability of affordable housing.

The other welcome part of that measure returns me to fire safety. Houses in multiple occupation can present a huge risk and if you were to talk to Members from the varying seaside constituencies represented in the House, Mr. Deputy Speaker, you would find that there is a much higher prevalence of fires and fatalities in HMOs in seaside towns, which have many such houses. I talked earlier about the potential of sprinklers, but we cannot tackle the problem of HMOs until we introduce a licensing and registration system for them. I welcome the measure that will make that possible.

I very much welcome the Gracious Speech. I was elected to alleviate the problems in my constituency of South Dorset. At present, they are first and foremost the lack of affordable housing, traffic congestion and access to public transport. I am confident that the Queen's Speech will considerably help to address those concerns.

6.36 pm

Bob Spink (Castle Point) (Con): It is a pleasure, as always, to follow the hon. Member for South Dorset (Jim Knight). If he will forgive me, I shall call him my hon. Friend, because that is what he is. I also represent a seaside constituency. Although he represents a beautiful area, it is not quite so beautiful as the one that I represent. He spoke with sincerity and knowledge, and on this occasion I agree with much that he said, although I am quite surprised to say that.

The hon. Gentleman did not say, however, that the Government's programme fails to tackle the issue of consulting the people on their proposed constitutional changes. I am surprised at that, because his constituents in South Dorset are keen to be consulted on the matter as they fundamentally disagree with what the Government intend to do. The Government claim, entirely disingenuously, that the draft European Union constitution is simply a tidying-up exercise. Nothing could be further from the truth.

Let me examine just one aspect of the effects of this invasive EU proposal. The criminal justice system has developed in Britain over many centuries; for instance, our freedoms were introduced by Henry II and they provided the basis for common law. The barons, through the Magna Carta sealed at Runnymede, ensured that King John and all future monarchs developed and respected fundamental protections for citizens. Those protections are, to some extent, enjoyed today. The William and Mary Bill of Rights set out rights for citizens and the responsibilities of Parliament and the monarchy—in short, it defined the state and its relationship with citizens.

The reforming Parliaments between the two great fires that punctuate the history of this Palace led the world in the development of justice and freedom, human rights, good governance and sound civil society. We should be proud of our history and we should teach it, although we do not. Those Parliaments developed and improved our laws, the protection of our citizens and the relationship between citizens and the state as well as that between citizens themselves. That is defined nowhere more than in our system of criminal law, which the Government propose to cast aside without so much as a by your leave.

Indeed, although it may not be politically correct to say so, our ancient system of laws and rights formed the moral bedrock from which Britain sprang to rescue Europe from absolute tyranny in two world wars, when Germany marched and France collapsed. Are we now to stand by, say nothing and let the Prime Minister hand over control of these very laws and values to those European states?

Chapter IV, section IV of the draft EU constitution states:

> "Judicial co-operation in criminal matters in the Union ... shall include the approximation of the laws and regulations of Member States ... A European framework may establish minimum rules of evidence, individual rights in criminal procedures, the rights of victims and witnesses, and any other specific aspects of criminal procedure that the Council identifies."

That last, catch-all phrase is breathtaking in its potential invasiveness. It would allow the unelected and unaccountable Council to override our Parliament on any significant matter of criminal law, and without the consent of the people or of this Parliament.

The draft states that the Council can at any time add to the list of areas that could be brought under its control without the means for Britain to resist that, whatever the British people's views, needs or interests. Thus, even the definition of criminal offences and sanctions would be removed from our sovereign control. The draft's impact on criminal justice is just one small area of influence of the proposed EU constitution.

The Prime Minister would be stretching his now severely diminished credibility if he continued to stand by the claim that the proposal is just a "tidying-up exercise." The great British public have seen through the Prime Minister's moribund policy and will no longer accept his double-talk on Europe. The European framework law is ill-defined in the extreme; I suspect that that is no accident. However, it is clear that it would change our laws and would remove our sovereign control over such matters; these are not simply small changes at the margins or in any sense minimal changes. It would impose so-called minimum rules that we would have to accept and abide by, like them or not, suitable for Britain or not. These new laws would be entirely unavoidable and would force important and fundamental changes on our criminal law, possibly very much against the wishes and interests of the British people.

In effect, the proposal would remove our sovereignty, nothing less. Moreover, it does not take an expert to see that this is an instrument designed for that very purpose. It is designed to transfer our sovereignty on criminal justice and much else from our Parliament to expensive, corrupt, wasteful and out-of-control Brussels bureaucrats. It would do much more than allow the entirely undemocratic and unaccountable bureaucrats to remove our sovereignty. *[Interruption.]* The Under-Secretary of State for Transport, the hon. Member for

[Bob Spink]

Plymouth, Devonport (Mr. Jamieson) laughs. Has he consulted his constituents about this matter? I have certainly consulted mine.

The proposal would force a new European central legislative body to develop new European laws to be enacted upon us; by definition, undermining our sovereignty. Control of criminal law is one of the key defining fundamentals of any nation state. Without it, there can be no nation state and no sovereignty. It becomes clear that the reason for the clause in the proposed EU constitution—like many of the others in the so-called tidying-up draft—is to create a new state of Europe and to destroy our current sovereign state, Britain.

That legislative move is not necessarily advocated for the purposes of efficiency; nor has the British public sought the move; nor would it necessarily improve the way in which the EU countries work together in fighting crime, or in any other area. It is simply yet another federalising tool. The Prime Minister knows that, and seeks to prevent the British people from seeing it until it is too late. The same analysis applies to the draft EU constitution's impact on areas such as foreign policy, the economy, defence, the militarisation of Europe, challenging NATO and, now, control of the asylum procedures.

It is not simply a tidying-up exercise. It has fundamental consequences for our nation state and for the people of Britain. Even if it were a good thing, which it most certainly is not, the proposal would deepen the democratic deficit for our people. It should not be for those who govern to change unilaterally and fundamentally the way the people are governed. That is the purpose of the constitution. It is the fundamental right of the people themselves to decide democratically their own constitutional arrangements. For the Prime Minister to seek to take the decision without allowing a referendum to hear the voice of the people and in direct defiance of the firmly expressed views of the people on Europe is arrogance and folly of historic dimensions. He will be remembered for that.

Jim Knight: I am grateful to the hon. Gentleman, who I suppose I should call my hon. Friend. Did he feel the same about Margaret Thatcher when she signed up to the Single European Act, or about John Major when he agreed to the Maastricht treaty, both of which were fundamental in respect of giving away sovereignty to Europe? Did he vote for or against those proposals?

Bob Spink: That is a valid point, which I am happy to answer. Conservative Governments of the past made mistakes and went too far on Europe. I regret that, but we must look forward and prepare for the future. I want to retain British sovereignty. The constituents of the hon. Gentleman want to retain British sovereignty. If he does not join them, I suspect, sadly, that he will not be my hon. Friend in this place after the next election.

Mr. Andrew Love (Edmonton) (Lab/Co-op): Will the hon. Gentleman give way?

Bob Spink: I shall make progress, as the hon. Gentleman has not been in the Chamber for long.

If the Prime Minister will not withdraw from the proposals or hold a referendum, he will be seen for what he is; outrageously arrogant and breathtakingly ambitious for himself at Britain's expense. In short, this is the last straw for a failed Government.

I am petitioning my constituents and calling for the Government to listen to the people. I have been out in my constituency on five occasions so far, campaigning for a referendum on behalf of my constituents. I am seeking to force the Government to hold a referendum on the draft EU constitution. I have been swamped by people of all political persuasions and of none who want to help and support me, and I offer them my grateful thanks. By their actions, they show that they care about Britain as I do. I am honoured to represent the good people of Castle Point.

I wish to refer to the housing Bill. The sellers' pack policy will do little to address the real problems of buying and selling houses in England. The Government's policy amounts to a vast increase in state control over yet another area, with more interference in people's lives, more compulsion and more regulation. It is another new law to create, potentially, a new class of lawbreaker among decent people in this country.

The additional cost to consumers of the pack is estimated to be around £322 million per year. That is the additional cost, over and above the current costs for buying and selling houses each year. There is some controversy over this figure, and I ask the Government to clarify it. I am told that 1.5 million houses are sold each year and that the extra cost could be as high as £650 per house sale, which could bring the amount of additional money levied to well above £322 million. I ask the Government to confirm the figure, either tonight or in writing as soon as possible. People need to know the figure before the Bill makes progress in the House.

The proposal for a home condition report is a key problem and should be withdrawn. We will no doubt debate the details in due course, but, in any event, 72 per cent. of failed house sales are as a result of the decisions of purchasers, not sellers. However, the Government are seeking to punish and create sanctions for the sellers and to push costs on to them, thereby inhibiting the operation of the housing market. The Government have simply got this one wrong, and I agree with the Select Committee that the policy is half-baked.

While on housing, I want to ask the Minister a question that, again, he might answer in summing up or by writing to me. Currently, there are 12 contracts with the public sector and eight with the private sector to provide housing for asylum seekers in this country; in general, they expire in 2005. Can the Government explain their position on the renewal of those contracts? Will the balance between public and private sector be retained, or is there likely to be a swing towards local councils acting as service providers? It would be most helpful if the relevant Minister could give me a steer on this issue.

The fire services Bill is based on good intentions and I hope to be able to support it during its passage, but I shall watch very carefully to ensure that my much-needed fire stations in Hadleigh and on Canvey Island are not threatened in any way, because I simply do not trust this Government.

There are major problems in Britain today, and this Government have clearly lost their way. Nothing signals that fact better than this Gracious Speech. Violent crime is rising and is now at [illegible] highest ever level. People feel less safe, particularly on the streets. Recorded crime is up by 800,000 per year. Transport is also much worse. For example, there is increasing serious congestion in my constituency on the A13, and on the A130 at Saddler's Farm and Waterside Farm, and through the centre of Hadleigh. Yet the Government are forcing on my constituency thousands more houses, without giving any indication as to how the infrastructure can be developed and improved.

The Government have announced a rail travel target: to increase the number of passengers by 50 per cent. The London to Tilbury and Southend line, which serves my constituency, is already operating well over capacity, yet the Government refuse to hear my plea to increase its capacity by providing a rail terminus on Canvey Island—probably at Waterside Farm—linking up with Pitsea, so that we can achieve their target. Unless the Government are prepared to invest in rail, we will not see the improvements that our commuters deserve. They certainly do deserve such improvements: we have the longest commuting times in the whole of Europe, which is simply not acceptable.

Our hospitals are struggling. There are 1 million people on the waiting list, which is simply not acceptable. Change is happening too slowly, and bureaucracy is growing too quickly. The Government have lost their way in that regard, as well. Moreover, our pensions are in crisis, yet only the Conservatives are offering the right answers. Illegal immigration is also in crisis. The Government have no idea how many illegal immigrants are currently residing in this country, or how many are entering this country each month. That is simply not good enough.

Taxes, including council taxes, are growing too fast, yet still our borrowing increases. The Organisation for Economic Co-operation and Development predicts that our borrowing level will reach 3.2 per cent. of gross domestic product, putting us in contravention of the EU borrowing rules, which set a limit of 3 per cent. Interest rates will therefore continue to creep up in the short term. This Government are certainly failing badly. In that context, the Government's programme is disappointing, although it will lead to exciting times in this Chamber in the coming months; I look forward to them.

It is true that the Gracious Speech contains a number of Bills that have some merit. In fact, some are very good, and I shall support them, but the Government have missed a golden opportunity to make real progress where it is needed. Instead, they are pursuing Bills that will do real damage to communities such as mine in Castle Point. I am thinking, for example, of further forced overdevelopment. The Office of the Deputy Prime Minister is seeking to force the building of thousands more houses in my constituency, with, as I have said, no suggestion as to how the infrastructure to support that overdevelopment will be provided. I am also thinking of the access to higher education Bill and top-up fees—or the student tax, as it will become known. I hope that this House will defeat that.

Mr. Clifton-Brown: Has my hon. Friend taken account of the proposed changes in the planning Bill? As a result, instead of Essex county council's distributing the housing numbers, they will be decided by the East of England Development Agency, which is based in Cambridge. His constituency and his local planning authority will have no option but to adopt those housing numbers.

Bob Spink: I am indeed well aware of that aspect of the Government's centralisation programme, which takes decisions away from local, democratically elected people. I greatly regret that development, as do my constituents, which is why they will seek to throw out this Government at the next election.

As I was saying, some of the Bills are totally unacceptable, including the half-baked Bill on further reform of the House of Lords, which seeks to make it a wholly appointed House. Curiously but typically, the Government did say that legislation on top-up fees and on House of Lords reform to create an appointed House would be excluded from their programme during this Parliament. That was stated clearly in Labour's manifesto, yet such Bills are being introduced, thereby illustrating how little concern the Government have for open and honest public service. If this programme is the best that the Government can do, I fear for their future.

6.56 pm

Mr. John Lyons (Strathkelvin and Bearsden) (Lab): Like other Members, I believe that there is much to welcome in the Queen's Speech, but I certainly want some reassurance on the school transport Bill, which is a cause of concern to many. In all my time as an MP, not a single constituent has raised with me—at my surgeries, via e-mail or in written correspondence—the issue of transport conditions for schoolchildren. No one has said, "Something is wrong—we need to make major changes." By and large, most people are happy, and they certainly do not want to pay for school transport.

The Department for Education and Skills needs to talk to the Department for Transport, and to establish a joined-up approach. A DES press release stated that the legislation is

> "central to the Government's wider aim to encourage safe and sustainable travel to school".

In my view, it will achieve nothing of the kind. We transport more than 700,000 children to schools across the UK—in urban, suburban and rural settings—and the system works perfectly well in most locations. If we start charging, we will put children at risk—it is as simple as that.

The Education Act 1944 guaranteed free transport to children living three miles from school, and to children aged under eight living two miles from school. That legislation has stood the test of time and worked perfectly well. The Bill on school transport will allow education authorities to opt out of their duties under the 1944 Act. Pilot schemes will be established, and it is said that such schemes will

> "charge those who can afford to pay".

That would be a major blunder, but trying to organise and manage a system that charges children would also be an administrative nightmare. Put simply, such a charge will have to be based on income of some sort. It cannot be based on each child; instead, there will have to be some complex means of management. The system

[Mr. John Lyons]

cannot work, because pay and salary—which can include performance pay, productivity pay, overtime, sickness pay and injury pay—are never constant. Such a system will deflect schools from focusing on teaching pupils.

It has been said that pupils who receive free school meals may also be given free school transport, but they do not need to be given such transport because they already get it. There is no need to give them something that they already have. We need to be very careful about what we suggest in this legislation.

What do teachers think of the Bill? I offer two comments.

As Doug McAvoy, the general secretary of the National Union of Teachers, said:

> "Children have to get to school. They must not be dependent on their parents' income to do so."

David Hart, the general secretary of the National Association of Head Teachers said that charges would act as "a disincentive" to children going to school. As he suggests, the obvious outcome would be increased truancy in some areas.

Any move to end free travel will be met with the fierce opposition of not just parents but of politicians, too. Charging per child would be a real problem for a family with three or four children—as opposed to one child—attending school, so we must have clarification on that matter. Two families with massive disparities in their earnings would have to pay the same amount for their children to be taken to school, which is unacceptable to most people.

Arguments about damage to the environment and increased congestion would also become relevant if we moved away from the 1944 Act and the system that we enjoy today. No one could disagree with the fact that there is a problem today because many parents drive their children to the school gate. We see and hear of it day and daily. However, the Bill will not make a single bit of difference. Parents who already drive their children to school will continue to do so—with or without charging. If anything, the change will increase, not decrease, the numbers of cars on already badly congested roads throughout the UK. We should be trying to decrease, not increase, the number of car journeys to school. Every analysis, survey and investigation points to that goal, which should be the objective of any Bill. We must try to reduce congestion and the number of school journeys by parents in urban, suburban and rural settings. We should try to sustain and increase the number of buses in use to take children to school. The statistics prove that it is a safe way of transporting children to school: it improves the environment, and reduces congestion.

Other countries—and not just in Europe—show the way forward. In the US and Canada, yellow buses deliver more than 1 million pupils per day to schools safely. I should like to hear some reassurance that we will not introduce charging and that the 1944 Act will be the basis of any improvement in the transport of children to school. I believe that that is the only way to proceed and I look forward to hearing some reassurance on that.

7.2 pm

Mr. Andrew Love (Edmonton) (Lab/Co-op): I apologise to the House for not being present earlier to hear the speeches. I had an important constituency engagement that I had to attend, and I arrived here only a little earlier this afternoon.

I want to participate in today's debate. Much of the publicity about the Queen's Speech has focused on what might prove to be the most contentious issues either here or in the other place. As a result, many of the best measures in the Queen's Speech have not received the attention that they deserve, and I hope to comment on some of them in my speech.

I should like to deal first with the housing Bill, which several hon. Members have mentioned this afternoon. It proposes several measures to deal with some of the most important problems facing housing markets throughout the country. I pay tribute to the Government, because we currently have the lowest inflation for about 30 years, with interest rates at historically low levels. The 75 per cent. of people who live in owner-occupied housing have benefited from those low mortgage interest rates, and more people have been able to become owner-occupiers than would otherwise be expected.

I also pay tribute to the Government for the sustainable communities plan, which was outlined earlier this year and will provide £2 billion worth of investment during the four years of the plan. It will make significant resources available in four different areas—mainly in London and the south-east—and will significantly increase the supply of housing over the next five to 10 years.

I also want to pay tribute to the Government for establishing a decent standard of homes over 10 years. When the Government took office in 1997 they faced a bill of about £19 billion because of the state of disrepair in the social housing sector—mainly a consequence of the massive underinvestment of the previous Government. The present Government have risen to the challenge of providing decent homes by 2010, which I strongly welcome.

Mr. Clifton-Brown: I pay tribute to the hon. Gentleman for his work on the all-party housing and planning group. However, he will know from that work that the decent homes standard is one thing, but the fact that we have more homeless people in this country than ever before is quite another. Is not that a shocking indictment of a Labour Government?

Mr. Love: That would sit much easier with the hon. Gentleman's argument if he could point to any positive contribution to solving the housing crisis that the Conservatives made during their 18 years in government. The reality is that, when I look at homelessness—*[Interruption.]*

Mr. Deputy Speaker: Order.

Mr. Love: May I continue, Mr. Deputy Speaker?

Mr. Deputy Speaker: I was trying to make it easier for the hon. Gentleman to continue when a certain disturbance was taking place.

Mr. Love: Thank you, Mr. Deputy Speaker. You seemed to be the only one who was trying to make it easier for me.

It is a bit rich of Conservative Members to complain about the difficulties in the housing market when they did so much to cause them. I have already outlined some of the measures that the Government are adopting to help to sort out the difficulties and I could mention others such as the activities of the homelessness directorate, which is dealing with problems in bed-and-breakfast accommodation and the worst forms of temporary accommodation. However, I shall not go into detail because I want to speak about the housing Bill.

As a Labour Member, I am pleased that the Bill will implement two manifesto commitments of the last two elections. The issues that we highlighted in 1997 and 2001 still pertain and need to be dealt with. The main problems relate to the private rented sector. We have talked about the work done in the social housing sector and I have already mentioned the advantages that the Government have conferred on the owner-occupied sector, but we all recognise that some of the worst housing conditions exist in the private rented sector, and I believe that the Bill will help to address some of them.

All the evidence suggests that houses in multiple occupation are the most difficult part of the private rented sector to deal with, so I greatly welcome the statutory licensing scheme that the Bill will introduce. I make a plea to the Government to ensure that the definition of houses in multiple occupation is wide enough to include the very worst of the conditions in respect of safety standards, space and the general quality of accommodation available in the sector. The scheme can make a significant difference and I hope that the Government will ensure that it is comprehensive enough to impact on the worst housing in that sector of the housing market.

There is much evidence to suggest that a selective licensing scheme is necessary in some areas. Several rogue landlords have extorted the highest possible housing benefit rents for extremely low-quality accommodation. In London, private rents are high, but in areas such as Manchester and other northern cities the highest rents are being charged for poor-quality accommodation because landlords know that housing benefit will cover them. In such circumstances, we must act to protect the public purse and a selective licensing scheme would achieve that, especially in areas of low demand. However, the system should be sufficiently flexible that any local authority can deliver accommodation of a reasonable quality, at value for money, to local residents.

Like the Government, I support the principle of the right to buy. I have been an owner-occupier for some time. All the surveys tell us that a large number of people would like to be owner-occupiers, so there is no reason why we should not try to assist them. The Government are undertaking a series of initiatives that will help them.

In recent years, unfortunately, the right to buy has been subject to significant abuse throughout the country, but mainly in the London area. People are exercising the right to buy not so that they can remain in the accommodation but so that they can sell it on to someone who rents it back to the local authority at a greatly increased rent. We need to protect the right-to-buy principle against such abuse. It is meant to allow tenants to become owner-occupiers if they so choose, and we want to maintain it.

The Government have already highlighted the lack of affordable accommodation in some parts of the country. Interestingly, not long after the Conservatives introduced the right to buy, they said that they would suspend it in some rural communities to safeguard affordable housing in villages. The same argument should apply even more strongly in parts of the south-east and especially in the capital. In 2002, more than 11,000 affordable dwellings were sold in Greater London, yet we managed to build only half that number. The supply of affordable accommodation is reducing and demand is increasing exponentially, so it is not surprising that the hon. Member for Cotswold (Mr. Clifton-Brown) draws homelessness to our attention; addressing the right to buy is one way of dealing with that problem. I shall not go into the Opposition's response to the issue, except to point out to the hon. Gentleman that simple arithmetic should tell him that it will not work.

The significance of the provisions to ensure tenancy succession for same-sex couples, which are not a major part of the Bill, is that they express an important principle for all our public services. Rights for same-sex couples will be introduced by another Bill. It is appropriate that such rights should apply in housing, so I strongly welcome those provisions and hope that they will form part of the final Bill.

I welcome the Bill. It addresses some of the problems, although several remain, especially in relation to the private rented sector. We need to make improvements to the sector so that it finally loses the Rachmanist image of the past. The private sector can make a contribution to the provision of value-for-money, affordable accommodation—but only if it loses its present image. We could take several steps to assist in that process, so that the private rented sector becomes a more useful tool in the provision of good-quality, decent accommodation for all our people.

The Planning and Compulsory Purchase Bill makes a major contribution, too. I hope that there is cross-party agreement that over the past 10 to 20 years our planning system has been characterised by massive delays. Who does not recall the delays in planning applications that go on for month after month after month; the bureaucracy that goes back and forth, with plans here, there and everywhere; and, sad to relate, the nimbyism that exists all over the country? People are happy if the plans apply to an area down the road or somewhere else, but they do not want them carried out in their back garden—in their community. As a result, we have been unable to address the serious problems that confront this country.

The planning problems are due in part to staff shortages. We are all aware that authorities are unable to recruit enough trained planning officers to operate the system effectively. I welcome the resources that the Government have made available to try to speed up the system in that regard, but we shall probably need to do more in the future.

Many local authorities are still trying to grapple with a development plan process that began 10 or 12 years ago, or even longer. Some local authorities are still struggling with the consultation procedures on urban development years after the plans were introduced. We do not have an outline framework on which to base local planning decisions. That cannot be the right way to address the significant issues that we face.

[Mr. Love]

The planning system has been a contributory factor in the lack of supply both of adequate private housing and of affordable social housing. I hope that the review of housing supply commissioned by the Chancellor will be able to detail where things have gone badly wrong. The net result of the delays introduced by the planning system is that house price inflation is even higher than it should have been and that the level of homelessness, to which the Opposition refer, is even greater than it would have been if we had been able to set up an effective planning system.

It was always a truism that the Englishman's home was his castle. We take a much greater interest in housing than our European colleagues. We worry about housing while the French worry about other things, yet the number of houses per head of population in the United Kingdom is lower than in France and Germany. In my view, the planning system has been a contributory factor. The Bill made partial progress in the last Session, but it will now go through. It is necessary because it will introduce a faster, fairer and, I hope, more flexible planning system that will address some of the problems.

Among the critically important things that the measure will introduce are local development documents, which will enable us to move away from lengthy consultation periods over precise urban or other development plans. It is vital that the process is shorter and that it is regularly updated to keep up with the times. I know of local authorities that had only just completed the first consultation on such plans and had to begin a second consultation immediately because the process was already out of date. The proposals are surely a sensible way forward.

Community involvement is essential. We hear accusations from all quarters that communities will be swept out of the process, but they will be at its centre. They need to be involved in development plans and their voice must be heard in major planning applications, but we must also realise that other considerations are involved in ensuring that we take the right decisions.

The system of planning obligations and section 106 agreements has been in much need of reform for some time. The Government tried to introduce reforms in the past, but they did not meet with approval. I hope that the more flexible system proposed in the Bill will be accepted, because the existing system has major problems. Many local authorities lack the expertise necessary to draw up a proper agreement, as do some applicants, although that is not a problem for major developers, such as major retailers and others, which use the planning system regularly. The lack of expertise leads to delays and failure to agree. Projects are put on hold for a year or two years and land is not developed as a result of delay and bureaucratic failure. Reform of the process is critical if we are to provide a steady supply of land for development, and we need tried and tested mechanisms. The proposed changes, which will introduce some certainty into the system, will allow a calculation to be made instead of a negotiated process, and that will make the system more secure and faster. We will find out over time whether the changes make the system fairer.

The proposed traffic management Bill will give local authorities new powers to control traffic—

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson) *indicated assent.*

Mr. Love: I note my hon. Friend's agreement. The Bill will give local authorities better controls over street works and thus minimise disruption. We have certainly experienced difficulties in my north London constituency, and I am sure that every hon. Member will have experienced disruption, either as a driver or through complaints from constituents. For example, a busy street in my constituency, which is used morning and night as a commuter run, was dug up by one of the utilities. I do not doubt the purpose for which the street was dug up, but the utility discovered that it did not have the part necessary to resolve the problem. So did it close up the hole and come back later? No. It left the hole in the middle of the road, not just for a week or a month, but for six months. During that time the street could carry only one line of traffic, instead of two. Eventually, so many complaints were made that the local authority contacted the utility to find out what was happening. As a result of a full and frank discussion, the utility filled in the hole without completing the work. Two months later, it came back, dug up the road and did the necessary work over three weeks, which concluded the matter. It took advantage of the public, which cannot be allowed to continue. If the powers that the Government will give local authorities mean anything, we may win the next general election on that issue alone. The level of frustration felt by London drivers is so great that this measure will be shouted from the rooftops, certainly in my constituency.

I hope that the Bill will also recognise the need for the public to be given information about street works. The most common complaint from members of the public is that they do not know why a street has been dug up, and local authorities should play a role in informing the public, especially in cases of significant disruption. Utilities should justify delays to the public. The warning of public works is usually a little card on a lamppost. If one happens to be in that particular street at the right time, one might find out about the works. The Government need to think seriously about how to inform the public about public works. That might involve local newspapers or other avenues, but some information should be provided two or three weeks in advance if street works will cause significant disruption.

I know that the pensions Bill is outside the remit of today's discussion, but I have some important constituency points to make on the issue. A significant number of employees of a major company lived in my constituency, although the headquarters was not located there. Some years ago the company was subject to two failures of management that led to its liquidation and left its pensioners in some difficulty. The pension fund lent a subsidiary of the company a significant sum of money several months before it went into liquidation. The subsidiary also went into liquidation and the pension fund lost that sum. The pension fund also lent money to someone who swindled the company. The person was caught and received a prison sentence, but the pension fund lost a further significant amount. Those events occurred at around the same time as the

Daily Mirror fiasco, and pensioners asked why no legal safeguard existed to ensure that their pensions were protected.

As a result of that experience, I commend two aspects of the pensions Bill to the House. The first is the pension protection fund, which is urgently needed and which would have addressed part of the problem faced by my constituents. The significant sums that were lost would have been replenished by the protection fund, which would have secured my constituents' pensions. I hope that the Bill will ensure that that happens in future.

Mr. McWalter: Does my hon. Friend agree that in addition to that welcome measure we need transitional arrangements to ensure that those who are being robbed of the money that they have put into pension schemes—often over 35 or 40 years—have some entitlement to a proper pension?

Mr. Love: I hear what my hon. Friend says, and I have listened carefully to Ministers on the subject. Retrospective legislation would suck the Government into every pension fiasco that has occurred in recent years, so we must be circumspect. My hon. Friend the Member for Burnley (Mr. Pike) and I have both made significant representations on that issue, including holding Adjournment debates, to no avail. I would like to see some support for my constituents, but I recognise the difficulties that the Government face.

The second problem that I hope that the pensions Bill will address is the ranking of those who should receive pensions. Currently, the fact that people who are still in employment have made significant, long-term contributions to their pension schemes is not recognised appropriately in the ranking that they are given in respect of the pension that they receive when the company and therefore the pension fund have closed. That must be changed. We need to recognise the significant contributions made by members of those schemes, and I hope that that will be done in the pensions Bill.

Lots of measures in the Queen's Speech—I have chosen four of them—will do excellent work in responding to the concerns and problems faced by my constituents and by those of other hon. Members, and I commend them to the House.

7.30 pm

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): It is a great pleasure to follow my hon. Friend the Member for Edmonton (Mr. Love), but I must apologise to you, Madam Deputy Speaker, and to the House for the fact that I have not been present throughout the debate. First, I have a heavy cold and was not sure that I would be able to speak. Secondly, so many hon. Members seemed to be waiting to speak when I was present earlier that I thought it would be difficult to take part, so I attended a Select Committee sitting only to return to find that the large queue had dissolved. I am not sure how that happened, but I mean no discourtesy to the House for not having been present for the full two speeches prior to speaking.

I want to raise an issue that relates to local government but goes rather wider—the kind of government that we are trying to establish in the current parliamentary Session—in the light of the criticism that the Queen's Speech is a hotch-potch of disconnected ideas that have no common theme. That criticism has been echoed by those—for example, John Humphrys in Sunday newspapers yesterday—who say that it does not matter if there is no common theme because the only objective of government is to manage and it does not matter at all whether those involved have any overriding idea about what lies behind their management philosophy.

The Queen's Speech would have been stronger if there had been an explicit underlying philosophy, and the Government would be stronger if they had an explicit philosophy underlying what they do. If they had such a philosophy, we might not be subject to the criticism made by an ex-Minister, my right hon. Friend the Member for Darlington (Mr. Milburn), who said that the Government are like a Jackson Pollock painting—there are many bright patches, but there is no overall theme.

There is and should be an overall theme, and that theme ought to arise by reflecting on and asking how we can address the deficiencies of the governmental process that we have inherited, and how we can try to make it better not just for our generation but for succeeding generations. The theme that I recommend to the Government is a general one of freedom for all, because in one piece of legislation after another we as a Government have sought to liberate people from the yoke that so many generations of people in this country have suffered, and we have tried to so in a way that combines the power that people working together have for liberation, for improving quality of life and for realising people's capacity for liberty.

I recommend that general theme, but I ask whether we are matching up to those obligations, because there are two very different versions of what a Government concerned with freedom might do. Some people regard freedom almost entirely as the materialist freedom to spend their money how they like. That materialist freedom is but a very small portion indeed of what a Government should be about. We as Members of Parliament have an obligation to look much wider than that in fashioning those social systems that can liberate, as well as ensuring that the Government do not encroach where they should not do so. We are the custodians of that responsibility.

Two hundred years ago, the population of the city of Bath was about 25,000 to 30,000. The number of people who represented Bath in the Chamber was one, but the number of people who voted for that person to be their representative here was 31. That person could ensure, by giving his electorate a decent dinner in Dining Room A, without filling it, that he had wined and dined all those who could secure his continued occupancy of one of these seats, and the job as a Member of Parliament was correspondingly hugely different from that which we have today.

The Chamber is sparsely attended, but each hon. Member represents, including children, 100,000 or more people. Sparsely attended it may be now, but we who are present represent more than 1 million citizens of our country. Whether we do that job well or whether we do it ill, the quality of representation available to people today is infinitely different from what it was 200 years ago. Our capacity to respond to our constituents, to

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understand their needs, to argue their cases and to allow their concerns to be incorporated into the governmental process and into the system of laws far surpasses that of any previous generation. We have a choice, and it is partly about whether we ourselves are as free as we ought to be in advocating their causes and expressing their concerns. I am not convinced that we have got it by any means right.

I am, among other things, a member of the Procedure Committee, which has recently published a report on how the House conducts some of its affairs. One of the things that we do in conducting our affairs is to leave a great deal of power in the hands of the Whips. The last time we considered the local government settlement, the Whips decided that there would be only three and a half hours' debate in the Chamber.

The result was that most of our constituents' and citizens' concerns that Members wished to portray to the House were suppressed. We had arrived already at the absurd situation of having only one person representing 100,000 people—a hard enough job if one wishes to do it properly—and then only a mere handful of them expressed their concerns before we arrived at a conclusion of our debates about what the settlement for local government was to be. Those settlements bear hard on our constituents.

In a huge variety of ways, the quality of people's lives is very strongly influenced by what we can or cannot do with local government. That means, however, that we must have systems whereby our powers of representation in this place are devolved down through the system in a satisfactory way, so that citizens are empowered to change the circumstances governing their lives. In my area, we have recognised some of those factors. Those in the town of Hemel Hempstead look with a certain amount of envy at those in the villages around who have parish councils, because parish councils are the most basic level of representation for citizens, give people a direct involvement in their environment and quality of life and play an important role in the structure of our communities. If we go into the town, however, we find no such structure available.

The town of Hemel Hempstead has tried to establish what are called neighbourhood councils, whereby a particular area of the town might have something like the same level of involvement in the fashioning of its circumstances of life as those in the parishes. Those neighbourhood councils, however, do not function, because the borough council responsible for their funding decides that it cannot afford to be really responsive to their expressions of desire for change, and unlike the parish councils, they do not have the capacity to levy a small, modest precept to address some of the most serious concerns of their communities. Therefore, what is decided centrally means that people living in a neighbourhood do not have the freedom and the power to change their life circumstances for the better in ways that they believe that they could were they thus empowered.

Mr. Clifton-Brown: To try to bring the hon. Gentleman back to the Queen's Speech, he has been articulating precisely what is Conservative party policy—to bring power down to the lowest possible level. Is he not therefore dissatisfied with his Government's policy of putting his people in Hertfordshire into the eastern region, not the London region, and of pulling powers away from his area to that eastern region, particularly in terms of planning and housing? How can he support that? Does he not think that for the regions where there is a referendum, there should at least be a detailed regional assemblies Bill in the Queen's Speech, which is notably absent?

Mr. McWalter: While I am grateful for the hon. Gentleman's intervention, I certainly cannot agree with him. One of the things that has characterised this Government is that whatever else has happened, the quantum of resource that has been made available to local authorities has risen by 29 per cent. in the past six years, while it went down by 7 per cent. in the five years preceding 1997. People are now beginning to ask why they cannot do things, whereas under the Conservative Governments they were told that it was impossible, because the constant theme was cuts and bearing down on the unit of resource. People therefore never even had the ambition to try to change their circumstances. Because the Government have improved the resources, they have begun to give people the ambition to change their circumstances, to deal with derelict cars, filth and squalor and to do something about sub-standard housing. We have a Government who have begun to generate some resources to do that job. Having given people the vision that they might be free to transform their environment in such a way, however, there is a deficiency of will, commitment and resources to follow the job through adequately.

Mr. Challen: Clearly, resources are very important. In relation to some of my hon. Friend's comments, Chinese walls exist between local government, national Government, parish councils and even the European Union, and perhaps we should find ways of knocking down those walls. Perhaps some consideration should be given to setting up some joint committee structures in some cases, and perhaps we should look at other ways of filling the other place. In Germany, the Länder provide half—

Madam Deputy Speaker (Sylvia Heal): Order. May I bring both hon. Members back to the Queen's Speech and to either its content or to what the hon. Gentleman might wish to see in it.

Mr. McWalter: I am grateful to you, Madam Deputy Speaker. I intend to bring my remarks ultimately to what things should be put in the Queen's Speech that were not there, while commending some things in the Queen's Speech because they have some echo of or affiliation with the kind of themes that I have been developing.

If we had a view that we were about personal and community empowerment, there are some things that should be in the Queen's Speech that are not in it, and the one on which I am focusing at the moment is how we are governed. My hon. Friend the Member for Morley and Rothwell (Mr. Challen) is right that we have tiers of government into which local government fits and has a place, but because we are uncertain and unsteady about how we deal with the fact that, for instance, many local authorities are not of the same political persuasion as the Government, people do not know or have not thought about what form of empowerment that should take, so much that could be done is not being done.

I have a particular complaint in my constituency, because one of the current features of local government that would need changing is a system of grant that relies on floors and ceilings. My complaint is that in my local authority the ceiling has a trapdoor, and unfortunately, a floor that is deeply permeable. That is because my local authority is in an area in which there is a new town. New towns have nothing like the level of resources that people had in the past, as local authorities have inherited over time large landholdings and significant resources. In a new town—all my colleagues who represent new towns feel strongly about this—because of the lack of resources and because some of the housing stock was made over to the new town, the appearance of being asset-rich and out of debt was given, when in fact there was little in terms of resources to address the needs of the new town.

The way in which resources are allocated to new towns, especially those that are debt-free, involves a bizarre mechanism called negative subsidy. That means that additional resources are heaved out of the local authorities through the floor, which is not built to sustain such resource drain.

I would have liked the Queen's Speech to contain a proper treatment of negative subsidy. That is especially significant in my area, because it is four times the level of that of the next most afflicted local authority, which is Harlow council in Essex. The situation is one example of the way in which the Government begin to get a sense of what they should be doing for areas yet fail to deliver in the end.

The process of government still reflects the idea that the main job of Members of Parliament is not to represent 100,000 people or work with their local community to ensure that it is represented as effectively as possible. There is still a view that if Members of Parliament feel like it, they may come to the House and have hardly any contact with their constituencies, just like the historical Members for Bath or Hemel Hempstead who were elected by a handful of people and owed no commitment to them. If we are to have a system in which we are in touch with our local communities, we must do more than say that the most useful thing that Back Benchers can do when serving on a Committee to consider a Bill to is to sit in silence.

Madam Deputy Speaker: Order. I must bring the hon. Gentleman to order. Whatever the rights or wrongs of the present system for Members of Parliament, will he address his remarks to the content of the Queen's Speech?

Mr. McWalter: It might well be that I shall shortly conclude my speech, because it seems to me that the role of local government is related to the way in which we organise things in the House. I shall be guided by you, Madam Deputy Speaker, because I was about to consider the consequences of that on reform of the House of Lords, which should have been addressed in the Queen's Speech. If you feel that comments on that front would be out of order, I shall be perfectly happy to bring my remarks to a conclusion fairly shortly.

Madam Deputy Speaker: Order. There is indeed a reference to reform of the House of Lords in the Queen's Speech.

Mr. McWalter: In that case, Madam Deputy Speaker, you have saved the next bit of my speech—albeit an unwritten one. *[Interruption.]* I do not know whether the Minister for Rural Affairs and Local Environmental Quality disapproves of what I am saying. If he does, perhaps it illustrates my point that not all things said from the Labour Back Benches are necessarily welcomed on the Treasury Bench. We sometimes seem to have a system in Parliament that tries to ensure that as little noise as possible comes from the Back Benches, to such an extent that when people change policies, they take insufficient notice of what has been said from there.

Let us consider reform of the House of Lords. One reason why we need a second Chamber is that our current structures mean that we cannot do our job properly. It is extremely difficult to get on a Committee to consider a Bill, and the debate in such Committees is often hideously truncated, which means that legislation is insufficiently scrutinised. There is then a question whether it should continue to be insufficiently scrutinised, which will happen if this House is not properly reformed, or whether somebody else should do more detailed scrutiny on our behalf, which happens currently.

I have no truck with, or time for, the hereditary principle. However, the fact remains that as long as the systems in this House mean that our communities are inadequately represented, we need a second Chamber to examine the logic of Bills at greater length and in greater depth than we currently do. That is why we need to think about who we put in the second Chamber and why this Chamber needs somebody else to address our deficiencies. If we were to have a proper and honest debate about the inadequate way in which this House performs, we might have a clearer sense of the functions that it would be vital for a second Chamber to carry out and hence the membership that it should have.

I commend the idea of a second Chamber with a powerful role representing local government to the House. I say that because irrespective of the other commitments of hon. Members, it is difficult for us to pay proper attention to the many matters that affect local communities. If there were proper regional representation in the upper Chamber, it could be given a clear role and mandate so that it could take an overview of the interdependency of communities and the ways in which they interact. It would be difficult for us to do that in such a manner at present. I echo the suggestion that the upper Chamber should have a clear role on European scrutiny. This House currently puts responsibility for such matters on people who are extremely pressurised by a host of other responsibilities.

I want careful thought to be given to what we are about as a Government and the vision of the society that we want to see. We need to consider the historical incubi that we must discard and determine the ways of governing ourselves that would most commend themselves to those whom we represent. We could do

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that better in local government, and our procedures and those of another place could be improved. I am somewhat disappointed that those issues were not addressed in what was otherwise a Queen's Speech that dealt effectively with many important matters.

7.59 pm

Mr. John Hayes (South Holland and The Deepings) (Con): It is always a great pleasure and delight to follow the hon. Member for Hemel Hempstead (Mr. McWalter). He brings refreshing honesty and insight to the affairs of the Chamber whenever he speaks. Before I begin my peroration, I must apologise to the House. I explained to the Chair that I would not be present for the opening speeches. I was not able to hear the words of wisdom of the Front-Bench spokesmen, but I hope that that will not limit my contribution too much.

The Government offer some encouraging things in the Queen's Speech. There has not been a Queen's Speech in history that does not have some good things in it, and it would be churlish not to recognise that. Indeed, it is important to point out that the Government have done many good things since 1997. Every Government have their achievements and triumphs. It ill behoves Opposition Members not to acknowledge that fact, and if there were more acknowledgement of each of our qualities, perhaps politicians would be regarded rather better than they generally are.

The hon. Member for Hemel Hempstead said that he thought that the last Conservative Government were rather like a Jackson Pollock painting. I regard this Government as being more like a Damien Hirst work of art: apparently unwholesome, probably sinister, certainly ugly and never offering value for money.

Mr. McWalter: In fact, I was quoting my right hon. Friend the Member for Darlington (Mr. Milburn), who said that this Government, not the last Conservative Government, were like a Jackson Pollock painting.

Mr. Hayes: On balance, I prefer Jackson Pollock to Damien Hirst, but perhaps both descriptions can be made of this Government, and people can choose which they prefer.

Of course, many major changes are planned in this Queen's Speech. The problem is that most of them are irrelevant to the priorities of the British people. I see that the coming year is to be the year of the regions. According to a Cabinet Office press release, even the civil contingencies Bill

> "proposes to enhance existing regional resilience by delivering a new regional civil protection tier".

I see also that the proposed fire services Bill will, according to the White Paper, reconstitute the fire services on a regional basis.

The grand panjandrum of regionalisation, the Deputy Prime Minister, has an even greater project in mind than regional fire services, if there could be such a thing. He wants regional assemblies. Regionalisation is the apotheosis of double-speak: the proposal is billed as a decentralisation measure, but the regions will take powers not from central Government but local government. The hon. Member for Hemel Hempstead is right to say that power is best when it is closest to people, accountable to them and in touch with their needs, and represents their hopes and protects them from what they least wish to see. Regionalisation will be thoroughly unsuccessful in that pursuit because people feel no affinity with regions.

The hon. Gentleman was right in what he said about parish councils because people feel a close affinity with their local parish. They probably feel in touch with their local district, and they have a sense of pride in their county, but what of regions? People in Lincolnshire no more look to the east midlands, to Derby, Leicester and Nottingham, than they do to Aberdeen or Penzance. Regionalisation will fail because its legitimacy is bogus; there is no relationship between the people and these regions. For that reason, if for no other, I argue against regionalisation.

The truth of the matter is that powers on planning, land use, environment policy, public health and fire services are, if the Government have their way, more likely to be taken upwards than brought down to a local level. They will be removed from local councils to regional assemblies. The county tier of local government is to be abolished. That is centralisation, not decentralisation. It is an absurd idea and one clearly driven by bureaucratic tidiness, not the needs of local communities.

Regionalisation is a deeply boring subject, even in my hands, and I do not think that the Deputy Prime Minister, with all his powers and skills as an entertainer, will rouse the British people to the slightest expression of interest in this pet project. Conservative Members, however, will not be apathetic about regionalisation. As my right hon. Friend the Leader of the Opposition said, we will fight the Government's proposals with all our might to preserve the powers and responsibilities of local councils—be they Labour or Conservative—and local councillors of whatever party, who for the most part do a splendid job in standing up for the people they represent.

Mr. McWalter: Does the hon. Gentleman agree that although people in Hertfordshire have a strong Hertfordshire identity, they are massively affected by the proximity of London and need devices to ensure that the shockwaves in London that regularly make their lives more difficult are properly addressed? That alone suggests the need for a more powerful tier of government.

Mr. Hayes: There are already structural links between different authorities. There are already formal and informal arrangements to deal effectively with such cross-cutting issues. The system works effectively for the most part, and if it ain't broke, why should we even try to fix it? This will certainly not be a fix. I do not deny the hon. Gentleman's point. There is a case for proper collaboration on grand issues and big problems, but that is not sufficient cause to get rid of these important bodies, which inspire affinity and are accountable to local people, as the hon. Gentleman argued forcefully and persuasively in his earlier remarks.

Mr. Randall: Being a London Member, I am not entirely sure of some things, but my hon. Friend is a great expert so he may be able to help me. The regional centre for Hemel Hempstead, like Watford, is Cambridge, and would not that cause even more difficulties than the London effect, it being so far away?

Mr. Hayes: Indeed. I am delighted to accept my hon. Friend's advice about the details of the Hertfordshire plan. Certainly in the case of my own proposed region, it is likely that Lincolnshire would be isolated, both literally and culturally. Lincolnshire and its needs would be on the edge of an east midlands region, and because of finance and population, power would centre around Nottingham, Leicester and Derby. I suspect that many of the issues pertinent to my constituents and my county would not figure large in the considerations of the region.

Mr. Challen: Will the hon. Gentleman give way?

Mr. Hayes: I will briefly take another intervention before I turn to housing, about which I shall speak at enormous length.

Mr. Challen: The hon. Gentleman spoke powerfully in favour of retaining county councils. Would he therefore welcome the return of the West Yorkshire metropolitan county council, perhaps based on a referendum? That would be democratic, would it not?

Mr. Hayes: Not being a Yorkshireman, I never get involved in Yorkshire affairs because I know that people from that part of the world guard their independence jealously. Whatever I said would probably be wrong, so it is better to move swiftly on to housing.

The Queen's Speech proposes a major housing Bill, and I want to deal with four or five specific issues that are likely to loom large in our considerations. The first is the much vaunted sellers' packs. The problem with them, or at least the first problem, is that we are told that a flat rate will be applied. The cost will take no account of the value of the property being sold. Buyers of houses of all prices will face the same likely price increase, as sellers seek to recoup their outlay on the pack. Those who are buying the cheapest houses, which are also likely to be the least sound, and who therefore most require an assurance that the property is sound, will face the same price increase as all other house buyers.

Neither are the sellers' packs likely to deal with the problem of gazumping. In *The Times* on 15 November, Simon Tyler of Chase de Vere Mortgage Management said:

> "If gazumping is such a problem, then it should be made illegal and a system similar to that in Scotland should be introduced, where sellers receive sealed bids based on a minimum price and, once agreed, the seller cannot pull out without the buyer's consent."

My right hon. Friend the Member for Skipton and Ripon (Mr. Curry), whom I see in his place, said:

> "The introduction of seller's packs in the Housing Bill will do little to address the real problems of those buying and selling, namely, to stop gazumping, speed up price negotiation, obtain finance, eliminate buying chains and delays in the legal work. These packs could amount to a vast increase in state control over house buying and selling. They will make things worse, not better."

I wholeheartedly agree.

How will sellers' packs impact on housing shortages? The National Association of Estate Agents remains critical. Its chief executive, Peter Bolton King, is concerned about the delay that the pack will cause in placing houses on the market.

On 27 November, he said:

> "I am disappointed that, despite widespread industry concerns, Labour remains committed to introducing red tape, bureaucracy and additional cost to the home buying process."

Potential sellers will be unable to place their house on the market until they have received a pack. That will restrict not only the seller, but the prospective buyer too, by limiting choice. It will escalate the problem of housing shortages by reducing the number of houses on the market at any one time.

What is the housing Bill likely to say about development? We know that the South East England Development Agency has been set up to compete to bring development to its area. That will increase demand for housing in the region that already has the highest housing demand in the country and where the infrastructure is already under pressure and creaking. Meanwhile, there is a growing problem of empty housing in other parts of the country, especially the north of England. We have all seen and read about the problems, and those who represent places a long way from London know them well. The provisions of the housing Bill will not be helpful to development and the competition between regions is likely to put more emphasis on unhelpful changes in development, when we should be spreading the bubble of prosperity outwards from the south-east to the most deprived and depressed areas, which need a shot in the arm.

There is also concern in the industry that giving social housing grants directly to developers—an interesting idea that is certainly worthy of exploration—must be implemented through a focused approach, properly controlled and regulated and integrated into the bigger picture of housing and community development. There is concern that European legislation may challenge that policy if it involves giving state aid to the private sector. It will be interesting to hear what the Minister who winds up the debate has to say about that. The National Housing Federation remains sceptical, saying that the proposal to fund private developers to build social housing

> "will not deliver the sustainable neighbourhoods that the Communities Plan is trying to achieve."

My argument is not that we should rule such a policy out, but that if it is done it must be done in a systematic, considered and focused way. It is not good enough simply to give money to private developers and hope that they will build decent houses in the right places to meet demand sensibly.

Representatives of the National Housing Federation are concerned that the Treasury is undertaking an efficiency review—we all know what that is a euphemism for—of the cost of social housing. It is rumoured that the Treasury wants to reduce that cost by approximately 15 per cent. The Housing Commission is advocating standardisation of housing design and a reduction in the number of developing associations. The effect of such a proposal would be to make all the occupants of social housing immediately identifiable within communities—they would be identified and stigmatised. That is

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especially unjust in the case of disabled people. If it is built to a single design throughout Britain, housing for disabled people will be immediately recognisable as such. That is not a positive way to integrate people of all kinds into communities.

There are also strong concerns about the availability of social housing for disabled people. Adapting houses to be accessible by disabled people presents a massive challenge. I fear that the housing Bill will not adequately address that problem. A one-size-fits-all approach is not fair, just or acceptable. It is thought that between 6.8 million and 8.5 million disabled people live in the UK—it is difficult to arrive at a precise figure because disability covers a wide range of conditions. We know that the number of disabled people has increased substantially in the past 20 years. Research suggests that between 35 and 45 per cent. of wheelchair users consider their current housing and support inadequate. More than 8,000 young adult wheelchair users live in care homes that were designed primarily for a different client group—usually elderly people. The housing Bill must make provision to deal with those problems. Coupled with the single standard housing design that I mentioned, ignoring wheelchair-accessible housing fails disabled people by excluding them from choosing where they want to live and forcing them to rely on a lucky dip to find a suitably accessible home.

What is the housing Bill likely to do in respect of homelessness? Housing associations argue that they do not have enough freedom to generate a social mix within any one area. The problem with giving priority solely to homeless people in the granting of housing is that they tend to end up all living in the same neighbourhood. Homeless people need to be integrated into communities; they should not be separated and stigmatised. There are real concerns about the vicious circle of undesirability that results from putting all of "one type of people" into one type of housing in one place. That is not the way forward for social housing. We need a much more lateral approach—one that is founded on the principle that we should provide decent-quality housing for all our citizens. That is the responsibility of a civilised nation.

I am concerned about decent housing standards. The industry, commentators on housing and, I believe, hon. Members of all parties believe that the target of bringing all social housing up to a decent standard by 2010 will not be reached, and that in any case a "decent standard" is not adequate. The worst housing will be the hardest to bring up to a "decent standard". What assurance can Ministers give us that the Government will give priority to tenants of such housing, rather than focusing on the houses that are the easiest to bring up to a decent standard? It would be easy to meet targets without meeting real needs. The Government have often fallen into that trap in the past; I hope that they will not do so again.

The Queen's Speech has given us a raft of measures that affect our constitutional arrangements. We are to have a Bill on referendums for regional assemblies that are entirely unnecessary, as few people in Britain really want them. We are to have a Bill on a referendum on the single currency, which is also entirely unnecessary, given that we now know that the Government have given up on the single currency, at least for the rest of this Parliament. Despite that, a Bill on a referendum on the European constitution—a subject of real concern to the British people—was singularly absent from the Queen's Speech. We are to have referendums on things that people do not care about, but heaven forbid that we should have a referendum on something that people really do care about.

The Prime Minister believes that we should wait for the outcome of the intergovernmental conference. In my view, there is no likely outcome that would not justify—indeed, demand—the ratification of the British people in a referendum. I deplore the fact that the Gracious Speech contained no provision for a referendum on the European constitution. As my right hon. Friend the Leader of the Opposition said, we will be relentless in our campaign to have just such a referendum.

We have a tired Government, exhausted by the labour of their own spin, worn out by exaggerating their achievements, and worn down by the efforts of concealing their failures—yet they struggle on. They have no guiding principle. I was interested to hear the hon. Member for Hemel Hempstead allude to the fact that there was no real theme guiding either the Queen's Speech or the Government. No thread of ideology holds the Government together. Labour Ministers are united in office not by a shared sense of duty, but by a common sense of fear—fear of their own demise. It is a fear that I guess will shortly be realised.

There is an alternative, of course, to the current Government. It exists in the form of the revitalised Opposition under the leadership of my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). That alternative Government would listen to the demands of the British people, change only when change was necessary and in their interests, and have the courage to stand up for those proper values that underpin a civilised society. The hon. Member for Hemel Hempstead is right: those are the values of freedom—freedom from want and from fear, as well as the freedom to do as one chooses. He is right to attack selfish materialism and individualism.

It is right to say that the principles of concern and compassion should underpin a compassionate Conservative Government. They always have and they always should. I am sure that the Minister, with his long and detailed studies of these matters, and with his usual generous spirit, will acknowledge that. I see, however, that he is not in his most generous mood tonight.

An alternative is available to the Government. They could listen and they could act, but I suspect that they will not, so the responsibility will fall once again to the Opposition, who, in the form of my hon. Friend the Member for Maidenhead (Mrs. May), will make the case with passion, commitment and with an honest concern for all of the British people.

8.20 pm

Mrs. Theresa May (Maidenhead) (Con): It is a pleasure to speak from the Opposition Dispatch Box again. I have had the opportunity to do so only once during the past 16 months due to my previous party responsibilities. I note that my return to the Opposition Front Bench has been marked by a remarkable presence in the Chamber this evening.

Bob Spink: Of men.

Mrs. May: Well, no. The Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper), is present on the Treasury Bench. Also, I am pleased to see that the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) is in her place.

The debate has ranged quite widely. The hon. Members for Sheffield, Attercliffe (Mr. Betts), for South Dorset (Jim Knight), for Edmonton (Mr. Love) and for Middlesbrough, South and Cleveland, East (Dr. Kumar) spoke within the remit of local government, the environment and transport, the topics on which we were focusing today. Others, such as my hon. Friend the Member for Castle Point (Bob Spink), my hon. Friend the Member for Sevenoaks (Mr. Fallon) and my hon. Friend the Member for Uxbridge (Mr. Randall) ranged more widely to touch on matters such as tuition fees, House of Lords reform and the European constitution.

The subjects for the debate are characterised by a common theme. They are all areas where the Government promised much but have failed to deliver. That may be a constant refrain from Opposition Members but it is also a well-used theme among members of the general public, and that increases rather than reduces the validity of the point.

As for local government, the Government have promised certain councils more freedoms and have crowed about increased funding. However, as my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) made clear in his excellent opening speech, the Queen's Speech will increase the burdens on local authorities. We support the need to increase councils' responsibilities and powers, but we believe in giving them freedom to do what is right for their local communities. We do not believe in imposing burdens and restrictions on them from Whitehall.

My hon. Friend the Member for Sevenoaks referred to education and argued that devolution of power, which gives back to professionals the ability to get on with their job and the freedom to do what they believe is right, benefits the production of the service that the professionals provide and benefits children in schools.

I have mentioned that the Government make much about local authority funding, yet in this year's settlement councils such as the Royal Borough of Windsor and Maidenhead—my council—have a grant increase that is only equal to their passported increases in schools' funding. The problem is exacerbated for residents of Maidenhead by the presence of a Liberal Democrat council.

My right hon. Friend the Member for Skipton and Ripon focused on local government. I shall concentrate on the environment and transport. Only one Bill in the Queen's Speech comes under the Department for Environment, Food and Rural Affairs or the Department for Transport, and that is the traffic management Bill. I agree that there is a desperate need to do something about the endless holes in the roads, and about the seemingly endless times when people dig up the roads, which causes congestion. A number of right hon. and hon. Members have made much of that.

There have been many attempts in the past to control the digging up of roads, and there is no evidence that the Government's response will provide the answer. The Government talk of lane rental, but 10 days ago, in a written answer, they smuggled out a report on the pilot projects of lane rental that showed that those projects had not worked, yet those are the very ideas that the Government are proposing to introduce in their Bill.

I hope that the Government will take advice from various disability organisations about the way in which they could introduce measures to manage roadworks that would help disabled people. They will have received representations from, for example, the Royal National Institute of the Blind. Beyond those positive aspects, however, there are parts of the Bill that give real cause for concern. We are told that the Bill will allow the Highways Agency to move from being primarily a road builder and maintainer to become a network operator managing traffic flow on trunk roads and responding quickly to incidents. The aim is to relieve the police of the job of responding to incidents that occur on our roads so that they can be used for other duties. That aim is admirable in itself but we shall find that police officers will not be released to the extent that the Government suggest. If an incident takes place that leads, for example, to the death of an individual in a car accident, the police will have to be present. If criminal charges are to be brought, the police will need to be present, not some form of traffic police under the control of the Highways Agency.

Of equal concern is the way in which the Government are moving the Highways Agency from its prime focus on road building and road maintenance to that of network operator. We know that in the five years between 1998 and 2002–03 only 79 km of road building were started under the Government. In the previous five years under the Conservative Government, 574 km of road began construction. The impact of that is real in economic terms. A third of small firms in the UK claim that road congestion has a serious impact upon their business, leading to lost man hours and increased cost. One in four of those firms believes that that is damaging its competitiveness.

There are those right hon. and hon. Members who say that road building is bad because it creates an environmental problem. However, in some areas the building of a new stretch of road can have a beneficial impact on the environment. I refer, for example, to Sonning, a village in my constituency. The ancient bridge has to carry 15,000 vehicles a day and pollution levels are above the recommended threshold of the World Health Organisation. Another bridge across the Thames would solve that problem. If the Highways Agency is not to be in the business of road building and maintenance, we shall see under the Government yet more congestion and safety problems because proper road maintenance is important to ensure safety.

The proposed traffic management Bill will not simply solve the problem of digging up endless holes in our roads. The measure will change significantly the role of the Highways Agency, and I believe that in so doing it will lead to further problems of congestion on our roads, particularly given the way that the Government, in their

[Mrs. May]

management of transport, are throwing more and more people on to the roads because of the problems that they have caused on the railways.

Jim Knight: I have been listening closely to what the hon. Lady has been saying about the Highways Agency becoming a network operator, or whatever the phrase was. However, if it was responsible both for maintaining the flow of traffic and for the maintenance and construction of roads, would that not balance its risk as a network operator? Many people would like something similar on the railways—if the same people were managing maintenance and the flow of trains, we might get a rather more reliable service.

Mrs. May: It is interesting that the hon. Gentleman supports that proposal. From his earlier remarks, it seems that his own constituency would benefit from extra road building. Perhaps he should hold discussions with his hon. Friends on the Front Bench about the way in which the Government have signally failed to improve the road network, at the cost of the environment, people and business in this country.

Jim Knight *rose*—

Mrs. May: I should like to make a little more progress, if the hon. Gentleman will excuse me.

The problems that the Government have caused by forcing people on to the roads could, I am afraid, be exacerbated by the proposed school transport Bill. The hon. Member for Strathkelvin and Bearsden (Mr. Lyons) showed us the problems that will result from that Bill. The threat of the increased cost of school transport for many families and the means test that will be introduced—yet another means test from the Government—may force more parents on to the roads instead of getting their children to use school transport. The hon. Member for Crewe and Nantwich asked my right hon. Friend the Member for Skipton and Ripon whether we supported an extension of school transport. We do indeed believe that there is an argument for extending school transport, and we should look at the regulations that apply to it. However, I do not believe that the answer is to force parents to pay, nor do I believe that the answer is to force a school-gate tax on parents, as the Government may be proposing by charging parents for dropping their children off at school.

We need innovation in school transport, as the hon. Member for South Dorset himself said. However, we must look at good examples around the country, such as Conservative-controlled Runnymede council, which has introduced yellow school buses to improve transport and congestion problems in the area, despite the fact that it is not a local education authority. The Minister may wish to reflect on the fact that the discretionary funding used for that scheme may well come under significant pressure as a result of the Government's local authority settlement this year.

The Government have made many promises on transport. When they came to power in 1997, they promised "immediate benefits" for the travelling public. The Deputy Prime Minister promised to make

> "Britain's transport the rival of any . . . in Europe".

He also promised to

> "increase choice and cut congestion."—[*Official Report*, 20 July 2000; Vol. 354, c. 552.]

However, the Government have cut choice and increased congestion. The Deputy Prime Minister said:

> "I will have failed if in five years' time there are not . . . far fewer journeys by car".

Since then, however, traffic on all roads has increased by 7 per cent. The CBI has warned that

> "if a constructive way forward is not found soon we will see an evaporation of confidence in the Government's ability to deliver".

On the railways, the percentage of trains arriving on time has fallen year on year under the Government, and rail delays have doubled. That goes for all train operators. The hon. Member for Crewe and Nantwich spoke from her knowledge and experience of the transport scene. She and I do not always agree on transport matters, but I do agree that there is a desperate need for the Government to clarify the role and responsibilities of the Strategic Rail Authority. There are great hopes for the SRA and what it is doing for the railways, but it is effectively trying to recreate British Rail and remove from the system the benefits of competition. By cutting the number of services for rail passengers, it is yet again reducing the rail service in this country and forcing more people to use the roads. In the merging of franchises, such as the merging of Thames Trains and First Great Western, there is a genuine threat to local and branch line services as a direct result of the Government's policy and the actions of the SRA.

I should like to make some remarks about what is not in the Queen's Speech. My right hon. Friend the Member for Skipton and Ripon in his opening speech referred to the lack of a Bill on regional assemblies. People will have to vote before they know what they are voting on. That is hardly surprising given that when the White Paper was introduced, the right hon. Member for Hartlepool (Mr. Mandelson) was asked how the Government would decide in which areas to hold referendums. He said that they would hear voices—hardly a good basis for Government decisions. Those voices, I fear, would come from No. 10 Downing street, inviting him in through the back door yet again. My hon. Friend the Member for South Holland and The Deepings (Mr. Hayes) set out clearly the failings of the Government's proposals on regional assemblies.

Many people throughout the country will be severely disappointed that the Government have not included an animal welfare Bill in the Queen's Speech.

There is a real need to update our animal welfare legislation, and the Government have missed the opportunity.

There is nothing in the Queen's Speech that will improve the lot of rural communities, but perhaps the biggest area that is missing from that brief is the environment. Yet again, the Government have promised much, but have signally failed to deliver. One of the reasons why they fail to deliver is that, far from having the joined-up government that they have claimed to have had over six and a half years, we have dysfunctional government. When the Deputy Prime Minister wants to put more houses in the south-east, he has to reveal that the Government have not thought of the transport consequences, let alone the consequences for water supply and the general infrastructure needed to support those new houses. He made a number of references to sustainability and even claimed that the sellers' packs would contribute to sustainable communities. I think that that shows that he does not know the meaning of any of the words in that sentence.

My right hon. Friend the Member for Skipton and Ripon referred to the specific example of aviation policy and its impact on local communities. If this Government really believe in joined-up government and sustainable development, they must look across the board and ensure that Departments talk to each other and make proper assessments of the impact of their policies, just as putting environment and transport together should ensure that the two can be looked at properly and that their impact on each other can be properly considered.

The Government came to power promising much on the environment. They promised that they would achieve a 25 per cent. recycling target by 2005, but they will not reach it and will probably take another 10 years to do so. Even in local government, it is Labour councils that are failing to recycle. Eight of the top 10 recycling councils are Conservative and none of them is Labour controlled. On so many aspects of the environment, the Government simply do not have a grip and do not know what they are doing. They have failed to address the issues and have squandered their opportunities. That is clear when we consider how they have responded to European Union directives, the fridge mountain, the prospect of yet further mountains of discarded electrical goods resulting from an EU directive and the fact that we are one of the few countries in the developed world that does not recycle batteries. The Government also have no response to the end of vehicle life directive. They have simply failed to get a grip on many environmental issues.

My right hon. and learned Friend the Member for Rushcliffe (Mr. Clarke) put his finger on the Government's problem when he said that they had simply lost purpose and direction. After six and a half years of a Government who promised so much and had so much going for them—two large majorities and a strong economy—they have simply let the country down. There have been 18 Department of Health Acts, but 1 million people are still on waiting lists; there have been 30 Home Office Acts, but violent crime is at the highest level ever; and there have been five transport Acts, but rail delay is doubled and congestion has increased. This Government are indeed tired. They have run out of ideas and failed to deliver. After six and a half years, this is simply a Government who have lost their way under a Prime Minister who has lost his grip.

8.38 pm

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I welcome the hon. Member for Maidstone to her new role—[HON. MEMBERS: "Maidenhead."] I beg your pardon, Mr. Deputy Speaker. I welcome the hon. Member for Maidenhead (Mrs. May) to her role, and welcome her recovery from compulsory laryngitis. I look forward to having detailed debates with her about environmental issues when she has been able to engage with them a little longer and understands what this Government have done to protect the environment from a local to an international level. I also thank all hon. Members who have spoken in tonight's debate. I will not be able to do justice to all the detailed issues that were raised, but I hope to respond to the main themes.

One of the clearest tributes to the attractiveness of the programme set out in the Queen's Speech, which is designed to improve the quality of life for people in this country, came from the right hon. and learned Member for Rushcliffe (Mr. Clarke), who was clearly so satisfied with the speech that he said very little about it, and nothing about the topics of the debate, but focused on reform of the House of Lords. It was not entirely helpful to the Government, but he made it clear where his mind was focused.

He was honest enough to say that he opposes the Government's approach to higher education funding and is happy to abandon the idea of increasing the number and proportion of our young people who are able to study for a degree—an opinion with which many Members on the Government Benches would disagree passionately. The hon. Member for Wantage (Mr. Jackson) and the right hon. Member for Kensington and Chelsea (Mr. Portillo) have also disagreed with that view.

I want to focus on today's topics of local government, environment and transport. I found it significant that it was not until 5.46 pm that my hon. Friend the Member for Morley and Rothwell (Mr. Challen) made the first serious contribution on the environment—I shall return to that in a few minutes. In fact, the debate in general shows that there is real meat in our programme. My hon. Friend the Member for Sheffield, Attercliffe (Mr. Betts) addressed the challenge of legislation on houses in multiple occupation and the licensing of landlords, which is good news for those of us who have dealt with housing issues at a constituency level over many years.

I was surprised that the right hon. Member for Skipton and Ripon (Mr. Curry), who spoke for the official Opposition, sought to rubbish the idea of a package to protect house purchasers. I have to say that he is out of touch with the reality of buying and selling houses, and that my right hon. Friend the Deputy Prime Minister has got it right with his proposals for the sellers' pack. I was even more surprised to hear the right hon. Gentleman abandon his promise to discuss what is in the Queen's Speech to demand that regional assemblies in England be given the same powers as the Scottish Parliament. The hon. Member for South Holland and The Deepings (Mr. Hayes) took a different view: he was critical of the regional dimension in government, appearing not to realise the extent to which regional government existed by 1997, when the Government were first elected. We have made regional government more effective, coherent and accountable. This is a Government with a policy for regional government—a Government who are giving people the choice on making regional government accountable to their elected representatives. I would say to Conservative Members that it behoves none of us who were elected to talk down the importance of accountability to an electorate.

Mr. Curry: In relation to accountability, the Government have clearly said that regional assemblies will have a very small number of elected representatives—the figure of 30 to 35 is quoted. As I understand the Government's proposition, some of those members will be elected by proportional

[Mr. Curry]

representation and some by constituency. There are 5 million people in Yorkshire and Humber. Can the Minister tell us how accountability will be enforced and improved by removing district councillors, who represent a few hundred—perhaps a few thousand—electors, in favour of regional assembly representing 250,000 people?

Alun Michael: The right hon. Gentleman ignores the fact that the increased accountability at a regional level is for a level of government that is already there.The hon. Member for South Holland and The Deepings made a series of detailed and constructive points on housing issues, particularly in relation to disabled people. I am sure that they will be returned to when the Bill is before the House.

The right hon. Member for Skipton and Ripon said little about the big issues of the environment or the needs of rural areas, which the Government are addressing. In describing the district council as the elected level that is closest to the people, he completely ignored parish and town councils, which increasingly provide real local leadership in rural communities. I am pleased to report that there has been a good response from around the country to the quality parish and town councils scheme that is being promoted jointly by DEFRA and the Office of the Deputy Prime Minister. On Wednesday, I shall present certificates to the first clerks to complete the professional qualification that is a key element in quality status. However, it is not just about qualifications. I commend the National Association of Local Councils and the Society of Local Council Clerks, several of whose regional conferences I have attended in recent weeks. They were lively and enthusiastic and have moved further in a year or so than I expected in four or five years.

The future of rural communities depends on a whole range of issues. Three weeks ago, my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs outlined her vision for rural England based on sustainable development and the right balance of economic, social and environmental considerations. We are refreshing rural policy, reviewing the rural White Paper and focusing on delivery and the needs of local communities. That is complemented by the vision in the Queen's Speech that was spelled out by my right hon. Friend the Deputy Prime Minister, and which is focused on issues that matter to people. Often, policy is spelled out nationally, but delivered locally by local government and other regional organisations.

In that context, I was interested and encouraged to hear several hon. Members stress the need for not only legislation but public engagement. Engaging people and creating a new "localism" fits well with the powerful sustainable development theme that my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) appears to have missed. Indeed, his response to an intervention by an Opposition Member brought him closer to the Government's view than he may care to admit.

In making a point about public engagement, the hon. Member for Sevenoaks (Mr. Fallon) underlined the need to get to grips with people's behaviour. He was wrong to suggest that the Government focus only on legislation. We need an underpinning of legislation to deal with antisocial behaviour and there is scope for simplifying, clarifying and strengthening the law. However, there is a continuum of action that involves the engagement of the public, public bodies, business and voluntary organisations—the community and the individuals who make it up—as well as a lead from the Government.

I have always believed in a continuum from low level antisocial behaviour, such as graffiti, litter, fly posting, fly-tipping, rudeness and incivility to theft and violence. The broken windows theory is that the feeling of, "No one cares around here" quickly leads to, "It doesn't matter how I behave." That continues to hold true. Let me give an example of how we can make a difference. I recently launched a voluntary code to engage businesses, local government and the public in dealing with fast-food litter. It is not wishful thinking, but based on what has worked. Places that measured fast-food litter reported a 12 per cent. deterioration, but a 20 per cent. improvement in areas that have piloted the partnership approach.

I hope that all hon. Members will commend Environmental Campaigns—ENCAMS—for its work and note the file that I have distributed to it recently. It shows what each of us can do in our constituencies. I agree with my hon. Friend the Member for Morley and Rothwell, who showed that environmental issues stretch from local environmental quality, through national policies to international challenges and our contribution to improving air quality and tackling global warming.

It is worth remembering that two important environmental Bills recently completed their passage. The Waste and Emissions Trading Act 2003 enables the United Kingdom to face two of the biggest environmental challenges—climate change and the need to move towards more sustainable waste management. The Water Act 2003 builds on existing legislation to further the sustainable use of water resources—a current issue—and strengthens the voices of water consumers, increases the opportunity for competition in the supply of water and promotes water conservation.

Several hon. Members raised specific issues, which I hope we can pick up. For example, the hon. Member for Sevenoaks referred to consumer credit. The Department of Trade and Industry has been reviewing the Consumer Credit Act 1974 and will set out its conclusions in a White Paper that is to be published shortly.

My hon. Friend the Member for Strathkelvin and Bearsden (Mr. Lyons) mentioned school transport. I am sure that he will pursue the way in which we deal with that subject with colleagues in the Scotland Office and the Scottish Parliament. He asked why we needed to tackle the issue. School transport costs £0.5 billion a year and has an impact on rural authorities. It therefore needs to be addressed. The excellent report on transport and social exclusion, which the social exclusion unit undertook and led, challenges us all to think more flexibly about transport in general, including education provision, health transport, community transport, the use of bus subsidy and so on. I support colleagues in the Department for Transport who are trying to open up the debate and those in the Department for Education and Skills who ask us all to engage with issues of cost and necessary service.

The hon. Member for Maidenhead concentrated on transport in the first part of her contribution and referred to congestion and its impact on business. She should welcome the opportunity that the traffic management Bill offers to debate the subject in detail. The Government recognise that traffic congestion costs our economy billions of pounds and believe that it is up to us to identify the causes and do what we can to manage them. We have therefore introduced the Bill. Lectures do not sit well when delivered by members of a party that wrecked the rail system and failed us on the environment locally and globally.

In contrast, my hon. Friend the Member for Crewe and Nantwich (Mrs. Dunwoody) raised a series of transport issues, drawing on her deep knowledge as Chair of the Transport Committee. That promises the House a lively year on transport.

Like several Members, particularly my hon. Friend the Member for Middlesbrough, South and Cleveland, East (Dr. Kumar), I welcome the effort being made by my right hon. Friend the Deputy Prime Minister to update and modernise the planning system. That is never easy. I chaired Cardiff city council's planning and development committee for a time, so I have to confess that I have form. Planners and planning committees are always an easy target. They are attacked by people whose applications are turned down and by those who see things built that they did not want in their local area. Neither believes that there can be any merit in a decision that went against their particular view.

I know that my right hon. Friend the Deputy Prime Minister has no intention to throw out the baby with the bath water in enabling local authorities to come to the right decision on those issues, but I welcome the recognition of the need, for instance, to diversify the rural economy. Planning needs to keep pace with change, although that is not easy. I yield to no one in my enthusiasm to protect our national parks, but I do not want our protected landscapes to be turned into museums of the landscape. Our protected landscapes and our countryside generally need to be living communities, which means that planning considerations must look not only at the protection of the environment but at the social and economic needs of the communities that live in them.

In that context, I particularly welcome the contribution of my hon. Friend the Member for South Dorset (Jim Knight). I visited the world heritage site in his constituency. It is a good example of landscape that is of enormous international importance, and which is therefore protected, and yet is a driver for the local economy. I agree with the balance that he struck in his contribution.

My hon. Friend also rightly emphasised the work of firefighters and the importance of the legislation set out in the Queen's Speech. He is also right to emphasise the importance of legislation on animal welfare and the complexity of much of our existing legislation. I have to say to the hon. Member for Maidenhead that I will not take lessons on animal welfare from a party that has neglected that issue so consistently over the years.

As my hon. Friend the Member for South Dorset said, work is going on to prepare legislation. There is a lot of engagement with the animal welfare organisations, but legislation is not ready. In any event, we want to deal not only with current issues, although we are getting on with many of the current challenges. I cite the example of live exports of horses, which we are addressing. The Ragwort Control Act 2003 has, with our support, just completed its passage through both Houses and we are preparing for an animal welfare Bill, which, when it comes before the House, will be seminal. The Conservative party voted against the regulation of fur farming and all sorts of other things—it has little to teach us on those issues.

It is a pleasure to refer to a variety of issues that represent the mainstream of work for me and for the Under-Secretary of State for Environment, Food and Rural Affairs, my hon. Friend the Member for Exeter (Mr. Bradshaw), who takes the lead on animal welfare generally. The hon. Member for Uxbridge (Mr. Randall) demanded action to bring an end to the interminable debates in the House on the issue of hunting. I simply confirm to him that, as the Prime Minister made clear last week, the issue will be dealt with in this Parliament. We have a manifesto commitment to enable Parliament to reach a conclusion on it and we will keep that commitment.

The hon. Gentleman went on to refer to the marine environment. I can assure him that the Government have not lost sight of the need to protect it, but I am pleased that he acknowledged the work that has been done on the wider protection of our natural heritage and the encouragement of biodiversity.

I echo the welcome given by my hon. Friend the Member for Edmonton (Mr. Love) to the communities plan approach, which is about creating an effective and flexible system to deal with the long-term needs of urban or rural communities. I commend my right hon. Friend the Deputy Prime Minister for striking a clear balance between the social, environmental and economic needs of any local community. That is as true for my hon. Friend's London constituency as it is for constituencies in any other city or in rural communities.

I am pleased to say that there is an increasing sense of a team approach to the needs of rural communities. Not only are we the first Government to create a departmental leadership for rural communities, but it is the Labour party in government that has become the first political party to establish a national conference on rural policy—now part of Labour's mainstream programme.

I was present in the city of Newport for the launch of the "big conversation" at the end of last week, and it has already started in rural communities, including the rural policy seminar that we held in September and the seminar on rural housing held by the powerful group of Back-Bench Labour rural MPs. Conservative Members ought to remember that it is Labour MPs who now represent rural England; Conservatives no longer do so.

Today's debate ranged widely. The hon. Member for Castle Point (Bob Spink) left the content of the Queen's Speech so far behind that he entered the realms of anti-European fiction. He caused some amusement, but it is serious to hear a Member of this House speak in such extreme terms—anti-European in tone as well as in content—and ignore the strong leadership provided by this Government in making sure that this country's interests are protected and enhanced by our engagement in Europe. The hon. Gentleman did not mention his own constituents until he told us how he is encouraging them to be anti European: how sad!

In contrast, other Members on both sides took the opportunity of this wide-ranging debate to comment on a variety of issues that affect their constituents. Tonight

[Alun Michael]

has illustrated the value of such an opportunity. Colleagues from the Department for Transport and the Office of the Deputy Prime Minister and I have listened with interest and care. There may be specific issues that I have not been able to respond to on which we will write to right hon. and hon. Members. We look forward to continued debate on the detail of this excellent programme as the individual Bills come forward for debate and consideration. I, too, commend the Queen's Speech to the House.

Debate adjourned.—*[Paul Clark.]*

Debate to be resumed tomorrow.

AIDS

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

8.56 pm

Tom Brake (Carshalton and Wallington): I am pleased to have secured this timely debate today, World AIDS day.

It is clear that unprecedented attention is being given to HIV/AIDS at this moment, so there is a great opportunity for increased funding and commitment. However, I believe that this window of opportunity is likely to slam shut shortly. World AIDS day contemporarily switched the media spotlight on to a global crisis that is killing millions and has orphaned 14 million children, but attention will soon revert to Iraq, where the scale of expenditure dwarfs the not insubstantial sums allocated to the battle against AIDS.

A range of initiatives are currently under way or have been launched recently on HIV/AIDS: the recent 46664 fundraising concert in South Africa; the 3x5 initiative, which will put 3 million people on anti-retrovirals by 2005; the Global Fund to deal with AIDS, TB and malaria. There has been comprehensive coverage of the issue by the BBC and in other media outlets in the past couple of weeks and there have been in-depth articles in many newspapers including *The Guardian.* We have heard from abroad that, for instance, Canada is looking at patent law changes that might well be relevant to the UK. Today, we have seen the launch of the Government's own statement, "The UK's Call for Action on HIV/Aids". The sheer range of initiatives highlights a risk that many of them might overlap.

There is also a risk that the appropriate focus placed on the AIDS crisis in the developing countries will perhaps lead us to overlook, or possibly neglect or minimise, the crisis that is still here in the UK. It is worth reminding Members of some of the statistics that relate to the UK. The number of people with HIV in the UK increased by nearly 20 per cent. between 2001 and 2002, and approximately 50,000 people are infected.

One third remain undiagnosed, so they are carrying HIV without knowing it, and without those close to them knowing. It is estimated that by the end of this year, 60,000 people will be infected. Gay men made up the highest number of people diagnosed with HIV in 2002.

There is another interesting point that relates to the UK statistics and makes the link with what is happening in developing countries. The majority—approximately 90 per cent.—of heterosexuals diagnosed with HIV in the UK actually acquired the infection abroad; some 80 per cent. acquired it in sub-Saharan Africa. That shows a clear link between what is happening in the UK and what is happening in the countries most badly affected by HIV/AIDS.

The international statistics are much worse, and much more alarming. More people became infected with HIV this year than in any other year since the beginning of the pandemic, and more people have died of AIDS than in any previous year. As hon. Members will know, treatment is not widely available, although it is here in the UK. Globally, only 300,000 people are receiving treatment—a fraction of the number of sufferers. In South Africa, for instance, 5 million individuals, out of a population of 40 million, are infected. We should all welcome the recent concert and the South African Government's belated recognition that this is a major issue.

This year, we have seen the highest level of spending on HIV/AIDS: $4.7 billion. That is welcome, given that spending in the previous year was $3.2 billion, but again, it is a drop in the ocean compared with what is required. I could read out other alarming statistics for many countries in the developing world. We are very familiar with what is happening in Africa, but something worse is coming down the road in terms of what will happen in Asia. Problems are already arising in eastern Europe, but given Asia's much larger population, the potential exists there for problems on a scale that we have yet to witness, even in Africa.

What has been the Government's response? First, I welcome the call for action, and the fact that the Prime Minister has formally backed it. That is only right, and it establishes the importance of this issue. The Prime Minister said:

> "I can promise that HIV/AIDS will be at the top of our international agenda as we work towards our Presidencies of the G8 and the European Union in 2005."

He continued:

> "We will make HIV/AIDS a centrepiece"

in the call for action.

That is welcome, but a memo leaked to *The Guardian* a few weeks ago—it was referred to in an article of 22 October by that paper's economics editor—stated that Britain was

> "planning to use its presidency of both the European Union and the G8 group of industrial nations in 2005 to kick-start the trade talks again".

I am willing to bet that, if my researcher had had time to do the necessary research this afternoon, she might also have found references to the UK presidency's being used to put the focus on reform of common agricultural policy, on raising environmental standards in the European Union, and so on. There may be a tendency to push more and more on to that agenda, and for the UK to say that it will focus on a range of issues. It is clearly impossible to make everything the centrepiece of the UK's presidency, and I hope that the Minister can say a little about how the respective priorities will be allocated to the very important issues that the UK will want to focus on during its presidency of the EU, and of the G8.

I state without reservation that it is clear that the Government recognise the risk of overlapping initiatives, and of duplication and double-counting; indeed, the call for action exists in part to address that issue.

The Three Ones initiative is one strategy and one commission, offering one way of measuring and reporting progress in different countries, which could help to streamline the funding process and ensure that the various initiatives do not overlap. However, it is worth examining the detail of some of the different programmes to illustrate some of my concerns.

The World Health Organisation's initiative is sometimes called the 3x5 initiative. The WHO will lead that effort and provide emergency response teams at the request of Governments. It will work with treatment implementers and establish an AIDS drugs and diagnostics facility to assist countries and implementers in their work. It will publish uniform standards and simplified tools to track the progress of ARV treatment programmes, and it will start the emergency expansion of training and capacity development for health professionals.

Let us examine what the Clinton foundation aims to do. The initial remit seems straightforward enough—and seems completely different and separate from the WHO programme—in seeking to reach agreement with drugs manufacturers on a major reduction in the price of AIDS medicine, which should obviously be welcomed. However, the agreement covers ARV drugs delivered to people in Africa and the Caribbean and will also contribute to working with Governments to set up countrywide integrated care, treatment and prevention programmes. One can see the potential there for some overlap. The Clinton initiative aimed to have 2 million people in receipt of medicines by 2008—a slightly different target.

The Minister might say that all those aspects are rolled into one programme and that although the different initiatives appear to talk about different components, if we add them all up together, they are all perfectly dovetailed. I would like to think that that is so, but it is not immediately evident from the work of the different organisations.

The Clinton initiative involves working in Africa—Mozambique, Rwanda and South Africa in particular—but the US emergency plan for HIV/AIDS relief will also operate in Mozambique, Rwanda and South Africa. Clearly, there is potential for overlap or for different programmes to operate in the same country. The American plan has a slightly different target, aiming to prevent 7 million new infections, to provide ARVs to 2 million additional people with HIV and to care for 10 million individuals, including orphans, with HIV/AIDS.

There is also the World Bank initiative on HIV, which looks into the scalability and cost-effectiveness of programmes and talks about working in different countries in Africa. I have not examined it in detail, but I suspect that it will overlap in respect of the countries that I just mentioned. The only programme so far that does not seem to overlap—it could be a reflection of the level of information that I have about it—is the Bill Gates Foundation programme, where the initiative seems to be focused on providing funds. However, the detail could reveal that it is also about setting up specific programmes, which could overlap with others.

I am sure that my simple question to the Minister will require a complex answer. How does the Department intend to work with all the different initiatives and what role will it and the Government have in attempting to ensure that they all dovetail properly, do not overlap, do not duplicate effort and do not double-count the number of people treated by the different programmes? As alluded to in the Government's call for action, some developing countries spend more time trying to negotiate with the different donor programmes and donors than in treating the epidemic itself—a key issue that the Government must deal with. The call for action partly addresses that, but we need to see more detail, which I hope will emerge from the Government's consultations.

There has clearly been a shift in the Government's emphasis.

[Tom Brake]

That is mainly the result of the welcome reduction in the cost of drugs, but it may also be due to the fact that the death rate is accelerating. There has been a move away from the development of health systems and human capacity in developing countries to an approach that incorporates the actual delivery of HIV/AIDS treatment. Can the Minister tell us how those approaches will be incorporated both at the country level and in terms of the budget allocations? The Department appears to have announced a shift in emphasis, or possibly an equal focus, so does it anticipate having a continued role in HIV prevention?

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Absolutely.

Tom Brake: Well, as we have a fair amount of time for the debate, I am sure that the Minister will be able to set out the Government's role in some detail.

On Government funding, the Minister will know that Dr. Peter Piot announced on 25 November that HIV has received an unprecedented amount of political attention this year and that funding had reached its highest level—$4.7 billion, compared with $3.2 billion in the previous year. The Minister will also know that Kofi Annan said that the amount needed to deal with the pandemic is between $7 billion and $10 billion per annum. Should not more resources be allocated to tackle the pandemic, which risks reaching a massive scale in India and China? Should not that investment be made now? Is sufficient funding going to the global fund to fight AIDS, tuberculosis and malaria, and to other funds?

The Government say that they plan to double the amount going to UNAIDS. Can the Minister tell us exactly how much that will be and when that doubled core funding will be made available? It would be helpful if he could write to me setting out the Government's precise funding commitments to address HIV/AIDS in the developing countries for this year and the next five years. That would give us a clear picture so that we can see what those commitments deliver in future years.

Can the Minister comment on some joined-up government issues? The plan of action is welcome, but it is difficult to see how much co-operation there will be between departments on tackling HIV/AIDS. The Minister will know that there is a link between HIV/AIDS and food poverty—one can lead to the other. What discussions are taking place between Departments about issues such as the small arms trade? Conflict has a major impact on poverty and HIV/AIDS and on Governments' ability to put resources into tackling a major health crisis. If the UK continues to play its current role in supplying arms to developing countries, there must be greater controls to ensure that such arms do not end up in the hands of different militias—the ensuing conflict would exacerbate the health problems.

What else is needed? I hope that the Minister can comment briefly on whether the UK Government have considered the Canadian Government's initiative: to look into legislation that would allow Canadian manufacturers of generic drugs to export cheap copies of patented AIDS drugs to poorer countries. I understand that the Canadian measure would comply with the World Trade Organisation agreement on trade-related aspects of intellectual property rights. It is the first proposed by any G8 Government to meet the drugs needs of developing countries.

I know that there is a slight difference between our manufacturing industries, in that Canada has a strong generic drugs industry, but there is no reason that the UK could not initiate similar developments.

Have the Government received any representations from generic drugs manufacturers asking them to consider what Canada is doing, or from other drugs manufacturers asking them not to consider any such changes?

The announcement by the Department for International Development today, which was backed by the Prime Minister, is a rousing call to action. It reminds us that we ignore at our peril the warnings from the international community about the ravages of AIDS, and it also reminds us that we must not let the Government forget their pledge to make AIDS the centrepiece of the G8 and European Union presidencies in 2005. If we forget, we will have on our consciences the preventable deaths of millions of our fellow world citizens, and humanity would never forgive us.

9.15 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): I congratulate the hon. Member for Carshalton and Wallington (Tom Brake) on securing this debate. He has done the House a favour by allowing us to discuss this issue on world AIDS day. In the past few days, we have had a series of key reports and announcements of further action by Governments and donor agencies across the world. I, too, wish to take this opportunity to pay tribute to the excellent concert initiated by the former President of South Africa, Nelson Mandela. Those announcements represent a significant moment in the mobilisation of resources across the world to fight the HIV/AIDS epidemic.

In the United Kingdom, we are beginning to step up our effort significantly, but much more still needs to be done. That point was emphasised by my right hon. Friend the Secretary of State for International Development when he attended the launch last week of the 2003 United Nations report on the state of the AIDS epidemic. The scale of the epidemic is, as the hon. Gentleman suggested, truly horrific. Some 20 million have already died from HIV/AIDS. This year, some 5 million have become newly infected, and some 3 million will die. On average, 14,000 new infections have occurred every day this year, almost 2,000 of which are in children under 15.

Some 14 million children have already lost one or both parents, a figure that is expected to rise to some 25 million by 2010. In the worst affected communities, children are often left to rely on elderly grandparents as their only support. Income in such households is likely to be lower than average. Households fostering orphans in rural Zimbabwe were found to earn on average more than 30 per cent. less than non-AIDS-affected households. Orphans are at much greater risk of HIV infection. They are less likely to attend school and more likely to suffer poor health. They are much more vulnerable to physical and sexual abuse. Evidence from Mozambique shows that non-orphans are three times more likely than orphans to be in school.

People who are politically and socially marginalised, including women, migrant workers, sex workers and injecting drug users, are less likely to have access to health services and the public health information that they need to prevent infection. They are, therefore, much more vulnerable. In sub-Saharan Africa, women are 1.2 times more likely to be infected with HIV/AIDS than men. More than one in five pregnant women are HIV infected in most countries in southern Africa. Women, most of them elderly widows, shoulder most of the burden of caring. In Zimbabwe, more than 70 per cent. of carers are women over 70. Women are less likely to be cared for or to have access to services. Unfortunately, women with HIV or whose husbands have died as a result of HIV infection may lose inheritance and land rights, because of the discrimination that still exists.

The hon. Gentleman is right to say that countries in conflict are particularly affected by the epidemic. Young women and poor children are more likely to enter into sexual bartering and are acutely vulnerable to sexual violence. About 11 per cent. of Nigerian peacekeepers and 60 to 70 per cent. of the South African army are HIV positive. Demobilisation can also lead to an increase in HIV prevalence, as soldiers return to their home communities, taking HIV/AIDS with them.

Unless urgent action is taken, the epidemic will continue to turn the clock back decades in the battle against global poverty. It is worth touching on the sheer scale of the impact of HIV/AIDS on the very public services that we would expect to help in the battle against the disease. Education and health services—two of the key public services that one would expect to help in that battle—have been hardest hit. In Zambia, for example, teacher absenteeism because of HIV infection is expected to cut the number of teaching hours by about 20 million between 1999 and 2010. In Botswana, estimates suggest that up to a third of health workers may have been infected in 1999 and that up to 40 per cent. could be infected by 2005.

HIV/AIDS is not only weakening the capacity of public services, but placing new demands on them because of the number of people infected. There is a need for better education and better health services. HIV is already generating a tuberculosis epidemic, again increasing the pressure on already overstretched health services. There are indications that, in the worst affected countries, the ability of the state to ensure law and order has been compromised, as the bodies charged with maintaining stability are affected by HIV/AIDS and mortality.

Kofi Annan has again recently highlighted the need for leadership on the issue. Some countries have had considerable success in combating the epidemic, and one of the key reasons for that success is determined political leadership. For example, Brazil has managed to control its infection rate to a little over 0.5 per cent.—half that projected. Uganda has cut the prevalence of HIV/AIDS from a peak of 15 per cent. in 1991 to just 5 per cent.—still too high—in 2001. Early action in Senegal has kept the infection rate at 2 per cent. Strong political commitment and leadership has been at the heart of the response in those countries. President Museveni played a key role in leading the Ugandan effort to get early and decisive action from the different agencies of the Ugandan state.

Other aspects of the political commitment that is needed include engaging a broad range of stakeholders in mounting a response. Civil society, local community leaders, religious groups and people living with HIV/AIDS all need to be brought on board, and the private and public sectors need to be lined up too. International donors are also clearly important in supporting those national efforts.

Leadership is essential in reinforcing strategies to combat this dreadful disease and in helping to deliver not only the access to treatment that is needed, but effective prevention work, which the hon. Gentleman rightly said must be at the heart of the international response. Leadership is also needed to minimise the economic and social impacts of HIV/AIDS on the rest of a country's people. Leadership is particularly important if we are to challenge the stigma and discrimination that prevents countries from making effective responses to HIV/AIDS. Where that stigma is pervasive, people will not come forward for testing or treatment. A major factor, for example, in pregnant women not finding out if they have HIV/AIDS is that they fear the reaction of their husbands, families and communities. We will certainly not be able to achieve the target of 3 million people on treatment by 2005, unless we continue to challenge the stigma and discrimination that those with HIV/AIDS face.

The hon. Gentleman asked what the United Kingdom is doing. So far, according to UNAIDS, we are the second largest bilateral donor on HIV/AIDS. In the past six years, our funding has increased from £38 million in 1997–98 to more than £270 million in 2002–03. Our contribution accounts for some 28 per cent. of all projected bilateral spending on HIV/AIDS—second behind the 35 per cent. from the United States. We are active in nearly 40 countries, and our bilateral funding supports the national HIV/AIDS strategies of developing country partners, involving all relevant parts of government.

In addition, we have provided £1.5 billion in support to strengthen health systems more generally in developing countries. Internationally, we have worked successfully to push the crisis up the agenda of all international bodies, including the United Nations, the G8 and the European Union. We have provided strong support for research, including more than £70 million for microbicides research, and some £40 million for the international AIDS vaccine initiative. We are also working in all 40 countries with non-governmental, private and multilateral partners to improve prevention, treatment and care programmes.

The hon. Gentleman rightly identified the need to look beyond sub-Saharan Africa, and to recognise the rising scale of infections in Asia, Europe and central Asia. To give an example of what we are doing, the UK has committed £123 million to India's national AIDS control programme and is supporting hundreds of Government-led programmes that are having a major impact in halting the rise in infection. A programme in Calcutta, for example, has seen condom use among sex workers rise from 1 per cent. to 90 per cent. In conjunction with the BBC World Service Trust, a popular television series has been developed there with strong HIV awareness and reproductive health education measures at its heart, reaching audiences of some 150 million people.

[Mr. Gareth Thomas]

The UK also works extensively through multilateral organisations including UNAIDS. As the hon. Gentleman said, we have increased funding to UNAIDS from £3 million to £6 million, which will kick in from 2004. We were a prime mover in setting up the global fund to fight AIDS, TB and malaria and we have already committed some $280 million over seven years to ensure that it has long-term, stable funding. By working through the World Trade Organisation, to which the hon. Gentleman alluded, the UK secured an agreement to enable those countries without manufacturing capacity to access cheaper medicines.

I am sure that the House will be pleased to know that the Prime Minister, as the hon. Gentleman mentioned, has accepted Kofi Annan's challenge and has already shown considerable leadership on this issue. On 20 November, with President Bush during his visit to this country, talks were held with African Health Ministers and other opinion leaders and NGOs on HIV/AIDS in Downing street. Next week, we will raise HIV/AIDS with other world leaders at the Commonwealth Heads of Government meeting in Nigeria. I can also confirm that the Prime Minister has accepted an invitation from the International AIDS Trust to become one of its co-chairs, alongside former Presidents Clinton and Mandela. The IAT has already played an important role in bringing together political leaders, parliamentarians, private sector leaders, women's leaders and business leaders to focus on HIV/AIDS.

Tom Brake: Can the Minister spell out what raising HIV/AIDS at the Commonwealth conference means? Are the Government going there with a fundraising target in mind? What are the Government going to raise specifically, and what are they hoping to get out of that meeting?

Mr. Thomas: The intention of raising HIV/AIDS at the Commonwealth Heads of Government meeting is to continue to encourage political leadership from the other leaders there, to encourage the process of donor co-ordination—to which I will refer in specific terms shortly—and to continue to ensure that there is debate and dialogue as to what individual leaders believe is missing or lacking in their countries.

As the hon. Gentleman mentioned, the World Health Organisation today launched its 3x5 strategy. We in the UK have welcomed the initiative to get some 3 million people on treatment by 2005. We recognise that the international community needs to take advantage of the opportunities offered by recent reductions in drug prices to make those treatments accessible to the poor. We certainly cannot stand by and witness the sheer inequality of four Africans dying of AIDS every minute while in richer countries anti-retroviral drugs make it possible for people not only to survive but to go back to work and lead productive lives.

As the hon. Gentleman suggested, only 300,000 people are currently on treatment in developing countries and only 1 per cent. of Africans with HIV/AIDS who require treatment receive it. The WHO's target is an ambitious scaling up of current levels. We must ensure that the implementation of the scheme is equitable and that poor communities, and especially women, may access treatment.

As the hon. Gentleman said, we announced in a written statement earlier today the publication of a call for action on HIV/AIDS. The challenge of HIV/AIDS is especially acute in Africa, where AIDS is the biggest killer. However, as he said, we must not allow the spotlight to move away from the need for an effective response in parts of Asia and eastern Europe, where the pace of the increase of the disease is even higher than in sub-Saharan Africa.

Arresting the epidemic is an achievable goal, as is illustrated by the examples of Brazil, Uganda and Senegal. We know what needs to be done. Stronger political direction is needed and better funding and donor co-ordination is important. The taskforce for five African countries that was set up during President Bush's visit was designed to try to improve donor co-ordination and to share the analysis of problems in countries with Governments. It was also designed to ensure that bureaucracy and the need to fill in forms to access resources does not prevent proper work by country Governments.

Alongside better donor co-ordination, better funding and stronger political direction, we need better HIV/AIDS programmes in countries and, crucially, continuing momentum. I am delighted that there is gathering international momentum that has led to a proliferation of activity and greater funding. However, money and energies are not being used as well as they could be, which is why there is a focus on donor co-ordination. The hon. Gentleman rightly challenged us in the UK to play our part in eliminating some of those difficulties.

The essentials of a strategy can be crystallised by the need for one HIV/AIDS strategy, one HIV/AIDS commission and one way of measuring and reporting progress. We want individual countries and the international community to sign up to that because it will help to ensure that there is not double counting, which the hon. Gentleman was rightly worried about, and that effective donor co-ordination is in place. Such co-ordination is important if we are to meet our targets.

We are calling on the international community today to get on track to meet the millennium development goal of slowing the progress of HIV/AIDS by 2015. We want it to meet the UN target of cutting infections among young people by a quarter and, crucially, the WHO's target of getting 3 million people worldwide on treatment by 2005. We want to ensure that women and poor people are reached. We will require all our efforts throughout the international community to be intensified over the coming months and years. We must do more for people who already have AIDS, which will require us to address increasing access to treatment. I accept that prevention must remain a fundamental part of our strategy. We have focused on prevention up to now, so we will need to rebalance our programmes. The UK is committed to getting £1 billion into Africa by 2005–06 and to ensuring that HIV/AIDS is a priority for the additional £320 million that that will generate for Africa.

Tom Brake: The Minister mentioned a figure of £1 billion for Africa. May I bring him back to the subject of conflict? One could examine the revenue that the UK derives from arms sales in Africa, which I suspect dwarfs the £1 billion in aid that will be contributed. What discussions will his Department hold with other UK Government Departments about conflict and trying to ensure that the wealth of many African states will not be eaten up by funding an arms race when their money could be spent on resolving the health crisis?

Mr. Thomas: The hon. Gentleman may already have had the chance to digest the call for action, and he will recognise that it is the beginning of a process of consultation not only across Government but with NGOs. As part of that, we will obviously be discussing with other Departments all the issues that have an impact on HIV/AIDS, and I am sure that conflict will be part of those discussions.

We know that drug prices are falling. We know that international political interest and commitment are growing and that new money has been committed. We stand ready in the UK to help to achieve the World Health Organisation's ambitious goal to get 3 million people on treatment. The call for action that we published today is the first step in an intensification of effort by the UK Government to tackle the epidemic. We have made it clear that we will make HIV/AIDS, together with Africa, a centrepiece of our presidencies of the G8 and the European Union in 2005. As I indicated, next year we will publish a new Government strategy on HIV/AIDS.

I hope that there will be other opportunities to discuss our response to HIV/AIDS, and again I congratulate the hon. Gentleman on securing the debate and allowing us to have this discussion.

Question put and agreed to.

Adjourned accordingly at twenty-five minutes to Ten o'clock.

House of Commons

Tuesday 2 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

SCOTLAND

The Secretary of State was asked—

BCCI

1. **Keith Vaz** (Leicester, East) (Lab): What discussions he has had with the First Minister concerning compensation for the victims in Scotland of BCCI. [140743]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): My right hon. Friend the Secretary of State has had no recent discussions with the First Minister on this subject.

Keith Vaz: As my hon. Friend will know, when BCCI closed on 5 July 1991, many people in Scotland and a number of local authorities, such as the Western Isles, were affected. At the time, they were told that no money was left in the bank. Twelve years later, 70 per cent. of that money has now been repaid to those individuals and local authorities; therefore, 30 per cent. is still left. Will she meet the First Minister and press upon him and other members of the Government the need to draw that sorry state of affairs to a close? After so many years, is it not time that all the money was now paid out?

Mrs. McGuire: I thank my hon. Friend for his question. I assume that he wants me to meet the Chief Secretary, rather than the First Minister, because this is a matter for the United Kingdom Government. I understand that Western Isles council has recovered all but a relatively small sum of what it lost in 1991, as a result of the dividends paid by BCCI's liquidators. The whole issue is now a matter for the liquidators. Having said that, I will of course raise the issue with the Chief Secretary in the light of my hon. Friend's question this morning.

Oil/Gas Exploration

2. **Sir Robert Smith** (West Aberdeenshire and Kincardine) (LD): What discussions he has had with the Foreign Office about the impact of the draft European constitution on investment in oil and gas exploration jobs in Scotland. [140744]

4. **Angus Robertson** (Moray) (SNP): What discussions he has held with the Foreign Secretary on the energy provisions of the draft constitutional treaty of the EU. [140746]

The Secretary of State for Scotland (Mr. Alistair Darling): I have met representatives of the oil industry, and we have made it clear that we will not agree to any proposal that is inconsistent with the United Kingdom's energy interests.

Sir Robert Smith: I thank the Secretary of State for that answer, which is helpful in so far as it goes. I must declare an interest related to oil and gas exploration that is registered in the Register of Members' Interests. Last night, at the sitting of the Standing Committee on the Intergovernmental Conference, the Foreign Secretary said that nothing is agreed until everything is agreed and that, therefore, we will never know what the outcome will be until the final draft constitution comes out of the IGC process. Does the Secretary of State recognise that if the energy chapter remains unamended, it will put uncertainty into the minds of investors, damaging vital investment in the exploration and production of North sea oil and gas, which provides so many jobs in Scotland?

Mr. Darling: I do recognise that, and I was in Aberdeen last week and met representatives of the oil industry. I am in no doubt about the importance of North sea oil not just to Scotland, but to the whole of the United Kingdom, but the proposals as drafted are not acceptable to the Government. We have made it clear that we are extremely concerned about the proposals on taxation, which we regard as a matter for member states' national Governments. We are also concerned about the proposal in relation to the extraction of oil from the North sea, as well as powers in times of emergency. Those matters are of great importance, which is why we are pressing them—the Prime Minister made that very clear in the House a couple of weeks ago—and we shall continue to do so. As for the outcome, the Foreign Secretary was simply pointing out the obvious to the hon. Gentleman: the conclusions are reached at the end of the day, not now. We have not yet reached the conclusions. We are continuing to press the matter.

Angus Robertson: Yesterday, at a sitting of the Standing Committee on the IGC, Foreign Office Ministers refused to confirm the text of the amendment on the controversial energy chapter; less than half an hour ago, the Minister for Energy, E-Commerce and Postal Services did so at a sitting of the European Scrutiny Committee. The amendment shows that the UK Government are not seeking to retain the power over treaty negotiations and boundary issues, and that they did not even include the text about important fiscal measures. Will the Secretary of State confirm what that text states and what the Government intend to do on boundary and treaty negotiation issues? When will they pull their finger out and pull their weight on this important subject?

Mr. Darling: As I told the House a few moments ago, the Government are very concerned about the text that the Commission has proposed. We are holding discussions with other member states. The matter was discussed with Foreign Ministers at the weekend, and we are currently discussing with other member states a redrafting of the text to meet the United Kingdom's concerns. The issue is of great importance, which is why we will continue to press it.

Mr. Frank Doran (Aberdeen, Central) (Lab): I welcome my right hon. Friend's statement and the commitments that other Ministers, including the Prime Minister, have given. The North sea oil and gas industry is extremely important not just to the north-east of Scotland and East Anglia, but to the whole country. I know from the Secretary of State's visit to Aberdeen last week, which was very welcome, that he will be seized of that fact, but ending the uncertainty is important to the oil industry. This is the time of year when investment in the North sea for next year—the period following April—is negotiated, and not always with the London or UK offices that are fully seized of the issue, but with the Houston and Dallas offices, so is it not important that the uncertainty should end as soon as possible?

Mr. Darling: My hon. Friend, who knows a great deal about the North sea and the taxation regime there, is quite right. The matter is of immense importance not just to the north-east of Scotland and East Anglia, but to the whole country. That is why we attach considerable importance to making sure that the United Kingdom's interests are safeguarded.

The point that my hon. Friend makes about certainty in the North sea oil regime is equally important, and I am well aware of the fact that companies prize knowing where they stand more than just about anything else. That is why the Government have gone to considerable lengths over the years to ensure that we consult and talk to the industry and try to take it with us. As I told the House a few moments ago, we are continuing to press the matter because it is of great importance to all of us.

Mr. Michael Connarty (Falkirk, East) (Lab): May I take a different view from the hon. Member for Moray (Angus Robertson) and congratulate the Government on the very hard work that they have been doing over the past month to insert amendments into the clauses of the new constitution? I stress that the biggest advantage for Scotland is probably its nearness to the Norwegian fields, and the vital ability of our Government to sign a deal with another nation will be under threat if we do not have specifically in the constitution—it is not in the amendments that we saw today at the European Scrutiny Committee—provision for the right of a sovereign Government to sign a treaty with another nation without the EU keeping that competence to itself.

Mr. Darling: My understanding is that, notwithstanding what is being offered by way of a draft, it is within our competence to sign treaties with countries such as Norway. My hon. Friend is right to draw attention to the importance of that. Because of the negotiations that took place between this country and Norway, we were able to secure gas supplies that will ensure the continuation of work at St. Fergus and Mossmorran.

I return to the point that discussions are still continuing; they were not concluded at the weekend. The Government have made it absolutely clear that we attach considerable importance to getting this right and we intend to continue to do that right up until the constitution is eventually agreed, whenever that may be.

Mrs. Jacqui Lait (Beckenham) (Con): As the Secretary of State has indicated how important this issue is to the north-east, is it not right that oil and gas workers should have a referendum on the new draft constitution whenever it comes out of the mangle?

Mr. Darling: As I said to the House and as the hon. Lady suggests, the matter is of great importance to the north-east of Scotland, but it is also of great importance to people living in Beckenham. The whole of the United Kingdom benefits from the industry. As for a referendum, the Government have made their position clear time and time again, and I am in complete agreement with everything that has been said on that.

Mrs. Helen Liddell (Airdrie and Shotts) (Lab): May I thank my right hon. Friend for his recognition of the seriousness of these matters? Security of supply issues are very important in relation to oil and gas, and to energy in general. The European Union has long had ambitions to extend competence into energy matters, so can he reassure me that he will take the message from the House that there is grave concern about the energy chapter, and will he echo the remarks of the Prime Minister that he will resist it at every opportunity?

Mr. Darling: My right hon. Friend is absolutely right. This appears to be an example of the Commission trying to go further than we believe it should. We believe that it is very important in matters of taxation and our ability to regulate, and extract, the supply of oil from the North sea that we retain the competence and right to do so as a member state. That is very important to us. As Members have said, this issue is not just about the United Kingdom's short and medium-term interests. If we want to ensure that we continue to extract the considerable supplies that are still in the North sea, we must have a stable regime—stable in taxation and stable in regulation so as to ensure that investment stays in place. As I have said, we believe strongly in that and will continue to press the point in the discussions that are continuing.

Malcolm Bruce (Gordon) (LD): Given that there is more oil and gas to be extracted from the North sea than has yet been produced, does the Secretary of State recognise that it would be utterly unacceptable for the United Kingdom to give up its sovereign right to control the depletion policy and licensing? Although he has said that it is not over until it is over, the fact remains that any suggestion that that right would be given up means that the draft constitution would not be a tidying-up exercise, but would involve the total surrender of sovereignty in a crucial area.

Mr. Darling: With the possible exception of the SNP, which almost gives the impression that it has a vested interest in hoping that the discussions do not succeed, the rest of us completely agree about the importance of oil and of getting the provisions absolutely right. I do not think that I should detain the House further by repeating what I have said. The matter is important; that is why we are continuing to press it.

Civil Service

3. **Mr. Brian H. Donohoe** (Cunninghame, South) (Lab): When he next expects to meet the Chancellor of the Exchequer to discuss his proposal to disperse civil service jobs. [140745]

The Secretary of State for Scotland (Mr. Alistair Darling): Scotland will continue to get its fair share of posts created by UK Departments or dispersed from London. The House may recall that last week I announced that the Inland Revenue will create 500 new jobs in a new call centre in Bathgate in premises previously occupied by Motorola.

Mr. Donohoe: I thank my right hon. Friend for that answer. On the Lyons review, what mechanism is being put in place to monitor performance on the transfer of jobs? Will he especially address the fact that in the west of Scotland, including Glasgow, there is a deficiency of civil service jobs? In north Ayrshire, we maintain a level of unemployment that is 1 to 1.5 per cent. above the national average, and it has been estimated that the fact that there are few civil service jobs in Ayrshire is the sole reason for that. Is he aware of that deficiency?

Mr. Darling: I am very well aware that despite the fact that we have large numbers of people in employment, there are parts of the country, including Ayrshire, in which unemployment is higher than we want and where we want to reduce it. On civil service jobs in the west of Scotland, the Ministry of Defence has a significant presence in Glasgow and on the Clyde; the Department for International Development employs 500 people in East Kilbride; the Department of Trade and Industry has offices in Glasgow and the Inland Revenue has offices in East Kilbride; and, of course, the Department for Work and Pensions has set up a new pension centre in Motherwell. I appreciate my hon. Friend's point about Ayrshire, which he has raised with me on several occasions, and when further jobs are dispersed I hope that Ayrshire will benefit. He asked about the west of Scotland, so it should be put on the record that a significant number of UK jobs are based there. I am interested to note that nationalist Members are muttering, because if they had their way, none of those jobs would be there at all.

Mr. Peter Duncan (Galloway and Upper Nithsdale) (Con): The Secretary of State will be aware that people in rural Scotland are suspicious that they are not receiving a fair deal from the Government on job dispersal. In the light of the debacle surrounding Scottish Natural Heritage, what reassurance can he give that the Government will pay more than token lip service to public service relocation commitments? When will rural Scotland get its share of the promised 20,000 jobs to be dispersed from London?

Mr. Darling: Jobs have been dispersed. The hon. Gentleman is right to the extent that rural Scotland, where there has been high unemployment, should benefit. When I was Secretary of State for Work and Pensions, jobs were dispersed to Stornoway, and the Scottish Executive have dispersed jobs to Galashiels. I shall make one point to the hon. Gentleman that he might want to bear in mind when talking to rural Scotland: under his party, given its public spending policies, there would not be such jobs to disperse in the first place.

Mr. Calum MacDonald (Western Isles) (Lab): I acknowledge the relocation of the jobs to Stornoway that my right hon. Friend mentioned and thank him for that. When he next meets the Chancellor, will he point out that figures published last week show that the population of all the Scottish islands taken together has fallen to less than 100,000 and that it is still declining? Does he agree that those figures suggest that the Scottish islands should be a priority area for public sector job relocation for the simple fact that it will always be harder to attract private sector investment to those areas and therefore increase the number of private sector jobs?

Mr. Darling: My hon. Friend is right. Some areas, especially the western isles, have found it difficult to attract and retain jobs. The Government want to try to ensure that we have a balance. As he knows, discussions are being held to bring private sector jobs to Lewis in connection with its wind farm and we hope that they will bear fruit. Highlands and Islands Enterprise and the local council have done a great deal to encourage that. He is also right that public sector jobs could be located in not only the western isles but other Scottish islands, especially as that is easier than before because communications are better and distance is less of a factor. I would like there to be further dispersal. A lot of the work done in Stornoway by the DWP relates to the south of England and I would like such situations to happen more often. His point also applies to other islands and parts of the north and west of Scotland.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): What plans does the Secretary of State have to disperse jobs from the Scotland Office? In his statement of 9 September, he announced a reduction in posts from 96 to 65. Can he confirm that with the 31 posts in the Advocate-General's office, there are now 96 in the Scotland Office as a whole, compared with only 69 in 2000? Why are so many needed and what plans are there to reduce them?

Mr. Darling: The Scotland Office has reduced the number from just over 100 to 65, as the hon. Gentleman said. There are no plans to disperse staff at the moment because I am trying to get them into one building to save considerable sums in renting buildings all over Scotland. They will be in one building in Melville crescent in Edinburgh. Members of staff are also in Dover house in London. That is inevitable. If there is an opportunity for individuals to be dispersed, I shall certainly bear it in mind. No doubt the hon. Gentleman will hand me a brochure for Thurso or Wick if there is a possibility of relocating some jobs there. In the spirit of being straightforward with the House, however, it is unlikely that those jobs will be dispersed—

Mr. Oliver Heald (North-East Hertfordshire) (Con): From the right hon. Gentleman's constituency.

Mr. Darling: They may be in my constituency now, but thanks to the boundary commission they will not be there for much longer.

Elections

5. **Mr. John MacDougall** (Central Fife) (Lab): If he will make a statement on the findings of the Electoral Commission in its report on elections in Scotland. [140747]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): I recently met the chairman of the Electoral Commission who briefed me on the official report on this year's Scottish Parliament and local government elections. I very much welcome this report. My right hon. Friend will consider very carefully all the recommendations made by the commission.

Mr. MacDougall: I thank my hon. Friend for that response. Does she share my disappointment about the declining turnout at elections, especially among young people? Will she assure me that she will use her good offices to do everything she can to improve the figures and to get young people to appreciate the value of their vote?

Mrs. McGuire: I think that the House shares my hon. Friend's disappointment at the turnout at the last elections, in particular at the decision by so many young people not to vote. There was a 10 per cent. reduction from 1999. I share the view that elections lie at the heart of a representative democracy. It is incumbent on all of us who support democratic politics to do everything we can to ensure that young people recognise the value of our democracy. Part of that value is their participation in elections.

Mr. Peter Duncan (Galloway and Upper Nithsdale) (Con): Is the Minister content with a situation in which the Electoral Commission finds that more than one third of the non-voters in May's elections decided to abstain in excess of one month before those elections? Why might that be the case?

Mrs. McGuire: Perhaps the Conservative party had a disaffecting effect on the Scottish people. In all seriousness, however, the issue is not one of party political banter. There is a major difficulty of engaging with young people. All political parties share that problem. No hon. Member can say, hand on heart, that we are invigorating young people in the way that we should. Instead of making cheap jibes across the Floor of the House, the hon. Gentleman should participate in a positive discussion on how we engage young people in the process.

Mr. Duncan: Leaving aside the fact that the Minister wanted to ignore party politics but then proceeded to blame the Conservative party, perhaps as part of her big conversation she will listen to the voice of ordinary Scots, who believe that Scotland has too many politicians and that they are over-governed by a burgeoning Administration. Is not the lesson of the Electoral Commission report that by promising 129 MSPs, when there is a commitment to reduce them, 22 Ministers and one part-timer to do the jobs that used to be done by five, with the cost of the Scottish civil service up by £125 million a year, the people in Scotland are apathetic and disaffected with what the Government have done to government in Scotland?

Mrs. McGuire: There is absolutely no evidence to underpin the hon. Gentleman's statements—*[Interruption.]*—By any objective calculation, people in Scotland support the idea of a Scottish Parliament. That is not why they did not vote at the election. I am not making party political points. There is a serious issue about how we engage with young people, which was at the core of the question asked by my hon. Friend the Member for Central Fife (Mr. MacDougall). We should have a positive discussion on that instead of bantering words across the Floor of the House. I am willing to meet the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) to hear his ideas on how we can all engage young people in the democratic process, not necessarily in party politics.

Mr. Ian Davidson (Glasgow, Pollok) (Lab/Co-op): Does the Minister recall that when proportional representation was introduced for the Scottish elections we were promised that voting participation would increase? Given that it has not, does she agree that the time has come to end proportional representation for the Scottish elections and to move to a system of two first-past-the-post Members for each Westminster constituency?

Mrs. McGuire: That is a debate for another occasion.

ADVOCATE-GENERAL FOR SCOTLAND

The Advocate-General was asked—

Devolution

16. **Miss Anne McIntosh** (Vale of York) (Con): What devolution issues she has considered since 28 October. [140758]

The Advocate-General for Scotland (Dr. Lynda Clark): Since 28 October 32 devolution issues have been intimated to me, all in the context of criminal matters. Although the majority concerned delay in court proceedings, others related to self-incrimination under the Road Traffic Act 1998, the offence of breach of the peace and the system for setting the punishment part of life sentences.

Miss McIntosh: I wonder whether one of the Road Traffic Act cases has involved the question of Scottish police forces immediately imposing fines on the now illegal use of mobile phones while driving. What answer has the Advocate-General given? Is it not inconsistent and unfair that although there is a two-month period of grace in England, in Scotland the penalty is being applied immediately?

The Advocate-General: I am sure that the hon. Lady recognises that we have two separate jurisdictions. The Lord Advocate is in charge of criminal prosecution in Scotland, and he is perfectly entitled to come to his own decision in relation to these matters.

17. **Ann McKechin** (Glasgow, Maryhill) (Lab): What devolution issues she has considered since 28 October. [140759]

The Advocate-General: I refer my hon. Friend to the answer that I gave some moments ago to the hon. Member for Vale of York (Miss McIntosh).

Ann McKechin: I would be grateful if my hon. and learned Friend could confirm what discussions she has had recently with civic society in Scotland and the Scottish legal profession regarding the possible consequences of the civil partnerships Bill that was announced in the Queen's Speech.

The Advocate-General: I have had some general discussions about legal issues, but generally the policy matters are not for me. The legal issues are still to be worked out, and my legal officials will be actively involved in taking forward the Bill. I know that my right hon. Friend the Secretary of State for Scotland has been actively involved in policy matters.

18. **Mr. Alan Reid** (Argyll and Bute) (LD): What devolution issues she has considered since 28 October. [140760]

The Advocate-General: I refer the hon. Gentleman to the answer that I gave some moments ago to the hon. Member for Vale of York (Miss McIntosh).

Mr. Reid: If the Planning and Compulsory Purchase Bill currently before the House were to be passed, thus removing Crown immunity from the planning system, and if the Ministry of Defence were then to apply for planning permission to construct a radioactive waste dump in Scotland, and if a Scottish Minister then refused planning permission, are there any circumstances in which a UK Minister could overrule that decision?

The Advocate-General: That is an interesting hypothetical question, and I do not give answers to hypothetical questions.

19. **Annabelle Ewing** (Perth) (SNP): What devolution issues have been raised with her since 28 October. [140761]

The Advocate-General: Again, I refer the hon. Lady to the answer that I gave some moments ago to the hon. Member for Vale of York (Miss McIntosh).

Annabelle Ewing: I hope that I might do a little better than my colleagues by getting an answer to my question. The Advocate-General will be aware of the outrage in Scotland over the Home Secretary's latest immoral proposal to punish asylum seekers, by taking their children into care. Will she take the opportunity to confirm that the children's panel system in Scotland has jurisdiction over those matters, not the Home Secretary?

Angus Robertson (Moray) (SNP): Say yes.

The Advocate-General: I am afraid that legal questions do not have clear yes or no answers. The hon. Lady will be aware that there is a whole legislative structure under the Social Work (Scotland) Act 1968 which relates to taking children into care. So far as asylum is concerned, there is no question of any punishment. When the proposals are introduced and debated, the hon. Lady will see that they are designed to protect children. Whether or not matters arise under the Social Work (Scotland) Act is still to be resolved.

SCOTLAND

The Secretary of State was asked—

Energy

6. **Mr. Peter Atkinson** (Hexham) (Con): If he will make a statement on the change in Scotland's energy mix over the last five years. [140748]

The Parliamentary Under-Secretary of State for Scotland (Mrs. Anne McGuire): Comprehensive figures for Scotland are not available. However, trends for individual fuels between 1998 and 2002 show falls in the use of oil and coal. There was a small fall in the industrial use of gas. The use of electricity and domestic gas has increased slightly over the period.

Mr. Atkinson: I thank the Minister for her answer. Is she aware that the drive for green energy in Scotland is threatening jobs in Scotland in the wood panel industry and in my constituency? A plan for a new wood-burning power station at Lockerbie will mean that the company will compete with the wood panel industry for the essential raw material that both need, which is wood chips. As the Lockerbie plant will effectively be subsidised under the green energy initiative, it will be able to outbid the wood panel industry for its essential raw material. Jobs are threatened because the companies involved cannot afford the on-costs. Will the Minister undertake to carry out an investigation? A plan that may be entirely sensible on the face of it could do considerable damage to the rural economy of both Scotland and Northumberland.

Mrs. McGuire: I undertake to speak to the hon. Gentleman after Question Time to obtain the details of the specific issue. I will raise it with colleagues in the Department of Trade and Industry.

CONSTITUTIONAL AFFAIRS

The Parliamentary Under-Secretary of State was asked—

Land Registry

20. **Jim Knight** (South Dorset) (Lab): What progress has been made with putting the Land Registry online. [140728]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): Many of the Land Registry's key services are already available online. My Department is also increasingly enabling customers to make land registration transactions electronically, which I hope will culminate in a full electronic conveyancing system from 2006.

Jim Knight: I am grateful to my hon. Friend for that answer. As he knows, the Land Registry is the second largest employer in Weymouth, in my constituency, with high quality jobs. It is a tribute to the Land Registry and to the Government that they can run such a successful agency and even manage a successful IT procurement, which seems quite unusual for government. Can my hon. Friend give some reassurance to those who work at the Land Registry in Weymouth and elsewhere that the development of IT will not result in deskilling and redundancies at the agency?

Mr. Leslie: My hon. Friend rightly identifies the fact that the Land Registry, being one of the largest databases of its kind in Europe with more than 90 million titles registered, is a significant operation. Moving to an electronic basis for business-to-business activities and for providing information to the public will be the right way forward. I am told that the strategic plan at the Land Registry does not involve any major changes in employment levels in the foreseeable future. I think that its business will be expanding, which is good news for my hon. Friend's constituents, particularly those in Weymouth where I know the registry is a big employer. My hon. Friend has been a good advocate on his constituents' behalf in raising the success of the Land Registry today.

Mr. Nick Hawkins (Surrey Heath): The Minister will be aware from various written questions that I have tabled to him that people in my constituency who are involved in online conveyancing businesses are interested in how the national land information service is working. Does he recognise that there is still concern about the difficulties for local authorities dealing with searches online? Does he recognise also that there is great concern about the Government's decision to reintroduce the concept of home information packs? The Government tried to introduce them earlier and then, humiliatingly, had to withdraw. Will the Government carefully examine some of the issues that went wrong before in terms of the links between home information packs and online conveyancing?

Mr. Leslie: The hon. Gentleman highlights an issue. Issues will always arise in shifting from paper-based processes to electronic conveyancing. I believe that the Land Registry has managed to cope with the issues admirably. The national land information service is on track. Although it is aimed at conveyancing professionals it will have a big impact on the wider market. I think that e-conveyancing will help with the seller's pack—the home information pack development—as the hon. Gentleman says. I am fairly confident that the progress being made is adequate and that we should be on course with the plans that are already published.

Miners' Compensation

21. **David Taylor** (North-West Leicestershire) (Lab): What representations he has received about the level of legal fees imposed on former miners and their families making compensation claims in relation to chronic obstructive pulmonary disease; and if he will make a statement. [140730]

22. **Mr. Bob Blizzard** (Waveney) (Lab): If he will establish a legal services complaints commissioner to examine complaints about the level of fees levied by solicitors in handling claims for compensation for mining-related diseases. [140731]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): While my Department has received no direct representations on the matter, I should like at the outset to express my sympathies to all the individuals and families afflicted by mining-related diseases who, I hope, can gain some recompense from the Department of Trade and Industry claims handling agreement, which has been in operation since 1999. I am aware of the early-day motion calling for an examination of the alleged activities of certain solicitors who are overcharging for mining health claims. In the first instance, the Law Society, through the office for the supervision of solicitors, is responsible for investigating claims, and it has assured me that it will investigate any cases of this type with urgency and as a matter of priority. However, in general terms, the Department is planning to take steps to strengthen the oversight of the Law Society's complaints handling by appointing a new legal services complaints commissioner.

David Taylor: Early-day motion 94, tabled by my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham), does indeed draw attention to solicitors' activities in relation to mining compensation claims. Is the Minister aware that some firms that cold-call vulnerable former miners and their families in North-West Leicestershire and elsewhere proceed, when claims are settled, to rip them off in a most extortionate fashion? Will he condemn such utterly obnoxious practices, which sully the entire legal profession, and will he institute an inquiry into the whole sorry scandal?

Mr. Leslie: My hon. Friend makes an entirely proper point. The DTI claims handling agreement of September 1999 was designed to meet all legal costs incurred by claimants, so there can be very few excuses for levying excessive fees on them. There must be firmer action to eradicate improper practices. There is an initiative to establish a new post of legal services complaints commissioner, who will, I believe, have better oversight of the supervision of solicitors.

Mr. Blizzard: I put this question in a spirit of solidarity between an oil and gas constituency and coal-mining constituencies, because this is a very serious matter indeed. I am pleased that my hon. Friend is now aware of the evidence against those solicitors who have been behaving in such a terrible way, and that he wants to take action. However, will he clarify the way in which the new legal services complaints commissioner will relate to the office for the supervision of solicitors? Will the work of the OSS, which has not been particularly rigorous in dealing with complaints, be taken away from it and given to the new commissioner?

Mr. Leslie: The Law Society will still be responsible for investigating individual complaints, but the Secretary of State, having looked at failings in the efficiency and effectiveness of the pursuit of complaints, has now agreed to the establishment of the post of legal services complaints commissioner under reserve powers in the Access to Justice Act 1999. The commissioner will oversee the OSS so that its handling of complaints is more effective and, if necessary, fines can be levied on the Law Society, in appropriate circumstances, if it fails performance criteria.

Mr. David Heath (Somerton and Frome) (LD): I, too, represent a former coal-mining constituency, although I am not aware that this deplorable practice has occurred there. I accept that the hon. Gentleman does not have a direct regulatory role, but is it not open to the Lord Chancellor to write to solicitors as officers of the Supreme Court to remind them of their responsibilities and suggest that the only fee that they should accept is the DTI-recommended fee? Any other fee, if already taken, should be returned or, if promised, should be rejected.

Mr. Leslie: The hon. Gentleman highlights the fact that the DTI claims handling agreement made arrangements for a certain number of solicitors to be approved for activity under the scheme. The scheme was generous to those solicitors, and the DTI has actively discouraged claimants from using solicitors outside the scheme. For example, it has advertised in local mining communities to warn people about potential malpractice by a small number of solicitors. As I have said, I hope that any hon. Members who have received reports about such incidents will pass them on to the OSS, but the House can certainly be assured that the Government take the matter exceptionally seriously. We want to make sure that justice is done for those mining families.

Mr. Graham Allen (Nottingham, North) (Lab): I thank my hon. Friend for his replies and congratulate my hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) on the campaign that he has led. This matter is of great concern throughout the former coalfield communities. On local radio this morning, three former miners outlined what had happened to them. In one case, a miner had been awarded £10,000 and had had to pay £2,500 in fees. That is unacceptable. Will my hon. Friend make it clear that if he and the office for the supervision of solicitors do not bring the solicitors involved to book, a large number of hon. Members will have no compunction in using the privilege of this House to name and shame those companies?

Mr. Leslie: My hon. Friend is an assiduous campaigner on this issue, and I know that he will take every opportunity to stand up for his constituents. It is perfectly reasonable that he wants a firmer crackdown on any malpractice by a small number of solicitors. It is also important that we have taken the extra step of creating the new legal services complaints commissioner to oversee the office for the supervision of solicitors, which has, frankly, not been as efficient and effective as it could have been. The DTI handling agreement is the biggest personal injury scheme in British legal history, and possibly one of the biggest in the world. I believe that it is amply generous to the solicitors involved, and it has now worked for almost 100,000 claimants. I hope that all potential future claimants will agree that it is important to work with approved solicitors in that scheme.

Mr. Eric Illsley (Barnsley, Central) (Lab): May I emphasise one point to my hon. Friend? A constituent of mine in her 80s recently received a compensation payment of about £40,000, from which solicitors deducted £10,000 as a success fee for a case in which the DTI had accepted liability and there was no risk. What such solicitors are doing is morally indefensible, but, technically, it might not be an issue of complaint, because as a result of a loophole they are entitled to act in such a way. Will he ensure that those solicitors are removed from the handling agreement and prevented from taking any more claims?

Mr. Leslie: I shall certainly pass on to the DTI the details of the case that my hon. Friend mentions, with a view to ascertaining whether the solicitor in question was involved in the approved scheme. I doubt whether that is the case; it sounds as though something has gone very badly wrong in that instance. I think that the legal fees awarded under the scheme are amply generous. As I said, there are few excuses for excessive fees. Some malpractice may have occurred in the smallprint, which the claimant might not have seen, but that is not acceptable. The office for the supervision of solicitors, which has a Member of Parliament hotline whereby it can be contacted in respect of any cases, should get on to that case as soon as possible.

Law Centres

23. **Mr. David Kidney** (Stafford) (Lab): How many law centres have been opened since the launch of the community legal service. [140732]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): Six law centres have been opened since the launch of the community legal service, in Devon, Surrey, Stockport, Trafford, Bury and the Isle of Wight. Law centres provide legal advice and support to an increasing number of communities and play an important part in the fight against social exclusion.

Mr. Kidney: I am pleased to hear about those expansions in the community legal service by way of law centres. Is it part of the Department's thinking that, under a comprehensive community legal service, there is a greater role to be played by law centres and salaried staff in achieving wider access to justice?

Mr. Leslie: It is true that the number of law centres, which are not the only providers of advice through the community legal service, is increasing. There are 52 law centres across the country, 45 of which are funded by the Legal Services Commission, but a large number of solicitors are also contracted to provide advice. I know that my hon. Friend does not have a law centre in his constituency, but I assure him that there are many solicitors with contracts to give legal aid advice. There is also an outreach service in the Stafford citizens advice bureau, of which I know he is well aware.

Mr. Alan Duncan (Rutland and Melton) (Con): May I say that I very much look forward to being the Minister's opposite number? It risks becoming midget wars with attitude, but we shall try to pitch the tone good and high.

Does the Minister agree that law centres have an important role in liasing with citizens advice bureaux, but that the problem is that the Government keep loading ever greater burdens on to local authorities, including expecting them to support law centres and citizens advice bureaux, without providing any dedicated funding to enable them to carry out such work? How much of the budget does the Minister estimate will be exclusively devoted to such support?

Mr. Leslie: First, I welcome the hon. Gentleman to his new portfolio, although I am not sure about being characterised as a midget, given that at 6 ft 5 in I tower over the Dispatch Box. I am surprised that he cannot recognise that it must be the angle at which he is sitting.

The Department for Constitutional Affairs invests about £7.6 million in community legal service law centres, compared with £4.3 million in the first year of the CLS in 2000–01—a massive increase in funding. The hon. Gentleman urges more expenditure. We have to budget prudently for such matters, but we want more law centres to open up if we can afford it.

Miners' Compensation

25. **John Cryer** (Hornchurch) (Lab): What assessment he has made of the efficiency of the office for the supervision of solicitors in dealing with complaints from hon. Members about the level of fees charged to miners and miners' widows for mining-related disease claims. [140734]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): On 26 September, the Secretary of State for Constitutional Affairs announced that in his view the Law Society's office for the supervision of solicitors was not handling complaints efficiently or effectively. As a result, the Government are to appoint a legal services complaints commissioner with powers to oversee more closely the work of the OSS. Nevertheless, the Law Society remains responsible for investigating individual complaints, and it has assured me that it will investigate with urgency cases where solicitors are allegedly overcharging claimants for mining-related diseases.

John Cryer: On that basis, why do we not move towards abolishing the OSS and replacing it with a truly independent body? As my hon. Friend knows, it is seen as being far too close to the legal profession and far too timid when it comes to dealing with complaints.

Specifically in relation to complaints by miners and miners' widows, does my hon. Friend agree that the OSS—or the Law Society, which now deals with such matters—should be urged to get off its backside and go out to encourage people to register complaints? It should make clear the service that it provides vis-à-vis complaints and bring those complaints in, not just wait for them.

Mr. Leslie: I understand my hon. Friend's frustration. That is why the Secretary of State took action by introducing a new legal services complaints commissioner properly and more rigorously to oversee the work of the Law Society in these matters. My hon. Friend makes the reasonable suggestion that instead of just reacting to complaints, it should engage more proactively with users of legal services. We need to monitor the situation closely. I assure him that my Department will not tolerate malpractice by solicitors.

Paddy Tipping (Sherwood) (Lab): Will the Minister get on to the Law Society hotline and tell it directly that, in view of the comments made in the Chamber today, hon. Members are fed up with miners who have given their health and their lives being ripped off? Solicitors in the handling agreement have already received payments in excess of £20 million: enough is enough.

Mr. Leslie: My hon. Friend's anger is understandable. He is aware, as is the office for the supervision of solicitors, of cases where miners and their families have not been well served by the legal profession. As I said, more than 100,000 claimants have gone through the handling scheme at the Department of Trade and Industry. The typical charge by solicitors under the DTI-approved scheme is £1,800 per claim, so there can be few excuses for excessive legal fees.

European Parliamentary Elections

28. **Mr. Bill Tynan** (Hamilton, South) (Lab): What recent discussions he has had with the Electoral Commission on the piloting of new voting methods in Scotland at the 2004 European parliamentary elections. [140738]

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): My Department has asked the Electoral Commission to advise on up to three regions or nations that, in its view, would be suitable for piloting all-postal or electronic voting in the combined local and European parliamentary elections next June. The pilot provisions are the subject of measures that have been carried over into the Session. I anticipate that a decision will be taken in principle before Christmas.

Mr. Tynan: I thank my hon. Friend for that response. He will accept that turnout in the previous European elections was abysmal. I have been pressing for Scotland to be treated as a pilot area for European elections. Will he reinforce that argument and ensure that Scotland is included as a pilot area in those elections?

Mr. Leslie: I sense that there is a great demand for all-postal voting in Scotland, but I wait for the Electoral Commission to give its advice, on which I shall base my decision. Where all-postal voting has been piloted locally, it is clear that it has an appreciable impact on turnout. A typical turnout of 33 per cent. at the previous local elections was increased to 49 per cent. in areas where all-postal voting took place. It is therefore understandable that so many hon. Members want their region or nation to be part of the pilot scheme.

HOUSE OF COMMONS COMMISSION

The hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, was asked—

Catering

32. **Mr. Ben Chapman** (Wirral, South) (Lab): If he will make a statement on proposals to alter catering arrangements in the House. [140762]

Sir Patrick Cormack (South Staffordshire) (Con): In the absence of the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood) on parliamentary business, I have been asked to reply.

The House of Commons Commission has endorsed the view of the Finance and Services Committee that the current catering subsidy, which is nearly £6 million a year, is unjustifiable and must be reduced. Meals are provided for more than 4,000 pass holders who visit the parliamentary estate daily and the subsidy extends to all catering facilities, including those in the Press Gallery. In the first instance, the Commission is seeking a reduction of £350,000 a year in running costs. The Refreshment Department and the Catering Committee were asked to work out details and the measures recently communicated to hon. Members were drawn up accordingly. Hon. Members' views are welcome and should be directed to the Chairman and members of the Catering Committee.

Mr. Chapman: I welcome the hon. Gentleman to his task this morning and accept that the concept of value for money must be pursued. However, given that last year represented the best trading year for the Refreshment Department since at least 1993, is not he as surprised and disappointed as I am that the proposals appear to have been issued without adequate consultation, without apparent consideration for staff and without sufficient justification? Given that they appear to be based on the concept that success means cuts, will the Commission reconsider the proposals perhaps with a view to increasing the facilities' use rather than discouraging it? Does he agree that the real villains of the piece are the so-called modernised hours that we have adopted and that so many of us would like to be changed?

Sir Patrick Cormack: The hon. Gentleman knows that, personally, I have great sympathy with his last remarks. It is undeniable that if the House decides to change its hours, the pattern of life for hon. Members changes with that. As the hon. Gentleman said, the catering facilities have been widely used in the past 10 years. However, it is only fair to point out that, although their use has increased, there has been a decline from 17,000 to 7,000 covers in the Members' dining room.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Does my hon. Friend recall that when a previous Leader of the House sold us the new hours he assured us that facilities would remain available to Members? Many people view the changes that will happen as a breach of that promise. The proposal got through with only a slender majority.

Sir Patrick Cormack: My hon. Friend will of course accept that I am not responsible for what the right hon. Member for Livingston (Mr. Cook) may or may not have said, but the fact remains that there is a subsidy. It represents only 4 per cent. of the Commission's budget, but it is still a large figure and the Commission is anxious to reduce it. The letter sent by the Chairman of the Catering Committee to Members reflects the Committee's attempt to grapple with this problem and to achieve a £350,000 reduction in the first year, but I urge my hon. Friend and others to make representations to the Chairman of the Catering Committee if they have specific suggestions about how the changes can be revised.

Mr. Lindsay Hoyle (Chorley) (Lab): Obviously we ought to look at the top, not the bottom, before anybody loses their job and if any wage cuts are to be made. I believe that compulsory notices have been issued to catering department staff, who are at the bottom of the tier. Is not that premature when we ought to be looking for a change in the hours, which will protect jobs, bring in the income and therefore alleviate all the problems we are seeing at the moment?

Sir Patrick Cormack: The Leader of the House, who is present, will have heard what the hon. Gentleman says about the hours. I pay tribute to the staff, who have served us so well in the catering department and throughout the House. They do a wonderful job and one does not want to think of them being subject to undue anxiety. I am assured that no redundancy notices have as yet been issued, but discussions are taking place with the unions. It is hoped that, if there are any redundancies, they will be voluntary.

LEADER OF THE HOUSE

The Leader of the House was asked—

Private Members' Bills

33. **Hugh Bayley** (City of York) (Lab): Whether he has examined the feasibility of increasing the time allocated to consideration of private Members' Bills in the current Session. [140763]

The Leader of the House of Commons (Mr. Peter Hain): Many Members, and outside commentators, have proposed alternatives to the current system for private Members' Bills. The Procedure Committee has recently reported on this matter. The Government will consider its report carefully.

Hugh Bayley: I have been a Member of the House for almost 12 years, yet I have never been fortunate enough to have my name come up in the ballot for private Members' business. Private Members introduce important legislation. My hon. Friend the Member for Ealing, North (Mr. Pound) introduced a Bill on high hedges and my hon. Friend the Member for Hamilton, South (Mr. Tynan) introduced important legislation on fireworks this year. It appears that the House has the opportunity, given the new hours, to provide more time for private Members' business. Will my right hon. Friend the Leader of the House talk to the Procedure Committee to see whether more time could be made available so that people such as me might also be able to put legislation before the House?

Mr. Hain: I share my hon. Friend's desperate plight of never having had a private Member's Bill as a Back Bencher and I agree that such Bills are important. I am keen to uphold the rights of Back Benchers in this respect. He mentioned Tuesdays and Wednesdays. I asked for work to be done on that point. If we take the 13 sitting Fridays and convert them into hours on, say, Tuesdays, we require 22 evenings to achieve the rough equivalent of those Fridays. The Procedure Committee, to which he referred, looked at that, but did not recommend it. However, when we conduct the review of sitting hours, which we are obliged to do before the end of this Parliament, we shall be able to return to the matter.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Is not half the trouble the large number of Government handout Bills each year, which squeeze genuine private Members' Bills? This year, the Government, in breach of convention, have not included in the Queen's Speech eight Bills that they wish to introduce. We have to go through a ludicrous game whereby I ask the Leader of the House, "Is this Bill coming forward?" If he can identify it, we find out whether a Bill is going to go ahead. So far, I have managed to find three.

Has that ludicrous situation arisen because the Leader of the House and his colleagues want to propose as handout Bills the Government Bills that they feel they cannot fit into the timetable? If so, will not that squeeze genuine private Members' Bills from Back Benchers even more than usual?

Mr. Hain: Not everything is mentioned in the Queen's Speech. None of the Bills additional to those listed in normal fashion by Her Majesty the Queen is a private Member's handout Bill. The hon. Gentleman seeks to deprecate the Government's record in this matter, but 13 private Members' Bills received royal assent in the previous Session. That is a pretty good achievement. Hon. Members are able to choose which private Member's Bill to take forward. Many choose to exercise their right to take forward a handout Bill that they feel pretty confident they can get on to the statute book, but it is equally their right to propose some other provision.

Mr. Stephen Pound (Ealing, North) (Lab): I appreciate that some private Members' Bills are off the shelf, and that others are off the wall. However, the excellent private Member's Bill introduced by the hon. Member for Leominster (Mr. Wiggin), which would have allowed motor cyclists to ride in bus lanes, represented the House at its finest. Does my right hon. Friend accept that private Members' Bills are a unique contribution to the tapestry of the nation, and that they should be encouraged, even when—heaven forfend!—they are a tad inconvenient on occasion?

Mr. Hain: I strongly endorse the sentiments so eloquently expressed by my hon. Friend, who I know is an enthusiastic motor cyclist. I am sure that everyone will listen carefully to his plea.

Mr. Paul Tyler (North Cornwall) (LD): Does the Leader of the House agree that we should have fewer private Members' Bills, but that they should be given a much greater chance of success? In the 21st century, is not it totally irrational to subject such Bills to the luck of the draw, the raffle, or the bran tub that is sitting in the No Lobby today? Should we not have sensible criteria for such Bills, including the requirement that any proposal has support in all parties?

Mr. Hain: I should be happy to listen to any practical suggestions that the hon. Gentleman might have. As he knows, the Procedure Committee has considered the matter, and its report is available to the House.

BILLS PRESENTED

HORSERACE BETTING AND OLYMPIC LOTTERY

Secretary Tessa Jowell, supported by the Prime Minister, Mr. Secretary Blunkett, Mr. Secretary Darling, Mr. Secretary Reid, Ms Secretary Hewitt, Mr. Secretary Clarke, Mr. Secretary Murphy, Mr. Peter Hain, Mr. Paul Boateng, Mr. Richard Caborn and Estelle Morris presented a Bill to make provision for the sale of the Tote; to make provision for the abolition of the horserace betting levy system; to make provision for the establishment of National Lottery games designed to raise money in connection with the hosting by London of the Olympic Games in 2012; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Wednesday 3 December, and to be printed. Explanatory notes to be printed. [Bill 8].

EMPLOYMENT RELATIONS

Ms Secretary Hewitt, supported by the Prime Minister, Mr. Chancellor of the Exchequer, Mr. Secretary Smith, Mr. Secretary Darling, Mr. Peter Hain, Mr. Secretary Murphy and Mr. Gerry Sutcliffe presented a Bill to amend the law relating to the recognition of trade unions and the taking of industrial action; to make provision about means of voting in ballots under the Trade Union and Labour Relations (Consolidation) Act 1992; to amend provisions of that Act relating to rights of members and non-members of trade unions and to make other provision about rights of trade union members, employees and workers; to make further provision concerning the enforcement of legislation relating to minimum wages; to make further provision about proceedings before and appeals from the Certification Officer; to make further provision about the amalgamation of trade unions; to make provision facilitating the administration of trade unions; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Wednesday 3 December, and to be printed. Explanatory notes to be printed. [Bill 7].

Points of Order

12.32 pm

Mr. Richard Spring (West Suffolk) (Con): On a point of order, Mr. Speaker. Has the Foreign Secretary given you notice of his intention to come to the House to make a statement about his White Paper on a strategy for the Foreign and Commonwealth Office, as foreshadowed in his remarks in the House last week? Is it not ironic and shameful that, in the very week that the big conversation was launched, the same facility was not extended to Members of the House? Considering the vital importance of Britain's foreign policy, do you agree that simply issuing a written statement is gratuitously insensitive and offensive to Parliament and to the skill and dedication of our diplomats abroad?

Mr. Speaker: The hon. Gentleman rightly noted that there was a debate last Thursday, which was opened by the Home Secretary. Therefore, what has been done today does not constitute a breach of the rules of the House.

Orders of the Day

Debate on the Address

[FOURTH DAY]

Order read for resuming adjourned debate on Question [26 November].

That an humble address be presented to Her Majesty, as follows:

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which Your Majesty has addressed to both Houses of Parliament.—*[Mr. McFall.]*

Question again proposed.

Home and Constitutional Affairs

Mr. Speaker: I inform the House that I have not selected the amendment tabled by the Scottish National party and Plaid Cymru.

12.33 pm

The Secretary of State for the Home Department (Mr. David Blunkett): Mr. Speaker, let us engage in the big conversation this afternoon. Over the past day or two, I have been battered and bruised. I have even been stitched up, but I am unbowed. After walking into a ladder on Friday night, I learned that, in the game of snakes and ladders, we should be more afraid of the ladders than the snakes.

The Queen's Speech is about preparing Britain for the future. It is about anticipating, and not merely responding to, the events and challenges of the future. It is about modernising for an era to come rather than simply reacting to the issues of the moment. It is about being bold in changing, rather than just tinkering with, the challenges that we face. It is about legislating because we need to for the future, rather than picking Bills that have been on the stocks for a long time. Whether changing for the better the way that we protect victims and witnesses or protecting our borders, it is about ensuring that government works in the interests of people.

The Queen's Speech is as much about building trust in our communities, or mobilising them to be part of the solution themselves, as it is about the legislation itself, for we all know that legislation is only part of the picture. Ensuring that the framework, powers and resources are in place is important, but the speech is actually about changing the culture. We need a culture of respect and accountability, in which people are prepared to respond and take on challenges—to be self-interested in the way they look after their family, but self-determining in a way that engages with the wider community. In other words, we are interdependent. We are mutually responsible for each other, and we gain strength by achieving that, rather than being individuals fighting alone. That is the spirit of the home affairs and constitutional affairs sections of the Queen's Speech.

The Under-Secretary of State for Constitutional Affairs, my hon. Friend the Member for Shipley (Mr. Leslie), will be holding the fort gallantly on constitutional affairs at the end of the debate, but I can say now that the dramatic changes and wide range of Bills on constitutional matters that we are introducing are indicative of a Government who are prepared to take on the challenges of the future. In home policy, building on the foundations that we have already put in place, we are laying out the measures that will build the trust and confidence, and the ability of communities to respond, that I have mentioned.

We have already taken enormous steps: 12,000 extra police officers over the last three years, the introduction of more than 2,000 community support officers, the development of the street warden scheme, the massive expansion by 10,000 of the number of civilian workers in the police service, the introduction of DNA and forensic services in a way never before envisaged—

Mr. A. J. Beith (Berwick-upon-Tweed) (LD): Before the Home Secretary ends his brief reference to constitutional affairs, I want to ask him something, because I suspect that he had a role in the matter. As major constitutional changes were announced as part of a reshuffle, and were therefore not the subject of consultation with anybody, was he consulted about the shape of the constitutional changes that the abolition of the post of Lord Chancellor and the creation of the supreme court would bring about, and did he express a view at the time?

Mr. Dennis Skinner (Bolsover) (Lab): Oh, dear.

Mr. Blunkett: My hon. Friend sums things up admirably: the past is the past, and the future is the future—[HON. MEMBERS: "Oh."] That goes down as the tritest soundbite of the week; it just happens to be true.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Does that mean no?

Mr. Blunkett: Let me deal with the question asked by the right hon. Member for Berwick-upon-Tweed (Mr. Beith). As he will remember, the changes had been the subject of considerable speculation and debate. I remember it well, because my Department was apparently going to be dismembered, and there was going to be a wholesale change in the way in which the justice elements of my portfolio were handled—none of which turned out to be true. Of course, the conversations that we had on the day of the reshuffle were about reflecting on how best to achieve the Prime Minister's goals, rather than second-guessing them beforehand. That is the answer to the question.

Engaging with the issues that are in front of us, I can say that all the changes are about ensuring that we can prepare for the future, and that we have a constitution and crime reduction measures that deal with the 21st century rather than the 12th century. We have measures that reflect that, as does the legislation that we pushed through the House just two weeks ago—it seems a long time now since four home affairs Bills went through in the final week of the Session, but it is only a fortnight ago. That goes all the way through to the crime reduction measures that we are building on today.

Mr. Andrew Turner (Isle of Wight) (Con): In preparing for the future, are the Home Secretary and the rest of the Government aware of the disastrous results of the elections in Northern Ireland, which were brought about principally by the lack of faith of many in the majority community in the Prime Minister's reshaping of that local constitution? Does the Home Secretary expect that legislation will have to be introduced to enable people in Northern Ireland to express an opinion on the Good Friday agreement, in order to replace that which was expressed last week?

Mr. Blunkett: That was a disgraceful intervention. Here we are, three and a half weeks away from Christmas day, with people walking freely and shopping in Belfast and Derry—

Patrick Mercer (Newark) (Con): Londonderry.

Mr. Blunkett: Londonderry, if the hon. Gentleman wishes.

Patrick Mercer: Yes, we do.

Mr. Blunkett: The hon. Gentleman may wish that, but some of us wish more for the peace and tranquillity that allows people to walk freely in the streets, to shop and to enjoy Christmas in the way that the rest of the United Kingdom takes for granted. That has been brought about by the Good Friday agreement, by removing the causes of the problems and by getting people to work together. Those who wish to stir things up should be aware that, of those who voted, 70 per cent. voted for parties and politicians who are committed to the Good Friday agreement.

If demolishing the agreement is an objective of the official Opposition, I hope that their Leader, who has graced us with his presence this afternoon, will intervene—snarling, scratching and biting, as he did last Wednesday—to tell us what his policy actually is. *[Interruption.]* It was not me who introduced the topic of the Good Friday agreement—the hon. Member for Isle of Wight (Mr. Turner) did.

The crime reduction measures that we have taken—a 27 per cent. reduction in crime in the past six and a half years; crime and disorder reduction partnerships; antisocial behaviour orders; and the measures in the Bill that we passed a fortnight ago, which are now being put in place—are transforming the life of the community. Yet there is much more to be done. The legislation that we fought for in Parliament lays the foundations, which are stepping-stones to enabling people in the professional services and in the community to take control, and to exercise the power to make a difference.

The steps that we took through our balanced approach to nationality and asylum brought about a 50 per cent. reduction in the number of asylum seekers in the first half of this year. Given that the Leader of the Opposition is present, that reduction should be contrasted with the 45 per cent. increase that occurred during his time as Home Secretary. We have also introduced new legal migration routes, and new channels, through the United Nations, for people to reach our soil. All those measures have to be built on and enhanced if we are to ensure future trust and confidence in the system.

Keith Vaz (Leicester, East) (Lab): Nobody doubts the Home Secretary's commitment and willingness to ensure that the asylum system is robust, but the fact remains that there is a major problem with the way in which the immigration and nationality directorate operates. It is too slow, the backlog is too big and it takes too long to deal with cases. What effective steps is the Home Secretary going to take, other than introducing another Act of Parliament, to make that system much better?

Mr. Blunkett: I acknowledged those sentiments two years ago, and substantial steps have been taken to achieve precisely what my hon. Friend seeks. Just over 80 per cent. of initial decisions are now taken in the first eight weeks, compared with an average time of 20 months under the previous Government. We have dramatically cut the numbers waiting for an initial decision, and the numbers waiting for their appeals to be heard. Some 6,000 people per month are now passing through the appeals system, but legislation is necessary. I pay tribute to my hon. Friend the Under-Secretary of State for Constitutional Affairs, whose Department co-operated with us in looking at what else needs to be done.

It has been suggested in the media that we are somehow doing away with the right of appeal.

Keith Vaz: You are.

Mr. Blunkett: We are not. *[Interruption.]* Well, when is a right of appeal not a right of appeal? When it consists of multiple appeals, presumably. If those who do not like an initial decision are permitted to take their cases to a tier of appeal in which appeals can be dealt with differentially, according to the type of appeal being made—for instance, non-suspensive appeals are dealt with differently from straightforward cases—that means that we provide not only a right of appeal, but a sensitive appeals system that is appropriate to the particular case. If someone wishes to take their case to a further appeal—such as to the Appeal Court on a point of law—they will be permitted to do so. At the moment, applicants not only have the right of appeal on the initial decision to the immigration appeal tribunal, but they can have multiple judicial review appeals that string out the appeals process month after month. My hon. Friends and Opposition Members asked for the process to be speeded up, but we have to change the law to do so, if individuals or, more likely, those representing them, string out cases. We are accused of not completing cases, when those involved are responsible for it.

Keith Vaz *rose*—

Mr. Blunkett: I give way to my hon. Friend in the full knowledge that he will be able to enlighten me about how he would organise the system differently.

Keith Vaz: I will enlighten the Home Secretary. The problem is bad decision making and the inefficient way in which such matters are handled. I have great respect for him and the work that he has done in the community and in policing. However, this afternoon, he is playing with words. If he takes away a whole tier of the appeals system, he will restrict the right of appeal.

Mr. Blunkett: No. We do not give income support appellants or disability living allowance appellants the

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right to make multiple appeals. If they do not like the decision that has been made, they go to appeal. It is not the case that the system is unfair or that the appeals process is failing unless they have layer after layer.

I shall restate the statistics, so that there is no misunderstanding. After initial decision, 20 per cent. of those who go through the appeals process have their appeals upheld. That figure is too high, so initial decisions need to be better. However, in the appeals process that we are curtailing, only 3 per cent. of appeals are successful. That is a 97 per cent. success rate for the process that we are retaining and enhancing. I do not know where the statistics that some use come from. Perhaps people listen to the pressure groups instead of looking at the reality. I appreciate that not everyone can be an expert on such matters, but I do ask that if people—not least on my own side—criticise proposed legislation, they do so on the basis of facts rather than on what they have read in the newspapers. After all, the Leader of the Opposition made the terrible mistake last Wednesday of believing what he had read in the newspapers rather than what I had said in the press and on radio and television.

Mr. Oliver Heald (North-East Hertfordshire): The newspapers put what the right hon. Gentleman told them.

Mr. Blunkett: I shall deal with that intervention in a minute. On 24 October, we published for consultation the exact proposals that appear in the Bill. We spelled out exactly what we would do in respect of family subsistence, benefits and the removal of children. At that time, we made it clear that we were not talking about taking asylum seeker children from their parents. We were talking about destitution in cases in which, despite our best efforts, people refused to leave and so their benefits were no longer paid, because they were—by definition—illegal immigrants.

I heard a sedentary intervention that suggested that I told the newspapers what they printed. I must make it clear that if I were going to brief on an ultra-right wing policy of grabbing asylum seeker children from their parents—as ITN put it to people in the street—I would not have briefed *The Observer* on it. I would have a little more nous after 33 years in public life than to brief a liberal newspaper on what would be an illiberal policy.

Mr. Michael Howard (Folkestone and Hythe) (Con): I am grateful to the Home Secretary for giving us that insight into his briefing habits. We all appreciate how sensitive he is on these issues. If what he is now telling the House is correct, why did the Prime Minister not take the abundant opportunity that he had last Wednesday to deny what I was putting to him? Why has the Prime Minister still not replied to the letter that I wrote to him last Friday in which I asked him to clarify the Government's intentions on these matters?

Mr. Blunkett: But the Prime Minister did indicate to the right hon. and learned Gentleman that he was wrong. Not only that, we put a statement out on the Sunday of *The Observer* article indicating that it was wrong, drawing attention to the fact that we had published the proposals on 24 October. I appreciate that the right hon. Member for Haltemprice and Howden (David Davis) is new to the job, but he really should have whispered in the right hon. and learned Gentleman's ear before the initial debate on the Queen's Speech last Wednesday that this was not an issue on which the Leader of the Opposition should home in, not least because in 1996 he had passed through the House an Act—for which his hon. Friends had voted—that withdrew benefit not simply from failed asylum seekers but from all those applying as asylum seekers. To use a phrase that he used last Wednesday, that really was despicable. Had I been proposing to intervene with asylum seekers and take away their children willy-nilly, which was suggested in some newspapers, and last Wednesday, and by the shadow Home Secretary in interviews, of course, I would have been despicable. Despite the tendency of some of the liberal media to believe that I am, I do not espouse that particular cause.

Annabelle Ewing (Perth) (SNP): I have listened carefully to the Home Secretary, but it seems to me that he has not totally ruled out taking the children of asylum seekers into care. Is he aware that, as far as Scotland is concerned, the children's panel system has jurisdiction, and his writ in this matter—thankfully, some would say—does not run in Scotland on what is deemed to be in the best interests of the child?

Mr. Blunkett: Dealing with asylum seeker families is a central, Westminster responsibility and will remain so. The hon. Lady is simply wrong. Let me take her question head-on. What we have are those who want us to speed up the asylum system but to continue to have multiple rights of appeal in judicial review, those who want us to remove people from the country but not to raid their homes and take away their children who have been embedded in the community, those who do not want us to have removal centres but do not want us to take action with families in the community, and those who do not want us to have removal centres but somehow want us to continue paying benefit to asylum seeker families even when their claims have failed. And when asylum seeker children, because of the responsibility in relation to their parents, are treated in exactly the same way as any child in my constituency or in other hon. Members' constituencies—when the child is at risk, social services intervene—we get criticised for that. I am asked what should we do once an asylum seeker family has refused to go, and, even after trying to raid the household, cannot be removed, subsistence has been taken away, the family are destitute and the child is at risk; the answer is exactly the same as what would be done with any other child. It is then suggested that that is despicable and that I ought to be ashamed of myself. Well, I am neither despicable nor ashamed of myself.

Mr. Frank Field (Birkenhead) (Lab): While some Members of the House think that this is an important issue, for my constituents the issue above all is the collapse of decent behaviour. As in the past, they look to the Home Secretary to be sensitive in the way that he responds to this issue. They know that for the first time for a couple of hundred years politicians are having to concern themselves with the issue of behaviour. We have taken it for granted that families function properly and that neighbours behave to one another properly. Knowing what the Home Secretary has already done, and as in his introductory remarks he said that the Government would be thinking of an interdependence between them and the people, may I plead for such a relationship with Back Benchers on both sides of the House? When he brings forward measures to counter antisocial behaviour, can he frame them in such a way that those of us who have ideas from our constituents on what should be done find it easy to amend those Bills?

Mr. Blunkett: I will always seek to facilitate—and I have always encouraged the Ministers in my team to facilitate—changes in Committee and on the Floor of the House, and we have always sought to respond to amendments. We did so with the Sexual Offences Bill, with the Anti-social Behaviour Bill, as far as the terms of the Bill would allow, and we did so—I say smiling—with the Criminal Justice Bill, even to the very last moment. We will certainly do so on the Bills before us, including the measures on domestic violence, crime and victims, which will be very important.

I pick up the wider point that my right hon. Friend makes: what we are seeking is not big government or no government but enabling government—effective and empowering government—that enables people to make a difference in their own lives.

Mr. McLoughlin: While the Home Secretary is on this point, may I ask him, as the head of the Home Office, to look at the way in which his Department responds to Members of Parliament? I received an answer just before the House rose to a parliamentary question that was tabled in March last year, and it said that the Minister would reply shortly. My right hon. Friend the Member for Penrith and The Border (David Maclean) tabled a question in January and received a similar answer last week. Will the Home Secretary look at the way in which his Department deals with written answers?

Mr. Blunkett: The hon. Gentleman will be pleased to know that the Under-Secretary of State for the Home Department, my hon. Friend the Member for Slough (Fiona Mactaggart) has written back to him. If any Member has correspondence or questions that have been outstanding for any length of time, I would be happy to hear from them, and I will deal with the matter. I am keen that the Department's record should be improved year on year and month by month. We have improved dramatically the turnaround time of both correspondence and questions, which happens to be a particular fetish of mine.

I want Government to be engaged not disengaged, including with hon. Members, and I want policies to be in partnership with people and working alongside them. I want us to ensure that we are responsive and that services are responsive to people's needs.

Mr. Michael Connarty (Falkirk, East) (Lab): Before we move from the point of substance on either the incarceration of children of asylum seekers in detention centres, removal centres or former prisons, or the unforgivable idea that we should breach the UN convention on the rights of the child even further by dividing families—children and parents—because of circumstances relating to social security provisions, is the Home Secretary trying to pretend that he does not know that most people who have their social security removed, as is happening throughout Scotland and in the city of Glasgow, work illegally and are paid exploitative, low wages but still survive? To single out those people who have children and to take their children into care may not make him feel ashamed, but it will certainly make me feel ashamed.

Mr. Blunkett: I do not know what happens in Scotland, but in my city the social services department intervenes to look after children who are at risk, whether because their family is dysfunctional or no longer capable of looking after them. That is why, regrettably, we have more children in care than I believe is warranted, and more children in care than any of us would want. I am not entirely sure what my hon. Friend is suggesting. Is he saying that we should pay people benefits when they are here illegally, or that we should be more robust in removing them?

I am well aware of my hon. Friend's interest in the Dungavel removal centre and the difficulties of holding families there. I am aware of the inspection report, and the Minister for Citizenship and Immigration will go to Scotland and make statements on that issue shortly and deal with those children who inevitably have to be held at the moment, pending removal. All those issues are deeply sensitive, but they are not affected in any way by the changes that we propose in the Bill because social services authorities, certainly those south of the border, have the same obligations for asylum seeker children or those who have failed in their asylum claims as for any other child.

Kali Mountford (Colne Valley) (Lab): A moment or two ago, my right hon. Friend mentioned the domestic violence Bill. This morning, all the press herald the fact that that Bill contains great measures, including the right of the victims to be protected under the law by prosecutions brought by the police, rather than themselves. That is an important measure for the protection of victims. Can he confirm that he will continue to work across Departments so that all the social effects of domestic violence, not only those that relate to his own Department, are dealt with?

Mr. Blunkett: Yes, I can confirm that, and I shall be pleased to discuss that Bill; obviously, I will not make a Second Reading speech, but I can confirm that, as with the statement that I made in July, we are now moving forward to implement those policies.

Mr. Richard Allan (Sheffield, Hallam) (LD): Can the Home Secretary confirm that there is a crucial difference between any other family in his constituency who suffers from destitution and a family seeking asylum? If social workers came across a destitute family in his constituency, they would have a duty to lift the family out of destitution, so that they are not split up, using powers under the National Assistance Act 1948. However, asylum-seeking families are explicitly excluded from those provisions, so there is a crucial difference: social workers cannot keep those families together by lifting them out of destitution, which is what they would like to do.

Mr. Blunkett: The hon. Gentleman suggests that, under the Children Act 1989, social workers can make

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payments in lieu of benefits that people are not entitled to, to keep families together. In some cases, they do that. I was a chairman of a social services committee for four years and the chairman of the Association of Metropolitan Authorities social services committee for about eight years, so I am very familiar with the Children Act and the measures that can be taken, but I am also deeply aware of the intervention that social workers have to make to protect the rights of the child.

I repeat again that all that was spelt out for hon. Members on both sides of the House on 24 October. It was repeated the following Monday, 27 October, when the specific measures were followed up, and it was spoken about alongside the indefinite leave to remain proposals, which I announced at the time and which lifted the threat of removal or destitution from 15,000 heads of families—approximately 45,000 to 50,000 asylum seekers—who had put in their claims before 2 October 2000 and who had not been removed from the country. I should have expected a warm welcome for that, but it is funny how some of the people who are now critical of what I am doing did not welcome that proposal at the time.

Keith Vaz: We welcomed it.

Mr. Blunkett: I am very glad that my hon. Friend welcomes it. It is really nice that some of the things that we do are welcomed by our hon. Friends on the Labour Benches. That always cheers us a little and it gets our blood flowing again.

Mr. Gwyn Prosser (Dover) (Lab): I certainly support a lot of the changes that have been made already, but my right hon. Friend must be aware that we have concerns about the consequences of the ruling that we are talking about now. Having said that, does he agree that a failed asylum-seeking family who decide to allow their children to be taken into care purely to keep them off the streets and keep them safe are saying more about themselves and their own judgment than about the proposals?

Mr. Blunkett: They certainly are, because they have a choice—they could pick up the package of free travel, plus resettlement back in the country of origin. If we are not to have a completely dysfunctional system and if there are those in all parties who believe that we should lay down regulations and laws but not implement them, we have to follow through the logic. As I was spelling out a moment ago, the logic is that people take responsibility for their own actions. It is an absolutely key precept of politics that we cannot do everything for people. We cannot second-guess them. We cannot take all their decisions for them. They have to take responsibility for themselves, their families and their children. If we offer people a decent package, having undertaken the whole process, and they refuse to return, we are left with only one obligation: to look after those who are vulnerable and who cannot make those decisions for themselves—they happen to be the children.

Mr. Henry Bellingham (North-West Norfolk) (Con): Will the Home Secretary give way?

Mr. Blunkett: I will make a little progress before giving way again.

It is funny how Opposition parties demand less government, but then demand more government when it suits them. Let me give an example. Let us take counter-terrorism or, as the Opposition like to call it, homeland security. The Opposition have proposed with vigour on several occasions that we ought to have a homeland security tsar in the Cabinet, despite the fact that the holder of that shadow post is not a member of the shadow Cabinet.

Mr. Skinner: They picked it up from Bush.

Mr. Blunkett: Yes, the idea is modelled on America, but without the American system behind it. It is an interesting proposition because, of course, a homeland security tsar would—by the very nature of the post, which would be detached from day-to-day responsibility for other matters—be up and down in the media and in the House, constantly justifying their existence in the Cabinet and constantly talking about events in the public arena.

I draw attention to that only because the shadow Home Secretary said on the radio this morning what a disgrace it was that I had answered a question about a police counter-terrorism and security service operation that took place last week in Gloucester. We cannot have it both ways. On a number of occasions, I have been criticised for not appearing in the House enough to talk about anti-terrorism and security, despite all that we have pushed through, or in the media, telling people about what is taking place and answering questions often enough. The criticism is that we need a homeland tsar to do that instead because I am too busy with policy, immigration, criminal justice, tackling drugs and civil renewal to speak often enough on counter-terrorism.

Mr. Edward Garnier (Harborough) (Con): Will the Home Secretary give way?

Mr. Blunkett: I will give way in a moment.

When I was asked a perfectly reasonable question—it was put to me on a day when I did not make the headlines, by the way, because I was already making them with the proposed asylum legislation—about an incident with which I was familiar, I answered it. Even one of my long-standing critics—the former Master of the Rolls, Lord Donaldson—described the answer as perfectly reasonable. I answered in a way that did not infringe anyone's rights. Although he said that he was a long-standing critic, he said that he could not find fault with what I said on that occasion.

I draw attention to the letter in *The Times* this morning from Walter S. Greenwood, who has some real experience in such matters. Again, he criticised those who jumped on to a rather silly bandwagon. I just want to put this on the record, so that we get it straight. I did not mention the name of the individual, his background, his religion or what he has done. I drew attention to the fact that section 41 of the Terrorism Act 2000 is not used unless there is a prima facie case to believe that someone has been engaged in terrorism; otherwise, they would be deemed a burglar and they would be dealt with under a different sort of law altogether. What is going on at the moment is silly nonsense, and I am sorry that the shadow Home Secretary has been drawn into it. Now, I give way to the hon. and learned Gentleman who was desperate to intervene.

Mr. Garnier: I can assure the Home Secretary that I am not in the least bit desperate, but he may become increasingly desperate. The answer that he has just given to the criticism that has been made of his interviews with the press about the Gloucester investigation is foolish, if I may say so. He clearly knows the difference between identifying and commenting on a particular case compared with talking about terrorism generally, police efforts in general and Home Office efforts to sustain the fight against terrorism. It really will not do for him to come to the Dispatch Box and try to ally the two concepts. That is foolish and unwise, and he is being silly.

Mr. Blunkett: I do not really give a toss what the hon. and learned Gentleman thinks about me, but it is very interesting that he obviously thinks just the same about Lord Donaldson or those who have very clearly indicated, as I do, that the hon. and learned Gentleman is talking nonsense. Those who throw about meaningless criticism in an effort to make party political points need to listen to those who have a great deal of experience and actually know whether someone has prejudiced a trial or has in any way undermined the right of someone to the justice of our country. I am very confident that I did not do that, and I would do it again.

Let us be clear about the legislation outlined in the Queen's Speech and in the Bills that we will introduce. I refer not just to those that will be debated under the subject of home affairs, but to the housing Bill and the Department of Trade and Industry's Bill that will introduce community interest companies. We are seeking to develop a raft of measures that will enable people to live their lives more freely, to have greater confidence and trust in the system and to be able to move forward in terms of developing their lives. As my hon. Friend the Member for Colne Valley (Kali Mountford) suggested, that is true of the legislation on domestic violence and of the charities Bill that we will publish.

The charities Bill will modernise laws that go back to 1601 and, at the request of voluntary and community organisations, it will modernise the way in which local communities as well as national charities can engage with the solutions to their own problems. It will bring about greater accountability and revise the advice on campaigning that will ensure that we can modernise that without party political engagement by such groups. It will also ensure that we separate out the issues. The wider review will also, of course, be taken forward alongside the legislation that is needed. I hope that hon. Members on both sides will join us in making that draft legislation better and will engage in the debate.

Equally, mobilising society involves us in a commitment to supporting victims and witnesses. I think that both sides of the House have said over the years that we needed to do a great deal more. Therefore, the victims commissioner, the new updated code and the enforcement measures behind it, the way that we will engage with the courts—we have done so already in terms of protection—and the way in which we can develop that alongside the domestic violence legislation will all make a difference to people's lives and the way in which they are prepared to support and work with the justice system in the wider interests of the community.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): I am grateful to my right hon. Friend for giving way on the issue of victims. As he will be aware, restorative justice is working successfully in some areas. However, will he consider more pilots to include adult victims in the restorative justice procedures?

Mr. Blunkett: The answer is very strongly yes. We need to spread much more quickly the pilot programmes on restorative justice that have been so well exercised through the Youth Justice Board and the youth offending team programmes. As my hon. Friend said, they have been doing a very good job in responding to the wishes of victims.

Some 25 per cent. of all violent crime arises out of domestic violence. That is why tackling domestic violence is such a priority. Work has been done by a whole range of Front-Bench and Back-Bench colleagues from a number of parties, and my right hon. and learned Friend the Solicitor-General has been in the forefront of that. It means working alongside those who, over the years, have fought to get improvements to the system. Today, we are able to say categorically that we will be able to do that.

I also wish to announce that we will take forward the proposals on familial killing that we have worked hard on over the past two years. They relate to cases in which families have been able to get away with the death often of a child by no one admitting to the killing and because there is no evidence distinguishing between the two or more people involved. The measures that we are adopting will go some way to overcoming that problem and will ensure that people cannot get away with the most heinous crimes by covering each other's tracks.

Mr. David Heath (Somerton and Frome) (LD): I thank the right hon. Gentleman for that announcement about familial killing. Will his proposals be broadly based on the Law Commission's conclusions?

Will the right hon. Gentleman also be urging the police to take a more active interest in cases of domestic violence? It is not just the legislative framework that is at fault. The police have a propensity not to intervene successfully in cases that they still too often consider to be "domestics".

Mr. Blunkett: I think that we all agree on that. At the time of the statement, we said that changing professional practice, attitudes and culture was just as important as changing the law. Empowering the police in the way that we described in the statement and that will be replicated in the legislation is an important step in that direction. We also made it clear that we had to change the attitudes of young men, in particular, and consider how the education service could assist with that. We want to take that point forward alongside the Bill.

[Mr. Blunkett]

The Bill on domestic crime and its victims will deal with the issue of multiple charges that we touched on at the end of the Criminal Justice Act 2003. I confirm that we will introduce proposals on that issue and reiterate that we shall take forward the Corruption Bill, which is being scrutinised in draft. We shall introduce proposals to fulfil the commitment that I gave two weeks ago in relation to serious fraud and we shall consider that matter alongside the other powers.

Ross Cranston (Dudley, North) (Lab): I congratulate my right hon. Friend on all these measures, including those that deal with domestic violence and familial killing. They are necessary steps. However, may I ask him about the Bill to deal with corporate killing? In particular, if a draft Bill is to be introduced, will it provide for the removal of Crown immunity?

Mr. Blunkett: I shall publish very shortly the draft legislation on corporate manslaughter. I do not intend to pronounce on it until we have put the draft together and introduced it in a way that will give all Members of the House the opportunity to scrutinise it. We are addressing the issues that have been raised by the Joint Committee and the point about Crown immunity that my hon. and learned Friend has just raised, difficult though it is.

To clarify the position, I am talking about the draft Corruption Bill and the draft legislation on corporate manslaughter. They are separate pieces of legislation, and I want to make that point clear because we have consulted on the scrutiny of one and are about to scrutinise the other.

Glenda Jackson (Hampstead and Highgate) (Lab): Before the Home Secretary moves on from the issue of domestic violence, may I ask the Government to consider the point that far too many deaths of children have taken place at the hands of their fathers who, not infrequently, then commit suicide? Will the Government consider the possibility of denying any unsupervised access to his children by a father who has been guilty of violence—either physical or verbal—against the children's mother?

Mr. Blunkett: When my hon. Friend raised this point on the statement in July, I said that a lot depended on the definition relating to the severity of the crime committed. The protection of children from those who have committed heinous crimes is an absolutely prime requirement, but we also need—at the opposite end of the spectrum—to maintain contact whenever we can and rebuild the family whenever that is possible. We will seek to try to ensure that we meet that requirement and meet the difficult balance between the two objectives when the legislation goes through the House.

I now want to make progress by mentioning other legislation. The civil contingencies legislation will be taken forward by the Cabinet Office. It is not, of course, about anti-terrorism but civil contingencies. I make it clear that part 1 of the Bill will address the civil protection framework and part 2 will provide for the modernisation of emergency powers. The Bill will update the Emergency Powers Act 1920 and the Civil Defence Act 1948 but will not introduce dramatically new changes. It has already been scrutinised, so when we debate it we will be prepared to respond to that scrutiny and suggestions made by hon. Members of all parties. I hope that we can get the Bill right because it is important for it to have all-party support and for people to feel comfortable with the changes. The required measures for use in extremis will not necessarily be needed only due to outside intervention but sometimes because of acts of God.

Let me return to the asylum legislation. It represents the third strand of our process of establishing a set of building blocks to get the nationality and asylum system right. Balance is important and although some people say that they do not see balance in our programme, the White Paper that we published almost two years ago spelled out clearly our policy of balancing legal and economic migration, the UN gateway for asylum seekers, and the need to clamp down on clandestine entry and circumstances in which asylum is used as an alternative economic route. That is why the Bill will build on three key areas. First, the attitude and presentation of those who seek and facilitate asylum should be honest. We must ensure that people do not throw away their passports and documents when they get off planes or refuse to tell the truth about where they came from or their country of origin. Secondly, we must clamp down on organised criminals who traffic people throughout the world for considerable gain. Thirdly, we need to speed up the clarity and decisiveness of the system, including the process for appeals and removals. The Bill is concentrated entirely on those three reasonable and laudable aims.

Mr. John Denham (Southampton, Itchen) (Lab): Will my right hon. Friend say a little more about measures to clamp down on people trafficking? The Government consulted on proposals to require airlines to copy the documents of passengers who board planes on certain routes but such a provision is not in the Bill. Do the Government intend to make a decision on whether to include that measure before the Bill completes its passage through the House?

Mr. Blunkett: We are consulting with the carriers. If we introduce a measure to require copying, it should be universal so that all carriers that transport people into the country would be on equal terms thus ensuring that it would not disadvantage any carrier. We think that that would secure fair competition and ensure that no companies' commercial operations would be disadvantaged. There are different views on the subject but I hope that we will be able to resolve the matter quickly so that we may introduce measures.

Of course, 70 per cent. of those who claim asylum dispose of their passports or documents before presenting themselves. We accept the fact that some people would never have had passports or documents and that they would have been transported across the continent in the back of vehicles or another clandestine way. If those people explain how they got here, that will be sufficient to ensure that their claims are heard. However, many people destroy their documents to evade proper scrutiny of their claim and deceive those who undertake such scrutiny about the specific country in a region from which they came, and others do that at the behest of their facilitators' instructions. Such actions make the system difficult to operate. Every time that we close a loophole, a new one opens up, which is why it is necessary to continue, as this third strand does, to block loopholes and deal with the innovative ways in which people try to destroy a robust system.

In the end, the measures will need to be linked to proper methods of identification so that people who enter the country—legally or otherwise—and disappear into the community will not be able to draw on our services, get work or abuse our country's hospitality. Indeed, such methods would prevent the exploitation of people who disappear into the community to work to try to sustain themselves because they are not entitled to benefit, which was described earlier. The policy is all about developing stability and order and the difficult job of laying down the terms of the way in which we can establish foundations on which others may build.

This is not a job in which accolades are handed out for doing things that are immediately popular, with the exception of introducing welcome measures on sexual offences, domestic violence and, in the near future, I hope, the radical reform of our correction services. The job is about laying down requirements on which other changes can be built, on which safety, security and stability may be assured, and on which the progressive agenda that we want can be won. By doing what we have to do now and anticipating future changes and difficulties and likely points of attack, we can secure for those who come after us a platform to take forward many of the things that we hold dear. That is why we will ask the House to vote for the measures in the Queen's Speech on home and constitutional affairs today and why we shall ask the House to vote for them so that they become Acts of Parliament that will ensure that people in the communities we represent will know that we are on their side.

1.26 pm

David Davis (Haltemprice and Howden) (Con): May I start by sympathising with the Home Secretary about his black eye? I have had one or two myself, so I know how he feels.

This year's Queen's Speech has yielded yet another bumper crop of Bills which, at the very least, confirms the Government's reputation for activism. During the course of the year, I intend to address the substance of Bills on home and constitutional affairs in the constructive manner characteristic of my predecessor as shadow Home Secretary.

Elements of the Bills will certainly find support on this side of the House. Conservative Members have, for example, long supported measures to tackle domestic violence. I understand only too clearly what the Home Secretary said about several of the issues being extremely difficult, so we shall help him to wrestle with them. We are pleased that the Government have found time to introduce a Bill on charities, and we welcome the Bill on civil partnerships. Both will allow the House to address and correct long-standing legal anomalies and unfairness. I also look forward to discussing with the Home Secretary, as he promised that we would at the end of the past Session and reconfirmed today, how we may deal effectively with serious fraud without losing the twin pillars of British justice—the presumption of innocence and trial by jury.

We are also pleased by the announcement of a civil contingencies Bill in the Queen's Speech. Despite what the Home Secretary said, action on that front should surely have been taken four weeks after 11 September rather than 104 weeks afterwards. Despite the Bill's excessively lengthy gestation period, it is still flawed and was criticised by the Committee of hon. Members and peers that was set up to review. We shall examine all those criticisms carefully when the Bill comes before the House, but I share the Home Secretary's hope that we can adopt a reasonably bipartisan approach.

There are some worthwhile Bills in the Government's programme but we have been here before in previous years. Indeed, the Government have introduced at least 30 Home Office Bills, but their effect on crime has been far too small. Despite the Home Secretary's frenetic activism, the programme will do little to tackle the appalling levels to which crime has risen during the Government's tenure.

The Home Secretary obviously has a selective memory when it comes to statistics, so let me restate the facts. During the past century, recorded crime rose throughout the industrialised world, and Britain was no exception. However, between 1992 and 1997 the number of crimes committed in Britain dropped by almost 1 million. That was better than what happened in any other country in the Organisation for Economic Co-operation and Development, which is a tribute to the energy, talent and commitment of the then Home Secretary, who is now, of course, the Leader of the Opposition.

This Government have achieved quite the opposite. Between 1998 and 2003, crimes recorded in Britain rose by almost 800,000. Violent crime alone has risen by nearly two thirds in just five years. Burglaries have almost doubled, and gun crime has doubled. Drug crime is up; theft is up; sexual offences are up. Some 60,000 incidents of antisocial behaviour—the insidious, corrosive behaviour that is tearing at the fabric of our communities—are reported every day. The only figure that has fallen is the level of crimes detected. Indeed, the Home Secretary's own figures report that the number of crimes detected in England and Wales has fallen to fewer than one in four. The Government have snatched defeat from the jaws of victory. They have turned their back on an open goal and scored an own goal instead.

Let us be perfectly fair, however. The failure to stem the appalling rise in crime under the Government's stewardship has not been for want of activity on their part. In addition to the 30 Bills proposed since 1997, initiatives have been announced and re-announced weekly, if not daily. There have been cash-point fines, child curfews and night courts, all uniformly unsuccessful. To implement that initiative frenzy, the Home Office has recruited 20,000 more administrators. Those have, in turn, multiplied and divided into five groups, six directorates, 10 teams and 63 units. By 2005, the cost of simply running the Home Office will have gone up by 46 per cent. That is well over £1 billion, which could have paid for countless thousands of police.

Mr. Blunkett: I have listened quietly to most of the right hon. Gentleman's distortions, but I need to put the record straight on the last one before it gets legs. Much of what he describes is theoretically true but only

[Mr. Blunkett]

because the national probation service, which was decentralised to a localised system, was brought back together in 2000. All the staff working for it and the resources applied to it were brought into the Department at the same time.

David Davis: How many of the extra 20,000 administrators does that account for? Not that many. I note that the Secretary of State did not challenge the idea that we might have got more policemen for that £1 billion, because he cannot.

Mr. Mark Oaten (Winchester) (LD): Is it still the right hon. Gentleman's party's policy to have an additional 40,000 police funded from putting asylum seekers on an island?

David Davis: It is certainly my party's policy to have an extra 40,000 police funded from savings made on the Government's disastrous asylum policy.

What is the result of the prodigious explosion of energy and public spending? It is declining confidence and rising crime. The people of this country are losing confidence in the ability of the police to protect them and to deliver criminals to our courts for justice. A recent ICM poll shows that in two thirds of crimes reported to the police, officers tell the victims that little or nothing can be done to apprehend the perpetrators. That may be why one victim in seven does not bother reporting crime to the police even when it is a serious offence. Half of them decide not to report it because they believe that the police would not catch the person responsible.

Nothing in the Queen's Speech will seriously remedy that situation. There is a Bill that is designed to provide increased support to victims of crime and witnesses of crime. If it provides victims with more help than they currently receive, we will support it and try to amend it to ensure that it is more effective than previous legislation from this Home Secretary.

Mr. Bellingham: There is also nothing in the Queen's Speech to reduce the appalling amount of paperwork that ties policemen into sub-beat offices and police stations. Surely more can be done about that.

David Davis: The first thing to do would be to cut the 20,000 extra bureaucrats that the Home Secretary has taken on.

I can tell the Home Secretary what the victims of crime really want: criminals to be caught and punished. At the moment, 97 per cent. of crimes go unpunished. No wonder public confidence in the criminal justice system is at an all-time low. What the public want, in short, is more police—40,000 more police in case the Liberals are interested. What the Home Secretary offers instead is more and more draconian legislation that impinges on the liberties of ordinary citizens but does little to catch real criminals. Those measures were corrected in the last Session only by the House of Lords, which brings me to the next subject: constitutional change.

Again, I am afraid that there is no evidence in the Queen's Speech that the Government have managed to produce any meaningful or coherent policy. Earlier this year, the Prime Minister embarked on a programme of fundamental change to our constitution as a spin-off from a botched and mismanaged Cabinet reshuffle. Proper consideration of the judiciary and the Executive, and the role and position of the Lord Chancellor, was thrown out of the window in favour of a blatant exercise in cronyism and power politics.

Let me remind the House how the Government dealt with our constitution. The Home Secretary made it clear that he did not have even a little conversation on the subject. On 12 June, as part of a reshuffle, No. 10 issued a hastily drafted press release announcing that the centuries-old office of Lord Chancellor was being abolished, to be replaced by a Secretary of State for Constitutional Affairs in the form of Lord Falconer. No. 10 made it plain that the Lord Chancellor would no longer fulfil the function of the Speaker of the House of Lords. On Friday morning, however, the Government discovered that they could not abolish the office of Lord Chancellor without an Act of Parliament. They also discovered that the Lord Chancellor's attendance in the House of Lords was required by a Standing Order that goes back to 1660. So their grand plan went off the rails within 12 hours of being announced. That is hardly evidence of a well planned programme of constitutional change; it is more a case study in incompetence.

The Prime Minister has treated our constitution with an arrogant disdain that is shocking even by the standards of new Labour. Let me emphasise that it is our constitution. The Prime Minister seems to have forgotten that it belongs not to him, his Government or, indeed, any Government, but to the people of the United Kingdom. It is, of course, quite in character that he should deliver his proposals with no consultation, no debate and no thought for the consequences.

The Government now claim that their proposals are all about modernising the constitution. I wonder whether Labour Members remember their manifesto commitment to make the House of Lords "more democratic and representative". Perhaps they remember the pledge:

> "We will abolish the House of Lords and replace it with a proper democratically elected second chamber with a new electoral system to go with it".

In case they have forgotten, those were the words of the Prime Minister.

What happened to those promises? Are the Government planning to make the upper House democratic? Did I miss that aspect of the Queen's Speech, or have the Government redefined, in some Orwellian fashion, what democracy means? If the Prime Minister does not stand by his commitments, the House and the people of Britain will be left with no other conclusion than that the Government's reforms are simply a sham. They will be seen as nothing more than an attempt to bring to heel an upper House with principles and powers that have proved inconvenient to the Government, and nothing more than an attempt by the Prime Minister to stuff the upper Chamber with yes men who will do his bidding.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush) (Lab): Will the right hon. Gentleman bear it in mind that for 100 years or more the House of Lords has been nothing other than a constituency Conservative party? Will he also bear it in mind that it is the right of the two

Chambers to reform the House of Lords, and this Chamber failed to find a satisfactory solution? Perhaps he might like to consider a real option, which it is for both Houses to propose, of a hybrid chamber—my preferred option—that would represent us in this century.

David Davis: Plenty of options are available. This House did not reach a majority on any of them. However, many are much more popular than the Prime Minister's proposals. As for the Tory upper Chamber, the Government have been defeated 78 times in the House of Lords. On only six of those occasions were there more Tory than Labour Members of the House of Lords in the No Lobby. On 72 out of 78 occasions, they were defeated by their own Members, Cross Benchers and others.

Mr. Oaten: Others?

David Davis: Others, yes.

What is the rationale for the Government's attack on the House of Lords? Is the problem that it is not democratic? No, it is not, because the Prime Minister has no intention of making it democratic. Is the problem that it is full of political appointees? No, it is not, because the Prime Minister wants more of those. Or is the problem that the House of Lords has actually done its job and stood up to an arrogant and over-mighty Executive?

Were it not for the House of Lords, we would already have lost jury trials for countless offences. Without the House of Lords, the Government would have assumed huge powers to intercept private e-mails under the snoopers charter. Without the House of Lords, we would have seen draconian legislation, with everybody from church choirs to pub pianists being covered by the Licensing Act 2003. The House of Lords does its job every day, revising legislation and making it better and stronger. The House of Lords remains a practical check on Government, working not on the basis of party politics but on the basis of what is right for Britain. No wonder the Government want to see it permanently neutered.

The Government claim that their proposals are about making the judiciary independent of Government. I would have thought that anybody who has witnessed the arguments of the Home Secretary, or indeed of previous Home Secretaries, with the judiciary could hardly doubt its independence. Perversely, the Government's proposed judicial appointments commission could undermine the independence of the judiciary, unless there are transparent safeguards, and we will work towards that.

David Burnside (South Antrim) (UUP): Would not my right hon. Friend include in his list the role of the House of Lords in stopping the draconian ban on hunting with dogs, which was a defence of the individual liberty of sportsmen and women in this country?

David Davis: I have no difficulty in welcoming all actions of the House of Lords in defending liberty. It is one of its important functions, and one not understood by Members on the Labour Front or, indeed, Back Benches.

The Government have consistently undermined the powers of the Commons; they must not undermine the Lords simply because it is an effective check on an arrogant Executive. What is so wrong with the constitution that there is this sudden, urgent need for change? It may be a depressingly conservative question for Government Members, but it is not one that they seem ever to have asked. They see something old, and with the well-honed intellect of one of Pavlov's dogs, they conclude that it must be bad. It is not necessarily bad because it is old; indeed, it might well have become old because it is good.

I have covered a number of subjects and a number of Bills. Where it is appropriate, Conservative Members will not hesitate to support the Government. I have referred to a number of such Bills. There is one, however, that I have not yet covered. This year, we have another asylum Bill—the Home Secretary told us about it—the third under this Government. Again, I remind him of the figures. In the last full year of the Conservative Government, 37,000 asylum seekers entered the UK. Last year there were 110,700—a 200 per cent. increase. Responsibility for the shambles in the asylum system belongs to this Government. Since coming to power, their record on asylum has been a dismal litany of failure.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): I congratulate the right hon. Gentleman on further developing Conservative asylum policy on this morning's "Today" programme. I understand that he will not want to name the islands or peninsulas that are being targeted by the Conservative party as a dumping ground for asylum seekers, but it would be useful to the House and the electorate if his party could produce a shortlist of islands or peninsulas that the current residents could examine in the run-up to the next general election so that the electorate may make an informed choice.

David Davis: I would be careful if I were the hon. Gentleman—he will get into the bad books of the Home Secretary, who gets very upset when one does not read his press releases and statements. On 24 November, the Home Secretary was talking about where the Government could find a place abroad as part of reviewing the whole question of asylum. *[Interruption.]* Yes, he was.

Last week, the Government boasted that the number of asylum seekers had halved. *[Interruption.]* Labour Members do not want to hear this either. However, the number remains 50 per cent. higher than it was in 1997. After losing any grip on the system, this Government have wasted billions of pounds of taxpayers' money that might otherwise have been spent on schools, hospitals and the police. The Home Secretary has brought the numbers down only by reintroducing Conservative measures—measures that his party slammed as "racist, uncivilised and unjust" when it was in opposition, so I will not take too many lectures on responsible comments from Labour Members.

Now we come to the third asylum Bill, the Asylum and Immigration (Treatment of Claimants, Etc.) Bill, which was announced in the Queen's Speech last week and mentioned by the Home Secretary today. I should put it on the record that much in the Bill sounds

[David Davis]

eminently sensible, such as measures to penalise those who destroy their travel documents, about which the Home Secretary talked today. I understand from the papers that he has had difficulties with his Cabinet colleagues, but there are practical ways of taking those measures, so we will support the right hon. Gentleman on that.

Frankly, however, despite the Home Secretary's protestations, there has been nothing sensible or responsible about the way in which the Government have handled the announcement of the Bill. The way in which the Home Secretary and the Prime Minister have treated the issue over the past days shows the depths to which they have sunk for a quick and easy headline. On Sunday, under the headline, "Asylum children may be taken in care", *The Observer*, the Home Secretary's favourite document, reported:

> "Asylum seekers will have their children taken into care in a draconian attempt to force them to go home."

Throughout the week, similar stories and headlines appeared in the press and on the airwaves.

Mr. Blunkett: May I just ask one simple question? Is it the thrust of the right hon. Gentleman's query that I, or someone working on my behalf, placed that story?

David Davis: Well, somebody in the Government did, that is for sure. I shall come to the right hon. Gentleman's Department in a moment. The Home Office had plenty of opportunities to deny the story. At any time, the Home Secretary could have gone on air to set the record straight. This, let us remember, is the Government who invented rapid rebuttal. They rebut things between the first and second editions, when they want to, not between Sunday and Thursday. They could have used their armies of spin doctors to knock the story down. Instead, they chose to defend it, and now I turn to the Home Secretary's question, because a Home Office spokesman described the measure as

> "an incentive for people to return voluntarily before removal is enforced".

That was crass, insensitive and profoundly distasteful. On Wednesday, the Leader of the Opposition challenged the Prime Minister on those reports. He made absolutely no attempt to deny the allegations.

We now know that the Bill makes no mention of taking children into care. This was an exercise in grabbing the headlines. It was designed to make the Government sound tough. It was a calculated effort by the Government to cover up their failure to manage an orderly asylum system.

Claire Ward (Watford) (Lab): Will the right hon. Gentleman give way?

David Davis: No, I will not. I am coming to the end of my remarks.

Is not this evidence that the Government have sunk to a new low, even by their own shabby standards? How can anybody trust or respect a Government who are willing to chase headlines at the expense of innocent children?

The Home Office's motto is

> "Building a safe, just and tolerant society",

but what is safe, just and tolerant about the Bills in this Queen's Speech? What in these Bills will make our citizens feel safe on the streets of our cities? What is just about risking the independence of the judiciary? Who would say that forcing the children of asylum seekers into care is an act of tolerance? We have a Government and a Home Secretary who are addicted to posturing: posturing on asylum, grand gestures and meaningless initiatives on crime, and pointless grandstanding on the constitution. The Home Secretary's reckless comments on the individuals arrested in Gloucester last week were the latest example of an addiction to cheap populism.

The British people are sick of grandstanding. They want results. It is time for this Government to get off the stage and make way for a Government who will deliver.

Several hon. Members *rose—*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I remind the House that there is a 10-minute limit on Back-Bench speeches, which operates from now.

1.49 pm

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush) (Lab): Contrary to the remarks of the right hon. Member for Haltemprice and Howden (David Davis), I think that the Government have done remarkably well on constitutional reform. We are embarked on a course that we need to spell out in more detail, and we must pace ourselves rather well over the coming years.

The quest or the plan for a supreme court is precisely right. Our judges are not failing in any way, but the system is seriously out of date and puts us at risk of being in breach of article 6 of the European convention on human rights. We have signed up for a clear distinction between the legislature and the judiciary. We have judges sitting in our second Chamber and we need to bring that to an end. I do not want to go much further down that road. The Select Committee whose remit is constitutional affairs, of which I am a member, is considering, for example, the issues of independent selection measures for judges, where the proposed supreme court should sit and the way in which it should be organised. The Committee will report in due course.

It is important to modernise the separation of powers between the judiciary and the legislature. As I have said, that is not because of any criticism of our judges, but because time has moved on and we need to move with it. In a sense, the criticism of the British system is not that we do not have a written constitution; in many ways I regard it as an advantage to have an unwritten constitution. However, we have not made enough changes in recent times. There have been changes, of course, and we are now embarked on the right track. I shall focus mostly on reform of the second Chamber. Contrary to what the right hon. Member for Haltemprice and Howden was saying, I think that the House failed, not the Government, to produce a workable proposal for a second Chamber.

The Joint Committee of the two Houses sat for a long time to contemplate a number of options. In my judgment, the Committee was too large to come up with really good suggestions on which the House could have voted with more effect. I suppose my main appeal is that we should reconstitute that Committee early next year with fewer members who are drawn from both Houses, with a duty to continue to explore reform of the second Chamber.

I believe that there is a majority in this place and, I suspect, in the second Chamber who know that reform cannot stop. The reality is that we cannot leave the second Chamber as it is. There are, for example, some relatively minor issues such as the size of the second Chamber and whether there should be a retirement age, but the much bigger issue is how the Chamber should be constituted. Other issues that we are addressing elsewhere in the constitution indicate to me that the second Chamber should be a hybrid Chamber. I shall return to that.

David Davis: The hon. Gentleman rather reinforces my view that the constitution should be changed carefully and slowly in order to get the outcome right. It is difficult to reverse the process. The hon. Gentleman is right in the sense that the House did not provide a clear decision when the issue was debated previously. Would it not be better to start with decisions that were the most popular—maybe they did not get a majority vote—and principally were the most democratic?

Mr. Soley: I understand that approach and I have some sympathy for it. I believe that for the best part of 100 years the big bang approach has failed when it has come to solving the problem of the second Chamber. Time and again, attempts have been made by Labour, and in the early part of the previous century by the Liberal party, to reform the second Chamber. Those attempts never really worked. Big steps were taken when the Liberals appointed more peers to get legislation through. There was the introduction of life peers, and so on, but the reality is that any attempt to arrive at a total solution, which is then imposed on the second Chamber, is unlikely to get support in this Chamber or in the other Chamber. That is why we constantly run into trouble. In that sense, I think that the right hon. Gentleman is right in his intervention. We need to pace ourselves on progress and reform.

How do we do that? I do not think that there is any real chance of a fully elected second Chamber being voted through in the two Chambers in the near future. Nor do I think that there is any credibility in a system that is wholly appointed along the present lines. We must move forward differently. It seems that everybody is signed up to an independent appointment system. In terms of the responsibilities of my right hon. Friend the Deputy Prime Minister, we are moving fairly rapidly towards a system of devolved regional government. We have it in London and we have it in Scotland and Wales in the form of devolved assemblies. It is to be hoped that there will be such an assembly in Northern Ireland in due course. It is a matter of time before the English have devolved government. Some English regions will go for it quicker than others, but I guess or estimate that the idea will catch on and that we will have devolved regional government.

Around the world, many second Chambers are not made up of wholly elected Members. Instead, they are in some way made up of local regions. In a sense, the prize for Britain is to create an elected part of our second Chamber that represents the regions. The beauty of having a hybrid Chamber—by that I mean part appointed and part elected—is that it is made clear that the second Chamber is junior to this Chamber. The problem of having a wholly elected Chamber when we do not have a written constitution is that power could move between the two Chambers without let or hindrance. In a way, that is what happened in the 19th century. At one moment we had the then Prime Minister in the second Chamber, and then he was back in this Chamber. If we do not want to go back down that road, we need to make it clear that the House of Lords is a second Chamber and not the first Chamber.

Kali Mountford: Perhaps my hon. Friend will clarify for me what he means when talking about his hybrid view for the future of the House of Lords, or the second Chamber. What exactly does he mean in taking that hybrid view? Is he talking about a directly elected part, or would he consider an indirect election for certain Members chosen from the regions, and perhaps for particular interest groups?

Mr. Soley: My hon. Friend helps me in my argument. If we agree to set up the Joint Committee of the two Houses again early in the new year, as I would wish, I would like it to consider the advantages of direct as opposed to indirect election in the second Chamber in representing the regions. I would not go down the road of interest groups—that would be full of problems. The key is to recognise that the Government have devolved a great deal of power. Contrary to popular opinion, it is not a centralising Government of the sort that we have had before. If we continue down that road, which English regional government moves us along, we must bring the United Kingdom back together again in the second Chamber. That is the reason for having the regions—in the widest sense of the term, Scotland, Wales and Northern Ireland, but also the regions of England—represented in the second Chamber in some way. In that way we would strengthen the constitution.

My plea to this Chamber and to the second Chamber is to allow thinking to develop within the Joint Committee, if it is set up again. It would be a Select Committee and would be able to take evidence on, for example, the virtues of direct versus indirect election. It could then make proposals a step at a time to the two Chambers. I believe that we would get through a reformed House of Lords over the next few years. We will not get a reformed House of Lords by trying to push through a wholly appointed Chamber. Nor will we get through a wholly elected Chamber. That is why I argue that we should allow ourselves to be paced by a Committee that reports regularly to the House and puts proposals to both Houses on which they can vote.

I do not believe, and have never believed, that we can leave the House of Lords as it is. It needs to change, and that is the way forward. If we take the judges out of the second Chamber, questions are raised about who else should be there. There are difficult questions, including those about religious representation in a society that is much more diverse in its religious views. I am talking about one of the core ways forward.

We should not divorce what we are doing on constitutional change from what we need to do on the Floor of the House and elsewhere with the modernisation of this place. If we compare the House now and in 1979, when I became an MP, we can see that

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it is radically different and, in many ways, much better. The Committee structures work better and Westminster Hall, to which I can claim to have given birth, if that is the appropriate phrase—*[Laughter]*. It is probably not, but never mind. However, the introduction of debates in Westminster Hall was a useful development that has proved its worth. There are other options that we ought to look at. For example, I have already suggested to the Leader of the House that we ought to look at whether, in Westminster Hall, it is possible to allow Members of the Commons to question Ministers who are Members of the Lords. That would give a clear signal that the House of Lords is a second Chamber, but it would also allow hon. Members to cross-examine Ministers from the other place.

We also need to look at ways of allowing MPs to cross-examine European Commissioners as part of a wider examination of our constitution. I am not suggesting that those Commissioners should be called over here—not because they would not attend, but because if they had to attend assemblies in every country there would be a problem. However, sessions could be held in which European Commissioners would be questioned in an open format by Members of Parliament—that would be another useful step forward. My plea generally is that we should recognise that the way in which we modernise our constitution will have dramatic consequences. Although it may not be the burning question of the moment and may not cut much ice on the streets of Shepherd's Bush, Acton or indeed any other constituency, it affects everyone in the country. The way in which our constitution works determines the quality of our democracy and Government. We should therefore replace the Joint Committee early in the new year, but we should also be careful not to take our eye off the ball when taking a genuine opportunity that we have not had for at least 100 years to make basic, major reforms to the constitution and the way in which the two Houses work.

2.1 pm

Mr. Mark Oaten (Winchester) (LD): I congratulate the Home Secretary on his incredible energy levels and those of the Home Office. Once the Bills piloted by his Department are introduced, 48 Home Office Bills will have been introduced since the Government came to power. There is a growing tendency for politicians to do too much. While some of the Bills include measures that the Liberal Democrats have supported in the past, Members on both sides of the House share a genuine concern that far too much legislation is being introduced.

There is, however, much on home affairs and constitutional matters in the Queen's Speech that Liberal Democrats support. In particular, I am pleased that a civil partnership Bill will be introduced, as its content was originally worked up by my colleague, Lord Lester, as a private Member's Bill. Proper legal rights should be in place recognising those individuals and couples who live together. We therefore very much welcome that legislation. We also welcome, as I think all parties do, the proposed legislative changes affecting domestic violence victims and witnesses. Those measures are long overdue, as the Home Secretary said. Domestic violence is an awful crime and, sadly, leads to a number of deaths every week. It is often a hidden crime that goes unnoticed, so it is important that measures should be in place so that we have recourse to positive action to try to tackle the problem. I also hope that, simply by having legislation in place, awareness will be raised among the police and society in general that those issues need to be tackled. I welcome, too, the establishment of the post of an independent commissioner for victims.

On the code of practice for victims, I have been lobbied about the issue of victims of road traffic accidents. The draft code did not deal with some of the big concerns of the many victims of road traffic accidents, so I hope that the Home Office can look at it again. On domestic violence, I hope that the Government can look at prevention. Many of the measures that we are discussing will kick in once an attack has happened, but we need to do more to prevent attacks in the first place. I therefore hope that the Government will address the issues of proper marriage counselling and mediation.

Liberal Democrats welcome the measures on charities, as there is clearly an enormous need to modernise charity law. I also welcome the proposals for much greater integration of the work of the voluntary sector with that of other sectors, giving the voluntary sector an enormous opportunity to play a much greater role. Members on both sides of the House have big arguments about our public services and whether they should be run privately or by the public sector. However, a third way is to include the voluntary sector much more in the provision of those services. I hope that in a small way the measures in the charity Bill will result in a big growth in the embedding of voluntary groups in the running of our public services.

We welcome some of the measures introduced by the Department for Constitutional Affairs. We certainly support the abolition of the post of Lord Chancellor and the creation of a supreme court. I hope that colleagues will have a chance to catch your eye, Mr. Deputy Speaker, to expand on that. However, there are two measures in the Queen's Speech with which we fundamentally disagree, the first of which is the Asylum and Immigration (Treatment of Claimants, etc.) Bill. We have major concerns about some of the provisions that are being introduced. Last week, there was an announcement about the reduction in the number of individuals coming to this country. First, I should like to raise with the Home Secretary the folly of going down a route that establishes targets on those issues. The Government have achieved their target, and I do not question it or the way in which they have counted the numbers. According to their own measurement, they have achieved their target. However, is a new target going to be put in place for next year? If not, why not? According to their own judgment, a target-based approach is desirable. However, the folly of targets is that they do not take into account international circumstances that may vary from year to year. For example, situations may arise in various parts of the world that will result in a different demand on the asylum system. I am pleased that the Home Secretary has said that there will not be any more targets, so I hope that, now the reduction has been achieved, we have seen the last Government target in this area.

Turning to the measures that the Government are putting in place, does the Home Secretary expect that the proposals on children will be debated in future? Will he give us a categorical assurance that there will be no more references to the issue? We have had a debate about it this afternoon, but one way or another, whoever is right, and whether or not it was the Home Office that was briefing *The Observer*, there is no doubt in my mind whatsoever that, regrettably, the issues of children and asylum were linked last week.

Mr. Blunkett: I am happy to assure the hon. Gentleman that I do not intend to return to the issue. It was never in the draft legislation. As I said, it was referred to on 24 October as part of a response to questions about what happens to children in circumstances of destitution. I do not normally say so on the record in the House, but I would be happy if anyone could produce a journalist who was keen to say that we briefed them, gave them the story and spun it, which they then gave to the public.

Mr. Oaten: I am grateful for the Home Secretary's clarification of the fact that we shall not be hearing about these issues again. However, does the right hon. Gentleman not acknowledge that the question of whether a child is taken into care or given support has nothing to do with the Home Secretary but everything to do with the social services system? With that in mind, it is critical that social services decide whether or not children are suffering or are in need, particularly whether they have financial needs. Does the Home Secretary accept that usually when social services get involved to try to help a child in such circumstances their initial response is to try to find financial support for that family? By taking away that financial support, which is what he is doing, he is creating a problem for social services—*[Interruption.]* If the families are creating the problem, that is not, to some extent, their choice. Society must help to solve the problem. The instinct of any social services department will be try to put money back in, putting the children first and reducing the chance of their being taken away.

On the question of appeal, we are playing a numbers game, and I should like to probe the Home Secretary a little more. We all agree that a number of decisions, about 20 per cent., are overturned during the first stage of appeal, which suggests that the current system is failing and incorrect. The Government plan to take away, in crude terms, the second stage of appeal. The Home Secretary gave a figure of 3 per cent. for success in that second stage. I would welcome clarification as to whether that is 3 per cent. of the overall cases—in other words, the cases that presented for the first appeal—or whether it is 3 per cent. of the cases going through to the second appeal.

Mr. Blunkett: To be helpful to the hon. Gentleman, I am talking about 3 per cent. of those who were allowed to be referred from the first immigration appellate authority appeal to the third stage of decision making.

Mr. Oaten: I am grateful to the Home Secretary for clarifying the point. The briefings that I have been given—I accept this openly—suggest that the figure is much higher at the second stage. Some of the figures presented to me by legal teams working on such cases are indeed as high as 20 per cent. When we consider the matter in Committee, we will want carefully to probe the Government to establish what is happening at that second stage of appeal.

Mr. Blunkett: I thank the hon. Gentleman for giving way, as it may help hon. Members for me to explain. Following the first decision, a large number of cases go to first appeal with the immigration appellate authority, as the adjudicators. Some 20 per cent. of those appeals are currently allowed. A further tranche seek to go to the next round of appeal. A large number are currently allowed to put their case, and 3 per cent. of them are successful.

Mr. Oaten: We seem to have reached a point at which the Home Secretary may be telling me that 20 per cent. of those people are allowed to put their case. We will clearly have to revisit the issue in some detail. I would have extreme concerns about moving a tier of appeal that could be accessed in at least 20 per cent. of cases.

David Davis: I suspect that there may even be consensus between all three parties on this matter. The implication of what the hon. Gentleman has described—the one-in-five failure rate in the first round—is that the quality of decision making is too poor at that stage. Effort should therefore be focused on that round, rather than on infinite extensions of the appeal process.

Mr. Oaten: There is full agreement on that issue. I am sure that we will return to the figures later, as I want to be clear that we are not ruling out the possibility of appeal for a number of individuals. I think that there will be agreement on all sides, however, about the principle of establishing a proper, fair and effective system much earlier.

With that in mind, there are concerns that the Government's proposals on legal aid and its reduction—they are not in the Asylum and Immigration (Treatment of Claimants, etc.) Bill, but have been announced elsewhere—will have a negative impact on getting the decision right in the first place. We all agree that that is our objective, and, as a layman, that suggests to me that proper legal aid should be in place at an early stage. That should ensure that no individual is left without the legal aid that they need or finds that the team that is briefing and advising them is not of the quality that would have been provided if full legal aid had been made available.

When the Select Committee on Constitutional Affairs considered changes to legal aid, the majority of the 260 submissions that it received opposed such changes. The Committee said:

> "The Government's original proposals were hurried and not obviously thought through and its 'alternative approach', proposed to us at almost the very last stage, is unhelpfully vague."

I hope that the Home Secretary can give us some indication of the current thinking on plans to change legal aid. Perhaps there is a case for not making such changes until we have seen how the changed system, with the reduction of appeal—or streamlining, if he wants to call it that—has bedded down. Making a fundamental change to the appeal process while also

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making the changes that he is planning in respect of legal aid seems to be folly. There is a strong case for delaying the legal aid changes until we see how the matter develops.

Keith Vaz: I agree with the hon. Gentleman. The other risk is that many well qualified solicitors who should be giving legal advice under the legal aid scheme are withdrawing from it simply because of the limits that are placed on it. The applicants are left consulting people who are simply not qualified to advise them.

Mr. Oaten: If we have consensus on the requirement to improve the process in that first stage, I suspect that, when we explore what is going wrong, we will find that the hon. Gentleman's point is accurate and that the quality of the advice given at the first stage is not as good as we would like. I suggest that the planned legal aid changes will not help that situation, but make it worse.

There could be broad support on the Liberal Democrat Benches for introducing some form of punishment for individuals who burn their documents and are clearly trying to abuse the system. We obviously want assurances about ensuring that people who have genuinely fled their countries and got rid of the documents that they brought with them on the plane because they were nervous about arriving in this country will not end up suffering severe punishment. None the less, subject to a bit of probing, I think that we would be broadly supportive of what the Government are suggesting.

I should like to make a couple more points about the same issue. I welcome the statement that the Home Secretary made three or four weeks ago, I think on "Newsnight", in which he spoke very well about the tolerant attitude that this country should have about asylum and talked about welcoming economic migrants to this country. I was impressed with what he said, as he spoke in a tone that many Liberal Democrats have wanted to hear much more from the Government. The announcements hidden away in the Bill, however, which include the power to increase charges for immigration visas, contradict some of the language that he was using only a few weeks ago. It would be helpful for the Home Office to confirm that it is now planning to charge more in relation to immigration visas than the actual cost of the process itself. That is wrong, as it could mean that people coming to this country for perfectly good reasons, such as attending a funeral or visiting family members, are turned into a money-making scheme for the Home Office.

Let us hope that we can have a sensible debate about asylum. It will be a much more mature debate if the Home Secretary can confirm that the 28 clauses currently in the Asylum and Immigration (Treatment of Claimants, etc.) Bill will remain as such, and that we will not see all sorts of right-wing, headline-grabbing initiatives being tagged on to it at various points.

I turn to identity cards with some trepidation, as the Home Secretary had great sport and fun when I last raised the issue, when he pointed out that I had expressed support for a private Member's Bill introduced a year ago. I admit that the view that I took is slightly unusual on the Liberal Democrat Benches.

Mr. Garnier: I encourage the hon. Gentleman not to be too worried about changing his mind. About 18 months ago, the Government were staunchly in support of the continuation of the role of the Lord Chancellor.

Mr. Oaten: Indeed, I could be slightly cruel and point out that, in 1989, the Home Secretary himself voted against a Tory private Member's Bill involving the introduction of a personal identity number in an attempt to tackle fraud. I shall not go down that line, however, as I suspect that he has better researchers than I have and could probably come back at me with things that I have done in the past. *[Interruption.]* I was not here in 1989.

If I could be convinced that there was a system that could do all the things that the Home Secretary would like and guarantee an ability to tackle crime, more security from terrorism and major benefits in respect of benefit fraud, I might be prepared to set aside some of my concerns about civil liberties and consider such a proposal. However, I am not convinced.

David Davis: I do not blame the hon. Gentleman for changing his mind. In an era in which massive issues such as 9/11 have come along, those of us who were nervous of ID cards have become more cautious. The sensitive issue, however, is the holding of a database and how the Government database is dealt with. That is much more sensitive an issue than carrying a card in one's wallet. It is in that area that civil liberties come into play. I tell him now that that is where Opposition Members will focus most of our concern—on protecting individuals from misuse of the information held about them. I hope that that his party will support us in that.

Mr. Oaten: There would certainly be support on the Liberal Democrat Benches in relation to the database.

I want to take on some of the myths about the ID card. The right hon. Member for Haltemprice and Howden (David Davis) mentioned 9/11, and the first point is the concept that ID cards can stop terrorism. We know anecdotally that some of the terrorists involved in 9/11 had fake cards. Despite biometric technology, I am concerned about whether a full sense of security can be created by introducing ID cards. The biggest myth relates to benefit fraud issues. There will be some cases in which people create false identities, but in a vast number of cases individuals do not pretend to be somebody else, but claim benefits to which they are not entitled.

The biggest problem that I have with the proposal is cost. I am convinced that the scheme will run to £1 billion or £2 billion. From my perspective, much more could be done to guarantee safety and security in this country if those billions of pounds were fed into providing more police and technologies such as closed circuit television. Initiatives of that kind would have a real day-to-day impact on crime, as opposed to introducing a Bill that will cost billions. Implementing a scheme on that scale will be virtually impossible. No party has had a particularly good record in government in that respect. The scheme would be complex enough if it merely required every citizen to have a card, but that is not all—if it is to work, every hospital, post office and benefits office will need a system to read the cards. Nobody seriously suggests that those two things can be put together in a way that has any serious impact on crime or benefit fraud.

Mr. Beith: I hope that my hon. Friend will bear in mind the experience of those who have suffered from errors and delays by the Criminal Records Bureau or the Child Support Agency and recognise that it is unlikely that it will be possible to manage an operation on such a scale without transgressing the rights of individuals who find that their identity is not properly recorded.

Mr. Oaten: My right hon. Friend is absolutely right: the track record in this country is not good.

David Burnside: Will the hon. Gentleman give way?

Mr. Oaten: No, I must make some progress.

This issue will come back to haunt the Home Secretary as it lurches from disaster to disaster.

I want to conclude by highlighting a number of issues that are not in the Queen's Speech. It is disappointing that the Government chose to focus on asylum and ID cards when there is so much that still needs to be done in relation to crime and disorder. Once again, we have had a debate about whether the figures are up or down. One could welcome the fact that they are down, according to the British crime survey, or be disappointed that they are up, according to the figures on recorded crime. I do not want to get into a Dutch auction, but the figure that sticks in my mind is that last year 5.5 million offences were committed. Whether the figures are marginally up or marginally down, that is an awful lot of offences. The public want to see those issues being tackled effectively, not debates about asylum or ID cards. That means that we must somehow get more police on to the streets. It also means that—as the Home Secretary would wish—the police should be more visible as they are out doing their work. I should like to hear the Home Secretary and the police Minister announce more measures to take away the 41 per cent. of a policeman's time that is tied up—and completely wasted—on paperwork. The police could be making better use of technology—I have been handed a list of 72 technological innovations that could be put in place—but the Government have been far too cautious in that respect. There may be a case for introducing a system of national procurement to ensure that our police are "teched-up" to allow them to be out on the streets tackling crime, and to be seen to do so, instead of filling in bits of paper back at headquarters.

The best way to start making a big impact on tackling crime is to reduce reoffending rates. Politicians do not talk enough about that, but it could have a dramatic impact, because 58 per cent. of prisoners go on to commit another crime. If that could be tackled it would have an enormous impact on reducing crime. The figures are even higher for young offenders. It is a national disgrace that we have a captive audience of prisoners but cannot do something sensible with them, with the result that more than half come out and reoffend. That leads not only to rising crime, but to a rising prison population. It is a disgrace that the Government have not got a grip on the situation: apparently, their solution is either to have more sentences that require people to go to prison or to build more prisons. Will the Home Secretary think again and start to put into our prisons a serious, radical programme that builds on education and training? The Government have made some progress, but they need to do much more. For example, if the ability to take and pass exams were linked to early release dates, that would build an incentive into the system.

Jane Griffiths (Reading, East) (Lab): The reoffending rate is indeed approximately 58 per cent., but is the hon. Gentleman aware that in Reading prison it is 7 per cent. as a result of various Government-backed initiatives on work training for inmates?

Mr. Oaten: I fully support what is taking place in Reading. Indeed, I took time to see it at first hand with Transco, the organisation that is doing that work. It is a fantastic scheme—well done to the Government for supporting it—whereby prisoners go out to work for Transco on a day-to-day basis, so that many of them end up with jobs when they leave prison. My complaint about the Home Office is its caution and lack of investment: I should like more Readings and more Transco schemes.

Mr. Lindsay Hoyle (Chorley) (Lab): Mention has rightly been made of Reading prison, but is the hon. Gentleman aware that the scheme is rolled out much farther than that? At Wymott prison in my constituency, people have got full-time jobs through National Grid Transco. Those on the scheme are not only getting educated, but have jobs at the end of it. It is a super scheme that has had such a success rate that only 7 per cent. of participants have reoffended.

Mr. Oaten: Both hon. Members make the point that such success levels mean that we should be less cautious in doing more faster. Many prisoners spend 23 hours a day in their cells and half of them share a cell. At one end of the corridor there is a classroom with a computer, and at the other end there is a prisoner in his cell, but there is no prison officer to get him from A to B. That is a ridiculous situation that shows that something has gone wrong with the system.

Mr. David Kidney (Stafford) (Lab) *rose*—

Mr. Oaten: I must get on.

I want to conclude with two brief observations. First, we wait with interest to see where the Government are heading with their review of police authorities. I suggest that it would be a mistake to assume that many of our policing problems could be resolved by establishing a new directly elected police authority. There is not enormous enthusiasm for elections in this country, and the idea that people on run-down estates will suddenly think, "Yippee—this is a fantastic chance to have a say in our policing", and run to the ballot box is flawed. I urge the Home Secretary to think carefully about using the existing system by enlarging the number of members and making the chief constable and those on the elected police authorities much more visible. The Conservatives suggest that an elected mayor—some kind of "Deputy

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Dawg"—would be a solution, but that is not sensible: the best way forward is to use the existing structure. Failure to do so could lead to members of the British National party becoming elected mayors—if the Conservatives had their way—or dominating directly elected authorities, because BNP-like areas would tend to get involved in such elections.

Finally, I put on record the fact that Liberal Democrat Members will be looking with great interest at what happens to trial by jury. I welcome the Home Secretary's compromise—I will not say backing down—on that issue a few weeks ago. We will play a full part in the discussions and negotiations on how we move forward. I hope that in the case of this Queen's Speech, we will not end up facing the situation of two weeks ago whereby the compromise had to come at the very end of the process, but that there will be close co-operation with all parties along the way to try to make genuine progress, particularly on immigration and asylum.

2.27 pm

Miss Anne Begg (Aberdeen, South): I am glad to be called to participate in today's debate on the constitutional and home affairs section of the Queen's Speech. There is much to welcome, including the changes to the House of Lords to get rid of the final group of non-elected Members. Reflecting the comments of my hon. Friend the Member for Ealing, Acton and Shepherd's Bush (Mr. Soley), there are a variety of views in this House on that issue. I am an abolitionist—I should like to see the House of Lords abolished and the functioning of this House more radically reformed. I hold on to the hope that perhaps in my lifetime I will finally see that wish granted.

As a Member of Parliament from Aberdeen, I hope that by the end of this legislative year we will see a measure on the statute books with regard to corporate killing. That has been a live issue in Aberdeen for the past 10 years since the Piper Alpha disaster. It would be nice to believe that this Labour Government are able to introduce a measure that can be applied in such circumstances.

I also welcome the Bills on domestic violence and on civil partnerships. I want to concentrate, however, on an issue to do with civil rights.

The legislation that I want to consider is cross-cutting, and although the legislative competency for the Bill rests with the Department for Work and Pensions, it is also relevant to the Department for Constitutional Affairs and the Home Office because that is where all the other equality legislation resides. Indeed, that is where the responsibility for the measure on civil partnerships lies. The issue of equality that I want to consider affects me personally: it is the proposal to introduce a draft disability Bill.

Disability is a civil rights issue and an equality issue, and it relates to access to democracy. While disabled people do not have their full rights, we will never be full citizens of this country. I welcome the Government's intention to introduce a draft Bill in the Session, but I make a plea that we speed its passage as fast as we can so that a new disability Bill will soon be on the statute book.

Why is a disability measure necessary? This morning, I was with representatives of the charity, John Grooms, which provides housing for people with disabilities. We were handing a letter to No. 10 Downing street that pointed out that many people, especially those in wheelchairs, live in unsuitable accommodation. There are no rights for those of us in wheelchairs to have accessible accommodation, yet that should be an expectation. Local authorities and others should have a duty to ensure equality in housing provision for people in wheelchairs or with other disabilities.

It is also pertinent that the celebrations that mark the end of the European year of disabled people take place this week. Tomorrow has been earmarked as the European day for disabled people. Such events—I was going to call them celebrations, but they are not—highlight how far we still have to go to achieve equal rights and full civil rights for disabled people in this country.

The Government's proposals are in draft form and I hope that the Government will listen to disabled people before they introduce a Bill. I am making a bid to be involved in the draft process either as a member of the Select Committee on Work and Pensions or of any Committee that is especially set up. It is important that the voices of disabled people are heard.

I pay tribute to what the Government have already achieved. At such times, it is useful to reflect on the achievements of the six years in which I have been a Member of Parliament. The Disability Rights Commission has been established, and I am using its briefing today. It is therefore fulfilling one of its functions of ensuring that hon. Members are well informed about the issues that affect disabled people.

Access to education has now been included in the Disability Discrimination Act 1995, which means that an enormous omission from the legislation has now been righted. In October next year, part III, which covers physical access to goods and services, will be implemented. That is perhaps the most revolutionary measure in that it will affect the lives of disabled people possibly more than any other. It means that, for the first time, we will have access to many of the things that other people take for granted. Part III of the 1995 Act is challenging and I am not sure whether many shops and businesses are truly geared up for it or aware of its obligations. At least the legislative framework exists for businesses and public bodies. If they do not fulfil their obligations, they can be taken to court.

The Government have also acted in many other ways to help disabled people, for example, through the new deal for disabled people and the work on pathways to work. Yesterday, I attended the launch in Aberdeen of "Progress to Work", which is a specific scheme that was set up to help recovering drug addicts to work. It was one of the most up-beat, energetic events that I have attended for a long time. A group of young people, who believed that their lives had come to an end, and had no expectations for their future, suddenly thought that they were starting their lives anew. For them, it was the first day of the rest of their lives. I pay tribute to the Government on the spread of such new deals throughout the country. Many relate to disabled people and many to those who are hard to place in work. They are working and delivering.

The disability Bill is intended to fill the gaps that continue to exist on a range of issues, for which different Departments are responsible. The measure will therefore be cross-cutting. The first issue is definition. Disability is currently defined as an enduring, long-term and possibly permanent impairment, but that is not necessarily the case in real life. Someone who has cancer may be severely disabled by the disease, but luckily medical science has advanced to the extent that we expect people to recover from cancer and a range of other debilitating conditions. Existing legislation does not cover people who have a variable condition, from which they expect to be cured. It is important that the definition is wider so that disabled people can have access to the cover of the law. That would mean that if an employer sacked someone for having a condition such as ME or cancer, the employee would be covered by the anti-discrimination legislation that currently covers those of us who have an enduring condition.

I should like a single equality Act, and it would be up to the Home Office to introduce it. That legislation would deal with many of the problems in existing law to do with the definition of disability. If someone is discriminated against, the grounds do not matter—it remains discrimination. A single equality Act would mean that the Government did not need a workable definition of disability because discrimination would be the determining factor.

I also believe—

Mr. Deputy Speaker: Order. The hon. Lady has had her time.

2.38 pm

Mr. Edward Leigh (Gainsborough): I should like to deal with several themes, although 10 minutes is not long to cover them. My remarks must therefore be brief, broad and impressionist. For all that, I hope that they are worth while.

First, I want to consider constitutional affairs and especially the abolition of hereditary peers. There is no doubt that the old system was irrational. However, in a strange way, it worked, perhaps because the weight of tradition was behind it. There is no evidence that the new system, which is based on the Canadian Senate, will work any better. That Senate, which is entirely appointed, is probably the weakest and least well regarded upper Chamber in the world. We are creating an upper Chamber of the great and the good and, of course, the party faithful—and perhaps some of the small and the bad. It is not clear to many of us that what we throw out will be worse than what we gain.

Let me try, in a spirit of being positive, to take up some of the wise remarks of the hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Soley). I hope that I can support him. We will not achieve consensus on a big bang solution. Although it may be desirable to have a wholly democratically elected upper Chamber, we shall not achieve that. We have to proceed by small steps.

The first step we might take could be a moderate injection of democratically elected Members. In the modern world, I suppose that they would have to be elected by proportional representation—I hope under an open list system, so that individual characters could break through from the party ranks. I hope also that when elected they would be in place for at least a couple of terms. This is a well-worn debate, however, and we are going to get no consensus this afternoon, but what a pity that in the Queen's Speech we do not at least have some road map—some way forward—that would give us hope for the future of achieving an upper Chamber that we could all be proud of.

I want to make one point that I think is particularly important, but which is not often made in debates on reform of the upper Chamber, although it interests me and therefore I want to stress it. Were we to proceed down the route of injecting democracy into the other place, there would be no point in creating elected clones of Members of Parliament. There would be no point in having in the other place people who are young, ambitious would-be Ministers controlled by the party Whips. Therefore, there is a lot to be said for learning from the American experience of a Senate that is there to advise and consent.

People who are placed in that upper Chamber cannot become Ministers. Once we had that simple device in place for elected Members of our upper Chamber, they would instantly become more accountable to the electorate, more democratic and more able to take a wider and broader view. There we are—we must wait for progress to be made. Of course, there are some who argue against a democratically elected upper Chamber, saying that it would somehow affect the dominance of the lower House, but what dominance? We have one of the weakest Parliaments in the western world.

This year, I would also like progress to be made on lessons to be learned from the Hutton inquiry, when it finally reports. Eventually, we may have to pass legislation on that. The Hutton inquiry has shown up the weaknesses of our Select Committee system. The way in which Hutton was able to require whatever persons and whatever papers it wanted to achieve a first-rate investigation of a national issue will be taken up by the media. When there is a similar disaster, the media will ask for—demand—a Hutton-type inquiry under an independent judge and will reject the predominance of our own elected Chamber.

We should reassert the predominance of the elected lower Chamber, and I speak as a Select Committee Chairman. A lot of progress needs to be made in reviving and reinvigorating the Select Committee system to give the Committees real powers to conduct Hutton-like inquiries.

Mr. Garnier: If the Hutton inquiry has shown up those weaknesses, has it not also shown up the strength of the way in which we select our judges? Lord Hutton is a product of that judicial selection system, and does he not demonstrate precisely why it should remain as it is?

Mr. Leigh: My hon. and learned Friend speaks on those matters with a great deal of personal experience, and I would not want to deny for a moment what he says. The fact is that our judicial system is second to none in terms of skill. There is no question of it being corrupt and no question of people being appointed for political reasons, as happens, for instance, in the United States. We are embarking on a very dangerous course indeed.

[Mr. Leigh]

Enough of constitutional affairs. May I turn to home affairs for a moment and support what the hon. Member for Winchester (Mr. Oaten) said, particularly on prison overcrowding? The Public Accounts Committee paid a visit recently to Her Majesty's prison Altcourse, which happens to be a private finance initiative prison, but that is irrelevant to the point I am making. The fact is that it is one of the best-run prisons in the country, and prisoners there are given time to exercise, train, study and be rehabilitated.

I do not know how many Members have walked round a prison recently, as we have, to talk to prisoners. They refer constantly to the other prisons in the Liverpool area, where people are banged up for 20 hours a day and where there is no prospect of training or rehabilitation. That leads directly to these appalling reoffending figures—over half the people who pass through our prisons reoffend. Members on both sides of the House have to ask the Home Secretary whether we really think that a prison population of more than 73,000, rising to 78,000, in ancient, underfunded, overcrowded prisons where people simply learn to reoffend is the best way forward. I put that question and hope that we might get an answer.

On another Home Office point, we have heard today from the shadow Home Secretary about the call for more policemen. Of course, there is one type of policeman who is very cheap indeed, although we hear so very little about him. There is a need for new special constables. I wish the Government would offer more incentives to encourage special constables. I favour a Territorial Army-type system, whereby people would be given a payment to encourage recruitment, which is a problem.

May I put one idea of my own to the House? Some people wish to serve as special constables, but in their own area, their own village or their own community. We should create a new type of special constable who is not required to serve in the wider community, but will serve in his own village.

Turning from home affairs, may I make one comment about the civil partnerships Bill, which I do not think has been mentioned but which we will consider later in the year? I do not want to say anything about gay marriage, but I want to say that the fact is that traditional marriage has been supported because it is a unique institution designed to nurture children. If we are to make special rights in respect of gay marriages, what about other co-dependants? Should we not also bear in mind examples involving a daughter with an infirm mother whom she looks after for many years, a disabled person with a friend carer, and two sisters? Under the Bill, they will have no rights whatever. One does not need to make any statement on gay rights or not to raise this question: if we establish new rights for particular people in society, we have to consider the denial of rights to other, very worthwhile people.

In my remaining minute or so, let me say a word about health and education, on which the Government are somewhat schizophrenic. On the one hand, they pay lip service to local action and local democracy; on the other, a blizzard of targets is tying our education and health systems up in red tape. The PAC has studied the French and German systems. I do not believe that there is any big bang solution that we can impose, but we can have confidence in local decision making in our schools and hospitals.

We must try to free local democracy, especially local government, from ring-fencing and targeting, which are destroying and inhibiting it. Therefore, we must have Bills to create schools, and perhaps hospitals, that straddle the public-private divide and perhaps Bills to enable universities to charge different fees, as long as that is not a hidden tax on middle class people. We recently visited Ravenscourt Park hospital, which is an NHS hospital that is dedicated to one type of operation. That is what we do in our own lives—mix and match, jumping from the private to the public sector—but what is so sad and disappointing about the Queen's Speech is that there are no dynamic proposals to make that possible in our legislation this year.

2.48 pm

Anne Picking (East Lothian) (Lab): It is the Government's intention, as outlined in the Queen's Speech, to open up and amend the Scotland Act 1998 to retain the 129 Members of the Scottish Parliament. That, I fear, could open a political Pandora's box. I do not wish to refer to the issues that may or may not arise on opening up the Scotland Act, but rest assured that many will see this as an opportunity to amend other aspects of it.

The emphasis of my speech will be on maximising voter participation and the direct consequences for the United Kingdom of retaining 129 MSPs while simultaneously reducing the number of Scottish Westminster MPs from 72 to 59. I fear that everything is undermined by the unnecessary haste in implementing changes to an already unwieldy, confusing and inefficient collection of voting systems. The way in which we organise and set up our constitution and methods of election strengthens and secures our commitment to democracy. It is the responsibility and duty of this House to use all the powers at its disposal to ensure that democracy prevails over hereditary patronage and privilege.

An ever-decreasing number of people are exercising their right to vote, at a time when the number of voting systems in the UK and of ways in which people are expected to cast their vote is ever increasing. Voter participation is low, and voter apathy high. We must act to put matters right.

Mr. Nigel Evans (Ribble Valley) (Con): On the question of the democratic process, was the hon. Lady as disappointed as I was that the Queen's Speech contained nothing about the West Lothian question? Does she think that it is democratic that people are sent here from Scotland who can vote on issues that affect only England or England and Wales?

Anne Picking: Absolutely.

We need to create a uniformity that is understood and endorsed by the populace, rather than a plethora of systems that confuse and switch off the electorate. At the moment, we have one system for electing European representatives, but a different one for electing UK representatives. Different again are the systems for electing people to the Scottish Parliament, the Welsh

Assembly and Stormont, and for electing local government councillors in England, Wales, Scotland and Northern Ireland. We have single-member, multi-member, list-member and additional-member systems.

An example of how confused things can be is Pinkie road in Musselburgh in my constituency. Its 381 voters are represented by two local councillors voted in by the first-past-the-post system, two Westminster MPs voted in by the same system, eight Members of the European Parliament voted in by the party list using the d'Hondt system, and—the daddy of them all—16 Members of the Scottish Parliament voted in by the additional-member system, two of whom are constituency Members, while seven have second-vote and seven list-assisted places. As it stands, 28 people have been legitimately elected to represent the 381 good voters of Pinkie road. If my maths is right, that works out at an elected representative for every 13.6 voters. All 28 representatives can claim a mandate from the electorate, but most are disconnected, invisible and unknown to them. Quite simply, it is a dog's breakfast.

Not only do the people of this country have a fundamental right to participate in a democratic process and to vote for whomever they want to govern them, they also expect a system and method of voting that facilitates and accommodates their right to vote and that at the same time is understandable and transparent to them. What people do not deserve—and I cannot emphasis this enough—is to be part of a suck-it-and-see experiment in the pursuit of political purity that ends up missing the mark completely. It should not be in the gift of, or to the advantage of, any political party to dictate what our electoral processes should be.

I recognise that this House determined the system for electing representatives to the Scottish Parliament, and I further recognise our right to change it, especially when the system is seriously flawed, as in my view it is.

Mr. Beith: Did the hon. Lady see any interviews with voters coming out of polling stations in Northern Ireland? When asked whether they found the single transferable system confusing or difficult to manage, they all said no, not at all. One said that, as long as people are able to count from one to 10, it is perfectly all right.

Anne Picking: I thank the right hon. Gentleman for that contribution, but the people of Northern Ireland have had so many difficulties in respect of how to cast their vote over many hundreds of years that they have taken it upon themselves to know exactly how and when to vote to maximise the effect. Unfortunately, the same enthusiasm is not evident in Scotland. That is why we should improve the system.

I know that the voting system in Northern Ireland was established before I came to the House, and that there was a degree of negotiation and consensus to it. Also, a review was promised. In contrast, blatant political opportunism in Scotland has led to proportional representation being foisted on Scottish local government. That was achieved through threats that measures and policies that were good and which would benefit all Scots would be abandoned. No pretence is made that that will create better local government, or that it will lead to greater voter participation, or that it will make the process easier or even fairer. The Liberal Democrats are prepared to sacrifice the welfare of Scots for the chance of political advantage by the back door.

It is now long overdue for this House to face up to the situation, and to take control of it. We should delay—and I mean only delay—the implementation of any boundary changes or any reduction in the number of Scottish MPs. I understand that we have given a commitment, but there is no obligation to fulfil that before 2006. Acting before the next general election would add to the already rapidly growing problem that I have identified.

Further serious consideration needs to be given to the merits of coterminous boundaries. Why should such boundaries be introduced in Scotland at a different time from in England and Wales? The whole sorry mess should be referred to the Department for Constitutional Affairs, which should initiate and organise a review of electoral procedures throughout the UK. It is more important to get it right than to do it quickly. Continuing with the knee-jerk, piecemeal approach would only exacerbate the problem.

Mr. Alan Duncan (Rutland and Melton) (Con): Does the hon. Lady accept that a solemnly promised consequence of devolution was that there would be a reduction in the number of Scottish seats in this House?

Anne Picking: Yes, and I agree with that. To make matters clear, I was speaking about the timing of that reduction. We should not implement it before we need to, and I believe that there should be a review of all electoral systems. I say that as someone who will gain by the proposed boundary changes, not as someone who will be adversely affected. The House should move as quickly as possible to take the steps necessary to halt any further expansion, before the review is complete, in the number and type of electoral systems that are deployed.

Finally, apathy is the enemy of democracy. We ignore it at our peril.

2.56 pm

Mr. A. J. Beith (Berwick-upon-Tweed) (LD): I want to touch on some of the issues on which the Constitutional Affairs Committee has been working, and which fall within the ambit of the Queen's Speech. I also hope to squeeze in one other matter before I end my contribution.

I shall begin with asylum. The Constitutional Affairs Committee reported very quickly, at the request of the Lord Chancellor, on legal aid in asylum cases. We were very concerned about the Government's original proposals. The Government have now responded, in some ways helpfully. The five-hour cap has now become a threshold, although we still do not believe that that five-hour period is based on either principle or evidence.

However, some puzzling features remain. We are told that consideration has been given to whether legal aid is needed at the initial stage in all cases. In other words, it could be completely withdrawn at the initial stages, when it might be very significant. In addition, we know that the Government propose to remove a tier from the appeals system. No consideration has been given to the consequences that might ensue for the legal aid system, and no explanation is forthcoming.

[Mr. A. J. Beith]

Those two factors have not been taken into account, even in the Government's revised proposals. One can only assume that the removal of a tier from the appeals system might lead to a significant reduction in legal aid costs, and therefore render unnecessary some of the unwelcome limits on legal aid. The Government need to come clean on that.

Mr. Garnier: I agree with what the right hon. Gentleman and the hon. Member for Winchester (Mr. Oaten) have said about the quality of legal advice given to applicants to immigration and asylum tribunals. That is the key to good decisions being made in respect of such matters. However, does the right hon. Gentleman accept that, not only is there an artificial limit on the amount of time that lawyers can devote to such matters, but that there is a growing desert in the legal aid map—that is, people cannot get access to lawyers because those lawyers increasingly refuse to take on that type of work?

Mr. Beith: The Committee intends to move on to more general matters to do with legal aid. However, the problem is at present exacerbated by the concerns to do with asylum. The Government are trying to make an announcement quickly, in the hope that a number of lawyers will be persuaded to remain in legal aid work. However, there is considerable doubt about whether that will work, as the changes are not sufficient.

I turn now to the constitutional changes featured in the Gracious Speech. The real problem is that the changes were introduced as part of a reshuffle. Major constitutional changes require the widest possible consultation and discussion, and the one thing that a Prime Minister does not consult widely about is a reshuffle. Prime Ministers tell nobody anything, until they get to the moment when they point out to people that their services are no longer required, as was the case with the former Lord Chancellor.

In reply to my question at the beginning of the debate, the Home Secretary implied that he read about the changes mainly in the papers—or at least, he read speculation about what might happen to his Department, so he made his views clear, and, it appears, changed the eventual outcome. However, neither he nor anybody else read in the papers—because it was not said—that the Government were thinking of abolishing the position of Lord Chancellor entirely, so that was not the subject of much discussion. There was no discussion at civil service level, nor, so far as I know, among Ministers, or with the devolved Administrations—who have a very relevant rolé in the matter—on such issues as the supreme court.

That means that we are trying to legislate on those matters with a tight timetable for carrying out the consultation that normally precedes such fundamental changes. The consequence is a feeling, even among supporters of the principles of change, of whom I am one, that this has been mishandled, and the perception among the judiciary that the abolition of the Lord Chancellor will upset a delicate balance, to the detriment of judicial independence.

It could be said that the office of Lord Chancellor has found many more friends since it was condemned to death than it had before, and that far more speeches in favour of the office seem to have been made than at any time in the past, certainly in my political lifetime.

Perception is the key to this matter. The Government are not creating a new judicial appointments system because of any feeling that the present system does not work impartially or that it cannot respond to the desire for a bench that more fully reflects the whole of society. The first aim is already achieved, and the second can be achieved, with the present system. The Government are making a change because of the perception that a Cabinet Minister could, at least in theory, exercise improper influence over judicial appointments, so they ought not to be in the hands of a Cabinet Minister. We would recommend to any other country in the world, and certainly to any new democracy, that it did not set up its system in that way.

Perception is certainly the key. Yet the perception that Cabinet Ministers could wield too much influence over judicial appointments—although in England in recent years, in practice they have not—is not dispelled if it appears that under the new system the Prime Minister, or another Cabinet Minister who, unlike the Lord Chancellor, does not have a special role and responsibility, will exercise influence. He could do so by choosing names from a shortlist of candidates, or by deciding not to accept the names put to him by the judicial appointments commission.

The Government must recognise that they have to refine the proposals so that the new proposals do not give rise to a perception that they could be open to political influence over appointments. We have to ensure that that perception does not carry over from the old system to the new, or the whole point of the exercise will be lost. The Government must therefore examine the crucial part of the process when the commission puts forward names and somebody has to advise the Queen whether to accept one name, or one name from a group of names. That fundamental point must be addressed.

The Select Committee reported on the experience of the Judicial Appointments Board in Scotland, which had to face some of those issues, and some of the other issues that we are now concerned with, and we found that it appeared to be working well. Personally, I am convinced that a judicial appointments commission is the solution, but we need to get it right.

The same goes for the supreme court, which represents an important and far-reaching change. That change, too, is about principle and perception, not about any failure of the House of Lords to carry out its judicial functions effectively. It is about separating the judiciary from the legislature. However, even the early evidence that we have taken in Committee, which has been published, reveals complex issues that are difficult to resolve under the very tight timetable of the proposed legislation, with a Bill due to come before us early in the new year.

One example is the situation in relation to Scotland. If the new supreme court is to be compliant with article XIX of the Act of Union, it must not be an English court, and cannot be administered by the Court Service as an English court. If it were, it would contravene a fundamental principle of the Act of Union. It has to be a very different animal, as the House of Lords recognisably is, not part of the court system of England and Wales.

There are questions about whether the supreme court should take over the functions of the Judicial Committee of the Privy Council in relation to devolution. There are different views about that. So far, there seems to be a majority in favour of its assuming that role, but that is not universally accepted. The assumption that the Judicial Committee was a body to which we could safely entrust questions about powers under devolution was very much part of the devolution settlement. Furthermore, Scottish criminal cases do not come to the House of Lords. Many such decisions are matters for the Scottish Parliament, which needs to debate them. Scots law and the Scottish judicial system are devolved matters, so they cannot simply be dealt with in United Kingdom legislation without certain procedures being followed in Edinburgh, and time must be allowed for that.

There are also questions about where the new court will sit, and how it will be resourced. I have pointed out that it cannot be administered simply as part of the court system of England and Wales. The Government have not so far convinced us that there is a building available in which its functions can be carried out. We already have a commercial court in London that does not have adequate accommodation. Accommodating judicial functions is already something of a problem for the Department that deals with it.

There are questions about how the supreme court, as opposed to other levels of the judiciary, is to be appointed, and also about whether retired, or even current, supreme court judges could be appointed to sit in the House of Lords, where their equivalents have certainly given good service in the past.

That, of course, brings us to the fundamental issue of the House of Lords, because that question could not be raised at all if the House of Lords were elected rather than appointed. That, in turn, brings me to my personal view on House of Lords reform, which is shared by my right hon. and hon. Friends. The Select Committee has not considered the issue, because a Joint Committee was considering it until recently, and the House itself was seeking to make decisions about the fundamental issues involved. The Committee may well get involved with that issue in future, but so far we have not done so.

The one decision that this House clearly did make was that it did not want a wholly or predominantly appointed House of Lords. A Bill to remove hereditary peers, which is mentioned in the Gracious Speech, is simply a device to remove one of the obstacles to the Prime Minister's preferred solution, which is a wholly appointed House. I want no truck with that, and I do not think that my right hon. and hon. Friends do, either. Only a Bill built on cross-party consensus, which results in a more democratic House of Lords, makes sense. I am very much in favour of removing hereditary peers from the House of Lords—but only if they are replaced by an element with some kind of independence. In my view, that can best be secured by some kind of democratic mandate.

Another issue that I want to mention comes not from the Select Committee's areas of concern, but from the part of the Queen's Speech that refers to the "other measures" that may be laid before us. Since the day that the speech was made, it has been suggested that a draft Bill might lead to fundamental changes in people's rights in respect of school transport—a Bill that would allow local authorities to withdraw free school transport from children living more than three miles from school, perhaps as part of a pilot scheme.

In rural areas such as Northumberland, in which many pupils have to travel 10 or 20 miles to the nearest school, often using a combination of taxis and buses, it would be totally unacceptable for free transport to be withdrawn. It already has been withdrawn for pupils over 16, and the severely stretched funding of rural local authorities could put them under pressure to be one of the pilot areas for the withdrawal of free school transport. That would have a disastrous effect on families, who might have to pay as much as £10 or £20 a day to get their children to school. It would also destroy the long-standing principle that transport is provided for those who opt for Church schools, including Catholic schools—

Mr. Deputy Speaker: Order. The right hon. Gentleman's time is up.

3.8 pm

Glenda Jackson (Hampstead and Highgate) (Lab): I begin by apologising to you, Mr. Deputy Speaker, to those on both Front Benches and to the whole House for the fact that regrettably, because of a previous engagement, I will not be present for the winding-up speeches. However, as little that I heard emanating from my Front Bench gave me much pleasure, and I am sure that what I am about to say to them will give them none either, perhaps it all evens out in the end.

The issues that I want to talk about have to do with the welcome that I give the Government for tackling—after more than 30 years, I believe—a law that I hope will begin to eradicate the terrible scourge of domestic violence. I welcome that proposal wholeheartedly. I understand from reading my newspaper that the issue of the law of provocation, about which I am concerned, is still being debated in government. As I understand it, that law currently affords to a man who murders his wife or partner a defence that cannot be exercised by a woman who is defending herself against an abusive partner, because in the latter case we are talking about an abuse that has taken place over some considerable time. So I sincerely hope that the Government will examine the issue of provocation.

There is another issue that I hope will be examined in no small detail, and which I raised in an intervention on my right hon. Friend the Home Secretary: the apparent ongoing willingness of society at large and the law to allow fathers, however abusive they may be on occasion to their partners or their children, to always have access to those children, in the great good name of balance. I am somewhat bemused as to how balanced a relationship can be if the power of the father is such that he is allowed unsupervised access to his children, culminating—as we have regrettably read far too often of late—in those children being murdered. Indeed, in one particularly ghastly case, the mother of the children in question was informed at the time of precisely what her ex-partner was doing to their children.

Such cases are clearly extreme, but they are not isolated. I know from my constituency experience of the damage that can be inflicted on a child when a court

[Glenda Jackson]

automatically, in the name of the great cry of providing balance in a familial situation, affords the father access to that child. In many instances, the mere realisation that they will see the individual who caused them great trauma, and who subjected their mother to physical and verbal abuse, can increase such trauma. So I hope that this issue will be examined in truly serious detail. A bulk of evidence exists to support my argument that the actions of violent men—the violence is not exclusively physical; often, it is verbal and mental—have a desperate impact on children. There is no balance involved in underlining that relationship.

Kali Mountford: I am listening carefully to my hon. Friend's argument, and in large part I agree with what she says. In such cases, visiting fathers do great damage to children, and often there is not the protection of another adult being present. But should we not listen most to the children themselves? When, in giving evidence, such children say that they do not wish to see the father, their request should be taken seriously, as should their saying that they do wish to see him.

Glenda Jackson: I agree entirely with my hon. Friend's observation that it is the child who should be listened to. However, I am aware of cases in which the child has said that they wish to see the father, only for it eventually to materialise that no small pressure was brought to bear on that child. Of course, the wider family grouping can also bring pressure to bear. As I have pointed out before in the House, it is not only the individual who may exert abusive power on a woman and her children. An abusive partner may well be visited with the power of the law, so that he may not approach his former home, partner and children, but there seems to be little that can be done to preclude members of his family from taking on that particular aspect of a broken family relationship. I hope that a measure to deal with that can be incorporated into the legislation when it reaches the statute book.

The central issue that I wish to touch on has been raised by Members on both sides of the House this afternoon. It is the marked failure of the power of the state to live up to what it claimed was its basic approach to the issue of asylum: to ensure that asylum applications can be dealt with in a firm, fair and fast manner. When the state markedly failed to deliver in that regard, it decided to exercise its power and deliberately break up families by making them destitute. It then argued that its reason for taking the children of such families into care was to protect them. I listened to Government Front Benchers put forward that argument this afternoon with no small bemusement. The suggestion that that approach is the one that the state takes to every native-born British child, if their family should become dysfunctional is quite amazing. My experience of social services—I should hasten to add that those in my constituency are excellent—is that they work endlessly to attempt to keep a family together. I have certainly never known social services to take it upon themselves to be the hired help and to take children into care, while the state takes a path stemming from its inability to deliver on its policies.

Mr. Prosser: Does my hon. Friend agree that part of the role of the social services in this regard is not only to offer support, but to advise on the best way to proceed? Where such a family has gone through all the processes, do not meet any of the criteria and can be flown home freely as part of the support package, would not the advice be, "Why not fly home?"?

Glenda Jackson: I am grateful to my hon. Friend for that intervention, but I do not see the need for such advice. If someone has pursued all the avenues currently within the law in order to make the case to the state that the family are genuine asylum seekers, and the law says, "I'm very sorry, but you do not meet the criteria", the next step, so I thought, was that that family had to be removed from the country.

We have heard the argument that we as a society do not like deportations, but society would like even less the sight of crying children being dragged from their parents and placed into care. On the issue raised by my hon. Friend the Member for Dover (Mr. Prosser), I should point out that I do not have a vast number of failed asylum seekers in my constituency, although I do have some. They have known of their failed state for some time, yet no official has made any attempt to remove them. Not a single such step has been taken. They come to see me regularly, I ask whether they have been given a date to leave the country, and they say, "No". In the main, they still have to report to police stations or to some other authority.

The Government's basic argument is that they are offering a choice to failed asylum seeker families by saying, "We'll give you a ticket and send you home. We'll give you money to set up in your native country, if you have a native country to go back to." That is a big "if", because in many instances the country from which they fled has disappeared during their time here, and according to them they no longer have any rights in that country. If they come from a safe third country, it tends to be one in mainland Europe. Even in such cases, it is difficult, so I understand, to ensure that the journey can be completed in time, and negotiations with other Governments have to take place.

Plunging failed asylum seekers into penury and destitution is not the only alternative to returning them to their home country, or to a safe third country. The history of the 20th century offers examples of what parents will undergo if they believe that their actions will save their child, even if they themselves may be lost. Perhaps failed asylum-seeker parents, once plunged into penury, will allow their children to be taken into care because they believe that, even without them, life in this country is infinitely preferable to life in the country to which they may forcibly be returned.

What happens in cases where such children were actually born in this country, which is not unusual? We know of the example of the Government announcing an amnesty for 15,000 families who have been in this country for a considerable time, but who are still waiting for an absolute definition in terms of whether they will be allowed to stay.

It is monstrous that a nation state that failed to deliver on its avowed policies should attempt to shift the blame and the responsibility on to some of the most vulnerable people in our society. In that regard, I exclude adult asylum seekers, because it could be argued that they knew what they were doing, but their children certainly had no say in what they were doing. The children who were born in this country, and who had to wait for the nation state to decide their status, certainly had no say. So I hope that when that piece of legislation presents its shameful face in this Chamber, Members on both sides will categorically and absolutely say no.

3.20 pm

Mr. Nigel Evans (Ribble Valley) (Con): I thank you, Mr. Deputy Speaker, for giving me the opportunity to have a big conversation with the Chamber. However, as we are limited to 10 minutes, it will be only a quick chat. I applaud some aspects of the Queen's Speech, which is not all useless and vindictive. For example, the children's commissioner for England is long overdue, as we already have them in Scotland and in Wales. I welcome the tackling of asylum fraud. Passenger passport copying has been mentioned, and that is a great idea. I cannot understand why it has not been done already. The airlines have claimed that it will cause great problems, but that is pathetic. There is a real problem that can be tackled by copying passports and it should be implemented as quickly as possible.

In the main, the Government's legislative programme for the forthcoming Session lacks coherence. The Prime Minister did not sit down and plan to upset great sections of society, but that is the unintended consequence of much of the Queen's Speech. One Labour Back Bencher told me on the day of the Queen's Speech that he was going to read it to see whether it contained anything that he could support. I wish him well. I looked hard at it for any reference to a big conversation, but the prospect of Her Majesty saying, "My Government intend to conduct a big conversation with my people", is even more ridiculous than the Prime Minister sounded when he said it. It might be contained in the catch-all phrase,

> "Other measures will be laid before you."

That was probably put in just in case there is a group of people who have not had a beating from the Government in the past seven years. We have an inclusive Government: they are at pains to ensure that everyone gets beaten equally and that no one is left behind.

I have studied early-day motion 7—I am sure that the Government have done so time and again—and the signatories are not just all the usual suspects. Some 147 Members of Parliament have signed it, of whom 145 are Labour Back Benchers. Some of them are former Cabinet Ministers and some are former junior Ministers. It is not just a protest, it is the House of Commons saying no to variable top-up fees. The Leader of the House thinks that the legislation can be tweaked and everything will be okay, but it is he who will be tweaked, not the legislation. The Secretary of State for Education and Skills hopes to buy off the protesters by diluting some of the worst excesses of the proposals. He does not have a chance.

The top-up fee proposals are not the only problem. Students already have debts, even before the top-up fees are introduced. I received a letter from a constituent on 27 November about the fact that interest on student loans was doubled from 1 September. She states:

> "After two years my daughter owes over £7,000 and the monthly interest, on the old rate, is £7.50. I dread to think of what it will be on the new rate . . . I feel we are 'selling our students down the river', we are saddling them with major debt. When they Graduate they will have no chance of affording a home of their own with the debt they already have."

That is the situation even without tuition fees. I remember sitting on the Government Back Benches between 1992 and 1997 and hearing the bleating and howls of protest from the Opposition Back Benches about the student loans that we introduced. We were told that they would prevent students from poorer backgrounds from going to university. The present Foreign Secretary, a former president of the National Union of Students, said then that students would have to choose between books and food. Now, they will have to choose between books, food and tuition fees, except that they have to pay the tuition fees. I applaud Labour Members who remember the protests at that time and who have signed the early-day motion.

Members are always talking about parliamentary democracy, and the House can be effective in ensuring that the policy on top-up fees is dumped. We do not want it moved to after Christmas: we want it moved to the dustbin of political mistakes. The Government are keen on having a big conversation. Well, the National Union of Students is coming tomorrow and I hope that the Prime Minister will make himself available for a big listen to the students and then a big climbdown. If we had tried this policy between 1992 and 1997, we would have been completely slaughtered. It is a tax on education and it will hit everyone, except the very rich. The vast majority of people will be hit by this policy.

Mr. Leigh: The tax will be levied on those who are deemed able to pay, which is often those on marginal incomes in the middle classes.

Mr. Evans: Middle Britain is hit time and again. The Queen's Speech contained another measure, which the newspapers have dubbed, "The means-testing of free school buses." The very people who will be hit by that are the ones who pay full prescription charges. They receive no council tax benefit or other housing benefits. They pay the full cost of school meals and they will pay full tuition fees. They will be hit yet again by the means-testing of free school buses. Why do the Government have so much against middle Britain that they want to whack those people time and again? I wish that they would stop.

As for the proposed legislation on the House of Lords, is that vindictive or what? It is time that the Government made up their mind about what they want for the second Chamber. So far, their reforms have been nothing short of constitutional vandalism. The Government started on a journey with not the faintest idea of where they were going. They wanted to get rid of the hereditary peers, and they ended up with 92 hereditaries—funnily enough, they are the only elected element of the Chamber now. Baroness Jay said:

> "The House of Lords without the hereditary peers will be more legitimate because its Members have earned their places and therefore more effective in playing its part in our bicameral constitution."

That was said by the totally unelected Baroness Jay. The Prime Minister called the old House of Lords an insult to modern democracy. In 1994, in a speech in Cardiff, he said:

> "The House of Lords should be replaced by an elected second Chamber."

[Mr. Evans]

We know that the Prime Minister has made an art form of changing his mind, but that change is breathtaking. It seems that he can find reverse gear when he wants to.

Whenever the Leader of the House mentions the House of Lords, he spits out the word "unelected", as we saw on Thursday. We can only assume that he wants to see a House of Lords with a larger elected element, if not a fully elected House. We know that there is no unanimity on the issue, but to remove vindictively the only elected element is spiteful, wrecking and mean. While we are at it, let us chuck in the word "ignorant" as well to describe what the Government have done to the second Chamber. We should have a joint Committee of both Houses to work out a destination for the House of Lords, not merely a transition. Let us have a big conversation with the people about what they want to happen to the second Chamber before it is wrecked further. I can only imagine the planning that must go on in the Prime Minister's household about his summer holidays, when he says, "Where are we all going to go? I haven't got the faintest idea. Transitionally, let's go to Tuscany, before going on somewhere else." The whole thing is ridiculous. People should know their destination before they start on any journey.

It would also be useful if the Government were to have a big conversation with the people about Europe and the European constitution, which is totally absent from the Queen's Speech. Let us find a few reverse gears for the Prime Minister on that issue. He should just get the manual out: every vehicle has a reverse gear; even the bandwagon has a reverse gear, as the Liberal Democrats will no doubt soon find out. The French and the Germans have found their reverse gear on the stability pact, and I have read what Ruth Lea of the Institute of Directors and Digby Jones of the CBI have said about the threat to this country from the European constitution. The people want a say; they want to have a big conversation with the Prime Minister, who has got it wrong—very wrong. We are to have a referendum in the north-west about the lousy, useless regional assemblies, which we do not want, and about the break-up of local government, but no referendum on Europe. I want my say, and I want the people of Ribble Valley to have their say, too.

While we are on the subject, let us change the hours of the House back to what they used to be on a Tuesday and a Wednesday, so that we have decent opportunities to discuss everything that we need to discuss. Let us bring the voice back to Parliament, and change the hours.

3.30 pm

Mr. David Kidney (Stafford) (Lab): It is a pleasure to follow the hon. Gentleman and his entertaining if contentious speech.

Legal aid was introduced as part of the great welfare state revolution of the Labour Government after the second world war. Labour's Prime Minister then, Clem Attlee, valued legal aid, as does today's Prime Minister, who, speaking before coming into office in 1997, said:

> "Labour's goal of improving access to justice is an essential part of our commitment to social justice".

Legal aid, however, is a public service that is often overlooked. Perhaps it is seen by some as having less immediate benefit than education and health, but surely the rule of law and access to justice are essential features of a working democracy. Perhaps support for legal aid is tempered by the knowledge that it is delivered largely through a network of private lawyers. I can understand that argument, although I declare that for 20 years before coming to Parliament I was a solicitor in private practice.

Not all delivery is by private lawyers, however. In round figures, about 4,000 lawyers and 400 not-for-profit organisations provide legal aid services, and the community legal service is achieving universal coverage across the country, bringing together the providers and other key players such as local authorities. Anyway, legal aid lawyers are a different breed: they provide legal aid services not to become rich—they do not—but because they genuinely care for public service and justice. This year, the Legal Aid Practitioners Group introduced awards for legal aid lawyers of the year. My congratulations go to the first year's winners: Jeffrey Gordon, Richard Egan, Belinda Greenwood, Nicola Mackintosh and Mark Jewels. I particularly praise Mark Jewels for the family award, because when I was a solicitor he was my partner in private practice. I also congratulate the Legal Aid Practitioners Group on arranging this recognition for an important group of people.

Gareth Thomas (Clwyd, West) (Lab): To refrain from mutual admiration, does my hon. Friend not accept, from another lawyer, that there has been abuse of the legal aid system, and that the Government are right to take that on board?

Mr. Kidney: Yes, my argument is about those good lawyers who often get no recognition at all, not those few who come to the headlines because of abuse of the system. Abuse is always wrong and should be rooted out, but as Cherie Booth, QC, who chaired the judging panel said:

> "The work of the legal aid lawyer is a vital part of our justice system. Yet practitioners are often maligned, underpaid and misunderstood in the press. I am delighted to take part in these awards, which highlight the true story of the dedication, determination and professionalism of men and women up and down the country who provide a vital service to those in need."

In the last decade, the cost of running a solicitors' practice has risen by about 67 per cent., but legal aid rates have increased by 26 per cent. The legal aid budget is restricted, but I am not arguing for more money for legal aid. Instead, I want the Government to get a grip on what they want legal aid to pay for. The Government must then ensure that the budget is adequate for the work required. The current set-up is a fixed amount of money in the legal aid budget but growing demands upon it. I therefore have the following observations.

First, criminal defence legal aid is demand led. The Government's welcome get-tough approach to reducing crime nevertheless creates a greater demand on the criminal defence legal aid budget. Secondly, on top of that growth in existing criminal defence legal aid, the Government continue to create new offences, adding to the demand. This Queen's Speech includes a new offence of asylum seekers destroying their documentation and a new offence of breaching a restraining order to prevent domestic violence. Have the Home Office and the Department for Constitutional Affairs assessed the extra expense in relation to criminal defence legal aid and made provision to meet the extra costs? Alternatively, will civil legal aid simply be squeezed again?

Thirdly, civil legal aid has been withdrawn from claims for compensation for personal injury, except in clinical negligence cases. It has been replaced by the conditional fee arrangement. What is the assessment of this change other than those great demands for extra fees about which we heard at Question Time today in relation to miners' compensation claims? Civil legal aid remains for very important issues, however: challenging public bodies including Government through judicial review; resolving disputes and property rights when couples separate; protecting consumers from deceit and rip-off; and defending the poorest in society from social exclusion in areas such as housing and welfare rights.

So, fourthly, year-by-year, money for civil legal aid is being constrained, limiting access to justice. That brings me, fifthly, to the fact that the Government continue to create new laws affecting civil rights and hence the civil legal aid budget. Again, there is no apparent assessment of the extra expense and compensating adjustment to the budget for that.

The Queen's Speech contains a welcome clampdown on domestic violence, but that will create more civil legal aid cases, and a new registered civil partnership, which, sadly, will sometimes go wrong, creating the need for new dispute resolution procedures at the expense of legal aid. The Government know about the problem. It is not new; I am not saying something surprising. The previous and the present Lord Chancellor have both commented on it.

On 2 April 2003, Lord Irvine, when he was Lord Chancellor, appeared before the Select Committee that then scrutinised the Lord Chancellor's Department. He was asked whether he was embarrassed by an overspend in his departmental budget, and he said that, yes, he was. Specifically on legal aid, he said:

> "It is absolutely critical when changes to the substantive law are being made, particularly in the criminal field, which have downstream consequences for the courts, that the thing should be looked at end to end and the downstream consequences should be funded."

The present Lord Chancellor, Lord Falconer, speaking at the Legal Aid Practitioners Group annual conference on 17 October this year, said:

> "It is important that we rigorously cost all policy change within Government so that we can estimate and fund consequential legal aid costs. This will not be a public process. But you can have my assurance that I will pursue this with vigour. The legal aid budget cannot indefinitely absorb the knock-on effects of changes in the law across government."

So, please, Government, may we have more rigorous legislative impact analysis and proper provision for the effects on the legal aid budget?

The Government can do more to help. They can fund more alternative dispute resolution procedures. They can consider no-fault compensation, and I volunteer clinical negligence as the first field for such consideration. They can separate the criminal defence legal aid budget, which is demand-led, from the rest of the civil legal aid budget.

Legal service providers themselves must change too. They should work with the community legal aid service in matching the appropriate supply to the need for their services, giving the best value for money. They should consider alternative ways to fund access to justice, including more use of salaried services and legal expenses insurance.

The Law Society itself has been considering alternative ways to fund lawyers for legal aid work and has come up with ideas such as a GP-like contracting system and even competitive tendering. What we need from legal aid in the future is a diverse supply of legal services, so that we can offer comprehensive access to justice for all our citizens. In that way, we will tackle social exclusion most effectively.

3.37 pm

David Burnside (South Antrim) (UUP): Most of my colleagues on the Northern Ireland Unionist Benches will vote as conservatives should do when we consider the destructive reforms—they are not really reforms—of the Lord Chancellor's office and the replacement for the present House of Lords, and I hope that many right hon. and hon. Members will vote accordingly, especially if there are a large number of conservatives in the present Conservative party.

I was unable to be present in the Palace of Westminster to hear the Gracious Speech because Her Majesty's Government decided that most of my colleagues and I should be in Northern Ireland on that day. I thought that that was quite an insult to Her Majesty. I was fighting an Assembly election last Wednesday and visiting polling stations. The Gracious Speech refers to the implementation of the Good Friday agreement. I can tell the House that the Good Friday agreement will not be implemented because I topped the poll in South Antrim and, last Wednesday, the vast majority of the Unionist electorate withdrew their consent for the Good Friday agreement and its implementation—a clear, unequivocal result—and I hope that the Government will listen very carefully, for two reasons.

Last week, the Unionist people spoke very clearly. They replaced my party, the Ulster Unionist party, with the Democratic Unionist party, as the leading party. In the republican nationalist vote, Sinn Fein ended up as the leading party—a party still committed to violence and terrorism, still with a private army. I am very sad that my fellow countrymen vote for a party like that.

We have stalemate and no progress has been made on achieving devolution in Northern Ireland, and devolution is the objective of Her Majesty's Government for all parts of the United Kingdom. We are not achieving devolution in Northern Ireland, because the republican side—Sinn Fein-IRA—has not become a democratic political party. The Ulster Unionist population have become totally disillusioned. Terrorists were forced into government and on to my party in the attempt to create an inclusive Executive with Sinn Fein. Promises, promises, promises were made, but there was deception, duplicity and double standards.

Sinn Fein is still involved in Colombia, in Florida and in arms importation. It was involved in the special branch break-in at Castlereagh and Stormont-gate, and last weekend reports in the Republic of Ireland suggested that the Garda are saying:

> "IRA tax scam helped fund Sinn Fein".

[David Burnside]

I will be going to the appropriate authorities in the House and the Electoral Commission to see that such funding of a political party in the United Kingdom is properly investigated.

I want to be constructive. On behalf of my constituents and all the people of Northern Ireland, I want to see whether there is a way forward from the stalemate that there is now in Stormont. The way ahead is to replace the d'Hondt system for an inclusive Executive. Those who understand proportional representation know that Northern Ireland uses a d'Hondt system whereby all parties are put into the Executive on a proportional basis. That is inclusive, but there is no opposition and no collective cabinet responsibility. It is therefore unstable and unworkable.

The system is especially unworkable in Northern Ireland because one party—Sinn Fein—stops devolution taking place. It has not become a democratic political party, so it stops all the rest of us making devolution work. I and my colleagues who were at Parliament Buildings, Stormont, yesterday cannot create an operational Executive unless we have the okay from the political wing of the Provisional IRA. The d'Hondt system must go.

We cannot have a Stormont Government or a devolved Assembly on the basis of simple majority rule. There must be cross-community links and consensus. I recommend that we move away from a d'Hondt all-inclusive Executive to a voluntary coalition between the two Unionist parties—the UUP and the DUP—the constitutional nationalists of the Social Democratic and Labour party and the small but still representative Alliance party. Such an Executive would have cross-community support and could give us the benefits of devolution tomorrow. The Assembly and the Executive could be up and operating within weeks, but we are being held back by the veto that the Government still give to Sinn Fein-IRA on devolution in Northern Ireland.

If the SDLP will not break away from the veto that it is giving to militant republicanism, so be it. We cannot have consensus, devolution and an Executive. We cannot have the benefits of a middle tier of administration between our local government on the ground and the Westminster Parliament and Government. We would like that middle tier in Northern Ireland to have a cross-community basis. If the SDLP will not separate itself in the republican community from Sinn Fein-IRA, I say to the British Government, "Let us stop the farce; let us bring it to an end."

We have an Assembly, but it was embarrassing for all my colleagues in all political parties to sign on at Parliament Buildings yesterday and to be told that we could not even table a question to a Minister. As a Member of the Legislative Assembly, I cannot table a question to a Minister in a way that I can today to Ministers in the Northern Ireland Office about issues that affect my constituents—education, health, transport and so on. That is a farce.

Her Majesty's Government should give the Assembly a maximum of 12 weeks—three months—to see whether it can come together with a voluntary coalition and then transfer powers to an operating administration in the Executive and the Committee system of the Assembly. If it cannot do that within 12 weeks, we would be better closing Stormont. I, as an Ulster Unionist, would be more than happy to promote the policy of the forefathers of Ulster Unionism and to say that I want to be governed in the same way as England and Wales with a reform of local government powers down to a local government structure in Northern Ireland, or a sensible Assembly.

The Welsh Assembly is sensible. It has 60 seats and departmental Committees with Ministers being called to account. We do not have that in Stormont. We have independent Ministers taking decisions irrespective of cross-community support in the departmental Committees. The Assembly is too big, cumbersome and expensive. If we cannot make it work in three months, Her Majesty's Government should close it down. We, as Ulster Unionists, will try to get cross-community support for something better for the government of Northern Ireland.

Let us be governed like England and Wales. Let us be Unionist and let us have an Administration that is accountable and democratic rather than a bloated, unreal and inclusive Executive with a veto on the government of Northern Ireland—the veto of Sinn Fein-IRA. Irrespective of the promises and commitments that they gave at the time of and since the Good Friday agreement, they are playing a double game and holding up democracy in Northern Ireland. I hope that Her Majesty's Government will separate from Sinn Fein-IRA and start to work with the democratic parties in Northern Ireland—the two Unionist parties, the SDLP and the Alliance party—to find a better way forward. I want Stormont to work, but if it does not work in 12 weeks, let us close it down, go for full integration with the United Kingdom, and allow Ulster to be governed in the same way as England and Wales.

3.45 pm

Jane Griffiths (Reading, East) (Lab): I want to give a few words of welcome to the civil partnerships Bill that was announced in the Gracious Speech last week. Hon. Members might recall that I had the privilege of introducing a Bill on civil partnerships in October 2001 under the ten-minute rule, which included some provisions that were announced last week. It included provisions to give rights and responsibilities to gay and lesbian couples who chose to register their partnership, and I am pleased that the Government have decided to espouse such rights. I understand why they have not been persuaded to go down that route for all couples, irrespective of gender, although my Bill included such a provision.

I am a little disappointed that almost no other hon. Member has mentioned the civil partnerships Bill.

Mr. Alan Duncan: Don't worry, I will.

Jane Griffiths: I am glad to hear it.

I mentioned Reading young offenders institution, which is in my constituency, during my intervention on the hon. Member for Winchester (Mr. Oaten). That fine institution is better known by the name with which it was immortalised by the beautiful genius Oscar Wilde in

"The Ballad of Reading Gaol". Reading has to make some amends for its treatment of Oscar Wilde under the regime of the time, so it is fitting that I speak as a Reading Member.

Reading and the issue of homophobia have appeared in the news more recently. We have no bishop in Reading. A bishop was appointed, but he was hounded out by the unsavoury tactics of the group known as the militant tendency in the Church of England, which was shameful. We hope to have a new bishop to conduct his ministry for us.

The civil partnerships Bill will be welcomed by my constituents, including a couple whom I shall call Ed and Tony—largely because those are their names.

Mr. Evans: Not Gordon and Tony, then.

Jane Griffiths: I counsel the hon. Gentleman to be calm.

Among my many constituents who will support the Bill is Wyndham Clampett, the supremo of the Reading gay men's chorus. I wholeheartedly recommend the performances of the chorus to hon. Members and I am pleased to say that it will sing at my 50th birthday party, which will take place soon.

I reiterate my welcome for the civil partnerships Bill and look forward to being involved in the debate on it. It represents a great step forward for social justice not only for gay and lesbian people, but for all of us.

3.49 pm

Derek Conway (Old Bexley and Sidcup) (Con): The series of days when the House considers the Queen's Speech is always illuminating. The proceedings started with a superb response by the hon. Member for Dumbarton (Mr. McFall), who did himself and his constituency great credit. His delivery was excellent, but I think that the story of the cardinal and the nun will come back to haunt him. No doubt the rest of us will regale it on the dinner-speaking circuit. The hon. Gentleman demonstrated by his competence that following his move, from a Minister to Chairman of the Treasury Committee, he remains an effective Member of the House.

More politically illuminating was the opening response by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard). In his devastatingly competent critique of the Government's performance, he showed that the governing party of this country has a real challenge on its hands. It is encouraging to those of us who believe that the Labour party has had its moment to see that there is an alternative Government—

Keith Vaz: Thanks to you.

Derek Conway: Well, I take no part in such matters.

It is encouraging that an alternative Government are ready and waiting to take up the challenge. In fairness, the Queen's Speech programme is evidence of a tired Government. I know: I served in one. There is no doubt about it: political parties run out of steam after a while. Not only do they run out of ideas but they end up with too many former Ministers on the Back Benches and too many frustrated would-be Ministers sitting alongside them, which is when the fun and games begin. There is ample evidence that that process has started. The Queen's Speech programme has enormous pitfalls with which the poor Whips on the Treasury Bench will have to cope.

The Government were elected full of promise and full of promises. They have failed on the first and not delivered on the second. I have to be careful because if I comment on individual Bills as a member of the Chairmen's Panel I might not be able to play my part in their scrutiny subsequently—[HON. MEMBERS: "Go on."] I reject the encouragement of my hon. Friends.

My right hon. Friend the Member for Haltemprice and Howden (David Davis), in a typically robust and incisive contribution, made it clear that the Opposition will offer constructive support for many Home Office Bills. We will see a contrast between the way in which the Home Secretary behaves and the incisiveness of my right hon. Friend. The Home Secretary sometimes gives the impression of a man under considerable pressure. His is unquestionably the most awful brief. One can only feel sympathy for that challenge, which he willingly accepts, but the fact is that he is not doing the job.

There have been 30 bits of Home Office legislation from this Labour Government, yet crime is still up by 800,000. Gun crime has doubled. I remember sitting on the Standing Committee that considered the Bill on firearms, which was loathed by just about everyone in the House of Commons. We were assured by those proposing it that it would solve the problem. Of course, it has not and gun crime has doubled from what it was under the last Conservative Government.

More importantly, for many of our constituents violent crime is now at its highest level. It does not matter how much Back Benchers or Ministers massage the figures, the truth is that the public do not care about our version of them and they do not believe the Government's version of them. What they believe is what they see in their communities. Increasingly, certainly in Old Bexley and Sidcup, as part of an outer London borough, more and more of my constituents think that the police are no longer accountable. The Home Office, the Chamber and its Select Committee are involved in policing. In my constituency, the Mayor of London and the Greater London Assembly are also involved. Many tiers of democracy mean that the people are still not getting what they want, which is more police officers on the beat. Nothing can make up for that.

We are lucky in the Bexley Metropolitan police division because we have a superb chief superintendent, Robin Merrit, who commands a dedicated force. My criticism of what is happening with policing is not directed at them. They do their very best in the most difficult circumstances, but there are simply not enough of them. Any measures that the Government introduce to increase the number of police officers will have my wholehearted support and, I am glad to say, that of my party.

It is a great pity that there is no Bill on defence matters, in particular the reinstatement of abolished regiments. Sadly, both under my party when in government and under the current Government, there have been endless defence cuts at a time when we expect more of our armed forces. The reduction of infantry regiments is putting immense strain on the system.

[Derek Conway]

Our troops have been deployed in war zones for five out of the six years that this Government have been in power. With that record, it is unacceptable that we see more and more being hacked off the defence budget, fewer and fewer soldiers being recruited and more and more traditional regiments being up for the axe. It simply will not wash.

My hon. Friend the Member for Rutland and Melton (Mr. Duncan), who is sitting on the Front Bench and will respond to the debate, I am sure, if he catches your eye, Mr. Deputy Speaker, will put forward the Opposition policy and response to the constitution. I hope that whatever I say will not be too far adrift from what he has in mind. Regrettably, I have form on the matter of the House of Lords.

Back in 1972, when I was a brisk, thin and hairy 19-year-old—difficult to believe, perhaps—I had strong views on the House of Lords. I was national vice-chairman of the Young Conservatives, which then probably had more members than the modern Tory party has today and was a thriving youth political organisation. I could not believe how, in modern Britain, as it seemed then to be, we could possibly have an unelected Chamber of Parliament that worked on the hereditary principle. I made a speech on a quiet weekend at a Young Conservatives conference that gained some notoriety in the Sunday papers because they had little else to cover.

It was arranged by the party chairman, Lord Carrington, that the Duke of Northumberland—the former one, not the present one—should put me right on these matters. I was summoned to his Northumberland castle for a glass of sherry and a civilised lunch, and the duke proceeded to say, "Peter Carrington said that I should sort you out on this House of Lords thing. Never go near the place. I am sorry if you got yourself into trouble, but I think that changes will come." He was right: changes were to come.

Although I can understand the views of others, particularly my hon. Friend the Member for Ribble Valley (Mr. Evans), who made a telling speech about hereditary peers, I suspect that hereditary peers will go. I will play my part in whatever line my party wants to take, but I suspect that the institution of Parliament will cope when they are gone. The more difficult problem for every Member of this Chamber is what replaces them. I do not think that we should be scared of democracy, and I hope that we in this Chamber will not be, but we should be scared about how many levels of democracy are coming into existence.

An earlier contribution from the hon. Member for East Lothian (Anne Picking) was evidence of the difficulties being experienced both in Scotland and in Wales. However, there have also been difficulties in England. In Old Bexley and Sidcup, my electorate are represented by borough councillors, who in the main do a good job and are very effective, but there are a lot of them. We have a Greater London Assembly man, who is also elected and very competent and popular. I hope that he will be re-elected with a handsome majority in the summer.

We also have a Mayor, and although I must not trespass on your patience, Mr. Deputy Speaker, by talking about the future of the Mayor of London, I can say that under the constitution, he is there, he costs us a lot of money and he is more interested in demonstrations and self-promotion than in looking after the outer London boroughs. However, I am sure that either the Labour party or the Tory voters will solve his problem for him in June. My electorate also have Members of the European Parliament and a Member of Parliament.

Mr. Evans: He is hugely popular.

Derek Conway: That is very kind of my hon. Friend. In addition, my electorate may or may not, in the fulness of time, have elected peers. *[Interruption.]* I had better be careful: my boss is coming back in now.

Although no one will decry democracy in this Chamber, we have to be careful about the tiers of democracy and what they are doing for the competence of and confidence in the system. We will not resolve the issue of the House of Lords until we address the size of this Chamber and what it does. Many right hon. and hon. Members, certainly since I walked in here in 1983, have become glorified social workers and councillors. I probably handle more local authority cases than I do anything else.

If the United Kingdom is to remain united in any description, we should find a way of involving representatives from Scotland, Wales and the regional assemblies—if indeed they come about, which undoubtedly, under this Government, they will. We could then have a system more akin to that in Germany which would ensure that the different parts of the United Kingdom have a place in our legislative Assemblies. None of this, I suspect, will be remotely the policy of my party or my hon. Friend the Member for Rutland and Melton, when he makes his much more distinguished contribution.

This piecemeal reform of our constitution, with the Government clearly having no idea where they are going—I will find out later whether my party does—means that the Chamber is completely divided about the solution. I do not think that the public care overmuch. What they would really rather have is effective public services and the lowest taxes possible, and how many politicians are messing around in the pond to make that happen is a matter of supreme indifference to most of our electorate. We face an interesting Session, particularly on the constitution—

Mr. Deputy Speaker (Sir Michael Lord): Order. The hon. Gentleman has had his 10 minutes.

4 pm

Keith Vaz (Leicester, East) (Lab): It is always a pleasure to follow the hon. Member for Old Bexley and Sidcup (Derek Conway). I am not surprised that he praised the speech of the Leader of the Opposition because the right hon. and learned Gentleman would not have been there without the hon. Gentleman's help. I missed him, with his trim frame, from the nine o'clock news. He worries about being a glorified caseworker or social worker, but in the history of the Conservative party he will be remembered as a glorified king maker for what he has done for his party. Having left a tired Government, as the hon. Gentleman puts it, he is back to join a tired Opposition.

I shall make a couple of points on a local matter before turning to the issue of the Home Office and constitutional affairs. I welcome the Queens' Speech and I shall vote for it enthusiastically in the Lobby tomorrow and the day after. I particularly welcome the Government's decision to press ahead with the new road traffic management Bill. Those of us who are avid readers of the *Leicester Mercury*—I see present the hon. Member for Rutland and Melton (Mr. Duncan) and the hon. and learned Member for Harborough (Mr. Garnier), and we obviously get the newspaper daily—will know of the long-standing campaign by that newspaper to try to do something about the number of roadworks in Leicester. Leicester is the second most congested city in Britain, and I think that the proposed Bill will help us enormously as we seek to try to make it less congested and try to ease the burdens that are placed on householders.

Before my right hon. Friend the Home Secretary left the Chamber, he said in answer to my intervention that he was upset that those of us who were criticising the new proposals on asylum and immigration did not give him credit for what he has done so far. I am the first to congratulate my right hon. Friend on what he did last year in allowing British overseas citizens to have full citizenship. I know that the Under-Secretary of State for Constitutional Affairs, my hon. Friend the Member for Shipley (Mr. Leslie), who was then a Back Bencher and a campaigner for that measure, was supportive of it. I supported what my right hon. Friend said in early October when he allowed an amnesty for 15,000 people who were already in this country. The problem is that they do not have the necessary letters and they do not know whether they will stay here.

My criticism of the proposed immigration and asylum legislation—I hope that my right hon. Friend the Home Secretary will listen to it and I hope also that the Government will react to it before we reach the end of the Session—is that it is designed to try to solve a problem that the Government have failed to solve over the past six years, and that is the complete failure of administration on the part of the immigration and nationality directorate. There is a huge backlog at the IND. Cases are processed far too slowly and there has been a lack of resources for dealing with cases efficiently.

I suppose that the situation is summed up by a case that I dealt with last Friday. Someone, who had originally come from Somalia, had made an application for asylum three years ago. In those three years he had had, with his wife, three children. He had finally received his final determination from the immigration appeal tribunal. He came to me to ask for my assistance, to see whether I would help him stay longer in the country. Obviously as a Member I stand in the shoes of my constituents, and I wrote to the Home Office. What surprised me was his attitude. Basically, he felt that it was the Government's fault. If his case had been dealt with properly, swiftly and efficiently three years ago, he would not have been in a position where he had stayed for three years while waiting a decision. Uprooting him and his wife and family now caused him the greatest difficulty.

That is the problem that we have, and that is the problem that has been handed from the Home Office to the Department for Constitutional Affairs. My right hon. and learned Friend the Lord Chancellor is being asked to do the dirty washing for my right hon. Friend the Home Secretary. He is being asked to solve the problems caused by administrative failure, and as a result the proposals that will have to be taken forward by my hon. Friend the Under-Secretary of State for Constitutional Affairs will curtail people's rights of appeal. If we take away a tier of the immigration appeals system, we are curtailing people's rights. If, at the same time, as the hon. Member for Winchester (Mr. Oaten) said, we reduce the resources available for legal aid, people who could get proper and effective legal aid at the start of the process are left trapped in a system that will end at the appeal tribunal, subject to judicial review. They will not even be able to make an application, because legal aid will not be available to them. People whom we ought to help will therefore be left in a vulnerable position. I hope that the Government will therefore reconsider the position of the immigration appeal tribunal, and introduce a much more effective package allowing us to support enthusiastically their immigration and asylum policies. We will not, however, accept the package of constitutional and court reform introduced by the Department for Constitutional Affairs unless the Home Office gets its act together.

As for the legislation that will abolish the office of Lord Chancellor and lead to the creation of a commission for judicial appointments, that major constitutional reform was proposed in the middle of a reshuffle and has not been handled particularly well. I pay tribute to the work of the previous Lord Chancellor, under whom I served when I was a Minister in his Department. His departure should have been handled much better, and he should have been given the plaudits that he deserved for the way in which he modernised his Department over the previous six years. However, even though we did not handle that particularly well, I am glad that we now have a Lord Chancellor who is committed to ensuring the modernisation of his Department and the justice agenda. My right hon. Friend Lord Falconer has the skills and ability not only to discuss these matters in Parliament with Members of the Commons and the Lords but to go out to the country to work with the judiciary and the professions. That will enable him and the Government to listen to people's concerns and help them to develop a package that will result in a more modern and diverse judiciary.

We surely all share that hope, but I am not convinced that we are going to meet the Government's timetable. I would be happy to keep the Lord Chancellor's role until the end of this Parliament, enabling us to think carefully about what will replace the present system. We are in favour of a commission for judicial appointments, but we want it to be truly reflective and representative of society as a whole. If that takes a little longer, we will have to delay the legislation and allow it to be carried over to the next Session, keeping the Lord Chancellor in post until the end of the Parliament. Let us get this right because the new arrangement will be with us for an extremely long time. However, I support the thrust of the reforms introduced by the Lord Chancellor.

Finally, I am delighted that the draft euro referendum Bill has been published, but I am extremely disappointed that we will not have a referendum this year. Although the Chancellor said that he will look at the tests next March when the Budget is published, I do

[Keith Vaz]

not believe that we will have a referendum during this Parliament, and the Government and the Prime Minister have a duty to tell the people of Britain so. I think that it is grave mistake not to have a referendum—the issue should be put to the British people and we ought to allow them the opportunity to endorse the work that the Government have done in Europe over the past six years, being at the heart of Europe and controlling the agenda.

Mr. Evans: Does the hon. Gentleman agree that we should have an early referendum on the euro, but, on the same day, ask a separate question and hold a referendum on the European constitution?

Keith Vaz: I do not think that it will happen that quickly. We did not have a referendum on Maastricht and there is no need to have a referendum on the European constitution—*[Interruption.]* Well, Opposition Members did not hold a referendum on Maastricht when they were in government.

In conclusion, we welcome the Queen's Speech, and I shall support it enthusiastically in the Division Lobby. However, I hope that my hon. Friends on the Front Bench will take to heart the points that I have made.

4.9 pm

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): It is a pleasure to follow the hon. Member for Leicester, East (Keith Vaz), although it is a pity that my hon. Friend the Member for Ribble Valley (Mr. Evans) could not persuade him to go just that little bit further and ask for another referendum.

My hon. Friend and I have both noticed that the Prime Minister is offering us a conversation—a conversation with trumpets and fanfares. I think that the Prime Minister does not need those trumpets and fanfares. Indeed, if he held a real conversation with virtually anybody in this country today, he would be told that Labour's performance and delivery are considered inadequate on everything except raising taxes. I fear that the Gracious Speech does nothing to improve that performance or delivery. My own test for the Gracious Speech is whether it faces up to the problems that my constituents face, and whether it comes from the caring heart or the calibrating head.

The Prime Minister weekends in my neighbourhood, but he reveals no understanding of what people in the Chiltern hills are up against. The people whom I represent in Buckinghamshire are neither poor nor fabulously wealthy; they are just a part of the public whom public services are supposed to serve. They pay their rising taxes and hope that their needs in health, education, security and transport will be met. Under this Government, however, the vigorously rising curve of taxation finds no parallel in useful public service. There is a great gap between taxes paid and what the citizen is getting in return. One does not need to be a Marxist to talk about alienation in my constituency.

In Buckinghamshire, despite devoted health workers, we have a crisis in health care. The trusts are running out of money, hospitals and wards are threatened with closure, and services will face some intolerable choices. What the Government so amusingly call extra money has been swallowed up by extra national insurance costs, high agency nursing staff costs, the increasing cost of drugs and eternal Blairite targets forced on the NHS. If we have a flu epidemic this year in Buckinghamshire, I truly do not know how we will cope.

That is the rough-edged reality of which the Government seem to know nothing. Perhaps that is why we are receiving 18 per cent. less health-care funding per head than the average spend in, say, the north of England. That is a type of political favouritism at the expense of my constituents. An excellent educational performance in Buckinghamshire brings in families who move to take advantage of schools staffed by incredibly talented teachers that equip youngsters to a very high standard, but they are being betrayed. Under the examination boards, school examinations are being marked incorrectly, blighting children's lives. Teachers have their skills called into question, and funds to repair buildings fail. Meanwhile, as I have seen with my own eyes, taking a class of children half a mile down the road to study at an environmental centre is, thanks to the paperwork, a challenge beyond bureaucracy.

The council tax goes up locally, but money flows to the north and the Labour seats, while the Government slap down the shires. Requests and even pleas for a reduction in bureaucratic control, inspections and so-called initiatives are ignored, and costs, and therefore taxes, continue to rise. In my constituency, pension increases cannot absorb those rises, so older people with years of work behind them now dread the thud of the bills that edge them towards poverty at the latest and cruellest moment. There is no peace in retirement for them.

Does the Queen's Speech help? No. What we have is some 30 Bills that will add to bureaucracy, increase the costs of administration, invigorate the means-testing industry and leave the citizen finely controlled, minutely managed and paying for it. There is an armed forces Bill that will leave pensioners worse off; a housing Bill giving the Government ever more control; a higher education Bill to mug our students; an immigration Bill that will snatch children; a European Union Bill that will hand over more decisions to remoter control; and a school transport Bill to get our children off the buses—just putting Tiny Tim on thinner gruel is not in it.

If that is not sufficient, the Queen's Speech contains a new tranche of bossy intrusions and regulations to keep all the extra officials busy. There is a charity Bill to threaten independent schools; an Employment Relations Bill and a companies Bill to harass and suffocate business; a Planning and Compulsory Purchase Bill that increases the powers of central Government; and, supremely, an identity cards Bill that will affect all our civil liberties. The litany of extra powers will make the Home Secretary into a true Minister for the interior.

So, we are faced with a plethora of legislation, and we confidently await guillotined timetables denying it sufficient time for proper consideration. A parliamentary guillotine working at Robespierre's rate is a malevolent and crippling assault from a Government who despise this House: they defeat the working of the democratic process and have regularly dumped in their basket inadequate legislation that is in constant need of correction by the courts or Parliament.

I have a response. Very little of what really needs to be done requires any legislative action. I suggest that we take a leaf from the book of an American President whom we can all admire—Franklin Roosevelt. When he came to power in 1933, and faced a slump based partly on a bank crisis and panic, the first thing that he did was to declare a bank holiday—a pause from selling and running. To put it simply, why do not the Government pause and stop selling my constituents down the river? Why do not they revisit this Queen's Speech and extract only the absolutely essential Bills, which this House would then have time to scrutinise properly? Why not concentrate on making what we already have work properly—plain, practical things such as hospitals, schools, transport, police forces and courts? One does not need a big conversation to discover that that is what people want—just a cosy fireside chat. Nothing would serve Britain better or please its people more.

4.16 pm

Mr. Bill Tynan (Hamilton, South) (Lab): I apologise for having been absent from the Chamber at 3 o'clock. Unfortunately, I will not be here for the winding-up speeches, either, as I have another appointment at 6 o'clock, but I welcome the opportunity to participate in the debate.

If we compare reactions to the Queen's Speech, we find that the hon. Member for Winchester (Mr. Oaten) was very positive, while official Opposition Members constantly carped about everything that is wrong with the Government and what they have delivered. That seems incredible when one looks at the record of this Government and contrasts it with 18 years of previous Tory Administrations. There is just no comparison.

I note that the Scottish National party tabled an amendment, yet not one SNP Member is here. Even though Mr. Speaker decided not to select it, that is rather sad.

Last Wednesday, a Member asked whether anyone could name a single Act from last year that has made a difference. Given that the Fireworks Bill passed through this place, I must admit that I was terribly hurt by that, but I got over it.

To be serious, we should consider what the Government have delivered on employment and the economy. We should consider European Union expansion and what that will mean for the future of Europe. We should consider the rail accident investigation branch, which was recommended by Lord Cullen. We should consider the new powers given to the police in respect of antisocial behaviour: that is a major problem, but we are dealing with it, and it is important that we continue to do so.

I welcome the measures that the Government have put forward for this year. Unfortunately, much of the media focus has been on negative aspects, and some of my own colleagues have concentrated on the more contentious parts. Although that is understandable, it obscures the real strength of the proposals. The Government have done much in the past six years, and the Queen's Speech represents a continuing commitment to stability, fairness and a bright future for all, building on what has already been achieved. I want to refer especially to the employment relations Bill, which, I hope, will make a genuine difference to trade unionists in this country.

Under the heading of constitutional affairs, I should like to focus on the implications of what has been announced for Scotland. Given the sniping of the past few weeks from English nationalists and Scottish nationalists on the Opposition Benches about the role that my colleagues have played north of the border and in this place, I should like to comment on their perceptions. The Westminster leader of the Scottish National party—I keep mentioning that party—and his colleagues voted against the Government, yet criticised 43 Labour Members for voting with the Government. Their argument would have more credibility if the SNP had decided not to participate, then criticised Labour Members for voting.

There are rumours—I do not know whether they are true—that one lone Tory, whom I regard as a friend, despite his political persuasion, was put under tremendous pressure by the Tory Whips to participate in the vote. If there were 10 Conservative Members of Parliament and an opportunity to defeat the Government, I wonder what sort of pressure would be put on them.

We must consider where we are and how we shall develop. I reject the notion of two-tier, in-and-out Members of Parliament. I was elected as a UK Member of Parliament.

Mr. Evans: Does the hon. Gentleman agree that we already have two-tier Members of Parliament? Scottish Members of Parliament vote on English matters but cannot vote on the same issues as they affect Scotland. The West Lothian question must be answered. Is not it time that we ensured that English Members of Parliament determine English matters?

Mr. Tynan: I shall deal with that point shortly.

It is disturbing that the hon. Gentleman's argument ignores the fact that 6,000 Scots a year are admitted to national health service hospitals in England. I therefore believe that I have a right to participate. The Standing Committee that considered the Health (Wales) Act 2003 was populated by English Tory Members of Parliament, and they were also involved in the Sunday Working (Scotland) Act 2003. They accept that, yet claim constitutional outrage when others are involved. I accept that the West Lothian question poses problems, but we will reduce the number of Scottish Members of Parliament from 72 to 59.

Mr. Evans: That is not the answer.

Mr. Tynan: The Scotland Act 1998 provides for that, and I accept its terms. I hope that, long after I am gone from the House, the majority of hon. Members will acknowledge that there is a role for Members from all parts of the United Kingdom in determining the way in which we deliver for the people we should represent.

The Scottish Parliament (Constituencies) Bill was announced last week. The devolution settlement remains under discussion and is evolving. As such, I was not surprised but a little disappointed that we decided that we would change the Scotland Act 1998 and retain 129 MSPs in the Scottish Parliament. That will be discussed on the Floor of the House. Although I was not privileged to serve in the House at the time, I found the debate on amendments Nos. 62 and 63 to the Scotland

[Mr. Tynan]

Bill on 12 May 1998 most illuminating. The Government argued strongly against the proposal that is now in the Queen's Speech. Those arguments will be developed over the coming weeks and months.

I do not wish to marshal arguments on that basis here today, but there is an issue as regards the Scottish Parliament. I am worried that we will disconnect its work from the interests and aspirations of the electorate through a rather confusing electoral system and will also risk contributing to the campaign to undermine the Scottish presence in this place, which is being orchestrated vocally from the Opposition Benches. I am much more enthusiastic about the European elections pilots Bill, which I raised today at Question Time. We may have the opportunity for a fully postal vote in Scotland for the European elections, and I certainly would welcome that.

Let me turn to another issue in Scotland. I want to talk briefly but more widely about the situation as regards manufacturing industry. Time is running out, so I will get to the point quickly. I was going to say that I worked in a Hoover plant, but I was employed there as a trade union official—a full-time convener. The plant is under threat, and we are going to lose about 300 jobs, some to China. I do not know the answer on how we compete with the wages that are being paid in places such as China, but I commend the intelligent campaign being led by the convener there, young Edward McAvoy. It has the support of Amicus and of the area's MP and MSP.

One of the issues is that 70 jobs would move to Wales. I hope that the Minister will get involved in that discussion and that campaign and try to ensure that we are in a position where we do not lose those 70 jobs. This is a crucial manufacturing industry for Scotland, and we must ensure that we have as much support as possible.

I will finish on that, Mr. Deputy Speaker. We have had a good-humoured debate, and I hope that my contribution has added to that good humour.

4.26 pm

Mr. Edward Garnier (Harborough) (Con): One advantage of failing to catch your eye until this stage of the debate, Mr. Deputy Speaker, is that I have been able to listen to every word that has been spoken from Front and Back Benches. Two particular speeches drew themselves to my attention. One was that of the hon. Member for Hampstead and Highgate (Glenda Jackson), who made a critical and devastating analysis of the Government's proposals with regard to asylum. She is to be congratulated on that. I could see that she was very angry and she is justified in that. I trust that the Government will have the common sense and decency to listen to such speeches.

The other speech to which I listened with rapt attention was that of the Home Secretary, because the poverty of his language—he used such expressions as that he could not give a toss about others' opinions—demonstrates to me the poverty of his thinking on home affairs and constitutional affairs. I contrast that with the speeches of my right hon. Friend the Member for Haltemprice and Howden (David Davis), the shadow Home Secretary, and, if I may say so, of the hon. Member for Winchester (Mr. Oaten), who made a thoughtful contribution.

I am particularly attracted to the argument that the hon. Gentleman made in relation to the absence of legal aid in matters of asylum cases. If we fail to allow those involved to get the proper advice they need, we will simply bung up the system later on. The Government's attitude towards the whole issue of legal aid was touched on by the hon. Member for Stafford (Mr. Kidney), who reflected all that I said in the debates on the Access to Justice Act 1999. It demonstrates the futility of much of what the Government have done and the damaging effect that it has had on that area of public policy.

In the few minutes that remain, I want to concentrate on one aspect of the constitutional affairs debate—namely, that regarding the Lord Chancellor's office and related subjects. On 12 June, the Government announced their intention to abolish that office and to establish a new supreme court to replace the Appellate Committee of the House of Lords. They did not do that after consultation and open debate. Those policies were put forward in the context, as many have said this afternoon, of a Cabinet reshuffle that had been derailed by the resignation of the then Secretary of State for Health and the refusal, it appears, of the then Lord Chancellor to resign. There is no doubt that the announcement was scribbled on the back of an envelope, and in a hurry. It was opportunistic and ill thought out. The Government's cavalier attitude to such important constitutional reforms meant that the principles underlying them were overshadowed by criticism of the way in which they were presented. The haste and secrecy with which the programme was announced were as unnecessary as they were counterproductive. However, that fits the pattern of the Government in most matters of public policy, and especially in matters affecting our courts, judges and constitution.

Thrashing around to catch a populist headline is not a good way to reorder the British constitution, any more than the Home Secretary's crashing about like a bull in a china shop on matters to do with the arrest and investigation of suspected terrorists is sensible. In fact, the Home Secretary's recent outburst illustrates a theme behind these reforms. The Government do not trust the judges to bring in judgments that reflect their political opinions and aspirations. They, and the lawyers who argue their clients' cases in court, are in the way and must be tamed. Any objections put forward by those who disagree will be written off as lawyers' whingeing and the wailings of vested interest groups.

That demonstrates a total failure to understand the delicate balance that any democracy that survives through respect for the rule of law needs to maintain between Parliament, the judiciary and the Executive. For six years now, this Government and the Prime Minister have enjoyed more or less opposition-free supremacy, both here and in the country. So over-confident and arrogant with unchecked power have the Government become that they have begun to resemble, and to sound like, the strutting rooster on the farmyard midden. However, may I remind the Prime Minister and the Home Secretary, that today's rooster is tomorrow's feather duster?

The Attorney-General is right to be concerned about the Home Secretary. His is an office that does not fit the strict concept of the separation of powers. He is a member of the legislature, the head of the state prosecution service, the Government's chief legal adviser, and the protector in the courts of the public interest. That is not very neat and tidy, and his office must be in danger now that the Government have arbitrarily decided that the office of Lord Chancellor must go.

As recently as 4 December 2001, the Government offered a robust defence of the office of Lord Chancellor in this House, but how things have changed now that Lord Irvine has gone! It was not difficult to poke fun at Lord Irvine: even the Prime Minister resorted to some childish criticism of the office-holder's uniform, as though he had made not only a highly amusing point but also an unanswerable constitutional point. However, the attacks on Lord Irvine were based as much on ignorance of the man as on ignorance of his office. He acted as the lightning conductor for criticism of the Prime Minister that came from those who did not dare attack the latter directly.

If Lord Irvine was the catalyst for discussion about his office, that discussion has been misguided, and has led to the wrong answer to the question of whether that office could be sustained, especially in the light of the European convention and its application to this country through the Human Rights Act 1998. There is, in my judgment, no provision in European Union law or under the European convention on human rights that requires any of the changes that the Government propose to the office of Lord Chancellor, the removal of the Law Lords from the House of Lords, or the creation of a judicial appointments commission.

It is undeniably true that the Lord Chancellor's Department has taken on many new responsibilities since 1997. Until June of this year, it was headed by a man who was not known for his political skills and sensitivity. The new Department for Constitutional Affairs covers the courts and tribunals, freedom of information and data protection, human rights, Lords reform and other constitutional reform, judicial appointments, party funding, electoral law and policy, civil and criminal law, legal aid, and royal, Church and hereditary issues. Its budget is measured in billions of pounds and, like all spending Departments, it is now a resource-hungry leviathan. Increasingly, it is moving into the executive and political arena. That shift means that, more and more, the Department's executive responsibilities are being carried out by an unelected Minister, whose territorial boundaries are imprecise and subject to adjustment at his and the Prime Minister's diktat.

One of the strengths of our constitution is that it is different from every other constitution and yet is completely capable of protecting the rights and interests of the citizen. We live by what is reasonable, not by what is necessarily rational. The common law has provided as much protection—if not more—for the individual against the over-mighty state as have the judgments of the supreme courts of other countries with written constitutions. No amount of fiddling with the role of the Lord Chancellor or the Law Lords will make a worthwhile difference to that.

I accept that the Lord Chancellor untidily bestrides the constitution. We do not have a Minister of Justice. A judicial appointments commission does not appoint our judges—a politician does that. An unelected legislator exercises executive power. Are we the worse off for that? Is our democracy the feebler for that? Are our judges Government stooges, who do no more than the bidding of the politician who appointed them? Are they appointed for their political or legal expertise? How many times since—let alone before—the enactment of the Human Rights Act 1998 have the courts decided cases against the Government? Does not the Home Secretary fulminate against the judiciary for applying against the Government the very laws that the Government passed? Do our courts never award damages against the police or Departments? Has not a private citizen been granted £1 million in compensation against the Ministry of Defence for nuisance this year—while our troops and the Royal Air Force were engaged in the Iraq war—because of noisy low-flying RAF fighter jets passing over his house near Stamford?

Is not the right to strike and to demonstrate protected by the courts? Has the current Lord Chancellor, the previous Lord Chancellor or any other Lord Chancellor given judgment in the House of Lords on political as opposed to strictly legal grounds, or ever threatened the legislature that, unless it did his party's bidding, he would give judgment to redress the matter upstairs? On all those questions and many similar ones, the previous Lord Chancellor—a man with the political sensitivities and diplomatic skills of a rhinoceros—can justly claim to have behaved entirely properly. Like him or hate him, whether he made us laugh or cry, he was subject to the control of Parliament in all that he did as Lord Chancellor.

Speaking at the Council of Europe in 1979, one of our former right hon. Friends, the late Lord Hailsham of St. Marylebone, said:

> "We have an omnipotent, omnicompetent and sovereign parliament and, to some extent, it reflects the will of the executive, but we have an independent judiciary and the function of the Lord Chancellor is precisely to maintain the independence of the courts of law and the judges. We have no written constitution and in the absence of a document we must rely on the integrity of a man. It is the function of the Lord Chancellor to fight, to his last gasp if need be, for the independence of the judiciary. He can perform that function only if he has a foot in all three camps."

I accept that politics is a business susceptible to fashion; the names and remits of Departments change as frequently as their political masters. However, the vital and central role of the Lord Chancellor, which requires him to tread carefully along the three parallel but invisible lines of the British constitution, is justified and justifiable, even in the face of demand from the political fashionistas.

4.36 pm

Mr. Gwyn Prosser (Dover) (Lab): Earlier, we had the treat of hearing a Member confess to changing his mind, and when the hon. Member for Winchester (Mr. Oaten), who speaks for the Liberal Democrats, said that he used to be in favour of identity cards but is now against them, it struck a chord; I, too, have changed my mind on that issue. I used to be against them, and against CCTV cameras and intrusive searches, but we live in a changing and dangerous world. It is right that we should change, but most of us change in the right direction.

I want to put on record my support for most but not all the measures in the Gracious Speech. If I were speaking at another time, I would put on record my opposition to tuition fees and my disappointment that

[Mr. Gwyn Prosser]

there was no mention of a ban on fox hunting, but that is for another day. Today, I shall limit my remarks to the new Asylum and Immigration (Treatment of Claimants, Etc.) Bill, and the many measures in it designed to stem abuse. However, I also recognise the welcome development of managed legal immigration that the Home Secretary has been brave enough to introduce. That is a path on which we have just embarked, and we will watch with interest.

When I was first elected to this place in 1997, almost immediately—within weeks or months—the issue of asylum reared its head in Dover and caused major problems and difficulties, mostly because large numbers of people from central and eastern Europe were coming across on the ferries to the port of Dover, and then being settled in small and not particularly wealthy areas of the town that did not have the capacity to receive them. That gave rise to all sorts of friction and concerns. People were genuinely alarmed; they felt threatened, and no matter what the real numbers were, perception is important in such matters.

At the time, the local authorities did not have the resources or the housing to support those arriving, nor the power to disperse them or share them across other parts of the area, so problems began to arise. On the south-east coast, there were unwelcome visits from the far right. The British National party marched on the seafront, and the National Front came down and leafleted at the weekend. They inflamed the problem. Many people felt that the situation was out of control. At that time—1997 and 1998—and under those measures, they were largely right.

In due course, the Immigration and Asylum Act 1999 was introduced, which greatly relieved the situation. In those early days, I felt that, although this was a major problem that had to be tackled—not just in my constituency but elsewhere—it would abate and go away, like other political storms. But it has not gone away, and to be frank, in gateway constituencies such as mine it probably never will. However, the various legislative provisions are beginning to bear down on the problem, and to deal with it in a responsible and balanced way.

The 1999 Act relieved the situation by allowing dispersal, and by introducing support for asylum seekers. The whole process became more structured and people began to have more confidence in it, but the numbers remained high.

The Nationality, Immigration and Asylum Act 2002 continued the process of bearing down on abuse of the system. It is very difficult to talk to those in the front line about what are, in their terms, almost academic issues. They know that we need to support asylum seekers, and that we will always give support to those who are genuinely fleeing for their lives. But they reply by saying, "Yes, but what about the Dublin convention? What about other countries? What about our borders and security?" Over the years, most, if not all, of those issues have been addressed in some measure. The new Bill will continue to close the loopholes and to bear down on the abuse of asylum, while at the same time preserving the basic principle.

When I talk to immigration officers in my constituency—the people on the ground who meet asylum seekers, and who take the initial decisions—they express bemusement at the fact that, after all these years, they have no sanction to operate against those who deliberately tear up their documents and hide their identity cards and passports. No such sanction has ever existed, and such behaviour has almost become part of the process of claiming asylum, be it genuine asylum seekers, economic migrants or those moving to this country for less savoury reasons. I have received anonymous calls and letters from people who work at the Dover port, telling me that the practice of destroying passports is so common that the remains can be picked up on any day of the week. Just last week, someone sent me two partly destroyed passports, with a covering anonymous letter. That puts the issue into context. We are talking not about the theory of immigration and asylum, but about the practice that local immigration officers have to deal with. Being on the front line in places such as Dover is a very difficult job. We should at least offer some support, and introduce measures that will bear down on the abuses.

We know that some who flee their country genuinely need to travel on false papers; indeed, they might not have papers at all. As long as they can prove a genuine purpose, that is a defence in itself. But it is not a defence to turn up at the immigration desk at Heathrow—having travelled on an international airline, and having de facto bypassed all the required documents and security measures—and say, "I've got no passport, and I'm not telling you where it is, how I came here or where I've come from." That is not acceptable. Such behaviour is designed only to deceive and frustrate the system, and it makes matters more difficult for genuine asylum seekers. The reality is that the great majority of people who try to destroy their documents do so partly to deceive, and partly under the instruction of their traffickers. They want to protect their traffickers and the criminal gangs behind these rip-offs.

I welcome the Bill and the other new measures to crack down on criminal traffickers. We should remember that currently there are very few sanctions that can be used against people smugglers. The crime of trafficking people is difficult to define, and the Bill tries to do that, but this is not a victimless crime. We need only think back a few years, to the tragic and horrific story of the 58 young Chinese people who were found dead in the back of a container lorry in Dover, to remember the background to this shady business.

I give qualified support to the acceleration of the asylum appeals process. The system is abused by stringing out appeals. That costs a lot of money and people use it as a means to stay here for longer, not to get a just result. When we look back at the claims, we find that they had hardly any chance of success from the outset. Again, I have had unhappy experiences in my constituency. In one case, an asylum seeker family were—outwith the norm—an especially objectionable group. Most asylum seekers are courteous, friendly and co-operative, and make good neighbours. However, this particular group were the ultimate neighbours from hell, to the extent that even the charitable institutions and asylum support groups wanted to see the back of them. They were undermining community relations by their behaviour. It took more than three years to remove that large extended family because they took every recourse of law.

The withdrawal of benefits from those asylum seekers who have run out of time is a vexed subject. I share some of the concerns that have been expressed, but I have talked to Ministers who have convinced me that the effect will be marginal and that the consequences of withdrawing benefits and then possibly taking children into care will be minimal. If that is the case, perhaps we should at least give those involved the option of choosing to go into safe detention, instead of being separated, which could appear draconian.

4.46 pm

Mrs. Annette L. Brooke (Mid-Dorset and North Poole) (LD): I welcome in principle several of the Bills in the Gracious Speech. The first is the charities Bill, which will provide an important legal framework for regulating the charitable and voluntary sectors. The voluntary sector wants the Bill, and that is all-important. It will remind us of the importance of the voluntary sector, which plays a role in areas covered by many of the other proposed Bills. For example, where would we be on the issue of domestic violence without all the voluntary work that has been done over the years? It is the same with child protection, and there are other examples. I would like to see even greater input from the voluntary sector in the future. When we talk about public provision of services or private provision of services, or even a partnership between the two, we miss out on an important dimension. I hope that discussing the voluntary sector will enable it to progress further and provide even better services.

I welcome the Domestic Violence, Crime and Victims Bill. It has been a long time coming and it is a great credit to the Government that they have finally introduced it. However, I share the reservations of those hon. Members who have mentioned the protection of children, especially in cases of access visits for parents. Many people say that it is up to the courts, but we all have examples of cases that have torn at our heartstrings and not only aroused great concern, but involved physical harm to children. Children must be at the heart of everything we do.

I also welcome the children Bill, although it has taken so long for it to be introduced. I visited Sweden earlier this year and discovered that it had had a children's ombudsman for 20 years. We have finally reached that point, and I am delighted. Other countries put children first and listen to them, and we have taken a long time to get to that point.

The Domestic Violence, Crime and Victims Bill contains not only measures on domestic violence, but provisions for witnesses and victims. I welcome those provisions also, because I recently visited Dorset Victim Support on its open day for Members of Parliament. I was very impressed by all the work that it did. Perhaps unsurprisingly, the staff pointed out problems with funding. I mention that because I am not sure exactly what role Victim Support will play after the introduction of the new provisions. I tabled a parliamentary question earlier this year, which showed clearly that while funding to Victim Support has increased, because it has been providing this incredibly important witness protection service and helping witnesses, its core activities have been squeezed in terms of money. I do not think that its activities have been cut, but volunteers have been asked to do more and more, and barely get expenses for the work that they do.

Many Members welcomed the fact that trafficking will be addressed in the Nationality, Immigration and Asylum Act 2002, but I fear that the important aspect of trafficking for child labour may not be included. We have moved so far by including trafficking for sexual purposes in the Sexual Offences Bill, and many Members would also have liked trafficking in child labour and trafficking in children's organs to be dealt with at the same time, although, of course, that was not possible. I hope that in the near future it will be possible to address those important issues.

As many Members have mentioned, there have been many Bills on crime, yet the public's perception is that crime is going up and they do not feel entirely safe. Whatever the statistics, we must take on board the fact that people have a fundamental need to feel safe in their communities. It comes down to not only legislation, but police personnel engaged in prevention and successful detention. I am afraid that I will touch on funding again, because, like most other Members, I have received representations from my police authority, Dorset, which tells me that although the percentage increase in funding is perhaps a little more than it had hoped for, it is not enough to cover unavoidable cost increases, and certainly not enough to address what the public want. Dorset police have carried out a thorough consultation, and, not surprisingly, the answer has come back that people want a more visible, uniformed presence on the streets.

I want to mention a specific issue relating to my police authority. I was fortunate enough to have an Adjournment debate on funding for Dorset police not long ago. On their behalf, I raised their concerns that £1 million in fines from the safety camera scheme was being returned to the Treasury. The Minister said that that was not the case, and that the money was allowed to stay in Dorset for use in safety schemes. I was delighted to hear that. I have received a further representation from Dorset police, however, which tells me that that is really not the case. It states:

> "these criteria have subsequently changed and we are not able to seek the use of the fines revenue for anything other than safety camera enforcement. This has fundamentally undermined our approach to road safety."

It is really worrying that so much money is being channelled back into the Treasury and is not going into safety schemes. The mission of every Member of the House is crime reduction, but surely preventive measures are best. We need openness and honesty about what is happening to the fines. Most of all, the people who pay the fines and have got caught out would like to know what happens to the money that they are paying.

Ironically, the success of our police forces in reaching their targets means that we have the current crisis in prisons, to which Members have referred. We must remember that there is a crisis—some wonderful projects and wonderful work take place within the system, but the overall situation is appalling.

[Mrs. Annette L. Brooke]

I visited Finland earlier this year to look at different criminal justice systems. I want to quote briefly one statistic—while we were there, just one woman under 21 was in prison. Even multiplying that to take account of the size of the respective populations, it tells us something very sad about our own society that we have so many women in unsuitable prison settings, often miles from their homes and families. Equally, although we have made progress in reducing the number of children in prison, we still have 2,000 children in adult prison settings, which is completely against the United Nations convention on the rights of the child. We must think about a whole package of measures in relation to children when we consider all the Bills in the Queen's Speech.

Community sentences will become much more frequently used when the proposals in the Criminal Justice Act 2003 come on stream fully, but community sentences can play a greater role now and more should be done with them. The public do not seem to have confidence in community sentences. They see them as a soft option, but why should they be a soft option? Surely, if people can see something being put back into the community and offenders can be supported with education and drug treatment programmes and other forms of support, we will have a cheaper, more effective sentence that will, I hope, cut reoffending and certainly be far less disruptive to the social make-up of our society. It would be good to see Ministers visiting good community sentence programmes and showing people that such sentences work and that we can stop simply putting people into prison for more minor offences and genuinely address crime in this country.

4.56 pm

Gareth Thomas (Clwyd, West) (Lab): The debate has provided a broad canvas, as with all Queen's Speech debates, for right hon. and hon. Members on both sides of the House to address it on matters of general principle and detail, but I should like to confine my remarks to general principles, particularly in the context of today's debate on home and constitutional affairs.

This challenging, perhaps over-ambitious, programme of reform certainly gives the lie to the suggestion made by the hon. Member for Old Bexley and Sidcup (Derek Conway) that this is a tired Government. Far from it—this is a progressive, forward-looking and bold programme. In my view, it is a good programme and I welcome it. It does not shy away from some very contentious issues that the Government have to address, such as the higher education funding gap, and, in the context of this debate, our constituents' very real concerns about asylum and immigration.

It is essential that we have a tolerant and multiracial society. To underpin that, I must congratulate the Home Secretary on his approach of trying to establish a balance between setting up a transparent, open and managed immigration system, while bearing down, with tough and sometimes controversial measures, on what my hon. Friend the Member for Dover (Mr. Prosser), who spoke from experience, said was the outright abuse of the present system. That balance must be established, and I congratulate the Government on bravely going down that path.

The measures have to be tough, but I share the concerns expressed by many hon. Members on both sides of the House that some of the measures in the proposed asylum legislation may be a step too far. However, I am fairly confident that the Government will have carried out a human rights audit, as is required for all legislation under the Human Rights Act 1998. We know that, when introducing the Bill, the Secretary of State will have to declare that it is compatible with the Human Rights Act, but when the Minister sums up, he may be able to cast light on the Government's current thinking on whether there is a need to derogate from the European convention and the articles in it that deal with the privacy and sanctity of family life. That is a real concern. However, I agree with the thrust of the proposed measure and the Government would be shying away from people's real concerns if they did not act robustly to deal with what is perceived to be uncontrolled abuse of the asylum procedure.

I congratulate the Government on introducing the Domestic Violence, Crime and Victims Bill. It is entirely right that we should rebalance the criminal justice system rather more in favour of victims by keeping them informed and by acknowledging the damage that crimes, particularly violent crimes, can do. We can do that without undermining the guarantees of human liberty that are enshrined in our criminal justice system.

I was impressed by the speech of my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson). She referred to those heart-rending cases of death or injury that are occasioned to children by fathers who have been given unsupervised access. That is a real problem and I am sure that the proposed Bill will go some way to dealing with it. I have experience as a lawyer of dealing with cases of domestic violence and I place considerable trust and confidence in the ability of the courts—if they are properly advised and have before them sufficient material from social services departments—to arrive at right and just conclusions. It is right that contact should be given to fathers; it would be a draconian step to stop them seeing their children.

I also welcome the proposed children Bill, which would bring to England the benefits that a children's commissioner has brought to Wales and Scotland. There is a need to address some of the issues that we face relating to the abuse of children, particularly those in care.

I now turn to the general principles behind the draft Bill on identity cards. I do not object in principle to the idea of identity cards and I accept the Home Secretary's contention that such cards can be an effective tool in combating identity fraud, the growing threat of international terrorism and organised crime. However, the devil is in the detail and much more practical work needs to be done. The last thing we want is such a measure to fail because of practical difficulties in its implementation.

I wish to mention a cause that is particularly close to my heart—the problems faced by people with disabilities. I represent an area with a large pensioner population in which disabilities are a matter of concern. We know that 8.6 million people in the United Kingdom have disabilities, but the Government have an excellent record in dealing with the issue. Part III of the Disability Discrimination Act 1995, which was mentioned by my hon. Friend the Member for Aberdeen, South (Miss

Begg), will come into force later this year. It will require shops and services providers to make adjustments to their properties to cater for disabled people. We welcome that, and I welcome the proposals in the draft Bill to extend the scope of disability protection to transport operators and to widen the definition of disability.

I shall deal briefly with constitutional reform. I tend to agree that the whole business of reforming the Judicial Committee of the House of Lords and abolishing the post of Lord Chancellor could have been handled better, although it is necessary to address those anomalies. I welcome proposals to introduce a supreme court but firmly believe that any legislation on that should be informed by the underlying principle that the independence of the judiciary should not be undermined. We cannot exaggerate the value of an independent and high-quality judiciary, and that is crucial if we are to maintain the rule of law in a mature democracy such as ours.

I accept that there will be contentious aspects of the Government's programme, but it is none the less courageous and forward looking.

5.5 pm

Kali Mountford (Colne Valley) (Lab): I shall address my remarks exclusively to one aspect of the Queen's Speech: the announcement of the Domestic Violence, Crime and Victims Bill. I shall also refer to the comments of hon. Members who spoke about the Bill.

I congratulate the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) on her remarks about children, with which I concur. I disagree with some points made by hon. Members about contact with and access to children, because we must be careful when dealing with children. We should not adopt a one-size-fits-all policy or trust a system as though it could never fail. I tell my hon. Friend the Member for Clwyd, West (Gareth Thomas) that the courts can make mistakes, such as giving schedule 1 offenders unfettered access to their children with no other people present. Children have suffered terrible harm as a result of that, and such mistakes will continue to happen unless we take the problem seriously.

It is, perhaps, not well known in the House that I have had an interest in domestic violence for more than 30 years and that I work closely with the victims of that crime. However, my interest in the matter developed earlier than that. Many hon. Members will have seen an interesting television programme that recently featured in the top 10 of TV cop series—"Dixon of Dock Green". When we watched the programme, we heard the familiar strains of the theme followed by the words, "Evenin' all". There was a little homily at the end of each show, one of which was, "Well, of course it's been a quiet night, but if I had to go to every house where a chap thumps his wife of an evening, I'd have nothing else to do." That attitude was considered the normal state of affairs in the 1950s and 1960s, and I am glad to say that I think that few police officers have such an attitude these days.

I would like to think that our attitude to domestic violence could change as swiftly as people's attitudes to issues of equality, such as homosexuality and the rights of people who undergo gender transition. When I was growing up in the 1950s and 1960s, people never dreamed that such important changes of attitude were possible. The attitudes of people to ethnicity and race have altered completely and radically, in such a way that the majority no longer consider some people to be part of a sub-culture. However, domestic violence is still a huge problem, which shows that attitudes to that have not changed at the pace that I would like.

We must think carefully about what the Bill signals. After my 30 years of working with women who are victims, it represents one of the most tremendous changes heralded during my short time in the House. In the past six years, I have, perhaps, been too quiet a campaigner—but a campaigner nevertheless—for the quiet victims of what is too quiet a crime. Too often it is hidden away. Neighbours turn their heads, ashamed. The victims and their families are ashamed. I have heard it said that people from a particular ethnic group are more ashamed than others. That is nonsense. All victims of domestic violence feel ashamed. It is a pernicious and horrible situation that too often is condoned by the victims' families, neighbours and communities. It is the only crime for which we think the right course of action is to move the victim, not to deal with the offender. That is why the Bill is so important.

The victim needs to find sanctuary and to be supported by the law. The Bill will do much to achieve that, but it does not go the whole way. The Government might want to consider other measures as well. Although the Bill will protect people who come forward for help and treat them as victims, we should relieve them of the burden of going through the courts knowing that the offender will retaliate. Incidentally, domestic violence offenders are easy to identify. In other crimes, we have to look for the offender. In domestic violence cases, the offender is well known, although we still find it difficult to put him through the court process. A person is likely to have been offended against 35 times before a successful prosecution is brought. That is a terrible state of affairs. In addition, the victim has to make difficult choices in the period when those crimes are being committed.

I accept that the Bill is gender neutral and that men sometimes suffer at the hands of their partners, but I shall concentrate on women, especially mothers. The effect on them and their families is so tremendous that it is right that we are at last taking a careful and considered approach to an important problem. At the moment, the message we give to such women is, "You have no choice." I have heard council officers tell them that unless they are prepared to move within 24 hours to a hostel, a refuge or a homeless centre, the crime that they report will not be taken seriously. Have those council officers visited a hostel, a refuge or a homeless centre? If so, would they choose to make that move for themselves? The accommodation is not desirable. The furniture is in such a state that we would not want our children to sit on it. Drug abusers might live opposite or prostitutes might be down the road. Is that a real choice for women?

The answer is not simply to invest in better standards in refuges. We must also tell local authorities that they have a duty of care. Part of that duty of care is to protect a woman in her home so that the members of the community can support her. They know the woman and the offender. They will notice him if he enters the street

[Kali Mountford]

and be part of her protection package. The school that her children attend can also be part of that protection package. Her children will be comfortable in that school and protected because they are well known to the teachers. It is a safe place. Why move them away from it?

We should be telling doctors that they, too, have a part to play in protecting women in the community. It is not difficult to do. In fact, it is relatively inexpensive to prepare accommodation so that it has safe doors, CCTV and panic buttons. It is important that women should be protected in their homes. It costs £600 a year less per family to make people safe in their homes than to move them on and on.

It is time for this madness to stop. It is time for people to be safe and protected not just before the law but by society. Now is the time for the public campaign to say that this is a crime that is recognised by us all, not only Members of the House, the judiciary or the police. We should all band together and say that this is something that we will no longer accept in our society.

I want, in closing, to thank Kate Flannery and other members of the domestic violence unit, particularly Thelma Singleton, for all the hard work that they have done and the support that they have given me in our quiet campaigning over many years.

5.15 pm

Claire Ward (Watford): I welcome the opportunity to speak in this debate on the Queen's Speech. I apologise now for the fact that I may not be able to stay until the end of the winding-up speeches, as I am due back in my constituency for an important meeting regarding potential school closures.

I welcome many of the measures introduced by the Government in the Queen's Speech, in particular those relating to asylum and immigration. I regularly see constituency cases involving people claiming asylum. Some are in a position to obtain the right to remain in this country, while others, their first application having been refused, apply under the appeal procedures, and are refused again. They then continue to follow the appeal process, right through to the stage of judicial review, which may take many years.

The difficulty in those circumstances is that we are not providing a system that is efficient and fair to all those who apply for asylum and who wish to remain in this country. Our system is not fair to those individuals who find that their lives are on hold for a number of years while their case is determined. Many will want to work and to build relationships, and some will have children while they are here, so as the years go by it becomes even more difficult to enforce the refusal notice that was originally applied to them. I therefore welcome the Government's attempt to make sure that we have a fast, efficient system for dealing with asylum applications.

Britain has a long history of being a safe haven for people who are fleeing from persecution in their country, and rightly so. I certainly wish that to continue, but if our system is to have integrity and to be fair to all those who apply, and if we are to be able to secure our borders as necessary, people need to feel confident that when they apply for asylum, their case will be considered and they will be given opportunities to appeal, if necessary. However, those appeals should not go on for years, as they do in many cases. I therefore agree with the Government's proposals to restrict some appeals and speed up the process.

It has been very interesting over the past few days to watch the media coverage of the Government's policy on the children of asylum seekers. I think, with great disappointment, of the coverage that has completely misinterpreted the Government's view on the issue—deliberate misinterpretation, in some cases, by those who want to make political mischief. I say to those who oppose the Government's policy, particularly those on the Opposition Benches, that they should take their opposition to its logical conclusion.

If we have asylum seekers whose applications have been assessed and refused, what do we then do? Do we continue to pay them benefits and completely undermine the whole of the asylum system, or do we remove the benefits? In my view, we should remove state support if the whole application and appeal process has been completed and the applicant has not been permitted to remain. Having removed benefits, should the Government then leave the children of asylum seekers to become destitute when their parents have refused the opportunity of a flight home and money for resettlement? That would not be in the interests of the families and their children.

Mr. Evans: I am following the argument that the hon. Lady is advancing. Surely if all the benefits are stopped and the parents are not allowed to work, that means that they get no money and they are destitute. How does she think that they will survive?

Claire Ward: Adults make a choice. Parents make a choice and they accept the consequences. If they have had their application refused and they refuse the opportunity to be returned to their country of origin, and a resettlement grant, they must take the consequences of the laws of this land, as we would expect them to be implemented. Their children do not have the same opportunities to express themselves. While parents can make such decisions and accept the consequences, children cannot. If parents are not in a position to look after their children, it is right that the Government, in these circumstances, should take the children into care. I regret that the Conservative party, in particular, has sought to make mischief on this issue and to call it an unacceptable policy given the history of its own policies on asylum.

We need first to improve the quality of initial decisions. It is clear from the many appeals that are won by applicants that initial decisions are not yet of an acceptable quality.

It is to be welcomed that the Government will look to impose a criminal offence upon those who destroy their documents on entering the country. Like many other colleagues who deal with asylum cases, we come across those who apply for asylum, only to find it difficult to be certain from which country they come. That makes it difficult to ascertain whether they are entitled to asylum. In those circumstances, where they have arrived in the United Kingdom on international flights, I think that it is right that the Government should consider imposing a penalty on those who have deliberately destroyed their documents.

We should do that in dealing with asylum applications in those circumstances, and to protect those who are exploited by traffickers of asylum seekers because in many instances we see the consequences for those who are the result of illegal trade in humans.

I welcome also the proposals that relate to domestic violence and the need to address the problems that we face when one in four women over their lifetimes will be subject to domestic violence, with two women dying every week as a result of it. The proposals will be greatly welcomed by women in my constituency and throughout the country, and also by men who are subject to domestic violence. We must ensure that such men are included in our considerations.

I am pleased that we are seeking to protect victims of crime and ensuring that their rights and views are part of that process. I recently met the victim support organisation that is based in Watford. I listened carefully to those who expressed the concern that often they believe that victims do not get consideration during court cases. I am pleased that we shall have an opportunity to address that in legislation.

Many Members have referred to children's rights in terms of adults who may have been convicted or where there is evidence of domestic violence within a relationship and the question of access arises. I agree with that approach, but this is an opportunity for the Government carefully to examine the issue when a parent wishes to have access to their child and the other parent, who has custody, is continually taken back to court to try to enforce rights of access. It is a scandal where unfortunately, in many instances, mothers who have custody of children do not allow fathers who have rights of access to see their children. Those fathers have continually to take mothers back to court, at great expense, but the court orders are not enforced by the court. I hope that the Government will look at that carefully and, as a result, perhaps fewer people will have to climb cranes to make the issue a priority.

The Government have introduced a number of very good measures in the Queen's Speech, some of which are controversial, such as the measure on tuition fees. I support the principle that students should pay for their education once they have graduated, but I accept the concerns of people who are worried about the impact of variable fees. However, I hope that the Government will not only address the need for more young people to go into higher education, and provide funding for that, but will provide opportunities for people who want to develop vocational skills to do so. Such people should not find themselves in a position in which they not only have to pay for their course but, by paying taxes when working, have to pay for students pursuing academic studies.

Overall, this is an excellent legislative programme for the year ahead, introducing lots of good and interesting measures that will significantly help my constituents in Watford.

5.26 pm

Mr. Tom Harris (Glasgow, Cathcart) (Lab): Out of courtesy, may I tell you that I will be present for the winding-up speeches, Mr. Deputy Speaker, and very much look forward to them?

I disagree with the hon. Member for Winchester (Mr. Oaten) that the public are not in the mood for another debate on asylum. I represent a Glasgow seat, and Glasgow city council is the only local authority in Scotland to participate in the Home Office asylum seekers' dispersal scheme. About 75 per cent. of my constituency case load concerns asylum seekers, and I can tell the hon. Gentleman that people in Glasgow and, I believe, all other constituencies want a serious debate on asylum. The Government have helped to achieve that by introducing the Bill, which I welcome.

Asylum as such is not a controversial issue. I do not believe that there is a single hon. Member who would argue against the principle that anyone who genuinely faces persecution on the grounds of race, religion or politics in their own country should be given sanctuary in the UK. However, asylum has become a controversial issue or a political hot potato because the Government, like their predecessors, have recognised the fact that there is a large number of economic migrants among those who come to this country claiming political asylum, and have decided that they have to do something about that. They have decided to interview people and separate genuine asylum seekers from economic migrants. We must accept that has consequences, but that is the source of the controversy, not the fact of asylum itself.

I welcome strongly a number of aspects of the Asylum and Immigration (Treatment of Claimants, etc.) Bill. They have already been mentioned, but I hope that you will forgive me, Mr. Deputy Speaker, if I briefly go over them again. It is unacceptable for people arriving in this country, largely by air, to tell immigration officials at the airport that they have misplaced or destroyed their identity papers. I very much welcomed the Home Office announcement that proposals to tackle that would be included in legislation introduced this Session. I do not understand why we have not previously introduced a measure to clamp down on such behaviour, but the Bill is nevertheless extremely welcome.

Mr. Heath: Is there not an alternative way of dealing with the problem of papers destroyed in transit? Carriers could be required to make facsimiles of papers presented on boarding, retaining them until passengers have completed immigration procedures at the other end. In that way, we would always have a record that would also be useful for counter-terrorism purposes.

Mr. Harris: My understanding is that the legislation will introduce obligations for carriers, or at least some carriers from some countries, to duplicate identity and travel papers where necessary, so that they can be shown to immigration officials in Britain. That should be welcomed. None of my constituents would show any tolerance of the brazen practice of accidentally losing identification and travel papers.

I welcome the Government's plans to clamp down on the number of appeals. I hope that they will take notice of the fact that the judicial review process is slightly different in Scotland. If we are to streamline the appeals process in England and Wales, it must be done effectively in Scotland as well. The current arrangements have meant that, in Scotland, almost every application for judicial review is agreed, which is not the case in England. I have been pressing for change for some time.

[Mr. Harris]

On the controversy that has erupted about the Government's alleged plans to abduct the children of asylum seekers whose applications have been refused, would it be possible for debate in the House, including on Second Reading of the Asylum and Immigration (Treatment of Claimants, etc.) Bill, to concentrate on what Ministers and the Bill say, rather than on what *The Observer* says? I do not think that it helps the debate in this country to focus on an unattributed source reported in *The Observer* and copied by other media outlets. The Home Secretary has explained the situation, and I hope that Opposition Members will accept what he says.

The Government have made some improvements in the asylum process. I pay tribute to my hon. Friend the Minister for Citizenship and Immigration, who probably has the most difficult job in the Government. She has never failed to treat me with the utmost courtesy and helpfulness whenever I have consulted her. Because of the type of constituency that I represent, she has had to provide such information to me on many occasions. I am extremely grateful to her for that help.

I wish briefly to mention the proposed amendments to the Scotland Act 1998. I was one of the MPs who contributed to the consultation led by my right hon. Friend the Member for Airdrie and Shotts (Mrs. Liddell) when she was Secretary of State for Scotland. My contribution was to say that the Scottish Parliament should retain 129 Members, even after we have reduced the number of Scottish MPs in this place. There are many good reasons why I take that view, but I urge hon. Members to visit my website at www.tomharrismp.com if they want further explanation.

When the measure comes before the House, hon. Members in all parts of the House will no doubt table a huge number of amendments. The Scottish National party, which obviously has something better to do today, will undoubtedly produce a plethora of amendments, probably focusing on full fiscal freedom or any other alliterative—if I can say the word—*[Interruption.]* Thank goodness for alliteration, I was going to say. No doubt, the Conservative party will try to incorporate its own amendments. I understand from reading *The Scotsman* last week that the Conservative party will table an amendment that would restrict the rights of Scottish Members in this place to vote on English legislation.

May I make a genuine appeal to Conservative Members? I am glad to see that the hon. Member for Ribble Valley (Mr. Evans) is in his place at this point. I ask them please not to go down the road that the Scottish nationalists want them to go down. The Conservative party used to call itself the Conservative and Unionist party, and I want it to reinstate that full title rather than call itself the English national party. For 50 years, Northern Ireland MPs came to this place and took a full part in the life of this House, voting on everything that came before it. For 50 years from 1922 until 1972, as far as I know, not a single Conservative or Labour MP ever objected to that, as Members of this House serve their constituents on any equal basis. It says something very profound about the attitude of those on the Conservative Benches that, at Prorogation a couple of weeks ago, they were fulminating against democratically elected Members of this House voting on English legislation, while welcoming the fact that hereditary peers along the Corridor were blocking democratically established law made in this place. What does that say about the democratic principles of the Conservative party?

Mr. Evans: I think that the hon. Gentleman will find that most of the blockages in the other place have been caused by Labour peers objecting to the Government's proposals. Nevertheless, is he seriously suggesting that we have to wait 50 years for an answer to the West Lothian question?

Mr. Harris: The hon. Gentleman will know that an answer was not sought to the Ulster question during those 50 years; and why should it have been? Members of this House should be elected on an equal basis. For example, I am not gay, but I am happy to vote on civil partnerships. Why should I not vote on issues that do not directly affect my constituency? Will the next Conservative manifesto say that London MPs will not be allowed to vote on transport issues that are devolved to the Greater London Assembly? I suspect not.

I am rapidly running out of time—how time flies when one is having fun—but I want, at the risk of being accused of pedantry, to make one more point about the Lords reform Bill. The 2001 Labour party manifesto committed the Government to making the House of Lords more democratic and representative, and it is more representative today than it has been in its entire history. We should be wary of saying that because a House is democratically elected its Members are automatically more democratic or more representative—one has only to look at the Scottish Parliament, which, although democratically elected, has not a single black or brown face among its 129 Members. The Bill might not make the House of Lords more democratic, but it will certainly make it less undemocratic by removing the hereditary peers, and we should welcome that.

5.36 pm

Mr. Lindsay Hoyle (Chorley) (Lab): It is a privilege to be called to speak in the debate on the Queen's Speech and to talk about some of the proposals that affect the Home Office—some good, some bad, and some indifferent.

This Government's fight against crime will ensure that crime is reduced, and we want that to continue. What worries me, however, is crime detection—specifically, the role of the Forensic Science Service, which does an excellent job in solving crime. At Washington hall in Chorley, 240 people are dedicated to solving crime in the north-west. It is important that we listen to the voices of those who work in the Forensic Science Service: it is far too easy for us to dismiss their opinions. Sir Robert MacFarland and the National Audit Office reported that the FSS is a huge success and that it is good value. It is wonderful to have that endorsement, which Members on both sides should listen to. Because the FSS is a world leader—it is considered by many, including me, to be the best in the world—many overseas cases are brought to this country to be solved, including that of the tragic death of a Swedish Minister.

It is important to recognise what the FSS can do through its trading fund, which made profits of £10 million. If privatisation goes ahead, there is no guarantee that its work will not suffer. The FSS is a 24-hour-a-day, seven-day-a-week operation: that on-call service is totally unprofitable. So will there be cuts? That is the big question to which we never get the answer.

How is privatisation to take place? Is it the case, as I suggested in an Adjournment debate, that each forensic lab will compete against the others for work? In fairness to the Minister, he said that that would not happen. Are we therefore to assume that a private monopoly will be created out of public ownership? That is absurd, because how would we achieve value for money? It is certainly wrong for labs to compete with each other, because, given that it is beneficial for them to share their knowledge, competing private companies would not be keen on doing so. If we are not careful, life will become even more difficult. We should put quality of service first, but a private company will want to make a profit out of crime. That would be intolerable, and I am sure that hon. Members agree that it is no way forward.

Many unanswered questions remain about the staff's pension rights, and we wonder when we can give the answers to those who work in the FSS. Of course, the FSS needs extra capital investment, and we are told that that is the reason for beginning part privatisation. The Government are normally the first to say that we use private finance initiatives. Why do we not consider such a vehicle to ensure the upgrade of FSS laboratories? That is a much better way forward than privatisation. Surely the Home Secretary, who led against privatisation throughout the 1980s, would not want his name attached to such a proposal now.

It is important, and in the public's interest, to ensure that the FSS remains entirely in the public sector. I note that Front-Bench Members, as they chat away merrily, are taking a great interest in hon. Members' comments. They should take note that even Mr. Bush has not privatised the forensic science service in America. No country in the world has privatised its forensic science service. Why should we do it? Why should we want to change it, and ensure a criminal's charter through privatisation?

Such a proposal is not a new idea or new thinking. It is a 25-year-old idea from a Thatcherite Government. In fairness to a former Home Secretary, the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), I note that he threw out such a proposal and said that it was a step too far.

Many other issues in the Queen's Speech are important. One is the Government's support for neighbourhood watch. We have done well in extending it; it brings communities together and makes them safer. Keith Warren and Tom Watson in my constituency are at the forefront of leading neighbourhood watch in Lancashire, to the extent that it now covers railway stations in Chorley and operates on the trains. That is a new and good idea that will be replicated.

We also consider other places, such as cemeteries, where crime takes place. That causes much distress and the neighbourhood watch tries to ensure that people can feel safe when they go to the cemetery. We have prevented children from playing there and stopped the distress that is caused. That is important.

The Government are committed to closed circuit television. They have shown their hand by putting so much money into its extension.

Mr. Evans: The hon. Gentleman represents a constituency neighbouring mine. Like mine, his has many rural areas. Does he believe that CCTV should be rolled out in some rural areas and not confined to urban areas, and that special constables should be put into rural areas? Crime is as hard for those living in rural areas as it is for those in urban areas.

Mr. Hoyle: I could not agree more. Ribble Valley suffers the same problems as my constituency, although it is important to stress that the Government have played a major part in increasing the use of CCTV. However, the Home Office has a chance to go into villages by allowing town councils, parish councils and borough councils to bid for money that the Government have made directly available rather than getting messed up in different routes and ticking different boxes. Let us make the money available and ensure that the benefits in urban areas are introduced in rural areas.

We need CCTV in my village of Adlington. A robbery took place at the petrol station and the local bank, 200 yd away, was held up with a gun. We are near the city of Manchester, and criminals unfortunately come and take what they perceive to be easy pickings because there are not the same deterrents. I should welcome CCTV in Adlington and in the rural areas of the constituencies of other hon. Members. It should happen sooner rather than later.

Police cells are also important. We should ensure that they are available where crime occurs. Chorley has a population of more than 100,000. It is one of the fastest-growing constituencies in the country, yet we find that no police cell is available. That is absurd, and it must be looked at.

We need to show teeth and ensure that police authorities listen to the Home Office and that we are able to ask questions below chief constable level to find out what is going on in divisional areas. It is important that we are allowed to do that, and the sooner it happens, the better. It is also important that the courts and the police authorities are accountable to the House and that we can get down to the micro level, which is well below that of chief constable.

In fairness to the police, I say that they do a very good job, but they must get away from paperwork, which they spend such a lot of time on. I do not know whether Members have been out with the police to see what happens when they arrest somebody, all the paperwork that they go through and the time that is lost because they have to go to a station that is far away in case the arrest involves a lock-up. We must look at that, save time and let the police get on with the job that they are good at—getting on the streets and being seen. We must have a visible police force once again. That is so important.

We are up against the time limit, but I want quickly to mention that Victim Support does a superb job in Chorley. Also, the armed forces play a major role, so I am very concerned about the Queen's Lancashire Regiment. I do not want to see it merged. We do not have a retention problem, and we certainly do not have a recruitment problem. That proud regiment is one of the oldest, and I want it to remain.

[Mr. Hoyle]

I do not want top-up fees—that is where I disagree with the Queen's Speech.

The other problem is council tax. Rate support grant was not enough and Chorley council managed to get only 2.3 per cent. I would have liked it to get more. The county got 5.5 per cent. If we could have put its figure down by just 0.5 per cent., we could have made so much difference to the borough council—it could have extended its warden scheme, which has proved successful.

The other big issue is pensions. I would like all pensioners to benefit from free off-peak travel, and let us extend free TV licences as well. Those are omissions from the Queen's Speech. We must not forget older people: we have done a lot for them, but there is much more that we can do.

I have mentioned the Forensic Science Service, and *The Observer* on Sunday had a wonderful sub-heading saying, "The Forensic Science Service is a rare public service success story. So New Labour wants to privatise it". We ought to be ashamed of such headlines and articles—we ought to get away from that. We do not need to privatise the service, no matter what people might say. The bottom line is that we can keep it in the public sector. We can ensure that there is money through a true private finance initiative scheme. That is the road forward, and that is the vehicle we ought to use. We ought to ensure that that benefit comes through and that we do not see people losing their jobs and pensions.

5.47 pm

John Robertson (Glasgow, Anniesland) (Lab): I apologise for missing part of the debate as I was on Scottish Affairs Committee business. I will definitely try to make it to the summing up, but I will need to miss part of it.

My hon. Friend the Member for Hamilton, South (Mr. Tynan) made an excellent speech. I am not going to repeat it, because he must have covered about the whole Queen's Speech. He made a slight attack on the two nationalist parties sitting opposite: the Scottish nationalists and the English nationalists, who are known where I come from as the Tories. They seem to be cuddly people these days. That brings to mind a film I once saw called "Gremlins". The gremlins start off cuddly, but then they get water on them, and they become monsters. I would love to throw water on the Tories to let the people see their true colours, because they have been monsters before—back in the 1980s and early 1990s, when they were real monsters who destroyed industry in this country and put unemployment up to an unbelievable figure that I hope will never be rivalled. Even if that lot got back into government, they could not manage to get the figure up to the 4 million mark, but I am sure that it will not prevent them from trying.

I want to talk about asylum. I have a problem with taking children from any parent—asylum seeker or not. Taking a child from a parent, whether that means a single parent or parents in a family, is abhorrent. I ask the Minister to reiterate what I think I heard the Home Secretary say, which is that children will be treated just as children, that their treatment will have nothing to do with their being asylum seekers or anything else, and that they will be taken into care only—I repeat, only—if they meet the criteria by which social services would normally take a child into care. I do not want to hear that children are being taken into care only because we have stopped giving a family money. That family might have means in another country, and children should not be taken into care simply because they happen to be asylum seekers.

Hon. Members of all parties have referred to the matter in various ways, but I want to attack another part of the problem. I asked myself what I would like the Queen's Speech to contain. One possibility would be the reintroduction of hanging—but only for lawyers: they are the ones I want to string up. I am sorry if that offends anyone, especially among Labour Members. However, the £81.3 million spent on asylum matters in 2000–01 rose to £174.2 million in 2002–03.

A lawyer who takes on an asylum seeker is able to claim £800 immediately. Like my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris), I have many asylum seekers in my constituency. Half my work load is based on asylum matters, but the asylum seekers I speak to have more than one lawyer as, when I ask who their lawyer is, they produce a variety of cards. If all those lawyers are getting £800—and then £1,200 later for judicial review—it does not take a genius to work out why they all seem very happy to take on such cases. One lawyer in my area closed his business because he refused to take on asylum seekers, but another lawyer opened up the very next day. He made it blatantly clear that he was doing so because he could make a lot of money out of asylum seekers. That is an absolute disgrace, and we must do something about it. Asylum seekers are used by the people who get them into this country, and then they are used again by lawyers, who we might say are not so nice. Therefore, I ask that hanging be available as punishment for lawyers who profit from asylum seekers.

I turn now to the Scotland Act 1998. It may not mean much to members of the English national party, and it clearly does not mean a lot to members of the Scottish National party, who cannot be bothered to attend the debate. This is not the first time that they have slept through Bills; they did the same with the one that introduced the minimum income guarantee some years ago. They are up to their old tricks again, but that does not stop them having a go at Labour Members in this House, who are doing what they are employed to do—representing the people of the UK.

I have real problems with an electoral system based on a list, as it is open to much misuse. In Glasgow, 77,040 people voted on their ballot papers for the Labour party, while another party received 34,894 votes. The Labour party secured no seats, but the other party secured three. I do not know how the arithmetic adds up, but there is no point in having two ballot papers in Scotland—one for constituency members and the other for list members—if none of the Labour votes cast in Glasgow is allowed to count. If that is democracy, I am sorry, and I want nothing to do with it. It is time that we changed the system. However, the single transferable vote system being touted by the Scottish Executive does not meet my requirements either. In fact, in the case of the Scottish Parliament and, in particular, the Scottish Executive, it would appear that the tail is wagging the dog these days.

The Liberal party in Scotland would argue that in order to receive the guarantee of STV, it has capitulated on many Bills that it would normally have voted against, but I have to say that the Liberals have caused nothing but trouble by being part of the Executive in Scotland. If I were the First Minister, I would kick them out, and would work in a minority Government. They are absolutely no good.

Mr. Beith: Does the hon. Gentleman regard free personal care and no tuition fees as the kind of trouble that Liberal Democrats ought not to be making for the partnership Administration who have pursued those policies?

John Robertson: The Liberals will take credit for anything. We have to consider who is paying for the care—and not only that, but who is not being paid for. When we talked about that kind of care, I had my reservations, but—as with most things—I am willing to wait and see. I waited to see how the list system worked, and it does not. As for the right hon. Gentleman's other point, I just disagree with him; I am sorry, but I cannot agree with him in any shape or form.

Time is of the essence, and I call on my friends in government to look at the electoral system, because what happens in Scotland today could happen in the United Kingdom tomorrow. The STV system for local government in Scotland is not a way of democracy, and it is not wanted. Only four councils in the whole of Scotland suggested that they would like it, and 28 said that they did not want it; the system would be an imposition on local government in Scotland. I do not particularly want to impose another system on the Scottish Parliament, but if I were given the chance to get involved in opening up the Scotland Act 1998, I would reintroduce first past the post tomorrow, with two elected Members—one man and one woman—for each constituency. I ask my hon. Friends to support me when I table an amendment that says as much.

5.57 pm

Mr. Mark Lazarowicz (Edinburgh, North and Leith) (Lab/Co-op): I shall follow my hon. Friend the Member for Glasgow, Anniesland (John Robertson) in commenting on the proposals in the Queen's Speech to retain the number of Members of the Scottish Parliament, but, as my hon. Friend will not be surprised to find out, I shall take a different direction. I, too, must apologise to the House for having been away at a Select Committee for part of the afternoon, although I have tried to ascertain what comments have been made on the issue while I was away.

I support the proposals to retain the current number of Members of the Scottish Parliament, and if I have the opportunity to speak on the issue on Second Reading, I will expand on the reasons why. Today, however, I want to concentrate on the fact that the proposal to retain the same number of MSPs will undoubtedly have knock-on effects for the political system elsewhere in Scotland. When the Government take forward the Bill on Scottish parliamentary constituencies in the next few months, they will need to give the House some suggestion of how they will deal with those knock-on issues.

The first of those issues is the fact that there will be different boundaries for the Westminster constituencies and the Scottish Parliament constituencies. That would not be a major problem in itself but, as has been mentioned, there will of course be a multiplicity of electoral systems operating in Scotland, sometimes on the same day. If things develop as expected, there will be elections to the Scottish Parliament by a combination of a constituency first-past-the-post ballot paper and a list ballot paper on the same day. Also on the same day, there will be elections by single transferable vote to local government. At other times, there will be elections on the first-past-the-post principle for the Westminster Parliament and elections on a list system for the European Parliament. Also—in theory, in any event—if there are ever elections for community councils, they could be held on a multi-member, single-majority electoral system.

So this issue needs to be addressed. I have more confidence than do some of my colleagues in the voter's ability to understand different systems, but there comes a point at which one has to say that a system is getting too complex. If the electorate do not know who they are voting for and when they are voting for them, and if they do not fully appreciate the differences between the different systems, that in itself threatens their ability to hold elected politicians to account.

The system needs to be examined and now is the right time to do so. I agree with my hon. Friend the Member for Glasgow, Anniesland that the current system of electing MSPs is not achieving the intended results. By that I do not mean—as some of my colleagues occasionally do—the election of a Labour majority under any circumstances. The system was designed to be truly proportional, whereby votes cast by the electorate are roughly reflected in the number of seats won by the different political parties. Instead, we are getting an "Alice through the looking-glass" system of proportional representation, with an increased use of tactical voting. The thing that was meant to be good about proportionality in elections—that people vote for the party of their choice, rather than engaging in tactical voting—is no longer applying.

Primarily, that is happening not because of the list system, but because two ballot papers are involved. The electorate—along with the political parties, the media and the political system—are increasingly regarding the list ballot paper, which in theory should balance out any disproportionality in the constituency element, as the second preference ballot paper. As a result, voters' second preference is being given almost as much weight as their first preference—entirely the opposite of what any form of PR should mean. Unlike some Members, perhaps, I do not want the smaller parties to be driven out of the Scottish Parliament, but I do want them, along with the larger parties, to get the representation in seats that they ought to get, thereby reflecting voters' preferences. The current system is moving away from true proportionality and leading to a bizarre, inverse distortion of true PR.

John Robertson: Does my hon. Friend not accept that it is not right for 77,000 people voting on a ballot paper to receive zero representation? I could understand our having a single ballot paper and working out a system accordingly, but we have two ballot papers, including a specific paper for the party vote, and 77,000 people in Glasgow get absolutely no representation for that vote.

Mr. Lazarowicz: The weakness in my hon. Friend's argument, if I may say so, is that in that instance, one

[Mr. Lazarowicz]

party—my own, as it happens—won every single seat in the constituency element of the election on the basis of securing less than 50 per cent. of the votes cast. That is equally problematic.

My hon. Friend suggests that one solution might be to retain the system of constituency Members and the list, but to have just one ballot paper. Presumably, the seats allocated on the list would then be awarded on the basis of the total votes cast on a single ballot paper in every constituency. As it happens, that was the system that I preferred when these matters were discussed some years ago. Unfortunately, my wise counsel was ignored on that occasion, as was often the case, regrettably. The other solution—it is supported by the Liberal Democrats and, I think, by the Scottish National party and an increasing number of Labour Members—is some form of single transferable vote for Scottish Parliament elections. There are arguments in favour of introducing that system as well.

The issue must be addressed quickly. We may have an opportunity to do so when the Scottish Parliament (Constituencies) Bill comes before the House, although it is very closely drafted. As I said at the outset, the Government need to address the issue and give an indication of how they will take the matter forward. Increasingly, people in Scotland want the matter to be addressed. There must of course be consultation among the political parties in Scotland and we should try to reach as much of a consensus as we can, in order to find a way forward. However, if we do not address the issue and change how the electoral system for the Scottish Parliament currently operates, we will discredit it. As somebody who wants the Scottish Parliament to do well and be successful, I do not want to see it discredited because of the inadvertent consequences of the operation of the electoral system. I hope that the Government will say tonight—or if not tonight, when the Bill is introduced—how they will move forward on such issues.

6.6 pm

Mr. Alan Duncan (Rutland and Melton) (Con): Over the past five hours, we have had a good-natured and enjoyable exchange of opinions on the Queen's Speech.

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): So far.

Mr. Duncan: I certainly hope to keep it that way. The Minister has had a busy day, which is about to get busier. I must warn him that I have been informed that he used to serve on the Public Accounts Committee with my right hon. Friend the Member for Haltemprice and Howden (David Davis). If the Minister continues to do as well as he did this morning, he risks being labelled a protégé of the shadow Home Secretary.

The agenda that we have been discussing this afternoon involves a long list of Bills and the legislative programme will keep us busy. The issues that we are bound to discuss over the next parliamentary year will profoundly affect the lives of many people. As such, we all have a heavy duty to ensure that we make the best possible law. On the Opposition side of the House—and, I sense, on the Government side—that is what we all want to do.

In his opening remarks, my right hon. Friend dwelt on areas that I do not want to dwell on again.

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): Neither do I.

Mr. Duncan: I can think of some very good reasons why not. In discussing crime and asylum, we have made our concerns absolutely clear. In simple terms, we want more police and better detection. On asylum, we want a system that meets our responsibilities to approach the issue in a dutiful and considerate way and which recognises that there is a problem with numbers and with process. However, we want to ensure that our discussions on the law that we are going to make are not infected by what has, over the decades, been a rather tarnished debate. We want to ensure that we consider the issues without any antiphony of nasty accusations and exchanges of abuse. We pledge ourselves to do that, as hon. Members have asked of us.

We will find common ground with the Government on some issues. In mentioning domestic violence, I acknowledge the quality and genuine nature of the speech made today by the hon. Member for Colne Valley (Kali Mountford). She has experience on the matter, which affects the lives of many people. There is no party disagreement about how we want to approach the issue.

I merely observe, however, that some vexed issues are bound to arise. One that has been mentioned is the question of whether provocation might be used as a plea of mitigation for someone who has murdered their partner. In reading the paper, I discovered that the Solicitor-General would like to abolish that plea. The hon. Member for Hampstead and Highgate (Glenda Jackson) said that she wanted to abolish it because it was unfair to women. She explained that many women are victimised by their husbands. It therefore strikes me—this is only an initial observation—that the plea of provocation is more likely to be used in defence of a woman who has killed a man than vice versa. That illustrates the quality of the debate that we will need if we are to make good law. In principle, however, the Bill on domestic violence is one that we definitely welcome, and we should all look forward to applying our minds to make sure that we convert it into good, practical law.

Similarly, as my right hon. and learned Friend the Leader of the Opposition said in his reaction to the Loyal Address, we welcome the Bill on civil partnerships. May I ask the Minister to confirm that it will come under the responsibilities of the Home Office, and that it will not in any way be the responsibility of the Department of Trade and Industry, as the original consultation paper was? There has been some comment this afternoon that it may revert to the DTI. None the less, I hope that I can steer this measure through the House—perhaps, on my side of the House, I am uniquely qualified to do so, at least visibly—and again some important areas exist in which we can make a difference to people's lives.

For a long time, same-sex partners have felt that they have been discriminated against, as partners of different gender are able to marry and thereby guarantee their protection of assets and rights. Here again, there will be some important issues. We should all examine our thinking as to whether the religious significance of marriage should be respected and recognised and not rendered useless or less distinctive. Now that our welcome for this Bill is clear—and, as all Members will know, the Opposition will have a free vote on the matter—I hope that we can have a debate free of homophobia, and given that the Opposition have been accused in the past of a rather severe approach to this matter, a debate free of what I might call Toryphobia, so that we approach the matter in a constructive and sensible way.

Mr. Leigh: Would my hon. Friend care to comment on the point that I made about co-dependency? For instance, sisters will be discriminated against if they have been living together for a long time, as will a daughter living with an infirm mother.

Mr. Duncan: I am grateful to my hon. Friend, who has beaten me by a whisker, as that was going to be my next comment.

As we look at same-sex relationships and the interdependency that we recognise exists, we can see that a similar interdependency exists in non-sexual relationships. In many cases, as my hon. Friend the Member for Gainsborough (Mr. Leigh) said, and as my right hon. Friend the Member for West Dorset (Mr. Letwin) pointed out in his original article in *The Times* last year, two sisters who have been living together for many years, in terms of their assets, tenancies and pensions, may be very interdependent and are at the moment discriminated against. We will certainly examine the Bill when it is published to see whether the provision can be extended more widely to recognise the kind of interdependence that we are told at the moment will not be contained in the Bill. I can cite the example of a neighbour who cared for an old lady for 17 or 18 years who was disabled, but as soon as that old lady died she was evicted from the council house because she was not able to continue the tenancy. That is a grave and unfair injustice, which perhaps this Bill should be extended to address. I therefore hope that the House will be able to consider the Bill in an equally constructive way.

The hon. Member for East Lothian (Anne Picking) and my hon. Friend the Member for Old Bexley and Sidcup (Derek Conway) pointed to a growing problem: too many layers of government, too many systems of voting, and too many structures of representation that are becoming increasingly incomprehensible to the voting public. Were we to look at a list of the issues that will appear on the radar in this field, we would see that it is long and complicated: local government restructuring, pilot schemes for 2004, the election regulations for 2004, regional referendums, all-postal elections, the frequency of local election cycles, the state funding of parties, voting age and the age of a candidate, political advertising, the role of television—I could go on. To any student of politics and anyone who is simply a participant, the system is becoming very difficult to fathom.

I put it to the House that that increasingly complicated picture may be an important reason in explaining the detachment from the political process felt by a growing number of people. All hon. Members would like participation, turnout and, indeed, membership of our own political parties to increase, but when things are so complicated, diverse and in many respects almost utterly inexplicable and inconstant, we ought to re-examine whether we are doing the right thing in many different ways.

The Home Secretary hopes that his proposed legislation is all about anticipating events, not reacting to them, but I am afraid many Opposition Members think that it most certainly is not. In some respects, the proposed asylum legislation is a sort of rehash of previous measures. The constitutional proposals that he advocates are very muddled and stem from no particular logical origin. Indeed, they may well lead to the supremacy of the Home Office over the judiciary, so it was an extraordinary admission by the Home Secretary to suggest that the constitutional change that we see arising from a botched reshuffle was indeed a shambles.

Today's most telling intervention came in the middle of the Home Secretary's speech, and it was made by the right hon. Member for Birkenhead (Mr. Field), who referred to antisocial behaviour. All hon. Members have to appreciate that teenage disorder is becoming—indeed, perhaps it has become—the biggest issue of the time, and we all find it very difficult to address and find solutions.

The hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Soley) illustrated the difficulty of finding a clear solution to constitutional reform. He said that there was no chance of imposing a solution, no chance of having a fully elected second Chamber and no justification for having a fully appointed one either. He is at least trying to chart a course out of the stalemate, but we can all see that the mess we are in will be very difficult to step out of.

It vexes me ever so slightly—it is ever so slightly annoying—that I have to admit that the speech made by the hon. Member for Winchester (Mr. Oaten) was one of quality. What he said today constituted an important contribution to our discussions. Of course neither any of my right hon. and hon. Friends nor I would agree with the way in which he wants to abolish the lord chancellorship and establish a supreme court. We agree with some aspects of what he said about asylum and identity cards, but we certainly agree with what he said about the need for more visible policing and, particularly, for education and training in prisons, given that illiteracy and innumeracy are the greatest problems faced by released prisoners. The Conservative party would want to consider schemes that could allow prisoners to earn their way out of prison early through educational achievement.

Corporate manslaughter was mentioned, but may I tell the hon. Member for Aberdeen, South (Miss Begg) that we must beware of legislating in respect of gestures and anger? Not all accidents have someone to blame for them, and in considering such legislation we have to beware of creating a new injustice while trying to solve one that people feel deeply exists at the moment.

My hon. Friend the Member for Gainsborough and I have exchanged views on civil partnerships, but he said that there was perhaps an argument for having an elected upper House with no Ministers in it. Again, that illustrates the danger of stepping down the route of constitutional change. Let me predict that, as soon as the upper House is legitimised in total and perhaps

[Mr. Duncan]

becomes one in which no Minister sits, we would next face the argument that we should therefore directly elect the Prime Minister. Out of such shifting change, we would then find that we would have stepped almost all the way towards a presidency on the American model. If hon. Members want that, they should say so, but I would argue against drifting into it unknowingly, which is to some extent what those gradual steps are pushing towards. My hon. Friend also spoke about overcrowded prisons and under-educated prisoners.

The right hon. Member for Berwick-upon-Tweed (Mr. Beith) admitted—this was telling—that reform of the House of Lords was not about actual failings in how it and the judiciary have performed. He was saying that, once again, we have to legislate based on perception and, as he put it, on principles. However, when it comes to the detailed work of the constitution, we have to legislate based on fact, practicality and what happens and not according to perceived qualities that do not suit a modern age.

The hon. Member for Leicester, East (Keith Vaz) painted the less-than-attractive image of the Lord Chancellor doing the Home Secretary's dirty washing. This seems to be an early advert for Vaz over Daz.

I shall now concentrate for a while on the speech of my hon. and learned Friend the Member for Harborough (Mr. Garnier). If people read it, they will see that he gave the House a forensic and devastating dissection of the Government's failure to think through constitutional reform. He outlined the serious consequences that will ensue, not as some charge, out of private pleading, but out of a genuine and informed concern for the effect that the proposed reforms will have on justice and judicial structures. We also benefited from his image of a rhinoceros as our Lord Chancellor.

It would be invidious for me to continue to pick out all the speeches or some of them, because I do not have the time. However, perhaps I can set the framework for the debate that will follow over the legislative year ahead. The Opposition regret the absence of any overarching principle in the way that the Labour Government have embarked on constitutional reform. They have stumbled into it through accident and out of anger and vindictiveness. However, on constitutional reform, we must remember that we are setting rules for all—for both sides and for a day on which the boot may well be on the other foot. It behoves us all to find a consensual approach to the setting of rules and to do that from a foundation of principle rather than party advantage.

The Opposition perhaps take a different philosophical approach. When it comes to constitutional reform, we look for evolution rather than revolution. As my hon. and learned Friend the Member for Harborough put it, we look for reason rather than rationalism, with rationalism being the thought that one can go to a blank piece of paper and construct proposals from nothing. A system of government that has existed in democratic form for 350 years forms part of a continuum from which experience, knowledge and gradual change need to emerge without turning everything on its head in the meantime.

We can also see that there are severe differences even within the Cabinet. The Leader of the House bewailed the fact that the upper House was not legitimate when it tried to block the proposals for foundation hospitals. However, he voted against an appointed House in February and will now have to defend such a House as a plank—and an important plank at that—of Government policy. The members of the Cabinet who rail against us and the structure of the upper House will find that they are railing against each other if they examine the record of what they have supported in the past.

The performance of the upper House as an effective revising Chamber has shown up this Chamber for the deficiencies that, I think, all of us know exist. We are not as good at scrutinising legislation as we pretend. When we say to the sixth formers whom we address that Bills go upstairs to be examined line by line, let us not pretend that, sufficiently often out of that sausage machine comes the better law that we should all seek. Instead, we tend to see the rubber stamp of the dominant political party in the House at the time. It is thanks to the upper House that, more often than not, some of the idiocies that party pressure and the dominance of the Whips have enshrined in law are revised. It is only if we are to look to the interests of our constituents that we will appreciate the importance of that.

There is a looming threat of the invocation of the Parliament Act. Some of the language used by Government Front Bench has become too loose. The invocation of the Parliament Act is the nuclear button in terms of democratic conduct. It was designed to be used for key pieces of legislation that were critical to the Government's programme—it was used for a Budget, in the first instance, because a Government can do nothing without that. It has only latterly become a power that people think that they can invoke on smaller measures. I urge the Government to be careful about the way in which they think that they may invoke that Act.

When we consider judicial appointments, we shall apply with the same rigour the principles and purpose that we wish to display during the passage of all legislation because there are deeply important issues to consider. We do not want to be pushed into the creation of a supreme court, and the great expense of a massive building, if that has no advantage over the way in which our judicial system has operated in the past.

There is a busy legislative Session ahead and we shall approach it as honestly and punctiliously as possible. We shall set the highest standards of scrutiny and argument, and I hope that we shall thus show the House and all voters the deficiencies that we already see in much of the proposed legislation.

6.26 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I welcomed the hon. Member for Rutland and Melton (Mr. Duncan) to his post earlier today during Question Time. I do not wish to disparage him too much but he made a tired, thin and somewhat disappointing contribution in his first outing as shadow Secretary of State for Constitutional Affairs. His policies were completely conspicuous by their absence. We heard no information about the way in which the Conservative party would implement the Bills that we set out in the Queen's Speech. Do Conservative Members want a Parliament free from hereditary peers? Do they agree that the office of Lord Chancellor should be reformed? Do they support the need for a full-time Secretary of State for Constitutional Affairs? Do they agree that we need a clear separation of powers? Do they want a more pluralistic judicial appointments process? Do they want an end to the Prime Minister appointing the Lords Speaker? We heard no answers to any of those questions because they would probably answer no on all counts. They have no direction or vision and always want to return to the past.

Mr. Garnier *rose—*

Mr. Leslie: Speaking of which, I give way to the hon. and learned Gentleman.

Mr. Garnier: The hon. Gentleman is always charming and I hope that he has forgiven me for asking him during the past Session whether his mother knew that he was out so late. When he addresses the points made by my hon. Friend the Member for Rutland and Melton (Mr. Duncan), I hope that he will raise his argument to a higher level than that of the Home Secretary, who simply reduced his level of argument by saying that he could not give a toss.

Mr. Leslie: I told the Home Secretary that the hon. and learned Gentleman was still smarting from the way in which my right hon. Friend put him down. My right hon. Friend summed up his views rather well in that respect.

Let us return to the truth about the coming legislative Session. The package of legislation in the Queen's Speech is planned to deliver safer and more secure communities, social justice, lifelong opportunities and better quality of life together with better economic stability, a modern democracy and a strong civic society. Those principles will underpin the year ahead in Parliament and nowhere can that be seen more clearly than in the field of home and constitutional affairs.

Detailed contributions were made by many hon. Members ranging from the hon. Member for Ribble Valley (Mr. Evans), who talked about tuition fees, to my hon. Friend the Member for Chorley (Mr. Hoyle) who talked about the Forensic Science Service, pensions, council tax, television licenses and several other matters. My hon. Friends the Members for Edinburgh, North and Leith (Mr. Lazarowicz), for Glasgow, Anniesland (John Robertson) and for East Lothian (Anne Picking) were worried about different electoral systems in Scotland. We must be aware of the importance of clarity for the electorate. I am aware that consultation on the Scottish Parliament (Constituencies) Bill found that the majority of people wanted to maintain the Scottish Parliament at its current size. My hon. Friend the Member for Hamilton, South (Mr. Tynan) made a thoughtful and useful contribution on the role of UK Members of Parliament and devolution issues, as did my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris).

On the wider constitutional reform Bill, the hon. and learned Member for Harborough (Mr. Garnier) opposed any change: nothing new there, then. The right hon. Member for Berwick-upon-Tweed (Mr. Beith), who chairs the Constitutional Affairs Committee, gave a cautious and sceptical analysis, but I think he appreciated and welcomed the move towards an independent judicial appointments commission, and I am glad of that. The hon. Member for South Antrim (David Burnside) commented on Northern Ireland constitutional issues.

On the House of Lords reform Bill, my hon. Friend the Member for Ealing, Acton and Shepherd's Bush (Mr. Soley) gave his proposals for a hybrid solution. The hon. Members for Gainsborough (Mr. Leigh) and for Ribble Valley want to retain the hereditary peers for some obscure reason. The hon. Member for Old Bexley and Sidcup (Derek Conway) gave us an interesting anecdote about having a sherry with the former Duke of Northumberland. He also made some interesting points on House of Commons reform.

Mr. Paul Tyler (North Cornwall) (LD): In relation to the point raised by the hon. Member for Ealing, Acton and Shepherd's Bush (Mr. Soley), when will consultation with the Joint Committee on House of Lords Reform begin? Indeed, when will the Joint Committee be set up again? The Minister told the House:

> "We do not close the door to future decisions on how the Second Chamber should be composed. Indeed, we will discuss with the Joint Committee whether we can find a consensus and perhaps move forward."—[*Official Report*, 18 September 2003; Vol. 410, c. 1098.]

Since then, his Secretary of State has written to the Chairman of the Joint Committee saying that there will be discussions. When will they start? Will they take place before a Bill is tabled?

Mr. Leslie: The hon. Gentleman should allow the debate on the Loyal Address to finish. It is for both Houses to decide which Joint Committees they establish. I believe that the Joint Committee on House of Lords Reform has an ongoing role to consider the future shape of House of Lords composition and other matters. We do not close the door on those issues, but we are left with the same problem: do we stick with the status quo or do we get serious about reform and get rid of the hereditary principle that allows people to serve in the second Chamber by reason of their birthright? I know which side I am on.

Mr. Win Griffiths (Bridgend) (Lab): I have asked my hon. Friend's boss in the other place this question. Will the Bill on House of Lords reform give us an opportunity to vote on an elected element in the House of Lords?

Mr. Leslie: We published the proposals for the Bill. A range of clauses will cover hereditary matters. We want to resolve the impasse that arose in February when the House could not conclude a view on composition. I am sure we all want to find a way through that. Indeed, a number of hon. Members aired their suggested solutions.

[Mr. Leslie]

My hon. Friend the Member for Aberdeen, South (Miss Begg) gave her views on the importance of rights for disabled people and on a single equality commission. My hon. Friend the Member for Clwyd, West (Gareth Thomas) welcomed the proposed disability legislation.

My hon. Friend the Member for Dover (Mr. Prosser) welcomed the Asylum and Immigration (Treatment of Claimants, etc.) Bill. I appreciate that my hon. Friend the Member for Leicester, East (Keith Vaz) and the right hon. Member for Berwick-upon-Tweed are worried about streamlining the appeals system. The system will continue to exist, but it needs a better balance, as my hon. Friend the Member for Glasgow, Anniesland said. My hon. Friend the Member for Watford (Claire Ward) gave a cogent and well argued case for us to face up to the difficult issues, unlike the fantasy island approach of the Conservative party. It has still not named the island that it would use, although we know that it has to be poor. That is some help.

The hon. Members for Winchester (Mr. Oaten) and for Mid-Dorset and North Poole (Mrs. Brooke) greatly supported our domestic violence measures. Further suggestions were made by my hon. Friend the Member for Hampstead and Highgate (Glenda Jackson). My hon. Friend the Member for Colne Valley (Kali Mountford) also made some important points on that issue.

At the outset, the Home Secretary set out our plans for protecting victims, for standing up to criminality and antisocial behaviour, for protecting our borders and for updating our civil contingencies and emergency plans. The three criminal justice Departments—the Home Office, the Department for Constitutional Affairs and the Attorney-General's office—are committed to working jointly, with ever increasing integration, to ensure that offenders are arrested, charged, convicted and sentenced efficiently and effectively. The new Department for Constitutional Affairs is now established and working well.

Turning to democracy, our laws need deciding democratically, and the House of Commons will be held accountable for the legislation that we pass. It is the new Department's job to protect and enhance democratic accountability, while ensuring that our laws are interpreted and upheld by a strong, impartial and independent judiciary, manifestly free from political interference.

Mr. Dominic Grieve (Beaconsfield) (Con): I was struck by the hon. Gentleman's remark about the three Departments dealing with criminal justice, because I well remember the Home Secretary saying to the House, in angry tones, back in the summer that there was no question of the Department for Constitutional Affairs having any role in the development of criminal justice policy. May we please have the full details of this remarkable transformation?

Mr. Leslie: If the hon. Gentleman, who, I think, claims to be the shadow Attorney-General, is under the impression that the Attorney-General does not have a role in the criminal justice system, he ought to swot up a little more. The Attorney-General has a role in the criminal justice system, and the Department for Constitutional Affairs has a role in the criminal justice system through the administration of the courts—the hon. Gentleman may well have spotted that the courts are important in criminal justice. The Home Office, of course, leads on criminal justice policy overall. That is an important trilateral system.

Mr. Alan Duncan: Will the Minister confirm that the civil partnerships Bill will definitely come under the Home Office and will not be bounced to the Department of Trade and Industry?

Mr. Leslie: I am afraid that, in my understanding, the DTI, leading on some of the equality reforms, will take a lead on that Bill, although other Departments will of course have a strong input on those issues, including measures on civil partnerships.

As I said, our laws need to be decided democratically and upheld by an independent judiciary. Legislation to clarify and enshrine the differing roles of the judiciary, the Executive and the legislature is necessary and overdue, and it is the purpose of our constitutional reform Bill.

Mr. Garnier: Will the hon. Gentleman give way?

Mr. Leslie: Not at this moment.

That Bill, which will separate the highest court of appeal from the legislature, is needed to avoid a conflict between those who write the law and those who interpret and enforce it. Acting to remove any doubts about political or partisan motives in the appointment of judges will strengthen the respect for and the stature of our judiciary. Abolishing the office of Lord Chancellor will take the politician out of the judiciary, allowing judicial decisions to be made judicially, allowing the second Chamber to be chaired by its own nominee, and allowing the criminal justice system to be administered by a full-time Secretary of State.

Mr. Garnier: Will the Minister give way?

Mr. Leslie: The hon. and learned Gentleman is taxing my patience, but I will give way once more.

Mr. Garnier: I am not only grateful to the hon. Gentleman but flattered by his graciousness. Will he tell the House whether the Government will respond to the three consultation papers issued by his Department earlier in the year prior to the publication of the three Bills that they imply?

Mr. Leslie: Many of the consultations closed on 7 November, and we are still analysing the responses. It would be wrong of us to publish legislation before we had done so, as the purpose of the consultation is to seek responses, and that is the order in which we intend to proceed.

Just as the role of Lord Chancellor is no longer appropriate for the 21st century, so too it is no longer acceptable that a small number of families have an automatic grip on Parliament based on their hereditary birthright. The House of Lords reform Bill will end that anomalous anachronism and fulfil our manifesto commitment.

While the search for a consensus on the future shape of the second Chamber will continue, we need to establish a contemporary second House whose members are more clearly appointed on merit, with the numbers and timing of appointments decided no longer by the Prime Minister, but independently of Government through a new statutory appointments commission, selecting the non-party members and vetting the party nominees.

The debate on the composition of the House of Lords will need to continue without the door being closed to further change, but the guiding principle and overriding requirement remains: that the democratically elected Government and the House of Commons should be able to deliver the will of the people, to whom we are accountable and on whose behalf we act.

Peter Bottomley (Worthing, West) (Con): Will the hon. Gentleman give way?

Mr. Leslie: No.

I turn now to the rights agenda. This country has a deep and proud sense of our liberties, rooted in a strong tradition of democracy and freedom of expression. The Government have already strengthened those rights by legislating for the Human Rights Act 1998 and for freedom of information. The legislative programme for this Session includes giving new rights for people where currently none exists. Society needs to be as inclusive as possible. Allowing equal rights for same sex couples, for example, through the civil partnerships Bill, which I know is welcomed by my hon. Friend the Member for Reading, East (Jane Griffiths), and giving recognition to those with gender dysphoria, or transsexual people, through the gender recognition Bill, which I know is a measure that my hon. Friend the Member for Colne Valley has campaigned for, are all important for an inclusive society, as are protecting the rights of vulnerable people—for example, standing up for the rights of children through the creation of a new children's commissioner, and protecting the rights of the mentally incapacitated in a new structure for decision making that is designed to safeguard health and welfare in a mental incapacity Bill.

On justice, democracy and rights must work side by side within a framework for social responsibility. The rights of others need respecting and protecting, and the justice system needs to stand up for the victims of crime by acting more swiftly and effectively.

As we have heard from many Members during the debate, there are nearly 1,000 reports every day of domestic violence throughout the country. Domestic violence accounts for a quarter of all violent crimes reported. Legislation and new investment will aim to protect and support victims of domestic violence more comprehensively.

We need to target the finite resources that are available for legal aid. My hon. Friend the Member for Stafford (Mr. Kidney) spoke about this in detail. We need to target resources on those who need the help most of all, to ensure that those who are least able to represent themselves have access to justice while protecting the rights of the taxpayer, who expects value for money. That is the purpose behind the criminal defence service Bill. Legislation is already shifting the balance in the fight against antisocial behaviour, which can blight the quality of life for up to a third of the population. We will continue to prosecute rigorously and punish effectively those who are guilty, especially persistent offenders.

The programme for the Session is ambitious, and the contrast between the extensive programme of reform and modernisation pursued on the Government side of the Chamber and the position that is now taken, as far as we can discern it, by the Opposition is great. Our agenda for the long-term future contrasts starkly with the backward-looking, opportunist agenda that is pursued by the Opposition. Labour will continue to take practical steps forward, with our direction clear. The Conservative party says one thing now, but its position was completely the opposite when it had the chance over 18 years to act. It is deliberately trying to face both ways, but it cannot resist its gut instinct to hark back to the past, complaining about reform and obstructing change every step of the way.

We want to modernise Parliament so that it is more representative of all society, without the hereditary peers, with our highest court of appeal not being in a Chamber of Parliament and with the second House choosing its own presiding officer. The Conservatives want to preserve an outdated Parliament. They oppose change and shrink from bringing in reality from the outside world, even to the extent of putting the minimum number of women possible on to their Front Bench.

David Taylor (North-West Leicestershire): My hon. Friend's role in the modernisation of Parliament is to be applauded. Does he agree with many Labour Members that the alteration of sitting hours on Tuesday and Wednesday was a modernisation too far that has been counterproductive?

Mr. Leslie: No doubt the House will continue to debate at length the issues that it regards as modernising steps forward. However, when it comes to the contrast between the Government side of the Chamber and the Opposition, there is no doubt that we stand on the side of modernisation.

As for House of Lords reform, in government the Conservatives have reformed precisely nothing. In opposition, they have been happy to have a House of Lords dominated by their own hereditary peers. Let us see the true extent of their new-found radicalism. Any party that is serious about modernisation of the House of Lords would support the abolition of the hereditary peers. Of course, the Conservatives do not. They will not do so because beneath their paper promises hides a stubborn attachment to the halcyon days of the old established order. There are the old faces who do not want any reform and who betray their true intentions in the House of Lords.

We want a truly independent judiciary, a separate supreme court, no more ministerial judges and judges who are selected independently, in turn better reflecting society as a whole. The Opposition want to have an insular judiciary that is self-appointed with no lay influence, with no appointments commission and with no transparency, headed by a diminished Lord Chancellor in name only. That is a confused and tangled policy. Their complacent attitude of "if it ain't broke, don't fix it" shows that they look at the country from an

[Mr. Leslie]

established Westminster perspective. If insiders are satisfied, they are happy. Never mind the public—that is their litmus test. We want a full-time Secretary of State who pays full-time attention to the needs of the public and the sound administration of the courts and the criminal justice system. The Opposition want to keep a part-time Lord Chancellor—and the shadow Lord Chancellor is not even a member of the shadow Cabinet—with uncertain powers and competing demands, so the interests of the public cannot possibly be best represented.

Labour has delivered government closer to the people, devolving power to Scotland, Wales and London, opposed every step of the way by the Opposition. We allowed devolution in Northern Ireland, and are now giving people the choice of regional government in the English regions too. The Conservatives centralised power in Whitehall—that is their instinct. They hate devolution, they still oppose it, and would prevent people from deciding for themselves the next steps for devolved government. Those are the dividing lines between the two parties. The debate on the Address shows that the Government are taking Britain forward, modernising our constitution and changing our institutions to meet the needs of the public today. The only direction in which the Conservatives would take Britain is back to the past. The contrast is stark and the choice is clear. I commend the reforms that we are proposing to the House.

Madam Deputy Speaker (Sylvia Heal): The Question is, That the debate be now adjourned.

6.46 pm

Peter Bottomley (Worthing, West) (Con): I do not think that the motion, which is debatable, should go through on the nod. The Minister was given plenty of time to give a speech, and would not take interventions. When he mentioned removing the Judicial Committee of the House of Lords from Parliament, I was going to ask him how many members of the Judicial Committee in the Lords believe in what he agreed to. If he withdraws from the Chamber before the debate is finished, I am perfectly happy that he should leave with the Home Secretary. However, it would have been good if he had mentioned two things in his speech. He should have told us, first, what the opinion of the Law Lords was, and he should then have talked about the referendum, which the British people have been denied, on the European constitution.

Madam Deputy Speaker: Clearly, the Minister decided not to give way, and that is entirely at his discretion.

Peter Bottomley: I withdraw my criticism of the Minister for not giving way, but had he done so, we might not be debating the Adjournment motion now.

Madam Deputy Speaker: Order. I am sorry, but I must refer the hon. Gentleman to the fact that the Minister has sat down and has concluded the debate.

Peter Bottomley: On a point of order, Madam Deputy Speaker. I was making a speech on the motion before the House. If I can move from my point of order to my speech, that would be appropriate.

Madam Deputy Speaker: The hon. Gentleman cannot debate the original motion.

Peter Bottomley: One reason why I probably shall not be a success in the House is that I thought that I was debating the motion that the House should adjourn—*[Interruption.]* I think that I am contributing to the debate, but if I need to turn it into a point of order, I shall do so. I should like to emphasise what the Whip was saying. He rose and moved the Adjournment motion.

Madam Deputy Speaker: Order. I proposed the Question that the debate be now adjourned.

Peter Bottomley: I was opposing that motion, Madam Deputy Speaker, and explaining why it was inappropriate for the Whip to move it and for the House to agree it without debate. Today, Back Benchers' speeches were limited to 10 minutes. The Minister had 35 minutes available to him. A number of Members—*[Interruption.]* It is all very well for the Minister to start pointing, but he could have allowed the debate to continue. There are many more things that he could have said if he did not repeat himself. We could have used the time more effectively, and we still could if the Whip withdrew the motion so as to allow other Members to take part in the debate.

Keith Vaz: Some hon. Members were in the Chamber from the start of this debate, listening to the speeches. The hon. Gentleman was not. He has come in at 6.45 and is trying to get in on the debate, but he should have been here at the start, like everyone else.

Peter Bottomley: As a matter of record, the hon. Gentleman entered the Chamber half an hour after I did this evening. I saw him walk in.

Mr. Garnier: The normal expectation these days is that debates on the Loyal Address go as far as 7 o'clock. What information the Chair will have had at decision time in accepting the 10-minute rule on speeches is neither here nor there, but there is plenty of time for my hon. Friend, in a debate both on the Loyal Address and the motion put by the Whip just now, to which he is speaking, to make the points that he is properly making. The hon. Member for Leicester, East (Keith Vaz) has made a poor point in criticising him for entering the current debate late. He was present at the beginning, as he initiated it.

Peter Bottomley: It is certainly within the rules, Madam Deputy Speaker, for the Whip to propose the motion that you have put to the Chamber, but I think that it is unprecedented in a Queen's Speech debate for a Government Whip, presumably on instructions from more senior Ministers, to put such a motion during the ordinary debate. I do not think that I have seen in "Erskine May" a reference to that having happened. I suggest to the Minister that, when people have been trying to speak or intervene, the Government should announce that they will not do such a thing again. When the Leader of the House answers business questions later this week, I hope that he will say that he is sorry that this happened today and that he will try to ensure that it does not happen again. *[Interruption.]* Another Government Front Bencher is trying to intervene. I shall give way to the hon. Member for Lewisham, East (Ms Prentice) if she wishes to intervene. If not, it is better that we continue the debate on whether the Question should be put. An undesirable precedent has been set, and in terms of the Minister's speech, he would have done rather better to be less flattened by the intervention of my hon. and learned Friend the Member for Harborough (Mr. Garnier).

Mr. Harry Barnes (North-East Derbyshire) (Lab): I wonder where the hon. Gentleman was yesterday, when the debate ended an hour early. Why was he not here to speak on that closure and oppose that measure, as far more time was available on that occasion than tonight?

Peter Bottomley: I am grateful to the hon. Gentleman. The point that I am making is not that I wanted to speak yesterday, but that the Minister ended his speech early, before time—he is expected to continue to 7 o'clock—and the Whip then moved that the motion be put to the House that we adjourn, so that the debate would end. It would have been better if the Minister had accepted interventions—he did not turn down only my attempts to intervene—and if he had been more forthcoming, especially on the question of where the Law Lords and the court of final appeal should be. I would give way to him now if he could tell us how many Law Lords—

Madam Deputy Speaker: Order. The motion now under discussion is that the debate should be adjourned and not the substance of the earlier debate.

Peter Bottomley: The reason why the debate should not be adjourned is that the Minister has not answered the questions that should have been answered.

Anne Picking: I thank the hon. Gentleman for giving way. I just wondered whether he would follow the Minister's example and cut his contribution short.

Peter Bottomley: That is a tempting request, and I shall probably give it good consideration.

We could have had better value, and we could still gain it from this short debate, which I do not think is likely to extend beyond 7 o'clock, unless I have misread the procedures. In fact, it might be helpful if I could have an indication whether I could speak beyond 7 o'clock, or whether the stumps will be drawn on this debate.

The crucial points in this debate on the adjournment is whether we will get straight answers from this Minister and others about the important issues of constitutional affairs that have been part of today's debate. I argue that this would be a good time to question whether we should be having a referendum, for example. That is the sort of discussion that could take place if the debate were not ending. If it did not finish during the next three or four minutes, we could say what evidence was given to the Government by the Law Lords on the point that the Minister made about separation. If the Law Lords had given their views in public, the Minister would be able to tell us about them.

Mr. Andrew Robathan (Blaby) (Con): Did not the Joint Committee on Human Rights find that there is a need for a referendum and that that should be followed?

Peter Bottomley: That point could have been put to the Minister if the debate had continued, which is a good reason for the House not to accept the motion. It might be helpful if the Government indicated whether they want to force a vote on the issue or are too keen to get shot of difficult debates on a referendum on the European constitution and other constitutional matters. I hope that they now regret trying to terminate the debate in such a cavalier way. They should be prepared to listen to argument in this House, where one of the courtesies is that Ministers listen to debate and allow Members to continue for as long as they remain within the procedures of the House.

For those reasons, and for others that I have not enumerated, it is undesirable for the Government to try to draw stumps when it is clearly the wish of a significant part of the House that the debate should continue until the expected time, which is about three minutes away.

Debate adjourned.—*[Paul Clark.]*

Debate to be resumed tomorrow.

ESTIMATES

Motion made, and Question put forthwith, pursuant to Standing Order No. 145(Liaison Committee),

That this House agrees with the Report [26th November] of the Liaison Committee.—*[Paul Clark.]*

Question agreed to.

STANDING COMMITTEE ON REGIONAL AFFAIRS

Motion made, and Question put forthwith, pursuant to Standing Order No. 117(Standing Committee on Regional Affairs),

That—

(a) the Matter of the English regions and referendums on elected regional assemblies, being a Matter relating to regional affairs in England, be referred to the Standing Committee on Regional Affairs;

(b) the Committee do meet at a quarter-past Two o'clock on Thursday 11th December at Westminster to consider the Matter referred to it under paragraph (a) above; and the proceedings at the meeting be brought to a conclusion at a quarter-past Five o'clock.—*[Paul Clark.]*

Question agreed to.

WELSH GRAND COMMITTEE

Ordered,

That—

(a) the Matter of the Government's Legislative Programme as outlined in the Queen's Speech as it relates to Wales and Public Expenditure in Wales be referred to the Welsh Grand Committee for its consideration;

(b) the Committee shall meet at Westminster on Tuesday 16th December at five minutes to Nine o'clock and between Two o'clock and Four o'clock to consider the Matter of the Government's Legislative Programme as outlined in the Queen's Speech as it relates to Wales and Public Expenditure in Wales, under Standing Order No. 107 (Welsh Grand Committee (matters relating exclusively to Wales)).—*[Paul Clark.]*

Foreign Language Teaching

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

6.57 pm

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): There are many ways in which one can put people into categories. I want to divide the population at large into two categories: polyglots and monoglots. For the information of the House, a monoglot is someone who uses or speaks only one language. I wish to see a severe reduction in the number of monoglots. That is something of a problem for native English speakers, in particular, because they confidently expect that the rest of the world will eventually also speak English, and that it is merely a question of waiting long enough. Of course, there is lots of evidence to support them in their view.

Mr. Andrew Robathan (Blaby) (Con): Das stimmt.

Ms Stuart: I would love to respond to the hon. Gentleman's heckling, but as I understand that one is not permitted to speak any language other than English in this Chamber, I shall refrain.

The question for many native English speakers is why they should bother to learn another language. I should like to suggest several reasons that go beyond the obvious advantage of being able to speak more confidently when abroad on holiday. In the long term, it is safe to assume that eventually English will expand further and further as a lingua franca, but it would be a mistake for native English speakers to assume that it will be the kind of English that we speak now. I found it fascinating, when working on the Convention on the Future of Europe over the past 18 months, to learn that many people from eastern European countries speak extraordinarily confident English without having been near any English-speaking country. However, there is a development of using English words differently from a native English speaker. The classic example of that is the German word for mobile phone—"handy". Germans refer to their "handies" and think it odd when native English speakers ask, "What is a handy?"

The second reason for learning foreign languages in schools is that pupils will understand their own language much better.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

Ms Stuart: Studying a foreign language can help to deepen the understanding of one's own language. Different languages express different ways of thinking. I shall always remember a meeting that I attended in the Treasury when an official said to me, "It would be helpful if you would not be so terribly German on this occasion."

Mr. Richard Bacon (South Norfolk) (Con): The hon. Lady said that different languages express different ways of thinking. I spent two years living in Germany, trying to understand and master German. Can she explain why the Germans have 16 different ways of saying "the"?

Ms Stuart: Tempted as I am, I do not wish to bore the House into submission by going through the various cases, genders and the way in which adjectives are declined. However, there are reasons for that. It comes back to the Treasury officials asking me not to be so German about a matter. I said that I would try but that they would have to explain what they meant. They said that German thinking was like thinking in Lego bricks—putting together an argument by sequential reasoning. Once A is agreed, B logically falls and C cannot be reopened. They said that the British way was to put the whole case on the table and perhaps say, "Well, maybe we shouldn't do this at all", to which the very German response would be, "But we've agreed about 1, 2, 3 and 4, and we cannot therefore go back to the beginning."

At the same time, some things that can be expressed in English cannot be expressed in almost any other language. I defy anyone to translate T. S. Eliot's "Four Quartets" into another language and preserve its beauty and emotions. It is a case of horses for courses. Some languages lend themselves better to some ways of expressing specific matters. We need to teach our children such appreciation of different ways of reasoning and also—another problem for the English—to teach them grammar. English is not based on rigid rules, and many children grow up with no understanding of grammar and therefore find it difficult to acquire other languages.

The debate about apostrophe "s" occurs frequently in the media. Whenever we produce newsletters, as I am sure the Minister knows from his office, we check the word "its" and ensure that the use of the apostrophe is appropriate. Few people understand that. In my office, people tend to turn to the assorted foreigners and say, "You'd better proof-read this because you understand the rule." I was fascinated by an exchange about the apostrophe on Radio 4. Someone asked, "What's the point of it?" Another listener wrote in to say, "I'd like people to consider one sentence: 'We ran out of food, so we ate the dogs.'" The presence or absence of an apostrophe in the word "dogs" severely changes the meaning. The apostrophe serves a purpose, and it is essential that we understand it.

We have a problem with foreign language teaching. I recall meeting a young man who had recently passed his GCSE German with a grade A and subsequently moved to a second school. He said, "It's fascinating how much easier it is once you've worked out the rules." I asked what he meant by rules and discovered that he became familiar with the concept of an irregular verb only in the first year of his A-level studies. It made me curious to know how that child could have got a GCSE grade A without knowing that there were irregular verbs. I hope that the school was so skilful that it simply managed not to reveal what irregular verbs were. However, the child was not aware of the rules.

That is the second point—the importance of culture—but there is a third, which is very pragmatic, so it should appeal to the British, if nothing else does: if we do not use foreign languages in our business dealings, we lose business. Advantage West Midlands, which is an extremely fine organisation, did a language skills capacity audit in 2001. The west midlands exports about 8 per cent. of the UK's exports, while 60 per cent. of the region's exports go to the European Union. The survey of companies showed that 70 per cent. of those that responded used at least one foreign language in business, while nearly 50 per cent. used two.

The most used languages, according to the sample, were French, German, Spanish and Italian. The survey also found rising demand for Spanish, but when it asked companies to look back at the past three years to see whether they had encountered any language barriers to their business dealings, 50 per cent. said yes while some 16 per cent. said that they had encountered cultural barriers in their international trading.

What I found most depressing about the survey was the fact that while 8 per cent. of companies said in 1996 that they had lost business owing to lack of language or cultural skills, that figure had grown to more than 20 per cent. five years later. One in five acknowledged that their lack of language skills lost them business. I understand that the British Chambers of Commerce has spent the past three months conducting a similar survey among its members. Although it is not able to publish the precise findings until next week, one finding—one of the central conclusions—will be clear, which is the importance of language teaching for business. Companies will need to deal with language strategy themselves. I want to return to the Government's responsibilities in terms of providing that pool of skilled people.

The Government's document "14–19: Opportunity and Excellence" states an extremely laudable aim, which is to have more flexibility and choice in students' programmes. I know that compulsion, by and large, is not the measure that most induces young people to take up a subject, but, with foreign languages having been removed from the core curriculum, I wonder whether it is the right way forward.

I talked to Lordswood school for girls in my constituency, which still enters every pupil for at least one modern language at GCSE. The language department is extremely successful, and the recent Ofsted report stated that it had very good teachers with many outstanding features. The school is also taking part in the British Airways awards, which show the importance of languages in business, and it will enter some 33 pupils. I congratulate Lordswood, its teachers and its pupils, but I wonder whether we are helping such schools by removing the compulsory element from the curriculum.

Mr. Wayne David (Caerphilly) (Lab): Does my hon. Friend agree that there is much to be learned from the example in Wales, which shows that young people who are educated from an early age in the English and Welsh languages have a greater aptitude later for learning a third language—a foreign language?

Ms Stuart: I thank my hon. Friend for that intervention. All research seems to show that the time to start teaching foreign languages is before children start school—when they are three, four or five. That is when those skills develop, which is why I can see a reason for removing the compulsory element from 14 to 19-year-olds, provided that we do something at an earlier stage. What matters is not at what stage children start learning languages, but that they acquire that skill, which they can build on.

I want to refer briefly to the National Centre for Languages publication "Language Trends 2003". It says that half of schools remain convinced that languages should remain compulsory. It also says—again, this is worrying—that

> "the policy is having an unintended effect on non-GCSE qualifications in languages. Whilst languages were compulsory, some schools were providing alternative vocational or short course options in languages for groups of pupils not likely to attain good GCSE grades. Now the pupils who formerly took those options are allowed to drop the subject altogether there has been a significant decline in these alternative courses."

It goes on to conclude that

> "at a time when Government policy is to encourage more work related learning, this is a matter of concern."

The real problem is that we may be in danger of destroying an infrastructure on which we can build. If language learning is compulsory, and the structure exists, we can attach other courses to it.

Hywel Williams (Caernarfon) (PC): Does the hon. Lady agree that the answer is not to retreat from the compulsory teaching of languages, but to teach languages in a better way? The Welsh model gives one hope that the same approach might be adopted in England, and that bilingualism and multilingualism might be regarded as more normal, as it were. Such a move would be welcomed by hon. Members of all parties.

Ms Stuart: I come back to my earlier point, which is that compulsion is not conducive to learning. That is why the drop-out rates are so high in the age group under discussion. I understand that that was part of the Government's motive in removing foreign languages from the core curriculum.

The challenge is to make sure that students enjoy learning languages, and that depends on how they are taught. However, I have three main concerns. First, removing languages from the core curriculum may result, albeit unintentionally, in fewer young people studying foreign languages. If we do not make young people study foreign languages, we may deprive them of other, more cross-cutting skills.

Secondly, we will deprive business of the skilled work force that it needs. Finally, I am worried that such a policy will not provide the national capabilities in the higher education sector that the Government say are needed, at a time when the national languages strategy calls for more modern language graduates.

Will my hon. Friend the Minister say whether the effects of the policy of removing languages from the core curriculum are being monitored? What is the evaluation process? In the light of what he has seen so far, does he still think that the policy was right?

7.11 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): First, I welcome this important debate instigated by my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart). We had a brief opportunity for a conversation earlier when my hon. Friend asked whether I was a monoglot or a polyglot. I claimed to be the latter, but with the qualification that my French was pretty rusty, and my Spanish even worse.

I was asked earlier this year to take responsibility for taking forward the modern foreign languages strategy. I recalled my regret at ending my studies in French at 16, and in Spanish at 14. I absolutely concur with what my hon. Friend the Member for Birmingham, Edgbaston

[Mr. Stephen Twigg]

said about the scale of the challenge that we face to improve our country's record in foreign language teaching.

I want to describe two visits that I have made in my ministerial capacity this year. In February, I went to the US, where I visited a language immersion school in the southern city of Charlotte. It was a state school, free at the point of use, for primary-age children. Classes were taught entirely in foreign languages—French, German and Japanese. That underlines the point made in the debate that the earlier we address the question of language teaching, and the earlier we give children opportunities to learn another language, the more likely we are to encourage children—and adults—to maintain language learning.

In May, I had the opportunity to go to Spain. I visited a primary school in Madrid, where part of the teaching was conducted in English. I observed a science class, in which the science curriculum was delivered to Spanish children in English. That school was linked, via the internet, with a school in Liverpool, where large parts of the curriculum are delivered in Spanish.

Hywel Williams: I invite the Minister to visit my constituency of Caernarfon. He need not go as far as the US or Spain, or even Catalonia or the Basque country. I am now speaking in my second language. When I was six or seven years old—and voluntarily or otherwise—I learned English by a version of the language immersion process. My constituency lies 60 miles to the west of Chester, and it contains plenty of people with a similar experience. I cordially invite the Minister to visit.

Mr. Twigg: I am grateful to the hon. Gentleman for his invitation and, subject to the demands of my diary, I would be delighted to come along and see that for myself. He raises a serious issue: we can learn a great deal from communities in our own country where children often grow up bilingual, or even multilingual. Learning that lesson from Wales is an important part of taking forward the strategy for modern foreign languages in our schools.

My hon. Friend the Member for Birmingham, Edgbaston referred to the report on the west midlands languages strategy published by Advantage West Midlands; that was an important contribution to the discussion. The strategy was one of a series of regional approaches that have sought to address the language needs of business and outline a range of initiatives to deal with the situation. That work in the west midlands was conducted in conjunction with CILT—the National Centre for Languages—which has been working closely with networks in the regions to ensure that we align the challenges that we face in education with some of those that we face in the wider world, including the world of business and industry.

Interestingly, the rising demand for Spanish, to which my hon. Friend referred, fits with the emphasis on Spanish in the national languages strategy. I am pleased to say that, although the numbers taking some other languages at GCSE—including French and German—are declining, for Spanish the trend is in the opposite direction, so it is not all doom and gloom.

I would like to say a little about our national languages strategy, which was published last December. It sets out an approach to improve our capability in languages. As part of that, we have appointed a national director for languages, and we have a particular focus on primary education, and key stage 2. We estimate that only around one in five children of primary age get the opportunity to learn a foreign language in England, which shows the scale of the challenge that we face.

The strategy outlines a commitment that by 2010 all pupils in junior schools at key stage 2 will have the opportunity to study a modern foreign language and develop their interest in the culture of other nations. From September of this year, 19 local education authorities across England have been conducting key stage 2 language pathfinders to look at the best ways of improving language learning and consider what kind of support local education authorities, schools and teachers need to do that.

Absolutely critical to that is delivering and building the primary work force capacity. We simply do not have the capacity at the moment to achieve the objective that all of us involved in the debate want to achieve. As a Department, and together with the local education authorities in the pathfinders, we are working with the Teacher Training Agency, as well as with teachers and other professionals, to build a new cadre of primary language specialists. We want schools to be able to decide how and when they plan for the introduction of language programmes, and how that language learning is best delivered in the classroom. We expect that to be done in a range of ways, suitable to the different circumstances of particular schools in their own community.

A programme of initial teacher training in primary modern foreign languages is in its third year, and there has been a gradual expansion in the number of places. For example, for French, Spanish and German, there are 460 places this year. We expect to continue to increase the number of places year on year. We have also invested in 50 modern foreign languages places on the graduate teacher programme, and we are funding 119 primary modern foreign language advanced skills teacher posts. We are beginning to build up the capacity for that target date of 2010.

We recognise in the strategy that simply training more teachers will not be sufficient, so we are also funding opportunities for language undergraduates to support language learning in schools. We are developing training for higher-level teaching assistants, so that those in the community who have language skills can gain additional experience and skills in teaching to support language learning. We are also extending recruitment for the foreign language assistant programme to our primary schools.

We see our role as that of extending capacity, and creating a framework for the teaching and learning of languages at key stage 2. That framework will need to be flexible and applicable to any language, so that it fits in with our broader primary strategy. We want schools to have much more control over their own curriculums, and a lot more autonomy in terms of the particular choice of language.

I want to say a little about secondary education, as my hon. Friend understandably focused on the changes that we have made to key stage 4—the 14 to 16 phase of education. I am very conscious that those changes are contentious and that concerns exist; indeed, those concerns are raised with me in my frequent visits to secondary schools. I am confident that, in the longer term, the measures that we are putting place in our primary schools—I have outlined them—will make a difference, but I accept that it will take some time for the effect to feed through to our secondary schools. We cannot simply rely on that long-term impact from the primary strategy; we need to continue to focus on secondary education, and I shall briefly address that issue now.

In key stage 3—the early years of secondary education, from 11 to 14—we want a much stronger emphasis on language teaching. One tool that we possess is the growing network of specialist language colleges: specialist schools that choose to specialise in languages. They have a crucial role to play in supporting primary entitlement, about which I have already spoken. At the moment, 188 specialist language colleges are operational across England, and they are making a difference, but I am aware that some local education authorities do not yet have any such colleges. We have set a target to increase their number to at least 200 within two years. I hope and expect that we can exceed that target, in order to maximise the impact of our work in the primary and secondary sectors. The latest round of applications has just finished, and we will announce further specialist language college designations next January.

A modern foreign languages programme forms part of the key stage 3 national strategy because, of course, there is still compulsion between 11 and 14. It is critically important that modern foreign language teaching be delivered to 11 to 14-year-olds in an exciting and vibrant way that captures their imagination, making it more likely that, when modern foreign languages become optional at 14, they will choose to carry on studying them. We want to ensure that we have a set of objectives that enable pupils to develop an understanding of the skills and conventions of language learning, and the confidence to use their new language independently. The associated framework and training provide a valuable opportunity for teachers to engage in a professional debate about the issues associated with learning and teaching modern foreign languages. Teachers' evaluations of the core training show that there is a lot of enthusiasm and high motivation in terms of improving practice, and that collaborative planning is becoming more commonplace, and is regarded as very valuable by teachers themselves.

That brings me to key stage 4—the area of contention about which concerns have been raised. As my hon. Friend rightly said at the beginning of her speech, we are very keen to provide greater choice and flexibility for young people from the age of 14. We are all aware of the issues of disaffection and disruption associated particularly, although not exclusively, with that age group. When I visit secondary schools, and speak to young people in that age group about the curriculum and the subjects that they are studying and ask what their least favourite subject is, I am struck by how often the answer is "French" or "German"—the foreign language that they are learning. Many head teachers tell me that that can have a very demotivating effect—not only on the child who is being made to study a subject that they do not want to study, but on those in the classroom who do want to study French or German. The class is perhaps being disrupted by those who do not want to study.

I believe that we have made the right decision in allowing such choice as part of a broader loosening of the curriculum, but my hon. Friend is absolutely right to say that simply leaving the matter at that would be a fundamental error. That is why we have addressed the primary entitlement, about which I have spoken. That is also why the languages strand of the key stage 3 strategy is so important. It is also why we have addressed the situation for those aged 14-plus, in terms of encouraging language learning, even though it is optional.

Many schools have opted and will opt to retain compulsory language teaching. At least half of all schools are likely to do so. Clearly, the specialist language colleges that I have mentioned will, by their nature, maintain compulsion, but many other schools will also opt to do so. The danger is that schools in more challenging circumstances, which serve more deprived communities, will be less likely to maintain compulsion. We must ensure that young people and children in those schools get the opportunities that we expect to be available to all young people and children to carry on learning languages through their educational careers.

My hon. Friend asked me specifically about monitoring. We monitor the situation carefully, although the new arrangements are not yet in place. Schools are making their preparations for changing to the optional arrangements for next year, and we will monitor that very closely. My hon. Friend mentioned post-16 education, and we want to ensure that we have the best possible quality and choice at that stage, because many young people give up studying languages at 16.

Languages are part of national campaigns to promote adult learning, such as the adult learners week that is run for the Department by the National Institute of Adult Continuing Education. We are promoting a range of ways to achieve language qualifications—for example, at level 2—and we are working closely with local learning and skills councils to ensure that particular needs are met. We encourage further education institutions to work with local schools in support of the strategy, and we need FE institutions to promote the advantages and social, cultural and economic value of taking a further education course in languages.

My hon. Friend reminded the House that the strategy commits us to increasing the number of higher education students taking modern foreign languages as all or part of their degree. That is an important element of the strategy and we will work with HE institutions on that. We will also encourage HE institutions to work more closely with both primary and secondary schools to support the broader languages strategy.

As my hon. Friend pointed out, there are sound economic as well as cultural reasons for learning a foreign language. Language graduates and those studying languages alongside their main degree have better job prospects than average. Modern foreign language graduates have lower unemployment rates than those in other subjects, such as engineering and technology, media studies and computing. Businesses tell us that they are losing vital business because their staff lack the language and cultural competence that is so crucial to our economic future.

[Mr. Twigg]

The national recognition scheme is at the heart of the language strategy launched last year. We are developing a national voluntary scheme that will complement existing qualification frameworks and give people credit for their language skills. That scheme will form part of the answer to my hon. Friend's challenge about 14 to 16-year-olds who do not want to study for a language GCSE but who want to continue with language learning. The scheme will have a number of grades with "can do" statements for each of the four skills of reading, writing, speaking and listening. For example, speaking grade 5 would be achieved if a person

> "can give a short prepared talk, on a topic of my choice, including expressing simple opinions."

We have identified a preferred contractor to take forward that development and the scheme will be launched nationally in September 2005 in eight languages. A year later we will add other languages, including important community languages such as Punjabi, Urdu, Gujarati, Greek and Turkish. That scheme demonstrates that we are serious about our languages strategy and that we recognise some of the dangers that my hon. Friend mentioned.

With the changes at key stage 4, I am confident that the primary strategy and the new focus on secondary education and beyond will start to reverse the gloomy picture that my hon. Friend painted. In the future, we will ensure that we have the language needs of our young people at heart and we will make progress, both culturally and economically.

The motion having been made at Seven o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Seven o'clock.

House of Commons

Wednesday 3 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

WAYS AND MEANS

SESSIONAL RETURNS

Ordered,

That Returns be laid before the House for Session 2002–03 of information and statistics relating to—

(1) Business of the House;

(2) Closure of Debate; Proposal of Question and Allocation of Time (including Programme Motions);

(3) Sittings of the House;

(4) Private Bills and Private Business;

(5) Public Bills;

(6) Delegated Legislation and Regulatory Reform Orders;

(7) European Legislation, etc;

(8) Grand Committees;

(9) Chairmen's Panel; and

(10) Select Committees.—*[The First Deputy Chairman of Ways and Means.]*

Oral Answers to Questions

NORTHERN IRELAND

The Secretary of State was asked—

Belfast Agreement

1. **Mr. Andrew Robathan** (Blaby) (Con): If he will make a statement on the current state of progress on the Belfast agreement. [141214]

The Secretary of State for Northern Ireland (Mr. Paul Murphy): We believe that the agreement remains the only political framework that is capable of securing the support of both communities in Northern Ireland, and we are committed to its implementation. We are inviting the Northern Ireland parties to participate in the forthcoming review, which will consider how it might operate more effectively.

Mr. Robathan: It is now five and a half years since the Belfast agreement, in which all parties confirmed that they would

> "achieve the decommissioning of all paramilitary arms within two years"

of referendums, which were held in May 1998. Is it any wonder that the majority Unionist community is entirely disillusioned with the Belfast agreement? When will the Government uphold their own agreement and compel Sinn Fein, inextricably linked to the IRA, to give up its terrorist arsenal?

Mr. Murphy: The hon. Gentleman is right in the sense that decommissioning is an important part of the Good Friday agreement. Of course it is. Attempts were made before the elections, back in October, for further decommissioning. The issue has not gone away and of course we have to address it, but I still believe that the majority of people in Northern Ireland are in favour of the Good Friday agreement. I said that the review will consider how the agreement has operated in the past four years. However, any accommodation for governing Northern Ireland has to take into account the fundamental principles of that agreement: the sharing of power between nationalists and Unionists, based on the principles of consent and of a non-violent democratic Northern Ireland.

Mr. Seamus Mallon (Newry and Armagh) (SDLP): The Secretary of State knows that the Democratic Unionist party has been in political discussions with the Irish Government for some time. What information have the Irish Government given to the Secretary of State that indicates clearly that, in effect, the DUP wants to work the agreement rather than smash it? Will the Secretary of State say, on the basis of that information and his meetings with the DUP, when we might expect these poachers to become gamekeepers?

Mr. Murphy: My hon. Friend knows that we face challenging and interesting times. That does not mean, however, that all the parties that were elected to the Assembly in last week's elections will not be talking. My meetings over the past couple of days indicate that all parties will be in a position to talk to me about the issues that affect the Good Friday agreement. So far as the Irish Government are concerned, the Taoiseach made it absolutely clear that he is prepared to engage in discussions and negotiations on various issues in the review. I understand, too, from the Democratic Unionist party that, where appropriate, it would not be averse to talking to the Irish Government.

Mr. David Trimble (Upper Bann) (UUP): Does the Secretary of State agree that recent events have not changed the underlying problem? Indeed, if anything, they have brought that problem into sharper focus. As other hon. Members suggested, the problem is the failure of republicans to deliver the end of paramilitarism and the full decommissioning that the agreement presented. Should not the Secretary of State focus on that rather than re-arrange the details through a review that looks only at the mechanics of the institutions and their operation? Should he not keep the focus on the failure of republicans to deliver peace, wholly and completely? What we need is not just a further act of decommissioning, but the completion of that process and to address properly the winding up of paramilitary organisations.

Mr. Murphy: The right hon. Gentleman is right. We cannot avoid the issues that he describes. Of course it is important to deal with issues such as decommissioning, the end of paramilitary activity and the need to move towards a wholly peaceful and democratic society in

Northern Ireland. Those discussions and negotiations, in which he was involved in October, must resume. At the same time, he knows that under paragraph 8 of the Good Friday agreement we are obliged to hold a conference on reviewing it, but in no way does that diminish the fact that his points are valid.

Mr. Harry Barnes (North-East Derbyshire) (Lab): However the DUP feels about the Belfast agreement, are not its Members obliged to go along with it, if only because of acts undertaken by the Provisional IRA to end its role in beatings, exiling people, holding arms and racketeering? If that is out of the road, the DUP and Sinn Fein can unite democratically in the Executive.

Mr. Murphy: More than 70 per cent. of those elected to the Northern Ireland Assembly last week support parties that are in favour of the Good Friday agreement. I believe that the fundamentals of that agreement in terms of the accommodation that we need to arrive at are common to many in Northern Ireland, perhaps even those who never voted for the agreement in the first place. My hon. Friend is right to say that we cannot avoid the issues that he describes—of course we cannot. However, the immediate matter facing us is that we must try to restore the institutions of the Assembly and the Executive, but the issues that prevented the restoration of the Executive are still with us and need to be resolved.

Mr. Nigel Dodds (Belfast, North) (DUP): Will the Secretary of State accept that the process requires the support of Unionists as well as nationalists, and that in last week's elections a clear majority of Unionists voted for change and for an end to the current process, which has failed, stalled and needs to be replaced? Will he not accept the fact of the election: that the DUP won more votes than any other party and more seats than any other party? However much he, his colleagues and other hon. Members may not like that or may choose to ignore it, will he now give an undertaking that the Government will stop isolating, marginalising and excluding the real representatives of Unionism and instead work with us to find a better way forward for Northern Ireland—a stable way forward, an accountable and democratic way forward, one that does not elevate—

Mr. Speaker: Order. Supplementaries are supposed to be brief.

Mr. Murphy: Of course we recognise that there has been a change in the electoral geography of Northern Ireland. Of course we accept that parties, including the hon. Gentleman's, have now been elected with mandates. However, he will know that with those mandates comes responsibility. The responsibility lies on us all—on his party, on all the parties in Northern Ireland and on the two Governments—to try to ensure that we can restore our institutions in Northern Ireland. I am sure that the hon. Gentleman agrees with me that, although times are challenging and difficult, Northern Ireland is a much better place than it was 10 years ago because of what has happened under the Good Friday agreement and others.

Lembit Öpik (Montgomeryshire) (LD): As the longest-serving Front-Bench spokesman on Northern Ireland, on behalf of the whole House, I welcome the hon. Member for Aylesbury (Mr. Lidington) to his new role.

The non-sectarian Alliance party, which held all six of its seats, has repeatedly called for the review of the agreement to commence. Will the Secretary of State assure us that he will begin that review before Christmas? That dialogue with all parties, including the Alliance and the DUP, is much better than back-door unilateral deals which, after all, are in part responsible for the current impasse?

Mr. Murphy: Yesterday, together with the Irish Foreign Minister, I wrote to all the parties in Northern Ireland asking them to tell me and my colleague in Dublin what issues they felt needed to be addressed in the review and what the process and procedure of that review should be. I expect replies by the end of December, and the hon. Gentleman can rest assured that the review will start when we come back after the Christmas break.

Mr. Dennis Skinner (Bolsover) (Lab): I wonder if there is a system over there in Northern Ireland in which after an election, there is a swearing-in process, and when people have sworn in, they get paid. May I take it that the new Assembly Members will get paid, even though they are going to sit on their hands?

Mr. Murphy: I am not sure what they are going to sit on—*[Laughter.]* What is certain is that Members of the Legislative Assembly will be paid 70 per cent. of their salaries, as they were when the Assembly was suspended a year ago. There are two reasons for that. First, when Members are elected to a Parliament, such as our own or the Northern Ireland Assembly, they expect the Parliament to meet; however, for various reasons, the Assembly cannot do so and, for all the reasons that I have just described, we cannot restore it. Secondly, my hon. Friend can rest assured that that is not a permanent solution and that we shall carefully review it regularly.

Mr. David Lidington (Aylesbury) (Con): I start by wishing the Secretary of State well in his forthcoming talks with the leaders of the Northern Ireland political parties. Although the Opposition have never treated bipartisanship as though it were a blank cheque, we shall, as far as we can, continue to support the Government in the search for a political settlement that is acceptable to both communities in Northern Ireland.

Does the Secretary of State agree that the failure by both republican and so-called loyalist paramilitaries to complete decommissioning more than five years after the Belfast agreement is in flat contradiction of the commitment written into that agreement to exclusively democratic and peaceful means? Will he give an assurance today that, during the talks and the forthcoming review, the Government will give an overriding priority to securing not only the greater transparency that we all want to see, but a clear timetable for the completion of the decommissioning process?

Mr. Murphy: I congratulate the hon. Gentleman on becoming the shadow Secretary of State for Northern Ireland. I know that he has a great interest in these matters and I wish him well in his new job.

The hon. Gentleman is right that decommissioning and the other issues to which he referred are an important part of the Good Friday agreement. These issues were dealt with in the joint declaration. They were dealt with by the right hon. Member for Upper Bann (Mr. Trimble) and Mr. Gerry Adams in a succession of different meetings before the election. Those issues have not gone away. It is important to prioritise the issues that the hon. Gentleman has identified. Clearly, the restoration of the institutions depends not solely on these particular matters, though they are extremely important, but also in trying to get an accommodation between parties in Northern Ireland that have been given mandates in the election.

Mr. Lidington: The Secretary of State referred to this year's joint declaration. Does he recall that in the joint declaration the Government's proposed two-year programme of security normalisation was declared to be conditional upon

"acts of completion and with positive community support for the police at all levels."

Will the right hon. Gentleman confirm that those conditions still apply and that the Government will not withdraw troops or make the other proposed changes to security policy unless those conditions are met?

Mr. Murphy: We have not reached the point at which we can give any dates or timetables on those condition elements. The hon. Gentleman is right in pointing to the parts of the joint declaration that identify them. Our concentration at the moment must be on the restoration of the institutions, and that is why we will be talking with all the political parties in the days and weeks ahead.

Antisocial Behaviour

2. **Rev. Martin Smyth** (Belfast South) (UUP): What plans he has to bring forward legislation in the period following elections to the Assembly to deal with antisocial behaviour in Northern Ireland. [141215]

The Minister of State, Northern Ireland Office (Mr. John Spellar): I am considering measures to deal with antisocial behaviour, and in particular whether something similar to an antisocial behaviour order could be developed that could operate within the different local government structures that exist in Northern Ireland.

I plan to consult soon on a package of measures, including legislative changes, to tackle antisocial behaviour.

Rev. Martin Smyth: I welcome the Minister's positive response. Will he give us a guarantee that the package will not be unduly delayed? We must bear in mind that housing associations continue to allocate housing to people who have been moving from one place to another. They are jumping the queue because of their antisocial behaviour, to the consternation and destruction of good communities.

Mr. Spellar: I take the points made by the hon. Gentleman. He and the impressive delegation from his constituency made those points in detail when they came to see me. I stress, first, that I intend to consult fairly soon. Secondly, the issue is about not only legislative changes, but the administration of the system and making sure that the Housing Executive, housing associations and other Government agencies take these matters seriously at all levels and implement actions in real time to the benefit of well-behaved orderly citizens and their families, who should not have their lives, their family life and their neighbourhoods disrupted by antisocial elements.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Does the Minister agree that if the acts of normalisation in the joint declaration—to which my hon. Friend the Member for Aylesbury (Mr. Lidington) referred—are to take place, not only antisocial behaviour, but punishment beating, racketeering and other criminal acts must cease? Will he urge all the democratic parties that took part in last week's elections to support the police to ensure that that happens?

Mr. Spellar: May I first congratulate the hon. Gentleman on his new Front-Bench appointment? We have made our opposition to all forms of paramilitary behaviour very clear. The hon. Gentleman is indeed right that that is an additional factor in the problems on some housing estates. However, none of that detracts from the responsibility of state agencies to ensure that people who are committing acts of antisocial behaviour and have persistent patterns of offending are dealt with rapidly and effectively for the benefit of orderly families and estates.

Irish Hare

3. **Mr. Colin Pickthall** (West Lancashire) (Lab): What measures he is taking to halt the decline in numbers of the Irish hare. [141216]

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): The Department of the Environment in Northern Ireland is currently considering a number of steps. We have a species action plan to double the number of Irish hares by 2010 and we are reviewing whether the Irish hare should be given protection at all times under the Wildlife (Northern Ireland) Order 1985. Meanwhile, I am looking at a proposed temporary ban on the killing or taking of Irish hares, and we are encouraging the provision of Irish hare sanctuaries by landowners.

Mr. Pickthall: I warmly congratulate my hon. Friend on advancing and strengthening the decision made by Assembly Members in 2001 to restrict the hunting of hares. I welcome the temporary ban, which will mean no hunting or coursing of Irish hares in Northern Ireland, but if and when the scientific evidence again shows that hare numbers are under severe pressure, will she find the means to ensure that the ban is made permanent and the hare is removed from the list of quarry species?

Angela Smith: My hon. Friend's interest in the issue and his concern about protecting the hare are well-founded. I can assure him that when we look at the

Wildlife (Northern Ireland) Order all scientific evidence will be taken into account. After consultation it will be the appropriate measure to use to end the killing of all hares.

David Burnside (South Antrim) (UUP): The Minister will be aware that I used to be retained as a consultant to the Countryside Alliance, as she was retained by the League Against Cruel Sports. From our different points of view, we both admire that noble animal, the Irish hare. Why is she using her personal prejudice, as hare coursing is muzzled in Northern Ireland? No animals are killed and a professor and a doctor of biochemistry from Queen's university, Belfast say that

"hare coursing clubs benefit the Irish hare population".

The Minister is showing personal bias against country people—*[Interruption.]*

Mr. Speaker: Order. The House is getting far too noisy again, and it is important that I hear the Minister's answer.

Angela Smith: Thank you, Mr. Speaker. I am glad that the hon. Gentleman declared his personal interest. My interest concerns the welfare and numbers of the Irish hare. Unfortunately, the hon. Gentleman misquoted Professor Montgomery, who did not say what was cited. In fact, it was Professor Montgomery who first asked the Department to consider removing the Irish hare from the list of quarry species. However, all those matters will be considered in the light of scientific evidence. There is no way in which I could allow the netting of hares for hunting and coursing following the Assembly's decision to protect the Irish hare.

Broadband

4. **Judy Mallaber** (Amber Valley) (Lab): What plans he has to encourage the take-up of broadband services in Northern Ireland. [141217]

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): Invest Northern Ireland is currently undertaking a major programme to encourage the take-up of broadband services by small and medium-sized businesses, including the provision of both practical advice and financial support to businesses.

Judy Mallaber: Getting businesses to take up broadband is extremely important, but at the moment, while 22 per cent. of businesses in the UK have taken it up, the figure is only 12 per cent. in Northern Ireland. Will my hon. Friend explain exactly how he intends to raise that figure to the welcome target of 20 per cent. by 2005?

Mr. Pearson: My hon. Friend takes a keen interest in telecommunications issues, and is right that at the moment we lag behind the rest of the UK in broadband take-up. We have a clear strategy on take-up, and there is a financial package that provides up to £5,000 of installation and first-year running costs to businesses. We have a major programme of awareness events to promote broadband, and we currently have a tender to ensure that we improve access to broadband. At the moment, only 65 per cent. of companies have access to broadband, which is a significant problem, but we are sorting it out.

Mr. Roy Beggs (East Antrim) (UUP): Is the Minister in a position as yet to indicate who will be the successful tenderer to provide broadband internet services across Northern Ireland? Does he agree that the talent and ability of locally based companies in Northern Ireland should be harnessed by the successful bidder so that broadband is rolled out, and so that all our councillors, for example, can be contacted by e-mail and so on at their local councils?

Mr. Pearson: I obviously cannot disclose the results of the tender exercise, which is still in its final stages. We hope to be able to make an announcement shortly, when the evaluations have taken place. Obviously, we are bound by EU procurement rules, but I am keen to encourage and support Northern Ireland indigenous businesses. A number of them already provide broadband services across the region, and as a Government, we are certainly committed to providing support to them as they go forward.

Devolution

5. **Helen Jackson** (Sheffield, Hillsborough) (Lab): What assessment he has made of the prospects for reinstatement of devolved government in Northern Ireland following the elections to the Assembly. [141218]

The Secretary of State for Northern Ireland (Mr. Paul Murphy): As the Assembly election showed, the main parties and the great majority of the people who voted for them want to see devolved government. The future of devolution now depends on engagement among the parties. We shall provide all the help we can to secure a basis on which the Assembly can be restored and a functioning Executive quickly established on a stable and inclusive basis.

Helen Jackson: I thank the Secretary of State for that answer. I congratulate all those who have been newly elected to the Northern Ireland Assembly. Can he assure me that, as he works with the parties and the Taoiseach in Dublin on how to restore the devolved institutions, he will draw into those negotiations and discussions all those who have been newly elected and are indeed drawing 70 per cent. of their salary, so that they have a job to do?

Mr. Murphy: I can give my hon. Friend precisely that assurance. She will know that the way in which the Good Friday agreement was created, and the reason for its success, was that everybody was involved in the discussions and negotiations. All parties in Northern Ireland will have that opportunity to discuss among themselves, with me and with the Irish Government how we restore devolved institutions in Northern Ireland. *[Interruption.]*

Mr. Speaker: Order. I again appeal to the House: it is far too noisy, which is unfair to Northern Ireland Members and others who are present.

Mr. Andrew Mackay (Bracknell) (Con): As the restoration of devolved government is now less likely because of last week's elections, is it not clear that there is a need to draw lessons from those elections? Is not the most important lesson that a lot of decent, moderate people in Northern Ireland rightly voted for the agreement after receiving handwritten pledges from the Prime Minister, but those pledges have now been broken? Can we have an undertaking that the Prime Minister will not break further pledges and harm the peace process in Northern Ireland?

Mr. Murphy: I certainly do not think that my right hon. Friend the Prime Minister is harming the peace process in Northern Ireland—far from it. I think that the commitment that he has made to peace in Northern Ireland is exceptional. I agree with the right hon. Gentleman that it is, of course, more difficult and challenging to restore the institutions, but I also remind him that, compared with the problems, challenges and difficulties of the past, it is still a possibility.

Kevin Brennan (Cardiff, West) (Lab): Is it not the case that the Belfast agreement had the support of the majority of people in Ireland, both north and south, and represents an international treaty, which means that it cannot be renegotiated? Therefore, is it not the responsibility of every constitutional party, including the Democratic Unionist party, as the largest Unionist party in Northern Ireland, to now sit down and form a Government?

Mr. Murphy: My hon. Friend is right that the Good Friday agreement is based on an international treaty and, of course, on the results of referendums north and south. At the same time, he is also right that all the parties elected to the Assembly last week need to play their part in restoring devolution. He will know that I met the Democratic Unionist party this week, and I believe that further discussions will take place between us.

Rheumatoid Arthritis

6. **Lady Hermon** (North Down) (UUP): What steps he is taking to increase the availability of anti-TNF drug treatment for rheumatoid arthritis in Northern Ireland. [141219]

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): Extra recurrent funding has been provided, which has started the first phase of a three-phase project with a view to extending those therapies to 60 more arthritis sufferers by the end of the year. However, the decision on the appropriate therapy for an individual patient is a matter for the clinician concerned, in consultation with the patient.

Lady Hermon: I am grateful to the Minister for that reply, and I welcome it, but will she kindly clarify whether the Government have any plans to compensate rheumatoid arthritis sufferers in Northern Ireland for the Government's failure to extend the appropriate National Institute for Clinical Excellence guidelines to Northern Ireland at the same time as they are extended to England and Wales?

Angela Smith: It is important to ensure that the NICE guidelines apply to Northern Ireland. We are actively considering that and will make moves to do it as soon as is practical.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [141229] **Dr. Andrew Murrison** (Westbury) (Con): If he will list his official engagements for Wednesday 3 December.

The Prime Minister (Mr. Tony Blair): Before I list my engagements, I am sure that the whole House will join me in expressing our deep condolences to the Spanish and Japanese Governments and to the families of those who were killed in the attacks in Iraq at the weekend. Despite those attacks, both Governments are determined to continue helping the coalition to form a democratic and prosperous country for the Iraqi people, by the Iraqi people.

This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House, I will have further such meetings later today.

Before the hon. Gentleman asks his question, I should say that I understand that he recently returned from duty in Iraq as a royal naval reservist. I thank him for the valuable contribution that he has made.

Dr. Murrison: I thank the Prime Minister for that, and I certainly join him in the condolences that he expressed.

As the Prime Minister said, I recently served in Iraq, where, sadly, the security situation is deteriorating. A fortnight ago, the Minister of State for Defence wrote to me to say that military vehicles in theatre will not all be provided with the vehicle protection kit that is necessary to safeguard our men and women until well into the new year. I hope that the Prime Minister will agree that that is a highly unsatisfactory state of affairs and that he will do what he can to remedy it.

The Prime Minister: I will certainly look into the specific point that the hon. Gentleman raises. Of course, it is important that our troops have all the protection that they need. I think that he would accept that, although the security situation in Iraq is extremely difficult, one thing is very clear: the coalition forces, particularly the British troops down in the south, are doing everything that they can to make life better for the Iraqi people. The irony of the situation is that despite the terrorist attacks, much that is valuable is being done in Iraq for the Iraqi people. That is why it is so important that we continue to fight the terrorists and to make progress for the Iraqi people, then to prepare for the handover of power to the Iraqi people, which will give Iraq democratic government for the first time.

Mrs. Lorna Fitzsimons (Rochdale) (Lab): Will my right hon. Friend join me in welcoming today's lobby with the National Union of Students? Speaking as an ex-president of that august body, will he take some gently given advice? The biggest barrier to access for people from my community is not debt but the absence of the aspiration to go into higher education, because even when we had the full grant, only 20 per cent. of people from the poorest communities went to university.

The Prime Minister: I am sure that my hon. Friend is right. The Government proposals are far more fair than the existing system or what went before, because they abolish the up-front fee altogether and make it a graduate repayment scheme. The point that my hon. Friend makes is absolutely right: we need to widen access to our universities and to fund the system fairly. It is important that we manage to do that without putting all the burden on to the general taxpayer, the vast majority of whom have not been to university.

Mr. Michael Howard (Folkestone and Hythe) (Con): Yet again, I join the Prime Minister in sending my condolences to the Governments and families of those who lost their lives in the most recent tragic incidents in Iraq.

How many people in the big conversation have told the Prime Minister that they want top-up fees?

The Prime Minister: Many people, including those in universities, believe that this is essential in order to widen access. This morning, we heard an interesting contribution to the big conversation from the right hon. and learned Gentleman's own spokesman on higher education, who said in respect of universities:

> "I do accept that there has been under funding, not just under the Conservative government but in the last 7 years as well".

Now, if we both agree that universities are underfunded, how does the right hon. and learned Gentleman's proposal of scrapping fees and taking £500 million a year out of universities help either universities or students?

Hon. Members: Answer.

Mr. Speaker: Order. I do not want the Secretary of State for Education and Skills shouting at the Leader of the Opposition. It is difficult enough when Back Benchers, who are far away, do that but worse when the shouting is within earshot.

Mr. Howard: Let me remind the Prime Minister that it is my duty to ask questions on behalf of the country and his to answer questions on behalf of the Government. If he wants to swap places with me, I am happy to do that today, tomorrow, next week, next month—any time he likes. However, for the moment, it is his duty to answer the questions. He did not answer the first question, so let us try again.

If, in the course of the big conversation, a majority of people say that they do not want top-up fees, will the Prime Minister listen to them and withdraw his proposals?

The Prime Minister: Of course we will always listen to what people say. However, they are saying that we need to fund lifelong education, which includes pre-school, adult skills and higher education. I want to enter into conversation with the right hon. and learned Gentleman because people have a choice: our proposals, which mean that graduates pay back something that is linked to ability to pay, or his proposals. A day or two ago, the head of Universities UK said about the Conservative proposals:

> "The result would be that, by 2010, more than 460,000 eligible young students would be denied places at university".

The right hon. and learned Gentleman wants a conversation, so let us have one. Does his policy stand?

Mr. Howard: Let me make it clear: this grammar school boy will take no lessons from that public school boy on the importance of children from less privileged backgrounds gaining access to university. If the case for top-up fees is so overwhelming, why, only two years ago, did the Prime Minister promise in his manifesto not to impose them? He appears to have forgotten that, at the last election, we both stood on manifestos that promised not to impose top-up fees on students. The difference between us is that I am honouring our manifesto pledge and he is breaking his.

I want to get back to the big conversation. If, during that, people say that they do not want his foundation hospitals, will he listen to them and withdraw the proposals?

The Prime Minister: I have said that of course we will listen to people, but we must deal with the facts. The right hon. and learned Gentleman remarked that he was a grammar school boy and I am a public school boy. Many people went neither to grammar schools nor to public schools. Let us consider their interests. Surely it is in their interests to be able to go to university and for university places to be available. He wants to debate policy. Here is the policy choice: if we want to increase the number of people going to university and— *[Interruption.]* Conservative Members say, "What's the point?" I shall tell them: the point is to offer educational opportunity to all not a few. If the right hon. and learned Gentleman admits that, as his spokesman says, universities are currently underfunded, where does the extra money come from: general taxation or graduate repayment? Let us have a straight answer from him in this big conversation.

Mr. Howard: The question was about hospitals. Three questions have been asked and none answered. Let us try again. People are interested in the conversation; they want to know where the Prime Minister stands. If, in the big conversation, people make it clear that they want a say on the European constitution, will the Prime Minister give them a referendum?

The Prime Minister: We have not got the European constitution yet. As the right hon. and learned

Gentleman may have noticed, it happens at the end of this month. If he wants me to deal with hospitals, let us deal with hospitals. *[Interruption.]* Oh yes, we will deal with hospitals. *[Interruption]* He wanted me to deal with it, now suddenly he does not. That is because he does not want to deal with the choices on the NHS either, so let us go to the NHS and the choices. We have a report this morning on the national health service saying that, as a result of the extra investment, we have more nurses, more doctors and more people being treated and treated more quickly. Now, we are in favour of that extra investment going in. Here is another point in the big conversation: is he in favour of it or not?

Mr. Howard: It really does not bode well for the big conversation if in this quite small conversation the Prime Minister is not prepared to answer the questions. If he is not prepared to listen to the answers that he gets on top-up fees or on foundation hospitals or on the European constitution, what on earth is the point of this ludicrous exercise? Does not he realise quite how ridiculous he is beginning to look? If he will not listen to the people, why on earth should anyone listen to him?

The Prime Minister: But we do listen to people. We listen to them—*[Interruption.]* Oh yes. Let me tell the right hon. and learned Gentleman how we have listened to people. We listened to people after 18 years of Conservative government and let me tell him what they told us. They said they wanted an end to boom and bust economics, and we provided it. They said they wanted an end to mass unemployment, and we provided it. We are talking about the future—things for which we have answers and he has none. We have talked to people about the national health service. They say they want that extra investment going into the health service. We have a report this morning showing that people are getting better treatment as a result. Now, in this conversation—small, I admit, between me and him, and rather closed on his part—is he prepared to commit the Conservative party to matching our NHS spending?

Jim Sheridan (West Renfrewshire) (Lab): My right hon. Friend may be aware of yesterday's major lobby by construction workers from the oil industry, expressing concern about the importation and exploitation of cheap foreign labour in this country. Will he take seriously the concerns expressed? In my view, regardless of what gear he may be in, if we do not take seriously the concerns expressed by the workers, some of us on this side of the House may be looking out our old working gear.

The Prime Minister: My hon. Friend is right to draw attention to the issues in manufacturing industry. Of course, one of the main issues there is to ensure that we have modern apprenticeships where we can get the skilled work force of the future. That is why it is important that the Government are increasing those to about 200,000 modern apprenticeships a year. The other thing for industry is to ensure that we have stability in our economic conditions. The reason we have that stability is low interest rates, low inflation and low unemployment.

The one thing that I would say to my hon. Friend, however, is that I do not think it right to promise people that we can stop jobs changing in this modern economy. What we can do is help people to get new jobs.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): Given that the Prime Minister and Downing street have made it clear on top-up fees that he is prepared to go to the wire, that he is putting his job on the line and that there is no turning back, can he clarify for Parliament whether that means that whenever this vote comes he will regard it as a vote of confidence in his Government?

The Prime Minister: I answered that question yesterday. Of course it is important for the Government; all these votes are important for the Government. The important thing between now and the vote is an argument about the alternatives. We have had the alternatives from the Conservative party. It would be terribly unfair and regressive to cut the number of people able to go to university. What is the right hon. Gentleman's alternative? His alternative is to raise the top rate of tax to 50 per cent. That is completely unfair, because there is no way—*[Interruption.]* Yes it is unfair, because there is no way that he can fund all the commitments that he has out of that top rate of 50 per cent.

Mr. Kennedy: The Prime Minister has confirmed the fundamental importance of that vote, when it comes. Therefore he is saying that he is prepared to force his MPs through the Lobby on a confidence vote to introduce a policy in direct contravention of what his party said in its manifesto. Is that the action of a Prime Minister who is a strong leader or, in fact, an increasingly desperate one?

The Prime Minister: What is interesting about both sets of exchanges is that neither Opposition leader has wanted to argue about the merits of the policy for the simple reason that the longer this argument goes on, the clearer it will be what the alternatives are. We have exposed the Conservative alternative, so let me expose the Liberal Democrat alternative.

I have recently had an opportunity to examine the Liberal Democrats' spending proposals. They say that they will finance everything they do for students out of a 50 per cent. top rate of tax. Seven of their spending proposals alone—ending prescription charges; free personal care for the elderly; extra pay for doctors and nurses; and commitments on pensions, small businesses and villages halls—amount to more than £12 billion, and that is before we get to their proposals on student finance. They are telling students that, with the money collected from the top rate taxpayer, they will fully restore all grants, abolish all fees, and provide big rises in university salaries. They even have a commitment to pay benefits to students during the summer holidays so that they do not have to take summer jobs. Taken together, those commitments amount to more than £15 billion. It is wholly dishonest to pretend to people that they will get £15 billion from top rate taxpayers. Until the right hon. Gentleman has a serious alternative to put forward, he will not have a serious party.

Mr. Peter Pike (Burnley) (Lab): My right hon. Friend will know that yesterday Philips LG announced that it was to close the glass factory at Simonstone, at which I used to work before I became a Member of Parliament. The factory is in the Ribble Valley constituency, but most of the workers reside in mine. Does my right hon. Friend accept that, while we must fight to save that factory, because of the new deal and what the Labour Government have done, those workers now have a better chance of getting a job when the factory closes next year than they would have had under the Tories 20 years ago?

The Prime Minister: My hon. Friend makes an important point. In any economy, from time to time people will lose their jobs. What is important is that the Employment Service and the new deal provide additional hope for those people, so that if they lose their job, they can at least have some hope of moving on to fresh employment. The solution offered by the Conservative party, which is to scrap the new deal that has helped 800,000 people, would return us to precisely the days when the right hon. and learned Gentleman was Employment Secretary and unemployment was more than 3 million.

Q2. [141230] **Bob Russell** (Colchester) (LD): Will there be legislation to ban hunting in this parliamentary Session?

The Prime Minister: As I said when I was asked this question during the Queen's Speech debate, we have said that we will resolve the issue in this Parliament, and we will resolve it in this Parliament.

Llew Smith (Blaenau Gwent) (Lab): If no weapons of mass destruction are found in Iraq, would this Parliament be right to expect resignations to follow at the highest level of Government?

The Prime Minister: The reason that we took the action in Iraq was that, as the United Nations itself stipulated last November, it was clear that Saddam Hussein was a threat. It is also absolutely clear to me that weapons of mass destruction are a real issue, not just in Iraq but in the wider world. I believe entirely in the information that was given to us at the time. We will carry on the search for those weapons through the Iraq survey group, which should be allowed to complete its work before anyone makes up their mind.

Q3. [141231] **Mr. Richard Bacon** (South Norfolk) (Con): Given the need to protect investors and encourage personal saving, does the Prime Minister agree that when banks like Abbey National expose customers, such as my constituents Roger and Mary Mayhew, to inexperienced and poorly trained staff who give bad advice and then leave the company, there is a special responsibility on financial institutions to protect their customers and uphold the clear verbal commitments that have been given?

The Prime Minister: I am sorry that the hon. Gentleman's constituents have had that experience. In general terms, he is right that there is such a duty. We have tried to put in place a robust regulatory regime for investment advice through the Financial Services and Markets Act 2000, which gives the Financial Services Authority a clear remit to regulate the financial industry. If individuals are dissatisfied with the advice that they receive, or feel that they have had advice from people who are not properly qualified to give it, they can refer their complaint to the independent financial ombudsman service to help to resolve the dispute. I am sure that if that is done they will at least have a process through which to gain redress.

In general terms, I agree with the hon. Gentleman. I understand that new guidance on this subject will be issued in the not-too-distant future.

Kali Mountford (Colne Valley) (Lab): May I thank my right hon. Friend for listening to the all-party group on domestic violence and for bringing forward a Bill on domestic violence, which many of us waited decades for? Will he ensure that the systems are robust and will spearhead other legislation so that when victims bring complaints, they feel secure that they will be taken seriously, and that systems are in place to support them through going to court and afterwards, so that they are safe in their own homes?

The Prime Minister: It is an important measure and I hope that it will gain support from all parts of the House. It amounts to the biggest overhaul of domestic violence legislation for somewhere in the region of 30 years. We are putting nearly £20 million this year into building new refuge places and over £50 million into refuge provision through the supporting people programme. It is worth pointing out that this is one of the key areas of violent crime in the country and that about two women every week lose their lives through domestic violence, so tougher measures together with support is the right way to go. As I say, I hope that recommends itself to the whole House.

Q4. [141232] **Mr. Alan Duncan** (Rutland and Melton) (Con): Given what the Prime Minister said in response to the leader of the Liberal Democrats, does he believe that his own party now believes that the vote on top-up fees is a vote of confidence in him?

The Prime Minister: I am afraid that I have nothing to add to what I said earlier. Of course, it is an important vote. I hope that people make up their minds on the merits, but let us have a debate then about the merits of the respective proposals. What is very interesting in this debate is that it seems to me that I am the only one who actually wants to talk about the disciplines imposed by facing up to the future challenges that this country faces. If we are going to finance higher education in a fair way, it cannot be right that the ordinary taxpayer has to do it all. A system that abolishes up-front fees and allows people to make a modest contribution, a fair amount, once they are graduates, seems to me a fair way to go. If there are alternatives, let us hear them.

Mr. Brian H. Donohoe (Cunninghame, South) (Lab): What more does the Prime Minister intend to do about the scourge of AIDS in the world, given that the statistics in Africa are now reaching epidemic proportions? We need to put more effort into that campaign.

The Prime Minister: It is important that we first recognise the scale of the problem. Some 20 million people have already died. A further 3 million people will die this year of HIV/AIDS. It is a true crisis of international proportions. Not merely are we doubling our funding to UNAIDS but we are the second biggest bilateral donor after the United States on HIV/AIDS and our funding has increased sevenfold over the past three years. It is almost £300 million in this financial year. We have to do everything we possibly can to ensure that we put the support in but also reduce the price of the drugs to treat people in some of the poorest countries in the world. We are working with the drug companies to do that, because with the right combination of measures on prevention and treatment, there is no doubt that we can make a significant difference to the problem.

Q5. [141233] **Mr. John Taylor** (Solihull) (Con): Does the Prime Minister recall that, in the previous Parliament, I introduced a Bill on nuisance high hedges, which his Government have now adopted? Can we look forward to his accepting further initiatives from Conservative Members?

The Prime Minister: It has to be said that the hon. Gentleman is a remarkably prescient and sensible Conservative Back Bencher and I am delighted that we have done what he suggested a few years ago. That only goes to show that, on the rare occasions when Conservative party people say sensible things, we listen.

Geraint Davies (Croydon, Central) (Lab): Does my right hon. Friend agree that, in cases of domestic violence, which, as he said, claims the lives of two women a week, it should be the man who is placed in the refuge pending a decision by the court on who should occupy the family home? It should not be the battered woman and screaming children who have to flee the family home away from social networks. When will the criminal justice system put the interests of the victims—the children and the mother—ahead of the interests of violent men and ensure that abusive and criminal men pay the full cost of their action?

The Prime Minister: The Domestic Violence, Crime and Victims Bill will allow the man to be evicted from the home in circumstances of domestic violence but also to be put under greater restraint in terms of his ability to get near either his female partner or the children. It is important to recognise also that the Bill will impose far stricter penalties for breaches of non-molestation orders. It is the combination of the additional money and the stronger penalties that will do the trick.

Q6. [141234] **Mr. Edward Leigh** (Gainsborough) (Con): The armed forces are doing a difficult and dangerous job, acquitting themselves with great skill, professionalism and courage. Is the Prime Minister satisfied that the equipment that they need to do their job properly is being brought into service without the unnecessary slippages and shortcomings highlighted regularly by the Public Accounts Committee?

The Prime Minister: I am as satisfied as I can be of this: we have made it clear to the military that there should be no cost constraint on making sure that our forces are properly equipped for the dangerous work that they are doing in Iraq. Obviously, issues of logistics—what equipment is purchased and how it gets out there—are left to the military, but prompter action is taken on some of these issues than is sometimes suggested. When issues are raised, we look at them carefully.

Q7. [141235] **Alan Simpson** (Nottingham, South): I know that the Prime Minister will be well aware of the musical works of Paul Simon. I am not asking for a rendering of "Fifty Ways to Leave Your Lover", but will he publish the 40 ways that the Department of Education and Skills has identified as possible means of funding the expansion of higher education? If the big conversation is to have meaning, it has to be an informed conversation with the public. By publishing those 40 ways and giving the public a chance to scrutinise and decide for themselves, we might find that they were able to offer us their version of a "Bridge over Troubled Water."

The Prime Minister: First, I congratulate my hon. Friend on his extensive knowledge of Paul Simon's repertoire. Secondly, it is of course important that we have the debate on the basis of the fullest possible information. We are happy to make available the information that we have, but the choice is simple. If we want to expand the numbers going to university and if we believe that universities are underfunded—apparently, that is now the consensus among Labour, Conservative and Liberal Democrat Members—there are only two ways of paying for that. It either comes out of some form of contribution from students, as well as the additional investment from the state, or it comes from general taxation. *[Interruption.]* It is perfectly fair to say that it can come from general taxation. But is it fair to ask the majority of the population, who have not been to university—some of whom are on low incomes—to pay even more taxes so that others can go to university? I do not think so, but let us have the debate based on the real policy options and not on some imaginary hypothesis where everyone can get everything for free and there is no difficulty for everyone else.

Q8. [141236] **Miss Anne McIntosh** (Vale of York): What is more important to the Prime Minister: developing relations with Commonwealth leaders in Nigeria or coming home early to have his picture taken with Jonny Wilkinson?

The Prime Minister: As a matter of fact, I am coming home early not for the rugby reception, but for a private appointment of a different nature altogether.

Q9. [141237] **Tony Cunningham** (Workington): A few years ago, I suggested that if we were not careful with sport in this country, we would end up like the United States, which has a small number of highly professional sportsmen and women while everyone else simply watches sport. With the success of the Rugby Union world cup, the European championships in Portugal and the Olympic bid, we have a huge opportunity to promote participation in sport. Will the Government seize that opportunity?

The Prime Minister: I pay tribute to the work of my hon. Friend on the Tackle Learning initiative, which aims to engage a series of partnerships involving rugby union, rugby league and effective working and learning for young people. Some 80 centres are involved, 90,000 pupils have gained and there is a target of opening at least 100 centres. As he knows, we are spending about £1 billion on school sport. I can assure him that we will do everything we can to encourage youngsters in sport, but also to make sure that sport is not the preserve of a few well-paid athletes and is for ordinary people in our communities. Some will be excellent, some will not, but all enjoy sport.

Q10. [141238] **Mr. Peter Lilley** (Hitchin and Harpenden) (Con): Is the Prime Minister aware that, according to the National Audit Office, between 5,000 and 20,000 people die from infections caught in NHS hospitals, and that according to the European Commission, the problem is worse in this country, and getting worse at a faster rate, than anywhere else in Europe? Will he therefore turn his attention back from the search for elusive biological threats in the middle east to the real biological warfare that is being fought and lost in dirty wards, and through unclean hands, in our under-managed and demoralised health service?

The Prime Minister: First, it is not sensible to set the serious issue that the right hon. Gentleman raises against fighting terrorism in the middle east; both issues are important, and they obviously have to be tackled in different ways. Secondly, the question of infections in hospitals is not new, and we are taking action to try to limit this. Thirdly, yes, there are hospitals in which we obviously need to make further changes and to raise standards, but I hope that he and the vast majority of people will accept—I am not sure that many Conservative Members do accept this—that on the whole, those in the health service do a fantastic job in looking after patients. The vast majority of people get excellent treatment within the national health service, and I do wish that occasionally, particularly on a day when the progress of the health service is being laid before people and is so obvious, he would congratulate it on making progress, rather than continually drawing attention to the defects.

BILL PRESENTED

HUMAN TISSUE

Mr. Secretary Reid, supported by the Prime Minister, Mr. Secretary Blunkett, Mr. Secretary Murphy, Secretary Tessa Jowell, Mr. Paul Boateng, Mr. Peter Hain and Ms Rosie Winterton presented a Bill to make provision with respect to activities involving human tissue; to make provision about the transfer of human remains from certain museum collections; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. [Bill 9].

Points of Order

12.31 pm

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): On a point of order, Mr. Speaker. I seek your advice on a matter relating to early-day motions and the listing of names. What advice would you give to a Member who finds that her name is listed on an early-day motion, even though she never put down her name, and that a subsequent correction of the record has been interpreted as a withdrawal of her name, even though no such thing occurred? My name was never put down and I did not withdraw it—what happened was a mistake.

Mr. Speaker: I thank the hon. Lady for giving me notice of her point of order. I understand that a mistake was made in the Table Office, and that it has apologised to the hon. Lady for any embarrassment that this may have caused. I add that she was right to raise the matter on a point of order, and that it is therefore well and truly on the record.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): On a point of order, of which I have given you notice, Mr. Speaker. You will be aware that today is the exact anniversary of Second Reading of the Planning and Compulsory Purchase Bill. During the intervening year, the Government took the unprecedented step of recommitting it to a second Standing Committee. In the course of those two Committees, proceedings were timetabled to such an extent that large chunks of the original Bill remain undiscussed. Hardly was the ink dry on the second Standing Committee proceedings when the Government announced that they would introduce yet another new policy on Report. That was more than a month ago, yet we did not see the amendments and new clauses that give effect to that policy until this morning.

You will be aware, Mr. Speaker, that all Back Benchers have to table amendments and new clauses by close of play tomorrow; otherwise, they will be starred and will not be debated on Report on Monday. This is a manipulation of parliamentary procedures. What can you do to ensure that Members have a greater opportunity to react to Government amendments, and have due time for consideration and to table their own amendments?

Mr. Speaker: I understand that the House will consider this Bill on Monday and Tuesday of next week. The hon. Gentleman has two clear days in which to table his amendments, and he may wish to seek further advice from the Public Bill Office.

Mr. Oliver Heald (North-East Hertfordshire) (Con): On a point of order, Mr. Speaker. During Prime Minister's questions, the Prime Minister said that he was perfectly happy for 40 different ways of funding university education to be published. Could the House authorities assist the Government in publishing that material with great speed, so that it may form part of our discussions in the forthcoming debate?

Mr. Speaker: The House authorities are busy enough looking after their own affairs without taking up the Prime Minister's affairs. The hon. Gentleman should take the matter up directly with the Prime Minister.

Orders of the Day

Debate on the Address

[FIFTH DAY]

Order read for resuming adjourned debate on Question [26 November].

That an humble Address be presented to her Majesty, as follows:

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which your Majesty has addressed to both Houses of Parliament—*[Mr. McFall.]*

Question again proposed.

Public Services, Health and Education

Mr. Speaker: I inform the House that I have selected the amendment in the name of the Leader of the Opposition.

12.35 pm

Mr. Tim Yeo (South Suffolk) (Con): I beg to move, as an Amendment to the Address, at the end of the Question to add:—

'But oppose the proposals in the Gracious Speech that massively reduce the independence of universities in their admissions policy; deplore the inclusion of measures likely to burden the average student with £33,000 debt on graduation by 2010; regret the violation of the Government's 2001 manifesto pledge not to introduce top-up fees; call on Ministers to concentrate on raising standards, improving the credibility of qualifications and ensuring access to higher education on the basis of merit, not ability to pay; further regret the absence of measures to reduce the bureaucracy faced by school governors, head-teachers, teachers, doctors, nurses and NHS managers, and to extend patient choice and reduce the use of centrally-set targets, which prevent the NHS responding effectively to the needs of patients; further deplore the lack of progress on the Mental Health Bill in a form which would protect the rights of people with mental health problems and promote their access to treatment; further regret the lack of prior consultation on a draft of the Human Tissue Bill; and further deplore the absence of measures to promote freedom and decentralisation in the NHS.'.

I draw attention to my entry in the Register of Members' Interests.

Our great public services, and in particular education and health, feature prominently in this year's Queen's Speech, and they remain at the heart of the concerns of every family in Britain. Only a Prime Minister who is losing touch with reality would need a great conversation to discover the dismay of millions of people at the fact that a Government who promised so much improvement to our schools and hospitals have in the end delivered so little.

Despite spending record sums, taking more in tax than ever before, and despite the commitment and hard work of thousands of professional staff to whom I gladly pay tribute, the Government are still letting people down. They are letting children down when far too many 11-year-olds leave our schools unable properly to read, count or write. In some schools, far too many children fail to pass a single GCSE. Despite endless Government initiatives, thousands of children truant every day. The Government are also letting teachers down by failing to control violence in the classroom: a teacher is attacked every seven minutes of the school day. They are letting young people down because more and more of them are not in education, employment or training. Less than half as many Britons as Germans reach intermediate skill levels. It is a dismal record for a Government who have been in charge for almost seven years and who boasted in advance that their priorities would be "education, education, education".

The Government are also letting patients down with hospitals cancelling more than a thousand operations every week less than 24 hours before the patients are due to go into theatre. It is no wonder that the number of people forced to pay for operations out of their own pockets has increased threefold since 1997. Is that what the Prime Minister had in mind when he claimed that there were 24 hours in which to save the NHS?

I readily acknowledge that much that goes on in our education and health services is good—*[Interruption.]* Much of it is good, but for a country claiming to have the fourth largest economy in the world, far too many services remain unacceptably bad.

Let us start this afternoon with the Government's flagship Bill on top-up fees.

Tom Levitt (High Peak) (Lab): The hon. Gentleman is kind to say that some good things are going on in the public services. Let me tell him that when I was a teacher under a Tory Government, what we had was cuts, cuts, cuts. That is his party's reputation, and that is what would happen if the Conservatives ever got into power again.

Mr. Yeo: If the hon. Gentleman can contain himself for a while, he will discover that the Conservative party has plenty of good ideas to improve the education system—and, crucially, to stop the process of Ministers telling teachers what to do every school day.

Mr. Andrew Robathan (Blaby) (Con): My hon. Friend may be interested to know that I have received letters from head teachers in my constituency and throughout Leicestershire, who almost certainly voted Labour in the last election, specifically saying—

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): Show us the letters.

Mr. Robathan: I will show the hon. Gentleman the letters if he wants. The head teachers ask me whether the current funding settlement is what the Government mean by "education, education, education" when teachers are being sacked and classrooms are empty as a result.

Mr. Yeo: My hon. Friend makes a powerful point and his experience is reflected in that of many of my hon. Friends.

To return to top-up fees, has there ever been a Queen's Speech in which the very first Bill to be mentioned was not a Bill that honoured an election pledge but one that specifically dishonoured such a pledge? What did the Secretary of State for Education and Skills think when he read the Labour party manifesto on which he campaigned two years ago? That manifesto said:

> "We will not introduce 'top-up' fees".

It did not say, "We are not going to introduce them until after the next election." It did not say, "We are about to reverse the policy." It said:

> "We will not introduce 'top-up' fees and have legislated to prevent them".

Two years later, we discover that in fact the Labour Government have exactly the opposite intention.

Is the Secretary of State proud that the first Bill he will attempt to put on the statute book in his current job breaks the clear promise that he made to his voters two years ago? Can we be surprised that politics and politicians are held in low regard when Ministers behave with such breathtaking cynicism?

Mike Gapes (Ilford, South) (Lab/Co-op): Does the hon. Gentleman agree that

> "since graduates generally enjoy above-average incomes it is entirely fair that they should contribute directly to part of the cost of their higher education, especially as there will be protection for graduates on below-average incomes"?—[*Official Report*, 20 December 1988; Vol. 144, c. 276.]

Those are his words five years ago. Does he agree with them?

Mr. Yeo: I have never had a role speaking on education issues from the Front Bench—[HON. MEMBERS: "Ah!"] Five years ago—*[Interruption.]* The hon. Gentleman will have to reference his allegations.

Is the Secretary of State now clear about his own policy? Each time—*[Interruption.]*

Mr. Speaker: Order. The House is far too noisy.

Mr. Yeo: I should be grateful if the hon. Member for Ilford, South (Mike Gapes) would actually source the statement that he alleges I made, and if by any chance he finds that he has made a mistake, I hope he will have the courtesy to withdraw his remarks.

The Secretary of State for Education and Skills (Mr. Charles Clarke): Perhaps it would help the House, Mr. Speaker, to say that the source is *Hansard* on 20 December 1988—*[Interruption.]*

Mr. Yeo: *Hansard* on which day?

Mr. Clarke: 20 December 1988.

Mr. Yeo: 1988! I have campaigned at three general elections since 1988. I have been returned by my voters on pledges that I am proud to honour. The right hon. Gentleman and his colleagues are seeking to dishonour a pledge that they made only two years ago. If he wants my researchers to dredge up what he said in 1988 about a range of Government policies I shall be happy to ask them to do so.

Debating the Government's policy—

Mr. Graham Allen (Nottingham, North) (Lab): Will the hon. Gentleman give way?

Mr. Yeo: No.

Mr. Robert Jackson (Wantage) (Con): Will my hon. Friend give way?

Mr. Yeo: In a moment—*[Interruption.]*

Debating the Government's policy on top-up fees—*[Interruption.]*

Mr. Speaker: Order. The House is far too noisy.

Mr. Yeo: Mr. Speaker, I have just been reminded that the hon. Member for Ilford, South said that my comments were made five years ago, so I hope he will acknowledge that he misled the House at that moment.

Debating the Government's policy on top-up fees is made harder by the fact that each time a few more Back Benchers sign the early-day motion, the details of the policy change. Last Wednesday, the Bill was the first in the Queen's Speech but seven days later it has dropped back down the list. When will it actually see the light of day? Does the delay prelude a complete withdrawal? Will the Secretary of State clarify the position?

This time last week, the income at which graduates must start repaying their loans was said to be £15,000. By Friday, on Radio 4, the Solicitor-General thought that the amount was to be raised to £18,000, and now we hear reports that it may be £20,000. No matter how far the income threshold is raised, the burden of repayment will remain. Indeed, because interest is charged, the debt will increase and it will bear especially heavily on those graduates who go into less well-paid public sector jobs—such as, for example, the NHS radiographer who will still have a debt of more than £10,000 10 years after starting work. Deferring repayment also carries a cost. That cost will have to be paid either by universities receiving less money or by the taxpayer covering the shortfall, or both. I hope that the Secretary of State will explain those figures and say how much he expects top-up fees to raise for universities, and how much he thinks the universities will charge.

Mr. Allen: Did the hon. Gentleman catch the remarks of the chairman of Universities UK this morning? He assessed the result of the Conservative policy not to pursue tuition fees as resulting in 480,000 students not going to university. Does he think that the chairman of Universities UK is right or wrong? What is the real figure that would result from the implementation of Conservative policies?

Mr. Yeo: I think that the chairman of Universities UK is wrong about that. I will set out how we intend that universities should be funded, and how the students who go to university should be chosen, in due course. However, I am clear that the Bill's approach is fatally flawed. Whatever the sums show, and whatever tinkering is done to the Bill, three facts remain. First, this is a policy on which Labour misled the voters two years ago. If the Government press on with it, families up and down Britain will find it hard to trust anything that the Secretary of State says in future.

Secondly, the Government will burden future generations of students with bigger debts than any students have ever faced before.

Tom Levitt: Will the hon. Gentleman give way?

Shona McIsaac (Cleethorpes) (Lab): Will the hon. Gentleman give way?

Mr. Yeo: In a moment. At the very time that concern is already mounting about the level of debt that many

[Mr. Yeo]

families have incurred, it is grossly irresponsible for the Government to introduce a policy that makes the debt problem much worse.

I shall give way to the hon. Member for Cleethorpes (Shona McIsaac), so long as she does not dredge up quotations from 1988.

Shona McIsaac: No, I am not going to dredge up quotations from 1988, as we have plenty more recent ones that we could use. Conservative party policy would deny 800 talented young people in my constituency the right to go to university. How would the hon. Gentleman explain that to them? Given that the Opposition would get rid of the new deal as well, he is basically consigning hundreds of talented and skilled young people to the scrap heap. That is his dishonesty.

Mr. Speaker: Order. I would not say that the hon. Gentleman is dishonest. Perhaps the hon. Lady will consider withdrawing that word.

Shona McIsaac: I certainly withdraw the word "dishonesty". Perhaps I could use the phrase "failure of policy" instead.

Mr. Yeo: I am sorry that I gave way to the hon. Lady and allowed her time for such an extended rant, but I want to place it on the record that it is Conservative party policy that every young person sufficiently qualified to go to university should have the chance to do so, without paying tuition fees or top-up fees. It is the policy of the Labour party to burden young people with such huge debts that many who are talented and qualified will be deterred from taking a university course by the prospect of the enormous burden of debt that the Secretary of State will place on them.

The third reason why the Bill is fundamentally flawed is that it will establish the office for fair access, the new access regulator. For the first time ever, the regulator will have the power to take away from individual universities the right to decide who should study there. No amount of tinkering with the Bill will stop it being bad for students and for universities.

Mr. Robert Jackson: I thank my hon. Friend for giving way, as I want to be helpful to him. I listened with great interest to what he said on the "Today" programme this morning about the need for an all-party approach to this matter. He may remember that I raised that point with the Prime Minister last week, in an intervention in the debate on the Queen's Speech. That was the approach at the time of Dearing, and it is the right approach now. However, does my hon. Friend accept that an all-party discussion of the matter must be without precondition? That must mean that the Conservative party is prepared to abandon its opposition to top-up fees.

Mr. Yeo: I am grateful to my hon. Friend, whose views are well respected in the higher education community. He speaks about wanting a cross-party consensus. There is a cross-party consensus on one thing: a majority of Labour, Conservative and Liberal Democrat Members of Parliament believe that this is a very damaging Bill. It will be easier for us to have the debate if we at least accept that there is a cross-party consensus - that utterly rejects the Government's proposals. I am happy to assure my hon. Friend, however, that if the Secretary of State announces in his speech that he is withdrawing the Bill, we will gladly discuss with him and the universities how the funding needs of universities can be met. I hope that my hon. Friend will join in that discussion.

Before we can start, there must be two absolutely clear assumptions. First, there should be no access regulator and no attempt by Ministers to take from universities the power to decide who studies at universities—I hope that I can carry my hon. Friend the Member for Wantage (Mr. Jackson) on that point. Secondly, there should be no centrally set top-down target for the number of people who go to university. It is quite wrong for the Prime Minister to pluck a figure out of the air—50 per cent. of young people to go to university—when it has no reference to the needs of employers. I have just finished 18 months of shadowing the Department of Trade and Industry. During that period, no employer told me that having more graduates would solve their recruitment problems.

The premises on which we can have a cross-party discussion are therefore threefold: one is that we have rejected the Bill; the second is that there should be no interference with the freedom of universities to choose their students; and the third is that no artificial target should be imposed by Ministers in relation to the proportion of young people who go to university.

Huw Irranca-Davies (Ogmore) (Lab): For six years, I was a lecturer in higher education. I witnessed not only massive expansion in participation but an under-investment in the sector. Will the hon. Gentleman guarantee to me that, under his proposals, which would restrict the numbers going into higher education, none of my constituents' families and children will suffer from not being allowed to go to university, particularly those in the most deprived communities, in respect of whom the Government have enjoyed great success by increasing participation?

Mr. Yeo: I am happy to guarantee the hon. Gentleman that any student who is qualified to enter a university and whom that university wishes to take will be able to go. My concern is precisely about those students from the poorer communities to which he refers. According to Barclays bank, they will face a debt that, by 2010, will exceed £30,000. That is frightening for many people who may be contemplating a degree course; it is also worrying for their parents. If young people are deterred from going to university altogether, they will be predominantly from poorer families—the families about whom Ministers always claim to be concerned, but who in practice are often damaged by the policies of this Government.

David Taylor (North-West Leicestershire) (Lab/Co-op): Is the hon. Gentleman aware that in the Russell group of universities student admissions from among the 7 to 8 per cent. of young people who go to public schools are seriously disproportionate? On his drive from South Suffolk to Damascus, has he thought of other ways of improving that deplorable position, or is he going to plough down the path of reducing even further the number of academically talented working-class young people who go to university?

Mr. Yeo: Let me say first that I welcome the fact that the hon. Gentleman has signed the early-day motion that criticises the Government's policy. I hope that he will take the opportunity to vote in support of his views when the Bill's Second Reading takes place in the new year. The right way for universities to decide who to accept on to their degree courses is for them to set the criteria, publish the criteria and make their own selection. The wrong way is for Ministers to tell them that they want to embark on some social engineering experiment to manipulate university intakes.

Is the Secretary of State pleased that, as a result of his policy, the next generation of school teachers will start their careers with a debt equivalent to their gross annual salary? Because of him, after 10 years of work, a teacher will still have to devote 7 per cent. of his or her take-home pay to servicing that debt. It will take 15 years of hard work in the classroom to pay off that debt completely. Does he think that his top-up fees policy will make it easier or harder to attract graduates into teaching? Does he think that he will make it more or less likely that those teachers who start work will be able to afford a mortgage while in their 20s or 30s?

Mr. David Chaytor (Bury, North) (Lab): Will the hon. Gentleman give way?

Mr. Yeo: No, I must make some progress.

Another offensive aspect of this Bill is the access regulator. Will the Minister say which universities support the idea of such a regulator? One would hope that after years of telling teachers, nurses and doctors how to do their jobs—with disastrous consequences—Ministers might have learned their lesson, although, sadly, it does not look like it. Ministers apparently know better than universities too, so they are going to tell them who to let in and who to exclude. That will not be on the basis of who is best qualified to benefit from a university course; instead, we are embarking on an expensive new experiment that is not in the interests of the young people whom Ministers will use as guinea pigs, not in the interests of employers, none of whom is calling for more graduate recruits, and not in the interests of universities, who do not want more students with fewer qualifications, especially when drop-out rates at some universities are already as high as one in three—a failure rate that constitutes an appalling waste of human and financial resources.

Mr. Allen: The hon. Gentleman is being very generous in giving way. I do not doubt his good will, that of my right hon. and hon. Friends on the Front Bench or indeed that of previous Governments. The truth, however, is that over the last 40 years the number of working-class kids going to university has been stable at around 20 per cent. It is incumbent on the Opposition to come up with some answers to tackle that disgrace, rather than wash their hands of it and say that they will leave it to university vice-chancellors, who have had their chance over the past 40 years.

Mr. Yeo: I remind the hon. Gentleman that it is up to the Government to come up with some answers. They have been in power for seven years, and have produced a Bill that does not carry the support of the majority of hon. Members. The evidence that Ministers know better than teachers or other professionals does not stack up. The truth is that it is better to rely on universities to judge who will benefit from the courses provided.

I want to turn to another Bill in the Queen's Speech—the child protection Bill. It is almost a year since the Laming report was published, and almost four years since the tragic death of Victoria Climbié, so the Bill is not appearing a day too soon. We look forward to seeing the details of it, and we hope to give it our broad support. Before that can happen, one important change must take place—the Minister for Children must be replaced. No Member of the House is less suited to the task of introducing a Bill to improve child protection than her. It was astonishing enough, given her disgraceful record as leader of Islington borough council, that the Prime Minister should have appointed her to this sensitive and important job in the first place; the fact that she remains in place now, however, is beyond belief.

I hope that the Secretary of State will make it clear in his speech whether he has full confidence in a Minister for Children who tried to prevent the BBC from exposing her record on child protection issues; a Minister who branded a totally innocent victim of child abuse as a seriously disturbed person; and a Minister who made this extraordinary and totally unfounded attack—the victim of which could not reply because he was unaware of what she was doing—not because she believed that it was in any way justified but solely as a shoddy and ultimately futile attempt to save herself from embarrassment. She then tried to prevent the attack from becoming known, and, when all these disgraceful circumstances finally came to light she refused to give any explanation or apology until she was forced to do so by the threat of legal action. Anything less than a forthright condemnation of the Minister for Children by the Secretary of State in his speech in a few minutes—

Mr. Speaker: Order. I have listened carefully to the hon. Gentleman and he is going too far in this matter. Any criticism of the nature in which he is indulging should be on a substantive motion of the House. I therefore hope that he will move on.

Mr. Yeo: The child protection Bill is mentioned in the Queen's Speech. As far as we know, the Minister for Children will be responsible for taking it through the House. I am worried that the Secretary of State, like the Prime Minister and the Minister—

Mr. Speaker: Order. The hon. Gentleman should take my advice. I like to give good advice. Of course he can talk about the Bill, but he is referring to an individual Member of the House, which requires a substantive motion. I let him make his case to an extent, but it must now stop. It must cease.

Mr. Yeo: I am grateful for your advice, Mr. Speaker. What worries me is whether the Government are more concerned about protecting Ministers or children.

[Mr. Yeo]

The Government's plans to end free school transport will be set out in what appears to be an innocent draft Bill. According to the Queen's Speech, the Bill

"will enable some local authorities to pilot new arrangements for school transport".

At the moment, families with children who live more than three miles from their school are entitled to free school transport—a right that the Government want to remove but do not want to say so. With that in mind, the Bill will refer to road congestion and giving local authorities discretion. As most of the families who will lose their right to free school transport as a result of that policy live in rural areas, no doubt the Secretary of State for Education and Skills does not care about the suffering he will cause. As with top-up fees, however, the children who will suffer most at the hands of the Secretary of State are from the poorest families.

On health matters, after the mangling that the Government's flagship health Bill received in the last Session, the legislative programme is, not surprisingly, much lighter this year. As that Bill imposed a two-tier health service in which a few hospitals will enjoy the privileges denied to the many, most hon. Members will breathe a sigh of relief that there is not more legislation. The absence of a mental health Bill, however, is a serious omission. Although we have repeatedly said that the Government's draft mental health Bill is not the answer, we desperately need an update to the 1959 and 1983 mental health legislation. Unfortunately, that appears to have fallen victim to the turf war between the Home Office and the Department of Health. The failure to introduce a mental health Bill will heighten the stigma faced by people with mental health problems. They need legislation to protect their rights as well the ability to gain access to treatments. The lack of a Bill means that mental health remains a poor relation to the rest of the national health service.

The national health service chief executive published his annual report this morning. We welcome the progress that he describes. We congratulate those NHS staff who have contributed to that achievement, but as usual the report tells only part of the story. Although spending on the NHS is up by 37.5 per cent., activity is up by only 5 per cent. Although fewer patients are waiting for very long periods, overall patients are waiting longer. The average waiting time is now nine days longer than it was four years ago.

Despite the fact that in certain respects the NHS clearly has improved, the trouble is that too often the experience of individual patients, nurses and doctors does not bear out Ministers' claims. The Prime Minister likes to boast about falling waiting times, but he does not mention the fact that the average waiting time for 12,000 patients with chronic renal failure has tripled since 1999. He does not mention the fact that the average waiting time for 19,000 people suffering from atrial fibrillation has increased by a half since 1999. He does not mention the fact that 50,000 children waiting for paediatric surgery now wait a third longer than they had to wait four years ago. He does not mention the 28,000 people who are waiting a third longer for neurosurgery than they would have done in 1999.

The Prime Minister boasted only last week of the Government's progress on cancer, although he had no answer to my hon. Friend the Member for Canterbury (Mr. Brazier), who explained that the Government are running down and partially closing a cancer centre in his constituency for the first time in a generation. The Prime Minister did not mention the lung cancer specialist whose patients have suffered such an increase in their waiting times that some patients who were curable can now only be treated but not cured. He did not mention how the target for seeing urgent cancer patients has led to what one surgeon calls

"unacceptable delays in seeing non-urgent patients".

He did not mention how the number of patients starting radiotherapy treatment within the Government's target time has fallen by more than a half in two years.

The claims in the Queen's Speech that the Government will give more freedoms to NHS staff are likely to produce a hollow laugh among hard-pressed doctors, nurses and managers. Which targets do the Government intend to abolish? Do they include the one that has led to patients going blind because the Secretary of State set a target for hospitals to see new glaucoma patients instead of treating existing sufferers, or is it the one that forces accident and emergency departments to leave patients waiting in ambulances or inflatable tents instead of allowing them inside the hospital?

Against that background, is it any wonder that the number of nurses leaving the register last year was almost twice as high as that for the previous year? Is it any wonder that more than half of family doctors report that recruitment is harder this year, with more than two out of three vacancies for family doctors remaining unfilled after six months?

Mr. Sheerman: Are the hon. Gentleman's comments on the NHS a result of his personal experience of life? Does he use the NHS? I know that none of his children uses the state system of education. *[Interruption.]*

Mr. Yeo: It is because of my children that I know rather a lot about the NHS. They were both cancer patients in NHS hospitals and, for the most part, received excellent treatment. I have also been the chairman of a hospital that treats very sick children, so I speak on the issues with experience and, I hope, authority. The hon. Gentleman's intervention was not worthy of him. *[Interruption.]*

Mr. Speaker: Order. Something is troubling hon. Members, but they must be quiet. The hon. Member for Huddersfield (Mr. Sheerman) was in order and the hon. Member for South Suffolk (Mr. Yeo) rebutted his comments. That is the end of it.

Mr. Andrew Turner (Isle of Wight) (Con): On a point of order, Mr. Speaker. When an hon. Member makes a remark about an hon. Member's family, that is in order, but when an hon. Member makes a remark about an hon. Member, that is out of order. Will you help me because I do not understand the distinction that you have drawn in your rulings?

Mr. Speaker: Perhaps hon. Members should come to the Chair from time to time and I will educate them on the rules of the House, but I am not going to do that during a debate. They must take my word for it. The hon. Member for Huddersfield was in order and the hon. Member for South Suffolk had the opportunity to rebut his remarks. It is a matter for debate.

Mr. Yeo: As for bureaucracy, the Government have recruited administrators at three times the rate of doctors. There are more administrators than beds in the NHS. It is no wonder that the Secretary of State talks of cutting quangos, but has his plan been revealed to primary care trusts? Last week I was sent a cutting from *The Gazette* in Basingstoke. It is a half-page advertisement no less, under the banner heading of "The North Hampshire Primary Care Trust". It proclaims:

> "A new partnership is being built to co-ordinate workforce development strategy across the health community",

a process that

> "will be delivered through a workforce development team, which is being created to facilitate workforce modernisation."

Not surprisingly, previous NHS experience is not essential for any of the six posts advertised: three work force design project managers, one "Agenda for Change" manager, one work force planner and one project manager for the competency and appraisal framework. Let me warn any Labour Members who are wondering whether they will need a new job in two years' time that the latter post requires

> "a good working knowledge of job design and appraisal systems, well developed facilitation skills and a sound understanding of continuous professional development".

So there is no point the Secretary of State applying.

The advertisement, which was sent to me unsolicited, was accompanied by a plaintive note asking simply:

> "Is this where all the national health service money goes?"

I wish I could say that the answer to that question is yes. Unfortunately, however, that is only part of the story. Health Ministers have treated themselves on their own offices to spending that has risen by a staggering 70 per cent. since 1997—a horrifying £1.3 million more than when Labour came into power. Spending on plane and train travel has rocketed by £2 million a year, and while they relax in ever-greater comfort, Ministers have approved the spending of £900,000 on *NHS Magazine*, only 220 copies of which have actually been sold; the other 61,000 had to be given away. At least, I suppose, we can be pleased that the magazines were distributed; that is more than can be said of "Kismet Road", a medical soap opera in 13 parts made at a cost of £350,000 by the Bradford health action zone, which has been unable to find a single television channel willing to show it.

Reverting to bureaucracy, I do not wish to stigmatise the North Hampshire primary care trust. In one recent issue, my local paper, the *East Anglian Daily Times*, carried advertisements for posts at the Ipswich hospital that included a health and safety adviser, a waiting list co-ordinator, an information analyst, three personal assistants—one for the chief executive, one for the director of human and corporate resources, and one to be shared between the directors of finance and performance management and of strategy and service improvement—and two more posts in the smoking cessation department, one an administrative assistant. The bad news for the Secretary of State is that experience of office systems and a polite telephone manner are essential.

Mr. Paul Burstow (Sutton and Cheam) (LD): Will the hon. Gentleman give way?

Mr. Yeo: No. I wish to finish.

No doubt, there is useful work to be done in those posts, but is it work that hard-pressed doctors and nurses consider a priority? Is it work that will directly benefit patients? Is it work that will improve health outcomes for the people of Britain? Or is it, as many of us suspect, work the need for which arises mainly from the target culture imposed by the Minister and his colleagues—a culture that means that the national health service, after seven years of Labour meddling, has not so much been saved, as the Prime Minister promised, as been swamped by a mass of bureaucrats and red tape? Would it not benefit patients a little more if, instead of all those jobs advertised in Basingstoke, Ipswich and elsewhere for people who will have little or no contact with NHS patients, one, two or three of the posts had been for nurses?

The Queen's Speech is not just another opportunity missed by a Government who are taxing and spending and failing. It is a speech that breaks Labour's election promises, attacks university independence, threatens families in rural areas, and damages students from poorer families. I urge the House to support our amendment.

Mr. Andrew Mackay (Bracknell) (Con): On a point of order, Mr. Speaker. You will have heard clearly in the intervention by the Secretary of State for Health that the hon. Member for Ilford, South (Mike Gapes) misled the House in a serious way. Why has the hon. Gentleman slunk away and not apologised to the House for what he has done?

Mr. Speaker: I did not hear such a remark. Will the right hon. Gentleman clarify?

Mr. Mackay: You will recall that the hon. Member for Ilford, South intervened on my hon. Friend the Member for South Suffolk (Mr. Yeo) and gave a quote of some length, apparently from *Hansard*, that he said was from five years ago. In fact, when we were trying to clarify when it was, the Secretary of State helpfully intervened to explain that the quote was from 1988. You will realise that 1988 is much more than five years ago, so the hon. Member for Ilford, South completely misled the House. Subsequently, the hon. Gentleman consulted civil servants in the box over there and the Health Whip—

Mr. Speaker: Order. The right hon. Gentleman has been able to make a correction—*[Interruption.]* Order. The matter has been corrected.

Mr. Mackay: Further to that point of order, Mr. Speaker. I seek clarification. Is it not normal when a serious mistake has been made, no doubt based on information given by the Whips Office, and the House has been seriously misled, that the Member who made it should come here to correct it, and it should not be left

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to other Members such as me, through you, to do so? Where is the hon. Member for Ilford, South, who made the intervention? Why has he slunk away?

Mr. Speaker: I do not see that any breach of the rules has occurred in this instance.

Mr. Francis Maude (Horsham) (Con): Further to that point of order, Mr. Speaker. You and your predecessors have often, rightly, told the House that Members have to take responsibility for what they say in this Chamber. I hope that the hon. Member for Ilford, South will do exactly that.

Mr. James Gray (North Wiltshire) (Con): Further to that point of order, Mr. Speaker.

Mr. Speaker: Order. To bring some calmness to our proceedings, I undertake to read *Hansard* to find out whether there has been any breach of the rules. A point of order has been raised by the right hon. Member for Bracknell (Mr. Mackay) and I shall investigate the matter.

Mr. Gray: On a point of order, Mr. Speaker.

Mr. Speaker: I hope it is a separate matter.

Mr. Gray: It is a separate but related point of order, Mr. Speaker. My right hon. Friend the Member for Bracknell made it plain that the hon. Member for Ilford, South had consulted the civil servants in the box. Is it in order for Back Benchers to make use of the facilities in the civil servants' box?

Mr. Speaker: That should not be done.

Mr. Allen: On a point of order, Mr. Speaker. When you are studying *Hansard* will you also study the lengthy comments made by the hon. Member for South Suffolk (Mr. Yeo) about my right hon. Friend the Minister for Children and the personal remarks to which you, rightly, brought the House's attention at that time?

Mr. Speaker: I put a stop to those comments and that is the end of the matter.

1.16 pm

The Secretary of State for Education and Skills (Mr. Charles Clarke): I was going to welcome the hon. Member for South Suffolk (Mr. Yeo) to his demanding role shadowing both the Secretary of State for Health and the Secretary of State for Education and Skills. I was slightly concerned that the rival for the title "titan of East Anglia" might give us a lot of difficulty, but I advise him to pay a lot of attention to detail and to speechwriting and to put a bit more focus on the real policy debates facing the country as a whole.

Gregory Barker (Bexhill and Battle) (Con): Will the Secretary of State give way?

Mr. Clarke: No. I shall not give way at this stage. I shall do so later.

In his winding-up speech, my right hon. Friend the Secretary of State for Health will deal with the points relating to health made by the hon. Member for South Suffolk. The Gracious Speech contained three relevant Bills and I shall spend a couple of minutes discussing two to which the hon. Gentleman rightly referred: the children Bill and the draft Bill on school transport.

In our Green Paper "Every Child Matters", we indicated that we would seek to legislate quickly in several areas to help to secure better outcomes for children and to ensure that support services are designed around their needs. The Bill will include key measures such as bringing together the planning, commissioning and delivery of all services that affect the lives of children and young people and their families; clarifying accountability for children's services—a key recommendation of Lord Laming; strengthening arrangements for child protection by making local safeguarding children's boards statutory; and requiring all agencies to have a responsibility to promote the welfare of children and young people. The Bill will support joint working by seeking to remove legislative barriers to information sharing, and it will support an integrated inspection framework. It will establish a children's commissioner as a voice for all children.

We regard the Bill as an extremely important measure and I was grateful when the Leader of the Opposition, in his response to the Queen's Speech on the day it was made, indicated general support across the House for the provisions it contains.

Mr. David Hinchliffe (Wakefield) (Lab): Will my right hon. Friend give way?

Mr. Clarke: I will give way shortly.

We welcome all-party support for the Bill, but let me respond to specific comments made by the hon. Member for South Suffolk. My right hon. Friend the Minister for Children not only has my total confidence and that of the Prime Minister, but the confidence of all the people working in the field with whom she has been working since her appointment to fashion the Bill and take it forward. In her responsibilities, she has focused on ensuring that we can take major steps to make sure that vulnerable children in our society are protected. Those are the issues facing us in the Bill. To be frank, I was disappointed that the hon. Gentleman took such a partisan view, since I know that many Opposition Members—I could name them, but will not do so—think that the policy embodied in the Bill is critical and do not believe that gutter-raking is the right approach to take to such questions.

Mr. Hinchliffe: I warmly welcome the child protection Bill that is referred to in the Queen's Speech. I welcome especially the proposal to establish a children's rights commissioner, which has been argued for by many Members on both sides of the House for a long time. Bearing in mind the fact that the issue of domestic violence has caused concern to Members for many years—I welcome the Bill that is to be brought forward to tackle domestic violence—will the child protection Bill address another aspect of domestic violence, which is the number of children who die at the hands of their parents or carers? At least one child a week dies in that way. Will the Bill seek to remove the reasonable chastisement defence, which is used to the detriment of child protection agencies?

Mr. Clarke: I am grateful to my hon. Friend for that intervention. We have discussed this matter both informally and formally. My hon. Friend has a long and distinguished tradition and record of campaigning on these issues. I can confirm that the Bill will address the general issues that he is mentioning. I am confident that we will have a full debate on the issue of reasonable chastisement and on how we address such matters in a proper way during the passage of the Bill. We will continue that dialogue. I acknowledge that my hon. Friend is raising these important matters in a correct and responsible manner. They are matters that are legitimately to be considered within the framework of the Bill.

Gregory Barker: The Secretary of State is right to say that there are important issues to be discussed when we consider the child protection Bill. Is not that all the more reason why it should be piloted through the House by a Minister who is not sullied, who is not tarnished and does not have such a dreadful reputation in this area? Will the right hon. Gentleman take the opportunity to deprecate the comments made earlier by the hon. Member for Huddersfield (Mr. Sheerman), when he so scurrilously attacked the children of my hon. Friend the Member for South Suffolk (Mr. Yeo)?

Mr. Clarke: I shall not deprecate any remarks made anywhere. People will make their own judgments on the basis of those remarks. However, I say in all seriousness that there are Opposition Members who think that the children's Bill is important, who respect the work that has to be done and who say that the issues involved—how we protect vulnerable children in precisely the way suggested in the intervention of my hon. Friend the Member for Wakefield (Mr. Hinchliffe)—should be debated, rather than focusing, as the hon. Gentleman has just done, and as the hon. Member for South Suffolk did from the Opposition Front Bench, on a scurrilous series of attacks from history.

I move on to the draft school transport Bill to which reference is made in the Queen's Speech. There has been a degree of misleading reporting, at least on the front page of *The Times* the day after the Queen's Speech. I shall summarise quickly our approach. First, we hope that the Bill will be published in draft during the third Session, and will then be the subject of substantial debate throughout the country in a variety of different ways. Secondly, it comes from local government of all parties, which have expressed serious concern about how we address the matters that will be raised by the Bill. The Churches have been worried, too, that current legislation is not working quite as it should. That is why we thought that we should take the issue forward in a non-partisan way by means of a draft Bill for wider consideration.

The approach that we have suggested in the draft Bill is that we shall free up to 20 local education authorities—that will be by their own choice, by the way, so Suffolk, for example, need not be a pilot if it does not wish to be so—from existing legislation to trial new ways of getting pupils to school. It is a deregulatory measure to allow local government to decide how it wants to deal with these issues. The primary objective of the schemes will be to reduce car use in the school run. The aim will be to encourage schemes that provide better alternatives for pupils who live one to three miles from school and are not entitled to free school transport, for pupils attending denominational schools, for those in rural areas and for those who want to participate in extracurricular activities, including sport.

We are seeking to address what I think most people acknowledge is a serious issue of road congestion at times when pupils are travelling to and from school, with its implications for the health of our children, along with a variety of different issues. I say to the hon. Member for South Suffolk in a genuinely open spirit that we desire to address these matters in a bipartisan or tripartisan way, in a cross-party way, with our colleagues in local government of all parties and with our colleagues in the Churches, to see whether we can move forward and allow trialling to find better ways of dealing with the issues.

I say to the hon. Gentleman that it is entirely possible to campaign on the basis that we have a secret agenda of the type that was described by a headline in *The Times* the day after the Queen's Speech and by what the hon. Gentleman has had to say. However, that is not a correct reading of where we are. I offer him publicly, in the House, the opportunity to discuss these matters fully before the draft Bill is prepared, to see where we can go in addressing any legitimate concerns, and of course he and his colleagues will have such concerns

Mr. Andrew Turner: I am sure that we welcome the approach that the Secretary of State has described, although I know that *The Times* has impeccable sources for discovering these things. Will he explain why it is necessary to have legislation at all when there are provisions in the Education Act 2002 for local authorities and schools to propose innovation, which the Secretary of State may by regulation agree, unless he proposes to introduce something which neither schools nor local authorities would wish to propose?

Mr. Clarke: The reason is simple. When there has been previous legislation—for example, I think, in 1988, but I am open to correction—there has been controversy in both Houses about these matters arising from rural interests, local government and sometimes the Churches. It seemed to me that rather than simply saying that the power to innovate, to which the hon. Gentleman refers, could apply, allowing me to overrule legislation in some specific way, it would be more appropriate to have a proper parliamentary discussion and to hold discussions with all interests to see whether there is a consensus on what can be achieved. I have had discussions with, for example, all parties in local government, with the Churches and so on, to see whether there is a will to move, and I have to report to the House that there is, provided we can reach agreement. Perhaps we will not be able to get to an agreement. My approach is to seek to see whether we could introduce reform to improve things.

Anyone with children will know that in many parts of the country the congestion that surrounds school runs is such that we should be working, in my opinion, to

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encourage children to the extent that we can to walk, cycle or go by bus, including yellow buses, when they go to school.

Mrs. Jackie Lawrence (Preseli Pembrokeshire) (Lab): We are talking about primary legislation, which I welcome. I represent a large rural area, which has pockets of congestion that raise safety issues. I ask my right hon. Friend to confirm that if Welsh local authorities apply as part of the 20 authorities they will also be considered as part of the pilot project. It is an important issue for areas such as mine.

Mr. Clarke: I appreciate that intervention. I am happy to confirm to the House that it is a matter that we can discuss with the Welsh Assembly and the Welsh Executive. If appropriate, and if it is felt to be supported, it could cover England and Wales. We could proceed by the draft route. The nature of the Bill is consultative, which we consider appropriate.

I turn to the main piece of education legislation in this Session, which is the Bill to reform higher education. The Bill is vital for the future of our economy and society, in a world of global economic competition where the success of our economy, as well as that of our main competitors, will rest upon our ability to ensure that our population is highly educated and highly skilled.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Will the Secretary of State give way?

Mr. Clarke: I shall give way in a moment. I shall give way freely throughout the discussion.

One aspect of this approach is our policy for skills; we set out in our White Paper one dimension of the means to address the issue. I believe that it is even more important to understand that the future of our universities is central to that ambition and that the reforms that we propose are vital to make that succeed.

Mr. Chaytor: Will my right hon. Friend give way?

Mr. Clarke: I shall give way in a moment.

The arguments for the Bill rest on three central pillars, which I intend to articulate. These are, first, that universities need more money; secondly, that it is reasonable that graduates should make a contribution towards the education from which they benefit; thirdly, that that contribution should be levied and repaid in a fair way. That is the structure that I intend to follow, but before doing so I shall give way first to the hon. Member for West Derbyshire (Mr. McLoughlin), and secondly to my hon. Friend the Member for Bury, North (Mr. Chaytor).

Mr. McLoughlin: There seems to be some confusion. The Prime Minister says that only three options are available. He says that there is the Government's option, the Opposition's option and the Liberal Democrats' option. There are rumours that the Department for Education and Skills has studied more than 40 different options, and there is an early-day motion asking the Secretary of State to put all this information into the public domain. If the right hon. Gentleman wants a big conversation and a true debate on these matters, will he put the 40 different options into the public domain, plus the back-up work that has been done by his civil servants?

Mr. Clarke: We shall continue to put more information into the public domain. However, it is worth establishing what an option in this context is. In each of the areas that we talk about, whether it is the graduate tax idea, the variable fee idea, the flat fee idea or the tax increase idea—whatever it may be—there is a vast range of different options about how one does it. There is the Liberal Democrat approach of introducing extra tax for those earning more than £100,000. Another option would be to apply that to those earning more than £90,000, £110,000 or whatever.

There is an enormous range of approaches to each of the main options. We are quite happy to contribute information to the public debate, and have already done so. Many think-tanks working on these issues have produced information, which is also fine. The Library, too, does excellent work in making information available. However, there are relatively few main options, about which we have already published a great deal of work, and I commend the Education and Skills Committee on its work on trying to draw the issues out. We have no inhibitions whatsoever, as the Prime Minister said, about publishing more information, but it is a question of the value of information as people go into increasing detail about the options that need to be pursued.

Mr. Chaytor: In all the debate on variable fees for full-time undergraduates in the past few months, has anyone, whether inside or outside the House, suggested to my right hon. Friend that we end the variable fees that have always been charged to part-time undergraduates, postgraduates, undergraduates studying directly in further education colleges, undergraduates on courses franchised by universities to further education colleges and students on any other course in further education colleges? If not, why not—*[Interruption.]*

Mr. Clarke: Or, indeed on apprenticeships. I must tell my hon. Friend that such a suggestion has not yet been made, but I am confident that in the course of our forthcoming discussion a number of such proposals will be made. However, that underlines the answer that I gave the hon. Member for West Derbyshire—there is an enormous range of options. I appreciate the point made by my hon. Friend, and I shall return to it when I come to discuss variability.

Mrs. Anne Campbell (Cambridge) (Lab): I am grateful to my right hon. Friend for giving way and for his willingness to engage in a conversation with Government and Opposition Back Benchers. If a university feels that it cannot charge the full top-up fee, but continues to charge the current fee of £1,125, how will it get extra money so that it can pay its staff what they deserve?

Mr. Clarke: That is a judgment for the university. When we discuss variability, I shall use the illustration of a Russell group university that is considering charging a zero fee for people doing a physics course, because it wants to encourage people to study the subject and knows that, under the arithmetic of the funding regime administered by the Higher Education Funding Council for England, that is a better option than closing the course. Those choices will be made by the universities, and it is critical that we appreciate, as my hon. Friend the Member for Cambridge (Mrs. Campbell) does, that a university's income comes not only from the fee that we are proposing but from the HEFCE and a wide range of other sources. The judgment that each university makes on each course will depend on balancing those factors.

David Taylor *rose—*

Mr. Clarke: I shall give way to my hon. Friend the Member for North-West Leicestershire (David Taylor), but shall then develop this part of my argument. I am happy to give way later as I make progress.

David Taylor: Earlier, the Secretary of State justified the proposal that graduates contribute at higher levels towards their academic courses by saying that on average they earn more than the national average wage. Does he not think that it is logical to increase the trigger for repayment from £15,000 to £25,000—the national average wage which, he says, graduate earnings will generally exceed.

Mr. Clarke: I shall come to that point later, but it is certainly reasonable to raise the threshold from the current £10,000 to £15,000 for the reasons that my hon. Friend gave. The figure of £18,000 has been widely circulated, but one could pick another one. Graduates earning that salary would be paying £5 a week towards their university education, and that is not a ridiculous amount to ask anybody to pay at that time. There is a perfectly legitimate discussion about pushing the threshold up or down a bit and the consequences of doing so. However, I think that we have got it about right in our proposals.

Mr. Yeo: In his answer to his hon. Friend the Member for Cambridge (Mrs. Campbell), the right hon. Gentleman gave the example of a Russell group university proposing to charge no fee for someone wanting to study physics. He said that that might be a way of attracting people to such courses. If he believes that, why does he not believe that charging a much higher fee will deter people?

Mr. Clarke: There is a balance between those two issues. I repeat to the Opposition what I said to my hon. Friend the Member for Cambridge—the level at which the fee is set is a factor that will determine whether or not people take particular courses. It is only one factor in my opinion, but it is certainly a factor.

Those are the issues that every university and every individual student will have to assess. There are a number of factors to consider, but I am trying to point out—I was happy to do so when replying to my hon. Friend the Member for Cambridge—that universities would be able to vary their fees both upwards and downwards as they saw fit. They cannot do so under the current system.

Dr. Brian Iddon (Bolton, South-East) (Lab): Will my right hon. Friend give way?

Mr. Clarke: No, I shall not give way now, but shall do so later, as I want to make a little progress.

I want to address the central argument that the universities need more money to expand so as to meet the future needs of our society and offer young people genuine opportunities. The fact is that, despite rising student numbers, between 1989 and 1997, universities experienced a 36 per cent. cut in real terms in their funding per student. Since 1997, we have started to reverse that decline, with funding per student increasing by 7 per cent. between 2003 and 2006. Moreover, the backlog in university infrastructure is estimated at about £8 billion, and university salaries have increased by only 20 per cent. since 1980, against 60 per cent. for employees at large. We still need more resources to fund the world-class research on which the international standing of our universities rests. More students are seeking university places at the same time as we, with the country's industry, are developing foundation degrees that tie our universities more closely to the UK's economic needs.

I conclude that universities need more money. At this very first stage of the argument, unless the hon. Member for South Suffolk reversed policy in his interview this morning, we part company from the Conservatives. Their policies completely ignore current funding problems and deny the existence of a problem. Even more amazingly, they want to remove even the existing money from universities. They want to abolish fees altogether, immediately robbing the sector of up to £430 million. The direct effect of that reduction is that the sector would shrink by, we estimate, about 100,000 places. Moreover, in the long term, without the income from variable fees, a further 150,000 potential students—a total of 250,000 altogether—would be robbed of aspiration and opportunity. That is not fair, and it would create great bitterness and alienation in the younger generation.

I am delighted that the hon. Gentleman has resiled from his previous remarks, and said that since graduates generally enjoy above-average incomes it is entirely fair that they contribute to part of the cost of their higher education. I wonder whether his colleagues will do the same. After the last general election, the new shadow education Minister, the hon. Member for Epsom and Ewell (Chris Grayling), said in the House of Commons on 25 October 2001:

> "To call for the scrapping of tuition fees just makes a cheap headline."—[*Official Report*, 25 October 2001; Vol. 373, c. 452.]

Rather more sharply, the former Secretary of State, Lord Baker, described the Tory position in *The Daily Telegraph* on 7 October as

> "morally bankrupt and totally cynical".

The former Conservative party chairman, Lord Patten, described the Conservative position on top-up fees as "intellectually disreputable and pusillanimous".

Those Tories understand the meaning of Conservative policy. I must tell Tory Members of Parliament in all seriousness that, if that policy is

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retained, it is their duty to explain to their constituents that hundreds of students who want to go to university from every school in their constituency will not be permitted to do so as a result of the policies of the hon. Member for South Suffolk. We are therefore clearly divided from the Conservatives at the outset. If they want policies that address the issues of the future they need to think a good deal harder.

Pete Wishart (North Tayside) (SNP): Is the Secretary of State prepared to concede that, if top-up fees are introduced in England, there will be a negative impact on the university sector in Scotland? Does he not think that it would be a disgrace for Labour Members such as his right hon. Friend the Secretary of State for Health, who is sitting next to him, to support a measure that has been rejected in Scotland in the full knowledge that it would have a negative impact there?

Mr. Clarke: First, all Members of this House are equal and should be treated as such. Secondly, and even more importantly, when the Scottish Parliament took its view on these matters, as it is entitled to do, it did not hear people from England saying that it could not do this, that or the other, because we accepted the logic of devolution. I say to those in the Scottish Parliament and to those who support it, as I do, that it is necessary for it to acknowledge that, in precisely the same way, it is the responsibility of this Parliament to take the decisions that it needs to take on these matters.

Dr. Iddon: I am grateful to my right hon. Friend for giving way. Bearing in mind the fact that we are going to broaden the A-level base, possibly to five subjects, and especially taking into consideration the fact that this Government signed up way back in 1999 to the Bologna agreement on harmonisation of higher education across Europe, which will probably result in a three-year plus two-year plus three-year bachelors, masters, doctorate degree structure, how does he propose that the Government should fund four-year or even five-year degree courses? Will not that result in even more debt for students?

Mr. Clarke: My hon. Friend is correct to make that point. The Bologna process was most recently discussed in September at a conference in Berlin, at which the Government were represented by the Under-Secretary of State for Education and Skills, my hon. Friend the Member for Bury, South (Mr. Lewis). There was very substantial discussion at the conference about the points my hon. Friend makes. It is appropriate to point out that the conclusion of the Bologna process is that other European countries are looking at our higher education system and its relative efficiency, and thinking about how they can move in our direction. For example, the average student in Germany does not graduate until they have reached the age of 28 and four months, which is an extraordinary state of affairs. Other countries look at the three-year, two-year, three-year system that my hon. Friend describes and ask how they can get to that position and achieve this country's levels of course completion, which are high by comparison with those of many universities elsewhere.

I agree that the Bologna process is important and that we need to consider it, but the twist that I put on the point that my hon. Friend makes is the acknowledgement by other European countries that they need to be moving towards our system, rather than the other way around. A number of other countries, including Italy and France, have variable fees, so they also face issues that they are considering in the same way.

Mr. Chaytor: Does my right hon. Friend share my confusion about Conservative policy? Given that the Conservative party continually reiterates the importance of devolving management to schools, hospitals and universities and refers to the autonomy of the managers of those institutions, how can it seek to take away from the management of universities the key decisions and the key ability to raise their own revenue? Why are the Tories supporting a command economy?

Mr. Clarke: My hon. Friend makes a powerful point. I am confused by the Conservative position. There is a serious point about what he said: I do not believe that the Conservative position is sustainable even within that party and on its Back Benches. I believe that it will have to address the issue in a very serious way.

I come now to the second pillar of the Government's case. It is reasonable that, in addition to resources for university courses that come from taxation, including from graduates, it is also necessary to have a direct contribution from graduates. The lion's share of resources for universities will obviously come from taxation, which is right, since society as a whole benefits from the quality of our universities, but I think that it is right that graduates should also contribute.

The reason, in fairness, is very simple to state. We already spend an average of £5,300 a year on every university student, compared with £1,800 a year for every three-year-old student or £3,200 a year for every primary school child. Universities already get the largest share of the taxpayers' money that is spent on education. The Government believe that priority for new investment must go to areas in which we can make the greatest impact on promoting equality and social justice, which I believe are in under-five and primary education. That is where any extra resources that we have should be focused, so as to equip our country for the future.

Tom Levitt: I firmly endorse my right hon. Friend's final point. Does he agree that it is not the size of the fee or even its variability that will open doors to access as far as this policy is concerned, but its deferral? I echo the point made by my hon. Friend the Member for Bury, North (Mr. Chaytor), who said that that principle should be extended to further education as well. Indeed, I said the same thing in a speech in this place last Wednesday night.

Does my right hon. Friend also agree that debt repayment really would be an issue if people faced the same interest rates that they faced under previous Tory Governments? The fact is that our plan will work because our management of the economy, unlike that of the Conservatives, will keep interest rates low.

Mr. Clarke: I agree and I shall return to those points in a moment.

It is on the second pillar that we part company with the Liberal Democrats. I believe that no Secretary of State faced with the choice to which I have referred in spending on education—even a Liberal Democrat Secretary of State, should there ever be one—would say that universities had to come ahead of every other demand, educational or not. That is where the Liberal Democrats are quite wrong, as they say that it is wrong in principle for the student to make any contribution. They state that, in principle, the bus driver should pay for the barrister, and they assert that no choices need to be made and that the taxpayer can fill the gap as they seek to abolish fees.

Ironically, the Liberal Democrats have been helpful enough to confirm that real choices have to be made. They have pledged to introduce a 50p-in-the-pound rate of income tax for those who earn more than £100,000 a year. Their Treasury spokesman at the time, the hon. Member for Truro and St. Austell (Matthew Taylor), made it clear on 2 April that that money would have to be spent "to abolish the burden of student fees". In the same speech, he said that it would have to be spent on cutting council tax by £100 for everyone. In September, he said that the same money would be used to scrap charges for personal care. In the same speech, he said that it would also be used to cut taxes for the lowest paid. The Liberal Democrats stated in their 2001 manifesto that the same money—again, it is the money generated by a 50p-in-the-pound tax on incomes of more than £100,000—would be used to provide a "substantial and immediate increase in pensions". The same manifesto said that the same money would be used to increase investment in the national health service.

I shall be generous and not cite the more than 60 other spending commitments that the Liberal Democrats have made on the basis of the same pot of money. They all confirm, however, that any Chancellor or Secretary of State faces competing demands for whatever resources come from taxation. That is why, in my opinion, resources from taxation alone offer no guarantee to universities.

Dr. Jenny Tonge (Richmond Park) (LD): The right hon. Gentleman should review what he has just told us, because in fact, it is not true, and I suspect that he knows it. I want to ask him a serious question: why is it fairer to tax young people earning between £15,000 and £20,000 a year than to tax people earning £100,000 a year, who may also have benefited—indeed, they probably have—from university education?

Mr. Clarke: I have addressed the argument on the fairness of asking people who earn more than £15,000 to pay for some of the benefits that they have received, and I think that that is entirely reasonable. On the separate argument about how one deals with people earning more than £100,000 a year, there is a debate to be had about the appropriate level of taxation at any given time. However, I do not accept—this shows the misleading nature of the Liberal Democrat proposition—the argument on increasing taxation to 50p in the pound for everybody who earns more than £100,000. If that were to happen—I do not want to argue about the merits of the case now—I do not believe that it would fund the long Liberal Democrat list of substantial spending commitments, including the abolition of fees. The authority for what I have said is on-the-record speeches by the former Treasury spokesman, the hon. Member for Truro and St. Austell, on 2 April and in September, and on-the-record commitments in the Liberal Democrat manifesto. I know that the hon. Gentleman has been moved from that position for being a bit of a soft Liberal and that others have been put in his place because of their hard and clear position, but I say to the Liberal Democrats genuinely, in the spirit of the big conversation, that they have an obligation to face up to the choices and to stop claiming that the same money can be used for an enormous multiplicity of different purposes, misleading electors throughout the country.

Mr. Phil Willis (Harrogate and Knaresborough) (LD): I will respond in my speech to the issues that the Secretary of State raises. Will he explain for the benefit of the House the difference in principle between saying, as the former Secretary of State—now the Home Secretary—and the Prime Minister did in their 2001 manifesto, that Labour has ruled out top-up fees and legislated against them and the comments that he just drew from our manifesto?

Mr. Clarke: The difference is clear. As the Prime Minister said, our manifesto position was, in effect, that we would not introduce top-up fees before the next general election. That is what we said, and that is the position. Before top-up fees are introduced, the people will have the chance to vote on the hon. Gentleman's proposals, my proposals and Conservative proposals.

Mr. James Clappison (Hertsmere) (Con): Is the Secretary of State saying that his manifesto makes the statement on top-up fees with the qualification that it would not be done before the next general election? The manifesto says:

> "We will not introduce top-up fees and have legislated to prevent them."

Mr. Clarke: That is exactly what I have said. The point has been extremely well rehearsed, and that is the position.

Mr. Adrian Flook (Taunton) (Con) The Secretary of State spoke in warm and glowing terms about the level at which a graduate will start to repay a loan being raised from £10,000 to £15,000, £18,000 or £20,000. Will he remind the House that that level was reduced from £14,000 to £10,000 under the Labour Government?

Mr. Clarke: I thank the hon. Gentleman for that comment. I am happy to say that the changes that we introduced in 1998 are precisely those that we reviewed in order to arrive at the package of measures that we have put before the House.

I have tried to argue that there are three pillars to our proposals. First, universities need more money, which is where we part company with the Conservatives. Secondly, it is reasonable that graduates should make some contribution towards the costs of their university education, which is where we part company with the Liberals. The final pillar is the need to ensure that graduates' contributions are made fairly. That is the issue about which several of my hon. Friends have

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expressed concern, as in the early-day motion to which there has been much reference. I want to address those concerns.

The fairness of our proposals can be set out in several ways. First, I believe that university should be free at the point of use. That is why parents or students who have to pay £1,125 of the entry price to study will no longer have to find that before or during their studies. The recent student income and expenditure survey shows how much of a problem that payment is: a substantial number of students have had to find nearly £700 a year towards fees because their parents were not making the assessed contribution. That inequity should end, and under this proposal it will. As it is a central part of the Bill, it would, of course, fall if the Bill were to fall.

Secondly, I believe that graduates should have to pay back only the cost of their own higher education: that is a form of individualised graduate tax that is fair. The figures used in the amendment tabled by the hon. Member for South Suffolk are highly tendentious and bear no relation to any that exist in any assessment that has been made by a serious organisation.

Thirdly, I believe that it is fair that graduates should make a contribution that is based only on what they earn, not what they owe. It is therefore right that graduates should contribute to costs once they are earning more than £15,000. That is fairer than the current level of £10,000, which is why it is important that the Bill allows us to raise the threshold. The progression is reasonable. For example, it is not unreasonable to ask a person who is earning £18,000 to contribute £5 a week. Again, that proposal would fall if the Bill were to fall.

Mr. David Rendel (Newbury) (LD): I think that I understood the Secretary of State to say that repayment will be based on what a person earns, not what they owe. Does he accept that in practice it will be based on what they owe, and that if they earn less it will simply be stretched over a longer period?

Mr. Clarke: I concede that point: the hon. Gentleman is correct. Obviously, there is a relationship between the amount that one pays and the time in which one has to pay it. The point that I am trying to make is that at any given point, the burden of the repayment being made should reflect the individual's income at that time, not the size of the debt. That is why it should be done through the tax system rather than by any other means. It is not like any other kind of debt, because it is directly related to earnings. If one has, for example, a mortgage or a loan for a car, one has to pay off that debt in regular amounts according to what one owes, leaving aside the issue of the real rate of interest. By contrast, under our system, because it operates through the tax system, a person's payments will depend on what they earn at any given time.

Fourthly, graduates are never charged a real rate of interest: the Government pay the cost of borrowing for the individual, so no one is penalised for taking longer to pay the money back or—this is an important point—for taking career breaks or dealing with family responsibilities, for example.

The final aspect of the fairness of the proposals that I want to emphasise is that students from lower-income backgrounds will get significant extra financial support from the Government. Money to cover all or some of the first £1,125 of the university fee will continue to be paid, and around one third of full-time students will benefit from a grant of up to £1,000. Those significant contributions to students from such families go a long way towards my being able to claim that the system of repayment is indeed fair.

Mr. Eric Illsley (Barnsley, Central) (Lab): Will my right hon. Friend comment on a situation that has arisen in other countries whereby the rate of interest on student loans for tuition fees was initially set at a very low level but was increased over time to commercial rates of interest?

Mr. Clarke: There is a wide range of international examples. I think that my hon. Friend has in mind New Zealand, where a new Government decided to change the rate of return in that way. Other countries with a system similar to that which we propose—it is worth emphasising that most Organisation for Economic Co-operation and Development countries have such systems—operate it not on the basis that my hon. Friend criticises, but on the basis of our type of system. It may be helpful to the House if we place in the Library a summary of systems in other countries to assist hon. Members in analysing such questions.

Mr. Allen: Will my right hon. Friend take it from the Member of Parliament who represents the constituency in which the least number of young people go to university that working-class kids fear not having to repay minor amounts of fees, but that they may not be able to keep body and soul together to get to university in the first place? If he wishes to give any leeway to anybody, will he resist those who want concessions on fees and ensure that any assistance that he has at his disposal goes towards increasing the student grant so that those young people can get to university in the first place?

Mr. Clarke: My hon. Friend makes a powerful point. There are two ways of addressing it: first, we can consider the level of student grant, as he suggests, and secondly, we can consider the level of maintenance that students are entitled to receive to ensure that they have enough money to survive while at university. We are looking at both those issues to see how we can assist people in his constituency and others.

Ian Lucas (Wrexham) (Lab): My right hon. Friend makes a persuasive case. I am fully with him in relation to the first two pillars that he outlined, but I have some difficulties in relation to the variable fee. Does he accept that higher costs for individual courses deter people from poorer backgrounds from going to university to pursue those courses?

Mr. Clarke: That is a legitimate point, which, if my hon. Friend will forgive me, I shall address when I reach that part of my speech.

Further to what I have said about fairness, our proposals for the office for fair access, which will have any kind of bite only in a world of variable fees, will ensure that universities have to make available a wide range of bursaries as a condition of charging a higher fee. I have say to the hon. Member for South Suffolk that the office for fair access does not tell universities whom they must or must not admit. He was wrong about that in the House and on the "Today" programme. If he takes time to study our proposals in the course of his busy day, as he deals with both education and health, I hope that he will withdraw his comments and acknowledge that that is not what we are about. We are trying to ensure that universities have fair systems that can operate properly and provide bursaries in order to do so. Let me give an example. As a direct result of our decision to take the approach that I outlined, Cambridge university has confirmed that one in three students could be awarded up to £4,000 a year in addition to Government money. That is a substantial amount. One of the most significant universities in the country has said that a third of students will get that sort of money on top of fee remission and the grant. That means that for the first time in many years—I do not know if it has ever happened previously—there is a genuine incentive for people from the constituency of my hon. Friend the Member for Nottingham, North (Mr. Allen) to look to Cambridge rather than other universities on financial grounds, leaving aside the merits of any other case.

Cambridge university's policy flows directly from our approach, and I applaud its action. Many people would never have believed that such universities would offer such incentives to poorer students. It is a great step forward. Moreover, I believe that others among our great universities are likely to follow that example. That will deal with some points about which some hon. Friends have expressed concern.

Mrs. Anne Campbell: I welcome my right hon. Friend's remarks. I agree that the Cambridge university bursary scheme is excellent and will help enormously to alleviate the poverty that students experience. However, Cambridge university is in a relatively privileged position and it has fewer students from lower-income backgrounds than many other universities. It will be difficult for other universities to try to match Cambridge because they will not have the financial security.

Mr. Clarke: My hon. Friend makes a fair point. Nevertheless, it is significant that Cambridge university has taken such a step, and I believe that other universities of that order are considering precisely the same action. That makes a strong case for the existence of an office for fair access that tells any university that considers charging higher fees, "You'd better come up with a case for ensuring that students from working-class backgrounds can get to university." That is an important element of our proposal. I congratulate Cambridge university on getting ahead of it. It does not mean that such action stops there. I am simply trying to show that our policy approach has led to major universities, such as Cambridge, taking major steps that will give people from working-class families major advantages in getting to some of the best universities in the country. The action will spread.

Mr. Colin Pickthall (West Lancashire) (Lab): It is worth putting on the record the fact that every Cambridge and Oxford college gets an extra £2,000 a year per student from the Treasury. That has happened for many years. I know that the Government are putting that on to a sliding scale, but the universities of Cambridge and Oxford have immense advantages over others.

Mr. Clarke: The issue that my hon. Friend raises about Oxbridge colleges is a long-standing soap opera, in which I am perhaps disappointed not yet to have participated seriously. Although his point has weight, it should not detract from the significance of Cambridge university's decision and the measures that it is prepared to take to do something different.

Dr. Alan Whitehead (Southampton, Test) (Lab): Does my right hon. Friend accept that even if the access regulator improves the relative performance of some universities when compared with others, specific universities that already have many disadvantaged students will continue to have to confront the problem of immediately putting the money that comes in through the front door out through the back door in bursaries? The more élite universities will not feel the same effect, even if they improve their performance, according to the access regulator. Does my right hon. Friend accept that a case might be made for a maintenance system that starts centrally, before the money is distributed to universities rather than afterwards?

Mr. Clarke: I shall comment on the good work of my hon. Friend and other colleagues later. I accept that there is a problem, and my right hon. Friend the Minister for Lifelong Learning, Further and Higher Education has been discussing the matter with universities throughout the country to ensure that we do not have the sort of disincentive that my hon. Friend described. I hope that when we publish our proposals we will be in a position to deal with the issue in the most effective way. However, I accept the legitimacy of his point.

Variability has caused great anxiety to hon. Members of all parties, especially Labour Members. I believe that it is a critical driver of fairness and equality. I appreciate that it is controversial and that some Labour colleagues want a flat fee of, for example, £2,500 across the board. I pay tribute to my hon. Friend the Member for Southampton, Test (Dr. Whitehead) and other colleagues for their detailed work, but I remain of the view that it is necessary to vary fees from zero to a maximum of £3,000 for different universities and courses. I believe that that reflects the reality of our diverse higher education system. It would be unfair to insist that every student on every course at every university paid the same amount. Every university would be forced to charge the same amount across the board, irrespective of demand or the nature or quality of the course and the potential rate of return for the student. Anyone who examines our university system knows that variations exist, and students understand that when they apply to university.

Let me consider some disadvantages of a flat-fee system. First, it would remove flexibility. Earlier, I mentioned the possibility of even leading Russell group universities charging zero fees for specific courses to encourage people to join them. Those who try to develop foundation degrees want to give people an incentive to join their courses. They could not do that if they were required to charge a fee at the suggested levels.

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Secondly, it would be unfair to students not to take account of different courses and different universities in terms of the return in employment. Thirdly, a flat-fee system would remove the mechanism for access requirements from the office for fair access. The earlier exchange about Cambridge university suggest the potential power to change matters, not only after the mechanism's existence but as a result of thinking about it beforehand.

Fourthly, when universities are given a choice of a course at £2,500 or not having the course, their only option might be to end a course that they want to continue because they cannot reduce fees to attract people to it. That is an important issue for universities when they plan.

Variable fees will allow a much stronger guarantee of value for money and quality of courses because they relate the course to the student more directly and specifically. It is ironic that a flat rate of £2,500—the figure that many colleagues suggested—would distribute money from the poor to the affluent.

Dr. Ian Gibson (Norwich, North) (Lab): How does my right hon. Friend square matters in a university community? He gave the example of a physics course getting a zero fee rating. How does he square that with university management finances? A creative writing course might charge £3,000 because it is popular. Would the money be reflected in physics courses? Science courses are notoriously expensive because of technicians, equipment and all the money that has to be spent on experimentation and so on. Indeed, experimenters carry out most of the teaching and take money from research grants to aid teaching. That cannot be right.

Mr. Clarke: The Higher Education Funding Council mandates money for specific courses to provide encouragement in the way we discussed earlier. I say in all friendship to my hon. Friend and neighbour that he should talk to the vice-chancellor of the university of East Anglia, of which he was dean, and which is in my constituency, about managing money. If he does, he will find that the proposals are welcomed because they provide the capacity to raise money and plan far more effectively for creative writing, as well as for maths, physics and so on. That is a better way for the vice-chancellor of managing the resources to improve the quality of the university.

The reforms are a package, not a pick-and-mix solution. They are generous to students and fair to universities and the taxpayer. We will publish the Bill and our detailed proposals at the beginning of January so that, as the Prime Minister said, Second Reading can take place before the end of that month. The future of the country's higher education system is at stake. We must have the courage to reform it in a way that is steadfastly based on the Labour party's values of opportunity and fairness. We need a policy for the future, and I commend our policy to the House.

2.9 pm

Mr. Phil Willis (Harrogate and Knaresborough) (LD): Before moving on to what, inevitably, is the main topic of debate today, may I make one or two remarks on other aspects of the Gracious Speech? First, however, I make common cause with the Secretary of State in saying that I get increasingly tired of our public services being painted as third-world public services. The reality is that that is not the case.

There are significant problems in health, education and other areas of public service, but for most Members the public services delivered in their constituencies are of a very high order. Continually denigrating the staff who work in those services does a disservice to our arguments and to the work of the House.

Mr. Chaytor: Will the hon. Gentleman give way?

Mr. Willis: I have only just started.

Mr. Chaytor: I know, but will the hon. Gentleman give way?

Mr. Willis: Yes.

Mr. Chaytor: I am grateful to the hon. Gentleman, and I am sure that Members on the Government side of the House thank him for his remarks. Does he accept that the fact that those public services are in good shape is largely due to the increased investment that has been put in since 1997?

Mr. Willis: I cannot possibly go that far for the hon. Gentleman, because he and I know that between 1997 and 1999 a huge opportunity was lost by the incoming Labour Government. They stuck to Conservative spending plans for those two years, seeing our public services continue to be denied the resources they needed. However, there has been significant spending in a number of areas since then, and the Liberal Democrats are very supportive of it. I hope that he will accept that as a halfway house.

I say to the Secretary of State that the draft school transport Bill is very interesting. We hope to be able to get a number of assurances from him before hares start running. First, there needs to be an assurance that the current arrangements, particularly in post-Education Act 1944 terms respecting Cowper-Temple and the Church schools situation, will be guaranteed. Secondly, we need an assurance that students who live more than 3 miles away will continue to get a form of free transport to the school of their choice. Having an education policy that offers parents choice for their children across borders, especially after the Greenwich judgment, but which then introduces ring-fencing for local authorities—which does not bring those considerations into play—could do a huge disservice. I hope that the Secretary of State, early on in the consultation, will make some parameters clear.

On the school transport Bill, may I also ask the Secretary of State not to neglect 16 to 19-year-olds? One of the huge problems for young people in that age range, particularly in rural areas, is access to further education. There may be a local school at which they may be able to get 16 to 19 education, but if we are to develop opportunities we need to be able to offer them transport. One of the huge deficiencies in the system—it is a real shame that the Learning and Skills Council has not tackled this—relates to how we guarantee young people who want to access a course in an institution other than their local school from 16 to 19 that they can have it. I hope that that will be taken up.

Mr. Sheerman: The Select Committee is considering admissions policy. I do not say this in a party political sense, but on the "Any Questions?" programme last week one of the hon. Gentleman's colleagues seemed to want to change the situation in terms of community schools and the Greenwich judgment. Is the hon. Gentleman singing from the same hymn sheet and does that accord with what he has just said?

Mr. Willis: I do not want to get into a debate about the "Any Questions?" programme, but I am sure that my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) was talking about the Greenwich judgment and a long-standing party policy, which is to reverse the Greenwich judgment. Those Members who were present when we discussed the School Standards and Framework Act 1998 will know that I proposed an amendment, with my hon. Friend the Member for Bath (Mr. Foster), that would have dealt with that issue. The Greenwich judgment and, indeed, the Rotherham judgment are key issues in terms of dealing with access. I am sure that the hon. Member for Huddersfield (Mr. Sheerman) will take that on board.

The second point that I want to make before going on to the substantive issue of higher education relates to the proposed children's Act and the establishment of a children's commissioner. I say to the Secretary of State that we are delighted at the speed at which the Government have moved from producing a document to going for legislation to ensure that the recommendations are put into law. We are grateful for that. However, we are concerned that it appears that we are to have a one-size-fits-all solution on how local authorities have to respond to amalgamation and the one-stop shop in local authorities. I hope that the Minister who responds to the debate can allay the fears.

It is important that local authorities are allowed to have bottom-up solutions on how they provide the service. For instance, authorities such as Surrey, which is not a Liberal Democrat authority, have done remarkable work on integrating children's services and they should not have to unpick all that and suddenly start again. To do that would be a great shame.

Mr. Charles Clarke: Perhaps I might offer clarification. I am extremely sympathetic to the point that the hon. Gentleman is making and I acknowledge the need for flexibility in putting the proposal into effect in local authorities throughout the country, but as we do that we must not lose the drive and impetus towards a single clear responsibility that is properly operated. Provided that that imperative is acknowledged, I accept what he says.

Mr. Willis: I accept that as an imperative. It is right and proper that the Secretary of State should provide the framework. The commissioner should report to Parliament, but the local authority should be able to get local solutions within that framework. I hope that we will see that.

From time to time, all parties put the slogans "No child left behind" and "Every child matters" on their documents, but every child does matter in terms of child protection and the broader issues involved in how we protect minorities in our schools. Looking at the recent exclusion figures, it causes enormous sadness to me that Afro-Caribbean boys continue to be three times more likely to be excluded than their white counterparts. It is enormously sad that children with special educational needs are seven times more likely to be excluded. I hope that the commissioner will also deal with those minorities to ensure that local authorities produce good solutions rather than simply tokenism.

May I include two other groups of children in that? The first is traveller children. A growing number of traveller children in our society—those of new age travellers and of traditional Romany travellers—are often neglected. Ofsted has drawn the Secretary of State's attention to the problems of traveller children and I hope that we can include in the commissioner's remit a real commitment to doing something for those youngsters.

On the issue of asylum children, I am delighted that the Government have abandoned their policy of taking away children and putting them in care. That was a horrendous policy and we are delighted that whichever Secretary of State, or whichever Minister, was going to go down that road has changed it.

Moving on to the central focus of the Gracious Speech, it is interesting that its fourth paragraph said:

> "A Bill will be introduced to enable more young people to benefit from higher education."

That laudable aim is shared by Members on the Liberal Democrat Benches, but what we have heard today and what we have seen from Ministers ever since the publication of the White Paper is not a commitment to that, but a desire to shift the balance of funding for our universities from the state to the individual. That is really what we are talking about today and it is the whole emphasis of what the Secretary of State said.

The Secretary of State did not produce a shred of evidence to show how we will encourage students from less traditional backgrounds to aspire to—let alone go to—university by charging the poorest students and by increasing the debt burden to mortgage-style amounts. He has oft repeated that that aspiration is something that we have to tackle, because at 16 many youngsters who should be going on to study post-16 and at university drop out of the system.

Mr. Chaytor: Can the hon. Gentleman explain to the House why, through that long period when university education was entirely funded out of general taxation, the proportion of working class young people going into higher education remained at virtually zero?

Mr. Willis: Of course I can. One of the great opportunities that we have in these debates is to tackle that very issue. I was a working-class child, and I was the first in my family to stay on in education when I went back to school after I had failed as a footballer. My father had aspirations for me, but opportunities were few and far between. Under the grammar school system, only 10 or 20 per cent. of youngsters went to schools with the aspiration of putting pupils into post-16 education and beyond. Fortunately, successive Governments—not just Labour Governments—have

[Mr. Willis]

moved away from that and opened up opportunities for pupils post-16. The hon. Gentleman must realise that the whole basis of our working society has changed. His hon. Friend the Member for Barnsley, Central (Mr. Illsley) will know from his pit communities that the aspiration was for their young men in particular to leave school at 16 and go down the pit like their fathers had. That was the culture in many of the old industries of Britain, but that has all changed for the good. Aspirations have changed, and it saddens me that we are pulling up the ladder of opportunity behind us.

The Secretary of State for Health (Dr. John Reid): I have listened carefully to the hon. Gentleman. I come from the same background as he does, and I noticed all those changes. Like him, I was fortunate enough to have parents who went to great lengths to ensure that I got to university. All the changes that he mentions, including changes in aspirations, are one thing, but he has not answered the question that my hon. Friend the Member for Bury, North (Mr. Chaytor) asked. Despite all those changes, despite people's aspirations and despite the structural changes, for the past 50 years the percentage of people who come from my background and that of the hon. Gentleman and who go to university has not changed at all. He must not speak as though great progress has been made and huge numbers of people from our background go to university, and that that trend has suddenly been abandoned and reversed by my right hon. Friend the Secretary of State for Education and Skills. Our proposals are designed to break the deadlock, because that percentage has not increased.

Mr. Willis: I am arguing that the impact of tuition fees since 1998 has been to reverse the trend that was at least going in the right direction, especially after 1989 and after the incorporation of the universities. *[Interruption.]* The Minister should refer to his own documents, because he has told me in a parliamentary answer that that is the case. If he is saying that loading additional tuition fees and differential fees on to poorer students will encourage them to go to university, then he and I live in different lands.

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): Will the hon. Gentleman confirm that when the leader of his party said in a speech last July that the percentage of university students from the bottom social classes had decreased since the introduction of fees, he had got his facts wrong and his comments were misleading? What the right hon. Gentleman said was a 7 per cent. fall was actually a 1 per cent. increase. That was corrected by my right hon. Friend the Secretary of State for Education and Skills in a letter, but that correction has never been acknowledged.

Mr. Willis: I acknowledge that now on the Floor of the House. It would be quite wrong of my right hon. Friend or me to provide statistics that are incorrect, and I have no wish to do that. The statistics that I shall provide later in my speech have come from the Department, so I think we would both agree on those.

We should study the analysis of the impact of the policy of differential fees on student participation and institutional direction. Nothing in the White Paper or in what the Secretary of State has said today allays fears. There is no guarantee that universities will not have state funding removed in proportion to their fee income, as has happened since the introduction of the tuition fee in 1998. It is all very well for the Secretary of State to talk about increased resources since 1998, but virtually pound for pound has been taken away in grant from the Higher Education Funding Council as has been put in from students. That is not acceptable, and if that happens to top-up fees universities will be short-changed.

Seldom do I agree with Conservative policy on education, but the Tories are right about the introduction of the new regulator that we call Oftoff. Artificially skewing intakes to universities by some glorified plan of social engineering will merely add a layer of bureaucracy, and increasing student debt will be the major deterrent.

Mr. Chaytor: The hon. Gentleman will know that two-thirds of all the students in the United Kingdom who obtain the highest A-level grades come from state schools. He will also know that only half the students in Oxford and Cambridge come from state schools. Does he accept that that is the result of hundreds of years of social engineering? Is it not about time that we had a better balance between the grades obtained, the pool of talent coming out of the system and the places reserved in our leading universities? Is not that the most powerful argument for some intervention in the admissions process?

Mr. Willis: I have great respect for the hon. Gentleman, and do not disagree with the figures that he presented. However, I disagree with the bureaucratic solution to that problem. When the Chancellor made his ill-timed remark about Oxford university two years ago, and when we had the debate last year on social engineering in the admissions policy at Bristol university, the issue involved was how to choose which students to take from among the candidates with the same or similar grades. If the Government are proposing that Oftoff must require that a proportion of students from particular socio-economic backgrounds are chosen to enter a university on the basis of those grades, my goodness we are looking at our universities in a totally different way. That is the debate that we must have. At the end of the day the hon. Gentleman may be right, but at the moment I believe that universities do not need this layer of bureaucracy. We should challenge vice-chancellors and the courts of universities, and those of us who are on those courts, to get their act together and find solutions that satisfy the Secretary of State.

Peter Bradley (The Wrekin) (Lab): Will the hon. Gentleman give way?

Mr. Willis: I shall make a little progress.

Mr. Francis Maude (Horsham) (Con): Will the hon. Gentleman give way?

Mr. Willis: If the right hon. Gentleman does not mind, I shall make a little progress.

Mr. Maude: It is on the point with which the hon. Gentleman is dealing.

Mr. Willis: I am sorry, but I have turned down the hon. Member for The Wrekin (Peter Bradley).

Peter Bradley: The right hon. Gentleman can go first and I can go second.

Mr. Willis: No, no.

We want students to choose courses because they have a desire to study in a specific area, not because those are the courses that they can afford. We want them to leave university with a desire to contribute where they feel they are most needed, not where they will get the most money to repay their debts. Sadly, today's debate, like most of our debates on higher education over the six years that I have been in the House, has been about balancing the books and not about higher education.

The current debate is about stage two in the Government's grand plan to move the burden of paying for our universities from the state to the individual. The Secretary of State said in the House that

> "the entire objective in taking our difficult decisions has been to put higher education on a firm footing for the next two decades."—[*Official Report*, 23 July 1997; Vol. 298, c. 958.]

Who was he trying to mislead? It was simply not true at that point. It was not for the next two decades—it was for the lifetime of that Parliament until the Government introduced the next ratcheting up to ensure that students paid more. He was clearly not trying to mislead his master at No. 10, because the 2001 manifesto pledged not to introduce top-up fees. The Government are now legislating again, so that was either deceitful or cynical. The reality was that there was no intention to maintain that pledge. I would have more time for the Government if they said that they got it wrong; that they made a mistake and now have to do things differently, because that is grown-up politics.

Where is the Government's vision in their proposed Bill? There is an assumption that our university system, which has mushroomed from the highly elitist pre-Robbins structure to the current mass higher education product, is somehow fit for the purpose in the 21st century. The only question to be answered, as in 1997 following publication of the Dearing report, is: how do we pay for it? Neither the White Paper nor the proposed Bill attempts to engage with employers or the new generation of students about the future of the system.

Regional universities are to be downgraded to teaching-only universities, ignoring their crucial role as economic generators and their relationship with regional development agencies, sector skills councils and the future regional assemblies. "Corporate universities" hardly get a mention, despite the success of the National Health Service university and corporate higher education institutions run by Motorola, IBM and others. The FE sector, which already delivers a significant amount of higher education at foundation level, is almost sidelined. The Higher Education Funding Council for England has made huge strides with the e-university, but the virtual university appears to have been lost in the ether. The growing army of mature students who increasingly study part-time, in the workplace or using bite-sized units are given scant consideration, with proposals for credit accumulation and transfer being left to the vagaries of individual institutions.

The Prime Minister talks about creating a market in higher education, with different products attracting top-up premiums. The reality is that the proposed legislation will not create a market that offers students choice. It will merely reinforce a hierarchy of institutions that will be able to perpetuate their current positions on the back of a top-up fees structure. That is the reality. We are creating a hierarchy by law, rather than the market that the Prime Minister wants. I hope that, when the Bill is eventually published, it will seek to broaden its narrow remit, so that we can enthusiastically engage with the re-engineering of the whole higher education product.

However, we are where we are, so let me make some common cause with the Government on some issues. The Secretary of State for Education and Skills mentioned three significant planks to his argument. Liberal Democrats accept the need to increase opportunity for more students with the relevant qualifications to access higher education. The hon. Member for South Suffolk (Mr. Yeo), both on the "Today" programme this morning and in the debate today, said exactly that. He said that Conservative policy is to provide a place for all those with the relevant qualifications; I think that those were his words.

We agree with the Government's analysis that the United Kingdom will need to rely increasingly on its human capital to succeed in a global market. Indeed, as the recent Machin report, commissioned by the Department for Education and Skills and the London School of Economics, emphasised, the biggest impact on productivity and competitiveness by region and sector is made by graduates. However, the 50 per cent. target is distinctly unhelpful. In reality, that level of participation has already been reached in Scotland—it is 53 per cent.—and it will be reached in England and Wales given the current level three trends. The challenge is not simply to enlarge the number of students to meet a target but to encourage entry from less traditional routes.

Currently, 90 per cent. of 18 to 19-year-olds with two A-levels go into higher education, yet fewer than 50 per cent. do so with an equivalent vocational qualification. The need to encourage more students with vocational backgrounds to enter higher education is a real challenge, particularly given the changes to the 14 to 19 curriculum and the way in which vocational education will have a much larger part to play.

Another area of common cause with the Government is the need for universities to access increased funding following a 40 per cent. real-terms cut in per student funding under successive Conservative Governments and a 7 per cent. cut during Labour's first term in office. Universities UK made a compelling case to the comprehensive spending review for increased investment but received £1.8 billion less than it sought. Its bid for a further £8 billion to £10 billion for the years 2005–06 to 2007–08 reflects the continuing decline in university resources. If we are to produce world-class research, significantly to improve the infrastructure of the sector and to invest in high-quality teaching, resources must be forthcoming. We as a party accept that and, indeed, have tried to find a solution to it.

[Mr. Willis]

Most of our competitors have increased the percentage of GDP spent on higher education, but ours has reduced from 0.88 per cent. in 1997–98 to 0.78 per cent. in 2003–04. We are now 16th out of 28 in the Organisation for Economic Co-operation and Development league table of expenditure per student on higher education, so let us not say that our investment in higher education is generous. It is not.

I ask the multi-tasking hon. Member for South Suffolk to defend Conservative policy. Expenditure on higher education should, according to his party, be lower than that of Turkey, Mexico, or Slovakia—we are below them in the league table at the moment. I ask him how he can support a policy that, by the year 2010, would see 450,000 fewer places in higher education—the equivalent of 850 places for each of the current English constituencies. Those are not my figures; they are from the Higher Education Policy Institute. That is the estimate. If hon. Members go away with only one fact from the debate, let it be how many children currently at school will lose their place under the Conservatives' proposals—let them put it in a news letter.

Incidentally, not a single penny is allocated to the new so-called vocational vision. It is all right transferring youngsters from an academic university route to some other route that is called vocational, but it has to be paid for and it is very expensive. However, last Wednesday on Sky's lunchtime programme, the hon. Member for Reigate (Mr. Blunt) came up with a solution. He suggested that British business would find the £1 billion shortfall. That is a new tax going on to business.

Surely no sensible member of the Conservative party would support such a regressive and economically illiterate policy. I take my hat off to the hon. Member for Wantage (Mr. Jackson), who is not in his place, for his honourable stance in arguing the case for at least increased investment in the higher education system. We know that Tory Front Benchers do not support that policy. It is purely political opportunism—that is what it is all about. He and most of his colleagues, including the leader of the Conservative party, supported the imposition of a flat-rate tuition fee as proposed by Lord Dearing: they voted for that in their amendment on 16 March 1998. They tabled two early-day motions supporting their policy. Early-day motion 24 has 25 signatures and early-day motion 124 has 23 signatures. They cannot even get a fifth of their party to support their policy in an early-day motion, which hon. Members only have to sign.

When the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) was elected leader, the first thing he said was that he doubted that the higher education policy would remain. I am sure that the hon. Member for Huddersfield will confirm that Conservative members of the Select Committee on Education and Skills have all supported a policy of tuition and top-up fees. The hon. Member for Ashford (Mr. Green), the predecessor of the hon. Member for South Suffolk, said on 19 January 2003 on GMTV:

> "I don't mind the principle of differential fees . . . If it's true the Government is going to abolish up front fees and say that everything should be paid back by individual students . . . that's fine by me".

One could not have a clearer statement of where that party is actually at.

The Conservative party's conversion to an anti-fees policy is as unbelievable as its policy to confine future asylum seekers to an unknown island somewhere in the world. Lord Baker was right when he wrote in *The Daily Telegraph* on 7 October that the policy was

> "morally bankrupt and totally cynical".

What a fitting tribute from a former Secretary of State to the shadow Secretary of State and the policy.

The sadness of the debate is that the Government have taken the lead from the Conservatives in the development of their higher education policy. The proposals in the White Paper, and those that will be in the Bill, are classic 1980s thinking from the Thatcher-Joseph school of social justice, the only difference being that Baroness Thatcher did not believe that she could get the proposals through her party. That shows how far we have come in the juxtaposition of two great parties. *[Interruption.]* I shall rephrase that; one great party.

When the declared intention of the Government is to enable more young people to benefit from higher education, how can Ministers justify an increase in fees that will place severe financial and psychological barriers in the paths of participation? The evidence is clear. Since 1998, the Government's policies have widened and not narrowed the social gap. The UNITE-MORI research shows that the proportion from the lower socio-economic classes—C2, D and E—going into higher education has fallen from 20 per cent. in 2000 to 17 per cent. in 2002. The White Paper, written by the Government, acknowledged on page 17 that the gap has widened. The National Audit Office has said that, since 1998–99, the final removal of the means-tested grant is likely to have widened the gap between the social classes.

In her research for the DFES on student income and expenditure, published a few weeks ago, Professor Callender concluded that the shift in student support had benefited wealthy students and not those from poorer backgrounds. There is clear evidence that debt deters students from poorer, non-traditional backgrounds, yet student debt will increase dramatically if top-up fees are introduced.

The Secretary of State poured scorn on the figure of £33,708 as the average debt in 2010 and said that it did not come from a reliable source. I presume that Barclays bank is now an unreliable source. [HON. MEMBERS: "It is."] I hope that hon. Members do not bank with Barclays. However, they will admit that one of the most valuable sources of statistics on student debt has been the Barclays student survey. Without it, we would be all the more impoverished. *[Interruption.]* That was a pun.

The Callender report showed that the poorer students were 43 per cent. more in debt than the richest ones. Professor Callender, who wrote the report for the Secretary of State, finished it by saying that

> "top-up fees of £3,000 will put even more students off university."

There is clear evidence that poorer students are not only the most in debt, but the most likely to have to work.

Already, poorer students are not applying for particular courses in medicine and other long courses because they cannot sustain the debt. The British Medical Association concluded recently that

"top-up fees would deter poor students from studying medicine . . . would move away from and not towards the Government's and the universities' policy of widening access into higher education."

The Government are saying that they will put in place mechanisms to support poorer students and that no student will have to pay up-front fees. We have argued that case ever since the introduction of the Teaching and Higher Education Act 1998. My colleagues and I tabled an amendment to the Bill that was dismissed as nonsense by the Secretary of State and his Ministers. I say to them that they have to get out of their ivory towers and meet real students on real council estates—the sort of kids I taught all my life, who look at debt as a huge burden. It is no answer to tell debt-averse students and those from particular ethnic minority backgrounds that they will be able to pay three years later or that debt can be racked up and paid over a lifetime.

Mr. Allen: May I drag the hon. Gentleman away from one of his myths? Were he to come to some of the estates in my constituency and offer young people an interest-free loan of £9,000, he would be trampled in the rush. None of us would like to see that. Will he concede that we are talking not about poor students, rich students or parents paying back the money, but graduates from all socio-economic classes at certain levels of income paying back the money? He must concede that £5 a week is less than a couple of pints of Guinness down the students' union for someone earning £18,000 a year.

Mr. Willis: I have enormous respect for the hon. Gentleman. I do not know his constituency, but I should be delighted to visit. I am sure that if he went to any part of Britain and offered a £9,000 interest-free loan, even those who do not understand the language would bite his hand off. That would be a generous offer, but this country is in so much debt because of offers of interest-free loans.

We must knock on the head the business of the £5 repayment. The reality is that, at that level, students will not even pay the interest on the debt. If we are talking about serious loans after the introduction of top-up fees, and if those are rolled into the maintenance loans that are paid back through the same system, we will be talking about a figure in excess of £20,000 in 2005–06 or 2008, as the Secretary of State and the Minister have been honest enough to accept. The idea of paying back £5 a week is nonsense.

Peter Bradley: Does the hon. Gentleman regard mortgages as debt, especially when one ceases to have to make repayments when one loses one's job, which would have been welcome in the 1980s and 1990s? If he does, is the Liberal Democrat message to potential homeowners that they should not take on that responsibility because they may have to pay it back?

Mr. Willis: The hon. Gentleman has got to get—*[Interruption.]* Sorry, I was going to say something uncharitable. Of course people will have mortgages and other borrowings but, if we are to believe the Barclays survey, in 2010, it will not be the poorer students but those from families who constantly get knocked by the Government—those just above the level at which the remittance of fees applies—who will have £33,000 of debt. They will then go into adult life and will need somewhere to live, which means renting or buying. The hon. Gentleman and I may have bought properties in London because it is cheaper to buy than to rent in some parts. The burden that will fall on young people will be absolutely massive.

If the hon. Gentleman is saying that he is comfortable with young people starting out in adult life in that way and that Cabinet Ministers, professional footballers and other multi-millionaires should not pay more tax, the Labour party will have moved to a point that I thought I would never see in terms of social justice, equity and progressive taxation.

Lynne Jones (Birmingham, Selly Oak): I certainly do not agree that that level of debt is acceptable or will be contemplated by people from council estates. I was surprised that the hon. Gentleman appeared to agree with my hon. Friend the Member for Nottingham, North (Mr. Allen) on this point. People offered a £9,000 interest-free loan will not accept it if, as a quid pro quo, they must refuse any benefits to which they might be entitled and forgo any full-time work that might give them a substantive income.

Mr. Willis: I am indebted to the hon. Lady for the completeness of the response I should have given to the hon. Gentleman. I was referring to the nonsense of saying that there is a strings-free £9,000 interest-free loan, when clearly there is not. Anybody would accept a strings-free £9,000 loan, but the strings attached to this one are quite significant.

The Government say that they have put in place mechanisms to support poorer students, and that no student will have to pay up-front fees. That is just not so. The reality is that poorer students will have to increase their debt by £1,875 per annum if they want to go to a top university. They will have some £5,625 worth of extra debt when they leave university. The first £1,125 will be paid for them, but they will have to find the rest. However, the Government have come up with a solution. They say that they will give our poorer students £1,000 in grant. The Minister for Lifelong Learning, Further and Higher Education recently said that they can use that £1,000 to pay off their fees. If that is not at least a sleight of hand, I am afraid that it is deceitful, because at the end of the day such students will still have that debt.

The Government are telling universities that they must use £875 of every top-up fee to provide bursaries for poorer students. That is great for Cambridge, and I am delighted that it will be able to give £4,000 to every poor student. But the reality is that 80 to 90 per cent. of students at Nottingham Trent university, Sheffield Hallam university and certain universities in south London are already on fee waivers. How can those places charge a top-up fee? How will they be able to provide bursaries to support poorer students? And if they cannot raise the top-up fees, how will they pay the academic salaries, infrastructure costs, and so on? This

[Mr. Willis]

policy is divisive. It is creating different tiers within our higher education system that are based purely on one's ability to pay.

Jim Sheridan (West Renfrewshire) (Lab): The hon. Gentleman has spent in excess of 40 minutes criticising the Government and the official Opposition. When he intervened on the Secretary of State, he said that he would spell out in detail the Liberal Democrats' policy on funding public services. Is that still his intention?

Mr. Willis: I have enjoyed the interventions that I have taken, and in my view the whole debate has been good. I am sorry that the hon. Gentleman has not enjoyed it.

I turn to our policy. The Government say that the only way to fund our universities is through differential fees, and the hon. Member for West Renfrewshire (Jim Sheridan) may accept that that is so. The Liberal Democrats are saying that that is not so—that we can support our universities and students through direct taxation. Through such taxation, we can recoup the costs from those who gain the most, and who have the highest levels of disposable income. By taxing incomes of over £100,000 at a 50p rate, we would pass the burden of taxation from students to those with the most significant incomes. Surely Labour party members would accept the basic premise that such a tax is at least part-socialist, given that it is fair, progressive and redistributive.

According to the Library, such a tax would raise £4.5 billion, of which £2 billion would be allocated to higher education. That £2 billion would be used to meet the £450 million cost of abolishing existing fees; some £300 million of it would be used to support a £2,000 grant—the Government are already putting in £300 million—and approximately £1 billion of it would be spent on university infrastructure.

We have three pledges—and only three pledges—in respect of our 50p rate. The first call on that money is the spending of up to £2 billion on tuition fees and higher education. Secondly, £1 billion is earmarked for free personal care for the elderly, thereby introducing in England what Scotland already has. The third pledge is to lessen the impact of the transition from an unfair council tax to a local income tax.

That is the policy, which is on the record. Any other funding commitment made by my Front-Bench colleagues would have to be met through savings made elsewhere. If such savings cannot be made, such proposals will not be implemented—I cannot be clearer than that.

Dr. John Reid: Will the hon. Gentleman give way?

Mr. Willis: No, I will not.

This has been an interesting debate. We have heard the three main parties explain three different positions. At the end of the day, it is up to Labour Back Benchers to decide whether they have signed the early-day motion because they believe in a fair and equitable system, under which those who can most afford to support our students do so, or whether they want to vote in favour of this unfair, regressive policy. I know in which Lobby my colleagues will be on the day.

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I must remind the House that Mr. Speaker has placed a 10-minute limit on Back-Bench speeches, which operates from now.

2.56 pm

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): The hon. Member for Harrogate and Knaresborough (Mr. Willis) has made some interesting remarks, as he always does, and at inordinate length. He is the single-handed destroyer of Back-Bench time, especially during education debates. It has come to something when we each have to squeeze our contributions into 10 minutes. An increasingly small number of people are getting the opportunity to speak. I thought that Parliament was about not only Front-Bench opinion, but Back-Bench opinion.

I have got to be brief, but I shall try also to be succinct and not too party political. For me, becoming the Chairman of a Select Committee never meant that I should also become a political neuter. I did not accept the position on that basis, and I shall continue to be outspoken. I should point out to those whom I may have offended when I asked a certain question of the Opposition Front-Bench spokesman that in more than 20 years as a Member of this House, I have always asked Ministers and Opposition spokesmen who comment on state education whether they invested in such education by sending their children to state schools. I am not going to apologise to the House for that—it is a perfectly legitimate question to ask.

I always try to be reasonably objective in assessing the Government's record. Indeed, as the Ministers who appeared before the Education and Skills Committee this morning know, they were subjected to some pretty tough questioning. I stand by the reports that my Committee has produced in the three years of my chairmanship; they made some pretty stinging criticisms of the Government when they got things wrong. But I have to say that the Government's record in tackling the central theme of the underperformance of children from less well off, working-class backgrounds is second to none in our history. Let us look at the facts. Let us remember the percentage of gross domestic product that has been poured into pre-school; into free nursery education at the ages of three, and now four; into upgrading our school buildings; and into our nursery, junior and secondary schools. Money has been spent throughout the system.

Those who want to criticise this Government can do so, because they have priorities that people may not agree with. All parliamentarians—on either side of the House—can legitimately criticise a Government's priorities, but we should not underrate the fact that an enormous sum has been spent on pre-school and the entire education system, in order to tackle the central problem that the Government were sworn to tackle on taking office in 1997.

It gladdens my heart to see that education is mentioned three times in the Queen's Speech, in three different and important Bills. I shall not discuss the children's Bill, although I do have a great interest in it, as do the Select Committee and the Minister for Children. However, I should at this point mention Huddersfield's great education pioneer, Brian Jackson. He was one of the leading education reformers of the 1960s and 1970s, and he campaigned continually for a children's commissioner. Thank goodness we are now going to have one.

I should like to say a few words about school transport in this country, which is in a mess. Members of the Select Committee had one of their exotic freebies on Monday when we all went to Slough for the day. We took evidence in a good local authority, which is coping with the admissions policy that it inherited—with all that that means for the variety of schools in the area. The authority does not wholly control the schools because its neighbours want to send their children into the borough and a quarter of residents want to send their children out the other way. In every town and city in the country can be seen mass movements of children being bussed miles and miles to particular educational institutions. It is a mess, and I hope that some of the pilot schemes in the Bill may do something to help tackle it. Anyone who has been involved in education—on either side of the House—knows that it a difficult problem. Thank goodness, there is an element of pragmatism in the pilot schemes, which are about trying to sort something out. However, it will take much more than what appears in the present Bill to get it right.

One problem that is always evident is the dearth of community schools in the country. Everybody seems to leave the community and very few schools have only their local population attending them. Many of the people who gave evidence to the Select Committee deplored that fact. How can we have community schools when the whole community is on the move to other communities? Overall, however, I welcome the three Bills and the priority that the Government still accord to education.

I should also mention that evidence given over the years during the Select Committee's production of four reports on higher education shows time and again that when children reach the age of 18, it is too late to encourage them into higher education. The really important work is in Sure Start and the early years, in nursery education and in education maintenance allowances. All the evidence shows that that was a brave policy, which is now being rolled out from one third of areas to the whole country. What a wonderful scheme. It was an excellent idea to pay poorer students to stay in education from 16 to 18. We never receive proper acknowledgement from Opposition Members, particularly the official Opposition, for making that real change. Members with an interest in education know that it has been a pioneering piece of policy—and that it works.

The Select Committee frequently stresses that if substantial moneys are being spent on education, there must be checking for value for money and monitoring to ensure that a policy works. If it does not work, it should be scrapped and something else attempted. That amounts to a refreshing pragmatism about the current Administration, who are not driven by a bankrupt ideology whereby everything has to be run like a nationalised industry. We experimented very unsuccessfully with that idea in the past. On access, evidence suggests that early intervention is necessary.

I have to tell the House, including some of my hon. Friends, that in respect of retention, much of the evidence coming before the Select Committee readily showed that debt and debt aversion are not the major considerations at the top of people's minds. The reason why students drop out of higher education in their first year is that, having been given bad advice, they are on the wrong course in the wrong town. Debt was right down on the list, so rather than deal with myths, let us be honest about that.

In my remaining few minutes, I want to point out that the Select Committee was often concerned about the long-term. The most regrettable aspect of what the hon. Member for South Suffolk (Mr. Yeo) said in the "Today" programme this morning—and repeated in the Chamber today—was that all the employers that he had visited said that there was no call for more higher education. Anyone who heard the lecture by Larry Summers, president of Harvard and former US Treasury Secretary, knows that current research shows clearly that if we want to be a competitive country with wealth creation and able to fend off enormous competition from India, China, Brazil and Mexico—in the changing global world—the key factor is how many highly educated and trained people a country's economy produces.

Mr. Laurence Robertson (Tewkesbury) (Con): It is essential that people be highly educated and trained, but it does not necessarily have to happen at university.

Mr. Sheerman: Indeed, it does not. However, we should not pat ourselves too much on the back. People talk about a 50 per cent. target. I was rather reluctant about it, but the fact remains that only 16 per cent. of the population in the average constituency go into higher education. Only 16 per cent., leaving 84 per cent. to do something else. We should inscribe that on our hearts. Out there, 84 per cent. of potential is still wasted, with so many young people denied the opportunity to make the most of themselves through higher education.

We should not forget that higher education today is very diverse. We need a diverse system of education and I believe that a flexible fee structure will help to deliver it. It will not deliver everything, but without a secondary or independent income for higher education in this country, we will not be able to grow at the necessary pace. It has to be complemented by more moneys from the Treasury, but we must keep to the Dearing principle that those who benefit from higher education should contribute to it. Society, individuals and employers are relevant. Employers have long neglected investment in higher education, research and development in this country. They should not be let off the hook by the present Government or any other.

I finish by saying that we should be visionary and long term. We should remember that the most important single factor that will deliver the good life to our constituents will be investment in higher education. The Government proposals will, in my view, deliver that.

3.6 pm

Mrs. Gillian Shephard (South-West Norfolk) (Con): I am glad to contribute to the debate on the Gracious Speech and I am pleased to follow the Chairman of the Select Committee, who always has something

[Mrs. Gillian Shephard]

interesting and lively to say. I should like to draw the House's attention to my entry in the Register of Members' Interests. I add that I serve in a voluntary capacity as parliamentary ambassador for the National Society for the Prevention of Cruelty to Children.

I shall direct my remarks to the children Bill. As my hon. Friend the Member for South Suffolk (Mr. Yeo) said today and my right hon. and learned Friend the leader of the Opposition said last week, we look forward to working constructively on the proposals, in the spirit of the words of Lord Laming in his inquiry into the death of Victoria Climbié. In his report into the tragic death of that ill-starred child, he said:

> "If some good is to come out of this tragedy, lasting change must come out of it too."

The Green Paper and the Bill propose serious structural change in the management and delivery of children's services at every level. Among the objectives of both Green Paper and Bill was the principle of co-ordinated and integrated working between professionals in all disciplines concerned with children. One of the truly scandalous features of the as many as two deaths from abuse of children that take place in this country in each and every week is that subsequent inquiries or analyses almost always reveal that there has been a lack of co-ordination between professionals. No one should underestimate the difficult and sensitive work undertaken by social workers, the police, the medical professions and teachers. Lord Laming recognised just those features, but he said:

> "Even after listening to all the evidence, I remain amazed that nobody in any of the key agencies had the presence of mind to follow relatively straightforward procedures about how to respond to a child about whom there is concern of deliberate harm."

So one of the tests that we shall apply throughout the passage of the Bill is its effectiveness in respect of achieving closer co-ordination. That is the intention of the Secretary of State and the purpose of the Bill, which explains the proposal to oblige local authorities to create the post of director of children's services accountable to local authority education and children's social services. I also welcome the important intention to have a lead elected member with the responsibility for such work. I doubt that such a post would be sought after, but it is none the less important that there should be elective responsibility and accountability in that essential sphere.

Those sensible proposals are exercising the collective mind of local authorities up and down the land, as Members on both sides of the House know. I listened with interest to the assurance given by the Secretary of State that the Government would not insist on a single solution. I was glad to hear that reassurance, but can the Secretary of State for Health give us some clarification later about the suggestions currently abroad among local authorities that the Government's intention is that all education and social services should be dismantled in order to start again from scratch to achieve their ends? I do not think that is the Government's intention, but the suggestion is being bruited so it would be sensible if the Secretary of State were to allay all those fears in his concluding remarks.

Some authorities, such as Hertfordshire and Essex, have already gone a long way down the road of closer co-ordination. Others, such as Norfolk and similar rural shire counties, are wrestling with the problem of achieving co-ordination where services are sparsely spread—although some useful pilot work is being undertaken in Norfolk, in Great Yarmouth and King's Lynn.

I agree with the Government's intention that there should be timely action, but to achieve that they will have to retain some diversity of solution. It is essential that genuine knowledge and local expertise should not be wasted. Furthermore, the task is much more complex where primary care trust and police authority boundaries are not coterminous with those of the local authority, and the considerations are much more difficult for far-flung rural authorities. I hope that Ministers will spot councils that try to solve other difficult management problems by making the Bill the excuse. Work to protect vulnerable children is obviously much too important to be a camouflage for other problems.

I hope that there will be increased accountability. The "nobody was to blame" syndrome is another regrettable feature in the all-too-many cases of child abuse. I hope that Ministers will set up firm tests to check the effectiveness of accountability.

A useful start to closer working could be made by effective information sharing. One of the features of the tragic case of Lauren Wright in my constituency was that if there had only been effective sharing of information between Hertfordshire and Norfolk social services, and between education and social services in Norfolk, her life might have been saved. Where judgments are, literally, about life or death, there is surely all the more reason for strong and reliable procedures that can be checked and counter-checked and that can act as a support framework, giving confidence to professionals faced with extremely difficult decisions.

When the Secretary of State for Education and Skills introduced the Green Paper in September, he recognised its limitations. He accepted that two key services, the police and the health services, are, in a way, outside the legislative remit. The Green Paper does the best it can—neither it nor the Bill would want to plunge every public service into wholesale reorganisation at once—and that is welcome. I am glad that the Secretary of State for Health will reply to the debate, as only health visitors, among all the professionals involved, have legal licence to enter a home and demand to examine a child, which is useful in certain cases. If the right hon. Gentleman has time at the end of the debate, it would be helpful to hear his thinking about how health professionals might be used to greater and more direct effect in that work, despite their absence from the actual reorganisation proposals.

In a debate in this place on 16 July, I hesitantly suggested that the old-fashioned role of the school nurse might be reconsidered. It was an impertinent suggestion and retribution came fast in the form of a letter from Mrs. Jenny Atterwell, a member of a school nursing team based in Wymondham, in Norfolk. She pointed out that my understanding of the current school nursing service was "slightly out of date". She described her work and that of her colleagues—especially that of school health advisers, who have a child protection role. I was impressed by Mrs. Atterwell's description of what she was doing and of what was going on in Norfolk and shall ensure that Ministers see a copy of her letter.

My point may be sounding a bit laboured—it probably is—but it is that there is a wealth of practical knowledge, good will and experience in all the professions concerned with child protection. I hope that local authorities will not be so preoccupied with setting up their reorganised systems—although I understand that it is a big task—that they fail to consult all those with practical and relevant experience, even if it is beyond the scope of the Bill.

That is my final point. When the Secretary of State introduced the Green Paper, he said that

> "nothing less than fundamental reform will address those issues. No single change alone is enough. National standards, inspection, information sharing, training, national and local structures, all need to change if we are to achieve real changes in culture and practice."—[*Official Report*, 8 September 2003; Vol. 410, c. 21.]

That is true, but we are talking about practicalities—about working together, sharing professional expertise and getting together to solve a common problem. The seriousness of the task must not blind us to the abundance of simple, practical, commonsense measures that can immediately be taken by the skilled professionals concerned. The will is there and the cause could hardly be more vital.

3.16 pm

Richard Burden (Birmingham, Northfield) (Lab): I am one of the Labour Members who have significant and severe reservations about the principle of variable fees, and it is to that that I shall devote the majority of my remarks. First, however, I pay tribute to my right hon. Friend the Secretary of State for Education and Skills for the thoughtful and detailed way in which he has approached the debate and in which he has engaged in dialogue with people who take a view different from his. That is in marked contrast to the rant that we heard from the Opposition. I am still trying to work out how their figures add up; as the hon. Member for Harrogate and Knaresborough (Mr. Willis) observed, we shall perhaps find the answer on the island where the Conservatives plan to put asylum seekers. We certainly did not hear it today. What we do know is that if their policies hold together at all, which is extremely doubtful, they will mean a huge and severe restriction of opportunities for many, many thousands of our young people.

I also pay tribute to my right hon. Friend the Secretary of State for taking an important step in higher education policy through the proposal to abolish up-front fees. That is long overdue, and it is welcome. Whatever else comes out of the debate, I hope that that proposal will remain and will influence future policy. In giving that welcome, however, I ask my right hon. Friend to consider the following point, although it may be covered as debates on the Bill proceed: if we abolish up-front fees, the issue of fee waivers must be reassessed. Whether the fees are to be variable or flat-rate, we do not need fee waivers if we abolish up-front fees because students will not be paying them. Graduates may pay them but students will not, so that aspect needs to be rethought.

I also urge my right hon. Friend to consider carefully the paper produced by my hon. Friends the Members for The Wrekin (Peter Bradley) and for Southampton, Test (Dr. Whitehead), which discusses whether the network of bursaries and the other things that we are proposing is the most effective way of achieving the important objective of ensuring access for students from lower-income backgrounds. Could that be better achieved by moulding a grant system targeted at those from less well-off backgrounds?

My first problem with the principle of variable fees is two-tierism. Hon. Members are right to point out that we already have a multi-tiered university system. It is true that universities are multi-tiered in terms of the type of course and the type of teaching that they offer. Sadly, they are sometimes multi-tiered in teaching quality and, even more sadly, in terms of institutional status. If we do nothing else, we need to confront the latter point.

We need to do something about all the things that I have listed, but we must not do so by putting in place a price tag for students or graduates, which would follow them into their working lives. It is self-evidently true that courses in biochemistry, medicine, sociology, modern languages and so on cost different amounts to teach, but do we want students to calculate which course to select according to whether the job that they get at the end will allow them to repay the cost of their teaching? That seems to me to be the wrong approach.

I do not think that the poorest students will be the worst affected, if we get right the questions of access, grants and so on. The students worst affected will be those who are not well off, who are nearly poor, or who are at or just below average income. That is where the problem will be felt. We are talking about repaying a fee of about £3,000 a year, but once the principle of variable fees is established, that will probably turn out to be the thin end of the wedge. I do not know how broad the wedge will be, but it will exist. I am loth to embark on a journey whose end we cannot foresee.

My right hon. Friend the Secretary of State said that a university in the Russell group was talking about getting rid of fees for undersubscribed courses, such as physics. I have heard similar reports, and I consider that the possibility is highly dangerous and would have two consequences. First, such a course would be subsidised by other courses for which fees are paid, with variable fees rising as a result. Secondly, if no fee is payable, there will be no relationship with the graduate's ability to pay when the course is finished. Graduates from such courses will have no fees to repay, because no fees were charged. Therefore, if we allow universities not to charge fees for certain courses, the link between the proposed system and graduates' ability to pay will be destroyed.

My second problem has to do with people's trust, both in what we have said and in what we will say. We have to admit that we went into the last election saying that we would not introduce top-up fees. Technically, it is true that the legislation need not be enacted until the next Parliament—that is, until after the next election. However, will constituents make that equation, or will they think that we said one thing and did another?

I do not dispute the fact that difficult choices have to be made. We must confront those choices—as must the other parties, sooner or later, if their policies in opposition are to have credibility. We are embarking on the big conversation project, which I think is exciting. We want to engage with people outside and look at the big issues. As part of that discussion, we should look at whether our traditional position in respect of variable fees should be retained or whether it should change. We should also look at flat-rate fees.

[Richard Burden]

Another past manifesto commitment was never to raise the top rate of income tax. We need to consider whether that needs to be reviewed. Those are difficult matters, and they need to be discussed.

We need to consider the appropriate balance between the contributions made by individuals and by society as a whole. We have to make a judgment about the training that a teacher gets. How much of the benefit goes to that teacher, and how much to society as whole? The same applies to doctors and to people in other professions. We should discuss such matters among ourselves, with others in different parts of the political world and with the people whom we represent.

Given what I have heard so far, I do not believe that the proposal to introduce variable fees is right. However, even if it is right, it is certainly wrong to introduce it now. It should be discussed and introduced later.

It may be claimed that we cannot wait and that universities' financial needs are so severe at the moment that the cash injection is needed now. If so, such a claim has consequences. If fees have to go up, how can we remain true to what we have said in the past? We should abolish up-front fees, but that can only mean an increase across the board. I do not think that that is the only option, but it may be the speediest. Again, that is why I commend the proposals put forward in their pamphlet by my hon. Friends the Members for The Wrekin and for Southampton, Test.

Finally, I turn to student debt. Regardless of whether fees are variable or flat-rate, we have not yet grasped the full significance of the impact of debt on students. We need to do so. Students must repay loans as well as fees, and they face other expenses as well. We need to link up our policies. At the same time as we are telling students in their early 20s that they will need to incur very substantial debts as a result of their education, we are also telling them that they must think about providing for their security in retirement by contributing to pension schemes.

It was difficult enough to interest young people in pensions 10 years ago, let alone now. However, we are trying to get them interested in what their circumstances will be at 60, 65 or 70 at the same time as we are asking them to incur debts that will restrict their income in the period immediately after graduation. We should do that only very reluctantly, and only after much thought—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman's time is up.

3.26 pm

Sir George Young (North-West Hampshire) (Con): It is a pleasure to follow the thoughtful and courageous, if not career-building, speech by the hon. Member for Birmingham, Northfield (Richard Burden). I am sure that he was right to say that the Government will suffer a loss of public confidence if they pursue their policy on top-up fees, as that policy sits very uneasily with the commitment in their manifesto. However, I hope that the hon. Gentleman and the House will forgive me if, in the short time available, I focus my remarks on the Opposition amendment to the Loyal Address, which relates to the health service.

I welcome to the Front Bench my hon. Friends the Members for South Suffolk (Mr. Yeo) and for South Cambridgeshire (Mr. Lansley), who now have responsibility for health service matters. I can think of no two people better able to dismiss the absurd allegations made by Labour Members from time to time about Opposition policy on the NHS.

When the Conservative Government were elected in 1979, we were able to stick to the spending levels that we inherited from the previous Labour Govt. At a stroke, that demolished some of the absurd claims made before that election. I hope that we will be able to do the same again. I hope that our policy will be to stick to the core values of the NHS and to build on its strengths but address its weaknesses.

I confess to having, from time to time, a moment of sympathy for the Secretary of State for Health. He has extracted record sums for the NHS from the Treasury, yet he finds himself besieged by colleagues highlighting areas in which the NHS could do better. However, the moment of sympathy passes quite quickly. Ministers must largely bear responsibility for the frustration, because they have let the rhetoric run ahead of reality, stifled the initiative and skills of those who work in the NHS, and overwhelmed it with endless and misguided legislative reforms. People are less interested in new laws than in what is actually happening. I want to spend a moment looking at what is happening.

I recognise that the problem of declining NHS dentistry precedes the advent of this Government in 1997. This Government said, however, that they were going to address it. Six years on, people who have had NHS dentistry all their lives are now losing it. I received an e-mail on 19 November from Mr. Cull of Tadley:

> "I have recently been told by my local Dental Practice . . . that they no longer accept NHS patients . . . If it were possible, I would now choose to opt out of paying tax and national insurance, and pay for any services as and when my wife and I need them. I want the Government of the day to recognise that those who pay are entitled to something back!"

Another constituent wrote on 18 November:

> "I discovered yesterday that my family has been taken off the NHS register at our local dental surgery and my children cannot get treated unless we the parents register as private patients."

And that is happening under a Government who accuse us of having a secret agenda to promote private medicine.

A third constituent was told that he had to join Denplan at £14 a month. He wrote:

> "Both myself and my wife are in our 70s and we find that we cannot afford this level of charge from our pensions. We both only have nine teeth remaining and therefore find this situation is very poor. Can anything be done so that pensioners are not faced with these excessive charges in the future?"

At £18 per tooth per year, those are expensive possessions for them to insure. Some people feel betrayed on NHS dentistry.

The situation with general practitioners in Andover, the main town in my constituency, is not much better. A member of my staff recently moved to Andover. All the GP lists near where she lives are closed. Another constituent e-mailed me on this subject on Monday to say they had attempted to get onto books throughout Andover, but had been informed that the only surgery available is somewhere else. My constituent wrote:

> "I would invite your comments on the current state of medical provisions in your constituency when, despite Andover being chosen as an area for expansion, 99 per cent. of all surgeries have closed their books."

There is therefore real pressure not only on NHS dentistry but on primary care and GPs.

Moving upwards to hospitals, we have a popular hospital in Andover with dedicated staff struggling to provide modern services. The building in which the out-patients department is located, however, is straight from "Carry on Nurse" in the 1950s, with people standing in long queues waiting for blood tests on a Monday morning. I ask the Secretary of State, who is chuntering away on the Front Bench, why that is happening and why it is tolerated. In a nutshell, it is because Hampshire gets about £85 per person for every £100 that the rest of the country gets. That is simply inadequate to provide the quality of service that my constituents expect.

We just have to look at the accounts for one of the two three-star hospitals that serve my constituency for the year ended in March to see the pressures. It brought forward an underlying deficit of £3.5 million, and had unfunded commitments of £3.9 million, a cut in primary care trust income of £1.4 million and unfunded cost pressures of £600,000, leading to a deficit of £8.6 million. Of that, £6.1 million was found by savings and income plans—code for increasing car park charges and looking hard at service provision. The balance of £2.5 million was found from the strategic health authority.

Like most of the NHS in south-east England, the local primary care trust has similar structural problems. It had a deficit of £1.5 million last year, made good by capital-to-revenue transfers. In the current year, it can balance the books only by either land sales or capital-to-revenue transfers of £2 million. If we go on transferring from capital to revenue, the position that I have just described at Andover hospital will remain.

I know what the Secretary of State will say—that he has given a record cash increase this year. Yes, the trust that runs the largest hospital in my constituency has had a 9 per cent. cash increase this year over last year. I asked it how much of that was swallowed up by increases over which it has no control. The answer was 6.5 per cent.—national insurance, nurses' pay, doctors' hours and pharmaceutical prices. Therefore, 6.5 per cent. out of 9 per cent. disappeared. Of the 2.5 per cent. remaining, 1.5 per cent. was applied to the deficit that was brought forward, and the 1 per cent. of growth was ring-fenced for a number of specific services. Therefore, virtually no money was left over to develop all the other services that were not ring-fenced.

That pressure feeds through to individual constituents. Mr. S of Andover saw his GP in January and was referred to a neurologist. The appointment was on 10 June. He was told that he needed a brain scan. He wrote:

> "After two months, I had not heard so I phoned Southampton Hospital; imagine my anxiety when I was told my scan was classed as routine. My appointment would be in June 2004".

I had a letter on 19 November from Southampton university hospitals NHS trust about this case with more bad news:

> "At present our wait is now 8 to 9 months, but unfortunately this waiting time is currently rising as we are suffering staff shortages due to a scarcity of trained radiographers nationwide."

An eight-year-old boy in the village where I live has been assessed and approved for a cochlear implant in Southampton. His parents tell me:

> "Unfortunately due to the NHS allocation of funds for this year having already been exhausted, the operation is currently delayed until April next year at the earliest."

Until the formula for allocating resources is changed, the position in Hampshire and other counties in the south-east will always be difficult. The problem is compounded this year by revenue support grant pressures on social services. Education money has been passported through, leaving social services to take the strain of a difficult settlement. Since 1998–99, three nursing homes have closed, with the loss of 88 nursing beds, and five residential care homes have closed, with the loss of 90 residential care beds. During that time, only one home has opened, offering 60 beds, none of them available at the Hampshire rate.

To address the problem, Conservative-controlled Hampshire county council plans to develop an extra 4,500 nursing home beds in the county to help to overcome the shortage—a much more constructive response, dare I say it, than the Community Care (Delayed Discharges etc.) Act 2003. However, Hampshire county council is threatened with capping if it attempts to deliver the quality of service that the Government want.

My advice to the Secretary of State is this: first, stop constantly interfering; secondly, moderate the rhetoric; thirdly, allocate resources fairly. If he does all that, he will begin to bridge the gap between expectation and reality in Hampshire.

3.35 pm

Mr. David Chaytor (Bury, North) (Lab): I shall speak specifically about the higher education Bill. Although many interesting and important Bills announced in the new legislative programme are worthy of debate, for the best part of 20 years I have given considerable attention to higher education, in particular HE funding and student support. I have thought about the subject in enormous detail and have anguished over it. I also have some experience of higher education, which I think helps me to make a useful contribution.

Throughout that period, I have been convinced that a graduate tax, or a form of graduate tax, is the only fair and reasonable way to finance the expansion of higher education. To all intents and purposes, the Government's proposals are a form a graduate tax, so I support the Bill wholeheartedly as the fairest, most efficient and most effective way of putting our universities on a sound foundation for the future and of widening access to those universities.

In one sense, the issue is simple. There are just four questions that we have to ask ourselves. First, do we want a series of world-class universities in the United Kingdom? Outside the Conservative party, the answer is universally yes, which means that we must get more

[Mr. David Chaytor]

money into those institutions. Secondly, do we want to move even more quickly to a mass higher education system in which every young person and mature student has the opportunity to go to university if he or she can benefit from it? Again, outside the Conservative party, the answer is universally yes.

The third question concerns the balance of the individual contribution to the expansion of higher education as against the contribution from general taxation. The idea that it is an either/or question has clouded and confused the debate so far, but it is not a matter of whether it all comes from general taxation or from the individual. Dearing made that point in his landmark report a few years ago. At the time, the report attracted an all-party consensus, which has now been ripped up. The vast majority of young people in my constituency who have a reasonable expectation of going to university and the vast majority of parents understand that the funding of higher education will be made up of a balance of contributions from the individuals who benefit from it and the general taxpayer, who also benefits.

The entire debate is about working out the balance. Should it be 50:50 general taxation and individual beneficiary? Should it be 25:75 one way or 75:25 the other way? The issue is comparatively simple. Once we have worked out how the balance of contributions should fall, we have to deal with the timing of contributions. The decision to abolish up-front fees is one of the boldest and most courageous decisions that a Government could make. It will be welcomed by parents across the country in 2006 as they finally understand that the burden of paying the university fee will no longer fall on them when their son or daughter reaches the age of 18 or 19, but will be transferred to their son or daughter as they enter their working life a few years later.

Every parent understands the logic of that.

Many parents—especially the 84 per cent. of the population who are not graduates—who are struggling to find the £1,125 per year per child, or even part of that fee if their annual income is below the £33,000 a year threshold, will see the fairness and reasonableness of transferring the contribution from their modest income to the income of their sons and daughters, which will be vastly enhanced as a result of their university degree.

Peter Bradley: Will my hon. Friend go further? If tuition fee repayments are to be income contingent post-graduation, will it remain logical to provide waivers for students from low-income backgrounds—based on their parents' low income? Would not that money be better spent on proper maintenance grants, which would overcome the real disincentive to university access by school leavers from such backgrounds?

Mr. Chaytor: I would agree with my hon. Friend that that would be the way forward if we lived in a sane, rational and entirely logical world, but given that we are dealing with symbols and perception, some compromises have to be made.

I would dearly like to be able to talk at enormous length about the policies of the two main Opposition parties, but the significance of their policies is that they are the policies of parties that have already given up any prospect of winning the next general election. We need no clearer indication of that than the policies on the future of our universities that they are advancing.

The Conservatives have reneged on the Dearing consensus, and that has aroused some controversy among their own Members. We heard earlier in the debate many authoritative Conservative voices—probably most of the voices that retain their authority with the general public—speaking out against that new policy. I welcome it, because the Conservatives' announcement of their new-found commitment to the abolition of tuition fees has helped to clarify the argument, certainly among Labour Members. What the Conservatives did some months ago was to spell out the consequences of going into reverse gear and abolishing tuition fees—an immediate cut of 100,000 university places and the loss of the additional 150,000 university places that will be needed as a result of natural demographic processes and the gradual increase in attainment in our secondary schools. It is now clear to everyone in the United Kingdom that the cost of abolishing tuition fees is a loss in the next decade of 250,000 university places.

My question for every Conservative MP who has at least one child with the prospect of going to university is simple. Are they prepared to tell one of their children that they cannot go to university in order to guarantee free tuition for another of their children? If so, which child will they tell, and will they tell that child now? I suspect that if any parent on the Conservative Benches did that, they would get a pretty fierce reaction from the son or daughter not chosen.

The Conservatives have done the nation and this debate a favour by clarifying the options before us. It seems to me that over the past few months a consensus has emerged among Labour Members that there has to be some increase in the basic tuition fee—there has to be more money going into our universities and that must come from an increase in the fee. The debate now is entirely about variability. Some of my colleagues will still resist the increase in the fee, but the debate is largely about variability.

Time is running out, so I shall make only a few points on variability. We must recognise first and foremost that the whole post-18 education and training sector in the United Kingdom is now and has always been based on the principle of variable fees, except for full-time degree courses. Why, I should like to ask my colleagues in particular, do variable fees function perfectly well in further education colleges? In part-time undergraduate courses variable fees function perfectly well, as they do for postgraduates and Open university students. We must concentrate on the fact that most of our existing post-18 education system operates in a regulated market, and there is no evidence whatsoever that students have been deterred from taking those courses because of the variability of the fee.

Every provider of education wants, for its own survival, to recruit both the best students that it can get and the most students that it can get. There is an inbuilt incentive for every college and university to recruit the best students that it can get, so no institution will deliberately prejudice the recruitment of its students or, these days, deliberately narrow the social basis of its student body. The Government are bold, courageous and radical in introducing a plan that represents a major redistribution of educational opportunity in this country, and I welcome that.

3.46 pm

Mr. Roy Beggs (East Antrim) (UUP): I welcome the inclusion in the Gracious Speech of the Government's main priority of delivering

"a world class education system that enables individuals to achieve their full potential".

I also welcome the fact that a draft Bill will be published

"responding to a review of the law relating to disabilities as part of the Government's programme to extend the rights and opportunities of disabled people."

I should like to draw the attention of the House to the problems facing children with learning disabilities, mental health problems and self-development problems. I should like hon. Members to reflect on the needs of children who make the least progress in school during their formative years. Too often, inadequacies in the education system, such as late identification of individual differences and difficulties and limited individual support in early years, prevents many of those children from making progress after primary school and going on to further and higher education. The suffering experienced by children with a learning disability has a lifelong impact on the families and individuals concerned. If learning difficulties are addressed in childhood the negative impact that they can have on adult life is reduced. Only by providing targeted and strategic support can we enhance the quality of life of people suffering from learning disabilities and mental health problems, and that must be the Government's aim.

I encourage the Government to fulfil their commitment to promote better understanding in the education sector and provide better facilities for children with special needs and learning disabilities. The Government's agenda should aim to remove the stigma of having a learning disability at school and promote positive mental health awareness throughout the education system. Far too many children suffering from such conditions fail to fulfil their academic potential and drop out at 16 because they are not given the targeted support that they require to progress. Sadly, many never realise the productive contributions that they could make to society.

In Northern Ireland, a disturbingly high number of children and teenagers in schools and higher education suffer from mental health problems and learning disabilities. All too often, children suffering from a wide range of disabilities, from dyslexia to depression, go unnoticed or become victims of stigmatisation and bullying. That leads to children covering up their problems and failing to deal with them and, in the most extreme cases, to suicide. Of course, the problem that affects the British Isles as a whole. I remind the House that the Office for National Statistics reported in 1999 that, in the United Kingdom and the Republic of Ireland, two people between the ages of 15 and 24 took their lives every day. I hope that the Government and hon. Members across the House will agree that the place to address that problem is the classroom, not the accident and emergency wards of hospitals around the country.

Bullying at school can often be a contributory factor in suicidal behaviour among young people. Cases of depression leading to suicide are increasing among students in higher education, especially young men. The figures on school bullying are disturbingly high. According to ChildLine Northern Ireland, one in every five of the calls that it received last year was from a child suffering such abuse. It is clear that mental health problems and bullying in the education sector are closely associated with suicidal behaviour. The Government must improve awareness among teachers and parents of that escalating problem, while providing the facilities and infrastructure to ensure that the human rights of all children are respected in schools.

Children who need special help and guidance to come to terms with their learning difficulties often suffer further for their difference and have their potential suffocated in the very environment that should provide the solution. Bullying and stigmatisation restrict the rights of all children, and the Government must address the problem with renewed conviction in this legislative Session in order to stamp it out.

We must develop a social culture in which children suffering from learning disabilities and mental health problems feel free to talk about the issues and deal with them in their schools. We need to establish a culture in which teachers, nurses and student counsellors are proactive in destigmatising those problems and in normalising their existence in the education system.

The Government must also continue to aid the principal carers of those who suffer learning disabilities. I want to bring to Members' attention the fact that hundreds of people with such disabilities remain in Victorian asylums. The Government have promised to close those institutions and have accepted that all people with learning disabilities have the right to a home in their community. It is the Government's responsibility to ensure that there is sufficient funding to address that problem and to provide suitable care for children suffering long-term problems.

According to the National Society for the Prevention of Cruelty to Children, disabled children are at least three times more likely than other children to become victims of physical or sexual abuse and are less likely to get support from child protection services. The shift from an institutional approach must be continued, and communities, schools and families must have adequate facilities to give children suffering from learning disabilities or mental illness an equal chance successfully to benefit from their education and to progress into higher education.

A pilot scheme in Harpers Hill primary school in Coleraine, Northern Ireland, has helped almost every pupil to feel safe and secure in the school environment. A pilot scheme run by the North Eastern education and library board, in which pupils from a consortium of controlled and maintained post-primary schools work closely with their further education college, has reduced secondary school absenteeism and developed self-esteem for each individual. Each individual has achieved success through attending vocational courses one day a week at a further education college. Many of the same pupils have moved through work placement into permanent employment.

Schools and colleges must be given the right to develop more appropriate and relevant courses to meet children's needs. I hope that the Secretary of State will

[Mr. Roy Beggs]

agree that when examples of good educational practice and successful pilot schemes have been identified in any part of the United Kingdom, funding should be made available to ensure widespread dissemination of the results and to make possible wider application of good practice throughout the country.

Finally, I appeal to the Secretary of State to extend educational opportunities at special schools or in sheltered units for children between the ages of 16 and 19 with special needs and learning difficulties, many of whom have a mental age that is far below that of young people of average ability, and whose immaturity is such that further education at the age of 16 is quite inappropriate. All children with learning disabilities are unique individuals with unique needs who therefore require unique support. The Government must ensure that that support is forthcoming and that the outcome of the current schemes is that increasing numbers of children with learning disabilities progress towards leading full and normal lives, to their benefit and that of society as a whole.

3.55 pm

Jim Sheridan (West Renfrewshire): I shall be relatively brief. I never had the opportunity to go to university, so I have not yet mastered the art of taking 10 minutes to do what can be done in five.

I congratulate the National Union of Students on its effective campaigning to promote the best interests of its members. That is a perfect example of good, pragmatic trade unionism, and I would welcome further campaigning by it and by other organisations in order to raise other issues. For example, many people have benefited from quality education paid for by taxpayers who, in years gone by, could not afford to send their own children to university, and are rightly angry when those who have gained expensive qualifications choose to use their skills elsewhere by working abroad, often in tax havens. That means that they not only fail to pay back any taxes that they have received, but deny many vulnerable people who have paid their taxes to send them to university and are expecting their hard-earned tax contributions to bear fruit in our public services. I should like to hear what the NUS has to say about that practice and whether it has any proposals to discourage it. I am just as interested to hear the Government's view. After all, it is common practice in private industry to claw back any money that was invested in employees' education should they decide to leave for pastures new.

My major concern in relation to education and skills is the lack of attention that this House gives to the established apprenticeship system that used to provide quality training for our indigenous industries, but is sadly lacking today. Perhaps that says more about the imbalanced makeup of the House than it does about the demand for such skills that is required if we are to remain a manufacturing country that produces something—although that is not to say that the Government are not addressing the skills gap, especially in the indigenous industries that were abandoned by the Conservative party during its term in government. I am extremely concerned about the under-representation of and lack of importance attributed to manufacturing requirements and the tools that are needed to deliver the quality goods for which this country was once renowned.

Many of my constituents do not possess the academic qualifications that are required for entry into university, but are more than capable of producing with their hands and minds the goods that many of us use in our everyday lives and often take for granted. That is why I call on the Government to work with the universities and organisations such as the NUS, while listening to the genuine concerns of Back Benchers, to ensure that whatever conclusion they reach on education and skills—on top-up fees, or whatever—they take a balanced approach that does not exclude the non-academics in our communities, many of whom do not have the campaigning skills of the NUS but are equally important to the long-term prosperity of our country.

In conclusion, I am proud to be a member of the Labour party and the Labour Government. In Scotland, especially the west of Scotland, there is great deprivation in many of our communities. In the pubs, clubs and communities, I relish the fact that the discussion now centres on education and people attending university. People of my era never thought about going to university and I am deeply proud of the Government's achievements in education. That applies not only to Westminster; I am also proud of the Scottish Parliament's record in promoting education, lifting people out of poverty and giving them aspirations.

In the west of Scotland, we are talking about people going to university rather than redundancies and factory closures. I want to get involved in the debate. The people of Scotland want to get involved in it, too. I am deeply proud that the Government are enabling us to engage in it.

4 pm

Mr. Francis Maude (Horsham): It is a pleasure to follow the hon. Member for West Renfrewshire (Jim Sheridan). I commend him especially for doing what he said he would do and speaking for five minutes. That is remarkable; I am not sure that I shall manage it.

I want to concentrate on higher education and tuition fees, which several speakers have mentioned, especially the hon. Member for Bury, North (Mr. Chaytor), who made a powerful and thoughtful speech. I am sorry that he has disappeared. Given that he supports the Government and is therefore in a minority, and that his speech was powerful and articulate, it is a miracle that he speaks from the Back Benches and not the Treasury Bench, where he clearly deserves to be.

I declare a personal interest in that I have five children of school age. I calculated that my eldest daughter would be going to university when the Government's proposals for top-up fees came into effect. However, I hasten to add that that is not my reason for objecting to the Bill. As I shall make clear, I do not oppose in principle shifting the burden of paying for that public service from the general taxpayer to its beneficiaries.

I accept that there is a problem with Britain's university sector. We have some of the best universities in the world, and that is important and good for Britain. They are a priceless asset, based on what has been invested in them, both financially and, more important, in human commitment over the centuries. We must ensure that we do not squander that. I want to make some suggestions about how we deal with the problem because I do not believe that the Government have got it right.

It is in Britain's interest to have world-class universities that can attract and retain the most outstanding academics and students, and the economy prospers best when everybody is educated to the top of their potential. I also believe in personal responsibility—there is merit in those who seek to benefit from higher education accepting some personal, direct financial responsibility for it. I do not find it objectionable if the burden of paying for public services switches to some extent from the general taxpayer to the user. The hon. Member for Bury, North made similar comments.

I do not have a problem with a price mechanism in the higher education sector that helps to inform students' choices when they consider courses and where to study them. As a matter of principle, I strongly support the idea that universities should be as independent as possible from the state. That is highly desirable for a range of philosophical and practical reasons that we shall not have time to explore fully today.

The question is, do the Government's proposals meet those principles? The Labour rebels seem to think that they do, which is why they object to the Government's Bill, although I think that they are largely, but not absolutely, wrong in that assessment. However, I too propose to oppose the Bill, because the proposals do not meet these principles.

Let us take those principles in turn. Will the Government's proposals make the universities fully funded and therefore able to compete with the best in the world? I do not think so. Why? Because the extra money raised through top-up fees will be spread across the extra students who will be recruited to the higher education sector, so spending per student is likely to remain static.

On top of that, we have the extraction of a third of the proceeds from top-up fees, which will be taken within each university or higher education institution and spread across in bursaries. Again, that money will not be available for the purposes of teaching in those universities. The proposals do not meet the first desirable objective, which is to increase the resources available to universities to enable them to remain among the best in the world.

The second desirable principle is that everyone should be educated to the top of their potential—whether that is academic or vocational I leave on one side for the time being—but I do not believe that these proposals will achieve that. That is largely to do with the set of issues involving numbers and access. I reject the idea that there should be a top-down imposition by the Government of a specific target for the number of young people who go into higher education. That seems to me to be simply wrong. Frankly, I say to those on my own Front Bench that that applies to saying that the number should be either less or more than it is. The record of politicians in and out of government in making those judgments correctly is appallingly bad. The one thing that people can say we unfailingly do is get it wrong, so that whole approach is wrong.

Universities should be independent institutions running their own admission policies and, if they think it appropriate, they should expand to meet the demand from qualified applicants for the courses that they offer. They should not be meeting rigid quotas and targets set from above, which happens now and is likely to happen even more under the Government's proposals.

The numbers set out in the White Paper in terms of the 50 per cent. target are pretty bogus anyway. Conservative Members and others express concern about whether we need to have 50 per cent. of our young people going through university, but this issue is not just about universities. The White Paper sets out the fact that, in any event, 10 per cent. of higher education is delivered not by universities, but by further education colleges.

The Government say in their White Paper that the higher education expansion that they propose should largely be in non-conventional degrees—foundation degrees as well as other courses and qualifications—delivered largely through FE colleges. I do not think that there should be a rigid division or apartheid between academic and vocational education, but it is clear that those numbers are pretty bogus.

On access, it seems to me entirely appropriate that universities should take into account educational potential in applicants as well as their attainments. There are clearly issues with some schools being better at preparing kids for university than others. On the numbers and the history here, it was said that 50 per cent. of Oxbridge entrants for 40 years have been from public schools. That is not quite the case as I understand it.

When I was lucky enough to be at Cambridge 30 years ago, at the same time as the Secretary of State for Education and Skills, two thirds of Oxbridge entrants came not from public schools, but from the state sector in one form or another. That has changed to a 50:50 balance because the direct grant schools have been abolished and grammar schools have been whittled away. That has caused the current proportions to come into effect. It is not correct that there has been a static situation for so long; it has, in those terms, got worse.

Peter Bradley *rose*—

Mr. Maude: I give way to my old school companion.

Peter Bradley: Ever the gentleman. I just want to help the hon. Gentleman out with some statistics. Some 86 per cent. of students in higher education are from state schools, whereas the figure for Oxford and Cambridge is closer to 52 per cent. More revealing is the fact that the proportion of students at Oxford and Cambridge from lower income backgrounds is 10 and 9 per cent. respectively.

Mr. Maude: It is a pleasure to give way to a fellow product of a direct grant school, and I hear what he says. Universities have a vested interest in attracting bright and qualified students, from whatever background and whatever their schooling, if they have the potential and the ability to benefit from the courses that are on offer. They do not need all this regulated, costly and complex apparatus of social engineering to make that happen.

[Mr. Maude]

On the third issue I mentioned, the proposal clearly shifts the burden away from the taxpayer to the user, but does it do it fairly? I doubt it. I particularly refer to the position of someone from a family of relatively modest background but whose income is above the cut-off level for remission of fees. The son or daughter of a teacher who also wants to become a teacher will go into a profession in which they will never be high earners, but they will be above the level for remission of fees and will have to repay what could amount to a considerable loan. They will have that debt hanging round their necks possibly for decades. That is a concern.

Do the proposals introduce a price mechanism? The issue of variability exercises many Labour Members. I hope that I can allay their fears. There will be little variability. The Select Committee took evidence that showed that there will be minimal variability. The extent to which choice is informed by cost will be extended barely at all. The principal factors of size and location of courses will continue to be decided by top-down diktat. That suggests that the fifth issue about independence is not met either, because universities will not have significantly greater independence.

I hope that the Bill will be defeated on Second Reading, and that there will then be discussions between Front Benchers and others such as have been referred to, with as few preconditions as possible. I was encouraged by what my hon. Friend the Member for South Suffolk (Mr. Yeo) said when he set out the preconditions. I agreed with all he said, and was pleased that he made no stipulation that top-up fees should be excluded—

Madam Deputy Speaker (Sylvia Heal): Order. The right hon. Gentleman's time is up.

4.12 pm

Dr. Hywel Francis (Aberavon) (Lab): This has been an interesting debate, particularly on higher education. I was especially impressed by the contribution of the hon. Member for East Antrim (Mr. Beggs), who is not in his place at the moment. He spoke about special needs education for children and young adults. I am sure that the Government will respond to his perceptive observations.

I draw the House's attention to my entry in the Register of Members' Interests. I warmly welcome a Bill on higher education so that we can urgently address the twin questions of chronic under-investment in our universities and the social justice challenge of widening and deepening as well as increasing participation. Universities should mirror the diversity in society, rather than accentuate the divisions. I hope that the Bill will address that vital principle.

I want to focus on the Government's vision of widening participation through lifelong learning and part-time study, and how the proposals for variable fees might have an impact on that vision. Five years ago this month, as a member of the new Labour Government's lifelong learning advisory group, I was co-author of its first report "Learning for the 21st Century". At the beginning of that report, we said:

> "At the centre of the new strategy must be a clear commitment to widening and deepening participation and achievement in learning . . . The new strategy should give increased emphasis to the home, community and workplace as key places of learning".

Tellingly, it went on to say:

> "The principles informing access to public funds should be the same for part-time and full-time students, and the Government should move towards equalising public *investment* for the same 'episode of learning' irrespective of sector, mode or level of learning."

I believe that the Government and the Secretary of State are still inspired by that early vision.

Since those early days, some impressive progress has been made by the Government, from Sure Start to work-based learning and the union learning fund, paid education leave, the launch of learndirect and the National Health Service university; and last summer came the first ever commitment to support for part-time learners. In my Adjournment debate on part-time students, the Under-Secretary of State for Education and Skills, my hon. Friend the Member for Bury, South (Mr. Lewis), made a commitment to ensure that

> "The Open university will have a key role in the delivery of the entire White Paper agenda."—[*Official Report, Westminster Hall,* 30 April 2003; Vol. 404, c. 100WH.]

I hope that that will be the case in the Bill. The Government's current emphasis, however, on what has been called the 18 to 30 club, a sector of full-time, implicitly residential 18 to 31-year-olds incurring graduate debt, does not make for an enabling culture of lifelong learning. One vice-chancellor said to me today that he feared that we were legitimising a new culture of permanent graduate debt.

The typical student today does not go from school straight to full-time residential higher education. The typical student is already part-time. Forty-two per cent. are officially part-time, and of the remainder, large numbers work part-time regularly.

Some people may say that what is proposed is not a radical reform but a reaction—a return to an age that has long disappeared. There is a danger that this narrow and inaccurate characterisation of higher education, influenced as it is by the Russell group and Oxbridge, will not only destroy the present diversity of participation but prevent a future widening of that diversity. Why do we not embrace and strengthen that diversity of part-time and full-time participation? We need a new and different funding model that takes account of and mainstreams the innovative strategies of, say, the Open university, Magee college in Ulster, the Summer university in Dundee, London Guildhall's work with ethnic communities, the Community university of the south Wales valleys and the tens of thousands of continuing education students in virtually every university throughout the United Kingdom. We should build on those widening participation strategies.

If the Bill is to be seen as truly radical, it will need to deal with three questions that the adult learners body, the National Institute of Adult Continuing Education, has posed to me and which I will share with the House. I hope that the Secretary of State will deal with those questions. First, will the Bill better meet the needs of part-time students, given that they are to be found in almost all universities, already paying unregulated fees and having less access to loans and other student support? Secondly, will the Bill make the higher education system easier to access for mature students, given that the 18 to 30 club deprioritises them and given that over-54-year-olds studying full time cannot even take out a loan? Finally, will the Bill ensure that higher education students in further education colleges are not disadvantaged? Those are fair questions for the Government, who wish, I believe, to build fair and equitable opportunities for all.

Labour Members are rightly proud of the many social and educational achievements in post-war Britain, but two stand out: the NHS and the Open university. We have the opportunity in the Bill to achieve a third major radical development, taking the principles of equality and lifelong learning enshrined in the Open university and many other higher education institutions and spreading them comprehensively throughout the higher education sector, underpinned by a graduate tax, rather than variable fees. My fear is that thousands of part-time and mature students will not even enter the second tier but will inhabit a bottom third tier of higher education, receiving an under-resourced, low-quality service. Disadvantaged students—full time or part time—inevitably will end up in a disadvantaged sector.

I urge the Government not to seek a solution in an Americanised-style market. Our Chancellor urged us recently to take pride in our homegrown national health service and not to look elsewhere at other inadequate and inequitable models. I believe that we should do the same in higher education and look to Magee, Dundee, the Open university and London South Bank as our models; and that we should incentivise wider access through mainstream funding rather than marginal bursaries.

If variable fees were introduced, the additional moneys would accrue mostly to those universities with large numbers of full-time students, giving such students a major advantage over those from universities with large numbers of part-timers, most of whom do not or will not have access to fee remissions or bursaries. It will be one of the great ironies of the Bill that those higher education institutions that have done most to widen participation in the past and at present will be those disadvantaged by the variable fees of the Russell group.

The Open university, Birkbeck and many other UK universities are world-class leaders in teaching, e-learning and widening access. Those should be our models. We need new Government proposals that take a holistic view of higher education so as to create a structure in which potential learners can mix full-time and part-time studying in a landscape of lifelong learning, taking account of work and family life without the fear of lifelong debt.

The leading authority on student debt, Professor Claire Callender of London South Bank university, predicts that the proposed variable fees will increase debt further as students will have to take out larger loans to cover fees. Her research reveals that fear of debt is greatest among low-income groups and that such debt-averse students are four times more likely not to go to university because of the £3,000 fees.

I conclude on a personal note. Some 22 years ago, the brightest student that I ever taught—the late Charlie White of Kenfig Hill—said in a speech on a miners course at Swansea university that

> "if we are to educate our fellow trade unionists, we must use all the resources available to us. We must be taught the importance of conveying a message. But more important, there must be people who are capable of doing it."

The message from this House today is this: universities must be accessible to all.

4.22 pm

Mr. David Rendel (Newbury) (LD): I am delighted to have the chance to take part in this debate, not least because it may surprise some Members to learn that there is a measure of agreement between the Liberal Democrats and the Government on what the Government claim to be their aims. It is on how they try to achieve them that we have significant differences.

The Secretary of State said today that he was basing his proposals on three main themes, two of which we are entirely in agreement with. The first is that there should be more money for universities. There have been huge cuts in university funding during the early part of this Government and under the last Conservative Government. Universities badly need more funding to get more places; expanding participation is another area on which we would be largely in agreement with the Government. Not having enough places is a waste of talent and having more places would help to reduce the divisions in society between the rich and the poor, which have been highlighted recently as some of the worst in Europe. We agree that universities need more money and that it will benefit our economy in the long run if we have more people educated in higher education.

The second point was that there should be some contribution from graduates where they have gained financially from going to university. I agree with that, too. But the significant point is that that should happen only where such graduates have indeed gained financially from going to university. The Secretary of State said that the contribution due from graduates should be calculated in a fair way, but we do not believe that his proposals have provided a fair solution in that regard.

Before I elaborate on that point, I want to mention one or two other issues that have been raised. The Secretary of State said that one reason why the new fee of £3,000 should be acceptable is that those from the poorest backgrounds will get grants of £1,000. Of course, that grant was explicitly intended to help those people to pay their maintenance costs at university, in order to reduce somewhat the fear of getting into debt and being unable to afford to pay for food and housing. But if that grant is to be used instead to help offset the cost of fees, its original point is lost completely. Indeed, it is rather hard to see how a young undergraduate from a poor background, who will presumably be paid that grant at the beginning of the academic year, is supposed to put it into a building society, for example, save it for three years and use it to pay the fees when they are due, on graduation. That does not seem a sensible policy, and the suggestion that the grant could be used to pay off part of the fees is unrealistic.

[Mr. David Rendel]

Secondly, as has been pointed out, the Secretary of State said that the Liberal Democrat policy of raising income tax on the highest earners in no way guarantees that such money will be used for universities, and I accept that point. Of course, it is not possible to guarantee that particular funds will always be used for a particular purpose. But when we said that we would cancel tuition fees in Scotland and raise the money through general taxation, we were indeed able to implement that policy, upon gaining at least a share of power in the Scottish Parliament. So it is fair to say that our record in implementing such change, as based on an idea in our manifesto, is very good.

Of course, it is also true that one cannot guarantee that the money that universities raise in tuition fees will make them better off and provide more funds for teaching undergraduates. What happened in the past is only too likely to happen again: the money raised in fees will be used by the Chancellor of the Exchequer at the next comprehensive spending review to reduce the amount of money coming from general taxation to those universities that are able to raise fees. So the very argument that the Secretary of State is using against our policy can be used against his own.

Thirdly, as has been said, although the new policy is to some extent a form of graduate tax, the important point is that it has all the characteristics of a graduate poll tax. Sadly, the Government seem not to have learned the lesson of the poll tax introduced by the Conservative Government. Poll taxes are deeply unpopular because they are seen to be unfair. The Secretary of State says that he wants the contribution to be calculated in a fair way, but he has introduced a contribution that is effectively a poll tax. It has a very important characteristic of a poll tax, in that exactly the same charge is made to graduates, irrespective of their level of wealth.

If the argument is that graduates ought to pay more towards the cost of their education because they have gained financially from graduating, surely the extent of that financial gain should form part of the calculation in assessing how much they should pay back. But that is not the case. Even under the variable fees policy, a graduate on a given course at a given university will have to pay back exactly the same amount, regardless of their level of income and the financial benefit that they have gained. Some will pay over a longer period and others over a shorter one, but exactly the same amount will be paid, regardless of income and of the financial benefit derived from gaining the degree.

There is a further important point in respect of the unfairness of the method of calculation that has not been mentioned so far. Let us assume that, as expected, the threshold for the repayment of the graduate loan is raised to £20,000. If we assume, as Barclay's predicted, that the average debt from now onwards, or from 2010 onwards, will be about £33,000, and if we assume, as the Government have predicted, that inflation will remain at about 2.5 per cent., the amount of money that has to be repaid each year merely in order to keep the debt level at £33,000—not to reduce it, but not to allow it to increase—is some £820 a year. It requires a salary of £9,000 above the threshold before one can even begin to pay off part of the debt.

If we assume a debt of £33,000 and that someone wants to pay off at least £1,000 a year in order to reduce it to nothing over 20 years—even 20 years is a pretty long time to be repaying debt—being able to pay an extra £1,000 a year would require a salary of a further £11,000 above the threshold. Adding on to the threshold of £20,000 the sum of £9,000 to pay off the inflationary increase, and £11,000 to pay off £1,000 of debt, a salary of £40,000 would be necessary to pay off that debt over 20 years.

That, of course, takes someone well into the higher rate of income tax—currently 41 per cent.—and a further 9 per cent. has to be paid on top of that in repayment of the graduate loan. Even under the Government scheme, then, repaying a debt of £33,000 over 20 years means repaying the last £5,000 of the £40,000 salary at a marginal income tax rate of—guess what—50 per cent. I stress that even under the Government's own scheme, paying off a loan over 20 years requires payment of tax at a 50 per cent. rate. Under our scheme, however, people do not pay at that 50 per cent. rate until the salary reaches £100,000—very different from a mere £40,000. That demonstrates clearly why the Government scheme is so unfair.

A new graduate with a salary of £40,000 paying a 50 per cent. tax rate in respect of the last £5,000 compares with a graduate of 40 earning £100,000 plus—perhaps £110,000—whose marginal rate is only 41 per cent., or a new graduate earning only £22,000 whose marginal rate is 42 per cent. The man who graduated some years ago and earns £110,000 will, under the Government scheme, pay a lower marginal rate than a new graduate paying at 42 per cent., or perhaps a new graduate with higher earnings paying at 50 per cent. The Government believe that that is a fair way of charging graduates for their student loans.

4.32 pm

Mr. Eric Illsley (Barnsley, Central) (Lab): I greatly welcome many of the Bills announced in the Queen's Speech, but I shall confine my remarks this afternoon to where I have the greatest difficulty—top-up fees, of course. Anyone who listened to the hon. Member for Newbury (Mr. Rendel) must be shocked to reflect on the figures that he calculated. It is on account of such debt levels that I believe students in areas such my own constituency—a low-income area and a former mining community—will be deterred from attempting higher education courses.

My plea is for the Government to publish the options that have been mentioned in the debate, to establish whether there might be another way of balancing funding between the student or graduate and the Government, through taxation. I believe that the Government still have a responsibility to meet a certain proportion, if not a large proportion, of the costs of higher education. I do not believe that we should thrust on to future students the consequences of historical underfunding and the historical debts of universities. Why should the many of us in our places today who have benefited from a university education vote in favour of students having to pay £30,000 in fees for an education that we enjoyed at universities that now demand extra funding? That is wholly wrong.

Peter Bradley: Because we were the few, and they will be the many.

Mr. Illsley: But will they be the many? That is another question that we need to answer. The Government's target is that 50 per cent. of students should go into higher education. That is a massive expansion; I welcome it and would like to see many, many more students going into higher education, especially from my area and background. However, it worries me when a Government who propose a 50 per cent. target talk about students taking Mickey Mouse degree courses. Will the 50 per cent. target really be valid if a portion of that 50 per cent. study for degrees that are of no benefit?

I know of graduates in my constituency who will not be able to find employment in the discipline of their degree; they may never find employment related to their chosen subject. I am worried that we shall push students into taking degrees that are not good enough, yet when they graduate they will face debts of between £15,000 and £30,000—a conservative estimate—and they may not obtain the type of employment that they need to repay the debts. The hon. Member for Newbury told us about the salary that will be needed to pay back the fees, but some graduates will be unable to find employment that pays that much. We are making a circular argument: we say that universities need extra funding to meet the target of 50 per cent., yet the costs will deter students from entering higher education. That seems wrong.

It is also argued that many should pay for education because a thriving higher education sector benefits us all. Graduate professionals benefit commerce and industry, and that benefits the whole country, so why should not we all contribute?

Claire Ward (Watford) (Lab): Will my hon. Friend give way?

Mr. Illsley: No, I am sorry. I have given way once already and time is limited.

Why should not industry and commerce contribute to higher education? Why should not people such as me, a graduate—several years ago, obviously—contribute through some form of graduate tax? Why should the students of the future be landed with the historical costs?

I have heard the arguments about the dustman subsidising the barrister, but we already do that in the national health service. If we have the same pride in our education system as we do in our health service, we should apply the same principles to both. The arguments are the same. It is as if we were to say that people who have never been in hospital should be exempt from paying national insurance contributions. The same principle applies to the argument that because only one person benefits from their degree, they should pay for it. There is no reason why we should not have different methods of taxation. Certainly, there should be contributions from graduates—as there should be from a wide range of people—to cover fees.

In view of the comments of the hon. Member for Newbury, I shall not say much more about thresholds. Using the hon. Gentleman's lower estimate of a £25,000 debt, let us consider the situation of two young people who meet at university and marry. At graduation, they have a joint debt of £50,000. How will they plan for a life and a family? At the age of 22, how could they plan for a mortgage with a joint debt of £50,000? It is ridiculous. How would they afford to pay for the rest of their life? That is not lifelong learning; it is lifelong debt.

When I intervened earlier, I referred to a story that I heard a few years ago at a conference in Canada. One evening, I was talking to the MP for Prince Edward Island who told me that he had been celebrating because he had just paid off his student loans and fees. That MP was in his 40s and a general practitioner, yet he had only just managed to pay off those debts. I said to him, "Well, you've taken some time because surely those loans, like the ones that we are about to introduce in the UK, were at the minimum rate of interest and there must have been thresholds". He replied, "Yes, we started at a zero interest rate. Now our student fees and loans are subject to a commercial rate." The Government say now that the repayments will be made at low interest rates, but those rates could rise in two, three or four years. My right hon. Friend the Secretary of State for Education and Skills said that the interest would be subsidised by the Government. That is interesting, but future Chancellors of the Exchequer will look at what is being paid in interest rate subsidies to support the cheap loans. They could well be tempted to increase interest rates and take the burden away from Government. The personal anecdote that I have related has stayed with me for many years. I have great concern about what will happen in respect of top-up fees.

It has been argued that the fees could be variable, with some universities charging £3,000 and others nothing. That is ridiculous. Which university would turn down the possibility of charging each student £3,000 per annum, given—so we are told—that they are strapped for cash to pay off their historical debts and to fund an increase in student numbers? The chances are that most will charge fees at the highest level. A recent survey suggested that the vast majority of universities will go straight to that level.

It has already been noted that, if variable fees are introduced, the result will be a system with two, three or four tiers. People will opt for cheaper degrees. The Bill will create a marketplace in further education, and people will choose their higher education on the basis of what they can pay and afford.

It seems strange that the Government should want a big conversation so that they can hear people's views, when 140 Labour Members have said that they oppose the policy on student fees. However, the Government are pressing ahead with the policy, and it seems that no alternative will be offered.

I plead with my Government to think again. The cost of higher education should be spread more broadly. Everyone should pay for it, and the cost should not just be dumped on future students.

4.42 pm

Mr. David Atkinson (Bournemouth, East) (Con): I shall comment on two proposals in the Queen's Speech that relate to my constituency, before enlarging on health and education issues.

I welcome the inclusion of a housing Bill in the Queen's Speech. I assume that it will be based on the draft Bill published in April, which includes a national licensing scheme for houses in multiple occupation. That would undoubtedly assist the regeneration of

[Mr. David Atkinson]

Boscombe in my constituency, where poor housing conditions and unscrupulous private landlords continue to exist.

I hope that the Bill will also include reform of the law on travellers, as I have urged on the Deputy Prime Minister. I hope that the reforms will be along the lines of my private Member's Bill, which the House has allowed me to introduce during the last two Sessions of Parliament. Many hon. Members of all parties believe that such provisions are necessary to resolve the never-ending problems that unauthorised encampments cause, not least in Dorset.

I hope that the housing Bill will also include reform of the management of home parks, which are the sites of so-called mobile homes. Sadly, the management of two such sites in my constituency—Iford Bridge park and Hengist park—have long caused concern to their residents, the local neighbourhood, the council and me. The site owners have failed in their duty of care, and that amply demonstrates the need for reform of the licensing system for mobile home parks.

The Queen's Speech refers to the publishing of further draft clauses of a Bill on gambling. The draft Bill includes much of what I called for in my Adjournment debate on casinos, which was held seven years ago on 28 February 1996. We in Bournemouth have two rather modest casinos. I want Bournemouth to realise its full potential as Britain's premier seaside resort of world class. There is no reason why more casinos cannot contribute to our local economy. I do not want Blackpool to grab the market in casinos when the reforms become law. I therefore urge the Government to introduce the Bill.

I turn now to the provision of public services. I fear that what is proposed in the Queen's Speech and in next year's local government finance settlement will do nothing to help the beleaguered hospitals and schools of Bournemouth. Last week, I attended a meeting of the board of the Royal Bournemouth and Christchurch hospital trust. Also present were the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) and my hon. Friend the Member for Christchurch (Mr. Chope). We heard of the continuing problems posed by bed blocking. There simply remain insufficient beds in the local community for frail, elderly patients awaiting discharge from hospital. As a result, operations are being postponed. In October, Bournemouth's *Daily Echo* reported 60 operations cancelled in a week because of delayed discharges. What is proposed in the Queen's Speech offers no new encouragement. The hospitals serving Bournemouth, Christchurch and east Dorset will continue to face a critical situation arising from bed blocking, which is bound to increase waiting lists.

Turning to education, I want to tell the House of the crisis currently facing the schools of Bournemouth. All of us in Bournemouth welcomed the restoration of unitary authority status in 1997. As well as being our own education authority once again, we also looked forward to a better deal on funding. Unfortunately, that has not proved to be the case. Since 1997, Bournemouth has received the lowest percentage increase of any local education authority. Funding for schools in Bournemouth continues to fail to take account of the constant fluctuation of the population and the significant number of pupils coming into our schools with little knowledge of English. It fails to reflect the pockets of social deprivation in the town, which contains four wards in the highest 20 per cent. and two wards in the highest 10 per cent. of national deprivation figures. That was confirmed by last year's Ofsted-Audit Commission inspection of the LEA in which Bournemouth was judged to be one of the best in this country—on grade 1—but was more poorly funded than those LEAs on grade 5.

Despite this discouraging situation, some of our schools had managed since 1997 to build up revenue balances to allow long-term planning for their continuing improvement. Unfortunately, that is no longer the case. Under the new methodology introduced on 1 April, in which Bournemouth received the minimum grant with an increase of 3.2 per cent. per pupil, those balances have been reduced by more than £1 million, and many schools are being forced to look for support through licensed deficits.

In response to several letters that my hon. Friend the Member for Bournemouth, West (Mr. Butterfill) and I received from local heads warning us that teachers would have to be made redundant and class sizes would rise because they were facing budget deficits, we wrote to every head to ask to learn of the situation that they face. Their ready responses have made sorry reading, and represent the clearest possible confirmation of the disaster that has been the Government's funding of schools for this year. Concerning those primary schools that responded to our survey, one school that did not want to be named has made redundant three excellent teachers—two of them assigned to pupils with special needs. It can no longer afford to send teachers on training courses. Stourfield junior school has reduced staffing by the equivalent of 2.5 teachers. It has put the replacement of computer equipment on hold, and its head teacher tells me that it is

"back to the bad old days of hand to mouth survival".

The current budget shortfall facing King's Park school is £10,000. Its head has taken a cut in pay, and it cannot afford to build a new reception and year 1 building, as recommended by Ofsted. The Epiphany school, which has always lived within its budget since it opened in 1987, faces a deficit of £130,000 this year. That is a school whose finances, says Ofsted, are "very well managed". Its head teacher's appeal to me is that he needs not jam tomorrow but bread today.

Regarding our secondary schools, Bournemouth school faces a budget deficit of £150,000. Unless funding increases significantly, its governors will face a recommendation to place part of the school on part-time education. The Bournemouth school for girls has not replaced its deputy head teacher, who has retired. It desperately needs to replace four dilapidated mobile classrooms, which students cannot use on health and safety grounds, and for which two capital fund bids for a new replacement block of £60,000 under targeted funding have been unsuccessful. And Avonbourne school faces a deficit of £70,000 this year unless it makes redundancies and increases class sizes after having cut GCSE music altogether and abandoned its proposed upgrade for computers that are five years old.

My hon. Friend the Member for Bournemouth, West has asked me to record the experience of Oakmead college of technology, which faces an £80,000 deficit this year. It is not replacing teacher assistants when they leave. The loss of its standards fund is having an enormous impact on the most vulnerable pupils, as is the reduction in anger management classes. Winton school faces a deficit of £144,000. Class sizes have increased from 25 to as much as 38. Training projects have been cancelled, and a stop has been put to taking in more students with visual impairment. Glenmoor school in my hon. Friend's constituency faces similar problems.

That is the experience that Bournemouth schools have of a Government who, according to the Queen's Speech, are committed to:

> "Delivering a world class education system that enables individuals to achieve their full potential".

Will the situation that I have described improve for Bournemouth in the light of the Secretary of State's statement to the House on 28 October? No, it will not. The deficits of all the schools that I have mentioned total nearly £1 million, but the transitional grant allocated for Bournemouth for 2004–05 is £670,000. So Bournemouth's schools will remain in the red.

To help to remedy our situation, the director of education for Bournemouth has asked me to tell the Minister to move from the formula spending share methodology to a fairer, activity-led resourcing model—ALR—which our LEA uses. He has also proposed the inter-LEA recoupment for mainstream school places, which is already done for special school places.

If the Government do not repair the damage that they are doing to Bournemouth's schools—indeed, to schools everywhere—they will have no one else to blame when parents, teachers and governors demand freedom for their schools to set their own policies, to run their own budgets and to give every school a fair deal on funding, which is what the next Conservative Government will do.

4.51 pm

Mr. Martin Caton (Gower) (Lab): I am grateful to have the opportunity to contribute to the debate. For various reasons, the Queen's Speech is turning out to be more interesting than some commentators acknowledged last Wednesday.

I oppose the Opposition amendment and, in doing so, will focus on a very welcome piece of legislation, the children Bill. I do that from the perspective of a Member of Parliament who represents a constituency in Wales, which already has a Children's Commissioner in place. However, the proposal to introduce top-up fees, a subject that is identified in the amendment, in a higher education Bill concerns me and, as we have heard, many of my right hon. and hon. Friends, although we do not share the Tories' critique of the proposal and certainly not their alternative policies for higher education.

For my part, I speak as a representative of a seat in Wales where the Labour party did not only fight the general election on a pledge not to introduce variable tuition fees, but fought the National Assembly elections in May this year on the same commitment for Wales. I agree with what my hon. Friend the Member for Birmingham, Northfield (Richard Burden) said about trust in our party if we continue on the same road. If top-up fees are introduced for England, it will inevitably have a direct impact both on Welsh people going into higher education and on universities in Wales.

The arguments are becoming increasingly well rehearsed and will continue to be reiterated in the weeks and months ahead. It cannot be denied that the Government face a real challenge. They want to pump into our colleges the resources that they undoubtedly need and of which they have been starved for too long. They also want to increase the number of people who will benefit from higher education in the years ahead. Most Labour Members would sympathise with and support both those objectives—it is the chosen method of delivery that causes us concern.

We are told that after assessing and costing dozens of different models for achieving their goals, Ministers have decided that the only one that fits the bill is the one that allows universities to charge different levels of tuition fees for different courses. To pay for that, students will be required to make repayments once they have graduated and reach a certain income. The Government have also proposed measures that I could only welcome if variable fees go ahead, such as scrapping up-front fees, which has been mentioned, introducing grants and bursaries for the less well off and establishing fair access protections.

Those of us who are worried about the Bill have both practical concerns and concerns that relate to matters of principle. I fear that top-up fees will act as a deterrent for people from lower and middle-income families when they consider what courses to take and at which university. We already have evidence that predicted debt under existing arrangements is a major consideration for people deciding whether or not to go on to higher education. It is difficult to see how even generous bursary and grant arrangements will prevent universities that have higher fees—presumably based on academic reputation—from disproportionately serving the better-off. I fear that top-up fees will lead to the entrenchment of multi-tiering in the higher education sector, creating greater difficulties in most colleges' efforts to develop and grow.

Mr. Eric Joyce (Falkirk, West) (Lab): Does my hon. Friend recognise that we already have a multi-tier system? In reality, someone who attends a public school is 14 or 15 times more likely than someone who does not to go to Oxbridge, or to universities like Exeter and Bristol. That is a fact, so it is not a question of entrenching a multi-tier system; one exists already. Given that one third of the variable tuition fee has to be spent on increasing access, does he agree that the consequence will be to increase significantly the number of kids from working-class and ordinary backgrounds going to the elite universities, and would not that be a good thing?

Mr. Caton: It would be a good thing if that were to happen. I accept my hon. Friend's point that we already have multi-tiering—it would be nonsense to deny that. My fear is that we will entrench it. Under the current arrangements, different universities are rising in esteem and the quality of their provision. I fear that variable fees would lead to entrenchment of an Ivy League.

[Mr. Caton]

I wanted to talk in the main about the children Bill, but to finish my remarks on top-up fees, my main objection is founded on my disagreement with one of the basic premises of the Government's argument. They say that people who benefit from higher education will, in most cases, earn considerably higher incomes, so it is right that we should ask them to pay towards that education. To be frank, I go along with only part of that argument—the part that people who have higher incomes should make a greater contribution to the cost of public services. The easiest, best, most honest and straightforward way of doing that is through progressive banded income tax, whereby high earners pay the most irrespective of whether they received a university education. The problem with the Government's proposal is that it is a tax or charge—whatever one prefers to call it—on higher education, not on income. I hope that they rethink that.

I warmly welcome the proposed children Bill. I shall concentrate on the provision regarding the children's commissioner, but I support the general approach to improving the protection of children and our ability to listen to what children tell us about their needs and wishes. I am sure that the UK Government here in London and the Welsh Assembly Government in Cardiff share those aims, but the precise approach does not have to be identical in England and in Wales. I therefore welcome the Government's commitment to work with the Assembly to ensure that the Welsh Government can have input into the Bill where a related, but distinct, approach might be appropriate for Wales.

Wales led the way in the UK with the establishment three years ago of this country's first Children's Commissioner post. In 2001, the role of the Welsh commissioner was extended to responsibilities beyond the regulated services. The commissioner now has the power to review the effect of policies on and the delivery of services to children. His remit extends well beyond services that are directly provided to children, such as social care and education; it also covers policy areas such as transport, the environment, economic development and agriculture.

The commissioner's powers cover all the policies and practices of the National Assembly, but he does not have powers of review and investigation in respect of non-devolved or reserved matters. He can make representations to both the UK Government and the Welsh Assembly on matters such as Home Office-run juvenile offenders institutions, family courts or the social security system, but he has no powers of investigation and no right to enter premises or require documentation from relevant agencies and ministries.

I shall return to that matter, but first I suggest that an excellent working model that has been established in Wales that should help the shaping of the new legislation. In only three years, Peter Clarke, the Children's Commissioner for Wales, and his team have done an enormous amount to gain the trust of children and young people and the respect of the wider community throughout Wales. He has set as his primary task the safeguarding and promotion of the rights and welfare of children and young people in Wales, but his approach and that of his team is to work with children and young people rather than simply for what he perceives their best interests to be. In fact, the National Assembly made it a requirement that the commissioner's office ascertain the views of children and young people as it carries out its work.

That is the excellent foundation on which the commissioner has built his role. Not only does he consult children about all aspects of his job, but he actively promotes children's participation in decisions that affect them, from family to national level. His team make a special effect to ensure that the voices of marginalised young people are heard and their views acted upon. That is working. The commissioner's office has played a valuable part in ensuring that the views of children and young people are heard in policy debates in Wales on child poverty, intergenerational respect, the provision of facilities and services by local government, education, school exclusions and a range of other matters.

While not required to do so under the Children's Commissioner for Wales Act 2001, the commissioner must make children and young people aware of their rights under the UN convention on the rights of the child. The Assembly included that requirement in the commissioner's job description, which brings me back to the opportunities for improvement in the new children Bill. Our commissioners should be required by statute to work within the rights-based framework set out in the UN convention on the rights of the child. They should have the power to review the effects of policies and the delivery of services by any Government Department or agency, whether UK-wide or devolved, that impact on the rights or welfare of children, and that should include the power to enter institutions and carry out investigations. For us in Wales, that would mean extending the powers of the Children's Commissioner beyond devolved issues to include UK Government responsibilities.In connection with the joint approach outlined in the Bill, we may need to make provision for children's commissioners in the different countries of the UK to work jointly where an issue crosses borders.

I am sure that the children Bill will take forward our children's rights and protection. As for children's commissioners for England and other parts of the country, I hope that we will be prepared to provide all the powers that they need to be first-class children's champions. I am sure that we will.

5.1 pm

Dr. Richard Taylor (Wyre Forest) (Ind): I am relieved that I am not the only Member speaking on health issues, and I am particularly pleased that the Secretary of State for Health is in the Chamber.

Only one sentence in the Gracious Speech refers to the national health service, but it includes four crucial words—"reform", "choice", "freedom" for staff and "control" for communities over hospitals. As I have just a few minutes, I shall speak only about choice and reform. When considering choice, we must ask what patients want. When considering the needs of hospital in-patients we must look carefully at two issues—elective services and emergency services—as the choices in each case are quite different. If someone has an extremely painful hip, the time that they have to wait is crucial. If it is less painful, the timing and place of the treatment, as well as the consultant who will carry it out, all become more important in their choice of elective services. However, things change utterly in the case of emergency admissions. Patients do not have time to make any plans because they will mostly be suffering from medical conditions that nobody can predict, such as heart attacks, strokes and pneumonia. Their care has to be as close as possible to home because of the problems, such as unexpected journeys, for families, friends and relatives.

If it is impossible to keep full emergency services for every community, there must be a local assessment facility, which will prevent patients from being moved unnecessarily far from their area. That will become even more essential with the constraints put on the service by the European working time directive. I am delighted that pilot trials are under way, but I am distressed that 135,000 people in my area are not being considered for a local emergency centre. I am looking forward very much to the results of a wide-ranging national consultation on choice, responsiveness and equity. It asked for the opinions of patients, users, carers and everyone running and providing health and social care, as well as the voluntary and independent sectors, patient organisations and, not to miss anybody out, the public. I hope that the Government will not only listen to the comments, but act on them.

On reform, almost 20 major changes have been made to the national health service in the past 20 years. Both major parties have obviously taken a hand in the reforms. The service is almost punch drunk from reforms and needs to be left in peace for some time to get on with them. I remind hon. Members of John Stuart Mill, a philosopher and economist who wrote almost 150 years ago:

> "A party of order or stability, and a party of progress or reform, are both necessary elements of a healthy state of political life."

My question is, which of the existing parties is the party of order or stability? I think that now is the time when the Government could step back and become that party.

The time is particularly ripe because of the recent publication of the Nuffield Trust report entitled "The Quest for Quality in the NHS". In the report, there is at least the beginning of an attempt to defuse the argument in which all Labour Members say that everything in the NHS is wonderful, while other Members tend to say that things are not so good. A *British Medical Journal* leader referring to the report asks this question about current Government action:

> "Is this more than an uncoordinated orgy of reform driven by panic?"

The Nuffield Trust's report answers that unequivocally, describing the action as

> "the most ambitious, comprehensive and intentionally funded national initiative to improve health care quality in the world."

That is high praise, but there are problems, the biggest of which is data quality. The report also states:

> "The unrelenting and distracting problem of inconsistent and highly contested data throws the whole of the quality agenda into a confusing fray."

Despite that encouraging report, some of us have severe worries about the NHS in our own patches; indeed, hon. Members have already referred to such concerns. In Worcestershire alone, county health services are heading for a deficit of between £15 million and £20 million. There are items that are not affordable, including necessary equipment for sleep apnoea, inhalable antibiotics for children with cystic fibrosis and developments in the vital field of sexual health. The trust is struggling with a bed occupancy of 94 per cent.

My own primary care trust, which deservedly won three stars, is now, unfortunately, red-lighted for eight key targets, six of them relating to problems with the acute trust. The Government have made the welcome announcement of 170 extra trainee doctors with national training numbers in obstetrics and gynaecology—but without the necessary funding, will the PCTs be able to afford them? There are worries about funding a consultant contract and emergency GP care under the new contract.

The 2002 patient surveys of GP and hospital in-patients were long hidden from view and appeared on the Department of Health website only earlier this year. The Nuffield Trust report cogently states:

> "The delay in publishing the results . . . and the reluctance to make them available . . . represents a triumph of political caution over commitment to a patient involvement strategy."

The Nuffield Trust also warns:

> "The greatest threat to the sustainability and progress of the quality agenda is likely to be the unrelenting and often damaging politicisation of the NHS."

I end by joining the *Health Service Journal* and the *British Medical Journal* in asking the Government to take note of this warning and to become John Stuart Mill's

> "party of order or stability"

by giving NHS staff and managers some freedom and some time for the existing reforms to take effect.

5.10 pm

Peter Bradley (The Wrekin): I am sorry that the right hon. Member for Horsham (Mr. Maude) has left his place, because, as he disclosed to the House, our deep and dark secret is that we attended the same independent school. There are some significant differences between us, however. He became the chair of governors and I have never been invited back; those two facts may be connected. A more profound difference is that when he left school he joined a party whose central tenet is that the privileges that we enjoyed should be the province of the few, but paid for by the many to whom they are denied; and I joined a party that believes in equality of opportunity.

I welcome the delay in the publication of the Bill. On the one hand, that gives the Government an opportunity to persuade people with reservations about certain aspects that the Government are right; on the other, it offers those people an opportunity to persuade the Government, through constructive criticism, that they may be wrong.

I commend the Government for grasping the nettle of higher education funding, although it might have been better had they worn thick gardening gloves in doing so. They are to be commended for the twin principles that underpin the White Paper—the principle of raising standards and quality in all our universities and the key principle of expanding access to prospective students from lower-income groups to whom it has previously been denied. However, although the ends are well intentioned and to be welcomed, the means are flawed.

[Peter Bradley]

Yes, the proposals in the White Paper will admit more students to our universities, but the gaps between those universities in terms of income, quality and, ultimately, the career opportunities that they offer to their graduates, will be widened, not narrowed.

I agree with many of the Government's proposals. It is right that graduates should be asked to contribute to the cost of their education and the advantages that they derive from it. On leaving university, graduates enjoy an immediate differential of £3,000 to £4,000 between their salaries and those of people without degrees, and that widens as their careers progress. I welcome the Government's enlightened view that graduates, not students, should repay their tuition costs.

I do not subscribe to the widely held view about debt-aversion that was cited by the hon. Member for Harrogate and Knaresborough (Mr. Willis). I would liken the debt that students will accrue to an investment that bears a dividend, such as a mortgage. Indeed, the repayment terms are rather better for tuition fees than for mortgages, because someone who loses their job still has to pay the mortgage, whereas if a graduate loses their job, their loan repayments cease. The system will remove significant obstacles that deter students from lower-income households from attending university.

Too little attention, however, has been paid to the severe problem of living costs, which can deflect talented young people from low-income groups from university, where they would be better off, into work for the short-term advantage of earning wages. If they overcome that obstacle and enter higher education, they tend to try to save on living costs by attending universities that are close to home, but do not necessarily offer the courses that are best suited to their abilities, aspirations and interests.

In my view, the problem is not tuition fees but variable fees. I do not believe that they will work or create the market for which the Government hope, not least because I have not heard of a university that does not propose to charge the full £3,000 for its courses. Other hon. Members have also made that point. Why would universities forgo the income that they desperately need? Why would they want to signpost to students the fact that their courses are low value and low premium? That is not the smartest move in marketing.

Even if the access regulator obliges the Oxbridges of the world to double their intake from lower-income groups from 10 per cent. to 20 per cent., they will derive the enormous credit of fee income over the bursaries that they have to give to those students. However, other universities, including Wolverhampton, which is closest to my constituency and already has a 75 per cent. intake from lower-income groups, will derive tuition fee income from only 25 per cent. of students while disbursing bursaries to 75 per cent. That is only a modest credit.

It is strange for the Government to suggest that we give incentives to universities that default on access for lower-income students and penalise those that deliver the Government's commitment to expand access to people from those groups.

David Taylor: I declare an interest in that one of my daughters attended the university of Wolverhampton. Does my hon. Friend believe that a possible outcome of the plans is that the existing two tiers of Russell group universities and others will expand so that third and fourth divisions emerge from the murk?

Peter Bradley: I agree with my hon. Friend. I concede that there is already a two-tier—and probably a multi-tier—hierarchy among our universities. I hope that the Bill will give us an opportunity to narrow the gaps and not widen them, which I fear will happen through variable fees. The rich will get richer, the poorer universities will get poorer and some will struggle to survive. The elite will continue to get the best education and career prospects but the rest will simply get access. That is not a price that people should be asked to pay; everyone should have the same opportunity for quality and enhanced career prospects.

Things do not have to be that way. It is possible to reconfigure the Government's proposals to expand access and improve standards without establishing or entrenching inequalities in the system and within the Government's proposed spending limits. In my view and that of my hon. Friend the Member for Southampton, Test (Dr. Whitehead), with whom I have collaborated on our proposals, the first step is to replace variable fees with a flat rate of £2,500. That would produce more income for higher education—to the tune of some £200 million to £250 million—than the £3,000 variable fee that the Government propose.

Secondly, we must be clear and logical about student support. As I suggested in an intervention, if fee repayments are contingent on income after graduation, what is the relevance of parental income before the student goes to university? It is not relevant. We should therefore abandon the tuition fee waivers and put the money into maintenance support, where it is needed. If we do that within the Government's financial model, we could provide up to £5,000 a year for the poorest 20 per cent. of students in London and £4,000 for those elsewhere. For the next 13 per cent., we could provide up to £3,000.

But then we need to remove the burden of maintenance costs from the universities with high intakes of people from low-income backgrounds. It is essential to equalise the funding mechanism so that those universities are no longer penalised for the maintenance costs represented by high intakes of low-income students.

We propose that fees be collected centrally, that grants be distributed from the centre and that the remainder be allocated in core funding to the universities. That is progressive and redistributive and means that all universities, not only some, will have additional income. Our approach is principled, practical and equitable. It will make the investment that higher education needs, but it will distribute it to all rather than simply to the elite universities. It will lift standards for all students, not just for some. It will remove the hurdle of living costs and go a lot further than the Government's proposals—their proposals go a great deal further than those of any other party and tribute should be paid to them for that—in making university accessible and ensuring that all those who qualify will be able to attend. That means being able to go to the university of their choice, not simply the one closest to them, without the fear of accumulating unmanageable debt.

We are not proposing that all universities are or should be equal. We seek not equality, but equity. It is not our purpose to say that all universities should be the same. They are not, they will not be and it would not be to our advantage if they were. We will still need research-driven universities, which have a key role to play in our economy and our competitiveness, but I want to see a levelling up of the gap between the richer and the poorer universities—the prestigious universities and those with lower status—and, crucially, of the career prospects of the graduates who emerge from them.

The Government have challenged us to produce alternative proposals. I hope that they regard these proposals as a constructive contribution to the debate.

5.21 pm

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): It is a pleasure to follow the hon. Member for The Wrekin (Peter Bradley), particularly as he attended a grant-aided school. The party he decided to join took that opportunity away from people of my generation.

Mr. Barry Gardiner (Brent, North) (Lab): Your generation?

Mr. Gibb: I am younger than I look. When the Labour party leaves office, those interested in our education system may well look back over its years in government and lament not universities' admissions policies, but how little was achieved in raising standards in our schools and in changing the attitudes and views in the profession as well as among education academics.

The Gracious Speech includes this sentence:

> "Educational reform will continue to raise standards in all schools."

I wish to focus on that aspect. I hope that the Government's reforms will begin to raise standards, because there has been no genuine rise in education standards since 1997, as there has not been for 30 years, during which our state education system has been in permanent decline.

The problem that both parties face in government is tackling and challenging the dominant viewpoint on teaching methods expounded by the education academics. Like experts in so many areas, from MMR to global warming, no dissenting opinion is tolerated by that group. Perhaps that would not be of enormous concern in education if our schools were the envy of the world, but 23 per cent. of adults in Britain cannot read properly compared with just 7 per cent. in Sweden. According to the trends in international mathematics and science study, Britain lies a poor 20th out of 41 developed nations, behind countries such as Latvia, Bulgaria, Malaysia and the Czech Republic.

The quality of education in our schools remains the No. 2 political concern in opinion polls, but among parents of school-age children it is not only their No. 1 political concern, but their overwhelming anxiety. That issue forces parents to move house, paying up to 33 per cent. more in the catchment area of a relatively good school.

However, so strong is the grip on policy of the education academics that they devote considerable resources to trying to convince Ministers and the public that standards are improving. They cite, for example, the programme for international student assessment survey—a new international survey of 15-year-olds in member countries of the Organisation for Economic Co-operation and Development, which puts Britain's education system fourth in science, seventh in literacy and eighth in maths. This flatly contradicts other international surveys, including TIMSS.

The PISA survey says:

> "PISA assessed young people's capacity to use their knowledge and skills in order to meet real life challenges."

Unlike TIMSS, it did not test knowledge of the school curriculum. It is, in effect, more of an IQ test. Thus, our position in the international table will depend solely on who makes up the sample. There is ample evidence that the UK sample was skewed to exclude weaker schools and weaker pupils.

The literacy figures show that in 1996 just 57 per cent. of 11-year-olds achieved level 4 or above in the SATs. The Government now claim that that figure has risen to 75 per cent. It is still not a good figure, but that dramatic improvement is questioned by the leading authority in this area, Professor Tymms of Durham university, who said that

> "the children are getting no better. It's just that our staff are better at teaching to the test."

Professor Tymms's department tests 5,000 year 6 children in the same 122 primary schools each year, and he has found no statistically significant improvement in children's literacy since 1997.

My own view is that there has been some marginal improvement due to the literacy hour, which forced schools, initially in the face of fierce opposition, to address some of the weaknesses in the teaching of reading in our schools. But literacy teaching remains a cause for concern.

There is also the question of the pass mark used to grade SATs tests, which the 1999 Qualifications and Curriculum Authority report said was exaggerating SATs results by between 5 and 10 per cent. That report remains unpublished. I have been assured by the Minister responsible in a written answer that it will be published before the end of this year. Perhaps the Minister will say in his winding-up speech, after receiving a note from his officials, when that will be, because we are getting awfully close to the end of the year.

Similar issues arise regarding GCSE results, such as grade inflation and the increasing proportion of marks given for coursework. There is strong evidence that the rise in GCSE pass rates can be explained in part not by rising standards but by including GNVQ results in those statistics, which means that we are not comparing like with like.

If none of this convinces hon. Members, they should ask business and higher education what they think about standards in our schools. A report by the Engineering Council, based on diagnostic tests taken in 60 university departments, showed

> "strong evidence . . . of a steady decline over the past decade of fluency in basic skills".

A report by the Institute of Directors states:

> "The labour market cannot . . . overcome some very fundamental basic skills deficiencies in literacy and numeracy. . . . We see variable and, arguably, declining standards along with endemic grade inflation within the secondary school system".

[Mr. Gibb]

I could go on. The point is that the pretence that standards have risen is just that: it is a pretence. There has been no serious attempt to tackle the deep-rooted causes of declining standards in our state schools.

I shall give just one example in the time available: mixed-ability teaching. The 1997 Labour manifesto said that it would increase the amount of setting in our schools because children

"are not all of the same ability, nor do they learn at the same speed."

David Taylor: The hon. Gentleman has leapt from the assertion that standards in our schools are not rising to the contention that standards are therefore falling. Surely the two are not necessarily linked.

Mr. Gibb: There is no evidence that standards are rising, despite masses of claims made by Ministers and others that they are. It is important that politicians study the data honestly and give them detailed scrutiny to ensure that we are not being fed misinformation about what is going on in our schools. If we do not do that, we cannot develop policy based on what is really happening.

The Labour manifesto clearly said that the Government would increase the amount of setting, but six and a half years later there is no increase in the amount of setting in our schools. Some 62 per cent. of lessons in our comprehensive schools take place in mixed-ability classes. The response from the Department for Education and Skills has been to argue that the evidence on setting is mixed. That is the view that one would take if one merely read the summary of the literature prepared by the state funded National Foundation for Educational Research. The actual literature shows clear and strong evidence in support of setting or streaming.

The two key protagonists in this debate are Robert Slavin, who is against setting, and J.A. Kulik, who is pro setting. Slavin argues that setting works against egalitarian, democratic ideals by sorting students into categories from which escape is difficult or impossible, whereas Kulik argues that setting results in significant increases in educational attainment, especially if the curriculum content is tailored to ability levels. I think that it is absolutely clear from the data that setting works and that it particularly helps children from non-academic backgrounds and ethnic minorities.

The DFES's response is to say that most core subjects are setted in our schools and that the 62 per cent. of lessons taking place in mixed-ability classes are just for non-core peripheral subjects. Is the DFES saying that 62 per cent. of lessons are non-core and peripheral? Does it mean that history and geography are peripheral? Just 26 per cent. of history lessons are setted; just 24 per cent. of geography lessons are setted. Therefore, three quarters of lessons in those important subjects take place in mixed-ability classes.

The vast majority of maths lessons are setted—the figure is 80 per cent.—but in science the figure is only 60 per cent. In modern foreign languages, it is only 59 per cent. What about English? Is not that a core subject? In English, just 45 per cent. of lessons are setted. In 13 per cent. of schools, there are no setted lessons at all. No one should be fooled by the claim that specialist schools are changing all that. The proportion of lessons that are setted is precisely the same in specialist schools as it is in non-specialist schools.

There is no doubt that Ministers face enormous difficulties in challenging the status quo and the dominance of education academics, whose influence flows deep into the veins of our state education system, but it is time that politicians started to represent the genuine concerns of parents, to tackle the controversial issues that lie at the root of the poor performance of British education, and, particularly Ministers to apply themselves to challenging the false statistics and surveys that are designed to conceal that failure from policy makers. That failure remains glaringly apparent to parents.

5.31 pm

Mr. James Plaskitt (Warwick and Leamington) (Lab): I want to return to the issue of university and student funding. When the Secretary of State concluded his remarks, he said that the Government had the courage to reform. In my short contribution I will try to encourage them to be even more courageous than they intend to be.

I support the Government's moves to grasp the nettle and to address what is an important issue. I fully support many of their objectives. They want to increase provision for the sector, which is essential. I know from first-hand experience of the universities close to my constituency that it is easy to see the signs of underinvestment. The capital backlog in our universities needs to be addressed. Teacher:pupil ratios have been deteriorating. Urgent issues of academic pay need to be addressed, so it is right to get additional resources into the sector—it is right for universities, for students and, of course, in the long term, for our country.

The Government want to improve access and participation levels. That, of course, has to be right. They want to plan to meet rising demand for universities. That also has to be right. The principle of asking graduates to contribute more to help to meet those costs is also right. That principle was established in Dearing. I have heard no serious approaches or suggestions that go against that.

I welcome the Government's intention, in embarking on further reform, to abolish universal up-front fees, because there is evidence that that has placed strains on family budgets. I also welcome another objective: in the longer term, the Government want to begin to shift the distribution of taxpayers' subsidy towards those in younger age groups in the education system. That is an important long-term investment and will help us to address the access issue.

Having said that I support all those objectives, I suppose Ministers may wonder why I have signed early-day motion 7. It is because there are some problems with the proposals as formulated. As I say, I want the Government to be more courageous.

My view of what the problems are largely comes out of the big conversation that I have had on that very subject in my constituency with Warwick and Coventry universities, their vice-chancellors, senior administrators, staff and students unions, who have helped me to think about all the issues involved in the reform. I want to acknowledge the help that I have received from sixth form students at Aylesford, King's High, Kinglsey, Myton, North Leamington, Trinity and Warwick schools in my constituency, whose valuable input helped my thinking on this important subject. Following my discussions with those groups, four main concerns have emerged.

The first is the 50 per cent. target, which has got in the way of a proper focus for the debate. It is too blunt and, if anything, too modest. Currently, we have 43 per cent. participation and we know from trends in the numbers getting two good A levels and in demography that another 250,000 places will be demanded shortly in any event, taking us close to the 50 per cent. target. Getting that figure into the debate has blunted the argument. We need to be clear about what we are trying to achieve in the longer term and to be more ambitious, although not with a target in mind. We must then be prepared to put funding in place to help deliver that ambitious growth.

The second area of concern has come largely from the universities and concerns displacement. If the additional income comes in from top-up fees, there is concern that the Government might at some point in the future claw back the taxpayers' contribution; not within the current comprehensive spending review, but beyond it. Universities will be looking for a long-term contract with the Government if we continue in this general direction of reform, which is the right one.

The third area of concern is variable fees, which have been addressed by many hon. Members this afternoon. I accept that we have a multi-tier university system already; the issue is whether we are to mitigate or aggravate it. The evidence I have is that most universities will go straight for the full £3,000. After all, the real range for them is under £2,000, as they are already getting just over £1,000 from fees that are currently in place; the lift in income is not even £3,000.

I have a suspicion that many in the Russell group are settling for £3,000 to get the principle of top-up fees established and will want to move to higher fees quickly after that. We must be more confident that the scheme that comes in will be sustainable and will not be a staging post towards the creation of an inaccessible British Ivy League.

The fourth area of concern is debt. Evidence as to whether there is a debt deterrent is inconclusive, but it is clear that students of today and tomorrow see it as a growing problem. We need to bear in mind the fact that we are talking not just about tuition fees, but about maintenance costs.

Paul Farrelly (Newcastle-under-Lyme) (Lab): Will my hon. Friend give way?

Mr. Plaskitt: I am not going to have the time to do so.

I want to run through some proposals and suggestions. First, the Government could do more to bring in certainty. Students anticipating the scheme want to know what the full fee element of their entire course is to be and want that to be transparent from the outset. If we have that, might we also have some payment flexibility? I welcome the abolition of universal upfront fees—it is better that they be replaced by fees payable after graduation—but many students would like flexibility and to retain the option of paying as they go to pay down the debt that they will face at graduation. Many would prefer to make ongoing contributions to the cost while they are at university, rather than face it all as a debt at the end.

If we set up a system whereby an account is opened for the student when the course starts and they or their parents can pay down the debt, whatever debt remains at graduation will be what is payable afterwards. I urge the Government to consider that issue.

We could consider another area of flexibility, which offsets the area that I have just mentioned. We should perhaps allow a period of deferral after graduation, before debt repayment starts. Many students have expressed to me their concern that the debt will become repayable as they start work—at just the time when they are perhaps buying a house and incurring all manner of other expenses. The Government should be prepared to consider deferral for a period of years, on the understanding that the debt will accrue a real rate of interest while deferred. It is not realistic to expect deferral free of charge.

I urge the Government to look again at the proposed reintroduction of grants to see whether they can be raised to a more realistic level. As has been suggested, some funding for that would be available if we did away with fee concessions. We should also look again at the link with the education maintenance allowance, which will be set at £1,500. Many youngsters who qualify for it will, on entering university, discover that their grant is only £1,000. That is a step down in educational support, and we need to smooth out that difference.

I urge two long-term reforms on the Government. The British university sector is very bad at raising income from endowments, which is currently running at 1.8 per cent. of total university income. We need to get that figure higher. May we discuss with the universities, and perhaps with the Treasury, introducing tax concessions to help build up sizeable endowments in the long term? The bare bones of the second long-term reform that I urge on the Government are already there. Can we not consider allowing people to convert into education trust funds the child trust funds that we are introducing? Where parents or youngsters want to do that, the Government could make a further contribution at the point of conversion. When such funds finally matured—I accept that this is a long-term reform—many youngsters would have in their possession a nominated fund that would meet the full extent of the cost of their university education.

These are, I hope, constructive suggestions that the Government will take on board. If the Bill can be improved and made a little bolder and more courageous, they might find that it commands the support of the House.

5.41 pm

Mr. James Clappison (Hertsmere) (Con): I welcome the opportunity to say a few words on the financing of higher education. It is a particular pleasure to follow the hon. Member for Warwick and Leamington (Mr. Plaskitt). He made a very thoughtful speech, and I share many of the concerns that he expressed. Indeed, they were also expressed by each of the four preceding

[Mr. James Clappison]

contributors from the Labour Benches. Like me, those Members are concerned that the Government's proposal runs against the principle of access according to ability.

The contribution of the hon. Member for Barnsley, Central (Mr. Illsley) struck a particular chord with me, not least because I know his part of the world quite well. His constituency is perhaps much less affluent than mine, but even so, there are many families in leafy Hertfordshire who will be worried about the effect that the additional demands being placed on their children will have on their access to higher education.

There is another group of parents in Hertfordshire who probably could afford to pay the fees demanded of them. They will be worried for a different reason: that their children will not be treated according to their ability because of the type of school that they chose to attend. Some of the remarks made by certain Members will have done nothing to lessen those parents' concern about the implications of the proposed office for fair access.

However, I want to discuss the first group of families to which I referred, who are worried about whether their children will be able to attend the university of their choice.

Paul Farrelly: Will the hon. Gentleman give way?

Mr. Clappison: I promise that I will give way later on, if I have time.

The Government have not assisted their case by doing precisely the opposite of what they promised to do in their manifesto. I do not want to discuss the issue of trust and credibility, which has been explored already, but a related issue springs to mind. So far as I can judge, it is the concerns expressed by many Labour Members this afternoon that gave rise to the clear pledge made by the Government in their manifesto of just two years ago. If I am wrong, perhaps the Secretary of State for Health—I realise that this is not his subject, but he has no shortage of views—will enlighten me as to the factors that led the Government to make that pledge. Were they not the same concerns about access and attending top universities that have been expressed by his colleagues this afternoon? I look forward to his answer.

Can the Secretary of State tell us, for example, whether anything happened in the past two years to justify this change of course? I listened to the speech of his colleague, the Secretary of State for Education and Skills, this afternoon and to the pillars that he advanced in support of his argument, but surely the Secretary of State for Education and Skills who made the promise in 2001 would have been equally aware of those factors. None have arisen only over the past two years, so why has there been such a change from the concerns that the Government were aware of back in 2001?

My concerns in respect of lower and middle-income families and their children's access to university are threefold. First, there is a wealth of evidence, including some from the Government's own researchers, to suggest that top-up fees will have an impact on access. That is strongly felt by the present generation of students, even though they will not, in the main, be directly affected themselves. The Government argue that that is misplaced because fees will be paid not on entry to university, but on graduation, and will be contingent on the amount of income that the graduate earns.

As Government Members have pointed out, however, the Government are not wholly confident about that, because they concede that the fees might be remitted according to the student's family's present income. Government Members have debated whether that is inconsistent; it certainly seems to cut across the Government's own thinking that any amount of fees can be requested because they will be paid by high-earning graduates in the future. To follow up the Secretary of State's comparison, I was not aware that barristers earned any less in their professional careers because their father happened to be a bus driver.

The Government seem to accept that there is a connection between present family income and the question of access. That problem cannot be fully addressed by the modifications that the Government have mentioned. Even if assistance is given to families at the lower end of the scale, there will never be enough to help the families who are just a little higher up on the scale, and who, in my submission, will be equally affected. That includes many families in constituencies such as my own who will very likely lose out, as they often do under such schemes, because incomes in the south-east tend to be higher to meet the higher cost of housing and the higher cost of living. They often find themselves falling below the relevant threshold and I fear that they will also do so in the present case.

Secondly, variable fees will have an obvious effect on student choice, student aspiration and, ultimately, on the character of universities themselves. It will take a lot to persuade me that permitting Russell group universities to charge high fees while other universities charge lower fees will not result in some students choosing the cheaper option—not the option that meets their aspirations, but the one that is less of a burden on them and their families.

Leading universities such as Oxford and Cambridge—and, to give them credit, the Government themselves—are at pains to say that our children and students should aim high, but the message that they receive from the current proposals is that if they aim high, they will have to pay for it. It may well be that the universities charge an even level of fees, as some hon. Members have suggested, but I have a sneaking suspicion that the hon. Member for Warwick and Leamington may be on to something when he suggests that the current proposals will be just a staging post for the Russell group universities. The hon. Gentleman will be aware that earlier this week the rector of Imperial College, London—perhaps our premier scientific institution—quoted the figure of £20,000 a year in tuition fees. Does the Secretary of State really believe that if students are faced with the prospect of paying back £60,000 or more of debt, it will not have an effect on the choices that they make in trying to meet their aspirations? If the Minister pooh-poohs that and says that the Government will not allow the universities to do it because there will be a cap on the level of variable fees, I have to say that such a claim will not have much credibility, given that the Government promised not to introduce top-up fees at all.

Paul Farrelly: Will the hon. Gentleman give way?

Mr. Clappison: I have one more point to make, if the hon. Gentleman will contain himself, and then I shall give way to him.

Another aspect of the distorting effect of top-up fees is their impact on students' choice of career. If graduates are leaving university with debts of £20,000 to £30,000—it will probably be much more in the fullness of time—they will surely think about how to pay them off as quickly as possible. Is that not likely to result in high-quality graduates in shortage subjects such as maths and science deciding not to take jobs in the public sector, especially teaching, and opting instead for higher-paid jobs that will at least enable them to pay off their debts?

The Library has helpfully given me an estimate of how long it will take a teacher to pay off the student debt that will accumulate under the Government's current proposals. If the Government stick with their £15,000 threshold for repayment, it will take a teacher 14 years to pay off his debt. If the Government move, as has been suggested, to a threshold of £20,000, it will take nearly 17 years of that teacher's career to pay off his debt—the years when he is likely to be trying to buy a house, start a family and set up some pension provision. That is a long, long commitment for that teacher, taking him almost to the age of 40 faced with a pile of debts.

Paul Farrelly: Like my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt), I, too, signed early-day motion 7 and I am not entirely in agreement with my Government over variable fees. However, I am perplexed as to how the Conservative policy of scrapping the expansion of university places will help to give the constituents of the hon. Gentleman a better opportunity to go to university.

Mr. Clappison: There is obviously a debate going on between Labour Members about different ways of financing university expansion. I draw the hon. Gentleman's attention to the fact that since the Robbins report there has been a massive expansion in student numbers, because if this debate had been held at the beginning of that period, today's students would have been encumbered with much higher debts. However, I share the concerns of the hon. Gentleman and his colleagues: the proposals cut across the principle of access based on ability and that has worrying implications for the future. The Government will have to think again about their proposals if they are to keep faith with those of us on both sides of the House who want the children of bus drivers and barristers to leave university alongside each other, if they have the ability to go there in the first place.

5.51 pm

Mr. Colin Pickthall (West Lancashire) (Lab): Most of the measures announced in the Queen's Speech are desirable and necessary. I especially commend the proposals for children's bonds, pension protection funds, the registration of civil partnerships, legislation on domestic violence and the establishment of a children's commissioner for England—who will, I presume, have oversight of the welfare of the children of asylum seekers. I commend, too, proposals for the reform of the House of Lords. I hope that we shall complete consideration of the Planning and Compulsory Purchase Bill, and I very much hope that it will include provisions to regulate car boot sales.

I strongly support the Home Secretary's proposals for draft legislation on identity cards. At least one phantom Bill is lurking—on hunting—and I look forward to that. I very much welcome the fact that gender recognition legislation is to be debated.

Like most speakers today, however, I want to address only one main matter: top-up fees, which are neither desirable nor necessary. As I understand the Government's intention, it is to raise more resources to bail out our universities and to raise more of those resources from graduates and less from general taxation; but for the life of me I cannot see why top-up fees are necessary to achieve either of those ends. Indeed, as I hope to explain, they could well achieve the opposite.

I cannot support the Government's proposals for top-up fees. I take no pleasure in opposing my Government, which may make me fairly unusual on the Labour Benches. I regard with trepidation the possibility of being formally confronted with the legislation early next year. Voting against it would certainly not be a badge of honour; rather, it would be an admission that many of my hon. Friends and I had failed to persuade the Government that they have got the proposals wrong.

When my right hon. Friend the Home Secretary was Secretary of State for Education and Employment, he introduced up-front top-up fees in 1998, and I supported him, although with regret. I did so because I did not believe that my constituents in Skelmersdale should be asked increasingly to subsidise expansion in higher education through their taxes. That was because they themselves had almost no tradition of taking advantage of such education and, for well understood socio-economic reasons, they had very poor access to it.

I have nothing but praise for my local further and higher education colleges, and for my Government, in the massive efforts that have been made to address that problem in recent years. The former Secretary of State for Education also assured us that, although available Government money was limited, it would be steered towards the FE sector, which was very much the Cinderella of the education system and which is still comparatively neglected.

Overall, the decision on tuition fees in 1998 has had reasonably acceptable results, although difficulties have been caused for some families and individual students. Many of the changes proposed for higher education by my right hon. Friend the Secretary of State are to be applauded. For example, the Government recognise that the quality of teaching in higher education teaching institutions is of the first importance, and that it is as important as research.

A few weeks ago, hon. Members received a briefing on this subject from the Association of University Teachers. I note that the first section is entitled

[Mr. Colin Pickthall]

"Teaching in a Research Environment". Why could it not be "Research in a Teaching Environment"? Until now, the system has never recognised the quality of research performed by individual teachers in higher education, which is specifically aimed at enabling them to teach well at a high level. That research is not necessarily for publication or part of separately funded projects. The value of that research could be recognised through the development of so-called "teaching-only" universities, but a great deal of work would have to be done on parity of esteem. If that work were not done, that development could have a significant effect on the implementation—or otherwise—of top-up fees.

Like everyone else, I welcome the fact that debts will be repaid after graduation, and not partly on entry to university. I welcome too the widening of access, and the further assistance to be granted to people from low-income groups. The Robbins principle has always been right, but the Government's 50 per cent. target is unfortunate, to say the least. The target drives the system to recruit students, but that often leads to vastly increased drop-out rates and to the appearance of courses that can be described only as poor contributors to our national well-being. I am too polite to say so, but they were formerly known as Mickey Mouse courses.

I turn now to top-up fees. Universities will be forced to maximise the top-up fee level, or they will be

"perceived as a lower class of institution",

according to Malcolm McVicar, the principal of the university of Central Lancashire. He very much did not want to implement the top-up fees proposal, but now says that he feels he must if he is to maintain the reputation of his university.

As my hon. Friend the Member for Barnsley, Central (Mr. Illsley) noted, we must also take account of the nature of working-class households, whose members traditionally do not enter higher education. For them, going to university is often very challenging and daunting. It is new and frightening, and they have a fear of debt. The size of the debts being spoken about in the Chamber today are enough to frighten many people's imaginations. Students from working-class families may decide to look at lower-cost courses and institutions—if they exist. I suspect that my hon. Friend the Member for Warwick and Leamington (Mr. Plaskitt) is right to say that it is likely that all institutions will charge the maximum amount that they can get out of students. We are all in danger of forgetting what life is like in many working-class households on our estates. We must be mindful of the difficulties, tensions and anxieties that people face when they look at what the future holds for them and their families.

In addition, the abolition of up-front fees—a good thing—will reduce higher education income in the present because it will postpone the extra income from top-up fees until 2006, at the earliest. In party political terms—I put the problem no more grandly than that—we will experience in our constituencies all the pain, opposition and aggro that will result from the proposal before the next general election. The benefits of the cash that will come from top-up fees will not be felt until after 2006. The concessions that the Secretary of State has made to blunt the opposition to top-up fees mean that there will be a significantly lower and slower income stream when the cash comes in. We are therefore making a mess of this, even in the Government's terms. The postponement of the Bill's publication gives the Government time to do what early-day motion 7 suggests: look at a range of acceptable alternatives and come up with something that is more acceptable to the majority of Members, certainly on the Labour Benches.

My right hon. Friend the Secretary of State says in his briefing that students do not pay, graduates do. That is not true—I do not pay. His briefings do not address the proposal that I and others have made previously that current graduates should contribute through a graduate tax. They criticise a graduate tax as it would apply to future graduates, but they do not address the possibilities of raising a supplementary tax from people such as me, Neil Kinnock and scores of my colleagues on the Labour Benches who were the first in our families to go to universities and benefit from free higher education—in my case for four years—at the expense of the taxpayer. There is no reason why I and the other 12 per cent. of the population who benefited in that way should not be asked to fund higher education further through a graduated taxation system. Apart from the equity of that, such a measure would have the merit, if hypothecated, of producing resources for the universities sooner rather than later.

6.1 pm

Mr. Laurence Robertson (Tewkesbury) (Con): It is a pleasure, as a fellow Lancastrian, to follow the hon. Member for West Lancashire (Mr. Pickthall). I felt that he made a measured speech containing many good points.

I would like to speak later on top-up fees, if I have few moments to do so, but I want to start by looking at what one might term the other end of the scale—the provision of special needs education. A few years ago, I served on the Standing Committee that considered a Bill introduced by the Government in relation to special needs education. Its objective was, in the Government's words, to secure inclusion and enable more children with special needs to attend mainstream schools. I was told at the time, because I was concerned about the matter, that the legislation should in no way lead to the wholesale closure of special schools. Those exact words were used—it was not a green light for closure.

My experience, however, has been somewhat different. In Gloucestershire—I must point out, not for party political purposes, that Gloucestershire county council is run by an unholy Lib-Lab pact, with the Conservatives, even though they are the largest group, completely excluded from the executive—the policy is without doubt to close the special schools in the county. One at Bonnham Park in Stroud has already been closed, two in the Forest of Dean are being merged, and a school called Alderman Knight in my constituency near Tewkesbury is under threat—there is consultation, but there is no doubt that a threat exists to that school. In Gloucestershire, therefore, it seems that the Minister's words that the policy should not lead to a wholesale closure of special schools are not being heeded.

Of course, many pupils are included in mainstream schools, should be so included and are doing well. Mainstream schools, however, are not appropriate for all children with special needs. Many children who go to

Alderman Knight school are even physically handicapped—they have great difficulties. The teachers there know that those pupils could not cope in mainstream schools, and their parents know that they could not cope in mainstream schools. What is even more important, however—it is an emotive issue when it is discussed with them—is that the pupils themselves know that they could not cope in mainstream schools, and are fearful of being sent to those schools. They have broken down in tears when they have explained the situation to me. One or two have even been brave enough to attend public meetings to speak against forced inclusion.

Diana Organ (Forest of Dean) (Lab): The hon. Gentleman says that two special schools in the Forest of Dean are to be merged, and he expresses the concern of parents and pupils about what will happen to them as a result of the policy of inclusion. Why did he fail to admit that a new special school, with 65 places, will open in the Forest of Dean at a cost of £3 million? There is hardly a loss of provision for children with special needs in the area.

Mr. Robertson: I did not imply that there was to be a loss of provision. I said that schools were merging. I am sure the hon. Lady is not suggesting that special needs education in Gloucestershire is being downgraded. She must accept, however, that people would not go on marches, come to the House or sign petitions if they did not believe that the special school of Alderman Knight was under threat.

There is a great danger that those special needs children will be forced into mainstream schools against their will. That does not suit them or the pupils and teachers at mainstream schools. Again, hon. Members do not have to take my word for it. They should talk to them as I have done. My opinion does not matter. What matters is what the pupils, teachers and parents think. If pupils are forced to go to schools where they cannot cope, their right to a good education will have been removed. We call it inclusion, but they will not be included in society if they do not have the appropriate education or the appropriate care, which they can receive only at special schools.

What is the choice for parents if those schools are closed? If they do not have the option of sending their children to them, they will have to send them to a mainstream school. That is no choice. Why are the changes being made? Is it because of party political dogma or for financial reasons? In Gloucestershire, it is both. There is party political dogma—there is no question about it—but there is also the problem of finances.

The county council is thinking of changing sixth-form provision in the city of Gloucester and its outskirts, some of which also fall into my constituency. Are those changes motivated by financial constraints? We keep hearing from the Government that more and more money is going into education, yet I find that special schools and sixth forms are under threat. One of the wards at Tewkesbury hospital was also under threat, again because of money, yet we are told that the health service is receiving more money. Where is it all going?

I do not want to dwell on finance, however. If the Minister doubts my word, he should come to Alderman Knight school. It would be delighted to receive him. He should look those children in the eye and tell them that he supports proposals to close their school. I do not think he would do that. I certainly hope that he would not.

On top-up fees, if anyone is advising a couple who are about to get married—although it is probably unwise to do so—the advice should be to avoid debt. My grandfather had a saying, "When you are in debt, you are in danger." We should not be sending graduates out into the world of work with massive debts hanging around their necks. We hear that they are likely to earn much more money because they have university degrees, something that I do not own. However, hon. Members have missed the point: if graduates earn more money, they will pay more tax because it is a percentage of our income. That seems very simple to me.

I am proud that I was part of the education team that decided that the Conservatives would scrap tuition fees when we returned to government. Nothing in our policy would prevent students from going to university, as has been suggested. Our aim is to stop what was graphically and well described by the hon. Member for Barnsley, Central (Mr. Illsley) as the circle whereby many people go to university, but some cannot get a job on leaving and do jobs that do not require degrees, yet this country has a skills shortage, many people drop out of university because they took the wrong course, and we have a massive bill that we cannot pay. Why not reduce the bill? When I speak to representatives of industry in my constituency and to health service workers, I hear about the skills shortage, but sending more people to university will not redress that shortage. If it could, the skills gap would not exist.

It was a Conservative Government who increased the number of students going to university from one in eight to one in three. Perhaps we should now consider educating and training people in a different and more appropriate way. I would have liked to speak further about that issue, but I fear I have run out of time.

6.11 pm

David Taylor (North-West Leicestershire) (Lab/Co-op): I declare an interest as a member of the Chartered Institute of Public Finance and Accountancy.

Performance indicators, monitoring, auditing, assessing—call it what you will, but gauging the performance of the services on which the public rely and which it is the duty of Government to provide is essential, not only as a means of reporting back to the electorate à la plastic card on which Labour Members were elected in 1997, but as a potentially useful tool in improving those services. Regrettably, like so much that emanates from the secret and unelected elite of advisers who shape our party's policies, the theory too often fails to square with the real world. Corrupted by a stream of sub-marketing jargon, a potentially useful tool has become a self-serving one. It seems ultimately to concentrate on moving the macro-debate on the improvement of public service performance towards micro-squabbles over the latest set of key performance indicators. After Marshall McLuhan's

"the medium is the message",

we have Milburn's "star rating is the only game in town" and Adonis's "League Tables 'R' Us".

[David Taylor]

A reform or bust mantra is being used to threaten Labour Back Benchers, our traditional supporters and the wider public. We are in essence told that changes that nudge us towards a market ethos or that rate activities in tables that would be more at home in Consumers Association magazines are the only legitimate forms of modernisation, on which service quality and thus electoral success depend. Yes, one alternative is a Tory Government slashing public spending and sending the NHS and schools back to the doldrums in which they languished in the 1980s and early 90s, but that is not the only alternative to the target and market culture that we are being encouraged to embrace.

It is clear to many right hon. and hon. Members that public service performance will be a critical issue at the next general election. To fulfil my role as a helpful Back Bencher, I propose to offer the Government some advice on the processes and procedures they have in place to measure the effectiveness of public service performance.

Let me start with the NHS—the most comprehensive, technologically advanced and accessible public health care system in the world. The Government and Labour Members are rightly proud of the record extra investment that has been diverted to the NHS. The problems arise if the award of some public money to hospitals depends on the satisfaction of arbitrary targets and the subsequent award of glittering stars. Even the Government's top statistician says that targets can be naive and impossible to deliver. Indeed, it is now recognised that the star system has little to do with the quality of health care, and more to do with the political outlook of individual hospital managers. Are they prepared to go along with the targets and produce the figures that Government advisers want to read, and thereby reap the star reward; or are they willing to allow the hospital to deliver to a different, and perhaps more relevant agenda, but see the stars denied?

The star system has not been successful and is seriously damaging to the morale of many NHS staff—the very people who pulled that national asset through the funding famine and bureaucratic morass of the Tory years. The star system may be a valid way of improving the behaviour of boisterous primary school children, but it is a wholly inappropriate way of shaping the policies and finances of huge hospital trusts that are straining to deliver services. To give a local example, the University Hospitals of Leicester NHS trust includes three hospitals—Leicester royal infirmary, Leicester general hospital and Glenfield general hospital—and had a two-star rating until this year. The trust recently had a successful review by the Commission for Health Improvement that praised many aspects of its work, and was given an overall score of 15 for different aspects of clinical governance—the highest score in England was 17. As for other performance indicators, it performed 98,300 elective procedures within 12 months, and 89 per cent. of patients were on a waiting list for less than six months. Staff numbers were up by 4 per cent.; staff turnover was down from 14 per cent. to 11 per cent.; and sickness absence fell from 5.3 per cent. to 4.6 per cent. However, in the star rating system it went from two stars to no stars. It achieved six of the arbitrary targets, but an administrative error led to some in-patients waiting longer than normal, and there were problems in accident and emergency. What a way to treat a magnificent hospital trust with some of the finest hospitals in the east midlands.

In local government, we await, not very eagerly, the publication and inherent simplification of the best value league tables. Yet again, complex public services will be distilled to a starkly simplified, tabulated structure—beware the positions that lead to relegation. In education, no amount of key performance indicators could prevent the engineering firm W.S. Atkins from adding to the financial and administrative burden on schools in the London borough of Southwark. Following the statutory intervention of the Home Secretary, taxpayers effectively paid an engineering firm to ruin further the system of education delivery in Southwark. The Andrew Adonis formula of

"investment plus reform equals results"

is misleadingly simple. What are the desired results under that root and branch logic? Increasingly, money tied to reform is for the benefit of investment banks in the City, the metropolitan media and home counties constituencies, but those groups do not rely on public services.

The underlying tenet or holy grail that underpins that deeply flawed approach to the measurement of public service performance and unites some MPs in subservience to it is competition, which apparently keeps the private sector lean and mean. I do not dispute that and would go further—the survival of the fittest keeps all markets trim and free of excess. Without wanting to demean the efforts of small and medium-sized business enterprises, the harsh realities of the marketplace are appropriate to the opening of a sandwich shop or carpet fitters, for example, but have no application or use in health, education or law enforcement. Recourse to the language, practices and forces of the marketplace in the provision of essential public services shows the fundamental intellectual bankruptcy, not just of the proponents of that theory, but of the wider political system. Hospitals are not shops and patients are not customers. To tell the public that their money cannot be spent on services that they want to work, such as the NHS, schools and police, without a gratuity payment to the private sector is breathtaking chutzpah and disingenuousness on a scale previously seen only in the literary efforts of Jeffrey Archer.

There is a role for private contractors in the delivery of public services—there always has been—but its scale and location have to be controlled. There is a place for comparative quality tables of public services, but only when pre-existing distortions to the delivery environment are removed. Only last Friday, a press notice issued by the National Audit Office said that its recent report recommended that the Department for Education and Skills

"should produce and make publicly available performance information for maintained secondary schools that takes into account academic achievements adjusted not only for pupil prior achievement, but also for other external influences".

We have to build those adjustments into every set of tables, if they are to be used, when measuring the quality of public service delivery.

The NAO also recommended that the DFEE

> "use this adjusted performance information as a tool, amongst others, for assessing school performance and evaluating the effectiveness of policies that impact on schools".

Those whom the gods wish to destroy, they first drive mad. Governments whom the gods wish to destroy, they first put into the hands of unelected advisers with few contacts with ordinary people, after which they add a sprinkling of accountants, star systems and league tables, light the pink touch-paper and retire. I fear that we are heading in that direction. The consequent electoral explosion in autumn 2005 is too dire to contemplate.

6.19 pm

Adam Price (East Carmarthen and Dinefwr) (PC): In preparing for this debate, especially in relation to tuition fees, I tried to heed the advice of H. L. Mencken on dealing with political opponents, which is always to assume that they are just as honest and decent as oneself, and that they sometimes may even be right. However, I must confess that on this particular issue I have struggled to give the Government the benefit of the doubt, and I have failed so far in trying to do so.

The strapline on the higher education Bill in the parliamentary Labour party's information was

> "free at the point of use and fair at the point of repayment".

I hope that the Secretary of State can confirm that there is no read-across from education to health. To me, that statement sounds like a retreat from the principle of universal and comprehensive access to public services. I accept the Government's argument that they are sincere about the proposals that they are making and that they want to widen participation and access, but I hope that they will also reflect on the sincerity of hon. Members on both sides of the House who fear that the changes could make a bad situation worse in terms of the inequality of opportunity that currently pertains in our higher education system. In fact, those inequalities could be reinforced between institutions, between different parts of the UK and between students themselves.

It is very interesting and instructive to reflect on the fact that the person who first came up with the idea of income contingent repayment—that is, paying not out of current income, but out of future income, as in deferred tuition fees—was none other than Milton Friedman. He came up with the idea of deferred tuition fees in a paper published in 1955. The argument that he used is the very same one that is being used now. Indeed, he returned to the theme in "Free to Choose". Who can forget that piece of Thatcherite propaganda? In that book, he said of higher education:

> "In this area, those of us who are middle and upper-income classes have conned the poor into subsidising us on a grand scale".

That was Milton Friedman's argument, but it is now being replayed by the Government. Perhaps that is no surprise.

Dr. John Reid: Let us set things in the broad sweep of history. The idea of taking from everyone according to their abilities and giving to everyone according to their needs did not commence with Milton Friedman. It commenced a long time ago. Keir Hardie was saying it 110 years ago.

Adam Price: I think that the phrase:

> "From each according to his abilities, to each according to his needs"

is a quote from a certain Mr. Karl Marx. I am not sure that he would be a supporter of the Government's policy on tuition fees, but I am prepared to be corrected by the Secretary of State.

I accept that the Government are putting their arguments in terms of social justice. We are having an interesting debate about different notions of equity. The Government are advancing a plausible argument by asking why today's poor should fund tomorrow's more affluent people. That is the notion of equity that they are putting forward, but there are other competing notions of equity as well. For instance, there is equity between the generations. Should we be placing a huge burden of extra taxation on the young, especially at a time when an ageing population means that public services already have to be funded out of a smaller taxation base?

On equality of opportunity, I believe that the nub of the argument in terms of equity is the dynamic effects of the changes, rather than their static effects in terms of who pays which segment of the population. What are the dynamic effects? What effect will the proposals have on people's ability and opportunities to realise their potential? That is where the interesting argument lies, and there is contrary evidence. Evidence from Australia and New Zealand suggests that there has not so far been a hugely negative impact on accessibility. In Canada, however, where the state has withdrawn from direct funding, the results are different. In the United States of America, which has a vastly deregulated tuition fees system, the result has been disastrous in terms of accessibility. In Canada and North America, high-quality education is increasingly the preserve of the privileged—people are buying not skills, but a passport to the upper echelons of society. The fear of that animates several hon. Members on both sides of the House.

Aversion to debt among people from working-class backgrounds is a significant factor. The Higher Education Funding Council for Wales has pointed to the effect of the introduction of tuition fees on accessibility for the working class in Wales. There is plenty of evidence in international research to suggest that we should take cognisance of that issue.

Marginal rates of taxation were mentioned. The marginal rate of taxation for graduates earning £15,000 to £30,000 will be 42 per cent., yet the Prime Minister's marginal rate of taxation is only 41 per cent. How can that be equitable?

The wider point is that this goes to the heart of what education is about. The Government's proposals seem to present education in the purely individualistic sense that it is, per se, a personal investment decision in the relevant marketplace, but it is more than that. John Rawls—a philosopher who is, I hope, closer to the Government than Milton Friedman—said that

> "the value of education should not be assessed solely in terms of economic efficiency and social welfare. Equally if not more important is the role of education in enabling a person to enjoy the culture of his society and to take part in its affairs, and in this way to provide for each individual a secure sense of his own worth."

[Adam Price]

If we reduce education purely and simply to a matter of sustaining and strengthening income differentials, we all lose out as a society.

The hon. Member for North-West Leicestershire (David Taylor) is absolutely right—the Government need to think through the political consequences for themselves. In 1989, the Government of the Australian Labor party were the first in the world to implement Milton Friedman's idea when they introduced income-contingent loans. They lost to a rejuvenated Conservative party in 1996. I should not like that to happen to the Government as a result of their proposals. They should listen carefully to the wise counsel that they have heard from Members on their own Benches.

6.27 pm

Mr. Barry Gardiner (Brent, North) (Lab): It has been an interesting seven hours. For all but a few minutes' pit stop, I have been here since Prayers. Although I cannot recall the Speaker's Chaplain telling us that the first shall be last, I am none the less blessed that that has been borne out.

I had not expected the debate to be, in effect, a Second Reading debate on the Government's proposals on higher education instead of a broader debate on the Queen's Speech. I certainly wish to have my say on the education proposals, but I shall do so after the Bill is published later this month.

I want to focus on an issue that connects health and education, and which will need far greater attention and investment in future—obesity, which is a national time bomb whose fuse is almost burned through. It already costs the country £2 billion a year, and it is estimated that in 20 years' time the entire current budget of today's NHS will be consumed in paying for the costs of sedentary lifestyles, diabetes, coronary heart disease and other obesity-related diseases—not to mention the days of work lost to our economy. Creative and innovative policies are required. We need a massive shift in the balance of funding from treating disease to preventing it—and we need it fast. The Department of Health currently spends £886 per head each year on treating sickness. If we compare that with the figure of £1 per head each year that the Government spend on sport and physical activity designed to prevent disease, it is apparent that prevention is the underfunded element of the Government's strategy.

The Department for Culture, Media and Sport has a role to play, but it does not have the budget to achieve the required change. That should be the responsibility of the Department of Health and the Department for Education and Skills. The Government have accepted the importance of the agenda and their policies to date signal a good start. There are currently 1,200 school sports co-ordinators and 6,000 primary and special school link teachers. That means that 30 per cent. of schools in England belong to one of the 222 school sports partnerships.

The Government have set a target of 75 per cent. of school children doing two hours of school sports a week by 2006. However, in the long term, we must set our sights higher. Seventy thousand 10-year-olds—one in 10—are already obese. By the age of 15, one in six children are obese. Society has the responsibility of preparing young people for life—that is the point of an education system. It must be our schools' primary function to prepare young people for every aspect of their future, not only in literacy and numeracy, but in knowing how to lead a healthy lifestyle.

With one in six obese 15-year-olds, we are not paying sufficient attention to ensuring that young people have learned healthy habits of regular physical exercise. Not only the quantity but the quality and variety of sport in schools needs to increase. The staple diet of the same old sports engages some but alienates thousands. If we ask people why they do not enjoy sport and do not participate in it now, the reason is usually that they were forced to do specific sports at school. We need a smorgasbord of physical activities and sports in the school environment so that children can find a sport that they enjoy and want to continue in later life.

Sports governing bodies should work in partnership with schools to deliver a broad range of choices for young people, with clear coaching pathways to achieve excellence for those who are most able. Every school should be furnished with the basic minimum of sports equipment, including fitness facilities and gym equipment that older pupils can use independently.

A young person's commitment to physical fitness and sporting achievement should be formally recognised, with Step into Sport extended to every secondary school. Just as we encourage endeavour in academic and literary pursuits, a national award scheme should encourage endeavour and excellence in active pursuits. We need an army of coaches to motivate and inspire young people. The Government are to be congratulated on their community coaches scheme; the first wave of coaches will be in action next year. The scheme needs every available resource to make the necessary impact.

Such schemes need to be a Department of Health priority and a cornerstone of its preventive work. The Department's financial clout can create the necessary investment. The 3,000 coaches that the Government originally promised are to be part time, with some full-time coaches. The modification was right in that there should be many part-time coaches, but we should have 3,000 full-time equivalents. We should not have cheese pared to make the Departments' savings and economies.

Mr. Nigel Evans (Ribble Valley) (Con): Does the hon. Gentleman agree that local authorities should be encouraged to open all the facilities that are available in schools in the summer? There appears to be a problem with insurance, which is why youngsters are not allowed to use the equipment. We should consider ways of solving the problems and ensure that the facilities are available for our young people.

Mr. Gardiner: I am grateful for that intervention and I agree with the hon. Gentleman. Insurance and other matters must not be allowed to stand in the way of opening up access. I shall deal with that point later.

We are not the only country that is having to think out of the box to tackle the issue. In Austria, the social affairs spokesman has put forward the idea of a fat tax, suggesting that social insurance contributions should be linked to body mass index. I can see that one or two colleagues are rather worried by that suggestion, but I do not think that we should pursue it—at least not yet.

The Government have set a target of 70 per cent. of the population engaging in regular physical exercise by 2020. It is right for them to set high standards. Just as they intervene to stop us smoking and to encourage safe sex and sensible drinking, so they must intervene to fight obesity by removing the hurdles that prevent people from being more active.

A key element in making the nation more active is access to facilities, which is the very point that the hon. Member for Ribble Valley (Mr. Evans) mentioned. Membership of a private gym is often expensive and quality sports pitches and leisure centres are in limited supply. Consequently, affordable, good-quality facilities are out of reach for far too many people. We must open up access and make the best facilities available to the whole community.

Based on schemes in Wales, Glasgow and Newham, and along with London Assembly Member Diana Johnson, I am in discussion with fellow London MPs and with boroughs to see whether we can make swimming in London free for all children. Of course, to use the facilities we must first have them. Germany has 92 50-m swimming pools. In France, the city of Paris alone has 20. In the UK, we have just 17. Many 25-m pools, which should be standard facilities for every community, are in a state of disrepair, if they exist at all.

We must complete a national needs analysis for each nation and region and work with their sports governing bodies to put the necessary facilities in the right place. That means, in practice, that housing should not be built without consideration being given to the availability of sports and recreational facilities. The public should consider having such facilities in easy reach the expected norm and the Government should be ready to embrace partnership with the private sector in all areas to get those facilities in place.

In the last minute available to me, I want to touch on children's trust funds. I am concerned about the necessary information for parents, and now for children in schools, who will have a real interest in acquiring the financial skills to manage their own funds at maturity. The Government information campaign beginning in 2005 is too late. Parents need to be made more aware of these issues in good time. The Government need to clarify whether the additional tax-free contribution of £1,200 a year can be made by parents in respect of the years between September 2002, when the first child qualifies, and 2005, when the first fund is opened.

I am concerned that a policy designed to increase social inclusion and to help children out of poverty will see wealthy parents take full advantage of the provision to make the £1,200 additional payments each year while poor parents cannot. The projection for a fund with a £500 initial contribution but no additional annual contribution suggests a real-terms value of £900 at maturity. However, a £250 initial contribution in respect of a rich family with just a £50 a month additional contribution going in would have a real-terms value of more than £18,000 at maturity.

That would have the perverse effect of ensuring that the gap between rich and poor would widen as a result of the child trust fund. I believe that the Government must offer parents from poor families an extra incentive to make additional payments so that that does not happen.

6.38 pm

Mr. Tim Collins (Westmorland and Lonsdale) (Con): The bulk of the debate has been about higher education and my speech will reflect that, but first I shall say a word or two about other matters that have been discussed.

We on the Conservative Benches will be constructive on the children Bill and we welcome what the Secretary of State for Education and Skills said about the school transport Bill, so far as it went, but he will recognise that until and unless he can guarantee that no child currently entitled to free school transport will lose that entitlement he will face unhappiness and opposition.

On the national health service, let us recognise that the truth is a mixed picture. The Government have poured in more money and recruited more doctors, but they have also hired three times as many extra administrators. They have recruited more nurses, but they have presided over the complete disintegration of NHS dentistry, as my right hon. Friend the Member for North-West Hampshire (Sir George Young) said, and there is not a single NHS dentist in either Kendal or Windermere, for example, in my constituency.

The Government have presided over a record number of operations, but a record number of people have been killed by hospital-acquired infections. The truth of the matter is that some parts of the NHS are getting significantly better, but others are getting very much worse. It would help us all if the Secretary of State for Health felt able to acknowledge both parts of that picture.

The Education Secretary seems confused on three issues to do with higher education. First, will top-up fees deter students, especially those from low-income families? He denied that outright, but then demolished his case by praising a university for deciding to set a zero fee for a physics course in order to attract more students than it would get if it set a higher fee.

Secondly, will the Government's office for fair access tell universities whom to admit? The Secretary of State got hot under the collar with my hon. Friend the Member for South Suffolk (Mr. Yeo) for having said that it would. He said that it was wrong for my hon. Friend to say that, but minutes later he contradicted himself when he told one of his hon. Friends that Offa's job would be to tell universities to come up with policies to admit more working-class kids. If that is not interfering with admissions, I do not know what is.

Thirdly, the right hon. Gentleman seemed confused about the manifesto on which he stood two years ago. He claimed that the pledge was not to introduce top-up fees before the next general election. My hon. Friend the Member for Hertsmere (Mr. Clappison) blew a hole in that argument by pointing out that the full quote is simply:

> "We will not introduce 'top-up' fees"

full stop.

The Education Secretary tried to have some fun with a few quotes he had found. Two can play at that game, and I had a productive 15 minutes in the Library earlier. The right hon. Gentleman quoted a couple of Conservatives who left office more than a decade ago. I shall quote someone who served in the present Government until just six months ago. The right hon.

[Mr. Tim Collins]

Member for Newcastle upon Tyne, East and Wallsend (Mr. Brown) just yesterday said that he did not think social justice comes from loading young people of ordinary means with a large amount of debt.

The Education Secretary got excited about a 15-year-old quote from my hon. Friend the Member for South Suffolk. It turns out that the quote was about student loans, which both sides of the House now support, not about fees. I think that the right hon. Gentleman was trying to say that my hon. Friend has been less than consistent. I checked the right hon. Gentleman's own record for consistency, and I did not have to go back 15 years. In December 1997, just six years ago, he voted for the Government's cuts in lone parent benefit. On the very same day, he wrote to the then Social Security Secretary to say that those plans, for which he voted, were "fundamentally wrong". He said that

"everyone in the PLP is outraged by what the Government is doing."

The right hon. Gentleman must have a sense of déjà vu. Seven Labour Members—the hon. Members for Aberavon (Dr. Francis), for Barnsley, Central (Mr. Illsley), for Gower (Mr. Caton), for The Wrekin (Peter Bradley), for Warwick and Leamington (Mr. Plaskitt), for West Lancashire (Mr. Pickthall) and for North-West Leicestershire (David Taylor)—made speeches in which they attacked the Government's proposals and made it clear that they could not support them.

Conservative Members have three priorities for higher education: excellence, independence and admission solely on merit. Each of those is threatened by the measures in the Queen's Speech. Excellence will be undermined because the Government's proposals will drive away many academically outstanding candidates from low-income families who are fearful of debt, but at the same time the Government will throw open the doors to academically weaker candidates from families wealthy enough not to have to worry about high borrowings. That is an odd definition of social inclusion, and it can only further water down standards and drive up already soaring drop-out rates.

Huw Irranca-Davies: When the hon. Gentleman refers to weaker candidates, does he mean the type of students whom I frequently taught in my six years as an academic, who were from traditionally low-achieving families, but who, when they entered higher education, because our entry requirements were more flexible, far exceeded the performance of those who had come through with higher A-level scores?

Mr. Collins: What I was trying to point out to the hon. Gentleman is that his policy, if he is supporting his Government, and he is in a distinct minority among Labour Back Benchers if he is, is that academically qualified candidates from low-income and disadvantaged backgrounds should not go to university, whereas academically weaker candidates from wealthy families should. That is what his policy will produce, and that is plain wrong. It will threaten independence because there will be wholesale intervention by the Government in the way universities admit students, and it will destroy the concept of admission solely on merit. Indeed, we would go back to the bizarre 19th century system, where admission to university was determined not by the candidate's ability but by the candidate's family. That is what the Government are going to recreate. Indeed, it is the ultimate insult to students from disadvantaged backgrounds that, under the Government's proposals, they would know that they had got in not on merit but by means of an artificial quota as part of social engineering.

David Taylor: Will the hon. Gentleman give way?

Mr. Collins: I give way one last time.

David Taylor: Just to correct the hon. Gentleman, in my contribution I was referring not to any flaws there may be in the Government's higher education policy but to the obsession with targets and league tables, which were inherited when the Prime Minister got into 10 Downing street on 1 May 1997. There was a failure to shred those targets and league tables. They are the bequest of the Major Government.

Mr. Collins: It is sweet of the hon. Gentleman to say that he is in a minority among Labour Back Benchers. Perhaps it was six in a row rather than seven, but I assure him that, having sat through the whole debate, precious few Labour Back Benchers were prepared to support the Prime Minister's policy.

There is no guarantee that any of the money raised from tuition or top-up fees will be additional for universities. There has been no guarantee at all from the Treasury that it will not take the view, as it traditionally does, that if there is a new funding stream less needs to come from the Exchequer, rather than more.

We must bear it in mind that not one Government Front Bencher had to pay university tuition fees or top-up fees. Not one of them can answer the simple question being asked by millions of parents across the land: if it was good enough for them when they were young, why is it not good enough for today's young people as well?

One Labour Back Bencher is quoted in *The Guardian* today as saying:

"We want a different kind of party".

I bet Labour Back Benchers do. Old Labour believed in free state education—new Labour does not. Old Labour believed in academic freedom—new Labour does not. Old Labour had principles and decency and new Labour has none of the above. Labour Members have broken their word to the voters, broken the principles with which they came into politics and broken the hearts of their most loyal supporters.

Just last week, the higher education Bill was at the front of the queue. This week, it is in the middle of the queue. Let us drop it from the queue altogether and have a genuine cross-party discussion on a better way forward. I commend the amendment.

6.47 pm

The Secretary of State for Health (Dr. John Reid): It is always greatly amusing when Conservative spokesmen talk in their representative capacity for the whole of society, particularly the working class. It should not surprise us, but I cannot see one woman on the Conservative Front Bench. Indeed, as Conservative Members look around desperately, it is just as well that the right hon. Member for South-West Norfolk (Mrs. Shephard) has turned up, or there would not be one woman on the Tory Benches—so much for representative democracy.

This has been a wide-ranging debate. It is common to say that, but may I pull together the threads and give the view of the Government? We have been trying to do three things, which mark the whole of our approach to the public services. The first is to invest massively, on a historically unparalleled scale—indeed, it has not been matched by any comparable industrial country. Secondly, to go with that substantial investment, we have in every element of our public services embarked upon a massive programme of reform. Thirdly, we are endeavouring, not with complete success but, as the hon. Member for Westmorland and Lonsdale (Mr. Collins) said—his contribution was a lot more balanced and serious than that of the hon. Member for South Suffolk (Mr. Yeo), who opened for the Opposition—nevertheless with a degree of success, testified to by most objective observers, to match excellence to equity, to introduce to our public services, which are intrinsically fair, a degree of personal service to meet the ambitions and expectations of modern working people.

That takes us to the question of whether or not there have been any improvements over the past few years. I shall leave aside those who say that there have been none, or that it has been "reverse gear", to use an "in" phrase. The hon. Member for Bognor Regis and Littlehampton (Mr. Gibb) was of that extreme ilk. The truth is that, in education—the focus of today's debate—things are changing for the better. One need look only at the number of teachers; an increase of 10,000 by 2006 was our target, and it has been met three years early. UK education spending will rise to 5.3 per cent. of gross domestic product in 2003–04; the figure when we took office was 4.7 per cent. Investment in school buildings is huge, and has increased fivefold. Since 1998, we have invested over £1 billion in creating an information and communications technology infrastructure in schools in England.

That massive investment is showing a faith in the future of the children of this country, not just a pride in the past. We are attempting to improve on a scale hitherto not even contemplated, and it has delivered results. There is no doubt about that. The results are not always 100 per cent. of what we aimed for, nor are they by any means 100 per cent. of what we want to achieve in the long run. However, they are significant results. In 1997, almost half of all 11-year-olds were unable to read, write or do basic maths to the expected standard. About 84,000 more 11-year-olds are now achieving the expected level for their age in maths and about 60,000 more are doing so in English.

Those are not just statistics. They are real achievements by real, little human beings: the people of the future—who will be the basis of the wealth of this country—and their parents. When exam results show increases and improvements, perhaps instead of claiming that that shows a deficiency, an amelioration, a mitigation or a reduction in standards, we should say for once, "Thank you and well done" to the teachers and parents.

Of course there are huge challenges left, one of which was raised by the hon. Member for East Antrim (Mr. Beggs): learning disabilities. That is why the Government will be publishing plans and a strategy to build schools' capacity and ability to meet the needs of those with special learning difficulties.

My hon. Friend the Member for Huddersfield (Mr. Sheerman), who chairs the Education and Skills Committee, pointed out not only the achievements—in the balanced fashion for which the Opposition have asked us—but the deficiencies. He referred to the road that we had to take to achieve improvements—not just in higher and further education but in the earliest years—to provide the beginnings of a course and pathway that will mean lifelong educational opportunities for all of our people.

I have to say—without being parti pris, I hope—that the dreadful lack of ambition shown by Opposition Front Benchers for the people of this country in terms of education objectives is staggering and out of all proportion.

Several Members, not least my hon. Friend the Member for Gower (Mr. Caton) and the right hon. Member for South-West Norfolk, raised the question of the protection of children. The right hon. Lady spoke with an authority and knowledge that is respected on both sides of the House and even more sharply put into contrast the rather cheap and nasty contribution from the hon. Member for South Suffolk, the Opposition spokesman. This is a serious subject, as the right hon. Lady pointed out, and I hope that on one of the central aims of the Bill—the co-ordination of services for the protection of children—we will continue to listen, as we have done before and after the publication of the Green Paper.

Obviously, the main topic tonight was the question of how we fund higher and further education. Too many Members raised this matter for me to respond individually to all, but my hon. Friends the Members for Birmingham, Northfield (Richard Burden), for Barnsley, Central (Mr. Illsley), for Warwick and Leamington (Mr. Plaskitt), for Gower, for The Wrekin (Peter Bradley), for West Lancashire (Mr. Pickthall) and for Brent, North (Mr. Gardiner), as well as the hon. Member for East Carmarthen and Dinefwr (Adam Price) and many others, spoke on that subject. Had some of the commentators listened to the debate today, they might have been surprised. Those colleagues who are not supportive of the Government's position were constructively critical, in a way that they perhaps were not a few months ago.

I have one reservation, however. I wish that those outside this Chamber and outside our party discussions who are loudest in volume could sometimes contribute, if only in a modest fashion, to our discussions. They would find that our contributions and our discourse prove mutually beneficial, by which I mean that the Government are listening. It is becoming obvious just how far we have travelled in the months since this issue was first discussed. As people begin to understand just how far we have come, there will be every opportunity for us to find a satisfactory solution.

Mr. George Osborne (Tatton) (Con): Will the Secretary of State give way?

Dr. Reid: If the hon. Gentleman does not mind, I will not. I have only three minutes left, and I have already cut my speech so that Back Benchers could get in.

[Dr. Reid]

There is one thing that I should point out to my hon. Friends—of all persuasions. The Opposition attempted to attack my right hon. Friend the Secretary of State for Education for his conduct in 1998. They said that he voted for legislation that he did not like, and then wrote to express his reservations. That is far from grounds for complaint; rather, his action constitutes the perfect role model for a loyal Government Member. *[Laughter.]* He recognised, as we all do, that whatever the deficiencies in the detail, anything that we do in public service has a 100 per cent. chance of being far better than the efforts of that lot on the Opposition Benches.

The hon. Member for Harrogate and Knaresborough (Mr. Willis) made a very constructive contribution on top-up fees. He agreed with our aim of extending opportunity to all social classes, but I should point out, if I may, that his facts were incorrect. The figures for those coming from the lower social categories, as defined by sociologists, since 1998 are 17 per cent., 17 per cent., 18 per cent. and 19 per cent. respectively. So despite tuition fees, the numbers are increasing. The hon. Gentleman went all the way with us in our objectives. However, like a good, respectable Liberal, he willed the ends but not the means—other than to suggest that another £2 billion could be raised through the marvellous proposed increase for those earning £100,000 a year. That is the flip-side of the Liberal Democrats' taxation policy during the previous Parliament: the single transferable penny on income tax, which was going to pay for everything.

The truth is that if we are to have equal and better quality education for our young people—while extending it to ensure that those from backgrounds such as mine and that of the hon. Member for Harrogate and Knaresborough participate in greater numbers than ever before—we have to get more money into the system. A progressive method of raising money from those who earn a little more, whereby they pay a little more for the benefits of their education to support those from poorer backgrounds, is not something that Labour Members should be ashamed of. Rather, it is what we stand for.

We have invested in our public services on a hitherto unknown scale. Last week, the Nuffield report was published, and this morning the chief executive of the national health service also published a report. The Nuffield report, which is the most objective and comprehensive report on the NHS in three years, shows that there has been significant improvement. I do not claim for one moment that everything is perfect, nor would my right hon. Friend the Secretary of State for Education. But thanks to the staff in the NHS and to those who work in our education services, we are building excellence and equity into our public services, and producing services that are not only fair to everyone, but increasingly personal to each of us. I commend this Government's policies on public services, and I ask my colleagues to join me in rejecting the Opposition's.

Question put, That the amendment be made:—

The House divided: Ayes 189, Noes 340.

Division No. 1] **[7:00 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allen, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Donaldson, Jeffrey M.
Dorrell, rh Stephen
Doughty, Sue
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harvey, Nick
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David

Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Sayeed, Jonathan
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Hugo Swire and
Gregory Barker

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Bryant, Chris
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cousins, Jim
Cox, Tom *(Tooting)*
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Ewing, Annabelle
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug

Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Speller, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Ms Bridget Prentice and Vernon Coaker

Question accordingly negatived.

Main Question again proposed.

It being after Seven o'clock, the debate stood adjourned.

Debate to be resumed tomorrow.

DRAFT GAMBLING BILL (JOINT COMMITTEE)

Ordered,

That the Lords Message [1st December] relating to the draft Gambling Bill be now considered.

That this House concurs with the Lords in the said Resolution.

That, in accordance with the Order of the House of 10th July, as amended by the Order of 20th October, in the last Session of Parliament, a Select Committee of eight Members be appointed to join with a Committee appointed by the Lords, as the Joint Committee on the draft Gambling Bill, with the same terms of reference, powers and membership as in the last Session and that the proceedings of the Joint Committee on the draft Gambling Bill in the last Session of Parliament be referred to the Committee; and

That the Committee do meet with the Committee appointed by the Lords on Thursday 11th December at half-past Nine o'clock in Committee Room 5.—*[Derek Twigg.]*

DELEGATED LEGISLATION

Ordered,

That the Horse Passports (England) Regulations 2003 (S.I., 2003, No. 2780), dated 4th November 2003, be referred to a Standing Committee on Delegated Legislation.—*[Derek Twigg.]*

Proportional Voting

Motion made, and Question proposed, That this House do now adjourn.—*[Derek Twigg.]*

7.15 pm

Mr. David Laws (Yeovil) (LD): I am delighted to have secured this debate this evening on a particularly topical issue, and I welcome the Minister to his place. As I have said already to him, I intend to make sure that I keep my comments—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the hon. Gentleman. May I say to other hon. Members that another debate has started? If they are not staying for it, they should leave. It is not helpful to have conversations going on while the hon. Gentleman is trying to address the House.

Mr. Laws: As I was saying, I have already promised the Minister that I will leave him a good amount of time to respond to this debate and to take numerous interventions in order to clarify Government policy. I also promise not to go too much into the detail of different variations of proportional representation systems, as that is not only probably beyond me—although not beyond some of my colleagues—but it is not my intention to cover some of the detailed issues relating to proportional representation for elections. I want to concentrate on the broad issues relating to Government policy.

I will not need to explain to the Minister why I have chosen to raise this topic today. The Minister will no doubt be aware of the speech that the Prime Minister made back in February 1996 as the John Smith memorial lecture, in which he said:

> "I do not regard changing the way we are governed as an afterthought, a detailed fragment of our programme. I regard it as an essential part of new Britain, of us becoming a young, confident country again."

In spite of that speech, some of my colleagues in this place have questioned whether this is the right time to raise the issue of proportional representation. Some of them have seemed to imply that it is somehow well away in the long grass and that the Government do not intend to make progress on it. I therefore start the debate by clarifying the three reasons why it is particularly appropriate to discuss this matter today.

First, clearly, PR systems, although they may not have been introduced for this place, are already being introduced across the country. I shall discuss that in further detail shortly. Secondly, it is clear that the benefits of PR systems that we are seeing in other parts of the United Kingdom ought to be captured by us in this place. Later, I want to refer briefly to some of the issues and problems that exist because of the electoral system that we use for this place, which could be addressed by a proportional system. Thirdly, there is the Government's manifesto commitment: the 2001 Labour party general election manifesto includes a commitment to review progress so far on proportional representation systems. It would be useful to seek Government clarification on that.

Touching on the first of those points, because of the focus on Westminster in terms of the electoral system in this country—and perhaps the overwhelming power of Westminster in this country in terms of our government—a perception exists that because the Government have essentially kicked PR for Westminster into the long grass for the time being, PR across the United Kingdom is also in the long grass. When we reflect on what has happened since 1997, however, we see an extraordinary expansion in the use of proportional election systems throughout the United Kingdom. We have one variant of proportional representation for the Scottish Parliament and another system for the Welsh Assembly. There is proportional representation for the Northern Ireland Assembly and European elections, whether the system is liked or not. London elections and the mayoral elections use proportional representation. There may well be proportional representation for local elections in Scotland, and we understand that we will have proportional representation in the new regional assemblies, which will be established if the referendums are successful. Although it is difficult to follow all the twists and turns of the Government's policy on the House of Lords, there seems to be some recognition that if we do not have a proportional election, we will at least have a proportional non-elected system in which the Government accept that there should be a link between representation in the Lords and the polling by different political parties in a general election.

The expansion of proportional election systems since 1997 is dramatic. A huge number of our citizens routinely take part in elections that are fought under proportional systems. Far from being in the long grass, the issue is very much in play. I pay tribute to those people in the Labour party and my party, including my hon. Friend the Member for North Cornwall (Mr. Tyler), who have invested so much time and energy in pushing the constitutional reform agenda in the past decade and who have achieved so much. In that, I include my predecessor, Lord Ashdown, who was instrumental in pushing through some of the reforms.

Another reason why we need to ensure that we do not lose sight of the possible benefits of PR in Westminster as well as in the rest of the country is that it remains obvious to many of us that the system of Westminster Government is crying out for a fairer and better electoral system. Nowhere is that more clear than in this Parliament where our power, and especially our ability as Back Benchers to influence Government policy, has been greatly reduced by the fact that the electoral system delivers a disproportionate majority to the Government, even on a minority of those people who vote.

The situation in Parliament now is similar to the position after the 1997 election. About 43 per cent. of the electorate voted for the Labour party, which delivered around 64 per cent. of the seats. That has made this and the last Parliament impotent. The growth in prime ministerial power does not concern me greatly. It makes sense for the Prime Minister's department and powers to expand in comparison with the prevailing situation over the past 100 years. However, that increase in prime ministerial power has gone hand in hand with a weakening of parliamentary power, as a direct consequence of the electoral system for Westminster, which has made so much of what we do irrelevant to people in the rest of the country. The Government's majority is overturned only on small matters, on which

[Mr. Laws]

individual Members make up their mind on conscience issues, or on big issues, such as the top-up tuition fee, which may occur only once or twice in a Parliament.

The other arguments for a PR system at Westminster are clear. They have been made over time, consistently and persistently, and relate to the fact that the existing electoral system means that votes count differently in different parts of the country. Many people's votes simply rack up in constituencies where they make no difference to the general election result. That is a problem not only at general elections, but in local elections, too. For example, the local elections for town and district councils were held in my constituency early this year. I am pleased to report that the Liberal Democrats have 23 out of 24 councillors on Yeovil town council. I see that that concerns the Minister. Perhaps it will encourage him to take action. A Labour member has the 24th seat only because no Liberal Democrat stood against him. That all happened while the Liberal Democrats probably polled no more than 50 per cent. of the votes in Yeovil town, with the other 50 per cent. of the electorate not being represented at all on the town council. That greatly concerns me, and the Minister should be worried about that happening across the country.

Paul Flynn (Newport, West) (Lab): Perhaps the most grotesque result of the current election system in Wales is that, although the Conservative party has managed to get 20 per cent. of the Welsh vote in the last two general elections, not a single one of the 40 Welsh MPs is Conservative. Is it not curious that the Conservatives appear to be satisfied with the system, given that none is present tonight?

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. It is generally out of order to make references to party questions during an Adjournment debate, which is the property of an individual Member.

Mr. Laws: The hon. Gentleman is right. One benefit of the proportional systems introduced in Scotland and Wales is that small, unpopular parties that were not represented there in the past now are.

Following on from the increasing use of proportional systems across the country since 1997, through the continuing strong case for PR for Westminster, which includes the problem of turnout in many constituencies, I come to the Government's own position on the matter. In 1993, John Smith, then leader of the Labour party, committed it for the first time to a referendum on the issue. The Prime Minister firmed up that position before the 1997 general election, and the 1997 Labour party manifesto contained commitments to hold a referendum on PR during the lifetime of the Parliament elected in 1997 and to set up the Jenkins commission. Although the commission reported, the referendum did not go ahead.

Today, we are left with the position set out in the 2001 Labour party manifesto, on which I hope the Minister can shed some light. The Labour party declares:

> "The Independent Commission on the Voting System made proposals for electoral reform at Westminster. We will review the experience of the new systems and the Jenkins report to assess whether changes might be made to the electoral system for the House of Commons. A referendum remains the right way to agree any change for Westminster."

Now that different systems of election have been widely used across the country—not once but twice in Scotland—and we have already seen the benefits of using a PR system, many people hope that the Government will conduct their own review and consult as far as possible not only within but outside Government on what conclusions should be derived on the use so far of such systems.

The Minister will be aware that there is already an independent commission on PR, chaired by the distinguished journalist Peter Riddell and by David Butler, and that it produced an interim report earlier this year. I believe that the final report will be produced early in 2004. I hope that the Government will examine that report carefully, draw conclusions from it, establish the review alluded to in the 2001 Labour party manifesto, and carry out that review and public consultation over the coming year. Perhaps the Minister will be able to shed light on that tonight.

I wish to make sure that the Minister has time to respond in detail and to take interventions from me, if he will allow that, but I shall complete my comments by reminding him of a much-quoted paragraph—perhaps the most famous—in the rather famous and distinguished report that Lord Jenkins and the independent commission on the voting system produced in 1998. In paragraph 26, the commission—although the wording makes one suspect that the late Lord Jenkins had something to do with its drafting—reported:

> "The Labour party . . . has after many thirsty years had a cornucopia of luscious psephological fruit emptied over its head."

The commission continued, saying that the first-past-the-post system

> "has rewarded it with 63.6 per cent. of the seats for 43.2 per cent. of the vote. On a 'what we have we hold' basis"

it might be expected that now is

> "the most improbable period for the Labour party leadership to contemplate electoral reform. Yet, perhaps on grounds of wider statesmanship, perhaps with a shrewd instinct that when you have as much as this you are historically very unlikely to hold anything like the whole of it, the Labour government . . . has set up this Commission".

The commission and Lord Jenkins went on to say:

> "If this disposition persists this Labour government will have the unique distinction of having broken the spell under which parties when they want to reform do not have the power and when they have the power, do not want to reform. As a result of this knot the existing electoral system, in many ways irrational, and, to judge from most opinion polls on the subject, not particularly loved either, has persisted."

That is an accurate précis by Lord Jenkins and his commission of the position on PR for Westminster. I urge the Minister to plot a way forward on PR for Westminster and assure us that, in the interests of the country if not his own party, he will now take this issue out of the long grass.

7.30 pm

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I congratulate the hon. Member for Yeovil (Mr. Laws) on allowing us an opportunity to look in more detail at the cornucopia of luscious psephological fruit that he has laid on the table. Despite his thirst for an immediate change to the system of voting for Westminster MPs, the Government have a relatively good record on proportional representation. We have shown a willingness to address the issue where appropriate and take action when necessary. In our first term, as we have heard, we set up an independent commission to look at proportional representation for Westminster, under the distinguished chairmanship of the late Lord Jenkins, which produced an interesting and significant report, parts of which have been cited.

We introduced proportional representation for the European parliamentary elections in 1999, for the Scottish parliamentary elections and the Welsh Assembly elections in 1999, for elections to the Northern Ireland Assembly in 1998, and for elections to the London assembly in 2000. Our European parliamentary elections use a regional list system of PR. For each of the nine electoral regions in England, and for Scotland and Wales, each party presents a list of its candidates ranked in an order determined by it. Individual candidates may, of course, also stand for election. I hesitate to mention in the presence of my hon. Friend the Member for Ealing, North (Mr. Pound) the counting system invented in 1899 by the esteemed Belgian psephologist Victor d'Hondt, a good friend of his. Perhaps it is enough to say that the votes are counted in a way that ensures that votes cast for the parties or individual candidates ensure a proportional result.

Mr. Stephen Pound (Ealing, North) (Lab): While my hon. Friend is educating the House, nay the nation, he should mention that d'Hondt is truly proportional only when finessed by the Droop quotient.

Mr. Leslie: Whenever I hear the word "d'Hondt" I think of my hon. Friend and will do so for evermore, particularly in respect of that variant.

The list system is by far the most common system for elections to the European Parliament throughout Europe, so we are at one with most of our European colleagues. Some hon. Members argue that the system breaks the link between the voter and his or her representative, but others argue that voters have a choice about which Members in a multi-Member constituency they can go to with their problems or queries. They may even choose different Members with different interests depending on their problem. The list system makes sense for the large constituencies in the European elections in which one MEP represents about 700,000 constituents.

Elections to the Scottish Parliament are conducted on the additional member system. In addition to the 73 MSPs elected on a first-past-the-post basis in each constituency, an additional 56 Members are elected from a list for the region as a whole. Again, the list candidates are arranged by party and the votes for them are counted by the d'Hondt method. The Welsh Assembly is also elected using the additional member system, but in that case there are 40 constituency Members and 20 list Members. Although all the evidence points to those systems working well and producing proportionate results, I understand that there is a certain amount of dissatisfaction in both Wales and Scotland about, for example, the relative status of list and constituency Members. No one disputes, however, that the system produces a more proportionate result by political party and ensures that the voice of minor parties is more fairly represented. What the additional member system preserves is that link between the constituent and the representative. It also offers the opportunity of approaching a list member if the voter thinks that that member may represent them more effectively.

Mr. Laws: I am grateful to the Minister for giving way. Will he explain why every time the Government introduce a new body such as the Welsh Assembly, the Scottish Parliament or a regional assembly, they choose to use a proportionate voting system, while they refuse to move on proportional representation for this place?

Mr. Leslie: I suspect that the reason for taking a fresh look at voting systems when we establish a new body is precisely because it is a new body that is established on a more blank canvass, so we have a capability to stand back and look at arrangements afresh. I shall mention some of those matters later.

We know about the situation in Northern Ireland, where all elections except those to Westminster are held under the single transferable vote system. As we have seen in the recent Assembly elections, that is a complex system in which voters number the candidates in order of preference, but its advantage in Northern Ireland is that at least strict party proportionality can be the result.

Lady Hermon (North Down) (UUP): I am most grateful to the Minister for referring to the recent Assembly elections. May I urge him to have a quiet word with the Secretary of State for Northern Ireland to ensure that, when we have proportional representation, procedures are put in place to ensure that the count does not take two days to produce a result in a small constituency or in any of the moderately sized constituencies in Northern Ireland? If we have proportional representation, there must be procedures to advance that voting system.

Mr. Leslie: The hon. Lady refers to an important general principle about the need for a clear and understandable system that can be interpreted relatively easily, and I suppose relatively quickly, if accountability is to work. I shall certainly consider in a little more detail any delays that have taken place in the production of a result following an election.

Although some may argue with the way in which proportional representation is working in the bodies to which I have referred, it is clear that the system can work in such circumstances on a relatively practical basis. The Parliaments and Assemblies in question are mainly new bodies with new systems of election—the hon. Member for Yeovil made this point earlier—and the proportional representation systems that have been set up for them have been designed with more local circumstances in mind and reflect the need of the particular bodies concerned.

[Mr. Leslie]

An altered system of election to the House of Commons would, however, apply across the whole of the United Kingdom. That would be a particularly big step representing a major change.

Mr. Paul Tyler (North Cornwall) (LD): I am grateful to the Minister for giving way. I think that he is making an important point, not least about the complexity of making changes for the House of Commons and the need that would arise in respect of boundary changes and so on if one went the whole way. Will he comment on the fact that the Leader of the House has now suggested on several occasions that an incremental approach with regard to the House of Commons would be much more likely to work and much more practical? If an alternative vote were introduced at one stage, with a view to moving on in due course, the changes could be made overnight. Is it Government policy to support the view that an alternative vote should be considered for the House of Commons?

Mr. Leslie: The hon. Gentleman is tempting me to move towards the conclusion of my speech and the policy denouement for which I know he is anxiously waiting. The issue that he raises is very important, especially in looking at the UK as a whole, and we need to consider such matters very carefully. That is exactly what we intend to do.

As I said, following the 1997 general election and in line with our manifesto, we set up the independent commission on the voting system, which reported in October 1998. The report recognised that there was no possibility of PR being in place in time for the 2001 general election, and the Government therefore decided to defer any decision until after that date. Our 2001 manifesto referred to the major innovations that we had already introduced in the electoral systems for the devolved Administrations, the European Parliament, the London assembly and so on, and confirmed that we would review the experience of the new systems and the Jenkins report to assess whether changes might be made to the electoral system for the House of Commons.

That commitment still stands. Any review could draw upon previous work and the experience that we have gained in elections in various parts of the UK. There are, however, several different options regarding both timing and the structure of any review. While no decisions have yet been made, there are various options that could be considered. It was clearly not sensible to begin a review until after the second set of elections to the Scottish Parliament and the National Assembly for Wales were complete. They were held last May, and the Electoral Commission's report on them was published in November.

It is equally arguable that any review should wait until after the results of the proportional representation elections that are to come in June 2004—namely, the elections to the European Parliament and the London assembly. This is only the second time that elections to those bodies have been run under their respective proportional systems. We are considering when best to initiate any review so that it can be comprehensive and consider the practical experience gained.

Mr. Laws: I am grateful to the Minister for giving us some details of the Government's planning of the review. Is it still guaranteed to take place in this Parliament, and will it be published when it is completed?

Mr. Leslie: As I said, we stand by our commitment to undertake a review. There are lessons to be learned from the practical experience of running the elections.

Another reason why it might be wise to wait before commencing any review is that the Independent Commission on Proportional Representation, which was set up by the constitution unit of University College London, is investigating the matter. Its study is being carried out by a team of electoral experts who will not only consider how things are working at the moment, but, in due course, make recommendations about Westminster. We expect that the final report will be published by March 2004. Any review that we might initiate will wish to draw not only on the Jenkins report, the Electoral Commission's reports on particular elections and our own views on the experiences of the devolved legislatures, but on the findings of the ICPR report.

Mr. Laws: Will it be published?

Mr. Leslie: Once we get round to finding the right time and circumstances for the review, I anticipate that we shall want to put it into the public domain.

There is a difference between putting in place an appropriate system for, say, a new body such as the London assembly and changing a well-established, familiar and effective system for an existing body. As there is no general agreement among Members of Parliament about the most appropriate voting system for Westminster, it is right that the issue is comprehensively debated and carefully considered. Any review will need to examine very thoroughly the detailed arguments for and against change.

The argument that a national Parliament should match as closely as possible the national share of the vote is attractive and compelling. However, the nature of Parliament, based as it is both on parties and on individual representatives, means that there is an immediate tension between the national and the local. Some feel that the party share of the vote is most important; others point to the overriding importance of a particular constituency being represented by a particular individual. Those issues are not impossible to reconcile, but my judgment is that most colleagues and the public find that accountability more conveniently occurs where there is a single Member of Parliament for a defined geographical area.

Mr. Tyler: Will the Minister give way?

Mr. Leslie: I am not sure that I have sufficient time, but I shall do so very quickly.

Mr. Tyler: As the Leader of the House has said, accountability and the connection with the constituency is fully reflected in the alternative voting system, with the additional advantage that at least 51 per cent. of the electorate would know that they had voted for their Member of Parliament.

Mr. Leslie: The hon. Gentleman makes the case for one of many possible variants of a system to reflect party share of the vote more proportionately. I am sure that the review that we eventually undertake will consider these matters in detail.

Finally, I should emphasise that, as stated in the 1997 and 2001 Labour party manifestos, we remain committed to any proposed change for Westminster elections requiring agreement in a referendum. We would not contemplate any change to the voting system for elections to this House without the consent of the people.

No one can question this Government's appetite for undertaking constitutional reform when it is necessary, but issues of priorities and timing are involved—we cannot do everything at once. The subject is significant both for Members of this House and for the electorate, and it is only right that we take time to consider it carefully.

Question put and agreed to.

Adjourned accordingly at sixteen minutes to Eight o'clock.

House of Commons

Thursday 4 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

EDUCATION AND SKILLS

The Secretary of State was asked—

Students

1. **John Barrett** (Edinburgh, West) (LD): How many Scottish-domiciled students have enrolled at *(a)* English and *(b)* Welsh universities since September 1999. [141756]

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): The latest information available for 2001–02 shows that there were 26,456 Scottish-domiciled student enrolments at English higher education institutions and 672 at Welsh HEIs. In 1999, there were 24,305 such students at English HEIs and 518 at Welsh HEIs.

John Barrett: Will not Scottish students have to pay up to £3,000 in up-front fees while their English colleagues will be able to defer those fees until after graduation? Will not the introduction of those fees increase the barriers to widening access to university education in England, whereas those barriers have been reduced in Scotland, with more than 53 per cent. of 18-year-olds now accessing university?

Alan Johnson: Under devolution, the Scottish Executive rightly decide what happens in Scotland. It is important to realise that the figures have remained constant since not just 1999 but 1997. There has been no reduction in the number of Scottish students looking to study in England since the introduction of fees. Indeed, in Scotland, Scottish students pay £2,000 into the graduate endowment scheme; that situation will continue unless it is changed by the Scottish Executive.

Mr. Huw Edwards (Monmouth) (Lab): Does my right hon. Friend agree that more Scottish students would be attracted to study in Wales if the Welsh Assembly could implement its Labour party manifesto policy of six months ago not to have top-up fees? Has my right hon. Friend discussed that with Jane Davidson, the Welsh Minister for Education and Lifelong Learning? If the Welsh Assembly can avoid top-up fees, will the Government consider applying that policy in England, too?

Alan Johnson: As supporters of devolution, we keep in constant touch with my opposite number in the Welsh Assembly, Jane Davidson, and with the Scottish Executive. The maintenance grant that is to be introduced next year will apply to Wales as well as England. I understand that the Welsh Assembly has ruled out introducing variable fees until 2007, when it will reconsider the issue through the Rees commission. That is entirely appropriate. Until then, Welsh students will continue to pay the £1,125 up-front fee.

Adam Price (East Carmarthen and Dinefwr) (PC): If I understood the Minister's response correctly, it will be up to the devolved Administrations to decide whether they want to offer those of their students who are studying in England the option of deferment by providing them with a loan. Will they have to find that money from within their existing budgets, or will additional moneys be made available to enable them to offer that option?

Alan Johnson: They would have to find it from within their existing budgets. The other important point to mention is that the Bill that is to be introduced fully devolves the issue of student support to the Welsh Assembly. We are happy to do that in the spirit of devolution, but I understand that Plaid Cymru opposes it.

Tuition Fees

2. **Mr. David Chaytor** (Bury, North) (Lab): What assessment he has made of the differences between flat-rate and variable university tuition fees, with particular reference to the equity of each. [141757]

The Secretary of State for Education and Skills (Mr. Charles Clarke): Our assessment is that a flat-rate fees system would be more unfair than a variable fees system. It would force every university to charge the same amount across the board, irrespective of the demand, nature or quality of the course, or the potential rate of return for the student, thus removing the flexibility to target foundation degrees or degrees in subjects such as physics or other sciences. It would lead to course closures, institutions having no flexibility in deciding what to do, and lower quality. It would mean that we would be unable to influence access through the regulator, as we propose. Finally, it would lead to redistribution from poorer to more affluent students.

Mr. Chaytor: I thank my right hon. Friend for that reply. Is not it the case that the majority of students in the United Kingdom have always been eligible for variable fees because most of them are not full-time undergraduates? If he were vice-chancellor of a smaller, post-1992 university, at what amount would he be inclined to set the fee?

Mr. Clarke: My hon. Friend's first point is correct. The undergraduate fee is unique when compared with other fees, because of the current regulation. If I were in the enviable circumstance that my hon. Friend described, I would set a range of fees for different courses in the university of which I was vice-chancellor, taking account of the demand, the nature of the course and the sort of encouragement that I wished to offer to get students for specific subjects. I would not set a fee for the whole university but would consider each course separately.

Mr. Tim Yeo (South Suffolk) (Con): Yesterday, the Secretary of State claimed that a university that charged a zero fee would encourage students to study there, thus admitting that universities that charge a full fee would discourage students from studying there. The Institute for Fiscal Studies has shown that fees at the level that the Government propose would raise only a fraction of the money that they need to implement their policy. How high does he expect the fee to rise—to £4,000 or £5,000 a year? Whatever the level, is not it true that the Government's policy means that access to university will be on the basis of ability to pay, not academic merit?

Mr. Clarke: First, although I have not had an opportunity to consider in detail the Institute for Fiscal Studies report, which the *Evening Standard* commissioned, I have been briefed on it and it is based on a set of tendentious assumptions both about the fees to be charged and the Government's policies. Secondly, we have been clear that, until at least the end of the next Parliament, there will be a maximum cap on all fees of £3,000 in real terms. The talk of £4,000 or £5,000 is not relevant. I have never hidden the fact that the fee will be a factor in a student's choice of course—that is obvious. However, it is only one among a range of factors, which include the rate of return from specific courses, the academic tradition and whether students want to study away from home

Jeff Ennis (Barnsley, East and Mexborough) (Lab): Recent research commissioned by the Secretary of State's Department shows that under the existing system, students from poorer backgrounds are leaving university with debts of almost £10,000, whereas other students leave with debts of £7,000 or just under. Given that, will my right hon. Friend explain how setting a differential fee will not encourage more working class children to choose the cheapest course closest to home?

Mr. Clarke: There are several different answers to that question. First, as my hon. Friend appreciates, a series of measures is in place to provide resources for students from poorer backgrounds to go to university. The fee remission, the grant and bursaries from different universities are examples. Secondly, it is important to have a system of repayment that is based on the tax system, rather than a different sort of loan, and a zero real rate of interest, thereby taking account of an individual graduate's earnings. Another sort of loan would not do that. Both points are significant reassurances to people who intend to go to university.

Mr. Phil Willis (Harrogate and Knaresborough) (LD): Does the Secretary of State agree that whether resources for universities derive from differential fees, flat-rate fees or progressive income tax, the Chancellor will have to make an estimate of the amount of money that he will loan to universities in 2005–06? In the previous Session, the hon. Member for Isle of Wight (Mr. Turner) asked the Government what the gap was. The Minister for Lifelong Learning, Further and Higher Education spoke at a meeting that I recently attended and said that it was £1 billion. Will the Secretary of State clearly define the gap that differential fees, flat-rate fees or any other mechanism are trying to plug?

Mr. Clarke: There are two points. First, there is not a gap; the question is how much money would be raised. Estimates vary between £1.2 billion, £1 billion and £1.5 billion, depending entirely on the fees that are charged. I shall not make an estimate for the simple reason that we do not know the sort of fees that different universities will charge for different courses. It would be ludicrous to try to pretend that we did.

The second point is much more important, and I think that it is to what the hon. Gentleman was referring. I have made it clear, and I take the opportunity to do so again today, that we see the fee income that will be generated, however much it may be, as being additional to the commitment made by the state in the comprehensive spending review. That amount went up significantly in the last CSR, and I expect it to increase in the next one. In other words, we are talking about the fees representing extra money to universities, rather than a replacement for money from the taxpayer.

Mr. Shaun Woodward (St. Helens, South) (Lab): Will the Secretary of State tell the House what impact he expects his proposals to have on my constituents, whether they will lead to greater aspirations being realised for students from poorer income families and, specifically, whether there is a case for the Government looking at the threshold level being indexed to average earnings in the country?

Mr. Clarke: My assessment is that our proposals will make it more, rather than less, likely that young people in my hon. Friend's constituency will see university as a real possibility. That is the example in other countries that have established such a system, such as Australia. The example of the Cambridge bursary scheme announced last week, which would provide £4,000 on top of the £1,125 fee remission and the £1,000 grant to allow students from poorer families to go to Cambridge, is a major new development even before our proposals have been introduced, but it was influenced by them, and it proves that our system will generate precisely the kind of ambition in my hon. Friend's constituency that I know he wants to promote.

Grammar School Ballots

3. **Mr. Jonathan Djanogly** (Huntingdon) (Con): What recent estimate he has made of the cost of a grammar school ballot. [141758]

The Minister for School Standards (Mr. David Milliband): The cost of a ballot will depend on the particular circumstances in the area in which it takes place.

Mr. Djanogly: At a time when the Government are supposedly supporting diversity in the types of school on offer and in the specialisations that schools can provide, why are they still fixated on attacking grammar schools and wasting time and money through their failing ballot system?

Mr. Miliband: It is Conservative Front and Back Benchers who are fixated on the 4.5 per cent. of schools in the country that are grammar schools. We are fixated on raising standards in all schools.

Dr. Phyllis Starkey (Milton Keynes, South-West) (Lab): When the Minister is considering ballots for grammar schools, will he look again at the experience of Milton Keynes in the 1990s, when the Tory-controlled Buckinghamshire county council forced us to go through three successive ballots to try to persuade people to vote for grammar schools, which I am happy to say they did not? Does not that demonstrate the Tory party's continuing obsession with trying to concentrate resources on a small number of children instead of using them across the piece to bring up educational achievement, particularly for low achievers?

Mr. Miliband: My hon. Friend makes an important point. The Government are committed to ensuring that there is no extension of the 11-plus. Final decisions on school organisation, including grammar schools, are a matter for local people.

Bob Spink (Castle Point) (Con): Could we have ballots for new grammar schools?

Mr. Miliband: The hon. Gentleman was here in 1998 when the House debated the School Standards and Framework Bill, which specifically excluded debate on new grammar schools. *[Interruption.]* I beg the hon. Gentleman's pardon: I am told that he was not here. But some of my hon. Friends were, and the House made it absolutely clear that we want no extension of selection at age 11. If the hon. Gentleman's party wants to make that the battleground for the next general election, it is very welcome to do so.

Apprentice Footballers

4. **Joan Walley** (Stoke-on-Trent North) (Lab): What changes he plans to make in training provision for apprentice footballers. [141759]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): SkillsActive, the sector skills council for active leisure and learning, and the Learning and Skills Council are developing a modern apprenticeship framework in sporting excellence, which includes football. It is focused on aspiring professional athletes; it will cover their needs as sporting professionals, support their long-term career needs once their sporting career ends and offer a safety net for those athletes who are unsuccessful.

Ms Walley: I thank my hon. Friend for that reply. Much as we would like every trainee footballer to become a Stanley Matthews, David Beckham or Wayne Rooney, something like 85 per cent. of trainee footballers fall out of the game over three to four years. Will my hon. Friend assure the House that he will meet again with the Professional Footballers Association to make sure that the two-year apprenticeship scheme proposed by the Learning and Skills Council will meet all the academic needs of footballers? We need to make sure that those who do not make it are able to pursue education and training for other careers, which may not be in football or even in sport.

Mr. Lewis: As a Manchester City supporter, I do not want young people to aspire to be David Beckham, but I am aware of the concerns expressed by some in football at the proposed changes and the timetable for implementation. Earlier this week, my hon. Friend the Member for Vauxhall (Kate Hoey) and I met representatives of the Professional Footballers Association and the chief executive of SkillsActive. I have asked them to convene a further meeting with representatives of football, including the premier league, to discuss the best way forward. It is essential that every effort be made to ensure that the new modern apprenticeship properly meets the needs of young people embarking on a career in the professional game. This issue is of equal importance to big clubs such as Manchester City and to smaller clubs such as Port Vale and Norwich City.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Bearing in mind the considerable wealth that some of these young footballers could earn in later life, should they not pay top-up fees?

Mr. Lewis: The main thing about the ability of young people to enter football as a career is the fact that they pay no up-front fees at all.

School Funding (Norfolk)

5. **Mr. Henry Bellingham** (North-West Norfolk) (Con): When he will next meet Norfolk local education authority to discuss school budgets. [141760]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): My right hon. Friend has no plans to meet Norfolk local education authority to discuss school funding. Measures to restore stability and certainty to school funding were announced on 29 October and will provide a guaranteed minimum increase in every school's per pupil funding, additional resources at LEA level, which can be targeted at schools with additional pressures, and a package of transitional support, including grant of £5.3 million for Norfolk LEA that can be targeted at those schools facing the greatest difficulty in bringing their budgets back into balance.

Mr. Bellingham: Is the Minister aware that the Secretary of State was assuring Norfolk schools this time last year that all of them would have a reasonable increase in their budget in line with inflation? As he is well aware, events turned out differently, and many schools in my constituency suffered their worst budget in living memory. Beacon schools such as St. Edmundsbury, Reffley and Fairstead had cuts of up to

£100,000 and had either to raid their capital reserve or to get rid of staff. The Secretary of State is saying exactly what he said last year. Can we trust him?

Mr. Twigg: I am grateful to the hon. Gentleman for reminding us of the events of the past year. We have tried to learn lessons from those events. I should like to quote Alec Byrne, a Conservative member of Norfolk county council and cabinet member for education, who said:

> "The better the overall funding level for Norfolk, the fewer problems there will be in schools. We have been working hard to persuade the Government that Norfolk needs a better overall settlement, and that is what we appear to have achieved."

Mr. Tim Collins (Westmorland and Lonsdale) (Con): If the Secretary of State should change his view about meeting Norfolk LEA, will he and the Minister address themselves not only to the overall level of budgets but to the fairness of allocation, especially to rural areas? My hon. Friend the Member for Fareham (Mr. Hoban) has received a letter in the past week from the head teacher of Sheringham high school in Norfolk saying that it will have to sack two and a half teachers next year because of the new funding settlement. In my constituency, as in many other rural constituencies represented by hon. Members on both sides of the House, schools, such as Settlebeck school, are for the first time ever having to go cap in hand to parents to ask for money for school books. When will the Government be fair in allocating resources to rural areas?

Mr. Twigg: We seek to be fair to all areas, including rural areas. If representatives from Norfolk LEA request a meeting with my right hon. Friend, he will be more than happy to meet them. I am astonished at the hon. Gentleman's comments, given the situation in his area. In Cumbria, per pupil spending on education has increased since 1997 by £960.

Michael Fabricant (Lichfield) (Con): What about Norfolk?

Mr. Twigg: The hon. Member for Westmorland and Lonsdale (Mr. Collins) referred to Cumbria in his question. I am happy to talk about Norfolk, and to remind the hon. Member for Lichfield (Michael Fabricant) of the positive response from the Conservative council there. I only wish that we had the same honest response from Conservative Members in this House.

Mr. Richard Bacon (South Norfolk) (Con): May I just say that Alec Byrne is a very sound man? Last week, I sat on a platform with him talking about the council tax—

Mr. Speaker: Order. Perhaps the hon. Gentleman could put question 6.

Schools (Private Finance Initiative)

6. **Mr. Richard Bacon** (South Norfolk) (Con): If he will make a statement about the use of the private finance initiative in the redevelopment of schools. [141761]

The Minister for Children (Margaret Hodge): The use of the private finance initiative in schools has been a popular and successful programme. It has been popular in that more than 100 of the 150 local education authorities in England have applied to take part, and it has been successful in that we have progressed from one contract covering one school in 1997 to 64 contracts covering 600 schools today. Services have started under 39 of those contracts, and they represent a private sector capital investment of more than £1.7 billion.

Mr. Bacon: The Secretary of State has talked about a transfer system for capital allocation grants for schools. Hobart high school in south Norfolk, a very fine school, which the Secretary of State and I visited together to look at the classroom of the future, would willingly forgo its capital grant allocation for several years if it could get a relatively small sum to finish off the work going on under the private finance initiative so that it could properly meet all its students' needs. Do Ministers agree that there is room for more flexibility in the way capital allocation occurs in the period after a PFI contract has been let? The Secretary of State suggested that he would look at that matter. Will Ministers keep it under review, especially as the sums involved may be quite small? That could make all the difference to the schools involved.

Margaret Hodge: The PFI contract for Norfolk has been particularly complex but innovative, because we have been trying to provide capital infrastructure and services in a wide range of rural schools. I think that it is the first project of that kind, and there have, to that extent, been problems with it. However, on what the hon. Gentleman asks for in relation to Hobart high school, we are looking at the situation there, and I agree entirely that we need to be flexible in how we administer that PFI contract to ensure that we get value and spread the benefits to as many schools as we can in Norfolk.

James Purnell (Stalybridge and Hyde) (Lab): Will the Minister congratulate Tameside council and Alder high school on their new building, which has been built on budget and on time and has transformed applications to that school? It was significantly under-subscribed and now it is significantly over-subscribed. Given that record of achievement, will she look seriously at Tameside's bid for a wide range of investment in six or seven new schools in the constituency?

Margaret Hodge: I congratulate Tameside council. Indeed, I congratulate all the councils that are engaged in the PFI programme. Without it, we would not have been able to achieve the level of capital investment in our schools that we have. We inherited a legacy of £750 million being invested in schools. By 2005–06, the figure will be over £5 billion. That is partly due to the PFI element. Of course, we will consider the bid from Tameside, but I am sure that my hon. Friend will recognise that that bid has to be considered alongside many other bids by people anxious to participate in the programme.

Dr. Vincent Cable (Twickenham) (LD): I represent a constituency with several PFI schools. There is satisfaction that schools have been built on budget and on time, but there is growing alarm among head teachers at the amount of time that they have to devote to negotiating the minutiae of things such as telephone charges and who is responsible for erecting shelves in school libraries. However, can the Minister clarify one point in particular? When there is a dispute between a school and a PFI landlord about the priority to be given to the safety of children over such things as gates, who is responsible—the landlord or the school?

Margaret Hodge: I will look in detail at issues that the hon. Gentleman wishes to raise with me. Clearly, the safety of children must be paramount, and that should be built into the terms of the contract as they are specified. If there is a problem with a particular contract in his constituency, he should draw it to our attention. We will certainly examine it.

Clearly, the skills of negotiating contracts are new for head teachers and others engaged in PFIs, but I hear from many head teachers that they feel relieved at not having to get involved in the day-to-day running of things such as changing light bulbs or making sure that clocks are synchronised in classrooms. That enables them to focus much more of their time on what they are there for, which is raising standards in the classroom.

Student Bursaries

7. **Ross Cranston** (Dudley, North) (Lab): What plans he has for university student bursaries; and if he will make a statement. [141763]

11. **Dr. Brian Iddon** (Bolton, South-East) (Lab): What plans he has to provide university student bursaries; and if he will make a statement. [141767]

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): We have made it clear that universities will need to offer bursaries and other forms of financial support in their access agreement if they want to charge a fee above the standard level. We are considering and discussing the precise contents of access agreements and the duties of the office for fair access and will make a statement in due course.

Ross Cranston: I thank my right hon. Friend for that reply. While I fully support the policy on fees, one aspect of its fairness is the availability of bursaries. Not all universities have the same kitty as the university of Cambridge. What about universities such as my local university, the university of Wolverhampton? What expectations does he have of such universities, and what has been their response so far to the idea of providing bursaries?

Alan Johnson: I have written to the university of Wolverhampton, and copied my letter to local MPs, because the university made a mistake in its calculations, which it has accepted, in relation to the money that may be available. I know that many local MPs were influenced by that miscalculation. Like many modern universities, it is determined to ensure that it gives bursaries. Its understandable and genuine concern is that because it has a higher level of non-traditional students—to use the jargon—it may be forced to put more of its extra income into widening participation, and in a sense be penalised for succeeding in widening participation in the past. We are seeking to deal with that important concern in discussions with the university sector.

Dr. Iddon: The transparency review process showed that all universities are short of money to support their teaching infrastructure, including staff salaries. Is it reasonable to expect all those universities to recycle some of the fees money into bursaries? Would it not be better if the Government supported poorer students by increased maintenance grants? Will my right hon. Friend explain the expression "above the standard fee"?

Alan Johnson: Universities need money to invest in their infrastructure and the pay of people who work for them—I am talking about all staff, not just academics, whose pay has fallen behind—and they tell us that they will also earmark a proportion of the extra money for bursaries. Whether universities should be forced to put a certain amount of money to one side is a controversial point that we are in discussions about.

The definition of the standard fee is the current £1,125. When it comes to universities being able to charge more than that, under our proposals there is, for the first time, a financial imperative for them to reach sensible access agreements to ensure that they are paying more than just lip service to widening participation—as I am assured that almost all of them are, so that should not create an insuperable problem.

Mr. Tim Boswell (Daventry) (Con): Do Ministers appreciate that while they temporise in taking decisions and submitting them for the judgment of the House, universities have to get on with the job of issuing prospectuses, including those for students who will commence their studies in 2006, at a time when the details of the tuition fee structure, the bursaries available—state or private—and the access agreements are completely unclear to them?

Alan Johnson: Let me try to make matters clear. The new arrangements will not be introduced until after the next general election—after 2006. The hon. Gentleman is quite right. We need to ensure that we have the Bill in place and that it receives Royal Assent in time for the cohort of students who are looking to take up their places in 2006–07 to be aware of the fees and the access agreements, and we are working to that time scale.

Chris Grayling (Epsom and Ewell) (Con): Bursaries help poorer students, but Ministers seem to be totally unaware of the impact that their proposals will have on lower-paid graduates, particularly those in key jobs. Is the Minister aware that, under his plans, 10 years after starting work an NHS radiographer will be paying £1,500 a year in debt repayments—almost 7 per cent. of take-home pay—and still have debts of more than £10,000 outstanding? How will that help to tackle the acute shortage of young people who are willing to go into key roles such as that?

Alan Johnson: Let me make it quite clear that currently the average debt, as recorded by the student income and expenditure survey, which was published last week, is £8,666. We estimate that the figure is likely to increase to around £15,000, but for poorer students there is fee remission and the introduction of a maintenance grant, and there is a much more beneficial system of repayment. The main issue is how to get more money into our universities. The hon. Gentleman, whom I welcome to his post, has to explain how a serious, mainstream political party can suggest that the answer to this problem is to take away the £900 million that universities currently have and do away at a stroke with 100,000 places. I rather like the hon. Gentleman—we are going to get on famously. He said that the problem for students—

Mr. Speaker: Order. I listened to what the hon. Gentleman had to say—the Minister does not need to tell the House.

Mr. Eric Joyce (Falkirk, West) (Lab): Does my right hon. Friend agree that if we are to create much wider access to the leadership of our national institutions and leading companies, we must first open up access to our elite universities? Bursaries will do exactly that.

Alan Johnson: That is absolutely right. We need to get youngsters from all backgrounds to acquire two decent A-levels, because where that happens, nine out of 10 go on to higher education, but there is an 8 per cent. gap between those who apply to Russell group universities, for instance, and to other types of university. That is why the Russell group published yesterday a very welcome document on its intention to provide bursaries post-2006 to help tackle this problem. My hon. Friend is right: for the first time, we have an opportunity to close the obscene social class gap that has dogged our higher education sector for the past 50 years.

Mr. Jim Cousins (Newcastle upon Tyne, Central) (Lab): On bursaries created out of fee income, will universities be free to have their own tests of income, in order to decide who gets them and who does not, or do the Government intend to impose a standard test of income across all bursary schemes?

Alan Johnson: No, we do not intend to apply a standard test of income. We intend to look at how universities are helping to widen participation, and to help students from poorer backgrounds. That could take the form of outreach activity in primary schools, which has had a marked effect, and raising the aspiration of 14-year-olds to go to university. It could also take the form of providing extra pastoral care, student support through extra grants, and so on. The access regulator's directions will be published when the House considers the legislation. We need to be clear that a proper arrangement is in place to help such students, and it forms a major element of our proposals.

Post-16 Education

8. **Sir Nicholas Winterton** (Macclesfield) (Con): What assessment he has made of the availability of practical training courses in the post-16 education system. [141764]

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Ivan Lewis): Every local learning and skills council has been asked to undertake a strategic area review of its post-16 provision. These reviews will identify changes required to ensure that young people and adult learners in every community have access to a choice of high quality provision that supports their progression and attainment. Such provision will include quality vocational education. Some 230,000 young people are currently undertaking modern apprenticeships in this country—the highest ever number. In our skills strategy, we announced our intention to introduce a new entitlement to a free first level 2 qualification for all adults.

Sir Nicholas Winterton: I am grateful to the Minister for that reply, but does he agree that our country and society, including industry and commerce, are in dire need of more young people with practical experience, qualifications and expertise? The question of whether young students go on to further or higher education should be based on their needs, merits and qualifications, and not on an arbitrary target of entry to university, or to any other higher education institution.

Mr. Lewis: This Government are committed to ensuring that we have high quality, high status vocational education, and that we do not divide young people into sheep and goats, as the Conservatives seek to do. I should point out that a significant proportion of the 50 per cent. of young people who will go into higher education will do so via vocational education. If we repeat the mistakes of history and say that the choice is between either vocational education or higher education, and that we regard vocational education as second rate, we will again fail to deliver the high quality, high status vocational education that we need.

Mr. George Stevenson (Stoke-on-Trent, South) (Lab): Is my hon. Friend aware that in areas such as Stoke-on-Trent, which is going through the most profound economic and social changes, we continue to be blighted by a skills gap? It is amazing that while those changes are taking place there is still a lack of the necessary skills. Is he satisfied that the balance between education and skills that our learning and skills councils are operating is correct?

Mr. Lewis: The challenge in closing the skills gap is to ensure that far more young people stay on in some form of education or training, and make progress post-16, while giving the adults who are already in the labour market, or who are still on the edge of it, the opportunity to up their skills. School standards, Sure Start and a new approach to education between 14 and 19, combined with a coherent adult skills strategy that enables millions of adults who are already in the workplace to upskill, is the most effective long-term way to narrow the skills gap that continues to undermine this country's productivity.

Mr. Mark Simmonds (Boston and Skegness) (Con): Globalisation demands the raising of post-16 and adult education skills and standards, but the recent Ofsted and adult learning inspectorate reports were highly critical of existing provision. In addition, the Learning and Skills Council figures demonstrate that the three-year funding allocation will not even provide sufficient money for the Government's core priorities of education and basic skills for 16 to 18-year-olds. What does the Minister intend to do to reverse that situation, and will he assure the House that the anticipated and feared funding shortfall—equivalent to losing 10,000 full-time students, or up to 70,000 part-time students—will not materialise?

Mr. Lewis: I welcome the hon. Gentleman both to the House and to the Front Bench, but it does not seem to me that, in the context of a debate about education, a party that advocates 20 per cent. cuts in education spending can say that there are inadequate resources to deliver the education reforms that we need. It is true that we need to improve the quality of work-based learning: 60 per cent. of work-based training courses were not adequate, but in 12 months that proportion went down to 46 per cent., and the work that the Learning and Skills Council and the inspectors are doing to raise standards is beginning to come through and improve the quality of provision. We are not complacent or smug, but the fact that the largest ever number of young people—230,000—are undertaking modern apprenticeships demonstrates that we are beginning to change attitudes to the importance of practical training.

University Funding

9. **Mr. George Foulkes** (Carrick, Cumnock and Doon Valley) (Lab): What alternative proposals for closing the funding gap in university expenditure to those contained in the White Paper on higher education he has assessed. [141765]

The Secretary of State for Education and Skills (Mr. Charles Clarke): The four principal alternative options for student finance and university funding are an increase in flat-rate fees, a graduate tax, an increase in general taxation, and real rates of interest on student loans. We have placed in the Library and supplied to the Select Committee information and analysis on each of those. Our conclusion is that variable deferred fees are the best option for securing the investment that our universities need, while giving them the freedom to respond to student demand, and providing for fair repayments for graduates.

Mr. Foulkes: Does the Secretary of State agree that in order to get the extra money into universities, the principal alternative to the Government proposal is an increase in general taxation on the public, 83 per cent. of whom did not go to university? Many of them—people such as waiters and chefs—[Hon. Members: "What about cleaners?"]—and cleaners, too, earn a great deal less than £15,000 a year. Is the system that the Government are proposing not by far the fairest, as well as being very similar to the system already agreed by the Liberals for Scotland?

Mr. Clarke: I wholly agree with the implication of my right hon. Friend's question. I add to his attack on that particular solution the point that, in respect of income from either general or graduate taxation, any Secretary of State has to face choices in priorities between university education and, for example, under-fives or primary education. There will always be pressure, which I personally welcome, to invest in the younger ages where we can make the greatest impact on reducing educational deprivation.

Mr. Nigel Evans (Ribble Valley) (Con): In examining the options for plugging the funding gap, has the Secretary of State thought of making variable top-up and tuition fees retrospective to the 1960s and 70s, when he and his Cabinet colleagues went to university, paid absolutely nothing for it and even received grants? Does he not understand the anger of parents in this country who look at him and his mates and wonder why people who received their university education for nothing are so keen and hungry to clobber today's children?

Mr. Clarke: I know that the modern Conservative party has made a study of retrospection, as indeed it should. I also know that the modern Conservative position is retrospection—to go back to the elitist education of the 1960s. I believe that the country needs to look forward to the future rather than backwards, which means creating a university system that truly creates a competitive economy and strong society for the future.

Paul Farrelly (Newcastle-under-Lyme) (Lab): Before my right hon. Friend publishes the higher education Bill in January, will he undertake not just to knock down the alternatives but to engage in an open discussion about alternatives from first principles, starting with his own estimates—not some vice-chancellor's estimates—of university funding?

Mr. Clarke: Yes, I will. As my hon. Friend will know, we have already had many discussions—directly and with others—on precisely those matters and from first principles. I have found all the discussions exciting and illuminating, though I am not sure whether he felt the same about my responses. I agree that a proper discussion of these issues, based on proper assessments, is right. I will say, however, as an important qualification, that many assumptions depend on what modelling is used for different sources of income for fees and so forth. That is not a particularly productive area of debate. The productive area is to examine the real alternatives from first principles, precisely as he suggests, in a direct and frank manner. We will do precisely that.

Alistair Burt (North-East Bedfordshire) (Con): British universities look with some envy on the endowment income that universities abroad, particularly in the United States, receive. What long-term attention is he paying to finding imaginative incentives at this stage in order to help British universities to begin the process of building up their endowment income? At some stage in the future, it must play a larger part in funding than it does now.

Mr. Clarke: The hon. Gentleman is entirely correct. We do need to build the tradition that exists in some other countries. To that end, we have set up a working party—led by the vice-chancellor of Bristol university, Eric Thomas, and including a range of individuals with substantial experience of how other countries have operated in that respect—to establish what sort of encouragement we should provide. It will consider whether we should make any changes in our taxation regime. Off hand, I cannot recall the precise timetable of the report, but we are close to being able to do so. I have just been advised by my colleague, my hon. Friend the Member for Bury, South (Mr. Lewis), that the detailed report on encouraging endowments should be published in April. Such endowments are important for universities' independence, as well as their funding.

Microsoft

10. **Mr. Bob Blizzard** (Waveney) (Lab): When he will conclude a new software licence agreement for schools with Microsoft. [141766]

The Secretary of State for Education and Skills (Mr. Charles Clarke): I am pleased to announce that the British Educational Communications and Technology Agency and Microsoft have today signed a memorandum of understanding that, when implemented, will reduce the cost of Microsoft products to schools in England by as much as £46 million over the next three years. The new arrangements will come into effect from 1 January 2004. I believe that such an agreement demonstrates the advantages of co-ordinated procurement for schools across the country in respect of several different products, and I want to pay personal tribute to my hon. Friend for his campaigning on that matter over a considerable period.

Mr. Blizzard: I thank my right hon. Friend for his answer and his kind words. I also thank him for the close interest that he has taken in this matter. This is really good news for schools. It was wrong that schools, which now have so many more computers because of the Government funding that enabled them to buy them, had to pay so much in licence fees to Microsoft. It was wrong that schools paid a higher rate than universities. I thank my right hon. Friend again for his fine announcement.

Mr. Clarke: I thank my hon. Friend and I express my appreciation to both Microsoft, which worked well with us to try to find an agreement, and BECTA, which is negotiating effectively. As there are 25,000 schools in England but only a small number of suppliers, there is a powerful case in market terms for a more co-ordinated policy for the procurement of a number of different products. The case is strong both in terms of value for money for schools and in releasing more resources.

Top-up Fees

13. **Sir Sydney Chapman** (Chipping Barnet) (Con): What estimate he has made of the total level of debt of students following the introduction of top-up fees. [141769]

The Secretary of State for Education and Skills (Mr. Charles Clarke): The level of student loan after the introduction of variable fees will depend on a number of factors: the level of fee charged by the student's higher education institution; how much loan they take out to cover the cost of that fee; how much maintenance loan they choose to take out; and the level of any bursary made available by the university. Those will all be decisions for higher education institutions and individual students.

Sir Sydney Chapman: Surely, the Secretary of State has made an estimate of what the increase in student debt will be. Is not it true to say that it will probably double, and that that is most likely to lead to a graduate brain drain, whereby people go abroad to avoid having to pay considerable debts? Has he made any assessment of that?

Mr. Clarke: I certainly do not accept the second part of the hon. Gentleman's question. On the first part, one can make a series of assessments based on different positions, as I said to my hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly). Such assessments can be produced. As my right hon. Friend the Minister for Lifelong Learning, Further and Higher Education said earlier, our current estimate is just under £9,000 of debt, and it will go up under our proposals—of that there is no doubt—but not to the level indicated in some of the reports. As I said earlier, what is really important is to discuss the fundamentals of the scheme and to understand how it will impact.

SOLICITOR-GENERAL

The Solicitor-General was asked—

Crown Prosecution Service

20. **Mr. David Kidney** (Stafford) (Lab): What recent steps the Crown Prosecution Service has taken to improve the recruitment and retention of staff, with particular reference to prosecutors. [141776]

The Solicitor-General (Ms Harriet Harman): The Crown Prosecution Service has taken a number of steps to improve recruitment and retention of staff, particularly lawyers, which has resulted in a 26 per cent. increase in the number of lawyers in the CPS since 2001.

Mr. Kidney: I thank my right hon. and learned Friend for that answer. Will she accept my sincere tribute to her personally for her hard work and the committed attempts that she has made to raise working-life standards in the CPS? I especially draw attention to her commitment to the training of non-legal staff so that they can obtain qualifications that enable them to aspire to go on to become prosecutors. Is not that the best way to improve working conditions in the CPS and to aid recruitment and retention?

The Solicitor-General: I thank my hon. Friend for his kind comments and I will pass them on to those in the CPS who have worked on the CPS law scholarship programme. We want to ensure that administrative and clerical employees in the CPS have the prospect of becoming lawyers if they have the interest, potential and capacity to do so. That is what the CPS law scholarship scheme will do. We originally planned to have 213 CPS law scholars; this year—the first year of the scheme—we have 231. That is good not only for the CPS but for the legal profession, as it will reform the profession from the bottom up.

21. **Bob Spink** (Castle Point) (Con): What progress has been made on improving the co-ordination between the Crown Prosecution Service and the police. [141777]

The Solicitor-General: Proper co-ordination between the police and the CPS is vital at all levels. At ministerial level, the Attorney-General and I work with our ministerial colleagues in the Home Office. In Essex, the chief crown prosecutor, John Bell, and the chief constable work together as part of the local criminal justice board. The police and the CPS work together on the front line as a prosecution team in Essex.

Bob Spink: The right hon. and learned Lady is having a very good morning, as I, too, shall congratulate her on her answer. I thank her for her answer and congratulate the Government on their initiative. The CPS in Essex is running the only whole-county pilot and has shown how valuable such a scheme can be. Will she join me in congratulating Essex CPS, and will she roll out the pilot scheme across the whole country so that other areas can benefit from it.

The Solicitor-General: I thank the hon. Gentleman for his congratulations, which are justly deserved by the prosecution team in Essex. The team warmly welcomes his interest in its work. I know that he has been to Southend and Chelmsford and paid close attention to that work. It is important that everyone works together in the criminal justice system. The police, the CPS and the courts all have their separate roles, and each is independent, but they must all work together.

As hon. Members are being so nice to me, I am getting worried that people might think this is turning into something of a resignation session, so may I invite the next questioner to launch an attack on me?

Mr. Bill Olner (Nuneaton) (Lab): I will not take up my right hon. and learned Friend's request to launch an attack on her.

The new justice centre being built in my constituency will house the police, the CPS, and the probation and victim support services. That is the way things should be in the future. I hope that my right hon. and learned Friend will come and have a look at the centre. What input is her Department having into that exciting new scheme?

The Solicitor-General: As my hon. Friend knows, we very much support the new all-in-one justice centre in Nuneaton, and the CPS is very much part of it. I visited the centre at the very outset, but I should like to keep up with progress there. It is important that people do not have to go from pillar to post, as it is sometimes quite difficult for them—and especially for victims and witnesses—to find their way around the system. If we want to deter people from committing offences, and to know that the justice system is working properly, that is the way to do it.

Mr. David Heath (Somerton and Frome) (LD): Is the CPS working with the police to develop clear guidelines on prejudicial publicity, given the impact that it might have on failed prosecutions or the fairness of trials? That applies particularly to the police, and perhaps to members of the Home Office ministerial team. Why does the Attorney-General intervene so rarely in matters of prejudicial publicity? When is he going to do a better job in that respect?

The Solicitor-General: When complaints are made that reports or comments might prejudice a fair trial, the Attorney-General always acts on them. He always investigates such complaints, and the hon. Gentleman can rest assured that he always makes the right decision about what to do. In each case, a balance has to be struck between the need for free speech, an open press and a right to know, and the need to ensure that defendants can have a fair trial. That is the ring that the Attorney-General holds. If the hon. Gentleman has concerns about how the Attorney-General has acted in any individual case, perhaps he will let me know.

Julie Morgan (Cardiff, North) (Lab): Is my right hon. and learned Friend aware that CPS staff are based in Cardiff's Rumney police station? Does she agree that that means that there is a much better chance that charging standards are got right, especially in cases of assault?

The Solicitor-General: I agree with my hon. Friend that it certainly does. In the past, the problem has been that the police have investigated a matter and charged someone, after which the case has been sent to the CPS. A CPS lawyer has then looked at the case and reviewed it, and decided either to change or downgrade the charge, or to drop the case altogether. That process built disappointment into the system for people who thought that their case was going ahead, only to discover that there was not sufficient evidence. The work that my hon. Friend has described means that CPS staff are able to advise the police right at the start of the process, and will ultimately bring the charges themselves. Right from the outset, therefore, the system will be fairer—for both defendants and victims, because a case will either be going to trial in court, or not.

Mr. Dominic Grieve (Beaconsfield) (Con): I was going to say that I intended to treat the right hon. and learned Lady far more gently than has been the case with the Home Secretary and his spin doctors over the past 24 hours, but in view of her earlier anxieties about what might happen to her career if she is not treated more harshly, that might not be the right thing to say.

I return to the important question about the Home Secretary and his expressions of view when arrests take place. It is not merely a question of whether that might be a contempt of court, or prejudicial to a fair trial. The problem is that it could lead to the embarrassing possibility that it is suggested in court that a fair trial might be prejudiced. Does the Solicitor-General agree that every Minister, and the Home Secretary in particular, ought to have that very much in mind before they express any view on a matter that is subject to police investigation?

The Solicitor-General: Everyone—that includes absolutely everyone—must have in mind the issue of whether it will be possible for somebody to get a fair trial. That is the case. The role of the Attorney-General is to ensure that that happens and to enforce the law of contempt if a fair trial is not possible because it has been prejudiced.

Street Crime Initiative (North-East Derbyshire)

22. **Mr. Harry Barnes** (North-East Derbyshire) (Lab): If she will make a statement on the impact of the Crown Prosecution Service's role in the street crime initiative in North-East Derbyshire. [141778]

The Solicitor-General: The impact of the street crime initiative has been to cut street crime and to bring more street crime cases to court. It has also had a good effect in the police and the CPS working even more closely together and in the CPS doing more to help victims of crime make statements and give evidence in court.

Mr. Barnes: I welcome that response, but the question was about the street crime initiative in North-East Derbyshire. My understanding is that although it is working well within the larger conurbations, there are problems in areas such as mine. There may be a link through the displacement of crime from the neighbouring conurbation of Sheffield, which may be affecting us, and social problems arising from the decline of the manufacturing industries.

The Solicitor-General: My hon. Friend makes an important point. Street crime is obviously not just a problem in the big cities—the so-called street crime hotspots—it is of concern in all areas, including North-East Derbyshire. It is important for the police, the crown prosecutors, the local council and community groups to work with him as the Member of Parliament for the area to ensure that everyone is doing what they can to tackle street crime. Sometimes it might be categorised as minor crime, but it can make people fearful and it is important to bear down on it.

Business of the House

12.31 pm

Mr. Oliver Heald (North-East Hertfordshire): Will the Leader of the House please give us the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 8 DECEMBER—Remaining stages of the Planning and Compulsory Purchase Bill.

TUESDAY 9 DECEMBER—Conclusion of remaining stages of the Planning and Compulsory Purchase Bill, followed by a debate on fisheries on a motion for the Adjournment of the House.

WEDNESDAY 10 DECEMBER—A debate on European Affairs on a motion for the Adjournment of the House.

THURSDAY 11 DECEMBER—Estimates [1st Allotted Day]. There will be a debate on child care for working parents, followed by a debate on people, pensions and post offices. Details will be given in the *Official Report*.

At 6 pm the House will be asked to agree all outstanding estimates.

The provisional business for the following week will be:

MONDAY 15 DECEMBER—Proceedings on the Consolidated Fund Bill, followed by Second Reading on the Child Trust Fund Bill.

TUESDAY 16 DECEMBER—Remaining stages of the European Parliamentary and Local Elections (Pilots) Bill.

WEDNESDAY 17 DECEMBER—Second Reading of the Asylum and Immigration (Treatment of Claimants, etc.) Bill.

THURSDAY 18 DECEMBER—Motion on the Christmas recess Adjournment.

The House may wish to be reminded that we will rise for the Christmas recess at the end of business on Thursday 18 December and return on Monday 5 January.

I should also like to inform the House that the business in Westminster Hall next week will be:

THURSDAY 11 DECEMBER—Debate on accelerating the United Kingdom response to the HIV/AIDS epidemic.

Details of the business announced today are now available on my office website: www.commonsleader.gov.uk, which goes online today. For the convenience of Members and following representations I have today placed a complete list of all the Bills and draft Bills that have been introduced or announced for this Session in the Library. As has always been the case, other measures will be brought forward as the Session progresses.

[The list of estimates to be agreed are as follows: vote on account for House of Commons 2004–05 (HC17), vote on account for National Audit Office 2004–05 (HC18), vote on account for Electoral Commission 2004–05 (HC19), vote on account 2004–05 (HC16), winter supplementary estimates and new estimates 2003–04 (HC15).

All stages of the Consolidated Fund Bill will also be considered in due course.]

Mr. Heald: We will study that list with great interest.

Has the Leader of the House had the opportunity to read the Audit Commission report into why increases in council tax average 13 per cent.? Despite Ministers' attempts to deflect criticisms of the increases, which pushed band D rates in some places over £1,000 for the first time, the report concludes that town halls that received bigger Government increases had smaller council tax rises and those with smaller grant increases had higher council tax rises. It also states that Government grant—*[Interruption]*—hon. Members should listen to this—was

"the single biggest determinant factor in this year's increases."

The report highlights the geographical shift in resources that the Government have deliberately imposed. Since the report clearly demonstrates that everything that we have been saying about the Deputy Prime Minister's manipulation of council tax is true, may we have a debate in Government time on that vital report?

On Monday and Tuesday, the House will debate the Planning and Compulsory Purchase Bill. It is a matter of great concern that such a large number of amendments have been tabled by the Government to introduce a fixed tariff payment system for planning gains, despite the fact that the Government are currently consulting on that very issue and that the consultation does not end until 8 January. Yet we are supposed to debate the Bill and table amendments by this evening. *[Interruption.]* Apart from the discourtesy, about which the hon. Member for Bolsover (Mr. Skinner) is not too worried, surely such a consultation should run its course before the crucial decisions are reached. It reminds me of something: the big conversation, where, as we know, not much listening is involved at all.

On the Hutton inquiry, does the Leader of the House expect the report to be published in the week commencing 12 January? Will he say a little more than he did on 16 October—either now, or next week—about the Government's intentions? Does he expect the report to be received by the Government and those who have taken part in the inquiry at the same time? Does he agree that Opposition parties should receive the report at the same time, and will he make representations to that effect? How much time does he expect to elapse between receipt of the report and the Prime Minister making a statement in the House? Can he confirm whether there will be sufficient time for hon. Members on both sides of the House to consider the report—at least a week—before a full debate and whether the Prime Minister will lead for the Government in the debate as well as the statement?

Finally, on a different matter of which I have given the Leader of the House notice, hon. Members on both sides of the House are concerned about the airports capacity White Paper. Obviously, we know that there will be a statement about it before Christmas, but will he tell us what the date of the statement will be?

Mr. Hain: I do not know whether the hon. Gentleman has been advising the House authorities, but the annunciator was saying that business questions were to start at 12.30 am.

On the council tax, the truth is that we inherited a policy from the Conservative party on council tax arrangements, and we have been making it fairer. Is it

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not significant that the biggest increase is, I think, in a Conservative flagship council, Wandsworth, which has had a 57 per cent. increase? The truth is that, as the Audit Commission made perfectly clear, we need to get the balance right in ensuring that council tax payments are fair and that the Government contribution is delivered to local authorities and then passported on to local services in a way that results in fair contributions by local residents, rather than unfair ones, and eliminates any inefficiency in the distribution system.

The Planning and Compulsory Purchase Bill, as the hon. Gentleman understands, is designed to speed up the planning process and free up opportunities for enterprise and business to regenerate local communities, especially in deprived areas, which will, in addition, increase flexibility in the economy and help to boost prosperity.

On the big conversation—*[Interruption.]* Conservative Members scoff, but I was with the Prime Minister in south Wales, where we launched the big conservation on Friday last week. Contrary to the Conservative Front-Bench team's stance as an attack machine, with a series of dodgy policies that have not been thought through—we shall come back to that—we believe that the big challenges, whether we are dealing with local crime and antisocial behaviour, which we were discussing in Newport on Friday, or with the big challenges for decades ahead, are best resolved by getting the whole public into a conversation about how Britain should confront them and how people feel the future should go.

On the Hutton inquiry, I made clear in the statement that I made on 16 October what the procedure would be. The Government commissioned the Hutton report and set up the inquiry, and we will ensure that Parliament has a proper opportunity to debate the outcome, as I said on 16 October. The Cabinet will consider it in the appropriate fashion and the Prime Minister will, of course, want to be accountable to the House, as I also made clear on 16 October.

The airports issue is important, and I am grateful to the hon. Gentleman for raising it and for giving me advance notice. I can help him only by confirming that my right hon. Friend the Secretary of State for Transport will make a statement as soon as he can to bring the White Paper forward. He will report on it to the House in the proper way, and the House will have an opportunity to consider it.

Mr. Paul Tyler (North Cornwall) (LD): My colleagues and I strongly endorse the request for an urgent statement on council tax, not least so that the situation can be made more clear and transparent for local authorities led by all three parties. Does he share my surprise that the hon. Member for North-East Hertfordshire (Mr. Heald) did not apologise this afternoon? After all, after the poll tax fiasco, it was his party that introduced the system, with its inherent and fundamental flaws, to which the Audit Commission has drawn our attention. However, it is not sufficient for the Leader of the House to pretend that, after six and a half years, everything can be blamed on the previous Government. Will he give an undertaking that we will have no more incomprehensible gobbledegook explanations from the Deputy Prime Minister, but a simple word of apology to the House and to local authorities, which have been led astray on that matter? Will the Leader of the House also confirm the official hints in recent days that comparisons are now being made with completely different systems of local taxation—not least the local income tax that we have suggested, which would add only 4p in the pound to the normal rate of taxation and enable us to scrap the whole council tax system—and acknowledge, given his radical past, that the council tax is regressive and unfair and that a local income tax would be progressive and much fairer?

Mr. Hain: Here we have it: the Liberal Democrats propose an extra 4p in the pound for every taxpayer through their expensive local income tax policy. We now have that on the record, although I note that at recent Liberal Democrat press conference, the back of the press release—it was not supposed to be released but was inadvertently photocopied—referred to a 6p increase, so it could be even higher.

Mr. Tyler: Where is it?

Mr. Speaker: Order. Perhaps Mr. Tyler should listen to the Leader of the House. He put the questions to the Leader of the House, and I expect him to listen.

Mr. Hain: An income tax rise of 4p in the pound from the Liberal Democrats is high enough for me, and would be high enough for the average council tax payer and resident. We know that the Liberal Democrats are a high-tax party. They want to load tax on hard-working and low-income families, but Labour is committed to a much fairer system of local government finance. However, the hon. Gentleman is right to remind us that the leader of the Conservative party was responsible for the poll tax, which was one of the most unfair, regressive and punitive taxes in the history of this country.

The level of council tax payments is a concern, and the hon. Gentleman was right to draw the House's attention to it. That is why we are reviewing the matter and why we have already made changes that bring the current system into line with many of the recommendations of the Audit Commission report. We will study that report further and with care before we introduce any other changes that are necessary.

Mr. John Lyons (Strathkelvin and Bearsden) (Lab): My right hon. Friend will recognise the success of the national minimum wage, but 700,000 young people aged 16 or 17 are working in the British economy without protection. Can he find time for a debate on that issue?

Mr. Hain: My hon. Friend has an opportunity to secure a debate by applying in the normal fashion, but I understand the concerns that he identified. We are, of course, very proud of the fact that we introduced the minimum wage, which benefits millions of low-paid workers, against the fierce opposition of the Conservative party, which, in the words of its leader, said that it would cost 2 million jobs. Since its introduction, an extra 1.6 million jobs have been created, which gives the lie to that accusation. I shall certainly consider the points that my hon. Friend made about young workers, and I continue to advise him to take every opportunity to raise them on the Floor of the House.

Mr. George Osborne (Tatton) (Con): Can we have a debate on the way in which the Crown Prosecution Service treats mothers who are accused of killing their very young children? Sally Clark was my constituent and the victim of a gross miscarriage of justice. Another case is before the Court of Appeal today and, without in any way wishing to prejudge the court's decision, surely it is time to examine how the Crown Prosecution Service deals with such cases. Given the uncertainty of medical evidence and the little use of a long prison sentence in such cases, the matter is of enormous concern to many people.

Mr. Hain: I understand the hon. Gentleman's concern, especially as the issue has affected his constituent. I know of the interest in such cases and the particularly strong arguments that his constituents put. I am sure that the authorities and the relevant Minister will note his points.

Mr. Lindsay Hoyle (Chorley) (Lab): Will my right hon. Friend consider finding time for a debate on the future of direct links between the west coast main line and Europe? We are the poor relations and such links would certainly help jobs in the north-west and everyone who uses that line.

Mr. Hain: I am sure that the Secretary of State for Transport will want to consider those points carefully. My hon. Friend's constituency is affected and we want there to be a massive opportunity for extra investment and prosperity in the north-west of England. It is therefore important that the line through to the export market that accounts for nearly two thirds of all exports from the north-west of England operates as efficiently as possible.

Sir Patrick Cormack (South Staffordshire) (Con): May I return to the airports White Paper? Is the right hon. Gentleman aware that Members on both sides of the House are anxious to see what is in it? Can he confirm that it will be published before Christmas and indicate whether that is likely to mean next week or the week after?

Mr. Hain: I understand the anxieties that are felt, and I am glad to be able to tell the hon. Gentleman that the intention is to publish the report as early as possible. The intention is certainly to do so before Christmas but, in any event, it will be done as early as possible. It is important that such a crucial decision, which will affect many constituents of Members on both sides of the House, is taken and delivered and reported to the House in the proper fashion.

Mrs. Alice Mahon (Halifax) (Lab): Is the Leader of the House aware that more than 200 MPs from all parties in the House have called for a review of the sitting hours? Indeed, when they were introduced, we were promised a review. Tuesdays and Wednesdays have become a nightmare as we condense everything into just a few hours, and I know, through talking to Ministers and Whips, that there is real difficulty in getting people to serve on Committees.

May I draw my right hon. Friend's attention to the plight of the permanent staff, many of whom are anxious about their jobs and futures? Because of the uncertainty, casuals are now being employed and that surely brings with it a security problem for the House. Can we have a review of the hours, as we were promised? Let us debate the matter here.

Mr. Hain: I know my hon. Friend's very strong views on this subject. I think that I am right in saying that she did not vote for the change in the hours. She has stuck consistently to her opposition to the change.

As my hon. Friend and the whole House know, we are committed to reviewing the new sitting hours by the end of the Parliament. She also knows that I am seeking to address a number of the difficulties that have been brought to my attention about individual issues associated with the change. However, I do not think that it is right immediately to override the original decision, which was to have the changed hours in place for the rest of the Parliament and to review the matter before the end of the Parliament. I do not think that we should act prematurely.

In respect of the staff, I am concerned about the reports and rumours that I have heard and I have discussed the matter with the authorities. I shall be very happy to receive additional representations from my hon. Friend.

As I have said before, there are strong feelings both for and against the changed hours. It is important that everybody who has strong feelings has the opportunity to represent them to me and suggest the exact changes that they want. Very few people have told me that they want to revert to exactly the old standard pattern of hours. Some have said that they want to sit longer on Tuesdays and others say that Committees should sit later in the morning. All those issues may be weighed up in good time.

Mr. Mark Field (Cities of London and Westminster) (Con): I am sorry to have to return to the Audit Commission report but it confirms what many Conservative Members have said for some time: there was gerrymandering of the entire system last year against councils in London. Will the Leader of the House grant a debate on that because London councils—Conservative, Labour and Liberal Democrat—feel strongly that they have been deprived of vital funds? We need an urgent debate on the serious allegations made in the Audit Commission report that was published today.

Mr. Hain: The truth is that all local authorities received an increase from the Government that was higher than inflation. That compares with the situation prior to 1997 under the Conservative Government when there were consistent cuts in funding from central Government to local authorities. The hon. Gentleman will find that six London authorities received grant increases of 8 per cent. or more. That is an example of the way in which the Government have provided generous funding for local services through local councils.

Mr. David Clelland (Tyne Bridge) (Lab): Those of us from the north-east would welcome a debate on council tax to destroy the myth that we have somehow been the beneficiaries of the changes that have been made. Is my right hon. Friend aware that Lloyds TSB has announced the closure of its call centre in my constituency and the centre's transfer to the Indian sub-continent with the loss of almost 1,000 jobs? May we have an early debate

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on the implications of that for the British employment market, private financial information and data protection, and about what the Government might do about that serious threat to British jobs?

Mr. Hain: I well understand my hon. Friend's concern about any job losses in his constituency and I know that there will be an opportunity to consider the matter in a debate in Westminster Hall next Wednesday. We obviously should fight locally, as local Members, against any job losses but we are subject to a whirlwind of global pressures in which the outsourcing of some call centre jobs is continuing. Interestingly, higher value added call centre jobs tend to stay in this country.

Mr. Eric Forth (Bromley and Chislehurst) (Con): Oh, that is all right then.

Mr. Hain: No, it is not all right. I want to see all jobs preserved, but I am sure that the right hon. Gentleman will agree that we cannot simply withstand competitive global pressures on our private enterprises, including call centre companies. He will understand that, and we are trying to combat the system as best we can.

As my hon. Friend the Member for Tyne Bridge (Mr. Clelland) knows, the Government have put good procedures in place to help people into jobs, and unemployment has continued to fall in pretty much every parliamentary constituency since we came to power.

Hywel Williams (Caernarfon) (PC): May we have a debate on the restrictive shellfish licensing scheme that is due to come into force in the new year, which will destroy half the jobs in the traditional shellfish fishery in my constituency on the Llyn peninsula? That is at least one good reason for the debate that I can discern. While the Leader of the House is considering that, will he have a word with the Department for Environment, Food and Rural Affairs, which clearly does not share my urgency or that of my constituents on the issue? I wrote to the Department on 9 October about the scheme that is coming in the new year but I have yet to receive any acknowledgement of that.

Mr. Hain: If the hon. Gentleman is right about the beginning of his correspondence in October—I am sure that he is—the relevant Minister will want to find out why he has not received a reply. The hon. Gentleman will know that there is a debate on fisheries next Tuesday and I hope that he will catch Mr. Speaker's eye to raise the points that he wants to make on behalf of his constituents.

Mr. Gordon Prentice (Pendle) (Lab): My right hon. Friend and I want an elected second Chamber but, shamefully, it seems that we are to be saddled with a wholly appointed second Chamber. Will the Joint Committee on House of Lords Reform be reconstituted in the current Session with, if necessary, a new membership and revised terms of reference?

Mr. Hain: That is a matter for the Secretary of State for Constitutional Affairs. My hon. Friend is right that I voted with him and others for an elected second Chamber but our position was defeated. *[Interruption.]* Conservative Members suggest that I was wrong. That may or may not be the case but the proposal was defeated by the Commons in any event, so there is no agreement on an elected second Chamber.

While we are on the subject, may I sweep away a lot of the breathtaking hypocrisy on the matter? I noticed that earlier this week in the House of Lords, Conservative Lords defeated a Liberal Democrat motion that called for an elected second Chamber. We now know where the Conservative party stands on the matter, despite the position that has been shouted from the Conservative Benches. We shall see whether we can have an honest debate about who wishes to preserve the 92 hereditary peers in the House of Lords. All progressive people think that we should have a second Chamber that is more representative of opinion throughout the country than accidents of birth.

Mr. Robert Key (Salisbury) (Con): May I endorse the request of my hon. Friend the Member for Tatton (Mr. Osborne) for a debate on the role of expert medical witnesses in criminal trials? Following the acquittal of Trupti Patel, the case of my former constituent, Sally Clark and the predicament of my constituent Angela Cannings, I note that nothing has been heard of the review committee that the Attorney-General established six months ago to look into the issue. It is a matter of urgency to know what is now in the mind of the Government when they consider the cases that I mentioned.

Mr. Hain: I well understand the hon. Gentleman's concerns, especially on behalf of his constituents. I would feel the same if my constituents had been similarly affected, so I shall ensure that the relevant Minister is aware of his urgency and his constituents' feelings.

Mrs. Jackie Lawrence (Preseli Pembrokeshire) (Lab): Does my right hon. Friend share my disappointment that it appears that Russia is refusing to ratify the Kyoto protocol and that the United States, which is one of the richest countries in the world, has failed to set an example? Will he grant us a debate in the House on the Kyoto protocol so that we may reaffirm its importance to everyone in the world? It is not a question of economic growth, as is often said, but of environmental survival.

Mr. Hain: I strongly agree with my hon. Friend. I understand that my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs will be in Milan at the climate change conference next week precisely to spur on the world to take its responsibilities seriously, implement Kyoto—the Government have signed up to it—and reduce the impact of climate change throughout the world. I am not sure that the Russian Government have made their position on Kyoto as clear as my hon. Friend implied. We hope that Russia will ratify the protocol and allow it to come into force so that the world may begin to confront the horrendous challenge of environmental devastation and climate change.

Dr. Andrew Murrison (Westbury) (Con): Will the Leader of the House convey to the Pentagon the alarm felt by many at reports that it is planning to recruit paramilitaries from political organisations? Will he seek assurances that such a thing will not happen in south-east Iraq, where it is felt that it is important that the police and security forces may act impartially and not as the servants of specific political organisations?

Mr. Hain: The hon. Gentleman raises an important point. Given his expertise on the situation in Iraq, to which the Prime Minister referred yesterday, I know that the Defence Secretary will want to take his points seriously.

John Cryer (Hornchurch) (Lab): There were two questions earlier about the Audit Commission report that was produced today. The commission also pointed out the fundamental unfairness of our system of council taxation, which is not related to people's ability to pay and was introduced when the official Opposition were in government. May we have a debate on that so that we can consider the system of council taxation and point to councils such as mine that fritter away thousands of pounds on pet projects and put up their council tax by an enormous amount yet refuse to examine new powers that would allow them to introduce lower council taxation for groups such as pensioners on fixed incomes?

Mr. Hain: Obviously, I am concerned about my hon. Friend's comments about the performance of his local authority. The House will want to look into that carefully. We have sought to develop and progress a much fairer system for local revenue raising—that is why the Minister for Local Government, Regional Governance and Fire is conducting a review that takes account of all the points that the Audit Commission made. It is important to read its report carefully, because it gives a much more rounded and balanced account of the situation than some of the more lurid headlines and political statements might suggest.

Mr. Eric Forth (Bromley and Chislehurst) (Con): Can the Leader of the House tell us when we will hear a report back to the House on the so-called big conversation? Will we be told how many of those events have been attended by the Leader of the House and by the Prime Minister, or how many of the 60 million people in this country attended them, and how many are Labour party members? We need to know those things. Most importantly, will we be told how many Government policies have changed as a result of the so-call big conversation?

Mr. Hain: The right hon. Gentleman is expert at talking to himself in the middle of the night in this Chamber, so I guess that he will have no interest in the big conversation that is taking place with the public out there. I shall be happy, however, to continue to answer questions on it from him or from any other Member, because the truth is that we are doing something that no Government have ever done: we are carrying out a big consultation exercise about the challenges that face this country. Perhaps he does not think that the public ought to be involved in the hard choices that need to be made—for example, about an ageing society and the challenges that we face in funding our public services as an ever-increasing proportion of people are in retirement. A big conversation is required to give people an opportunity to express their own views on such matters.

The right hon. Gentleman asks how many events I have taken part in. The Prime Minister has so far been involved in a whole range of events, starting in Bristol and Newport last Friday and continuing with others since. I was with him at the Newport event, and I intend to take part in another one early next week—

Mr. Forth: Another one!

Mr. Hain: The right hon. Gentleman asked me how many times I have taken part, and I am telling him. I also have my duties as Leader of the House, which I am discharging faithfully in answering his question at boring length. I shall take part in future events, as will other Ministers, because we want to involve the public in a big exercise to determine the future of this country. Neither the right hon. Gentleman nor other Conservative Members are interested in facing up to challenges such as the crisis in higher education and the problem of an ageing society. They would deal with those big issues in their traditional elitist fashion; we are doing it by involving the public, because that is what we believe in.

Hugh Bayley (City of York) (Lab): Did the Leader of the House notice that this week Lloyds TSB and Norwich Union announced their intention to transfer large numbers of call centre and back-office jobs from this country to India? Can we have a debate about the globalisation of the telecomms industry, so that we can not only assess the risks that that poses to jobs in Britain and discuss how they can be minimised, but consider the benefits that the globalisation of communications provides to British companies, particularly in the financial services sector? If financial services were fully liberalised across Europe, British financial services companies, which are leaders in the field, would gain more work from others in Europe and thereby retain jobs in this country.

Mr. Hain: My hon. Friend makes some telling points. Obviously, he can apply for a debate; I am sure that the Secretary of State for Trade and Industry will also want to consider that opportunity. Evidence from the Call Centre Association suggest that companies that outsource part of their work create a big return for this country, in that the surpluses that they obtain enable them to expand services, create more jobs and contribute to our prosperity. It is painful and difficult when such churning takes place, with some jobs displaced and replaced by other, often value-added jobs, but it is not as straightforward as saying that we have lost jobs to another country—the return that comes back is important, too.

Mr. Edward Davey (Kingston and Surbiton) (LD): May I continue the main theme of today's business questions and join my hon. Friend the Member for North Cornwall (Mr. Tyler) in imploring the Leader of the House for an urgent debate, before the recess, on the Audit Commission's report on council tax rises? That independent report confirms not only that the blame for high council tax rises lies with Labour Ministers, but that the unfair Tory council tax system is fundamentally flawed. Given that councils are currently having to set council tax levels for next year, and that we now know that for more than three quarters of councils the rise in non-education grant is a real-terms cut, is it not urgent

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that we have that debate in order to learn from the Audit Commission report and help councils around the country?

Mr. Hain: How can a central Government-provided increase that is way above the level of inflation be a real-terms cut? This is Mickey Mouse Liberal economics. We heard the Liberal Democrat spokesman talk about Mickey Mouse income tax policies in the form of a 4p increase in the basic rate of income tax. All taxpayers should understand that the Liberal Democrat party is now a high-tax party flying the flag of higher income taxes. I should like to know what is the Conservative party's policy, too, because they are hiding behind an attack machine instead of putting forward coherent policies.

Paul Flynn (Newport, West) (Lab): When can we discuss the great puzzle whereby the Government's 40 per cent. increase in spending on the health service has led to an increase in activity—operations and so on—of a mere 5 per cent.? Is one possible explanation the fact that the bill for drugs in the health service has increased by 50 per cent. in the past three years without any corresponding increase in the effectiveness of those drugs? Can we have a conversation about the fact that the big pharmaceutical companies are probably ripping off patients and taxpayers?

Mr. Hain: I am not sure whether my hon. Friend is asking for another conversation or for a debate, but I am sure that the Secretary of State for Health will want to study his comments carefully. My hon. Friend may have seen his excellent article in *The Daily Telegraph* earlier this week, in which he comprehensively rebutted the charge that is being made by the Conservatives—although not, I am sure, by my hon. Friend—that all the public investment is not producing better results. The truth is that the record investment that is going into our health service means that waiting times for elective surgery are coming down increasingly fast, delivering people from the pain that they suffered, year after year, under the Conservatives. We will continue to put that money in and make reforms to ensure that we deliver a first-class service that is free to patients and to those in pain—a Labour-originated and Labour-modernised national health service.

Sir George Young (North-West Hampshire) (Con): The Leader of the House confirmed that, for reasons about which we can only speculate, we will not have a Second Reading debate on the Bill on top-up fees before Christmas. It follows that there must be a vacant day in the business of the House. Why, therefore, is the Leader of the House so resistant to calls from Members on both sides of the House for a debate on the Audit Commission report, which concerns a matter that affects all our constituents and makes recommendations to the Government on short-term changes? Consultations on next year's rate support grant statement are under way. The Leader of the House said a moment ago that he wants to find out about the Opposition's policy: such a debate would give him that opportunity.

Mr. Hain: There is no vacant day. There are two Second Reading slots before Christmas, one of which, as I announced, will be filled by the debate on the Child Trust Fund Bill—a very important measure that will bring a minimum of £250 and up to £500 of assets to children born in this country. It is important that the Bill goes through quickly and gets early Royal Assent so that its provisions can be implemented as speedily as possible.

I hope that the right hon. Gentleman agrees that the other Bill to get its Second Reading concerns an urgent matter—although some of the comments by Conservative Members, including his leader, make that rather doubtful. It will toughen up our asylum laws even further by tackling the loopholes that are being exploited by people traffickers, illegal migrants, and the criminal gangs who are sometimes behind them.

We are introducing those two urgent Bills before Christmas. The higher education funding Bill will be introduced in due course, when we are ready to do so.

Huw Irranca-Davies (Ogmore) (Lab): My right hon. Friend knows that lifting Crown immunity from prosecution is notoriously complex and requires cross-departmental authority. I have received reassurances in the past six months that the Government are minded to tackle that important issue. It is especially important for the Wynne family in my constituency who regard Crown immunity from prosecution as a smokescreen that covers up deficiencies in health and safety and management at the Royal Mint in Llantrisant. If that proposal does not appear in the measures that are in the Library to which my right hon. Friend referred, what assurances will he give that the Government will move rapidly to ensure that Crown immunity from prosecution is no longer used to hide deficiencies in health and safety that can lead to fatalities in Crown estate properties?

Mr. Hain: I understand that the matter involves one of my hon. Friend's constituents, so it is therefore proper for him to draw it to the House's attention and seek a way in which to address it. The relevant Ministers and I will study his points carefully. Draft legislation is due to be introduced and discussed in the House and, during that pre-legislative scrutiny, he will have the opportunity to ascertain whether the plight and problem that he identified can be tackled in a better way than through the Government's proposals.

Mr. John Redwood (Wokingham) (Con): Now that the Government no longer have a friend to ring, they ask the audience to solve the nation's problems. May we have an early statement about the Government's side of the big conversation? How much money does the Leader of the House believe that the Labour party will make out of the electronic messaging? Could it be a case of rip-off communications from a rip-off Government?

Mr. Hain: No.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): May I echo the calls for an early debate on the Audit Commission report? I hope that we could organise it so that we get away from the narrow party political point scoring of Conservative Members and consider the fundamental flaw in local government finance and indeed, in local democracy. For every £4 local government spends, it raises only £1. A properly agreed 1 per cent. increase in a council's expenditure can lead to a 4 per cent. rise in council tax. That is obviously a fundamental flaw in the system. May we have an early opportunity to consider the problem and, I hope, find redress?

Mr. Hain: I understand my hon. Friend's point about gearing in local government finance. He was a distinguished local government leader in Sheffield and knows a lot about such matters. The Deputy Prime Minister will want to listen carefully to his points and ascertain whether they should be tackled through a debate or in some other way. The Audit Commission report is an important document and the Government's review will be reported to the House. There will be a proper opportunity to discuss it then.

Mr. Michael Jack (Fylde) (Con): The Leader of the House has confirmed that the House's opinion of top-up fees will not be asked. In the light of the Prime Minister's desire to listen and the fact that 150 Labour Members of Parliament disagree with the policy, as do Her Majesty's Opposition as well as the Liberal Democrats and members of other parties, what steps will the right hon. Gentleman take to ensure adequate time—a minimum of two days—for a full debate on Second Reading of the higher education Bill? During the Christmas recess, will he give consideration to ensuring that an appropriate time for debate is provided so that all voices are heard on the matter?

Mr. Hain: The Secretary of State for Education and Skills reported on the matter to the House only yesterday in a full debate. The right hon. Gentleman can press Conservative Front-Bench Members to hold an Opposition day debate on the subject. There will be a full debate on Second Reading, as is normal. However, we have set out our proposals to deal with the long-term problem of the deficits in higher education despite record investment. What are the Conservative proposals? The Liberal Democrats simply want to increase taxes, but they want to do that for everything. Conservative Front-Bench Members want a quarter of a million fewer students in our universities. What will that do for the prospects of the best knowledge-based economy in the world, which is the Government's objective? How will we achieve wider access and social justice for students, including some from my constituency, who are on low incomes? We are grappling with those issues and making proposals. The right hon. Gentleman should persuade Conservative Front-Bench Members to engage genuinely in a debate about serious policy instead of indulging in opportunistic sloganising and hypocrisy.

Julie Morgan (Cardiff, North) (Lab): In general, I support the change of hours in the House. However, what impact have the new hours had on the catering service?

Mr. Hain: It is interesting to consider what has happened since the new hours were introduced. As I reported last week, according to the House authorities, catering income has increased by 16 per cent. when compared with the same period last year. The issue about catering services is getting mixed up with that about the hours, but it is proper to deal with the huge subsidy for catering in the House and the Catering Committee is trying to do that. My hon. Friend's view is different from that of my hon. Friend the Member for Halifax (Mrs. Mahon) who opposes the change in hours. I have to weigh up the interplay of forces and divisions when deciding how to progress.

Mr. Adrian Flook (Taunton) (Con): The south-west is bottom of the league in the amount of support grant that it receives per head, despite the fact that it is one of the most generous regions in contributing to the Treasury's coffers. Surely, to quote the Leader of the House, "That is not fair". May we have a debate on the way in which the rate support grant has become nothing more than the Treasury's stealth tax-raising powers?

Mr. Hain: That is a ridiculous statement. Like all of us, the hon. Gentleman is worried about council tax levels, which the Minister for Local Government, Regional Governance and Fire is considering in his review. He will take the Audit Commission report into account. I should be interested to hear practical suggestions from Conservative Members. Do they want to raise extra taxes so that central Government provide more finance for local authorities, as the Liberal Democrats propose? Have they other alternatives? We are committed to high quality public services and that is why increases in local authority funding have been real-terms increases year after year, compared with real-terms cuts under the Conservatives.

Mr. Harry Barnes (North-East Derbyshire) (Lab): If we had a debate on the Audit Commission report on council tax, it would give some of us an opportunity to point out that the major gerrymandering and fiddling in council tax measures arise from the Local Government Finance Act 1988, which introduced the poll tax that was transformed into the council tax. May we have a full day's debate on the current local government finance settlement? The Audit Commission report could be raised during such a discussion. A full day's debate, which was not chopped by statements, would give a good number of hon. Members a reasonable opportunity to contribute to the deliberations.

Mr. David Cameron (Witney) (Con) *rose—*

Mr. Hain: I am grateful for the chance to reply to my hon. Friend. *[Interruption.]* I think that the hon. Member for Witney (Mr. Cameron) said that I might give better answers before I was asked the questions.

I say to my hon. Friend the Member for North-East Derbyshire (Mr. Barnes) that since 1997, there has been a real-terms increase in grant to local government of 25 per cent. compared with a real-terms cut of 7 per cent. during the last four years of Conservative government. The idea that we have not generously given extra support to local authorities is not true. However, my hon. Friend makes good points about the previous Government's rigging of the local government settlements. I remember when I was an unsuccessful Labour candidate for Putney in Wandsworth, the Thatcherite Government dished out lots of money from central funds to keep rates, the poll tax and the council tax low in Conservative-controlled Wandsworth. We are seeking to introduce a much fairer system.

Mr. Cameron: Given the Prime Minister's occasional tendency to say one thing and mean something ever so

[Mr. Cameron]

slightly different, may we have a clear statement about whether the Bill that deals with top-up fees is an issue of confidence for the Government? Are they saying that if the Bill were lost on Second Reading, the Prime Minister would resign?

Mr. Hain: The Prime Minister made it crystal clear yesterday that this is an important matter for the country and, therefore, for the Government, for him and for the House. We seek to tackle the funding gap that will arise in universities. The Conservative party, including the hon. Gentleman, is signally failing to acknowledge that gap because it does not care about the future of universities; they left them in a near-bankrupt situation. We seek to address that gap, widen access, increase social justice and enable more low-income students to go to universities, so that we can become the kind of economy that depends on high knowledge and high skills, and compete more effectively in the world. That is our objective: what is the hon. Gentleman's policy?

Richard Younger-Ross (Teignbridge) (LD): I hope that when the Leader of the House has his big conversation he listens more than he is listening to the House today. He has heard argument from all quarters for a debate on council tax, and he is not listening. I hope that he will reconsider and that there will, at least, be a debate on that important issue in the new year.

In the meantime, I urge the right hon. Gentleman to ask the Minister for Local Government, Regional Governance and Fire to come to the House to make a statement on the Audit Commission's report. He went to Devon county council, spoke to councillors, business men, pensioners and residents and told them that the council tax rise was all the county's fault. He came to the House and told Members from Devon and the south-west that it was down to the county council to decide the council tax rise. The Audit Commission's report clearly states that that is not the case. When will the Minister come to the House and put the record straight?

Mr. Hain: Obviously the Minister will want to listen carefully to the hon. Gentleman's point. Turning to his party's policy on this matter, which needs to be clarified, I can tell the House that a briefing note entitled, "Lines and ideas for Monday's press conference", discusses increases in local income tax as high as 6p and says:

> "However, we don't want to be drawn extensively into this!"

We should be told exactly what the Liberal Democrat policy is: sky-high income taxes instead of fair taxes and fair local provision.

Alistair Burt (North-East Bedfordshire) (Con): I thank the Leader of the House for twice referring to my colleagues on the shadow Front Bench as an attack machine. We have been after that endorsement for quite some time, and it would be churlish not to acknowledge his contribution to our reaching our first objective.

May we have an urgent debate on rural public transport? Already this week my constituents have suffered a number of strategic bus route cuts and face the threat of parents being asked to pay for their children to be taken to school. Whatever solutions to the problem of rural public transport the Government are producing, they are certainly not working, and if the right hon. Gentleman wants a conversation with my constituents on that, they are ready to have one with him.

Mr. Hain: The press reports on the draft school transport Bill were completely misfounded and erroneous. The Secretary of State for Education and Skills wants to set up a series of pilot schemes that enable local authorities better to provide local school transport for a range of pupils, to reduce peak-hour traffic congestion, to improve pupil safety and to deal with other situations that Church schools, for example, are concerned about. The hon. Gentleman will have a chance to contribute to that discussion when it is subject to pre-legislative scrutiny, as it is intended to be next year, and I hope that he will do so.

I hope that the hon. Gentleman will consider the detail of the situation that we are trying to tackle, which is a series of anomalies in which local authorities are not able to provide a flexible range of bus services, as we believe they should, to help pupils to get to school more safely, to take them out of the cars in which their parents tend to bring them, to put them on buses and so to relieve traffic congestion.

Mr. John Wilkinson (Ruislip-Northwood) (Con): In view of the call by the German Chancellor and the French Defence Minister for the resumption of European arms sales to the People's Republic of China, which have been embargoed since the Tiananmen square massacre, and rightly so in view of the continued repression in Tibet, human rights abuses in the People's Republic and sabre rattling against Taiwan, can the Foreign Secretary come to the House next week and make a statement that the Government will, at the European Foreign Ministers Council, veto any such suggestion, because if it were acceded to this request would lead to the European Union becoming a friend of the great dictators?

Mr. Hain: The Foreign Secretary will, of course, address the House next week, and he holds himself accountable to the House at every opportunity. On the question of arms sales to China or any other country, I point out to the House that after all the shenanigans and scandals of the last Conservative Government on this matter, we were responsible for introducing a strict code of practice that regulates arms exports and makes sure that they cannot be used for internal oppression or external aggression. In addition, and this is directly relevant to the hon. Gentleman's question, we were responsible for ensuring that much the same code of conduct was adopted by the EU, so we can proudly hold our heads high, knowing that we put defence trade on a much more equitable basis that respects human rights, rather than selling any arms to any country that wants to buy them, as tended to be the practice under the Government whom the hon. Gentleman supported.

Points of Order

1.25 pm

Mr. Paul Tyler (North Cornwall) (LD) *rose*—

Mr. Speaker: Order. Let me deal with a reply to a point of order that was made yesterday.

Yesterday, at column 520 of *Hansard*, the right hon. Member for Bracknell (Mr. Mackay) made a point of order about remarks made, on an intervention, by the hon. Member for Ilford, South (Mike Gapes). I undertook to check *Hansard* and come back to the House if it seemed necessary to do so.

It seems clear that the hon. Member for Ilford, South gave an incorrect year for the quotation which he read to the House. It would have been helpful, to me and to the House, if as a matter of courtesy he had acknowledged the mistake as soon as it was pointed out.

More importantly, I understand that the hon. Gentleman subsequently approached the Officials Box to talk to the civil servants there. I want to make it clear, as my predecessors have done, that the Box is provided solely for officials of Government Departments supporting Ministers in questions or debates. Civil servants using the Box must not take advantage of their position in the Chamber to brief Back Benchers, and Members should not give them any encouragement to break this rule.

Let me add this: the admittance of civil servants into the Box is by my permission. I shall not hesitate to rescind the privilege of any official to attend this Chamber in the Box if I believe that any of the rules that I have just set out have not been followed.

Mike Gapes (Ilford, South) (Lab/Co-op) *rose*—

Mr. Tyler: On a separate point of order, Mr. Speaker.

Mr. Speaker: I shall call the hon. Member for Ilford, South first.

Mike Gapes: May I apologise to you and to the House, Mr. Speaker? Yesterday, I had a quote that was entirely accurate except that, through a typographical error, it said 1998, not 1988. My intervention was made on the basis of that error, for which I apologise. I tried to check the exact date when I heard the Secretary of State's intervention. At that point, I was not clear about whether it was 1988 or 1998, which is why, in error, I approached the Box. I apologise again to you for that error, Mr. Speaker. Certainly it was not my intention to mislead the House, and I apologise to the hon. Member for South Suffolk (Mr. Yeo) if I, while accurately quoting what he said under a Conservative Government, gave the impression that he had said it under a Labour Government.

Mr. Speaker: I accept the hon. Gentleman's statement, and the matter is now ended.

Mr. Tyler: On a point of order, Mr. Speaker. On a separate matter, I want to apologise to you and the House. Quite uncharacteristically, I hope, I protested volubly a few minutes ago, when the Leader of the House, no doubt entirely inadvertently, misled the House as to the nature of my party's policy on local income tax. He suggested that there was a paper saying that the Institute for Fiscal Studies had said that the tax would be in the region of 6p in the pound; it is in fact less than 4p in the pound. I am glad to have this opportunity to clarify the matter.

Mr. Speaker: I will not be drawn into that matter.

Mr. Henry Bellingham (North-West Norfolk) (Con): On a point of order, Mr. Speaker. In today's Order Paper there is notice of a written ministerial statement on employers' liability compulsory insurance by the Secretary of State for Work and Pensions. A year ago, the Chancellor announced an inquiry into the crisis facing many thousands of businesses as a result of the acute increase in public and employers' liability insurance premiums. Surely, on the day that such an important report emerges, there should be an oral statement.

As it is, we get a written statement sneaked out into the Library at 11.58 am, so Members who were sitting through questions from 11.30 am would not have had a chance to see that important report had they stayed in the Chamber. They may have wanted to comment on the report or make inquiries of Ministers during today's debate. Surely if Ministers are to make written statements, they should put them in the Library at the earliest possible stage.

Mr. Speaker: I understand that the statement was received by the Library at 11.58 am. I look to Ministers to ensure that written statements are delivered to the Library promptly.

Mr. Andrew Robathan (Blaby) (Con): On a point of order, Mr. Speaker. I seek your guidance on a matter that has arisen this morning, otherwise I would have given you prior notice. At 11 o'clock, the Standards and Privileges Committee published its first report of the 2003–04 Session. I am concerned about the serious allegations made in a newspaper that a Member of this House may have behaved treasonably. In the report, Sir Philip Mawer writes:

> "It must be a shared concern of the Committee and of any Commissioner that a Member should not be able to block the investigation of a complaint under the processes approved by the House simply by threatening, or starting, a libel action. . . . If there appears to be any delay by Mr Galloway in pursuing legal proceedings, I shall seek further direction from the Committee."

Is there anything you can do, Mr. Speaker, to ensure that the work of Officers of the House are not obstructed?

Mr. Speaker: That is a matter for the Commissioner and the Committee.

Mr. Andrew Turner (Isle of Wight) (Con): On a point of order, Mr. Speaker. On 22 and 29 October in Prime Minister's Question Time, the Prime Minister said that certain information was given to him and to the Taisoeach by General de Chastelain. I tabled three questions about the Prime Minister's statements to try to elicit further information, and when the Prime Minister replied on 6 November he referred straight

[Mr. Andrew Turner]

back to his statement on 29 October. Can you render any assistance in obtaining proper answers from the Prime Minister and other Ministers to parliamentary questions?

Mr. Speaker: The hon. Gentleman should seek advice from the Table Office. The quality of answers given by Ministers is not a matter for me.

BILL PRESENTED

ARMED FORCES (PENSIONS AND COMPENSATION)

Mr. Secretary Hoon, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Straw, Mr. Secretary Blunkett, Mr. Secretary Smith, Mr. Adam Ingram and Mr. David Lammy, presented a Bill to make new provision for establishing pension and compensation schemes for the armed or reserve forces; to amend the Pensions Appeal Tribunals Act 1943; to provide for the transfer of the property, rights and liabilities of the Royal Patriotic Fund Corporation to a registered charity; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 8 December, and to be printed. Explanatory notes to be printed [Bill 10].

Orders of the Day

Debate on the Address

[SIXTH DAY]

Order read for resuming adjourned debate on Question [26 November],

That an humble Address be presented to her Majesty, as follows:

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which your Majesty has addressed to both Houses of Parliament—*[Mr. McFall].*

Question again proposed.

The Economy

Mr. Speaker: I inform the House that I have selected for debate the amendment in the name of the Leader of the Opposition. Standing Order No. 33 provides that on the last day of the debate on the motion for an address to Her Majesty the House may also vote on a second amendment selected by the Speaker. I have selected the amendment in the name of the leader of the Liberal Democrat party for that purpose. The vote on that amendment will take place at the end of the debate after the amendment in the name of the Leader of the Opposition has been disposed of.

1.32 pm

Mr. Oliver Letwin (West Dorset) (Con): I beg to move, as an Amendment to the Address, at end add—

'But regret that the Gracious Speech contains no measures to provide fundamental reform of public services or to reduce the level of waste in government; condemn the absence of proposals to restore the incentive to save, which has been eroded by the vast growth in means testing; deplore the absence of sufficient measures to avert the pensions crisis; further regret that the Gracious Speech makes no reference to the need to establish a more transparent and coherent fiscal structure; further condemn the absence of measures to fulfil the Government's pledge to improve the competitiveness of the British economy and the rate of productivity growth; note that rail delays have doubled and traffic congestion has increased under this Government, and that there are no measures in the Gracious Speech adequately to address the Government's failure to tackle these problems, which are damaging competitiveness and leading to reduced choice for the travelling public; further condemn the failure of a draft Bill to indicate what the powers of any regional assembly would be, even though proposals for local government reorganisation have been published; and believe that the Government's proposals to restrict the right to buy will frustrate the legitimate aspirations of tenants to own their homes.'.

Within the general sphere of economic affairs, there are six Bills and two draft Bills. Before discussing them, I draw attention for almost the last time to the investment banking interests listed under my name in the Register of Members' Interests. I stand before the House a poorer but happier man.

I am glad to be able to tell hon. Members that we start with broadly positive attitudes to each of the six Bills. We are enthusiastic about the central innovation contained in the Companies Audit and Investigations and Community Enterprise Bill. The voluntary sector is the first sector: a foundation of everything we value in human society. Both the state and the market are essentially co-operative ventures; neither could be sustained without an active sense of the common good. We unreservedly welcome the evolution of new forms of association, which foster the social entrepreneurs who can transform whole neighbourhoods.

I also welcome the Bill on civil partnerships. As my right hon. and learned Friend the Leader of the Opposition said, it addresses real grievances. I am personally delighted that there will be a free vote, on this side of the House at least. I shall vote in favour of the Bill.

As far as the provisions and proposals on baby bonds, disabilities and employment relations are concerned, we will enter into constructive dialogue with the Government in Committee, although I should say that we do not regard child trust funds as an adequate substitute for a proper lifetime savings account, and we shall watch closely for any unnecessary regulatory burdens on small and medium-sized business emerging from disability and employment legislation.

The energy Bill raises significant technical, accounting and environmental issues that we shall want to scrutinise. We share the aims, although we are not wholly convinced about the methods, of the pensions Bill. The fact that this Bill is now being introduced by the Government is, as my right hon. Friend Lord Forsyth has said in the other place, faintly reminiscent of the arsonist appearing with the fire extinguisher. We have to be careful that the arsonist does not light another fire. My hon. Friend the Member for Havant (Mr. Willetts), the shadow Secretary of State for Work and Pensions, who is an acknowledged guru, will have more to say about the need for some imaginative and lateral thinking in this area. The requirement for full funding of company pension schemes before wind-up is in itself admirable. However, I am sure that the Chancellor will share our desire to avoid a situation in which this becomes a cause of reduction in the number of company schemes. These, too, are issues we shall need to discuss in Committee.

I suppose that I should congratulate the Chancellor on keeping the draft Bill for a euro referendum just that: a draft. For our part, we would have preferred to see the officials doing something more useful with their time, but I suppose that if it gives the Prime Minister an executive toy to play with on his desk, that may be a small price to pay for avoiding any misguided attempt by the Government to do anything about the euro.

Whatever the merits of these Bills, the truth is that the solution to the Government's ills and to the principal problems of the country is not more legislation; it is better administration. I give the Chancellor full credit for the vast energy that he has displayed in his unremitting, passionate and sincere attempt to improve the administration of public services through a panoply of five-year plans, 10-year plans, targets, initiatives, public service agreements, centralised funding, performance monitoring, comprehensive spending reviews, terms and conditions, audits and best value regimes.

It all began with the noblest and most proper sentiments. In 1998, the Chancellor told *The Sun* that

"we must ruthlessly ensure we get value for money . . . we are determined you get value for every penny we spend".

Alas, the dreams have turned to ashes. Today, the same newspaper contains evidence that the Chancellor's best value has meant no value. Comprehensive spending has meant comprehensive waste. We all remember Picketts Lock, the dome, and the Scottish Parliament building. We also remember the Passport and Records Agency fiasco, the armed forces asset management project and the renegotiation of a failed plan to link magistrates courts. *[Interruption.]* There is more. Members should contain themselves.

Mr. John McFall (Dumbarton) (Lab/Co-op): Will the right hon. Gentleman give way?

Mr. Letwin: I would be delighted to give way. Will the hon. Gentleman explain whether the Select Committee on the Treasury, which he chairs, approves of the massive waste by the Government?

Mr. McFall: The right hon. Gentleman mentioned newspapers. I note that yesterday he said that he would not talk about the financial services industry. He knows that members of the Select Committee and I are concerned about these issues. I would like a commitment that he will do an instant U-turn and tell the House that he will talk about financial services. I would like to know whether he will continue to talk about his target of 35 per cent. public spending for gross domestic product. Will he continue to talk on those issues?

Mr. Letwin: As a matter of fact, there are such experts on the Opposition Front Bench on that subject that I do not intend to speak about it. The hon. Gentleman may be aware that last night I deprived him of the fun that he was intending to have on that subject.

According to IT specialists—the hon. Gentleman ought to attend to this—£1.5 billion of spending on IT contracts has been wasted. Perhaps his Committee will look into that, because it has not been a very good record for a Chancellor who promised value for money.

It is not just a matter of projects that have gone wrong. There is also the question of squandering money on an ever-expanding bureaucracy. Why have the Prime Minister's office costs gone up by over £6 million since 1997? Why do Health Ministers' offices cost 70 per cent. more since 1997? Why has the Cabinet Office declared an increase in taxi fares of 1,000 per cent? I do not like paying the congestion charge either, but is not that taking it a bit far? Why have 1,422 staff been added to the payroll of the Department of Trade and Industry, when the Chancellor himself agrees that 500 of them are redundant?

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): Will the right hon. Gentleman give way?

Mr. Letwin: I will give way to the right hon. Gentleman. Perhaps he can explain why more than 1,400 staff have been added to the Department of Trade and Industry payroll.

Mr. Foulkes: I am here to ask questions, not answer them. I want the right hon. Gentleman to answer the question from my hon. Friend the Member for

[Mr. Foulkes]

Dumbarton (Mr. McFall) that he avoided answering. The shadow Chancellor wrote in the *Financial Times* on—I had better get the date right—17 May 2001:

> "We would like to head downwards to 35 per cent of GDP. It is 100 per cent realistic to cut spending growth this way."

Does the right hon. Gentleman still adhere to that—yes or no?

Mr. Letwin: If that was the question, I apologise for not having understood in the least what the hon. Member for Dumbarton (Mr. McFall) was trying to say. We are absolutely clear that we would like to reduce the burden of public expenditure and the level of tax compared with GDP, because we believe that a low-tax economy is a prosperous economy. We will stick with that.

Mr. Foulkes: Will the right hon. Gentleman give way?

Mr. Letwin: No. I have answered the right hon. Gentleman's question.

Why have the Government spent £882,351 renaming Government Departments and providing them with new logos? Why did the Ministry of Defence spend £8 million in 2002 on newspapers and magazines?

David Wright (Telford) (Lab): Will the right hon. Gentleman give way?

Mr. Letwin: I will in a moment.

Why did the NHS spend nearly £900,000 on the production and distribution of a magazine that was issued 10 times in a year but managed to sell only 22 copies of each edition? Why was NHS money in Wolverhampton spent on "empathy bellies", so that young men could feel what it was like to be pregnant? Why has the Department for Education and Skills spent over £650 million on truancy and unruly behaviour initiatives since 1997, yet seen truancy increase by 17 per cent?

The truth is that, as my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) so brilliantly exposed last Wednesday, the Chancellor has transformed the principle of open government into the principle of the open wallet.

Mr. Foulkes: Will the right hon. Gentleman give way?

Mr. Letwin: I will not.

I regret to say that the Chancellor has lost control over the element of public expenditure that is in principle most controllable: the cost of the Government's administration of itself.

David Wright: I thank the right hon. Gentleman for giving way. He is very generous in these matters. Dozens of people across the country will be interested in what he is saying. Does he consider the new deal for young people a bureaucratic waste of money?

Mr. Letwin: The view that Conservative Members take is that there is more to be gained by floating pensioners off the ghastly array of means-tested benefits that the Chancellor has proposed by raising the basic state pension in line with earnings, than by continuing with a new deal project that has been shown to be an expensive failure.

Several hon. Members *rose*—

Mr. Letwin: I will continue, if hon. Members will forgive me.

In many ways, the House should sympathise with the Chancellor's plight, because he is now beginning to experience the truth of the proposition put forward by his own chief economic adviser and his own permanent secretary:

> "It is easier to reduce revenue and increase expenditure than to do the reverse. So when things go wrong with the public finances it is difficult to put them right, particularly since it can take a long time even to recognise the problem".

In the Supply estimates of March 1997, the Conservative Government asked Parliament to approve total spending on Government running costs in the succeeding year of £14.8 billion. In his first supplementary estimates, the Chancellor raised that figure by a modest £7 million—so far, so good.

By November 1997, the Chancellor was already adding £89 million—not quite so good. In February 1998, he added a further £175 million—a total rise across the first year of the Labour Government of some £270 million—not particularly good at all. However, it was very moderate compared with what we have seen since.

In March 2001, the Chancellor raised the cost limit on central Government administrative expenditure to £16.7 billion, an increase of 19 per cent. on the previous March, and then asked Parliament to approve an additional £763 million by the end of the year that he had not thought of at the beginning of the year. By today's standards, that was still very modest. In March this year, the Supply estimates allowed for £20.6 billion of Government administrative expenses and the additions—*[Interruption.]* The Chief Secretary to the Treasury, who is meant to be controlling these things, is yawning because he has been utterly asleep on the job. The additions in the two rounds of supplementary estimates are now running at something like £1.4 billion each year.

Geraint Davies (Croydon, Central) (Lab): Will the right hon. Gentleman give way?

Mr. Letwin: I always welcome interventions from the hon. Gentleman. I will certainly give way. Would he like to explain why the Government added £1.4 billion to the supplementary estimates?

Geraint Davies: Is it not the case that the share of GDP spent by the Conservative Government in 1995-96—the figures are from the Library—was 42.5 per cent. and now it is only 39.7 per cent? The share of tax plus borrowing, borrowing being deferred tax, has also dropped by two points. Therefore, is it not the case that, if the right hon. Gentleman wanted to reduce public expenditure to 35 per cent. of GDP by slashing public services, he would be completely incompetent at it?

Mr. Letwin: I thought that I would be pleased to take the hon. Gentleman's intervention. I wonder whether he realises that if the Government had not added so much to central Government expenditure, in particular if they had not added £1.4 billion to their own costs in the middle of the year, the proportion of tax to GDP would be lower than it is at present. That is the point with which he must wrestle.

To put that in a context that the Chancellor will be familiar with, he is adding the cost of four domes to the administrative overhead of government each year on purpose, and the cost of another two domes each year by mistake.

Mr. Martin O'Neill (Ochil) (Lab): Will the right hon. Gentleman give way?

Mr. Letwin: I will not take any more interventions for the moment. If the hon. Gentleman will forgive me, I want to make progress.

I expect that, in a few minutes, the Chancellor will come to the Dispatch Box and tell the House that he has recognised the problem and now recognises the need to reduce the cost of bureaucracy, but I fear that he will find it a more difficult and a slower process than he anticipates, because he has created great engines of growth within the bureaucracy. With new regulations on business alone running at nearly 15 per working day, not to mention the array of targets, plans and initiatives, the dynamic of senior civil servants building careers out of increasing pyramids of subordinates to administer increasing pyramids of regulation is well entrenched. Once the wallet has been opened, closing it takes very considerable political will and very considerable ingenuity. I have no doubt that the Chancellor has the ingenuity. We shall see whether he has the will.

If the only effect of that open-wallet policy were to establish a bizarre combination of a culture of control and a culture of waste, it would be sad for the hard-pressed taxpayer but it might just be bearable. Unfortunately, the squandering of taxpayers' money is just a by-product of the Chancellor's largesse. The real tragedy lies in the fact that huge sums of money spent on public services, which are not being wasted, are nevertheless being systematically mis-spent.

This year, the Government are spending over £50 million of taxpayers' money every hour of every day. By 2005 under Labour, people will be working for the taxman until 9 June each year. Taxes have been increased 60 times since 1997 but, because the Chancellor has made the public services dance to the tune of bureaucracy, because the public services have huge structural deficiencies, and because the Chancellor has failed to provide real reform, the public services are failing to deliver. Since 1997, current Government spending has increased by close to 50 per cent. but public sector output has increased by only 15 per cent.

Mr. Steve Webb (Northavon) (LD): The right hon. Gentleman mentioned structural deficiencies and talked about his policy of linking the pension to earnings. He is a very intelligent man and good with numbers. He will appreciate that the main way he will pay for his earnings-link policy will be by abolishing the new deal. That costs £600 million, £600 million, £600 million and £600 million in successive years, but his earnings-link policy will get more and more expensive each year. How will he fund a rising spending commitment with a flat-rate cut?

Mr. Letwin: Unlike some of the questions from Labour Members, that is a perfectly sensible question and there is a perfectly sensible answer to it. The other half of the cost of our policy in the first Parliament will be met, paradoxically and ironically, by the reduction in means-tested benefits that will be achieved by floating pensioners off means-tested benefits. The second and subsequent Parliaments do indeed require further funding. Part of that funding will also come from floating more and more pensioners off more and more means-tested benefits, giving them dignity and an incentive to save in retirement. We will come forward with detailed proposals about how, in those second and subsequent Parliaments, the remainder of those costs will be met well in time for the election. We can have an interesting debate with the hon. Gentleman. It would be nice if I thought that we could also have an interesting debate with the Labour party, which seems determined to make more and more pensioners dependent and to give fewer and fewer people an incentive to save. It is a tragedy for this country.

Mr. John Redwood (Wokingham) (Con): Given that the Chancellor taxed telephone companies and they crashed, and that he then taxed pension funds and they were driven to near bankruptcy, as a fellow home owner does my right hon. Friend fear that the Chancellor is now going to tax housing to the point where that is destroyed, too?

Mr. Letwin: My right hon. Friend is absolutely right in his suspicion that this is a Chancellor whose ingenuity in designing 60 additional taxes knows no bounds. There may be no limit to the number of things that he will in due course tax. However, I hope that we will see in the pre-Budget report and in the Budget that follows that even this Chancellor desists from what were mooted as plans to tax primary residences. That would be the death knell of this Government.

In the NHS, where the Chancellor has said that

"the consumer is not sovereign,"

there are more administrators than beds. There are still nearly 1 million people on waiting lists and 24,000 more administrators not looking after them. As a consequence, although the Government's latest figures show—*[Interruption.]* The hon. Member for Glasgow, Cathcart (Mr. Harris) should attend to his colleagues who mentioned this matter previously. Although the Government's figures show that NHS expenditure has risen by 37 per cent. in real terms, output has increased by just 5 per cent.

I hesitate to intrude on the private grief of the relationship between the Chancellor and the Prime Minister, but the Chancellor will be aware that the Prime Minister describes the input-output measure of productivity as "bizarre". The Prime Minister continues that it

"takes no account of improvements in waiting times."

However, a moment's pause for reflection will explain why the Chancellor, with his ruthless intellectual integrity, has not used the Prime Minister's argument.

[Mr. Letwin]

Assuming that demand from patients has not diminished, which it has not, how can waiting times in the NHS have decreased significantly across the years without the number of operations in the NHS increasing significantly across the same years? How can patients be got off the waiting list without being given operations? The only plausible explanations are that patients have been spending their life savings seeking faster operations in the private sector, or that waiting lists have somehow been manipulated, or both. In short, what is bizarre is not the productivity measure, but the admissions implicit in the Prime Minister's argument.

The Prime Minister's argument, however, suffers from another, simpler deficiency: waiting times have not been coming down. According to the Government's latest figures, the average waiting time for NHS operations has gone up from 91 to 99 days. On the Prime Minister's logic, taking account of waiting times, we can presumably say that NHS output has increased by less than 5 per cent. after 37 per cent. more funding has been put into the system.

I fear that other measures of performance in the public sector also give grounds for serious concern. Despite the fact that we have more police, more than 50 per cent. of police officers on a shift are delayed in the station and a crime is committed every five seconds. One in three children leave primary school unable to read, write and count properly. It is true that there are times when the Chancellor seems almost ready to acknowledge that central control can have adverse effects on overall efficiency, but he goes on to assert that central control is nevertheless needed to ensure consistent standards. That argument does not match the facts. The quality of local schools, hospitals and police forces varies widely from one area to the next. Hospital mortality figures show that patients are twice as likely to die in the worst-performing hospital in England as they are in the best.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): Will the right hon. Gentleman give way?

Mr. Letwin: It is very unlikely.

In the 10 best local education authorities in the country, 60 per cent. of pupils obtain five good GCSE passes, whereas in the worst 10 half as many do. It was never meant to be like that. The Prime Minister knows that. He understands that public services desperately need real reform.

Mr. Harris: Will the right hon. Gentleman give way?

Mr. Letwin: As the hon. Gentleman is so insistent I feel some pity for him. I hope that he can make a constructive contribution—if he does, it will be the first time in my experience.

Mr. Harris: I am grateful for the graciousness with which the right hon. Gentleman has given way. In the spirit of helpfulness, it would be extremely useful if I were able to respond to inquiries from my constituents, who might wonder how much a pensioner would have to take to the private health service along with the voucher that a future Conservative Government would give. For example, if a pensioner in my constituency wanted a hip replacement operation, how much of her own money would she have to take to the private health service under the voucher scheme proposed by the Conservatives?

Mr. Letwin: Blow me down—the hon. Gentleman has made a constructive contribution to the debate. He has asked a perfectly reasonable question. The problem that pensioners face today is that they cannot choose a hospital within the NHS. [HON. MEMBERS: "Answer the question."] I will come on to answer the hon. Gentleman's question directly. The problem that the pensioner faces in the NHS as run by the Chancellor and his acolytes, is that he or she is not able to choose a hospital. That pensioner is not sovereign; the bureaucrats are.

Under our passport, that pensioner will be able to choose which NHS hospital to go to and the amount that he or she will pay for going there will be zero. The pensioner will receive treatment at NHS hospitals that is free at the point of care, as at present. Today, that pensioner may be spending his or her life savings on having an operation in the private sector, and when doing so the amount that he or she will receive from the taxpayer is zero. Under our proposals, that pensioner will get a subvention from the taxpayer broadly equal to the marginal costs that would otherwise be encountered in the NHS. That is a rational policy that the Government, under the Prime Minister, would adopt were it not for the fact that the Chancellor will not let them.

Many in the House will remember the Prime Minister telling *The Big Issue* in 1997 that

> "the days when government shovelled out more money are just not going to happen any more",

or the new year message in 2002 when the Prime Minister said that

> "we must be bold on reform, opening up public services to greater diversity of supply"—

I know that Labour Members do not like listening to the Prime Minister, but bear with him for a moment—

> "consumer choice and flexibility of working, ending the 'one size fits all' idea of the past."

Those are not my words; they are the Prime Minister's. Members might also remember the Prime Minister telling *The Times* two months ago:

> "It is a special responsibility to stake out the centre ground of British politics"—

the ground that the hon. Member for Glasgow, Cathcart wants to avoid. The Prime Minister talked about

> "how to combine investment in our public services with genuine reform so that they become personalised services built around the individual."

Unfortunately, although the Prime Minister understands the need for real reform, he has not been able to convince the Chancellor. The result is a tragedy of wasted opportunity, epitomised by the foundation hospitals fiasco. The Prime Minister and the Secretary of State for Health genuinely wanted hospitals to be set free from controls from the centre and the bureaucracy of star ratings, targets and inspections, but the Chancellor refused to relax the Treasury grip. Not only are many of the controls maintained, but new controls and costs are added.

The Chancellor has made a colossal structural mistake. His recent utterances about reform serve only the purpose of masking that mistake; they do not remedy it. In the Queen's Speech, there should have been bold moves to turn the public services round so that they become responsive to their users rather than the bureaucracy—the very point I was making earlier. However, to do that—*[Interruption.]*

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. I am sorry to interrupt the right hon. Gentleman. The hon. Member for Brent, North (Mr. Gardiner) must know to behave better than that.

Mr. Letwin: I am grateful to you, Mr. Deputy Speaker, but to avoid any embarrassment on the part of the hon. Gentleman, I will give way to him.

Mr. Barry Gardiner (Brent, North) (Lab): The right hon. Gentleman was gracious enough to say that the my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris) asked a sensible question. What he failed to do was provide the answer. The question was: how much money would the pensioner have to contribute? The right hon. Gentleman said what the subvention would be, but he did not say how much the pensioner would have to contribute. Will he cast his mind back and inform the House what his policy is?

Mr. Letwin: I know from previous debates that the hon. Gentleman is intelligent, so I assume that he is merely being purposefully obtuse. My argument was perfectly clear. Currently, pensioners have a choice. They can receive free treatment in the NHS, or they can pay a large sum to receive treatment in the private sector. Under our proposals, pensioners will be able to receive free treatment in the NHS at no additional cost—zero cost. If pensioners wish, however, they will be able to receive treatment in the private sector at less cost to them than at present. The upshot is that, one way, pensioners do not gain or lose financially, and the other way, they gain financially. The point of the system is to create competition, contestability and efficiency. The Government are so signally failing to produce those things that they are managing to put 37 per cent. extra into the system to get 5 per cent. extra out. That is the characteristic of the colossal structural mistake that the Chancellor has made. As I have said, his recent utterances serve only the purpose of masking that mistake.

There should have been bold moves to turn the public services round, but to do that the Chancellor would have to admit that the consumer has to be king, and he will not do that. In this Queen's Speech, there should have been effective proposals to rein in the tendency of Whitehall to regulate, plan and control, and to put a brake on the engine that drives the expansion of the burgeoning bureaucracy. However, to do that the Chancellor would have to admit that the culture of the open wallet and of total control have established themselves in Whitehall under this Government, and he will not do that.

The Queen's Speech should have begun with an acknowledgment that the Government have taxed, spent, wasted and failed. It should have acknowledged that a fundamental change of direction is needed, but it is utterly unimaginable that the Chancellor would admit to any such thing, and without repentance there is no redemption. The challenge for the Government is to combine prosperity with real and fundamental reform of the public services, to offer value for money, to make public services accountable and attuned to local needs and to offer people real choice over their hospitals and schools and the kind of policing that they want. For six years the Prime Minister has promised such things, but he has been constrained by his Chancellor. The people of Britain should not have to wait for a general election in order to overcome those constraints and fulfil those ambitions, but I fear that that is exactly what they will have to do.

2 pm

The Chancellor of the Exchequer (Mr. Gordon Brown): In welcoming the shadow Chancellor to his new post in this Queen's Speech debate, I should point out that he has made three astonishing admissions already. First, he has admitted that he would abolish the new deal because he considers it an expensive failure, a point to which I shall return. Secondly, he has admitted that he would reduce public spending to 35 per cent. of national income. That is an £80 billion cut in public expenditure, which would be the equivalent of wiping out most of the health service. Thirdly, he has admitted that under his proposals, the pensioner who has an operation in the private sector would have to pay several thousand pounds. *[Interruption.]* If I may, I shall give the right hon. Gentleman the figures. The cost would be £5,000 for a hip joint operation, £7,000 for a knee joint operation and £9,000 for a heart bypass. That is health care based on ability to pay, rather than on need.

Mr. Jonathan Djanogly (Huntingdon) (Con): Will the right hon. Gentleman give way?

Mr. Brown: In a minute.

I turn to the most remarkable aspect of this afternoon's debate. This is the debate on the economy—and industry. The right hon. Gentleman is not just the new shadow Chancellor; he also has the title of shadow Secretary of State for Economic Affairs. Yet not one mention has been made of the fact that we have had the lowest inflation rates for 40 years, the lowest interest rates for 40 years, the longest period of economic growth for 50 years, and more people in employment than at any time in our history. All this has happened under a Labour Government.

The right hon. Gentleman fails to mention the economy because if we were to compare our record with his, he would have to admit that while he was an economic adviser in No. 10, under a Conservative Government interest rates went to 15 per cent., inflation rose to 10 per cent., 2 million jobs were lost, 1.5 million people had negative equity as a result of their policies, and taxes had to be raised 22 times simply to pay for their additional borrowing of £80 billion, contrary to every promise that they made during the 1992 general election. Perhaps most significant of all, if he talked about taxation he would have to admit to his one claim to fame: he claims to be one of the authors—indeed, one of the inspirers—of the poll tax. When we have these

[Mr. Brown]

debates on taxation, perhaps he will explain to us why he said that the poll tax had to be abandoned not because it was wrong or unfair, but because it was

> "grotesquely mis-implemented because it should have been phased in over a long period of time."

That is the qualification that the right hon. Gentleman brings when he speaks on financial and tax issues.

Mr. Andrew Turner (Isle of Wight) (Con): Now will the right hon. Gentleman give way?

Mr. Brown: I am very happy to give way. And perhaps the hon. Gentleman will explain how he will tell his constituents of the effect that an £80 billion cut in public expenditure would have on his hospitals and schools, and how many doctors, nurses and teachers would lose their jobs.

Mr. Turner: If that were our policy, we would of course have to explain it. The Chancellor needs to explain why the people in my constituency, for example, who live in modest bungalows and terraced houses are paying for private operations that they cannot get on the NHS, at the prices that he quoted and above, and why the number of such people has multiplied threefold since his party came to power.

Mr. Brown: I know precisely why there would not be more operations in the national health service if the hon. Gentleman's party were to implement a policy of cutting public expenditure. He says that if it were his party's policy to reduce public spending to 35 per cent. he might defend it, but what is its policy? The shadow Chancellor said in an interview:

> "There has to be a third guiding rule which has to do, over time, with reducing rather than increasing the tax take, or . . . not allowing it to climb".

When he was shadow Chief Secretary, he said:

> "We would like to head downwards to 35 per cent of GDP. It is 100 per cent realistic to cut spending growth this way."

And in case anybody thinks that the right hon. Gentleman has been misinterpreted, and that this matter should not form part of a debate on Conservative and Labour policies, I should point out that he had to write to the *Financial Times* after that interview, saying:

> "The story as written in the Financial Times is a perfectly accurate representation of comments made by me to the FT."

In other words, his policy is to reduce public expenditure to 35 per cent. of GDP, which constitutes an £80 billion cut. I am now very happy to give way, as I said I would, to the hon. Member for Huntingdon (Mr. Djanogly).

Mr. Djanogly: I thank the Chancellor for giving way. He mentions the low interest rate economy, but fails to mention that it has resulted in business not investing in the way he said it would. He also fails to mention that 300,000 jobs in manufacturing have gone. Perhaps he would care to explain the implications of his policies in that regard.

Mr. Brown: The hon. Gentleman attempts to talk down the British economy, but in the past few years it is the only economy that has avoided recession. America, Japan, Germany and France have been in recession, but Britain has continued to grow. Business investment has of course been affected in every part of the world, but in the United Kingdom such investment, as a share of national income, has risen under a Labour Government, partly as a result of our cuts in corporation tax and our changes in investment allowances.

Several hon. Members *rose—*

Mr. Redwood: Will the right hon. Gentleman give way?

Mr. Brown: I should be happy to give way to the right hon. Gentleman, who does speak on trade and industry matters, unlike the shadow Secretary of State for Economic Affairs. Perhaps he will explain what good it would do the national health service and other parts of our public services if we were to cut public expenditure to 35 per cent. of GDP.

Mr. Redwood: There is no intention to cut public spending. Will the right hon. Gentleman confirm what Labour Back Benchers have been saying, which is that under his regime, there is a small reduction in the proportion of GDP going towards public spending? Does that show that he has been cutting public spending, or that the economy has been growing?

Mr. Brown: We were right to spend on the national health service; we were right to spend on education; we were right to spend on, and invest in, the transport infrastructure; and we were right to spend on more policing. It is therefore right that public expenditure as a share of national income has risen since 1997, and it is right that we invest in these vital services.

Mr. Stephen Dorrell (Charnwood) (Con): Will the right hon. Gentleman give way?

Mr. Brown: I shall give way in a minute to the right hon. Member for Charnwood (Mr. Dorrell), who is someone who says that he wishes to invest in the national health service. The question, however, that Conservative Members must answer is whether they are going to enter the next election promising that they will cut public expenditure to 35 per cent. of GDP—an £80 billion cut in public expenditure. They would then have to explain in every constituency in this country how many hospitals and schools would be affected, and how many teachers and nurses would be made redundant. I now give way to the former Health Secretary, who will perhaps defend the national health service from the Conservative Benches.

Mr. Dorrell: I am grateful to the Chancellor for giving way. He lists a number of things that he thinks he was right to have done. When he first announced his planned borrowing for the current financial year in the 2001 Budget, he said that he planned to borrow £10 billion. The City now believes that he will actually need to borrow £40 billion. Is that change in his plans right, or did it happen by accident?

Mr. Brown: It is right for Governments to borrow at a time of a world downturn. The right hon. Gentleman will know that the American deficit is in the order of 6 per cent., and that the German and French deficits are in the order of 4 per cent. *[Interruption.]* The American deficit is approximately 5 to 6 per cent.—far higher than ours will be or could be.

So that the right hon. Gentleman is in no doubt, let me point out that spending on the war in Afghanistan and on the war on terror—both international and domestic—is approaching £2 billion so far. That was the right thing to do, even though that expenditure was incurred after the 2001 Budget. The House will also know that I set aside £3 billion to fund the cost of military operations in Iraq. I have made clear my resolve to ensure that our armed forces and security services are properly supported for whatever lies ahead. In addition, we have spent £250 million on reconstruction in Iraq, with a further £300 million having been committed. The total spent and committed so far for the war on terror and our operations in Iraq and Afghanistan is about £5.5 billion. I shall publish further updates on those figures, and further information, next week in the pre-Budget report—and I will be able to tell the House not only that we meet our fiscal rules, but that we will never get the economy into the situation that prevailed when the right hon. Gentleman was in the Cabinet, when public borrowing rose to £80 billion.

Sir Peter Tapsell (Louth and Horncastle) (Con): On the subject of public borrowing, does the Chancellor accept that if he had not sold our gold reserves at $260 an ounce before the price went up to $400, he would have rather less to borrow?

Mr. Brown: I do not accept that at all. The problem was that the reserves should have been rebalanced years before we were in government. It should have been done under the Conservative Government, because to have properly balanced reserves—particularly, if I may say so, given the rise of the euro in recent months—is to the advantage of the British Exchequer and the British economy.

Mr. Djanogly *rose—*

Kevin Brennan (Cardiff, West) (Lab) *rose—*

Mr. Deputy Speaker: Order. We can have only one hon. Member on his feet at a time—and when that is me, all other hon. Members must resume their seats.

Mr. Brown: There is never a debate when the Conservatives' enthusiasm for their European position does not shine through.

Richard Ottaway (Croydon, South) (Con) *rose—*

Mr. Brown: I shall give way to the hon. Gentleman, but then I will have to make some progress, because we need to talk about the economy, especially as the shadow Chancellor failed to do so.

Richard Ottaway: May I turn the Chancellor's mind to the subject of productivity? He will know that in the five years to 1997, productivity was running at more than 2.5 per cent., whereas in the five years since 1997, it has been running at 1.5 per cent., in stark contrast to productivity in the United States, which is 3 per cent. Is that a result of the growth of the public sector or the growth in bureaucracy and red tape for business?

Mr. Brown: Productivity is rising above 2 per cent., and manufacturing productivity is in the order of 5 per cent. The only years in which productivity fell were under the Conservative Government—1980 and 1989—and the only years in which manufacturing productivity fell were 1980, 1995 and 1996. Our record on productivity is far better than the record of a Conservative Government who, at the same time as failing to raise productivity dramatically, lost the British economy millions of jobs. We are creating jobs.

Mr. McFall: Will the Chancellor give way?

Mr. Brown: I shall give way to the Chairman of the Treasury Select Committee, because I believe we can have a debate about the economy.

Mr. McFall: May I remind my right hon. Friend that he was imprecise with regard to the comments made by the shadow Chancellor, who is on record as saying that he was one of the 20 people who created the poll tax? May I have a message from the Chancellor about what I can tell my pensioners when I meet them as I walk down Dumbarton high street on a Saturday, about what the future would be like for them if public spending were 35 per cent. of GDP?

Mr. Brown: I was coming to the debate on the public services, and I think that people will realise that with that policy, it would be impossible to have 80,000 more nurses and 25,000 more doctors, or 90,000 more classroom assistants and 25,000 more teachers, or to build 120 hospital developments, repair 20,000 schools and double the amount of national health service equipment with the most advanced technology. Hon. Members would have to explain to their constituents that instead of hospitals being opened, hospitals would have to be closed, and that instead of nurses being hired, nurses would have to be sacked.

Mr. Djanogly *rose—*

Mr. Brown: It is time to make progress in what I have to say about the Government's policies, and how they compare with Opposition policies.

Mr. David Laws (Yeovil) (LD): Will the right hon. Gentleman give way?

Mr. Brown: I shall not give way any more now.

There are 200,000 more jobs in the United Kingdom than there were a year ago. In the most recent quarter alone nearly 50,000 new jobs have been created. There are now almost 1.7 million more people in work since 1997, and since the beginning of 2001, 3 million jobs have been lost in America, 1.5 million in Japan and 1.5 million in Germany. It is to the credit of this Government's policies that half a million jobs have been created, not lost, in Britain during that period.

[Mr. Brown]

The shadow Chancellor should take an interest in this matter, because in his constituency the unemployment rate is 0.8 per cent. as a result of a Labour Government.

Mr. Laws *rose—*

Mr. Brown: I am not giving way at the moment.

The new Conservative leader, and now the shadow Chancellor too, have said that the new deal is an expensive failure. They have said that they would abolish it immediately. They would abolish the new deal for the under-25s, for the long-term unemployed and for lone parents; the only new deal that they would retain is the new deal for the over-50s—perhaps because they may have to use it themselves after the next election.

Mr. Laws: Will the Chancellor give way?

Mr. Brown: I shall give way in a minute, but not now; I am making progress on the new deal.

The new deal has proved—*[Interruption.]* I know that there are Conservative Members who know that the new deal has worked in their constituencies, that it gives people a better chance of getting jobs, and that the new deal for single parents saves the Government money rather than costing money, because it helps more people get to work.

The Chairman of the Public Accounts Committee, who is a Conservative, has praised the new deal for young people—so why are the Conservatives so determined to abolish the new deal? Why are the ideology and dogma of the Conservative party now so extreme that their policy at the next election will be to abolish the new deal? May I suggest that they have learned nothing and forgotten nothing from the experience of the early 1990s, when at the very moment when unemployment was rising, the former shadow Chancellor, who is now the leader of the Conservative party, and was then the Employment Secretary, abolished the enterprise allowance scheme, the jobstart scheme, the jobshare programme and the employment rehabilitation service for disabled people? At every point when there is a choice to make, Conservatives are prepared to see people unemployed rather than help them get work. That is a major dividing line between our parties now, as we move towards an election.

Angela Eagle (Wallasey) (Lab): I congratulate my right hon. Friend on the success of the new deal, which has virtually wiped out youth unemployment in my constituency. Has he any idea of what I can tell my constituents when they hear the shadow Chancellor refer to it as an expensive waste of time, even though in Wallasey it is giving new hope and opportunities to many of my constituents?

Mr. Brown: Even if only a few people in our constituencies had got jobs as a result of the new deal, it would still have been worth while, because it is a social investment as well as an economic investment—but the fact is that 2 million people are in or have been through the new deal, hundreds of thousands have got jobs as a result, and the new deal has done better in the regions where the highest unemployment had been the greatest cause of social problems.

I cannot understand how a Conservative party leader can say that he is moving his party to the centre while repeating exactly the mistakes of the past, when the Conservatives made people unemployed and pulled away any help for them when they became redundant.

Mr. Laws *rose—*

Mr. Brown: I shall give way to the deputy Liberal economic affairs spokesman now.

Mr. Laws: I am grateful to the Chancellor for giving way so graciously.

On the key issue of public service reform, the right hon. Gentleman will be aware that there has been much speculation about whether there are divisions between the Prime Minister and himself on top-up tuition fees. So that we can be in no doubt, will he tell us specifically whether he supports variable top-up fees?

Mr. Brown: Yes, and if the hon. Gentleman would read my speeches and do his research, he would know that that is exactly the position. The difficulty, however, is that the Conservative proposition would mean not only that there would be no opportunities for unemployed people, because there would be no new deal, but that if the Conservatives took up the policy that they propose on tuition fees, 100,000 students who are already at university would not be there, and in total 250,000 students would be denied university places. How can the Conservative party claim to be a party of the centre, when it is pursuing extreme policies that would deny opportunities to thousands of people in constituencies throughout the country?

The hon. Member for Yeovil (Mr. Laws) is supposed to be doing a study of the costings of Liberal party policy, so he may find it interesting to note that even after his proposed tax rise, there would still be a £14 billion gap in his spending plans. Perhaps he should listen to the cautionary words of the former Liberal Treasury spokesman, who said that it was not possible to make any more spending commitments because the commitments that the party had already made had virtually burst the bank. In every part of the country, the Liberals will be exposed for what they are—people who make promises that everybody knows they can never deliver. Now, if I give way to the hon. Member for Huntingdon, who has been waiting to enter the debate for some time, perhaps he can tell me precisely what the Conservative economic policy is.

Mr. Djanogly: The Chancellor has spent some time explaining how so many jobs have been created through his various policies. What he has failed to say that is business is not creating the jobs, because people are being sacked here and jobs are being created in India. The public sector, the Chancellor and his Government are creating the jobs. If people were digging roads in the public sector in the 1930s, they are now sitting in town halls and Whitehall. How is the Chancellor going to help business to create jobs?

Mr. Brown: I would say that the hon. Gentleman is ranting about the matter. In the last six and a half years, 1.7 million jobs have been created in the economy. No other economy has such a record. Conservative Members are trying to suggest that every one of those 1.7 million jobs is somehow pen-pushing in the public sector. However, the vast majority of those jobs are in the private sector and the vast majority of jobs in the public sector are the thousands of nurses, teachers, classroom assistants, policemen and women—and it is about time the Opposition recognised that if this country is to have a health service that it can be proud of, they will have to vote for the extra moneys necessary to invest in it. That is why the 1p rise in national insurance should be supported.

I was demonstrating that the Conservative party is pledged to abolish the new deal, while we wish to expand it, build on it and employ training pilots so that people can get the skills that they need. The Lambert report is published this morning, and help for university spin-off companies will be available so that new jobs in high-technology industries can be created. We shall reform the Employment Service so that it can do a better job of helping people who are hard to employ. None of that would be possible if we denied the Employment Service and the new deal the necessary moneys to help people get back to work and get the requisite skills, which is supposed to be the Conservative policy.

Another Government policy is investing in the public services, and I have to tell Conservative Members that if we were to reduce public spending to 35 per cent. of gross domestic product, we would have to make many people in public services redundant. Furthermore, there is no doubt that over the past few years, what has kept the British economy moving is the symmetrical inflation target and the monetary policy pursued by the Bank of England. The credibility that has emerged from the Bank of England's work has led interest rates to be actively pushed down to the point at which it was necessary to keep the world economy and the British economy moving forward. It was also necessary to have fiscal policy to support monetary policy during that period. That is why a programme of cuts in public expenditure would have been the wrong thing for the British economy.

Conservative Members do not want to engage in the issue of what is the right economic policy, and particularly the right macro-economic policy, for Britain. It is good that this country did not have to suffer from their policies over recent years. They refused to make the Bank of England independent. They never supported our symmetrical inflation target until it was too late. They refused to provide the fiscal boost that was appropriate for the economy and they would have abolished the new deal. Pursuing Conservative policies over recent years would doubtless have led to a repetition of the same boom-bust, stop-go policies of the past. Conservative policies would have put Britain into recession.

Helen Jones (Warrington, North) (Lab): As well as noting the dismissive attitude of Conservative Members to our position on public sector workers—they seem to dismiss them as not having real jobs—has my right hon. Friend made an estimate of the effect on the wider economy of making public sector employees redundant? Public sector workers would no longer pay taxes or contribute through buying goods and services.

Mr. Brown: My hon. Friend is right that public servants make a contribution not just to public services, but to the economy as a whole. She is also absolutely right that Conservative policy is to devalue the work of public servants. I see that the shadow Chief Secretary has just joined the debate. Let me quote what he said in an article in *The Sunday Times* on 10 March 2002:

> "The whole mentality in the public sector is to do as little as you can".

I would be happy to give way if the hon. Member for Arundel and South Downs (Mr. Flight) would like to correct his statement. However, it seems to me that when we reach the next general election and we are explaining policies on the public services, if the hon. Gentleman makes such accusations against good public servants, including nurses, doctors, teachers and classroom assistants, and tells them that their mentality is to do as little as they can, we shall genuinely know the feelings of the Conservative party towards the public services of this country.

The shadow Chancellor was good enough to admit that his policy was to provide vouchers to help people move into private health care services, but he refused to tell us how much money people would have to put up to enable them to receive the benefits of such treatment. I have here a pamphlet written several years ago by the shadow Chancellor and the right hon. Member for Wokingham (Mr. Redwood). It is a manifesto not just for vouchers in the NHS, but for charges all round within the NHS. It is a manifesto for private health insurance to be taken up, perhaps compulsorily, by many people, and for breaking up the NHS as we know it. I believe that the whole country will be looking to the shadow Chancellor as he formulates his plans for the future to see whether the Conservative party policy is not just for vouchers, but for charges, cuts, privatisation and the break-up of the NHS. That is undoubtedly the aim of the Conservative party.

Sir Brian Mawhinney (North-West Cambridgeshire) (Con) *rose*—

Mr. Brown: I am sorry, but I have already given way many times.

The Queen's Speech debate has already revealed much about the modern Conservative party. The Conservatives want to abolish the new deal, to cut public expenditure to 35 per cent. of national income—an £80 billion cut in public services—and to force a voucher system on the NHS, which would mean that health care would for many people be based on ability to pay rather than on need.

Mr. Letwin: Wrong again.

Mr. Brown: I gladly give way to the shadow Chancellor so that he can explain his plans.

Mr. Letwin: I am delighted that the Chancellor has given way. I tried to explain it earlier, but perhaps he was attending to his notes. It would be helpful if the Chancellor focused on one issue. Under our scheme

[Mr. Letwin]

every patient who seeks a hospital place in the NHS will receive that place free—as at present—but they will have choice. The Chancellor hopes to deny them that choice and he wants to prevent the Prime Minister from providing it. Will the Chancellor explain why he is so opposed to the choices of patients?

Mr. Brown: There is, and should be, choice for patients. Patient choice is being extended. However, the right hon. Gentleman's proposals—we welcome any debates on the subject in the House, because they will expose the Conservative party—would remove funds from the NHS and run down capacity that should be built up in the NHS. It achieves that in two ways. There is a deadweight cost for subsidising private health insurance through tax relief, which is at least £1 billion, and there is the additional cost of the vouchers themselves. Those deadweight costs, which apply before anyone who does not use private care benefits, amount to another £1 billion. How can the Conservatives say that the health service is safe in their hands when their fundamental proposal is to take several billion pounds out of the NHS and put it into private care? They do not want to build up capacity in the NHS even though we know that the average cost per operation in the NHS is only half that in the private sector. It is therefore more cost-effective to invest in the NHS.

Mr. Letwin *rose*—

Mr. Brown: I happily give way so that the right hon. Gentleman can explain the full contents of his pamphlet for the privatisation of the health service.

Mr. Letwin: I was hoping that the Chancellor would tell us—it would help enormously in respect of the debate that he mentioned—whether he accepts that there is some sort of problem on some scale or other about putting 37 per cent. more into something and getting only 5 per cent. out. If there were a problem of that sort, could it be a reason for engaging in some sort of fundamental reform?

Mr. Brown: I am grateful to the right hon. Gentleman, but let me read out what has happened in the NHS over recent years. When we came to power, 11.5 million out-patients were treated, by comparison with 13 million now. In elective surgery, 4.4 million patients compares with 5.3 million now. The 11.6 million consultant episodes then contrasts with 12.8 million now. Ambulance services dealt with 3.5 million people when we came to power, as opposed to 4.9 million now. There were 473,000 magnetic resonance imaging scans, but 786,000 now. With ultra-sound scans, 4.8 million compares with 6.6 million. The 166,000 cataract operations have become—*[Interruption.]* Conservative Members do not like it, but it is the truth about what is happening in the NHS. Prescriptions of statin have increased from 4 million to 19 million. If the right hon. Gentleman is trying to suggest that that is not an improvement both in the capacity and the productivity of the national health service, he is making a terrible mistake and is indicting nurses, doctors and good public servants for what they do.

Mr. Letwin *rose*—

Mr. Brown: I am happy to give way, but perhaps the right hon. Gentleman will now explain his proposals for privatisation of the health service.

Mr. Letwin: I am grateful to the Chancellor for giving way again. Of course I understand the therapeutic effects of reading out lists of that kind for his hon. Friends, but I beg him to enter serious debate about a matter that he says is serious, and we agree with him. Is there not a problem about putting that amount of money in and getting so little out? What is his proposal for curing that problem, if not to introduce choice, competition and contestability? He is in favour of those principles in the rest of the economy and society, so why does he think that they will not produce results in the national health service?

Mr. Brown: Let us talk about productivity between the different sectors. The cost of cataract removal under BUPA is £2,275; the NHS cost is £1,000. A hip replacement costs £8,000 under BUPA, but £4,500 under the NHS. The BUPA cost for a knee replacement is £9,650; the NHS cost is £4,800. A heart bypass costs £13,050 under BUPA; the NHS cost is £6,000. Let the right hon. Gentleman tell me which is more productive. Furthermore, administrative costs in BUPA and the private sector are three times the percentage of income compared with the NHS.

Perhaps the shadow Chancellor can explain another avenue that is being tentatively explored by the Conservatives: charging. In principle, that could be extended to the point of universality. Can he explain that?

Hon. Members: Answer.

Mr. Deputy Speaker: Order. Has the Chancellor finished his speech?

Mr. Brown: Mr. Deputy Speaker, we know where the Conservatives stand. They would abolish the new deal, cut public spending to 35 per cent., privatise much of the national health service and introduce a system of vouchers and private health insurance that would deprive the NHS of billions. That is the vision of Britain that the Conservative party offers the country. That is why people want a Labour vision of stability, employment, growth, investment in public services and a commitment to a national health service free at the point of need. I commend our position to the House.

2.32 pm

Dr. Vincent Cable (Twickenham) (LD): We have not heard much debate on the Queen's Speech, but there have been extensive exchanges about the achievements and failures of the British economy and its management. I am happy to join that debate, but in any intelligent discussion of British economic performance we must recognise from the outset that there have been achievements as well as failures and I acknowledge some of those achievements.

We have had steady growth. There has been low inflation—as there has been in the rest of the industrial world—falling unemployment and rising employment, and a framework has been established for stable monetary policy. All those things are positive. However, just as it is dangerous to ignore the achievements, it is also dangerous to exaggerate them. The following comments were made in the recent past about the performance of the British economy:

"the British economy is stronger than at any time since the war."—[*Official Report*, 15 March 1988; Vol. 129, c. 993.]

"In Britain today we have more people in work than ever before in our history; they are better motivated than ever before, and their living standards have improved beyond recognition."—[*Official Report*, 14 March 1989; Vol. 149, c. 294.]

Those comments were made not by the present Chancellor, but by Mr. Nigel Lawson shortly before he presided over the collapse of the 1980s boom. Like the present Chancellor, Nigel Lawson was an intelligent and eloquent man, but he is now generally regarded as a failure because he ignored the build-up of consumer credit and the asset bubble in the housing market that subsequently burst—conditions that are almost identical to those that currently prevail.

Kevin Brennan: Before the hon. Gentleman goes on with his impression of Private Frazer from "Dad's Army" and tells us that we are all doomed, will he say whether he recognises that one of the Government's great economic achievements is the national minimum wage? Does he support that?

Dr. Cable: I was the Liberal Democrat spokesman for trade and industry when the national minimum wage legislation went through. I supported it then and have done so constantly; indeed, I have argued that the minimum wage for younger workers was deficient—

Mr. Gardiner: You were in the Labour party then.

Dr. Cable: I was not in the Labour party. I was the Liberal Democrat spokesman and I supported the national minimum wage and I continue to do so.

A feature of Nigel Lawson's period as Chancellor was that—

Mr. Deputy Speaker: Order. May I point out to the hon. Gentleman that it is usual to refer to a Member of the other place as the noble Lord rather than his former name?

Dr. Cable: When the noble Lord was a Member of this place he made one significant achievement: he progressed reform of the tax system and greatly simplified it—something that the present Chancellor has done much to reverse. Indeed, I sense that in many ways the Chancellor's management style at the micro level bears a strong resemblance to the management style being practised at Stamford Bridge under its present manager, Signor Ranieri, who is affectionately referred to as "Tinkerman". The problem with tinkering, whether with economic policy or football, is that it works well at satisfactory periods, but when problems arise all the distortions and waste associated with tinkering come to light.

Before I discuss the Government's record I want to say a few words to the Conservative spokesman. A week ago, the right hon. Gentleman gave an interview to a newspaper about his ambitions for his new office. In his characteristically charming way, he said:

"I am extremely determined not to turn into a creep".

I am sure that there is no danger of that. I think he was trying to make the point that he wanted to establish a track record for honesty and openness, so will he comment on a statement published by the *Financial Times* on Monday, following the interview that the Conservative leader gave about economic policy on "Breakfast with Frost"? The press statement said:

"Michael Howard has insisted that there is no conflict between improving public services and cutting taxes, and claimed that the Conservatives' reform plans have received the blessing of the *Financial Times* . . . The *Financial Times* has not given such an endorsement. None of the Tories' plans identified significant net savings that would allow for tax cuts".

Given the shadow Chancellor's comments on his tax policy today, I hope that he will quickly either apologise to the *Financial Times* or give us some serious clarification of that statement.

I now turn to the Government's record. I want to address two central weaknesses: the first relates to the Budget and the second to imbalances in the private household sector.

Next week, we shall hear the pre-Budget report and there will be an opportunity for detailed comment. The Liberal Democrats supported the increased resources that the Government have put into public services, especially the NHS, and we supported the tax measures that were necessary to deliver them. We continue to support those measures. We acknowledge that in many cases there has not been an output—the awful word that is applied to the public services—and that the money has often gone into raising wages and salaries for public service employees in health and education. Of course that is right, because it is necessary to attract and retain staff.

Mr. Gardiner: On output, given that the number of scans is increasing and that there has been an increase in the number of early interventions made on patients, does the hon. Gentleman accept that it is not correct to measure output simply in terms of the operations that then need to be done? In fact, an operation is not needed if an early intervention has cured the patient. That is a shift in balance, so to use that measure of output is flawed.

Dr. Cable: That rather technical point would best be pursued on another occasion. To the extent to which I followed it, however, it seemed eminently sensible.

Sir Brian Mawhinney: It would be churlish not to recognise that the Government have put more money into the health service in recent years than most hon. Members can remember. Funding has risen by 10 per cent. over the past four years and has produced an increase of 1.25 per cent. in finished consultant episodes, the technical benchmark. I was Minister of State in the Department of Health in the early 1990s. We increased

[Sir Brian Mawhinney]

the health budget by between 5 per cent. and 6 per cent. a year, roughly half what we have experienced under this Government, but finished consultant episodes rose by about 5 per cent. a year. In other words, productivity was about eight times what it is now. Will the hon. Gentleman explain why he thinks productivity has fallen so dramatically, even though funding has risen so significantly?

Dr. Cable: The simple answer is that there are too few staff. One of the more shocking statistics to emerge over the past few days is that, in the past financial year, the Government spent £1.2 billion on health service agency fees, with a premium of 20 per cent. However, the question that the right hon. Gentleman must answer is why that shortage existed in the first place. To their credit, although the Government have spent £5 billion on health service agency fees, they inherited a depleted staff. That is the benchmark against which we must operate.

The key point is that a great deal of public expenditure is misdirected. The example that emerged this morning was that the NHS is paying hundreds of millions of pounds in excessive charges to drug companies as a result of lax procurement policies. Precisely the same problem exists in the Ministry of Defence. We learned last week that the Government are paying hundreds of millions of pounds in excessive commercial rents for property because senior civil servants refuse to accept redeployment to provincial cities, where they would be able to work much more cheaply and efficiently.

The Queen's Speech contained a perfect example of proposed legislation—the Bill on identity cards—that will result in an enormous waste of public resources. I do not want to rehearse all the civil liberties arguments, but a sophisticated ID card system will require expenditure in the order of £3 billion.

Mr. Foulkes: The hon. Gentleman is in danger of getting carried away with his own oratory, but it is easy for him to nitpick the proposals put forward by the Government, and even by the Tories. Is not it about time that he spelled out the proposals of the Liberal Democrat party? They deserve some scrutiny, as the money—let alone the compulsory cod liver oil—that his party proposes to give away to pensioners and students amounts to a £14 billion black hole. Is not it about time that he spelled out his party's policies, so that they can be subject to some real scrutiny?

Dr. Cable: I think that I am picking rather bigger creatures than nits. I would be happy to have a debate on the relative merits of higher or lower top-rate marginal tax, or of council tax as opposed to local income tax. Those are interesting matters, but it would help if Labour Members got away from the utterly puerile line of argument that we have heard in recent weeks from the Prime Minister. The imaginary figures that he has plucked out of the air are on the same intellectual level as the claims by the leader of the Tory party that the Prime Minister is, somehow or other, a leading light in the Campaign for Nuclear Disarmament. That level of political debate drags down the reputation of all hon. Members. We need to have a proper and serious debate about economic policy.

I was introducing the matter of the very large costs associated with ID cards. Those costs are not simply financial. All hon. Members have dealt with the immigration and nationality directorate, and know that the Home Office is probably the most incompetent of all Government Departments. Implementing the ID card scheme will require a most sophisticated programme, and the Home Office will have to handle the matter. It has already failed in the delivery of IT systems that are less sophisticated than what will be required for the ID card scheme.

Especially perverse is the introduction of a programme that is very costly and sophisticated at precisely the same time that the NHS is embarking on what it calls the biggest IT project on the planet. The Treasury should have been a little more observant, perhaps. The two projects will compete for the same systems engineers, and make the same demands on a vastly overstretched IT supply industry. Costs will be massively inflated as a result; the capacity is not there, and there is a total absence of anything remotely like planning.

I know that the word "planning" may be regarded as dangerously left-wing in No. 10 Downing street, but it is required in the public sector. A great deal of money is being wasted in its absence.

To respond directly to the right hon. Member for Carrick, Cumnock and Doon Valley (Mr. Foulkes), I can tell him that my party is concerned with specific ways in which Government expenditure can be cut to finance priority public spending. The leader of my party said at our summer conference that we shall find £5 billion in cuts, and I am happy to endorse that.

In case we are accused of being imprecise, I shall give a concrete example of that. For three or four years, I have shadowed the Department of Trade and Industry. That Department employs large numbers of civil servants, who spend large amounts of money. Increasingly, I came to share the view of most of the Department's clients that it is little more than a regulation factory. As a sideline, it runs various industrial assistance schemes whose benefits are entirely swallowed in overheads. Large areas of its functions could be dispensed with, with no great loss to the public or diminution in public service.

Mr. Letwin *indicated assent.*

Dr. Cable: I see that the Conservative spokesman is nodding. I should be interested to hear whether he supports my proposal to abolish the Department of Trade and Industry.

Geraint Davies: Is the hon. Gentleman serious when he suggests that improving productivity in the NHS through investment in IT should be delayed for a few years because there are not enough consultants? Is that Liberal Democrat policy, given that we have heard today that US productivity is at its highest for 20 years because of the dividends accruing from investment in IT? What sort of proposal is that?

Dr. Cable: I was saying exactly the opposite. It is, of course, absolutely necessary that the NHS has an efficient IT system. That system must be successful, or the NHS will not function in the future. We fully support that. I was asking why we should not scrap the ID card proposal, and all the IT nonsense associated with it.

Geraint Davies: I was talking about the health service.

Dr. Cable: I am not sure that we can detain the House while one hon. Member catches up.

I revert to the other major problem, which is that there are imbalances in the economy. Those imbalances were obvious in the 1980s, and are now reappearing. The Chancellor's great claim—which has been vindicated so far, and for which he deserves credit—is that the old economy of boom and bust has gone. However, it has reappeared in a new form. There is a massive boom in credit and debt expansion, and in the housing market.

So far, that boom has proved to be sustainable, but the indicators are extremely worrying. That is not my judgment alone. The Governor of the Bank of England gave a warning six weeks ago, which he then partially retracted, and the Treasury's Mr. Ed Balls has also warned of the dangers that exist. The debt-to-personal-income ratio is three times what it was 20 years ago and, even with extremely low interest rates, the debt service ratio for households is now over 12 per cent., compared with 9 per cent. when the Government took office. House prices in relation to incomes are way beyond equilibrium levels, and will therefore fall. That is not my judgment, which is not important; it is the technical judgment of the Monetary Policy Committee.

A very dangerously unstable position has developed, based on excessive and irresponsible lending by the banking system.

Something is seriously wrong when a reputable bank, like the Royal Bank of Scotland, can send out a gold card with a £10,000 credit limit to a dog called Monty. The irony of the situation is that if Monty had wanted to invest £10,000 for his old age in the kennels, he would have had to bring in a financial adviser who would have spent an hour checking that the product was not being mis-sold. There is absolutely no restraint on excessive credit expansion. Indeed, in supermarkets like Homebase many of us are pursued by people with clipboards asking, "Will you take £5,000 worth of credit from our credit card company?" Is this a sensible, sustainable way to maintain the economy? Both sides would probably answer, "There is not a great deal we can do about it because we have a market economy".

Rightly, we have a liberalised credit market and of course one cannot order banks and credit companies to do this or that. Nevertheless, surely the Chancellor should acknowledge publicly that there is a serious problem. He could start to take various steps. He should be talking to the Bank of England and the Financial Services Authority about whether it is possible, as already happens at an international level with the International Monetary Fund and the World Bank, to define what is sustainable private debt, to set out some objectives for the banks in terms of prudent loan-to-value ratios or income multiples and to name and shame banks that go beyond that level.

The Government should be taking further measures. I cannot understand, and I suspect some Labour Members cannot either, why there is no consumer credit legislation in the Queen's Speech. It was in the Labour party manifesto. It has been promised for years to the Consumers Association and to the National Association of Citizens Advice Bureaux. The hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz) and other Labour Members have done admirable work establishing the severity of the debt problem among low-income families. We were promised legislation to deal with loan sharking and comparable behaviour, but it is not there. Nothing has happened.

Mr. O'Neill: I think that the in some ways perhaps justifiably maligned Department of Trade and Industry is bringing out a White Paper on the subject next week. I imagine that that would be the precursor for legislation later, either in this Session or the next.

Dr. Cable: I sincerely hope that that is correct. The Department told me two years ago that it was bringing out a White Paper. It is taking a long time to write, but I hope that the hon. Gentleman is right and that this rectifies the problem.

I remember three years ago debating with Treasury Ministers about the situation in the banking system. The Chancellor of the Exchequer produced an excellent report under a Mr. Cruickshank. Among other things it highlighted the fact that in the banking system there is a network monopoly, from which considerable excess charges have been earned and eventually passed on to households and business customers. There is a similar monopoly arrangement within the credit card system. The Government promised that they would introduce a pay-com system to deal with the problem. Nothing has happened. There is no legislation and nothing about it in the Queen's Speech. Where is it? Is the Chancellor afraid of the banks? Is he afraid to tackle them?

In conclusion, I shall cover other items in the Queen's Speech. Like the right hon. Member for West Dorset (Mr. Letwin), I welcome the community enterprises Bill. As I understand it, it is designed to take forward the concept of mutuality and mutual ownership. Over the past two years there have been excellent private Member's Bills on the subject and I hope that this will take the matter further. Given that the Government have talked so much about new forms of ownership and mutuality, why are we still so underdeveloped, in relation even to bastions of shareholder capitalism like the United States, in developing credit unions? I suspect that much of that is due to the conservatism of the Treasury, but we shall see the legislation when it comes.

Mr. John Butterfill (Bournemouth, West) (Con): Does the hon. Gentleman agree that given the Government's alleged support for mutuality, it is strange that the FSA is now proposing to introduce rules for the distribution of surplus mutual funds, which would mean the end of mutuality?

Dr. Cable: That is an extremely valuable point. Indeed, it was the Treasury's reluctance to safeguard those funds over the years that has inhibited mutuality so much. That was a helpful intervention, which I hope that Ministers have noted.

As I understand it, we will be invited to support legislation to cement the understanding reached between the Confederation of British Industry and the Trades

[Dr. Cable]

Union Congress on worker consultation. That would be desirable. In future it would not be possible to fire workers over the radio. Where is the legislation on corporate killing? It, too, was promised in the Labour party manifesto. It has been openly and strongly advocated by non-political bodies, such as the Law Society. The situation is hopelessly unsatisfactory: either companies that are guilty of gross negligence are charged trivial fines or some arbitrarily chosen individual is charged with manslaughter. The law is a complete mess and wholly unsatisfactory. Why is it that the Home Office, in its obsession with asylum seekers, has overlooked a piece of legislation which all parties agree is absolutely essential to safeguard the safety of workers?

We shall probably support the Government on the referendum Bill in relation to Europe. Why now? The reason is that the Government have made it clear that they do not intend to act on it in this Parliament. It is an important initiative. It is important to sustain some of the confidence—*[Interruption.]* The Chancellor has indicated that he has to leave and I accept his apologies. We need some explanation of what is happening. A few years ago the Chancellor set up a Committee on which I sit—an all-party group chaired by the hon. Member for Huddersfield (Mr. Sheerman)—and we regularly interview members of the business community. They have made it clear to us that the groups of experts that they established to prepare the way for entry and to do the euro preparations are now being stood down because of uncertainty over the Government's intention in relation to monetary union. We want some reassurance from the Government that this process is not now hopelessly and terminally derailed.

The final piece of legislation on which I wish to comment relates to tuition fees. It is the centrepiece of the Queen's Speech and has been debated at length in relation to its educational and political aspects. I should like to say a few words about the economic aspects. It has always struck me as odd that the Government keep asserting that students do not pay for their higher education. They already pay for it partly in maintenance. There is a simple idea in economics called opportunity cost. When an 18-year-old decides to go to college to study for a degree they sacrifice a full-time income. If an A-level student decides not to work as a clerk in a bank for three years, they are making a decision to sacrifice probably £50,000 worth of income over three years. In addition to the debts that they accrue from maintenance expenditure and will accrue from tuition fees, they sacrifice £50,000 worth of income. The investment of a cumulative total of about £80,000 by working-class and middle-income families is a major commitment. Most of the commitment is made on the assumption that when the student graduates they will enjoy the graduate premium—they will earn extra income. We already know, and knew even before the fee system came in, that many graduates do not have a premium; they have a negative premium. All arts students have a negative premium on their university education. Women who enter education courses have a negative premium. They make up the base of the future primary school teaching staff. The Government are talking about superimposing yet another deterrent to people entering the university system.

Mr. Foulkes: I could argue with the hon. Gentleman about a whole range of the strange things that he has just said, but perhaps he can enlighten the House about why his colleagues—not just those in the Scottish Parliament, but members of the Scottish Executive—supported something for students in Scotland that is similar to the scheme that the Government are introducing; it is almost exactly the same in principle.

Dr. Cable: My Scottish colleagues behind me tell me that that is not even remotely correct. Of course, I know that our colleagues in Scotland were instrumental in the getting rid of up-front fees, which the Government intended to introduce.

In conclusion, I simply want to develop the point by saying that, of course, there is some common ground between Liberal Democrats and the Government, in recognising that universities need additional funding. Of course, they do. The Conservatives have been silent on that point.

Mr. Alex Salmond (Banff and Buchan) (SNP): May I help the hon. Gentleman, since his Scottish colleagues did not seem to tell him? There are indeed back-end fees in Scotland, but they are not variable between universities.

Dr. Cable: The Government now wish to introduce variable fees, so the hon. Gentleman's intervention is helpful.

We take the view that there is choice: either universities can attract additional funding through user fees, or such things can be paid for through progressive taxation. That is essentially the choice that has to be made. If someone goes to, let us say, Oxbridge, gets a first-class degree, goes into commercial law and has a very large graduate premium as a result, it is right that they should pay on their marginal income over £100,000 through their lifetime earnings back to the state the benefits that they have received from their education and that they should pay more than someone who goes into a modestly paid job as a scientific researcher or a teacher, reflecting their ability to pay. That is an admirably equitable way to deal with the problem. It is both equitable and financially sensible because, of course, it raises additional resources.

During Education and Skills questions before the debate, the Secretary of State was extremely evasive about how much money would eventually be required. We have indicated that, from our top-rate tax policy, we would allocate £2 billion to universities—a sum larger than the upper end of what the Secretary of State indicated that the Government's policies would generate. On top of that, we would find £1 billion to extend the Scottish policy of free personal care. Of the £4.5 billion that would be generated by the top-rate tax, a substantial residual would be left to help keep down local taxation.

I repeat that policy because the Government attempt to ignore what we propose. We can argue the merits of each component. We can argue about the principles of higher taxation on high-income groups—there is an economic argument for and against—but, by trying to belittle and ridicule our policy, the Government are trying to deflect the attention of Labour Members from what many of them regard as a very attractive alternative approach to that very difficult problem, and I finish on that note.

Mr. Deputy Speaker (Sir Michael Lord): I remind the House that the 10-minute limit on Back-Bench speeches operates from now on.

3.3 pm

Mr. Martin O'Neill (Ochil) (Lab): Thank you, Mr. Deputy Speaker. I am conscious of the time limitations, so I may find it difficult to accept any intervention.

I realise that the Department of Trade and Industry's role is somewhat marginalised and that the Liberal Democrats have already suggested abolition of that Department. Energy and employment matters require some consideration—I shall come to them in a moment—but at the heart of the Government's economic strategy is the role played by the manufacturing economy. Indeed, the prerequisite of the manufacturing strategy enunciated by the Government is macro-economic stability.

It is fair to say that the cornerstone of that stability is the performance of the Monetary Policy Committee, which has a responsibility to maintain low price inflation by adjusting interest rates. The Chancellor has sought to avoid volatility in public finances. It is also fair to say that the success in meeting those objectives has enabled us to enjoy low inflation, broad tax stability, increasing employment and, most importantly, sustained economic growth, capable of funding the much needed improvement in the quality and range of public services. That has been achieved in the United Kingdom at a time when we have seen cuts, unemployment and decreasing living standards across the industrialised world, whereas we have seen continual improvements in this country.

There is a condition among Conservative Members that could be called the year-zero syndrome: there was no history before 1 May 1997. There may be one or two people who have a vague, hazy memory of a golden period in the 1980s. It is a wee bit like the Rip van Winkles of rock and roll who cannot quite remember the drug-sodden 1960s, when they were making money and entertaining people. Many Conservative Members think that there was somehow a golden age. I have to tell them that some of us have different memories. We have memories of 3 million people out of work. We remember when unemployment fell to about 2 million, but there were never very sizeable reductions in my constituency, where whole families were continually out of work for two decades. Unemployment in some communities was beyond any level of social sustainability. Thankfully, we have not experienced that over the past six years.

When we hear people talk about anxieties over debt, the housing boom and the like, many of us remember the days of negative equity, household repossessions and evictions. Those of us who have been fortunate—if that is the right expression—to have been Members of Parliament for a number of years had dreadful surgery sessions on Fridays and Saturdays, when people came, invariably too late, to complain about how they had been treated by whichever provider of financial services had assisted them in getting into the plight in which they found themselves.

Opposition Members choose to complain about the problems that we have at present. Frankly, if those are what they call problems, they ain't seen nothing. The degradation of people's life chances in the 1980s and 1990s was dreadful for those concerned, but Opposition Members talk flippantly about reducing public expenditure, denying young people and the elderly unemployed access to opportunities afforded by the new deal and the chances that people have for the first time in their lives to get off the unemployment registers.

The fact is that some on unemployment registers need not just the offer of employment, but virtually to be led out of bed in the morning. We hear about the people in advertising and banking who say, "I won't get out of my bed in the morning for £1,000 an hour as a consultant." In recent months, some of my constituents have had to be helped from their homes to get to jobs. Given the chance and the help, Sure Start and the new deal, after 18 months, 150 people were taken on by Tesco in Alloa in my constituency. They are all still in work, and they are a credit to their communities and to the people who took the chance with them.

If Conservative Members are talking about reducing public expenditure to 35 per cent. of gross domestic product, they must stop and think of the social consequences of what they would embark upon. We now see revived communities where we used to see communities where people stood on street corners and crossed the road when we got near them because they were ashamed to tell us that they were still out of work. Those people now have a self-confidence that they never had before because they are getting the chance to find work. They also have the self-confidence of knowing that the health care that they receive is improving and that their local hospital, which was inadequate and run-down, is being refurbished. They also know that the schools that their kids go to are better than they have been in decades—probably ever.

It is also the case that, when people get into employment, they are treated in a reasonable manner. That is one reason why I welcome the Employment Relations Bill, although it does not go as far as some of us would like on matters such as union recognition. The best way to reform employment relations legislation is incrementally, using the salami approach that the Tories applied in the opposite direction. We should improve the quality of workplace opportunities slice by slice, and the Bill contains much that can be recommended.

I have some praise for the Conservatives, because—in their own way—they started the liberalisation of many of the markets in the UK economy, including electricity and gas. The Energy Bill will make further progress and create a UK market in electricity and gas. It will also make the introduction of renewables easier for the transmission businesses. We still need to see the fine print on transmission charges and distribution network charges. The Committee—I hope that I am not a member, given the size of the Bill—will have scope to improve the Bill. There is also scope to enhance the contribution made by renewables, and that is important.

It is vital to make the necessary legislative provisions to assist the storage of gas and its transmission into this country, because the gas that we will depend on in the years ahead will require new pipelines and storage facilities, both offshore and onshore, regardless of our

[Mr. Martin O'Neill]

intentions for renewables and the pros and cons of the nuclear industry. The Bill will go some way to achieving that, but it should also address the nuclear decommissioning authority. It is essential that we strip out of the economics of energy the costs involved in nuclear power. Much nonsense is talked, both by nuclear enthusiasts and by the plutonophobes, about the costs of nuclear power. If the costs are reasonable, I have no objection to an expansion of that industry, but I am not prepared to throw good money after bad.

The Queen's Speech will create the correct balance between public and private contributions. It shows how we can operate a partnership in the United Kingdom and it will take us away from the dark days of low public expenditure, poor provision and divided societies. For that reason, I commend it to the House.

3.13 pm

Sir Brian Mawhinney (North-West Cambridgeshire) (Con): I declare two interests. The first is on the register, because I am the chairman of a pension fund. The second is that in recent days my wife and I have been blessed by the addition of two new granddaughters to our extended family. They will both qualify under the provisions of the Child Trust Funds Bill. As a consequence, I regard the Bill with interest and broadly support what the Government seek to do. I note that parents can add to the trust funds, and it will be interesting to see the details. However, more importantly, we should ask why such a Bill is necessary.

I had a vague recollection of a Labour party document that I had read when I held a different position from the one that I occupy today. That document, published in 1996, said:

> "Britain needs a savings culture which will both benefit individuals and increase investment in the country as a whole."

That is an admirable aspiration for an Opposition. The reality is that the Bill is needed, in part, because when the Government came to power the savings ratio was 10 per cent. and today it is 4.8 per cent. The Government have seriously undermined the savings culture that they aspired to achieve when they were in opposition. That is why we need such legislation.

The second factor that contributes to the undermining of the savings culture was eloquently raised by the hon. Member for Twickenham (Dr. Cable). As he pointed out, Members on both sides of the House believe in the market. I believe in the market, so I am not one of those who think that Governments should intervene intrusively. I am sorry that the Chancellor is no longer in his place, because he might have remembered that, a few weeks ago, I sent him a letter sent to me by one of my constituents, which contained six half credit cards. Those cards had been sent to my constituent, unsolicited, over a period of a few months. My constituent pointed out that he earned, I think, £9,000 a year and the combined credit limit of the six cards—which he did not ask for, did not want and did not use, because he is sensible—amounted to £35,000. The hon. Member for Twickenham made the point that we have seen a dangerous escalation in debt and in personal debt. I am not an interventionist, but there may be a case for having some conversations about whether boundaries should be drawn, for the common good. I invite the Government to give further thought to that possibility.

I now wish to spend slightly more time on the pension protection Bill. The Labour manifesto in 1997 promised tax reform to promote savings, but in his first Budget, the Chancellor announced the abolition of the dividend tax credits payable to pension funds. That means that each and every year under this Government the Chancellor has taken £5 billion out of pension funds and put it into the coffers. Is it any wonder that those who are entitled to receive pensions feel aggrieved at their diminished prospects? I am trying to make a sensible contribution to the debate, so I shall not pretend that the tax change is the sole reason for the pension industry being in semi-crisis, but it is a significant one. For that reason, the Government should put up their hand to at least some of the responsibility and address the pension issue with less arrogance and fewer suggestions that it is all someone else's fault.

Kevin Brennan: Will the right hon. Gentleman give way?

Sir Brian Mawhinney: No, I will not, because we have a 10-minute limit on speeches.

I want to examine the details of the pension Bill. The principle is almost certainly right. We need to address a serious issue on pensions. Given the contribution that the Government have made to the problem, it will be hard to sustain the view that they should make no contribution, even by way of guarantee, to underpinning a fund. It will be enlightening to hear Ministers explain why well run businesses that have a strong commitment to their pension funds should pick up not only a proportion of the cost of their own fund guarantees, but a proportion of the cost caused by the profligacy of other funds. It will be interesting to hear how the Government defend that proposal.

As my right hon. Friend the Member for West Dorset (Mr. Letwin) said, this country is in grave danger of moving into a situation in which some people's pensions are adequate—and rightly so, because they have made a contribution over the years—and other people's pensions are inadequate. The legislation that the Government intend to introduce will be measured against the criteria of how it deals with that problem.

The hon. Member for Peterborough (Mrs. Clark) and I have received numerous letters from constituents recently about the Triplex pension fund that operates primarily in our constituencies. It will not deliver to the people who have paid into it for most or all of their working lives. Constituents have asked me whether there will be a retrospective element to the intended legislation. I try to be honest with my constituents, so I wrote back to say that I thought it highly unlikely that the Government would introduce retrospective legislation. As a former Minister, I understand why that is, but the Secretary of State needs to understand that there is increasing anger out there. There is increasing anger among the people who are being deprived of their life savings and who are being told that everything will be all right from 2005, but that the provisions of the House are such that we cannot move any faster. That argument no longer carries weight with pensioners or those who are saving for their pensions.

I hope that the Secretary of State will take these points seriously. He is already beginning to hear from the pensioners who are rebelling about the increased taxation that they now face. I have been in this place for 25 years and I find it fascinating that pensioners are leading the charge against the 70 per cent. increase in council tax that has occurred in the six years of this Government. Colleagues on this side and, I expect, colleagues on the other side of the House are starting to receive letters from pensioner constituents who have never rebelled about anything in their lives. However, those pensioners are saying that they simply will not pay any more.

I think that I welcome the legislation, but I will want to read what it says. However, I say to the Secretary of State that there is a crisis now. Spinning out of the Queen's Speech debate needs to be action this day as well as action in the future.

Kevin Brennan: On a point of order, Mr. Deputy Speaker. Can you confirm that, even though there is a 10-minute limit on speeches, injury time is available to those hon. Members who wish to take interventions?

Mr. Deputy Speaker: Yes. I hope that the whole House now understands that that is the case. If an intervention is made, the intervention does not count against the time available to the hon. Member speaking. He is given an extra minute for that intervention. He is given an extra minute for the second intervention but, after that, no further allowances are made.

Mr. Butterfill: Further to that point of order, Mr. Deputy Speaker. Can you also confirm that the debate is time-limited in that it must finish at 6 o'clock? If too many colleagues take interventions of the sort described, some Members will not get to speak at all.

Mr. Deputy Speaker: The hon. Gentleman is right. Despite the 10-minute limit, I am afraid that the clock does not stop ticking.

3.24 pm

Denzil Davies (Llanelli) (Lab): The Government rightly deserve credit—perhaps they have not been given much in the debate—for the prudent, if I may use that word, way in which they have managed the British economy over the past six and a half years. They have been able to maintain a reasonable growth rate of about 2 to 2.5 per cent. combined with low inflation and low unemployment. That compares very well with most, if not all, our major competitors.

We should also realise that the Government have managed to attain such reasonable growth despite the relentless pressure on Britain and all the older capitalist countries of the west that now comes from global competition and free trade. To a great extent, that pressure comes from the far east—from China and, to a lesser extent, India. China has discovered capitalism, but perhaps the Chinese always knew about it. China is now using the instruments of global competition and free trade to boost the potential of its enormous economy and to put inexorable pressure on the capitalist economies of the west.

It is the fashionable view among many of the chattering classes—especially economic editors, jet-setting bankers and business men and the international civil servants who fly from one international convention to another—that globalisation, as it is described, is an absolute good and should never be questioned or challenged. However, the view from less exotic surroundings is not quite like that. As the House knows, in many instances globalisation disrupts and disorientates societies and causes considerable economic and social problems.

I get the impression that western Governments now increasingly shape their economic policies mainly to try to withstand the tide of globalisation and to try to maintain their economies in the face of it. Over the past few years in Britain, we have witnessed a decline in our manufacturing industry because manufacturers must reduce their costs to compete but cannot put up their prices because of the pressure on those prices. We therefore have lower levels of investment. If one cannot make a profit, there is no money to invest. The service sector thought for years that it was immune from such problems because it was not an internationally traded sector. However, as we know, that sector is coming under similar pressure, with jobs being exported to low-cost countries.

Germany and France have broken the growth and stability pact because they need to borrow more money, presumably to try to create growth. They are also being encouraged to dismantle their excellent systems of social welfare. Apparently they are being told—whether it is right or not—that they cannot compete in the modern world of global capitalism with the excellent social welfare structures that they have.

The United States has thrown out the whole economics textbook for its economy. As the Chancellor of the Exchequer informed us, it has a massive public sector deficit of 5 to 6 per cent. and a corresponding balance of payments deficit. Despite its public sector deficit, it is cutting taxes, and the chairman of the Federal Reserve has announced that he will not raise interest rates above 1 per cent. whatever happens to the economy. He is absolutely terrified about what is likely to happen.

On top of that, we must consider the devaluation of the dollar and, of course, the fact that the United States has started down the road of tariff restrictions and restrictions on imports. We know about the situation for steel and textiles and I hope that the steel restrictions will be lifted. It might give many Labour Members a warm feeling to criticise a Republican President of the United States for imposing steel tariffs but if the next President is a Democrat, his constituency—New Jersey, Michigan, parts of Indiana and Illinois, and Ohio and Pennsylvania—will demand much more protection than it has of a Republican President.

Deep down, the British establishment is perhaps not terribly interested in British manufacturing, but that is not the case for the United States. The Americans will fight to preserve their manufacturing industry. They will certainly fight to preserve their steel industry, given its strategic importance for their defence and armaments sectors. Additionally, over the past 15 to 20 years the United States has apparently encouraged what is even by its standards massive immigration, especially from south America. Some immigration has been legal and some has been illegal. That process has kept down costs and enabled the country to compete—just about—and to meet the tide of cheaper imports. It is not really

[Denzil Davies]

competing because it has a massive balance of payments deficit, but at least it is trying to do so by using immigration.

The British economy has been unable to attract the same kind of new entrants into its labour market through immigration. However, there have been new entrants into the market in the past 20 years because women who did not previously have jobs have entered it. Many earn fairly low wages and, in a way, that contributes to keeping down costs. My right hon. Friend the Chancellor has introduced the tax credit system. As a rather old-fashioned Member who was in the House in the 1970s, I baulked a little at the idea of subsidising wages, but we live in a different world, so perhaps global pressures have caused that. The tax credit system effectively subsidises wages. The way in which it does so in the private sector means that private sector employers do not have to pay such high- wages because the Government pay the difference, which keeps down costs in the global economy. If the pressure on wages increases, the gap will become greater unless the Government are able to [illegible] in the difference through the credit. I do not know how long such subsidies can continue but I hope that they continue for a long time, even though pressures will be put on Government borrowing. The addition of such a pool of new entrants to the British labour market cannot continue because women usually take jobs immediately these days.

Economic commentators and others suggest that we should reconsider immigration as a way to keep down costs, and we have also heard about that from the Home Office. I do not know the extent of the immigration that we would need to achieve that or whether sufficient people would come here from eastern European countries after they join the European Union. I do not know whether immigration could create the low cost base that Britain needs to compete or whether we could create the growth rates to pay for such immigration. We must face those issues in the light of global competition.

Over the past two decades, globalisation has attained the status of what the ancients called the most high god—it is certainly the most high god of finance, business and economics. In the past, anyone who tried to question the divinity of that god was called nasty names and portrayed as a nihilist, an anarchist, a clapped-out Marxist or a weirdo. The high priests of the god did not show much sympathy for poorer countries that often suffered from the effects of globalisation. However, I can detect a change because it seems that western capitalist countries are beginning to suffer from the stern theology of the most high god of globalisation. As the traditional stimuli of economic growth—low interest rates, taxation, devaluation and new entrants—cease to work as stimuli, more direct action might have to be taken. I hope that we can recognise that so that we can create reasonable measures to ameliorate the damaging effects of globalisation while keeping some of its more beneficial attributes.

3.33 pm

Mr. Stephen Dorrell (Charnwood) (Con): I begin by declaring an interest as a director and shareholder of a manufacturing business.

I always enjoy listening to the right hon. Member for Llanelli (Denzil Davies), who always argues his case intelligently, but I did not agree with his starting point this afternoon. He has always tended to look at the downside of globalisation and consider how one may control its effects. I think that globalisation is a fact and that its effect on our economy and prospects is overwhelmingly positive and something that we should plan to accommodate rather than try to avoid.

The hon. Member for Ochil (Mr. O'Neill) suggested that there is a danger of our assuming in such debates that history began in 1997, with the result that we make unrealistically stark comparisons between the records of two periods of government. He then proceeded to fall headlong into precisely the trap that he identified when he said that he had to acknowledge that the last Conservative Government had made a few faltering steps down the road of liberalising the economy. That is an interesting interpretation of history, which would not be borne out by historians.

I agree, however, with the hon. Gentleman's proposition that these debates are interesting to their participants and those outside this place only if we stand back from the passions of party political debate. Clearly, some aspects of the Government's economic record should be welcomed, and I do so unreservedly. Most important, establishing the independence of the Bank of England and creating a regime for the effective management of monetary policy will, whatever happens between now and the day the Government leave office, stand as a great achievement of this Chancellor, and he should be given credit for that. He should be given credit, too, for restraining the growth of public expenditure in the early years of this Labour Government. Things have changed more recently, as I shall demonstrate later.

Those two early achievements of the Government are beyond dispute. I hope that, in the same spirit, the Minister may reflect that the hon. Member for Ochil gave a rather niggardly account of the achievements of the last Conservative Government in the 1970s in liberalising an economy that was massively underperforming and creating the circumstances for which, ironically, the Chancellor now loves to claim credit. All Conservative Members enjoy his lectures about the importance of competition, contestable markets, labour market flexibility, low taxes, introducing incentives and establishing a regime for sound money. We are never quite certain whether they are addressed to his colleagues on the European Council of Ministers or to his next-door-neighbour in Downing street, but whichever it is they are very welcome. Imitation is often regarded as the sincerest form of flattery, and when I hear the Chancellor talk about the importance of a liberal economy he calls to mind the sometimes rather portentous lectures that Lord Lawson used to deliver. Sometimes, the two styles and two arguments are almost interchangeable. It is, of course, doubly ironic that the Chancellor loves delivering those lectures, given that he was a member of the party that, when in opposition, fought such changes every inch of the way throughout the 1980s and 1990s.

Mr. O'Neill *rose—*

Mr. Dorrell: I give way to the hon. Gentleman—I hope he agrees that I have given fairer recognition than he did to the achievements of the last Conservative Government in the direction of liberalisation.

Mr. O'Neill: Perhaps I did not have enough time to develop my point. The liberalisation pursued by both Governments has placed the present Government in such a position that our economy has been that much better, stronger and healthier than, say, the French and German economies, which did not go down that road. It is to the Government's credit that they have pursued it in such a way that that advantage has been achieved and maintained.

Mr. Dorrell: I would respond with the proposition that that liberalisation marks us out from our European comparators. That moves me neatly to my point about the dangers that we face in relation to the trends in productivity that one of my hon. Friends identified earlier.

We all know that long-term productivity growth is one of the most fundamental economic indicators. The Chancellor acknowledges that; it is why he set up a productivity unit in the Treasury and devotes so many speeches to it. The proposition is therefore not controversial. However, the problem with the Chancellor's productivity unit is that it has not been very productive. As one of my hon. Friends said, the effect of the Chancellor's policies since 1997 has been to halve the trend in the growth rate of productivity that he inherited from the equivalent period at the end of the previous Government's tenure. The trend has turned against us at the precise moment when the American economy has experienced a new spurt in productivity growth. That is not simply a dry statistic; it reflects the results of the Government's attempts to micro-manage the economy. I agree with the comments of the hon. Member for Twickenham (Dr. Cable) about that.

The effects of the Chancellor's tendency to impose extra costs on the economy through regulations and to introduce huge extra resources into the public sector without demanding the extra productivity growth to which my right hon. Friend the Member for North-West Cambridgeshire (Sir Brian Mawhinney) referred are feeding through into the statistics. My right hon. Friend the Member for West Dorset (Mr. Letwin) mentioned the Chancellor's tendency to oversee increases in Government overhead expenditure without corresponding productivity growth. It is one thing to commit extra inputs to the health service, education and the process of government and to desire extra activity through regulation, but not insisting on delivering it efficiently undermines productivity growth and causes long-term problems such as the factor that the Chairman of the Treasury Committee identified.

The Chancellor's delivery of his productivity objectives has fallen way short of his rhetoric. Consequently, although he likes to contrast this country's liberal economy with economies on the continent, the gap is narrowing because, step by step, his actions make the British economy more closely resemble its European comparators at exactly the time when he is trying to persuade European countries to change their stance to make their economies resemble ours.

I want to consider a second issue, which is often perceived as separate from productivity but is closely related to it. The adverse trend in productivity in the past six years has been matched by an adverse trend in the public finances. I gave the Chancellor credit for slow growth inpublic expenditure in his early years, but Prudence has been jilted. Three years ago, when the Chancellor first looked forward to this financial year, he said that he expected to borrow £10 billion. In the City, that figure is expected to be not £10 billion but £40 billion. That misses the Chancellor's target by £30 billion because expenditure is outpacing income. That is partly because the growth of public expenditure has increased and partly because the slow-down in productivity is starting to lead to a slow-down in the growth of the British economy. The two lines are beginning to diverge. Productivity and public finances are part and parcel of the same phenomenon: if productivity grows too slowly, income starts to grow more slowly and one reaches the point when the public expenditure plans to which the Chancellor has committed himself cannot be delivered.

My case is not that the Chancellor is about to fall off a precipice or that the Government will face an unbridgeable black hole. However, the Chancellor's irresistible urge to intervene imposes costs on the economy that undermine the achievement of his productivity objectives. That is one of the key factors that undermine the Chancellor's planning of public finances. We all know that if public finances start to get out of control, everything unravels quickly. We do not need to look into a crystal ball to work that out; we can simply look at the book.I give the Chancellor credit for starting quite well, but the performance gets worse by the day.

3.44 pm

Mr. Geoffrey Robinson (Coventry, North-West) (Lab): I refer hon. Members to my interests, as listed in the register.

It is always a pleasure to follow the right hon. Member for Charnwood (Mr. Dorrell), and although I totally disagree with the last point of analysis that he offered the House, I agree that a major underlying problem for the UK economy has been relatively low productivity, and I shall say something about that at an appropriate point in my discussion of the Government's economic policy.

We also heard an interesting contribution from the right hon. Member for North-West Cambridgeshire (Sir Brian Mawhinney), who unfortunately has just left the Chamber. Speaking very constructively and in the best spirit of contributions from both sides of the House, he took us into the area of pensions policy and the forthcoming Bill. It is particularly good that we have my right hon. Friend the Secretary of State for Work and Pensions with us now. I know that if my hon. Friend the Member for Coventry, South (Mr. Cunningham) catches your eye, Mr. Deputy Speaker, he will want to say more about that than I do.

My right hon. Friend knows that in the west midlands and other parts of the country there is a considerable problem concerning Rolls-Royce. My hon. Friend and I have been to see him, and he has been very responsive and understanding. Outstanding remains one of the points made by the right hon. Member for North-West

[Mr. Geoffrey Robinson]

Cambridgeshire, who asked whether the legislation will be retrospective. Everyone who has had the wretched task of wrestling with Government policy on the subject knows how difficult that could be, but it may well be, in this case, that that has to be an aspect of the legislation if proper account is to be taken of those who have been so badly affected.

It seems clear to me that the Government's record is one of remarkable success, and as my right hon. Friend the Member for Llanelli (Denzil Davies) said, sustained growth is central to that fact. We have, as he said, been successful despite not only the many deflationary pressures of globalisation but the fact that so many other countries have been in recession; and after the pits of the recession into which the last Tory Administration plunged us in 1992. Every year after that we had successive growth, which we have maintained six and a half years into a Labour Government. That is unheard of in the management of the economy since the second world war. I give the Chancellor and the Government my unqualified support and my unqualified estimation for their success.

We can express that success in a number of ways, one of the most remarkable of which is the fact that jobs have been created for 1.7 million people. That is remarkable and it, too, requires unqualified acceptance. However, there is an underlying problem of productivity. Only if we can maintain and, indeed, increase the rate of productivity growth will we stand any chance of offsetting the negative effects of globalisation. In no way can I agree with the right hon. Member for Charnwood when he speaks of the unqualified blessing that globalisation brings. No major movement in global macro-economics can be an unqualified blessing for this economy. One has only to look at the 2,500 jobs being lost in the service industry, which we always thought was recession proof and would make up for the decreasing manufacturing sector, to realise the sorts of problems that we are facing.

Over the next year we will be considering the introduction of foundation hospitals. In an earlier debate I made it clear to the House that I had my reservations about that. Many of us voted for the proposal because there was a promise from the Secretary of State for Health that he would review those hospitals acquiring foundation status to see how the measures worked in practice before the scheme was extended to the entire NHS. That is a welcome concession, and we intend to hold him to it. Certainly, in Committee, we will be looking to make sure that proper revision processes are built into the Bill.

The development and implementation of the policy on foundation hospitals was reminiscent of how we have developed and implemented policy for universities. Neither policy is totally wrong: much in both of them is good. It is rather that the issues have not been properly thought out and the problems worked out ahead of time, so we have had to do that in the House, both from these Benches and across Benches. My right hon. Friend the Secretary of State for Work and Pensions is thoughtful on these matters. I put it to him that, if the process of policy development were properly dealt with before implementation—as he knows, that is what we used to do successfully in the Treasury—we would have fewer problems than we have had over policies in recent weeks.

I assure my right hon. Friend that I would never put the Government in an embarrassing position in the House. We only have to consider the prospect of the policies proposed by the Opposition to realise what is at stake. The shadow Chancellor again confirmed that the 35 per cent. GDP target for public expenditure stands. He told us that that amounts to an £80 billion cut. If we assume that each job is worth about £40,000 with all the associated costs, that means a head count reduction and a loss of about 2 million jobs from the public sector. Two million jobs is precisely what the Tories managed to lose the last time they were in office, so perhaps it is a secret plan. They seem to have forgotten—they never learn anything, and even forget the few lessons that they could learn—that enormous costs come with 2 million unemployed. There is the soaring cost of the unemployment bill. That is how we ended up with a deficit of £80 billion the year they left office. Debts had soared as a percentage and in total terms. It is greatly to the credit of the Labour Administration that we have reduced that deficit.

I shall deal with the other aspects of Conservative policy, which were clearly confirmed today. We were told that the Tories would cancel the new deal for everyone, except perhaps the over-50s, because it has been a ridiculously expensive failure. I agree that the new deal has been expensive, but it cannot be called a failure. It dealt with and eradicated youth unemployment, and the growth in the economy underpinned that. We shall hear what more the Tories have to say about that.

It is clear that the proposals of both the Conservatives and the Liberal Democrats could not command the support of the House. For that reason, whatever our reservations about how we have developed and implemented policy, there is no question of my failing to support the Government as and when necessary.

Mr. Gerald Howarth (Aldershot) (Con): On a point of order, Mr. Deputy Speaker. The Armed Forces (Pensions and Compensation) Bill was presented to the House this afternoon. I understand that Bills are not always available at the time of presentation, but I seek your guidance because that Bill is not available today, so presumably you and the House have been presented with something that is not there. Apparently, it will be available tomorrow morning when the House is not sitting.

This complex legislation has far-reaching consequences for Her Majesty's armed forces. For that Bill to be presented today and, for some obscure reason, not to be available to right hon. and hon. Members, but to be available to the public tomorrow and to Members of the House on Monday, is a discourtesy to the House. Mr. Deputy Speaker, I wonder whether you can advise me on what action I may be able to take to protect the rights of Members to have sight of legislation at the first opportunity, and certainly before the rest of the public has sight of it.

Mr. Deputy Speaker: As I understand it, there are precedents for such an occurrence. As the Second

Reading of the Bill will not take place before Christmas, there should be adequate opportunity for hon. Members to study the content of the Bill in due course.

3.54 pm

Mr. Alex Salmond (Banff and Buchan) (SNP): Thank you for calling me, Mr. Deputy Speaker. I was momentarily alarmed when you looked at the other side of the Chamber.

I want to speak about the consequences, through the operation of the Barnett formula, of aspects of the legislative programme for funding in Scotland. The Barnett formula is the Schleswig-Holstein question of Scottish politics. Only three people understood it. One is mad, one is dead—and I have forgotten. Certainly, Lord Barnett has forgotten—in a radio interview I did with him some months ago, he seemed to have forgotten the precepts of his own formula.

Contrary to what many hon. Members believe, the Barnett formula is an equalisation formula. It is designed to converge identifiable public spending per head in Scotland, Wales and England. It has not done so probably for two reasons. One is that the population estimates on which it was based were initially retrospective. Secondly, it does not work in periods of low growth in public spending. Barnett applies to public spending growth. If public spending growth is near zero, as it was in the 1990s, not just under the Conservative Government but in the first few years of this Labour Government, Barnett does not apply.

Both those things have gone into reverse. The current part-time Secretary of State for Scotland, when he was Chief Secretary to the Treasury, amended the population co-efficients in a way detrimental both to Scotland and to Wales. Public spending is now rising quickly. Barnett is cutting in with ferocity. There is a Barnett squeeze on Scottish public spending and indeed on public spending in Wales.

Measures within the legislative programme such as top-up fees, in the same way as the measures on foundation hospitals in the previous Session, will undoubtedly have an impact on Scottish public spending via the Barnett formula. I cite Professor Arthur Midwinter, who told the Scottish Parliament enterprise and culture committee on 2 September this year:

> "Top-up fees are not classified as public money, but as fees paid by individuals. All the money would accrue directly to the universities concerned. The result is there would be no Barnett consequentials for those fees, and there would be a funding gap between the Scottish and English universities.".

That is similar to the point made earlier in the year by two other respected Scottish economists, Margaret and Jim Cuthbert, who wrote to *The Herald* on 6 May:

> "Mr. Blair's proposal to introduce foundation hospitals in England potentially has adverse financial implications for Scotland, arising through the operation of the Barnett Formula."

Legislation to be applied in England will undoubtedly have adverse consequences for Scottish public funding through the operation of the Barnett formula. It is therefore extraordinary that any Scottish MPs, never mind Scottish Labour MPs, should choose to support those measures.

There used to be an old joke in Scottish politics. How many Scottish Labour MPs does it take to change a light bulb? The answer is none because Scottish Labour MPs never change anything. That is no longer true. Scottish Labour MPs changed public policy south of the border on foundation hospitals a few weeks ago and potentially could do it again on the issue of top-up fees.

After 100 years of struggle, 100 years of the Scottish Labour party introducing enlightenment, education and socialism to the dark recesses of the south of England, after 100 years of political struggle, we have come to the pinnacle of the achievement of Scottish Labour MPs, which is to impose private finance on the English health service and potentially to impose top-up fees on English students, to the detriment not just of English public services but of public services in Scotland via the Barnett formula.

I see some worrying nods of agreement from Conservative Members. It is extraordinary that Scottish Labour MPs should vote in massive numbers for those detrimental measures, but equally extraordinary is the abstention of the sole Scottish MP in the Conservative party. That party is meant to be vigorously opposed to these measures, which will undoubtedly be detrimental to Scotland, but he has sat on his hands and refused to vote. If the Prime Minister made everyone on the Labour Back Benches a Minister and managed to mobilise the payroll vote and, by some miracle, his blandishments meant that he scraped through the top-up fees vote by one vote in the early part of next year, and if the hon. Member for Galloway and Upper Nithsdale (Mr. Duncan) had abstained on that vote, he and the Conservative party would look even more ludicrous than they do already in attempting to claim the title of shadow Secretary of State for Scotland when they have a party of one person. I hope that Conservative Members will encourage their one Scottish representative to vote both in the Scottish and the English public interest in defence of Scottish and English public services.

Mr. Butterfill: May I say on behalf of my hon. Friend the Member for Galloway and Upper Nithsdale (Mr. Duncan) that he thinks it important as a point of principle that as a Scottish Member of Parliament he should not be voting on exclusively English business?

Mr. Salmond: Unfortunately, the hon. Member for Galloway and Upper Nithsdale probably has not read the work of the economists who have pointed out to the Scottish Committees and the Scottish Parliament the implications for Scotland and the definite knock-on effects of the measures. For many years in this House I have adopted a policy of not voting on English business and I still do that when there is no financial consequence for Scotland. The recent controversy over jury trials in England is an example. As the matter ping-ponged between the House of Lords and the House of Commons, my colleagues and I nobly abstained. An abstention on such a matter, which has no consequences for Scotland, is understandable, but it is totally inexplicable to abstain on a matter that clearly has a financial consequence for Scotland.

Kevin Brennan: Do I understand the hon. Gentleman's policy to be that Scottish Labour Members of Parliament should not vote on matters that affect England only, Conservative Members of Parliament

[Kevin Brennan]

from Scotland should vote on matters that affect Scotland only, and he feels free to do as he pleases when he pleases?

Mr. Salmond: Occasionally, I despair. I have carefully argued that the Bills that we are talking about—concerning top-up fees and foundation hospitals—affect Scotland. What I find incredible is not that Scottish Labour Members voted, but that they voted in favour of a measure that will reduce public expenditure in Scotland as a consequence of Barnett. I do not mind people voting on a matter that is of interest to Scotland, but I resent foundation hospitals going through with a majority of 17, with 44 Scottish Labour Members of Parliament voting to impose the measure on the English health service.

I want to come to the solution to the conundrum that we have been left with as a result of the activities of past Conservative Governments, who imposed the poll tax on the Scottish people, and the current Labour Government, who imposed foundation hospitals on the English people using the voting fodder of Scottish Labour MPs. Let us be fair to Scotland and England. Clearly, the way to avoid the unwanted consequence of knock-on financial effects is to give the Scottish Parliament the financial power to match its policy responsibility. If the Scottish Parliament had fiscal autonomy, it would make its own decisions about matters such as foundation hospitals and top-up fees without fearing the consequences of the decisions made by the House of Commons. Policy responsibility and financial responsibility should go together. That is the first point.

Secondly, as regards Bills that do not have a financial impact on Scotland at present, why does the House not consider extending Standing Order No. 97? As everyone is aware, that is the now little-used Standing Order by which the Speaker can certify Bills as Scottish only. For Second Reading and perhaps for Committee stage, such Bills are referred to Scottish-only Committees. It would be relatively simple to have an equivalent Standing Order relating to England to allow Bills that were genuinely English-only at that stage to be considered by the mysterious Regional Affairs Committee. That Committee sits in this House and every English Member is entitled to be a member of it—I have the current membership before me—but it has not met since this April. No doubt it could do some useful work in considering English-only legislation, if so certified under a Standing Order by the Speaker of this House. If and when the Scottish Parliament is given the powers to do the job that it is required to do for the Scottish people, all such English Bills could be so certified, and voted on by such a Committee. That is a solution that is elegant, fair to Scotland and fair to England.

Of course, none of these problems would arise if we had independence for Scotland—and independence for England. Many people tell me that England could not manage as an independent country. I reject that. I am certain that the English people are well capable of governing themselves, and can actually do without Scottish Labour MPs being used as voting fodder by this Prime Minister, in order to impose unwanted policies on the English people.

4.5 pm

Mr. Tom Clarke (Coatbridge and Chryston) (Lab): If the hon. Member for Banff and Buchan (Mr. Salmond) will forgive me, I think that he answered his own question at the end of his speech. The fact is that the Scottish people have never voted for independence, so as a Member of this United Kingdom Parliament, I hope to make the speech that I had planned to make when I sought to catch your eye, Mr. Deputy Speaker.

The sections of the Queen's Speech that have been substantially addressed by the Chancellor of the Exchequer and my colleagues—on economic stability and growth; on the need to press for a fairer trade system as part of the current round of world trade negotiations; and on the achievement of the millennium development goals, including increased aid flows and effective debt relief for developing countries committed to reform—are extremely relevant. However, it would not be possible to address those matters were it not for the huge success throughout the whole of Britain of the Chancellor's economic policies: successes in employment, inflation, mortgages and growth. Because of those successes—and because the Chancellor has had the courage to deal with the issue of resources, and to say that there are times when they should relate to reform—I hope to address several matters in the short time available.

The Chancellor has given the lead at home and abroad. When my right hon. Friend the Member for Llanelli (Denzil Davies) and my hon. Friend the Member for Coventry, North-West (Mr. Robinson) referred to globalisation, they seemed to recognise, as did the Chancellor, that he has approached the economy and the demands placed on him in the knowledge that this is a rapidly changing world in which the issue of globalisation is indeed extremely relevant, and must be addressed. His policies on international development—including increased aid, debt relief and his emphasis on HIV/AIDS—are extremely important in a modern and caring world. I believe passionately that the model that he has set out could be emulated not only by G7 and G8 countries, but by developing countries as well.

As we look to the developing world, we see the influence of Britain's economic policies and of the activities of the various Government Departments. If the considerable assets that many developing countries undoubtedly possess—such as huge oil reserves, massive gas supplies, and diamonds and other mineral resources—are not used to benefit the poorest people in the poorest countries, we will have met with spectacular failure. Oil, gas and mining industries are now significant in more than 50 developing countries, but 1.5 billion people in those very countries continue to live on less than $2 a day. Twelve of the world's 25 most mineral-dependent states and six of the world's most oil-dependent states are classified by the World Bank as heavily indebted poor countries, with among the world's worst human development indicators. That calls for transparency, accountability and fairness at every level.

That transparency must involve national Governments, including ours, international companies and those involved in commerce, and international institutions such as the World Bank, the International Monetary Fund, and the United Nations. I believe that

I speak for many aid agencies and non-governmental organisations when I say that we ought to be forming that strategy now.

It is not difficult to understand why. For example, Africa's oil boom comes at a time when foreign aid to that continent from industrialised countries is falling and being replaced by an emphasis by donor nations on trade as a means whereby African countries can escape poverty. The dominance of oil and mining in Africa's trade relationships, coupled with the decline in aid flows, means that it is vital that Africa makes the best use of oil and other natural resources.

The international oil companies must accept their responsibilities as well, although it has to be said that I see little evidence of the self-regulation that some of them commend to us. Northern Governments such as that of the United States and the United Kingdom are beginning to acknowledge the need to address the perils of oil development, but their actions, although welcome, are not enough.

As we address those issues, seeking to attain stability is of paramount importance. I have recently been to the Democratic Republic of Congo, and I realise that there, petroleum has become a magnet for conflict, and in some cases even civil war, imposing even more poverty where it is least welcome.

The primary responsibility for managing mineral wealth and ensuring transparency lies with the developing countries. Oil riches should benefit the many, not the few. It cannot be right that corruption, mismanagement, environmental destruction, human rights violations and conflict should go unchallenged—although there are examples of good practice, and it is right to say so. For example, the Chad-Cameroon pipeline project is the biggest international effort to date to focus an oil development project on a poverty reduction outcome. There is great confidence that by 2004, the budget anticipated for that year will show that oil revenues in Chad have more than doubled. Botswana has, by and large, put its diamonds to good use, and has sought to address the essential elements of poverty.

However, there is another side to that picture. It cannot be acceptable that in Angola there is so much wealth together with so much confidentiality, despite the challenge that BP, to its credit, has made. The rich north has its responsibilities too. Although we may increase our aid to developing countries, those sums are dwarfed by what we give to agricultural industries.

Mr. Gardiner: My right hon. Friend is widely respected in the House for his knowledge of development matters. Does he agree that the Paris Club consideration of the sovereign debt of Iraq, which is deemed to amount to more than $200 billion, is vital? Does he also agree that it is important to press for the more beneficial Evian principles on debt forgiveness if that country is to pull itself out of its terrible situation? Will my right hon. Friend support the early-day motion, which calls on the other four creditor countries—France, Russia, Germany and Japan—to be more forgiving in their approach to this matter?

Mr. Clarke: I am grateful to my hon. Friend for his intervention. He will forgive me for being a little canny on early-day motions: I like to read them before I sign them. Otherwise, he made extremely valid points, and I am sure that the House will recognise them as such.

I was making the point that, although I support the Government's policies on overseas aid, it is also appropriate to examine what is happening with the common agricultural policy, and I welcome the Government's initiatives there. It is also appropriate to point out that in comparison with the figures that I supplied earlier of $300 billion on agricultural subsidies, $600 billion is being spent on defence. It is surely right to try to set our priorities on such matters.

I believe that the British Government have given a commendable lead. The Chancellor, in particular, has led G7 and G8 talks on the debt crisis and other matters. I welcome what is happening to the common agricultural policy, which is a challenge to us all. I welcome the overhaul of the EU aid budget and our attempts to change it. I congratulate the Chancellor on his international finance facility and I wish the Government every possible success on all those matters. The Government have a record since 1997 of which we can be extremely proud.

4.16 pm

Mr. John Butterfill (Bournemouth, West) (Con): I shall confine my remarks to the proposed pensions Bill, which may not surprise hon. Members, and I should like to declare my interest as chairman of trustees of the parliamentary contributory pension fund and chairman of trustees of the People's Dispensary for Sick Animals pension fund and as a section 226 policyholder. I shall refer to those policies later.

I start by referring to the pensions protection fund. In principle, it is probably a good idea, which should be welcomed—but the devil will, as always, be in the detail. The proposal to have a flat rate topped up by a risk-based premium is entirely appropriate. Otherwise, there would be moral hazard and people with badly funded schemes would benefit from those with well-funded schemes. The Association of Consulting Actuaries conducted a survey and found 58 per cent. support for the proposal, but 64 per cent. of respondents said that a £15 contribution per member was too high. PricewaterhouseCoopers, however, has determined that in the light of what the Government actuary proposed, the appropriate level for funding the White Paper proposals would be £50.

I do not believe that £50 per member is wholly disproportionate, as it amounts to about £1 per week for a member of any private pension scheme. I would have thought that anyone in such a scheme would feel that it was quite good value to have a guarantee for £1, and I hope that that is the mechanism that the Bill will produce. It will, of course, vary from fund to fund and the less-well-funded schemes might find that they needed to raise more than £1 a week per member. Will the Government tell us who will audit the schemes to decide what the premium should be? Will it be left to the scheme actuary or will independent checks be made on what the premium should be? I agree that a cap is necessary on income and that £40,000 to £60,000 is probably not unreasonable, provided that the cap is indexed in accordance with incomes rather than with the cost of living.

We can learn some lessons from what has happened in the United States where there has been a similar fund for many years, from which the Government have drawn much inspiration. The US scheme is similar in

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that it is self-financing and there is no Government guarantee, which is, I understand, our Government's position. Interestingly, there are two types of scheme in the USA: the single-employer scheme, which had a deficit of more than $3 billion by the end of 2002, and the multi-employer scheme, which had a small surplus. That may be a lesson for us. Multi-employer schemes, which the Government would need to facilitate, may be more prudentially managed than single-employer schemes, so perhaps we should look into that. We should take cognisance of the comments of Steven Kandarian, the executive director of the US scheme:

> "Who will pay for the pension promises made by companies to their workers? The only choices are the company that made the promise, other companies through a system of pension insurance, or the taxpayers."

More than 50 per cent. of members of the National Association of Pension Funds support the proposals, but 50 per cent. also say that they will make defined-benefit schemes less attractive for employers. Almost 50 per cent. think that the Government should fund the whole thing and that there should be no levy on NAPF members. The association suggests a benefit limit rather than a salary cap, but asks how the schemes will be inflation-proofed, how the costs will be estimated and how the risks will be assessed. The NAPF has also asked how such schemes would deal with early retirement due to ill health and whether they would affect the priority orders that the Government are—rightly—proposing to introduce.

Most people support the schemes, but it will take time for employers to introduce them and employment contracts may need to be renegotiated, so 2005 looks a little optimistic, although the Government would have then had eight years to introduce the reforms. That seems rather a long time; there has been an awful lot of consultation and it has taken an awful lot of time.

Mr. Webb: The hon. Gentleman is making a most informative speech. Does he share my concern that the Bill needs to include detailed provisions on the questions that he has put, so that the House can properly debate those issues? It is important that we do not have a skeletal Bill with other provisions shunted through in statutory instruments that receive no real scrutiny.

Mr. Butterfill: The hon. Gentleman is well informed on these issues and I entirely agree with him. It would be wrong if the Bill were merely an enabling measure with statutory instruments to follow. As I said earlier, the devil is in the detail.

Other proposals in the Green Paper and the White Paper include a pensions cap of a £1.4 million lifetime limit. That is much too low. It would not even fund the 1989 Lawson cap on earnings. The actuarial profession almost universally disagrees with the calculations of the Government Actuary's Department, which came up with the figure of £1.4 million. The profession is convinced that the figure should be £1.8 million. I hope that the Government will look into that again; it is a question of how the actuaries do their maths and the GAD is in a minority of one on that figure. Again, time will be required for employers to renegotiate many employees' contracts, as they will be affected by the issue.

I also want to mention the effect on other tax matters. First, there is the knock-on question of retained benefits. It is wrong and unfair that a person taking a job at a pay rate lower than in his or her previous employment should suffer by having the previous higher contributions acting against the total that can be accumulated over a lifetime. Indeed, the lifetime limit means that we no longer need the retained benefits regime, and I hope that the Government will get rid of it, as part of this process.

The annual limits ought to go as well. They are a nonsense anyway, as many people have fluctuating incomes. Again, the cap means that there is no need for the annual limits. The annuity purchase also ought to go. I think that the Government are beginning to be persuaded of that, subject perhaps to a minimum level. That has been proposed in private Member's Bills by me and many other hon. Members. I hope that the Government will finally see the need to change the present structure.

If the annuity purchase requirements are eliminated, there will be a need to cater for people who will be just short of 75 years of age when the Bill comes into effect. I hope that the Government will allow an extension for them.

I hope that reform of the legislation will also cover legacy schemes and accrued rights. I think that the Government are proposing to do something on accrued rights, but a great many different legacy schemes exist, among them SERPS, graduated pensions and S2P. The White Paper refers to guaranteed minimum pensions, and I hope that the Government will sweep them all up into one regime. The Government Actuary has told me that that can be done, and that it would take about two years to do the calculations. That would alleviate much of the burden placed at present on employers, scheme trustees and civil servants.

The White Paper also refers to the legacy private schemes. Those schemes include the pre-70 scheme, the section 226 scheme, retirement annuity contracts, personal pensions, and schemes under the legislation passed in 1987 and 1989. They are all to be consolidated, but the difficulty is that they come under different tax regimes. The problem will be to come up with a system that is fair to the members of the various schemes and which will not cause huge disadvantages. I hope that the Government will look at that, as there is a severe danger of retrospective taxation.

My time is now up, so I cannot deal with the blame and compensation culture. However, I shall write to Ministers about that.

4.27 pm

Mr. Kevin Hughes (Doncaster, North): I am grateful for this opportunity to speak in the Gracious Speech debate. I congratulate my right hon. Friend the Chancellor on his excellent exposé of what would happen if the Opposition were ever to return to government. The Government's legislative programme is about fairness and the future, while the Opposition's proposals are clearly about division and a return to boom and bust.

Our programme is about facing up to the challenges of the future in a way that pursues social justice for all. It is an agenda based on the continuing economic stability and prosperity of the country. It is about reforming public services so that they are universal and personal, building a strong civic society with less poverty and less crime, and encouraging an outward-looking nation and a diverse, more tolerant country.

This Queen's Speech builds on our previous legislation. In the last year alone, we have passed some important new laws that give new powers to the police and local authorities to tackle antisocial behaviour. The Government have set down tougher sentences for repeat offenders and sex offenders, and streamlined court procedures. They have tackled organised crime and terrorism, devolved power to front-line staff in the NHS, and offered more choice to patients.

I want to welcome in particular the inclusion in the Queen's Speech of legislation that will tackle domestic violence and give more support for the victims of crime, protect children with a new children's commissioner, improve housing by tackling bad landlords in poor communities, give people more pension rights and protect pension schemes, introduce a supreme court and abolish the role of Lord Chancellor, and get rid of the 92 remaining hereditary peers. If it were left to me, I would get rid of the lot.

I welcome the proposals to introduce an identity card. It appears that the higher education Bill will be a bit of a problem for the Government. I do not have a problem with the idea of top-up fees. On balance, it is perhaps right for people to make what would be a small contribution towards their higher education. However, I take issue with the possibility of breaking a manifesto commitment. Call me old-fashioned, Mr. Deputy Speaker, but I believe that the manifesto is a contract of trust with the electorate. I would not want to go back on a commitment without first, explaining why it is felt to be necessary, and secondly, being convinced that there is no other way of delivering the policy.

The Government will also introduce an energy Bill, which will be based on the White Paper published in February this year. It is crucial for our economy and well-being that we get this right. We need a Bill that delivers security of supply by using a diverse fuel mix. However, the White Paper sets us off down the uncharted path of being a net importer of energy. We have ageing nuclear plant and no plans to replace it. I am not a great fan of the nuclear power industry, but I recognise that we would be hard pushed to keep the lights on without it. I have a sneaky feeling that the Government know that too. Why else did they pour in £650 million earlier this year to prevent it from going bust?

We had an abundance of natural gas, but we squandered it to generate electricity, instead of using it wisely for domestic purposes only. At the rate we are using it, we will be lucky if we have any left in 15 years' time—then what? The White Paper plans for us to import energy down a huge pipeline stretching across the European continent from such politically stable countries as Uzbekistan. We have an abundance of accessible coal right under our feet. It is a reliable fuel that delivers base load electricity when and where it is needed. Across the world, particularly in the USA, Governments are investing heavily in coal because they recognise its reliability and potential. In the White Paper, our Government clearly plan for the demise of our indigenous industry over the next 10 years. They seem to favour importing all energy from other countries.

Today, the Hatfield colliery in my constituency faces closure, although it sits on 80 million tonnes of good quality coal and has planning permission for an integrated gasification combined cycle power plant on the site, which can generate electricity from coal without the associated toxic emissions and can capture carbon, nitrates and hydrogen. We should ask ourselves why the US Government have invested $6 billion in developing such clean coal technology, yet the UK clean coal research and development budget totals a pitiful £25 million.

Last week, the coal investment aid scheme announced an amount of £60 million. It is only half what we expected, but I welcome it. It came just too late for Hatfield. Had it come in a seamless transition from the operating aid scheme that ended last December, I am confident that the colliery would not be facing the financial difficulties that it is this week. That is recognised and well summed-up in today's *Yorkshire Post* leader column, which says:

> "Had the Government taken a more strategic view of the Britain's energy needs, it is likely that Hatfield Colliery would not have been forced into administration."

It adds:

> "The fate of Hatfield, however, is inextricably linked with that of Britain's other remaining pits. For not only does the colliery, along with the currently mothballed Thorne pit, contain about half of the established reserves of British coal; it also offers hope for the future in the shape of a new clean-coal power-station development which could go ahead if the elusive investment became available."

The *Yorkshire Post* is hardly noted as a socialist paper.

Despite what the *Yorkshire Post* says, we have had some help from the Government. I am grateful to them for the help that they have given to us so far, but I hope that Ministers will continue to do all that they can to help me to sustain Hatfield colliery in recognition of the available coal reserves and the possibility of developing integrated gasification combined cycle technology there.

To maintain the stable economy and build for the future, we need a safe and secure energy supply. It is foolhardy to plan to import the best part of our energy requirements. The Government should backtrack from that route, which will make our nation a hostage to fortune. It is hardly fashionable to talk about coal having a future—windmills are more in vogue, even though they cannot produce the goods—but the truth is that coal has served us well for generations and, with that new technology, it can continue to serve us for many years to come.

David Taylor (North-West Leicestershire) (Lab/Co-op): Does my hon. Friend agree that the type and level of investment about which he speaks would also secure mining jobs in the midlands and elsewhere? A major coalfield around Asfordby in north-east Leicestershire has 800 million tonnes of clean coal and is waiting for investment. There is a future for coal in the United Kingdom, although we are in the last-chance saloon and the lights are being switched off.

Mr. Hughes: My hon. Friend is absolutely correct. Coal has been the fuel of the past and, with the new

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technology, it can be the fuel of the future. In fact, it could have a bright new future. We as a Government and a country should seize this opportunity and get ahead of the game with the emerging hydrogen economy that is coming this way.

4.37 pm

Mr. Steve Webb (Northavon) (LD): Earlier in the debate, reference was made to some of the Government's large-scale IT projects, and in the few moments available to me this afternoon, I want to refer to just two of them. At the start of the new parliamentary Session, I want to plead for an end to the Panglossian assurances that all is well with those IT projects and the implication that it is impertinent of us to suggest that things might be otherwise.

First, I wish to refer to the tax credits computer system. I was not at yesterday's sitting of the Public Accounts Committee, when it heard evidence from the head of the Inland Revenue and from EDS about the state of the tax credits computer, but now that the truth is coming out, it is clear that the assurances that we were given at the time that all this was a triumph and that everything was going swimmingly were very far from accurate.

The head of the Inland Revenue, whose position must be open to question, said that the tax credit launch had gone "spectacularly wrong"—not a phrase that we have heard Ministers use in the past six months—and that the computerised payment scheme had repeatedly crashed, forcing hundreds of thousands of people who live on the breadline to wait weeks. As all hon. Members know, hundreds of thousands of emergency payments were necessary, and there is now evidence that billions of pounds may have been overpaid, again because of problems with the system.

One of the things that I find incredible is that we can have blundering and administrative error on that scale but we barely bat an eyelid any more; we just expect it. We assume that huge Government computer projects will be a shambles. Given that up to £2 billion has been mistakenly paid, it is astonishing that Ministers have not made emergency statements to apologise to the House for the poor state of play. Instead, we get press releases from the Paymaster General and others saying that everything is a triumph. Sometimes I think that I have slipped into a parallel universe where all is well. Behind the scenes, the truth is very different.

Our constituents know that the truth is different. They have been messed around by the tax credits scheme from day one. Many have had to wait long periods and some have fallen into debt and lost serious amounts of money. They were told that they could claim compensation, but to do that they had to ring the very helpline that they could not get through on in the first place. We had a letter from the Paymaster General this week that said that 1,600 people, out of 5.75 million, had received compensation payments of a grand average of £30 each. If I had led a life of misery earlier this year caused by the tax credits system and I had to go through it all again for £30 compensation, I would not bother.

The spin from the Government is that the small number of people who received compensation must prove that there was not really a problem. However, if high enough hurdles are put in the way, people will not claim compensation. I suspect that many of us have had 1,600 complaints about the system just in our constituencies. The Government's complacency and unwillingness to be honest with hon. Members about the state of the problem are incredible. We get bland assurances that all is well, when we know from our constituency surgeries that all is not well. My plea to the Government for the coming Session is for honesty and openness when things go wrong. The new scheme is a massive undertaking. The head of the Inland Revenue even said that the system should not have been introduced as quickly as it was. We are told all the time that nothing is wrong, but that is so much at variance with the facts that we must wonder whether we live in a mature democracy and treated as mature representatives of our constituents or being patronised like children who cannot be trusted with the truth, perhaps because it is too horrible to be told.

This year has seen not one EDS computer catastrophe, but two. The same company is responsible for the Child Support Agency computer system, which was 18 months late in arriving and is still a shambles. In the six months to the end of September, 150,000 families asked the CSA to arrange maintenance but barely 5,000 had received the money by that date. What is the point of the child support system if it is not to get maintenance through to people? If 150,000 families go in at one end and only 5,000 come out, we must surely question the efficiency of the system.

The shifting of old cases on to the new system is to be delayed indefinitely, as far as we know, and that mess is costing real families real money. A family that does not receive maintenance loses out. For a family in work, every penny of maintenance that they do not get is a penny that they lose because the failure to receive maintenance has no effect on their tax credits. Although arrears build up and may be recovered later, they may not. We all know of cases in which the arrears run to tens of thousands of pounds that are never recovered. The Government may claim that things are getting better, but some of the money will be lost for ever to the children involved.

Families on benefits lose the money permanently. As I understand the situation—the Minister may be able to clarify it for me—a lone parent on income support who receives maintenance can keep £10 a week of it before losing benefit. If instead of getting £10 a week for 52 weeks she gets £520 in a lump sum, because the CSA has delayed getting the maintenance, she can still keep only £10. She has therefore lost the benefit of £510 of child maintenance disregard. Does she lose that disregard permanently because of the delay? I suspect that that is what will happen.

There is a further problem. All the families on the existing system cannot be moved over to the new system because of the computer problems. That matters because every mum on income support on the old system loses every pound that she receives in maintenance from her income support. If she moved on to the new system, she could keep £10 a week. Leaving aside the gainers and losers from the change in systems, every mum on the old system is losing £10 a week for every week of delay.

These are not abstract problems or delays that do not really matter; they involve real money for real children, and much of it is money that will never be recovered.

When a gentleman from EDS was asked in a Select Committee yesterday to talk about how much money the company was being penalised and other things, he was about to reply but was then shut up by a civil servant because the man from EDS is not supposed to tell people such things. It is all commercially confidential. We have a shambles, but we are not allowed to ask questions about it. We do not know whether taxpayers are receiving value for money because the information is all commercially confidential.

David Taylor: Does the hon. Gentleman believe, as I do, that this case points up the utter inadequacies of the private finance initiative and public-private partnership schemes to which, I regret, my Government have been wedded for almost seven years? Is he shocked at the lack of penalty clauses built into the private arrangements with EDS and other companies?

Mr. Webb: I share the hon. Gentleman's concerns. In fact, I think that the situation is so bad that the Treasury is now not doing new PFI on information technology projects. Yet here we are lumbered with a system that is so bad that we understand from a letter that we received from the Department for Work and Pensions that staff members at the CSA are using pocket calculators because they are more reliable than the new computer. All we get from the Minister responsible for the CSA are bland and Panglossian assertions—they are the only words that one can use—that all is well with the world, that the system is getting on and that we are gaining momentum. In fact, real families are losing real money.

There are penalty clauses in the EDS contract and I understand that some money is being withheld but whether permanently or temporarily I cannot be told. I have asked in the House, and I have been told that I cannot be told. I cannot be trusted with such information; it is all very hush-hush.

The House needs to know the truth about what is going on, it needs to know when things are going wrong and it needs to know about the finances. How can we, on behalf of our constituents who are suffering, hold the Government to account if we are treated like children with incomplete and inadequate information and a refusal to tell us the facts? Such situations happen over and over again and, on behalf of our constituents, I urge the Secretary of State to be honest and open with us in all circumstances so that together we can hold these companies to account and ensure that efficient systems are put in place to deliver the benefits and the maintenance that our constituents have a right to expect.

4.47 pm

Mr. Roger Berry (Kingswood) (Lab): I welcome most warmly the publication yesterday of the draft Disability Discrimination Bill. I also take the opportunity to express my equally enthusiastic support for the Government's policies on jobs and public expenditure. They have brought benefits to my constituents, as they have to everyone else in the country. However, as we have had only a passing reference to the Disability Discrimination Bill, I shall devote my 10 minutes to that measure.

I congratulate the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Liverpool, Garston (Maria Eagle), and my right hon. Friend the Secretary of State for Work and Pensions. Both have earned the respect of many people inside and outside the House for their efforts not only on the Bill but to secure equal opportunities for disabled people. I warmly applaud them.

The draft Bill will secure for disabled people many of the rights that were specifically excluded from the Disability Discrimination Act 1995, which was introduced by the Conservatives. Eight years since the Act reached the statute book, disabled people are still seven times more likely to be unemployed than non-disabled people. It is still the case that twice as many are likely to have no qualifications and that seven out of 10 disabled people report that they cannot go about their normal day-to-day activities because they cannot access buildings or transport. It is hardly surprising—but it should be shocking—to recall that there is now evidence that one in four disabled people offered employment decline that offer because they do not have access to the transport that will get them to work and back home again. We still face such problems, eight years after the Disability Discrimination Act was introduced.

We face the problems largely because, as is well known, the Conservative Government of the time introduced the Act only because of public outrage at the manner in which they blocked legislation in earlier years. They opposed the very principle of securing equal rights for disabled people through legislation but, because of public outrage, they were eventually forced to legislate.

I am afraid that the Tories' hearts were not in it. They did not establish a commission to enforce legislation. They excluded education and transport vehicles from the DDA. They excluded firms employing fewer than 20 people from the Act's provisions, which meant that millions of people in employment were denied any protection under it. They also excluded private clubs and drew up a list of occupations excluded from the Act's provisions, such as the police, members of the armed forces and firefighters.

I would appreciate the Secretary of State's comments on the exclusion of certain occupations because it has always struck me as distinctly odd. The DDA provides that genuine occupational requirements should be recognised. We are not saying that disabled people have the right to take jobs for which they do not have the necessary skills, qualifications or experience. We are saying that if a disabled person has the necessary skills, qualifications and experience and is the best person for the job or is entitled to training opportunities and promotions, he or she should not be denied that by virtue of being a disabled person under the Act. Given that such people must prove that discrimination exists to get protection under the Act, I do not understand why any occupation should be excluded because we are considering a universal principle. I have heard the Secretary of State talk about the matter outside the House, so I am sure that he will clarify the Government's view.

Many of the problems that I outlined have already been addressed. We now have the Disability Rights Commission. The exclusion of education from disability rights legislation was put right by the Special

[Mr. Roger Berry]

Educational Needs and Disability Act 2001, and the small firms exemption will disappear in October 2004. As my hon. Friends know, I wish that the exemption had not been created in the first place and believe that it should have been removed more quickly. However, small firms will not have the excuse of being able to pay no attention to legislation by October next year—praise be! Additionally, reasonable adjustments are defined in legislation. The shadow Chancellor talked about the imposition of burdens on small firms but they will be protected from unreasonable adjustments. The draft Bill will finish off most of the job of enshrining basic rights for disabled people in law.

We need to extend the definition of disability for the purposes of anti-discrimination legislation. I warmly welcome the fact that the Government have set out their intention in the draft Bill for legislation to apply to all people with HIV, cancer and multiple sclerosis. The draft Bill contains a reference to the fact that regulations might provide for circumstances in which people with cancer would not be covered. Perhaps the Government want to protect people with cancer who are receiving substantial treatment and thus narrow down the group of people who would benefit. I hope that the Secretary of State will comment on that in his winding-up speech.

Current legislation protects people with conditions such as HIV, cancer and MS if their condition is such that they cannot undertake day-to-day activities. However, it does not protect people who are diagnosed with such conditions if their symptoms do not mean that their physical or mental health is affected in such a way that their day-to-day activities are impaired. However, given that it is right to protect people from discrimination because they have been diagnosed with a condition that impedes their day-to-day activity, surely it is right to outlaw discrimination against people who have been diagnosed with such a condition that is not yet affecting their day-to-day activities. How can it be right that people with HIV, cancer or MS must wait until they have significant physical impairment before they are protected by the law? There should be protection from the point of diagnosis. I think that the Government are moving toward accepting that important principle in the draft Bill, but they have not quite done so.

Clause 3 of the draft Bill provides for the extension of the DDA to cover discrimination in relation to the use of transport. I welcome that most warmly. As of today, it is still the case that if a person in a wheelchair wants to get on an accessible bus and the driver does not stop to pick them up, he is not breaking the law. It is also the case that if the bus does stop and the person in the wheelchair tries to get on, the bus driver can be abusive and push them back off again. Tragically, the Disability Rights Commission has cited examples of that type of activity. Such discrimination must be wrong, so it is welcome that the Government are taking powers through the draft Bill to address that gap in the DDA.

I hope that while the Government are dealing with transport they will finally give us a date by which rail vehicles will be required to be accessible. I occasionally pop up in Transport questions to ask about that, but I have yet to receive an answer.

I am delighted that private clubs with more than 25 members are to be included, as they are under the race relations legislation. I am sure that that will be widely supported by political parties, because it means that we will have to ensure that we do not give less favourable treatment to disabled people, and that we make the necessary reasonable adjustments for them.

I am also delighted that public authorities will have a duty to promote disability equality, as they do in relation to race equality under the race relations legislation.

In conclusion, I warmly welcome the draft Bill and hope that the Government will reiterate their commitment to legislate on the proposals during this Parliament, as they promised during the run up to the last election.

4.56 pm

Mr. William Cash (Stone): I want to refer to a matter relating to economic management that has been causing the Chancellor of the Exchequer some concern—the primacy of European law under the proposed European constitution. Having listened to some hon. Members' speeches, that matter seems to have been somewhat overlooked. For example, the hon. Member for Coventry, North-West (Mr. Robinson) mentioned the last Conservative Government's disastrous policies on the exchange rate mechanism, conveniently forgetting that Labour Members were entirely behind those policies. Indeed, on the basis of the Government's current commitment to economic and monetary union, they would take us back in again.

Last month, the Chancellor expressed deep concern about the danger of the European constitution undermining the role of national Governments in economic policy making. That is a serious matter, because it has an impact not only on the debates that we will have in future if the constitution goes through, but on the effectiveness of our position in the House of Commons in representing our constituents.

To a great extent, the Government's concerns are not being backed up by a determination to retain control over our own economy. In June, the Treasury produced a paper called, "Policy frameworks in the UK and EMU"—economic and monetary union—which states:

> "While individual tax and spending policies remain a matter for EU Member States, there is an EU framework to promote and maintain sound public finances and to aid coordination between the fiscal authorities."

It continues:

> "The main objective for fiscal policy which Member States have agreed . . . is to safeguard sound government finances as a means to strengthen the conditions for price stability"—

that, of course, is what monetary union is all about—

> "and for strong sustainable growth conducive to employment creation."

It then mentions the excessive deficit procedure, to which I was somewhat opposed in the Maastricht treaty, and the stability and growth pact, which was introduced in circumstances where I felt that it would have been wiser not to do so—many of us opposed it vigorously—and which has now collapsed in ignominy.

It is worth pointing out that the same paper states:

> "As already noted, the UK and EU fiscal frameworks . . . even outside EMU"

operate on the basis that

> "the UK is obliged to follow many of the requirements of the EU framework".

We should reflect on that because although we are outside the single currency, we are not outside the framework in which the economic and monetary union policies operate. In considering the stability and growth pact and the exchange rate mechanism, which many of my distinguished colleagues, including some on the Front Bench, and I vigorously opposed, I was reminded of Shelley's famous poem, "Ozymandias":

> "Two vast and trunkless legs of stone
>
> Stand in the desert."

It goes on to describe the pedestal:

> "these words appear:
>
> 'My name is Ozymandias, King of Kings:
>
> Look on my works, ye Mighty, and despair!'
>
> Nothing beside remains. Round the decay
>
> Of that colossal wreck, boundless and bare
>
> The lone and level sands stretch far away."

That is how I would summarise the policies of the European constitution in relation to our economic affairs and management.

The draft European constitution threatens to tighten the noose of European economic management and would transform the European Community and European Union treaties into a free-standing constitution for Europe, adjudicated by what is effectively an EU supreme court. So much for the House's jurisdiction. It proposes easier censure of member states for failing to comply with EU economic policy and deficit guidelines by making such censure subject to the double majority system of qualified majority voting. It would remove the requirement of unanimity for the Council of Ministers to adopt economic measures to apply to member states. It would also confer on the Council of Ministers a mandate to lay down fresh detailed rules and definitions for the excessive deficit procedure protocol. That is all in addition to existing treaty provisions on economic policy co-ordination and so-called multilateral surveillance of member states as well as the notorious dead letter of the stability and growth pact.

We are not considering only technicalities but jobs, public services, realistic growth and public expenditure levels. The stability and growth pact was never a workable instrument but its recent killing off by France and Germany has created a new crisis. The supposed solidarity of EMU has been exposed as a sham. France and Germany originally intended the proposals to contain the profligacy of, for example, Italy. However, by breaking the pact they have undermined the rule of law and they have done so with the disgraceful connivance of the British Government.

The United Kingdom is complicit in the destruction of the stability and growth pact. With Sweden, it opposed the redrafting of article III-88(1) of the draft European constitution on the adoption of measures for the eurozone on economic policy co-ordination and excessive deficits.

Increasing functions are being created for the European Union. As I pointed out to the co-ordinating strategic planner of the Commission in the Select Committee on European Scrutiny the other day, creating more functions leads to more costs and more requirements to pay them. The European constitution must then be re-examined and it states that the Union has to provide the means to support the objectives. The money will come from taxation. The European constitution will have an upward effect on our tax system.

Let me deal with asymmetric socks—*[Interruption.]* Indeed, perhaps I should consider asymmetric red socks. I meant "shocks". The economists have warned about that for some time and now Ireland is experiencing rampant inflation, Germany, Italy and the Netherlands are in recession and Portugal is an economic disaster zone. The internal contradictions of EMU have their own dynamics. They create not diversity but chaos and we will be affected, whether we are in or out.

Monetary union has managed to create the worst of all possible worlds for the eurozone: regional imbalances of inflation and deflation, at first a low and now a damagingly high exchange rate, low growth, high unemployment, treaty obligations broken in every direction, bitter recriminations and a shattered illusion of moral unity. What is proposed is more of the same, whereas we need a fundamental rethink about all this, not only in the United Kingdom but in the rest of the EU.

The Union's plans for economic management are dirigiste—their approach is almost Soviet—and they are unrealistic and unworkable in a democracy because they bear no relation to what people want. But they will have massive effects on people's daily lives, and on regulation, competitiveness, productivity, the social market economy, levels of public expenditure, hospitals, schools, public services and unemployment, as I pointed out in the economic debate about Maastricht all those years ago.

There is also the other requirement under the charter concerning the length of the hours that people work, which will have a tremendous impact on our hospitals, as we saw the other day. There is also the right to strike, which even a Labour Government have not introduced. Even if the UK never joins the euro, our export markets will be affected by it, and our domestic economy remains subject to economic and monetary union.

This constitution must be rejected. There must be a far-reaching, fundamental renegotiation that addresses the reality, not the false vision of the Euro-eélite. Does the Chancellor of the Exchequer agree, and if not, why not?

5.6 pm

Mr. Jim Cunningham (Coventry, South) (Lab): It is rather ironical that I follow the hon. Member for Stone (Mr. Cash), particularly considering what he has been

[Mr. Jim Cunningham]

saying about Europe and the constitution. We have to remind him that if he and the last Conservative Government had not signed up to Maastricht and the single market, perhaps some of the red tape that he has been referring to would not have appeared.

Although we have not seen the details of the pensions Bill, which my hon. Friend the Member for Coventry, North-West (Mr. Robinson) mentioned earlier, I certainly welcome the proposals, particularly for the setting up of a pension protection fund. Any time my hon. Friend or I asked to see the Secretary of State for Work and Pensions about the problems that we were experiencing in Coventry with the final payment schemes of companies such as Massey Ferguson and, to a certain extent, Rolls-Royce, my right hon. Friend and other Front-Bench colleagues were always prepared to see us and to meet delegations. Although it may be a little premature to say so, we seem to be going in the right direction. However, we certainly need to know more about how the fund will work and what the levies will be.

The other issue arising from occupational pensions and final payments funds is the fact that there should be more consultation, not only on the general nature of pension funds but in the particular case of an employer proposing to change a pension fund. At the moment there is no onus on employers to consult employees about any changes to the pension fund or about pension holidays. Anybody who knows anything about industry will remember that, from time to time, employers take pension holidays, and nobody can stop them. That creates considerable problems. We must remember that the previous Conservative Government did very little about such situations. In fact, they presided over one of the biggest scandals in history—the mis-selling of pensions. I do not have to go into the details of that for my colleagues; I am sure that we are all aware of that scandal.

Turning to fair trade and third-world debt, I am particularly glad that the Chancellor is saying that, by about 2006, Britain's share of help for the third world will rise to about £4.9 billion. That is a step in the right direction, but there has always been a concern in the west midlands about the problems that manufacturing experiences from time to time. I mentioned the Massey Ferguson pension scheme. Massey Ferguson has pulled up stumps and left Coventry. When any manufacturing jobs are lost, that has a knock-on effect on the small producers who supply the spare parts.

We recognise that the Government are trying to do a lot for manufacturing industry, but we must keep our eye on that area, especially in the west midlands, which has been considered the economic engine of the country.

The shadow Chancellor opened the debate with his new attack machine. I was trying to work out what we should call it. Should it be called the Pol Pot machine or the year zero machine? My hon. Friend the Member for Coventry, North-West touched on that. The Tories have created an interesting machine, but we have one of our own. I am sure my hon. Friends remember the 17 per cent. VAT on fuel under the Tories. Despite the campaigns that were waged, the Conservative Government did not listen. We had a battle in the House on a Friday morning about winter fuel payments, and I am sure that my hon. Friends remember that. Under the Tories, there were record interest rates, negative equity, the mis-selling of pensions, record unemployment, and the Horizon project, which the Opposition do not want to talk about. When I was on the Select Committee on Trade and Industry, it conducted an investigation into the Horizon project, which cost £0.5 billion and was probably responsible for some of the problems that we now have with computer systems. The Tories spent about £30 million trying to put it right.

Mr. Berry *indicated assent.*

Mr. Cunningham: My hon. Friend also took part in that inquiry. The Opposition talk about their attacking machine, but we have one as well.

I shall be a little more positive now, as I have said enough about the record of the Opposition in government. I shall take a measured look at our record. We have low inflation—we have probably had the lowest inflationary period in our history, despite what the Opposition say. That gives people confidence in the economy and a security that they have never had before. Anyone who has worked in industry has been subjected to the stop-go policies of Conservative Governments, when they could be threatened with redundancy. They know what that security means to the man and woman in the street. That is fundamental to people outside, and we should never lose sight of it.

More money is being spent on the health service and on education. More importantly, there has been an increase in the number of doctors and nurses to meet the needs of the health service. Much has been done to reduce waiting lists, but it is important to note that more people are being treated than ever before. I am sure that my hon. Friends remember the days when people were put on trolleys because they could not be given hospital beds, and when there was a record number of hospital closures. It is worth while reminding ourselves of the Tory record.

One of the most fundamental measures that the Government introduced was the minimum wage. We can all debate the level of the minimum wage, but I remember the case of a lady in Coventry who was paid £1 an hour and was not told her employment rights. We had a long battle with the job centre to get some action taken against the company involved. There was quite a bit about that in the *Daily Mirror*, which ran a campaign on the minimum wage.

We should again remember the Conservative Government's record. I like to jump in and out of this subject, just to remind them. What could have been worse than the poll tax? Need I say more? I was leader of Coventry city council during the poll tax years. People complain about high council tax charges, and some of them are too high, especially in Tory councils, but I can remember when Coventry city council's rate support grant was cut and its capital budget was capped. In effect, that meant that we could not carry out school or council house repairs. Therefore, although we have been in government for about six and a half years, we still have a long way to go to deal with the injustices and inequities of the Tories' 18 years in government.

I say again that I welcome a number of measures in the Queen's Speech and a number of measures that the Chancellor has introduced in the past. I look forward to seeing the detail of the Government's pensions Bill.

5.15 pm

Mr. Archie Norman (Tunbridge Wells) (Con): I draw the attention of the House to my entry in the Register of Members' Interests.

It is a great pleasure to follow the hon. Member for Coventry, South (Mr. Cunningham), who made an interesting speech and some important points. I was sorry that he chose to introduce, perhaps uncharacteristically, a partisan note at the end of his remarks. It is interesting to note how often Labour Members refer to the poll tax, as if that is an important point about next year's public agenda. After all, the poll tax became extinct more than a decade ago. If that is the greatest criticism that they can level at Opposition policies, it is not very much.

My right hon. Friend the Member for Charnwood (Mr. Dorrell) said that the debate would be interesting to the outside world only if we were capable of standing back a bit from party politics, and I agree. Unfortunately, he made his remark after the Chancellor left the Chamber. The Chancellor's speech was very much the speech of a politician, of someone more interested in his interpretation of Opposition policies than in any rounded assessment of the state of the economy.

There are fundamental issues about the performance of the economy; I think that any rounded assessment would come to that conclusion. That is not necessarily a criticism of the Chancellor or of the Government's approach. The Government set out with a big project—to increase state spending on state-delivered service—in the belief that the quality of life for British people, our infrastructure, and hence our national competitiveness would improve as a result. That is a perfectly noble purpose, but the Government staked their reputation on their ability not to spend money but to deliver outcomes proportionate to the increase in spending.

That is the issue that my right hon. Friend the shadow Chancellor raised in his speech. It is not a partisan point that there are serious problems with public service productivity and public service delivery. After all, it is an issue that the Prime Minister himself has recognised. Given the major policy shift undertaken by the Government, that is the central issue that we should be debating and that the Queen's Speech should be addressing.

Mr. Geoffrey Robinson: Will the hon. Gentleman give way?

Mr. Norman: I am sorry. I am so short of time that I prefer not to, if the hon. Gentleman will forgive me.

The shadow Chancellor said that the solution is not more legislation, it is better administration. He is 100 per cent. right. That goes not just for public services but for the economy as a whole. Let us remember that public spending is rising to 40 per cent. of GDP. It accounts directly for about one fifth of all employment and indirectly for even more, so it is a substantial part of the total. If we fail to deliver productivity growth in the public sector, it will be extremely difficult to improve the competitiveness of the economy overall, regardless of the state of the national infrastructure.

It is not just a question of wastage, surplus overheads, the burgeoning number of administrators in the health service or the Department of Trade and Industry. The importance of the bureaucrats and administrators is that they speak of a set of values and a style of leadership. If in the DTI, the Department of Health or the Home Office the number of administrators is growing by the day, it is hardly surprising if people on the front line are not motivated to deliver improvement in performance and to look for ways of saving money.

According the Office for National Statistics—these are not my statistics—from 1995 to 2003 there has been a 48 per cent. increase in public spending for a 15 per cent. increase in output. There is controversy about how we evaluate public sector output but, on any measure, we are looking at dire performance on productivity improvement compared with anything one would expect in the private sector. In the NHS alone, most measures suggest that for an increase of about 21 per cent. in spending over the last three years, we have had an increase in output of approximately 1 to 2 per cent. There may have been qualitative improvements beyond that, but there is a huge deficit in performance that would be unacceptable in any commercial environment.

It is no defence for the Chancellor to give a great list of achievements; after spending that amount of money, there should be achievements. The question is whether those achievements are proportionate to the money that has been spent, and whether the public sector is improving the quality of delivery at the same rate as one would expect had the same amount of money been spent in any other sphere of life. According to the ONS, we have seen negative productivity growth in the public sector in the last three years. That is a serious problem for both sides of the House and for the economy as a whole.

We are putting more and more money and employment—70,000 to 90,000 people a year—into the least productive, worst managed, most trade unionised and most sclerotic part of the economy, which spends the least on research and development of any single sector: the public sector. That is the difficulty with which we are struggling, and the Queen's Speech needs to address it.

What is the Government's agenda when faced with this central and structural problem in their policy? The answer appears to be to produce more Soviet-style proliferation of public targets and to do nothing to address the problems of public sector management. The chairman of a well respected NHS trust told me a couple of weeks ago that the problem with the Government was that they thought not that the Soviet Union was wrong, but that it did not try hard enough. *[Interruption.]* Those are not my words. One might think that they are exaggerated or ridiculous, but that is what leading public servants are saying about the Government. People who work for the Government—not me—believe that that is the way the Government are working.

The Centre for Policy Studies produced an excellent document recently called "Managing not to manage" and pointed out that the life expectancy of a chief executive of an NHS trust is now only 700 days. In other

[Mr. Norman]

words, we are losing talent in the service because people are so fed up with the way they are managed and by the support they receive from the Government. A MORI survey last year said that two thirds of NHS chief executives were absolutely fed up with the number of targets that they were expected to pursue and felt that that cast doubt on their interest in continuing to serve in the national health service.

These are serious issues and the situation will get worse unless we start to support more effective management and leadership in the public service. The position of the Conservative party is not a question as to whether we should be spending more on public services. It is about how that money is spent and whether we are spending it in such a way that the delivery produces a better quality of life, better outcomes and better customer service for the people of this country.

To reinforce this point, there are aspects of the public services that are improving, and we can point to instances of remarkable improvement, restructuring and growth in productivity. One example is Ordnance Survey, an outstanding institution—potentially a world leader—that has transformed its business over the past two or three years. The British Library is another outstanding world resource by any standards, and it is now employing new technology to good effect. The Royal Mail, led by my former colleague Allan Leighton, is restructuring at a fantastic rate; that is, of course, controversial in some quarters, but it is undoubtedly delivering big productivity gains.

Importantly, it is not just that these institutions are unusual, but that they are led in every case by high quality private sector leadership and people who have come in from outside. The institutions compete, and individuals can make a choice outside their circles; the public have a choice in terms of library services, Ordnance Survey or the Royal Mail, and there is an incentive to perform. The public also have an incentive to make the right choice. And of course, these are institutions that are comparatively immune to the day-to-day interference of politics and politicians. Political interference and targeting represent an absolute corrosion of public services. They detract from the esteem of those who work within them, and diminish the attraction for capable men and women of achievement from outside to come in and provide the management that those services deserve.

The things that we should look for from the Queen's Speech in the year ahead are measures to distance the partisan political process from the delivery of public services, and to provide the capacity to attract and motivate men and women—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman's time is up.

5.25 pm

Mr. Piara S. Khabra (Ealing, Southall) (Lab): I am pleased to have the opportunity to speak in today's debate on economic affairs, and I hope to raise a few useful and specific points with the Treasury team. Many of the proposals covered by the debate will not capture the same headlines or create the same controversy as top-up fees or Lords reform, but the issues that we are dealing with are fundamental to the health of the nation's economy, which in turn will affect our ability to invest in public services.

I am pleased to see that the United Kingdom has held up well in the troubled economic waters of the past year or two. In a report last month, the Organisation for Economic Co-operation and Development noted that

> "the UK economy continues to exhibit greater resilience than most other OECD countries"

and that

> "inflation and unemployment are internationally low".

Despite the concerns expressed in the report about the widening public deficit, I am sure that the Chancellor will be able to show in next week's pre-Budget report that it remains fiscally on-track.

The Chancellor has done an excellent job in difficult circumstances—perhaps the best in this country's history, and better than any of his predecessors. My constituents have not forgotten the days of high inflation, high interest rates and unemployment, and of bankruptcies and the repossession of properties: the boom and bust period of the previous Conservative Government. Indeed, I have seen the devastating effect that that period had on my constituents.

A CBI statement issued last month pointed out that

> "business confidence has risen in every English region and in Wales over the last six months as the global economic recovery has taken hold"

and that employment is expected to rise in every region. Yet to ensure the durability of this recovery, it is important that we address certain dangers, and for that reason I am pleased to see proposals in the companies Bill to tackle corporate governance issues. The problems at the Dutch retailer Royal Ahold earlier this year—the chief executive resigned after it was discovered that profits had been overstated by $500 million in the past two years—show that Europe is not immune to scandals such as that affecting America's Enron.

If we are to ensure that investors can have confidence in doing business in the UK, and with UK firms, we must strengthen our system of governance, particularly the rules on accounting standards. This country already has a great deal to offer to businesses. Indeed, in a survey published in July, the Economist Intelligence Unit ranked the United Kingdom as the fourth best country in the world in which to do business. But if we are to keep that position, we need to maintain confidence in our systems. I therefore welcome the proposed companies Bill, which will tighten the regulation of auditing, increase the powers to investigate companies, and allow the Inland Revenue to pass on any information on suspect accounts that it discovers during its investigations. That is important for the growth of the economy and for people in general, and it will lend welcome clarity to require directors to state that they have not withheld any relevant information from the auditors.

None the less, I hope that the Government will consider going a little further in some areas. Five years ago we had the big six accountancy firms; now we have the big four, and the vast majority of the world's largest firms are audited by one of those. It is therefore imperative that their accounting be beyond reproach.

and that investors can trust the accounts presented to the public and to shareholders to be independent. I cannot help but feel that that independence is in danger of being compromised by allowing a firm auditing a client company to provide lucrative consulting and tax advice as well. That is a point for Treasury Ministers to note.

It is too much to assume that auditing firms that receive large fees for their consulting work will not be at least a little swayed, and certainly tempted, in their less lucrative auditing roles too. Two possible solutions present themselves. One is to bar auditors from offering non-audit work. That would create a real barrier to conflict of interests, as opposed to the Chinese wall model, which seems to have been ineffective. The fact that the Government intend to require companies to publish full details of the non-audit services that they get from their auditors suggests that the potential for conflict is recognised. I feel that it would be best to remove the possibility altogether.

Another idea would be mandatory rotation of auditors, perhaps every three years. That would encourage independence, as it would reduce the possibility of auditors and clients becoming too close. The knowledge that an auditor's work would be under scrutiny by one of its rivals every few years would surely encourage a higher standard of work, which is needed both for businesses and for the economy as a whole.

Once any changes are put in place, we need to put trust in the new processes. It is true that some businesses have abused our trust, but excessive regulation will only stifle innovation and the necessary degree of risk taking that is part of a successful entrepreneurial culture. I am glad that the Queen's Speech offers us some clear guidelines without excessive regulation.

I shall now touch briefly on other welcome measures on the agenda for the coming Session. I am pleased that provision is to be made for establishing community interest companies to promote social enterprises. These new entities should bring useful and desirable economic and social benefits for the United Kingdom, especially as they will be expected to produce annual reports on their efforts to meet social objectives.

I shall now raise several other issues that are important to my constituency and me. I look forward to supporting the proposals in the pensions Bill, as my constituents have raised the issue of pensions reform with me. I have often lobbied the Chancellor on the subject, and I am sure that many of my constituents will be pleased with the plans for a pension protection fund and a pensions regulator. I also hope that the Government will continue to recognise the importance of small businesses, which are especially important in my constituency, and also vital to the economy.

I wonder whether the Treasury has made any commitment to deal with the domicile rule, which has lost the Treasury many millions of pounds in potential revenue. I am sure that the Chancellor is also aware of the high level of consumer debt, which is potentially damaging to households and families. I hope that the Government will think about ways of discouraging the sometimes murky activities that snare people into a debt trap.

Of course, for all the proposals outlined in the Queen's Speech, the devil will be in the detail. I believe that there is much potential and I hope that the House will come together on many of the issues raised in the debate today. A healthy economy is essential to the UK not for its own sake, but for what it allows us to do. It enables us to continue investing and makes it possible to meet our social obligations to the nation. These proposals should create the healthy conditions and good practices necessary—

Madam Deputy Speaker: Order. The hon. Gentleman's time is up.

5.35 pm

Mr. Jonathan Djanogly (Huntingdon) (Con): Thank you, Madam Deputy Speaker. As "Tail-end Charlie", I shall have to pick on only a few issues. One issue that has not been much mentioned today, but which must be debated, is the massive impact of regulation on businesses, particularly small businesses, in our country. There are 15 new regulations coming into force every day, which, according to the estimate of the British Chambers of Commerce, amounts to a cost hike of £20 billion a year on business. When I asked businesses in my constituency about that, 90 per cent. felt that the burden had increased under the Labour Government.

The evolving picture for British manufacturing is not a pretty one. Productivity growth has halved since Labour came to power. Output was down by 4 per cent. last year—the biggest fall since 1991—and profitability has fallen to its lowest level since 1992 with 300 manufacturing jobs being lost every day. In such a dire position, we need to ask what the Government wanted to achieve. It is certainly not equality, because the divide between rich and poor is growing. Clearly, the Government believed that low interest rates would encourage investment, but while the personal debt mountain has grown to ever-higher levels, corporate investment has fallen in the last quarter to its lowest level for 20 years.

I can only imagine that Europe must figure highly in Labour's grand plan—I have the inevitable feeling that they want to dumb down to the lowest level of the social chapter—and that the Government wish to appease the unions with a European social agenda that will lead to a less competitive and, ultimately, higher unemployment economy, which is more euro-compliant. Once comfortably in the euro, the Government will be able to blame others for setting an interest rate that destroys our own economy.

Having said that, Labour has also encouraged our very own British regulations, such as the climate change levy, the aggregates tax and, most recently, the income tax hike in the form of national insurance, which is itself equivalent to a 3 per cent. rise in corporation tax but is wholly unrelated to such niceties as whether the company concerned makes a penny of profit. Worrying as the red tape and regulations are to business, the growing sentiment that I hear from businesses is that they feel increasingly isolated. While their employees' protections and rights are becoming ever more entrenched, who in the Government is standing up for business interests?

[Mr. Jonathan Djanogly]

The tide continues to flow in this year's Queen's Speech with a new draft disability discrimination Bill and Employment Relations Bill chipping away time and again at our competitiveness. It is a Government of technocrats and target setters, not innovators and leaders. Whenever there is a problem, they say, "Let's have another Bill", but before we move on to the new Bills, including the proposed Bill to regulate auditors and facilitate the raiding of companies and their directors by the Department of Trade and Industry, what about the comprehensive companies Bill that they have promised for five years—the one that will reduce form filling, ease statutory capital requirements for companies and remove the inherent discrimination that small companies face in our corporate legislation? I ask the Government, in whose in-tray is that now languishing?

I recently met the British Exporters Association, which said that the relevant Minister did not seem much concerned about attending meetings with foreign parties to help companies to win contracts, though that was regularly done by other European Ministers. I return to the question whether it is worth having a Department of Trade and Industry at all. The answer is, probably not, when the Secretary of State prioritises commenting on semi-nude women sitting on cars in motor shows, attacks the ability of British managers rather than supports them, and highlights the question of ageism as a sop to pensioners who are now forced to work due to Labour having smashed their pensions.

My opinion might be different if we had a Government who cut regulation for companies and fought Treasury plans to increase corporate taxes; who stood up for British interests abroad and demanded our fair share of Iraqi contracts; who travelled the world securing inward investment and British foreign infrastructure and export deals, and who sorted out rather than pandered to the unions and their ancient work practices, as we recently saw with the Post Office strikes. Only then might I give a cheer for the Department of Trade and Industry.

5.39 pm

Mr. David Willetts (Havant) (Con): The Opposition believe in productivity and my hon. Friend the Member for Huntingdon (Mr. Djanogly) has just said in four minutes as much as most contributors to the debate said in 10 minutes. I congratulate him. I declare my interests, which appear in the Register.

I begin by considering the historical context of the Queen's Speech. The Government have been in office for six and a half years. In that period, they have passed 254 Acts of Parliament, which amount to 16,050 pages. The Government began with 600 targets, but they needed improvement and development so we now have a total of 890. There has been a 50 per cent. increase in spending on public services.

So if Utopia were achieved by legislation, targets and public spending we ought to be in it today; but we are not, and the reason for the growing discontent that is expressed on the Conservative Benches is that it is manifest that we are not. Several of my right hon. and hon. Friends, including my right hon. Friends the Members for North-West Cambridgeshire (Sir Brian Mawhinney) and for Charnwood (Mr. Dorrell) and my hon. Friend the Member for Tunbridge Wells (Mr. Norman), drew the House's attention to the problem that we are not producing enough, especially in the public sector where we need £4 of input for £1 of product. That is the kernel of the issue.

The problem was put very well by the Public Administration Committee, which investigated targets. Its report stated:

"we discovered that targets and results were different things."

That will be the Government's epitaph; the discovery that targets and results are different things.

Perhaps Ministers realise that there is a problem. That may be why we are having a big conversation—to find out what ought to be done—perhaps as a result of some loss of direction, some loss of confidence or some loss of momentum. For example, on the constitution, when the Prime Minister was in opposition he said that he supported Labour's commitment to replacing the House of Lords with an elected second Chamber. Yet now the big conversation consultation document asks what should be the role and functions of a second Chamber. It asks how today's House of Lords should be constituted.

Six years ago, the Government knew how they were doing on transport. Their first annual report stated, "Done" in relation to the development of an integrated transport policy. However, in the big conversation, they say that more needs to be done and that they are asking the tough questions about how to fund a world-class transport infrastructure, how best to integrate transport and whether they have got their priorities right.

The Government are losing their way. They are losing momentum and they have lost their purpose. The tragedy is that there ought to be a conversation and we know what it ought to be about. The big conversation ought to be about how we reform our public services. That is the real big conversation and I believe that it goes on among Ministers. We know what they say. We know what the Prime Minister has said. If Tony were free to put his entry on the website, this is what he would say:

"We should be far more radical about the role of the state as regulator rather than provider, opening up healthcare, for example, to a mixed economy under the NHS umbrella . . . We should also stimulate new entrants to the schools market and"—

I draw the Chancellor's attention to this point—

"be willing to experiment with new forms of co-payment in the public sector."

Perhaps the Chancellor would not agree.

Someone close to the Chancellor also made a contribution to the big conversation. This is what Ed would like to put on the website,

"We have to have the confidence to accept that there is a limit to how far you can apply market principles . . . you run grave risks with the ethic of public service . . . if you go down the road of thinking you can apply market principles to a good like health, the evidence is that you end up with inefficiency and escalating costs, two-tierism and you can do grave damage to that ethic of public service . . . I think the same is true of education."

That is what Ed would put in the big conversation.

Mr. Eric Forth (Bromley and Chislehurst) (Con): That is Balls.

Mr. Willetts: Perhaps, but this is how Tony chips in. He says:

> "But unless we want the result to be poorer services, we need to address the balance between what the citizen pays individually or collectively."

That is the Prime Minister's contribution to the big conversation. The Chancellor comes in and warns:

> "The very same reasoning which leads us to the case for public funding of health care on efficiency as well as equity grounds also leads us to the case for public provision of healthcare."

That is what the Chancellor thinks. In desperation, the Prime Minister comes back with his final throw.

> "We should have the confidence to open up the debate, be honest about the challenges, lay out the real choices."

What are the No. 10 spin doctors saying, meanwhile? A senior Government official said:

> "We think these are issues that should be discussed in private and not in the columns of newspapers."

That would be a big conversation, and it is the one we should be having. It is the one in which Opposition Members are taking part. It is a great pity that, when the debate gets to the heart of the nature of Britain's public services, all we hear from the Government are muffled thuds and sounds emerging from Nos. 10 and 11 Downing street. That is what has gone wrong.

Pensions provide a particular example of where the Government have failed in target setting and control. The Government set a clear target, and the Opposition—in the bipartisan spirit in which we believe—said that we were happy to endorse it. The Government target was to shift the balance of pension funding: instead of pensioners getting 60 per cent. of their income from benefits and 40 per cent. from funded savings, the proportions were to be reversed. What has happened? In practice, the trend has gone in the opposite direction. When the Government came to office, pensioners got 51 per cent. of their income in benefits, and 42 per cent. in funded pension savings. Now they get 61 per cent. in benefits, and 39 per cent. in funded pension savings. The country is heading in the wrong direction.

I remind the Chancellor of his famous promise to the Labour party conference:

> "I want the next Labour Government to achieve what in 50 years of the welfare state has never been achieved—the end of the means test for our elderly people."

We would love to hear him endorse those sentiments again, at the Dispatch Box. Instead, what we have is more means testing. Help the Aged believes that the pension credit is "totally over-engineered" and that it should be much simpler and fairer. It also said that it would be

> "better to boost the basic state pension to Minimum Income Guarantee level, which could still be done with modest extra costs."

That would be the right direction—reversing the spread of means testing and rewarding people for building up their funded pension savings. However, the Government are taking us in the wrong direction, which is the opposite of the one set out by the Chancellor in opposition.

The Government are to introduce legislation to set up a pension protection fund. However, we know what pensions need protection from—the Chancellor who took £5 billion a year away from them. The Government say that they are bringing in the pension protection scheme to restore confidence in pensions. They certainly need to restore that confidence. A polling question asked:

> "How much do you trust the Government to keep its word and not let you down on your pension?"

The responses showed that trust scored 16 per cent., while distrust scored 81 per cent.—a net score of minus 66 per cent. That shows that the Government have a problem. I hope that their legislation will do something about that.

The trouble is that we are not clear about how the protection scheme will work, or whether it will offer any extra security, compared with existing pension schemes. It is not clear what will happen if the premiums are insufficient to bail out a large pension scheme. Of course, there is nothing in these measures for the people who have already lost their pension schemes—employees of companies such as Allied Steel and Wire. Nearly a year ago, on 17 January, I wrote to the Secretary of State promising that we would work on a cross-party basis to introduce straightforward, simple measures that would tackle the anomalies in the current rules on wind-ups, but our offer has been ignored. Those measures could be on the statute book by now. We do not need to wait any longer.

The problem with the Government's approach is that it is defensive. They are building a deeper ditch around a castle. They are not offering anybody any incentive for more funded saving. That is what we in the Conservative party believe in.

5.50 pm

The Secretary of State for Work and Pensions (Mr. Andrew Smith): At least until the last speech this was a good debate. We heard from 15 Back-Bench Members. I thank the right hon. Members for North-West Cambridgeshire (Sir Brian Mawhinney) and for Charnwood (Mr. Dorrell), the hon. Members for Banff and Buchan (Mr. Salmond), for Bournemouth, West (Mr. Butterfill), for Stone (Mr. Cash), for Tunbridge Wells (Mr. Norman), for Northavon (Mr. Webb) and for Huntingdon (Mr. Djanogly) for their contributions. Unlike the Conservative Front Bench, they at least were interested in debating the economy. I thank, too, my hon. Friends the Members for Ochil (Mr. O'Neill), for Coventry, North-West (Mr. Robinson), for Doncaster, North (Mr. Hughes) and for Kingswood (Mr. Berry), my right hon. Friends the Members for Llanelli (Denzil Davies) and for Coatbridge and Chryston (Mr. Clarke), and my hon. Friends the Members for Coventry, South (Mr. Cunningham) and for Ealing, Southall (Mr. Khabra) for their contributions.

The debate has ranged so widely that it is difficult to do justice in the nine remaining minutes to all the interesting arguments. I will pick out a number of points for response. First, I assure the hon. Member for Northavon, who made important points about the Child Support Agency, that a lump sum child support payment such as he described would be assigned to the time that it should have been paid and disregarded

[Mr. Andrew Smith]

accordingly, so that in the example that he gave the full £520 would be disregarded retrospectively across the year.

The debate opened with the first speech of the right hon. Member for West Dorset (Mr. Letwin) as shadow Chancellor and his inaugural mauling at the hands of my right hon. Friend the Chancellor of the Exchequer. I congratulate the right hon. Gentleman on his appointment. He has the endearing characteristic of saying out loud what is in his mind, so we often get a more honest account for what passes for Conservative policy from him than we do from his colleagues. From a sedentary position a few moments ago, he committed the Conservative party to reintroducing the dividend tax credit at a cost of £5 billion—*[Interruption.]* He wants to resile from it now. In the limited time available I was not going to go into his record as a self-proclaimed inventor of the poll tax, an enthusiast for NHS vouchers and the proposer of £20 billion of cuts in public spending. From his speech this afternoon and that of the hon. Member for Havant (Mr. Willetts), it is clear that the Opposition have no coherent critique of this legislative programme, never mind any coherent alternative.

The Opposition spoke a lot about targets. They made it clear that they have a target to get public spending down to 35 per cent. of GDP with £80 billion of cuts, privatisation in the NHS and the abolition of the new deal. Where this Government are making tough choices for stability and progress, the Opposition Front Bench propose extreme and muddled policies that would damage schools, hospitals and universities, abolish the new deal, drive up unemployment and threaten Britain's hard-won economic stability.

The Opposition have not understood that our record on economic stability is the product of choices that we made and they opposed. They opposed the symmetrical inflation target and Bank of England independence. They rubbished tough fiscal rules and would abolish the new deal. Those tough choices and our investment in Britain's future have helped the Government to deliver the lowest unemployment rates for a generation as well as record numbers of people in jobs.

To pick up the point made by the hon. Member for Huntingdon, twice as many jobs have been created in the private sector as in the public sector, although the Government make no apology for the thousands of extra nurses, doctors and teachers that there now are. That is a sharp contrast with the period when the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) was responsible for employment policy, when unemployment rose by more than 1 million and 1,300 people were consigned to the dole queues every day.

My hon. Friend the Member for Ochil brought particular passion to the debate when he explained how our investment in the new deal has rescued lives and revived communities. By their plan to scrap that successful programme and by their response to the Queen's Speech, Opposition Members remind the country why, just as they could not be trusted in the past, they cannot now be trusted with Britain's future.

My hon. Friend the Member for Coventry, North-West and a number of other hon. Members on both sides of the House welcomed our proposed legislation on pensions. I heard with interest the comments made by the right hon. Member for North-West Cambridgeshire and the detailed remarks made by the hon. Member for Bournemouth, West. I hope that their support for the principle of the pensions Bill will be shared by those on the Conservative Front Bench. The pensions Bill will strengthen partnership in pensions, set up a pension protection fund, make it easier for companies to run schemes, extend TUPE protection and give people a better deal when they choose to defer taking their state pensions.

Conservative Front Benchers might also reflect on the fact that, whereas our pensions Bill will extend pension security and retirement choice for the future, the Conservative party's proposals would scrap the state second pension, taking additional entitlements away from 20 million low earners, disabled people and carers—most of them women. A number of Conservative Members have spoken about mass means-testing. Let us be clear that what they really object to is the money—to date, £47 a week on average—that Labour is now getting to millions of pensioners through the pension credit, for the first time rewarding saving, not penalising it.

This week, the shadow Chancellor described the Conservative pensions policy as much misunderstood. Whose fault is that, I wonder? Could it be because the earnings link that the Conservatives propose has been described as a bogus promise, as

"seductive politics, but dangerous economics",—*[Official Report, 8 July 1993; Vol. 228, c. 516.]*

and as

"a wild and uncosted policy"—*[Official Report, 8 June 2000; Vol. 351, c. 440.]*

Those are not my words, but those of the hon. Member for Havant, when others proposed the very policy that he now has to defend. As the Leader of the Opposition admitted, not only does that policy not help the poor, but whereas our plans are fiscally sustainable, their sums simply do not add up. Again, the right hon. Member for West Dorset, who is wildly gesticulating at the moment, let the cat out of the bag when he said:

"we may have to make some further painful decisions"

to pay for the policy. He owes it to the country to tell us what those cuts would be.

In the limited time remaining, let me welcome the excellent speech by my hon. Friend the Member for Kingswood. I thank him for welcoming the draft Disability Discrimination Bill, and I pay tribute to all his years of campaigning and to all those in the disabled people's movement who have helped us to make such progress. The draft Bill will be subject to scrutiny, and there will be an opportunity to examine all the issues that he raised.

In conclusion, this is a legislative programme that faces the challenges of the future. Just as we have built economic stability by taking tough choices and sticking to them, so we will, with this programme, extend protection and chances in life for children, reform higher education, extend pension security and bring integrity to the asylum system. The measures advance progress, fairness and a strong economy, and I commend them to the House.

Question put, That the amendment be made:—

The House divided: Ayes 171, Noes 286.

Division No. 2] **[5.59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jack, rh Michael
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Sanders, Adrian
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Stanley, rh Sir John
Steen, Anthony
Stunell, Andrew
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Mark Francois and
Mr. Hugo Swire

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Byers, rh Stephen
Caborn, rh Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek

Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lyons, John *(Strathkelvin)*
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Winnick, David
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. John Heppell and
Margaret Moran

Question accordingly negatived.

Amendment proposed, at the end of the Question, to add:

'But humbly regret that the Gracious Speech distracts from sound policies which deal with crime and its causes; further regret the intention to introduce top-up fees for universities; further regret the lack of provision for free personal care for the elderly and disabled people and the failure to tackle the pension crisis; further regret the decision to proceed with an ill-thought through and expensive identity cards scheme; further regret that the Government has chosen to undermine further the rights of people fleeing persecution to seek asylum in this country; note that the Government has failed to put environment at the heart of its legislative agenda and address the crisis in the transport system; regret the failure to introduce single transferable vote as the voting system for the Scottish Parliament; and further regret the absence of measures to tackle the steep inequalities which continue to afflict the most disadvantaged members of society.'—*[Mr. Stunell.]*

Question put forthwith, pursuant to Standing Order No. 33 (Calling of amendments at end of debate), That the amendment be made:—

The House divided: Ayes 44, Noes 277.

Division No. 3] **[6:13 pm**

AYES

Allan, Richard
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Foster, Don *(Bath)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Holmes, Paul
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Moore, Michael
Öpik, Lembit

Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Salmond, Alex
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil

Tellers for the Ayes:
Richard Younger-Ross and Mr. Alan Reid

NOES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Byers, rh Stephen
Caborn, rh Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lyons, John *(Strathkelvin)*
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom *(W Bromwich E)*
Watts, David

White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Wood, Mike *(Batley)*
Woolas, Phil
Worthington, Tony

Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Mr. John Heppell and
Margaret Moran

Question accordingly negatived.

Main Question put:—

The House divided: Ayes 275, Noes 174.

Division No. 4] **[6:24 pm**

AYES

Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Barnes, Harry
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brennan, Kevin
Brown, rh Gordon *(Dunfermline E)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Byers, rh Stephen
Caborn, rh Richard
Campbell, Alan *(Tynemouth)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cousins, Jim
Cranston, Ross

Crausby, David
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Curtis-Thomas, Mrs Claire
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Gerrard, Neil
Gibson, Dr. Ian
Godsiff, Roger
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Doug *(Newcastle N)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*

Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, Jane *(Wavertree)*
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lyons, John *(Strathkelvin)*
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
McKenna, Rosemary
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
Mahon, Mrs Alice
Mallaber, Judy
Mandelson, rh Peter
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Morley, Elliot
Morris, rh Estelle

Mountford, Kali
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, rh Paul *(Torfaen)*
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pollard, Kerry
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, Angela *(Basildon)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Stevenson, George
Stewart, Ian *(Eccles)*
Stinchcombe, Paul
Strang, rh Dr. Gavin
Stuart, Ms Gisela
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dr. Desmond *(Brighton Kemptown)*

Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Winnick, David
Wood, Mike *(Batley)*
Woolas, Phil
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Mr. John Heppell and
Margaret Moran

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Bacon, Richard
Baldry, Tony
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dorrell, rh Stephen
Doughty, Sue
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Gray, James *(N Wilts)*
Grayling, Chris
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Hunter, Andrew
Jack, rh Michael
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Maude, rh Francis
Mawhinney, rh Sir Brian
May, Mrs Theresa
Mercer, Patrick
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Salmond, Alex
Sanders, Adrian
Selous, Andrew
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stunell, Andrew
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Teather, Sarah
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ann *(Congleton)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Peter Atkinson and
Gregory Barker

Question accordingly agreed to.

Resolved,

That an humble Address be presented to Her Majesty, as follows:

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Northern Ireland in Parliament assembled, beg leave to offer our humble thanks to Your Majesty for the Gracious Speech which Your Majesty has addressed to both Houses of Parliament.

To be presented by Privy Councillors or Members of Her Majesty's Household.

ADJOURNMENT (CHRISTMAS)

Motion made, and Question put forthwith, pursuant to Standing Order No. 25 (Periodic Adjournments),

That this House, at its rising on Thursday 18th December, do adjourn till Monday 5th January 2004.—*[Paul Clark.]*

Question agreed to.

Hemel Hempstead Hospital

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

6.37 pm

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): I have only one theme under the debate title of "Hemel Hempstead Hospital". I want the Minister to require some sums to be done by the Bedfordshire and Hertfordshire strategic health authority. It has refused to do any sums and in my view it threatens health services in its area with a huge debt for the next four decades.

I thank the Dacorum hospital action group, which is in no less than its 29th year of campaigning on the matter. During my seven years as an MP, I have delivered 88,000 signatures to Health Ministers, to Downing street and to others in defence of Hemel Hempstead hospital, yet there is still a strong sense that a desperately bad, wasteful and what I call nugatory decision is about to be taken. By that I mean that the decision will not benefit Hertfordshire and will not lead to the dispersion of services.

The context of the debate is the desperately bad state of the Hertfordshire acute health system. I have called it a black hole because it is the only population of 1 million that I have been able to find that has no tertiary acute services to support it. There are four acute hospitals, of which three are in a state of acute decay. It is estimated that it will cost £90 million to repair Princess Alexandra tower at Watford, and £90 million to repair the main tower at the Queen Elizabeth II hospital in Welwyn Garden City. There has been a quotation of £50 million for the Lister hospital in Stevenage. Only Hemel Hempstead hospital is in a passable condition and that follows the closure of St. Albans acute services in the early 1990s.

The desperate condition of the service is reflected in the desperate condition of mental health services, with four large mental health hospitals closed during the Thatcher era. Our system has operated at a chronic loss for decades, so every time we need anything done, people say, "Sorry, we cannot do it. There's no money." The system has been divisive; those in Hertfordshire who are wealthy can go to London, but the poorer get treated in second-rate hospitals that cannot give the full range of services in Hertfordshire.

That could change. The Government have offered a way forward, with funding that will make the system free of debt and with some tertiary acute services provided locally. The Varley report on cancer said that there should be a location of such services in Hertfordshire and the Government have indicated that they are prepared to finance that move. That is fantastically good news for Hertfordshire and I thank the Minister and his Department for the response that they have made to the recommendations in that report.

For three decades, there has been a desire for two things from the administrators of health in Hertfordshire. First, there is a desire for what is called a super-hospital—a single hospital with acute services, governing the whole population of Hertfordshire. That is a stupid suggestion because Hertfordshire is a series of relatively small market towns with relatively poor transport links between the various bits of the county. We need a distributed hospital system, not a concentrated one. With those suggestions, there has always been a suggestion of marginalising Hemel Hempstead hospital, despite the fact that it is in the most populated part of the county and, indeed, the eastern region.

We had a review recently. Those involved called it a consultation; we called it an absolute stitch-up. There were two options in the consultation but both involved significant service closures at two of our four hospitals. The first option was to prefer Hemel Hempstead hospital and Stevenage but to shut trauma facilities at Welwyn Garden City and Watford; there was a tick for Hemel and Stevenage under that option. The other option was to close trauma facilities at Hemel and Stevenage and improve them at Watford, while inaugurating a new hospital in Hatfield after shutting down the mouldering Welwyn Garden City hospital. There is a strong demand in most communities for new hospitals and mine is no exception, so option two—the new hospital in Hatfield—was favoured.

The costs were never properly examined, despite a claim by my hon. Friend the Member for St. Albans (Mr. Pollard) at a recent meeting that all the sums had been done. I speak as a mathematics graduate and say that none of the sums has been done. Throughout the consultation, there was a strong feeling that an agreement for a £500 million private finance initiative could be gained from the Government, so a new hospital at Hatfield and the demolition of the present hospital at Welwyn Garden City were given active consideration. While we are about it, it was thought, why not bung the new cancer centre in Hatfield, even though it is not even in the current Mount Vernon cancer network area? Why not, by the way, also develop a new medical school—but that was not factored in. That was the strong feeling in the community.

The deadline for the end of the consultation was early September, but it became clear at the beginning of August—when I made a 20-page submission to the strategic health authority—that although we heard that trauma facilities at Hatfield and Watford were to be developed, only £27 million had been allocated to Watford for improvements. That would not even repair the plumbing. Watford is in as dreadful a state as the Queen Elizabeth II hospital in Welwyn, which the strategic health authority proposed to demolish.

On 28 August, a mere five days before the consultation was due to end, it was realised that if that part of the plan was kept to, Watford would pull out, recognising that it, too, was going to lose its facilities in a major way. On that day, a document—a "clarification"—was issued, which I have before me. It strengthened option 2 by what I can only describe as fairy godmother economics: let money pour out of the sky, and as a result not only build a £500 million hospital in Hatfield but, it seemed to suggest, provide a similarly scaled scheme at Watford. Incidentally, the Hatfield initiative would be the largest health private finance initiative ever, overtaking the University College hospital, which cost £422 million. But the Watford scheme was never costed or admitted to; mutterings were simply made to the effect that "whatever it took" would be provided.

I have since found out in a recent meeting with the chair of the West Herts Hospitals NHS trust that every single building at Watford may well have to be demolished and replaced. Thus we have not just a massive, £500 million project, which is what the consultation was said to be about, but a project twice that scale, involving demolishing and replacing two hospitals. We have not a £500 million project for two new trauma centres, but a £1 billion project for two new hospitals in Hertfordshire. That is the current suggestion of the strategic health authority.

I am afraid to say that in my view, the strategic health authority has severely misled the public. It released the figures on Watford only after I made my submission, in which I pointed out that its plans were incompetent. All that it did was simply to adopt the fairy godmother option: spend, spend, spend, regardless of the constraints that any responsible Government body should have. That is why I ask that the sums be done.

I do not actually believe that the result of those activities will be a series of new super-hospitals. The strategic health authority's plans are so absurd, costly and damaging that the laudable plan of addressing the problems of the Hertfordshire NHS by developing new tertiary services, along the lines of the Varley report, will be lost as well.

Everyone is in favour of fairy godmother economics—if they are to receive benefits. At a recent vote, the strategic health authority approved this wonderful plan by 10 votes to one. Personally, I would not have voted for either of its rotten options. Option 1, which people said would benefit Hemel hospital, was based on a wonderful premise that most did not spot. The strategic health authority arrived at the idea that the options would not be that different in cost. How could it have done so, given that the only hospital in Hertfordshire with a decent estate is Hemel? Everyone admits that it is in much better condition than the other three hospitals. The strategic health authority said, "Actually, putting the cancer centre at Hemel hospital, which everyone agrees is decidedly possible, will cost £95 million." That is not exactly chicken-feed, bearing in mind that Dartford hospital cost £94 million. We were pleased that that was possible, but the strategic health authority said, "If we're going to put the centre there, you've got to knock down the rest of the hospital, leaving only the Verulam wing standing."

What a pernicious, even vicious, premise on which to base a consultation! We repudiate and reject the idea that a hospital that has recently been given £4.2 million of investment—including a superb new facility that allows excellent communication between accident and emergency and the fracture clinic, and a new magnetic resonance imaging scanner—should be knocked down, just so that the strategic health authority can make it seem as though it is faced with two options of similar cost.

Hemel Hempstead happens to be at the geographical centre of the Mount Vernon cancer network area. The new cancer centre could be developed on the so-called Paradise site, which is in public ownership—it is owned by English Partnerships—and can be offered to the NHS as a massive development site, at agricultural prices, in a town centre in Hertfordshire. What a phenomenal boon that would be to the NHS budget. I have arranged that deal myself, so I know that it is binding on English Partnerships, which has development land elsewhere in exchange.

Dacorum council also wants hospital consolidation, and has offered an additional site for accommodation for nurses and other hospital staff. Hemel Hempstead hospital has the capacity to quadruple its present size and still have adequate facilities for a whole range of developments. It also has wonderful access to the M1, the M25 and the A41, and, because it is in a town centre, fantastically good bus links with a wide variety of locations, many of which are a long way from Hertfordshire.

For £200 million, the whole Hertfordshire hospital system could be revivified, and most of the remaining £105 million could be spent not at Hemel Hempstead hospital, which does not need that much, but in the rest of the system, which is crumbling, derelict in places and desperately neglected. We might then be able to negate the accurate perception that Hertfordshire is not in the forefront of NHS acute services development.

I do not expect the Minister to announce now that he is in favour of one way of improving the health service in Hertfordshire rather than another. I have known him too well and for too long to think that such an answer would be forthcoming. All I want him to do is to ensure that the sums are done, because we are talking about the difference between £1 billion and £200 million. It will be a scandal if people get away with knocking down new productive NHS plant and putting the same facilities up elsewhere, at massive cost to the taxpayer and the NHS.

I ask the Minister to direct that any business plan for the development of acute services in Hertfordshire carefully considers the prospect of improving services by developing the cancer centre at Hemel Hempstead, which is in the middle of the cancer network area. The taxpayers of Hertfordshire support the Government's plans to improve the NHS in the county, but they do not want their system saddled with chronic debt for the next 40 years, and they want some resources left for primary care and mental health. Any numerate person must know how absurd are the ill-considered, late breaking, support-brokering plans of the Bedfordshire and Hertfordshire strategic health authority.

6.53 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I congratulate my hon. Friend the Member for Hemel Hempstead (Mr. McWalter) on securing this Adjournment debate. He is a doughty fighter for his constituents; he has been fighting this battle for some time with vigour and determination, and I suspect that whatever I say tonight will not change that by one iota. He will continue to fight for his constituents, and they should be proud of him and grateful to him for his efforts on their behalf.

In case I run out of time at the end of the debate, I shall start by saying that my hon. Friend is right: Ministers do not use Adjournment debates to change local health policies. Local health priorities and the planning of local health services have been devolved to local areas, under our plans to shift the balance of power away from Whitehall, so I am not in any position to direct in one way or the other. Until such time as certain criteria are met and the Department of Health is asked

[Dr. Stephen Ladyman]

to intervene. I have no powers to order any such things. What I can do is ensure that my hon. Friend's words are read carefully by those who are in a position to take a decision in Bedfordshire and Hertfordshire, that they reflect on them, and that they take account of his views. I shall certainly do that.

I can give my hon. Friend a further reassurance that the next stage of the process is to produce business plans, which will be worked up for both options. It is not true to say that they will both be worked up in the same detail, but they will both be worked further to a certain point. A decision will then be taken and the preferred option will be worked up in even greater detail. I can assure my hon. Friend that his concerns about the sums adding up and the relative costs of the proposals will be aired during that process, so he will continue to have opportunities to express his views if his constituents are still dissatisfied by the decisions.

I shall say more about the local decisions in a few moments, but it is important to state for the record that the NHS cannot stand still. It has to change if we are to improve it. The health care system is under pressure. Patients are still waiting too long for their operations—despite the dramatic fall in waiting times that has been announced this week, which is surely welcomed by everyone—and many hospitals are still in a poor state and need updating. We also need to recruit and retain more doctors and nurses. We have not only to increase capacity, but to raise clinical standards generally. It is not just more of the same that we need in the health service, but a radical re-look at how services are provided.

The NHS plan set out a challenging 10-year programme for NHS reform. Far-reaching changes are often necessary to provide the best possible services for patients. We must ensure that services are accessible and flexible, and we want to design services around the needs of patients. As part of the modernisation programme, many NHS economies and organisations are considering, with their local stakeholders, changes to the way in which they organise their services. I believe that we all recognise that hospital services need to change if we are to continue to fulfil patients' needs and improve access.

Services cannot remain static for ever, but have to be responsive to local needs and changing clinical practice. There are, of course, several different pressures on the service, and providers of health services have a responsibility to live within their means. Those issues and many others need to be taken into consideration in planning changes to services.

As I said earlier, it is our policy, within the framework set out in the NHS plan and the "Shifting the Balance of Power within the NHS" initiative, to devolve funding decisions to the front line. It is now for primary care trusts, in partnership with strategic health authorities and other local stakeholders, to determine how best to use their funds to meet national and local priorities for improving health, tackling health inequalities and modernising services. They are in the best position to do that because of the specialist knowledge they have of the local community. That is why Ministers no longer have the power to direct local services in quite the way that my hon. Friend requested of me at the end of his speech.

I believe that my hon. Friend will agree that within Bedfordshire and Hertfordshire, some health services—particularly the major hospitals in Hertfordshire: the Watford, Hemel Hempstead, Lister and Queen Elizabeth II hospitals—do not represent the standard of care and treatment that we expect to see in the 21st century. Indeed, I recently visited the four acute trusts in Bedfordshire and Hertfordshire and saw for myself the services and fabric of those environments. That is why the NHS in Bedfordshire and Hertfordshire undertook an extremely comprehensive and far-reaching consultation—a two-year process, reviewing a number of services and taking into account future trends in health care, national policy and best practice from around the country.

The formal document "Investing in Your Health" and its associated consultation ran from 3 March to 1 September 2003, having been extended to allow for a parallel consultation on cancer services in north London, run by the North-West London strategic health authority.

During the consultation period two options for the future reconfiguration of hospital services were proposed; both entailed retaining six major hospitals in Bedfordshire and Hertfordshire, including Hemel Hempstead and Watford general hospitals. Under option 1, Hemel Hempstead would be a major acute hospital caring for people requiring emergency treatment. Under option 2, Hemel Hempstead would treat out-patients and people requiring planned operations and medical procedures, although accident and emergency services would still be retained.

The overwhelming preference after the consultation process was for option 2, which proposes developing five of the existing hospitals in Bedfordshire and Hertfordshire and building a new state-of-the-art hospital in Hatfield to replace the Queen Elizabeth II hospital in Welwyn Garden City and provide a new cancer centre. I assure my hon. Friend that I have been given an assurance that "Investing in Your Health" went through two scrutiny processes locally, both of which confirmed that people are happy with the process and the outcome. In addition, a joint scrutiny process followed in relation to cancer services specifically. It is expected that the final meeting will take place this month.

I am aware that option 2 was not the option of choice for my hon. Friend and his constituents, but I am sure he will agree that the important thing is to focus on health outcomes for everybody. The proposed new model of care will mean more resources going towards caring for people closer to home and in community settings. A cancer centre will be located in Bedfordshire and Hertfordshire so that patients do not have to travel outside the two counties for treatment. The quality of health care will be improved by allowing hospitals to specialise in certain fields of medicine to create local centres of excellence, and by moving planned surgery to dedicated "surgicentres".

I assure my hon. Friend that if, at the end of the process, option 2 is confirmed as a way forward, Hemel Hempstead hospital will continue to have a future. I am informed that it will receive capital investment of about £25 million for its development into a modern, high-quality, major hospital, specialising in planned surgery. Indeed, when I visited the hospital in October I saw for myself where some investment has already been delivered; for example, there is state-of-the-art magnetic resonance imaging, and a fracture clinic and dermatology treatment centre opened their doors to patients at Hemel Hempstead general hospital in March. That investment in new clinics means that patients and staff have a new treatment area. The final phase of the project, the construction of a new X-ray reception area, opened at the end of July. The Hemel birth centre opened on 31 March. It is a self-contained unit run by midwives, offering a supportive, "home from home" environment in which mothers can give birth.

I can also reassure my hon. Friend that under the proposed option 2, the hospital's accident and emergency department would remain open, although patients with serious or life-threatening conditions would be taken to larger trauma centres at Watford, Luton or Dunstable hospitals.

My hon. Friend has expressed concerns about the cost of option 2, but I am assured that the health authority employed a firm of consultants who carried out an assessment of the financial implications of the overall affordability of the proposal for the health care system of Bedfordshire and Hertfordshire. That report, which is in the public domain, demonstrated that from projected total revenue in excess of £2 billion, the cost differential between the two options was about £10 million, or about 0.5 per cent. It also means that under option 2 more patients will be treated locally rather than large numbers of patients having to travel outside their health area.

I share my hon. Friend's concerns about access to the hospital, but I understand that English Partnerships is working with West Hertfordshire Hospitals NHS trust to develop a comprehensive development strategy that could deliver about 130 key-worker homes on land adjoining Hemel Hempstead hospital.

As I mentioned earlier, it is our policy that primary care trusts, in partnership with other local NHS trusts and the strategic health authority, decide the priorities for the NHS locally. That is where specific local knowledge and expertise lies, and it is not appropriate for Ministers to decide on the direction of travel or how services should be configured—we have made that clear. It is right that the local NHS should do that.

There is still a great deal of work to be done on the development of business cases and plans before the Secretary of State gives his final seal of approval. The next stage involves producing a more detailed analysis of the proposals. A strategic outline case must be written and it must meet four criteria before it can be approved. The plans must be affordable, achievable and accessible, with proper human resources.

I hope that my hon. Friend the Member for Hemel Hempstead will understand that it would not be appropriate for me to comment further on this matter in case, following the local process, that would pre-empt any future ministerial decision that may be necessary. However, I assure him that the Department, and Ministers, will continue to work with the local NHS to review the progress of the local economy, and to ensure that the difficulties that are faced remain manageable.

I hope, therefore, that my hon. Friend the Member for Hemel Hempstead, who introduced this important debate and who continues to work with the local NHS to build a better future for the residents in the area, will accept my assurance that the sums that he said were needed will be provided. The process will continue, and I know that local health managers will welcome further discussions with him and his constituents. Some people in the local health economy may still have to face difficult decisions, but I hope that we can all agree that what will emerge from the discussions and the change of configuration will be better for everyone, and better for the health of all the people living in Bedfordshire and Hertfordshire.

Question put and agreed to.

Adjourned accordingly at five minutes past Seven o'clock.

House of Commons

Monday 8 December 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HOME DEPARTMENT

The Secretary of State was asked—

Violent Crime

1. **Mr. John Baron** (Billericay) (Con): What measures the Government are taking to combat the rise in violent crime. [142084]

The Secretary of State for the Home Department (Mr. David Blunkett): Contrary to the thrust of the question, the internationally respected British crime survey showed that violent crime fell by 5 per cent. last year. Recorded crime rose, however, as more people were prepared and confident enough to register crimes that they would not have reported before. We published the Domestic Violence, Crime and Victims Bill last Tuesday. Twenty-five per cent. of all violent crime is perpetrated in the home, and therefore involves domestic violence issues. As people's confidence in the system increases, however, so will the recording of such crime, and I am pleased and proud of that.

Mr. Baron: I thank the Home Secretary for his response but, despite his excuses, the general public know that violent crime is significantly on the increase. During the past five years, it has been recorded that violent crime has risen by nearly two thirds. Home Office figures for last year alone suggest that, in my area, robbery was up by a third, burglary was up by a half and violence against the person more than doubled. When will the Government stop their gimmicky initiatives and go to war against the criminals by introducing much stiffer court sentences and a massive increase in the numbers of police on the streets? *[Interruption.]*

Mr. Speaker: Order.

Mr. Blunkett: Burglary and robbery are down according both to the British crime survey and to the recorded crime figures but, yes, violent crime has risen, which is why we need to get a grip on binge drinking and to take decisive action on the enforcement of breaches. It is also why the antisocial behaviour measures that we have put in place need to work on the ground. Let me be absolutely clear: the new transparent recording system now records crimes that have never before been designated as violent, and that have not hitherto been recorded. That was brought in not by us but by the Association of Chief Police Officers in 2000-01, and it has inevitably led to a much more visible and transparent system. If we are going to have a sensible debate about crime, that at least should be recognised.

Ms Meg Munn (Sheffield, Heeley) (Lab/Co-op): As my right hon. Friend has rightly said, 25 per cent. of violent crimes take place in the home. In addition, he will be aware that, on average, two women a week die as a result of domestic violence. Can he tell me what measures in the Domestic Violence, Crime and Victims Bill will protect women and intervene to stop the ever-increasing circle of violence?

Mr. Blunkett: We spelled out in the statement that I made in July, and again in the Bill last Tuesday, a range of measures that will ensure not only early intervention but, in the case of a continuing problem, the exclusion of a person from the family and the neighbourhood. The idea, which is now gaining salience, that the perpetrator should move out, rather than the woman and the children, is one that we can all welcome.

Mr. Boris Johnson (Henley) (Con): Given the success and importance of Crimestoppers in solving crimes, does the Home Secretary agree that it would make sense to give it a budget projected forward over four years, rather than forcing it to rely on an annual payment that it may or may not receive?

Mr. Blunkett: I am all in favour of being encouraged by Opposition Members—not least the hon. Member for Henley (Mr. Johnson)—in terms of extra public spending, the partnership with the voluntary sector and civic renewal. I think that it makes sense, in relation to our arrangements with all such helpful voluntary activity, to have a continuity of budget over more than a 12-month period.

Mr. Russell Brown (Dumfries) (Lab): My right hon. Friend is fully aware that, when we speak of violent crime, much is said about gun crime. Over the weekend, I read a sickening newspaper article with which I had great difficulty in coming to terms. It was about what appears to be an increase in crimes committed using knives, machetes and axes, some of which could be gangland crime. What do the crime figures tell us about the use of such weapons?

Mr. Blunkett: I will write to my hon. Friend with the exact figures relating to violent crimes involving the use of weapons of that description. He will be aware that action was taken in the late 1990s to strengthen the law in relation to the availability and use of knives, but we should not forget that issue, bearing in mind the understandable attention that we and the public pay to gun crime.

David Davis (Haltemprice and Howden) (Con): May I seek your indulgence, Mr. Speaker, on a non-violent topic? I add the congratulations of Conservative Members to those of hundreds of thousands of people elsewhere in London who are cheering on the English rugby team for their success.

The Home Secretary referred to his comment on 27 June 2001, when he said that

> "providing an answer to violent crime, will be paramount in restoring people's confidence in the system."—[*Official Report*, 27 June 2001; Vol. 370, c. 655.]

He has talked about transparency. All we have heard today are transparent excuses. For the first time in the history of the United Kingdom, more than 1 million violent crimes have been recorded. Has not he failed to restore people's confidence in our system?

Mr. Blunkett: First, I congratulate the right hon. Gentleman on his ingenuity in getting the rugby celebrations into this afternoon's questions. I agree with him entirely. I have always thought that a little pushing and shoving on the rugby field was better than a bit of shoving and pushing on a Saturday night.

I agree with myself, because I agree with the quote that the right hon. Gentleman read out. That is paramount. I know that the Leader of the Opposition would agree with those sentiments, because when he was Home Secretary recorded crime under the old system went up by 19 per cent.

David Davis: Overall violent crime is not the only area of concern. Under Labour, gun crime has more than doubled. Will the Home Secretary explain why the number of gun crimes has passed 10,000 for the first time in British history? Does he intend to do anything about the plague of imported handguns that we are witnessing at the moment?

Mr. Blunkett: I remind the right hon. Gentleman that the Conservative party opposed the legislation on handguns introduced by my right hon. Friend the Foreign Secretary when he was Home Secretary. We took action in the recent Criminal Justice Bill, because the difficulty is that what is legal or illegal depends on who has their hands on the weaponry. The amnesty that we held in April was the most successful amnesty ever, with more than 44,000 guns handed in.

David Davis: Answer the question.

Mr. Blunkett: The answer is clearly to prevent people from being able to get hold of replicas or to get hold of and to adapt Brocock guns, and that should be part of the new legislation. I would have thought that everyone supported that. There is an underlying issue for all of us: it is not a party political issue. The growth in gun crime arises out of gangs, often associated with drugs, getting their hands on guns from outside the country and on formerly legal guns inside the country. All of us have to work in partnership with the police—as communities have done in north London and Manchester—to change the culture and the behaviour of young men in particular and to clamp down on the organised thuggery that lays behind these problems. We can all agree on wanting that to succeed.

Lawrie Quinn (Scarborough and Whitby) (Lab): My right hon. Friend will know that domestic violence in our constituencies is often the result of the misuse of alcohol and alcohol-related problems. In my constituency, partnerships between the police and groups such as the Women's Refuge have done some positive work. What wider partnerships will help us to fight the awful violence that takes place every weekend in our constituencies?

Mr. Blunkett: My hon. Friend the Minister for Crime Reduction, Policing and Community Safety brought from her previous role in the Department of Health the embryo of an alcohol misuse strategy. She and I are working on that, in order to publish in the new year something radical and effective that will assist at local level in ensuring that we clamp down on binge drinking and on the misuse of alcohol in general, which can cause so much misery. I may be called Scrooge as well as everything else, but perhaps this is the moment for me to appeal to people to be moderate in their drinking leading up to Christmas while also having a wonderful time.

Mr. Mark Oaten (Winchester) (LD): On the issue of alcohol, 47 per cent. of violent crime is the result of the overuse of alcohol, and 92 per cent. of policemen have been attacked by drunks. Why is it that, although the Government promised the alcohol strategy paper in 1998, we have had to wait so long for it?

Mr. Blunkett: My hon. Friend the Minister for Crime Reduction, Policing and Community Safety assures me that we are on schedule for the 2004 date. That is a publicly stated objective. It is sometimes necessary to wait while the yolk comes out of the egg. As long as it makes a decent omelette, the waiting will have been worth while.

Previous Convictions

3. **Mrs Liz Blackman** (Erewash) (Lab): When he expects provisions giving juries the right to see a defendant's previous convictions to be implemented. [142087]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): The provisions in the Criminal Justice Act 2003 relating to evidence of bad character will be enforced only once sufficient training and guidance have been provided and the necessary rules of court have been made. At this stage, no final decision has been made about the precise timing.

Liz Blackman: I welcome those powers, which I believe properly balance the rights of victims with the safeguarding of the accused. I believe that they will make a significant difference in my constituency by bringing more guilty people to justice. They will, however, make no difference at all until the provisions are implemented. May I urge my hon. Friend to make that a top priority?

Paul Goggins: I thank my hon. Friend for her welcome and for her remarks about the improved balance that the provisions will bring to the criminal justice system. Obviously, however, given the most radical shake-up in the criminal justice system for a generation and given the number of provisions, it will take time to build the necessary capacity and to ensure that the relevant training is undertaken. That will be done as quickly as is practicable, because we all want the reforms to operate as soon as possible.

Burglary

4. **David Taylor** (North-West Leicestershire) (Lab/Co-op): What publicly funded alarm schemes he and his ministerial colleagues have assessed in terms of their ability to deter would-be distraction burglars; and if he will make a statement. [142088]

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): The Home Office established a distraction burglary taskforce in 2000, with funding of £1 million, to provide advice and guidance on tackling such crime. Another £1 million was provided for three projects to tackle distraction burglary. Alarms can play an important role in helping older people to live independent and safer lives in their own homes, but the Home Office does not assess individual systems.

David Taylor: I thank the Minister for visiting Coalville last month to review the work of PRIDE, the protection and reassurance initiative to defend the elderly. Under that initiative, nearly 2,000 remote-control alarms, very visible and very audible, have been fixed to the outside of homes occupied by vulnerable people. What was the Minister's assessment of the scheme? How can we secure sustained funding, and how can we roll the scheme out to other areas in the light of its success in driving revictimisation rates down to an incredibly low 2 per cent.?

Ms Blears: I was delighted to be able to visit local people in Coalville, and to have the honour of presenting Mr. and Mrs. Wickwar with their brand new PRIDE alarm. I was also delighted to meet Mrs. Bird, who was already the proud owner of an alarm. She told me, "I have never had to use the alarm, but I feel so much safer now."

My hon. Friend is right. The alarms act as a deterrent and provide the crucial reassurance sought by elderly people in particular. I am pleased to say that we are investing £72 million in the building safer communities fund at local level to establish crime and disorder reduction partnerships to fund schemes such as that and many others. I urge them to fund all schemes that can make people, especially older people, feel safer in their homes.

Bob Spink (Castle Point) (Con): Does the Minister not agree that tough deterrents work, particularly in the case of professional career criminals such as burglars? Will she urge the Government to find a reverse gear and ensure that burglars go to jail?

Ms Blears: The hon. Gentleman will, I think, accept that it is vital for us, as well as being tough on crime, to be tough on the causes of crime. It is this Government who, as well as imposing stiff sentences for burglary, have reduced its incidence by 39 per cent. since coming to office. I bet his constituents, like mine, would far rather not be burgled in the first place, and it is this Government who have been able to drive burglary down. There have been some tough sentences, but there has been crime reduction as well. This Government operate on all fronts.

Drug-related Offences

5. **Mr. Stephen Hepburn** (Jarrow) (Lab): If he will make a statement on arrests for drug-related offences in the north-east. [142089]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): There were 9,300 arrests for drug offences, including possession and supply, in the north-east. In addition, 47,800 arrests were made for property crime offences, such as robbery, burglary, theft and handling. Home Office research has found that drug-using arrestees commit much higher volumes of property crime than those who do not take drugs.

Mr. Hepburn: We were told that one reason why we needed to invade Afghanistan was to stop the flow of heroin to this country, but there is as much heroin on the streets of the north-east as there has ever been, and 95 per cent. of it comes from Afghanistan. What are we going to do to tackle the drug-related crime that seems to be getting out of hand in this country?

Caroline Flint: Drug-related crime is a serious matter, and I should like to pay tribute to police forces and others in the north-east, whose recent significant results have led to some major arrests and court convictions. However, my hon. Friend is right to raise the issue of the source, and that is why we have a 10-year strategy to tackle opium coming from Afghanistan. Indeed, the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Harlow (Mr. Rammell), will hold a conference on the issue on 2 February in Kabul. We will also be working with all agencies to try to deal with the source of supply. However, I should point out that it is far better for people to deal with a state that wants to work together than with one that does not.

Mr. Nick Hawkins (Surrey Heath) (Con): Does not the Minister recognise that one real problem—in the north-east and throughout the rest of the country—is a lack of the intensive rehabilitation places that get people off the conveyor belt to crime by ensuring that they are taken away from drugs? Given that not only many parts of the media but some of her colleagues, such as the hon. Member for Bassetlaw (John Mann), have waged campaigns on that issue, will the Government finally recognise that they are wrong and provide the number of intensive rehabilitation places for hard drug users that we Conservatives have called for?

Caroline Flint: The number of places available is increasing. The hon. Gentleman is right to point to treatment, and intensive rehabilitation places are important, but so is care in the community. I am pleased to say that, in addition to Middlesbrough, four further areas in the north-east will benefit from our criminal justice interventions programme. That programme will see people through from the point of arrest and charge to whatever may happen next, whether it be custodial sentence or community sentence, to ensure that they get treatment that lasts.

Victim Support

6. **Mr. Bob Blizzard** (Waveney) (Lab): If he will make a statement on Government funding for Victim Support. [142090]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): The Government's annual grant to Victim Support has more than doubled in recent years—from £11.7 million in 1996–97 to £30 million in 2003–04. That is helping to support almost 1.5 million victims of crime, and more than 300,000 witnesses of crime, each year.

Mr. Blizzard: Will my hon. Friend join me in paying tribute to the voluntary victim support groups throughout the country that provide such valuable services to victims of crime? I very much welcome the Government's doubling of funding for Victim Support, but there is concern about how much of that money is getting through to local victim support groups at the front line; indeed, my local group says that it has seen none of that extra money. Will my hon. Friend look into that matter to ensure that as much of the new money as possible reaches the local groups that provide the support that victims need?

Paul Goggins: I gladly join my hon. Friend in paying tribute to the 12,000 volunteers, including those in his constituency, who contribute at the sharp end to the work of Victim Support. If there are issues in his area, I should be very happy to look into them, because we want to ensure that the money goes to those who work at the sharp end. Indeed, we are looking to devolving funding down to local level, so that what Victim Support provides more neatly fits with the requirements of each area.

Mr. George Osborne (Tatton) (Con): Does the Minister agree that face-to-face contact with a police officer is often very important to victims, so that they can feel that the crime of which they are a victim is being taken seriously? Some police officers have told me that, in their view, sending a police officer round when someone's car has been stolen, for example, is a waste of police time. What does the Minister think of that view?

Paul Goggins: It is essential that the police respond to all incidents of crime, but it is obvious that they need to prioritise in terms of how quickly they respond to particular incidents. It is vital that the police work in partnership with agencies such as Victim Support, so that both can work together to provide not only the justice that people want, but the support that victims of crime need.

Mr. Graham Allen (Nottingham, North) (Lab): Will the Under-Secretary congratulate Members of all parties in this House who participated in the Victim Support day a couple of weeks ago, meeting volunteers to support the work that they do? Will he ensure that the funding for Victim Support is devolved to the relevant areas locally, as he suggested in a previous answer, and that the level of funding nationally is maintained at least in line with inflation? Will he ensure that the witness support service does not receive funding on a hand-to-mouth basis that may end in two or three months, but has the certainty of several years of financial support?

Paul Goggins: I am happy to join my hon. Friend in congratulating the 200 Members from both sides of the House who showed an interest in the open days that were run by Victim Support. My right hon. Friend the Home Secretary attended an event in his constituency and I attended events in Manchester and Trafford.

It is vital that the levels of funding allocated relate to the level of work that each local Victim Support project faces, and we must do our best to make sure that they have the resources they require. The witness support service that my hon. Friend mentioned is very important and we will find ways of trying to support its work as best we can.

Charities

7. **Mrs. Patsy Calton** (Cheadle) (LD): How many instruments giving effect to changes to objects of charities were subject to (a) negative procedure and (b) affirmative procedure in Parliament in each of the last five years. [142091]

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): The numbers of instruments giving effect to changes to objects of charities subject to negative resolution procedure were one in 1998, one in 1999, five in 2000, two in 2001, one in 2002, which was subsequently withdrawn, and two in 2003. There were no instruments subject to affirmative procedure during that time.

Mrs. Calton: What checks are made as to the accuracy and legitimacy of statutory instruments laid in that way? A subsequently withdrawn instrument in 2002 concerning Cheadle royal hospital contained substantial inaccuracies that were passed on by the Charity Commission, and the charity concerned was involved in the disposal of millions of pounds of charitable donations that have gone into public and private ownership. I am concerned that we still have no idea of the likely income to be obtained from the remaining assets.

Fiona Mactaggart: That is a matter for the Charity Commission, as the non-ministerial Department responsible, but I pass on the thanks of the commission and of my predecessor to the hon. Lady for drawing the failures in the instrument to the notice of the House and the commission. Her determination to intervene has meant that the matters have begun to be resolved. She will be aware that there is a draft new instrument—she has been sent a copy—to ensure that those failures do not continue in any future instrument. She asked whether I could be satisfied that there was no continuing flaw in the administration of the body. The matter has been drawn to the attention of Greater Manchester police and the Charity Commissioners. The matter has been investigated by forensic accountants, who are confident that there is nothing about which we should continue to be concerned.

Sir Sydney Chapman (Chipping Barnet) (Con): Will the Under-Secretary confirm that the Government will be proposing a charities Bill in this Session of Parliament? If so, will the Bill address the abuse of power that the Charity Commissioners exhibit from time to time? I can give a personal example. Will she ensure that there is provision in the Bill to allow charities to appeal against a decision requiring them to cease functioning immediately as a charity?

Fiona Mactaggart: I can confirm that we will be publishing a draft Bill and that it will contain a mechanism for appealing against the decision of the Charity Commissioners to a special tribunal.

Police

8. **Mr. Ben Chapman** (Wirral, South) (Lab): If he will make a statement on police emergency response times. [142092]

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): Responsibility for deciding the most appropriate emergency response times should lie with the chief officer in each police force area. However, the vast majority of forces are committed to attending emergency calls within 10 minutes for urban areas and 20 minutes for rural areas.

Mr. Chapman: Although it is right to say that chief constables are best placed to react to local needs, and I accept that some evidence is anecdotal and that Merseyside police, for example, receive 1.2 million calls for assistance each year, I am afraid that the perception of the service is often poor. When a school in my constituency was recently invaded by intimidating and aggressive youths assaulting pupils and causing mayhem, the headmaster dialled 999 and the police arrived 35 minutes later, long after the invaders had skedaddled—and that was an emergency call. When making non-emergency calls, my constituents sometimes cannot get through at all and, in some cases when they do, it takes the police hours to respond.

Is it not time that we considered putting in place appropriate mechanisms and resources, so that responses can be quicker and better feedback can be given to those who call, and that we published a national non-emergency number?

Ms Blears: My hon. Friend has raised some serious issues, and I am aware of his concerns, particularly about Merseyside. I therefore made it my business to speak personally to the chief constable about those issues last week. I know that he is in correspondence with my hon. Friend, particularly on the issue of getting feedback from people about what happened when they called and what the outcome was. The chief constable is piloting an interesting project in Merseyside to make sure that people get proper information.

There is also an issue about whether it is right to categorise calls as emergency, urgent or routine and whether we have the right calls in the right categories. There is work to be done there. However, I am pleased to be able to tell my hon. Friend that, in Merseyside, the police answer 80 per cent. of their emergency calls within the 10-minute limit. I am absolutely sure that the chief constable and the force are willing to engage with my hon. Friend and other MPs throughout Merseyside to make sure that local people get the best possible service.

Mr. James Paice (South-East Cambridgeshire) (Con): Given that police authorities said that they needed a funding increase of over 6 per cent. and the Government are giving them an increase of 3.25 per cent., how on earth are they to have the resources necessary to meet not only the response times that the Minister just described but the much tighter response times that the constituents of all hon. Members would like them to meet? Is it not rather odd that the Government set 31 different performance indicators for the police, interfering in every way in how local police forces are run, yet they do not set one for emergency response times?

Ms Blears: We have to get the facts right. This year's funding allowance rose by 4.2 per cent: there is an across-the-board rise of 3.25 per cent. in the general grant, and on top of that there are specific grants, particularly for the crimefighting fund, which have given us record numbers of police officers, more than we have ever had on the streets before. There are also 2,000 community support officers out there, helping to reassure the public.

That comes on top of absolutely massive increases over the past three years—a 30 per cent. rise in funding for the police, which is a real terms increase of 17 per cent. That can be compared with a real terms increase of 2 per cent. during the Tories' last couple of years in office. That is this Government's record, and it means that we have made available the resources to ensure that the police can deliver on response times, on reassurance, on fighting crime, on reducing burglary and vehicle crime, and on making this country a safer place to live.

Tony Lloyd (Manchester, Central) (Lab): Does my hon. Friend agree that probably the biggest single subject of complaints about policing is response times? Although she is right to point out that we have seen a massive increase in funding, does she, as a Greater Manchester MP like me, agree that it would be right and proper to have an objective standard against which to judge the police? The 10-minute response time should be measured against achievement, and if we could have those results published, police force by police force, division by division, we would be able to hold the police to account in a way that the public would appreciate.

Ms Blears: My hon. Friend is absolutely right to focus on performance. He will be aware of the push to drive up the performance standards of Greater Manchester police force. We are trying to reduce the number of best value performance indicators in the police because we want to free up forces to deploy their resources in the right place at the right time. It is important that they respond on time, but what happens as a result of their attending is also crucial. It is all very well to tick the box and say, "We were there in 10 minutes," but I am concerned to find out what happened when they turned up. For example, was the outcome good? Was the right number of officers sent to a fracas, or to the kind of incident that my hon. Friend the Member for Wirral, South (Mr. Chapman) outlined?

Criminal Records Bureau

9. **Annette Brooke** (Mid-Dorset and North Poole) (LD): How much the Criminal Records Bureau has lost on average on (a) each standard disclosure and (b) each enhanced disclosure over the last 12 months. [142093]

The Minister for Citizenship and Immigration (Beverley Hughes): At the eleventh hour, I realised that there could be different ways of interpreting this question. I had assumed that it was about money, so I hope that that is the right approach. Had we moved to full-cost recovery in 2003–04, the fee for standard and enhanced disclosures would have to have been set at £34 and £39 respectively, as against the actual fees set of £24 and £29.

Mrs. Brooke: Will the Minister continue to press the Criminal Records Bureau to reduce costs and operate efficiently? Will she also ensure that any such savings are reflected in future fees? A 100 per cent. increase last year and 17 per cent. next year is just too much for our already overstretched and overburdened community and voluntary organisations.

Beverley Hughes: The hon. Lady should know that voluntary organisations do not pay anything—they avail themselves of the disclosure service free of charge. For other organisations, we have made it clear that by 2005–06 charges will have to be set that enable the full cost of the service to be recovered. That, of course, also allows the Criminal Records Bureau to continue to improve its standard of service, which it has done. It now has the capacity to assess 50,000 applications a week—double the rate last year—and it more than meets the service standards of 90 per cent. of standard disclosures in two weeks and enhanced disclosures in four weeks. I am pleased to say that, of those people using the service, one in five have decided not to employ somebody as a result of disclosure, which shows that in terms of its main purpose—protecting children and vulnerable adults—it is working very well.

Mr. Simon Burns (West Chelmsford) (Con): May I point out to the Minister, however, that her answer omits the fact that from April next year the enhanced fees will go up to £33, which is a 175 per cent. increase since April 2002? That places a particular hardship on care homes. To provide at least a semblance of value for money, when will the Government ensure that the time taken to clear an investigation is reduced from about four weeks to the two weeks that Health Ministers promised in Committee when the requirements were introduced?

Beverley Hughes: I am sure that the hon. Gentleman heard me recount the performance standards that are being met. In fact, nine out of 10 applications are for enhanced disclosures, the majority of which are being dealt with in two weeks. I am sure that he will agree that the previous system was not working. The police national computer could not cope with the number of applications. As of 29 November this year, more than 3 billion applications have been submitted, which shows hon. Members the scale of the need. If we are to provide a good service, the standard must meet the needs of organisations, and that must be paid for. We made it clear, when the first disclosure fee was announced in 2001, that the service would have to move to a full-cost recovery basis. The Government have stepped in, and we are moving to full-cost recovery in a planned, incremental way that enables organisations to meet the charges, but not all at once. That is a fair system. As I said, the main purpose is to protect children and vulnerable adults, and our feedback is that organisations and the registered body are very happy with the improvements that have been made.

Police

10. **Mr. David Rendel** (Newbury) (LD): What allowances are paid to (a) Metropolitan police officers and (b) Thames Valley police officers stationed in west Berkshire. [142095]

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): Members of any Home Department police force may receive a housing allowance, dog handlers allowance, plain clothes allowance or motor allowance if the provisions of the Police Regulations 2003 are satisfied. In addition, officers in the Metropolitan police force receive London weighting of £1,881 and a London allowance of £1,011 if they were recruited before 1 September 1994, or £4,338 if they were recruited after that date and are not in receipt of housing allowance. Officers in Thames Valley police who were recruited after 1 September 1994 and who are not in receipt of a housing allowance receive a south-east allowance of £2,000.

Mr. Rendel: Given the difference in allowances that the Minister has just announced and given that house prices are often lower in other parts of the country than they are in west Berkshire, it is clear that a considerable number of police officers are recruited and trained by Thames Valley but then move to other police forces. What will the Minister do to ensure that central funds make up to Thames Valley police force the excess costs of recruiting and training a lot of police officers who then move elsewhere?

Fiona Mactaggart: The hon. Gentleman will be aware that because of the operation of the floor in the grants to police in the recent announcement, Thames Valley received more than it might otherwise have expected. Our injection of extra money into police forces such as Thames Valley is proving successful. Thames Valley police force covers both his constituency and mine, and it now has more police officers than at any other point in history. The chief constable is able to use special policing payments—at present 1 per cent., and increasing to 2 per cent.—to deal with the serious problem of retention of police officers in our area.

Drugs

11. **Mr. Tom Harris** (Glasgow, Cathcart) (Lab): What plans he has to support communities in the fight against drugs. [142096]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): The Government's drug strategy concentrates on safeguarding communities as one of its four principal aims. Strong communities are at the heart of preventing crime and reducing antisocial behaviour, and are central to the Government's agenda for civil renewal. Drug action teams and crime and disorder reduction partnerships work on a local basis. They should support communities to identify needs and engage with them to find solutions.

Mr. Harris: I am grateful to my hon. Friend for that answer. As a member of the Committee that scrutinised the Proceeds of Crime Act 2002 through 39 long sittings, I welcome the Government's commitment to confiscating drug assets and reinvesting the money in those communities, including my own, that have been most hard hit by the drugs trade. Will she reconsider the Government's targets for asset recovery? The website of the Assets Recovery Agency puts the value of the illegal drug trade in this country at £9 billion a year, but the Government's target for total criminal assets recovered by 2004-05 is only £60 million. Is that ambitious enough?

Caroline Flint: The powers are very new and, as my hon. Friend will be aware, the Assets Recovery Agency has been in place for less than a year. We are on track for this year's target of £45 million, with more than £37 million already confiscated. It is a challenging new area. We are establishing four regional asset recovery units in England and Wales and, in Scotland, the First Minister announced in November that more money would go to communities fighting the misery of crime and drugs. I understand that more details will be provided in the new year. We are trying to make this new policy work and I hope that the pot will grow, because we are trying to ensure that crime does not pay.

Angela Watkinson (Upminster) (Con): The Minister will be aware of the importance of drugs education in reducing illegal drug use and, therefore, drug-related crime. Will she liaise with her colleagues in the Department for Education and Skills and look at some of the education material that masquerades as drug prevention, some of which is more like an instruction manual for how to inject, or avoid being caught out by one's parents. Will she try to filter out those unsuitable and inappropriate drug publications, so that young people in schools are not exposed to them?

Caroline Flint: Reducing the use of drugs by young people is one of the major parts of our strategy. I am in regular contact with colleagues in the Department of Health and the Department for Education and Skills, and I shall have a meeting shortly to discuss issues concerning young people at risk. We do consider the information that is issued. The FRANK campaign, which was launched this year, has been highly successful, both in terms of the number of people who have accessed information through the website or e-mail and in terms of the activities around the country that have been supported by schools. We have also launched Blueprint with the Department for Education and Skills and others, which will establish over several years what is effective in terms of education on drugs. We have to have information that is informative and useful, and warns people of the dangers. However, we also have to recognise that young people may be using drugs and we have to reduce the harm from that, too.

John Mann (Bassetlaw) (Lab): Effective drugs treatment, especially for heroin, works both in prison and in the community. As the Home Office drastically underestimates the saving to the taxpayer of effective drugs treatment, will the Minister consider initiating new research so that we can find out what is working and, especially, the saving to the taxpayer from what is working?

Caroline Flint: We already know from research that every £1 spent on treatment saves the criminal justice system £3, so we should all pay attention to that figure. I am sure that my hon. Friend agrees that, to support treatment, money needs to be put in and that a record amount is going into such programmes. We constantly consider research; for example, we are not just waiting until the end of the criminal justice intervention programme but are looking at it as it develops. We can thus obtain a speedy response about what is working and passport it across, and understand what might not work in certain areas. Research has been carried out in prisons, but more could be done and we are trying to find better ways of assessing the impact of drug treatment in prison. What evidence there is, however, shows that drug treatment in prison reduces re-offending.

Mr. Humfrey Malins (Woking) (Con): The drug that causes the most damage to communities and that results in the most crime is, of course, alcohol. I am sure that the Minister will agree that we need to put a stop to the huge rise in binge drinking by normally law-abiding teenagers, which causes so much damage to their health and to their communities and takes up an enormous amount of police time. Would not one remedy be for the Government to ask the courts to be much more robust and much tougher when considering the grant or renewal of licences to the sorts of clubs and pubs that all too often, by their aggressive marketing policies, appear to encourage the behaviour that we all want to control?

Caroline Flint: The hon. Gentleman is probably aware that I have spoken in other forums about the link between alcohol and drugs. If one meets a drug user who says "I'm off the crack, but I'm still an alcoholic", one needs to take heed.

Earlier in questions, it was pointed out that the strategy on alcohol abuse will be available in the new year—in February, I understand. The police, local authorities and courts not only need to be mindful of the impact of binge drinking but to get the message across in schools and to our young people about the dangerous outcomes that can result and about being completely unable to cope after taking huge amounts of alcohol. We need to look into the matter, to ensure that licences work and that those who sell alcohol, whatever the venue, take some responsibility for their actions.

Road Safety

12. **Mr. David Kidney** (Stafford) (Lab): What guidance he gives to police forces on the priority to be attached to road traffic law policing. [142097]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): Both the first national policing plan, for 2003–06, and the current plan, for 2004–07, specifically expect the police to give attention to effective road policing, to contribute to the achievement of the road safety strategy, and to include in local plans strategies for reducing road deaths and injuries. We take that aspect of policing seriously, which is why we plan to get it across to all police forces.

Mr. Kidney: I thank my hon. Friend for that answer. Does she agree that although safety cameras at dangerous locations are saving lives, there is also great value in police officers patrolling our roads, visibly enforcing road traffic laws? Will she ensure that national guidance reflects that great value?

Caroline Flint: The safety camera scheme is having an impact and will continue to do so. The results from the two-year pilot of the scheme in eight areas show that, on average, the number of people killed or seriously injured at camera sites has gone down by 35 per cent. I know that will be heartwarming news for my hon. Friend, as he is co-chair of the all-party transport safety group.

We take seriously the involvement of police officers; a visible police presence is important. We have also considered whether other people can be engaged in such work, which is why some powers have been provided for community support officers. We shall also be working with the Highways Agency to ensure that it can deal with the management of roads at accident scenes while the police get on with finding out what happened and with following up any criminal action. Those are all important parts of ensuring that road safety enforcement works effectively.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): Given that we have some of the safest roads in Europe, should not far greater priority be given to putting police officers on to our streets, rather than on to our motorways?

Caroline Flint: Such matters are for police forces to determine in their areas, but I do not think that it is an either/or issue. We must ensure that we use the technology that is available. On average, a police officer using automatic number plate recognition technology makes 110 arrests a year, compared with 10 a year without the technology. That is making the best use of 21st century technology and making sure that we put police where they are needed: on our streets and in our communities.

Antisocial Behaviour Orders

13. **Mr. Dave Watts** (St. Helens, North) (Lab): How many antisocial behaviour orders have been issued since their introduction. [142098]

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): ASBOs were introduced in England and Wales from 1 April 1999. The number of notifications received by the Home Office of ASBOs issued in England and Wales at all courts from 1 April 1999 to 30 June 2003 is 1,337.

Mr. Watts: I have been meeting police and magistrates in St. Helens to discuss antisocial behaviour. Does my hon. Friend agree that some magistrates courts and some police forces clearly do not give ASBOs the serious attention that they should? Will she talk to the Lord Chancellor about how to make the policy more effective in future?

Ms Blears: I understand that six ASBOs have now been granted in my hon. Friend's area, and there are plans to make sure that more of those who commit antisocial behaviour are targeted in future. He is right to say that all parts of the criminal justice system, including the police and the courts, need to take the agenda seriously; that is precisely what we are working on. I am delighted that, for the first time, the Magistrates Association has issued sentencing guidelines on antisocial behaviour, so that there is consistency in the sentencing process. I hope that my hon. Friend agrees that, increasingly, police, local authorities and the courts are taking the tackling of antisocial behaviour seriously, because it is the public's top priority.

Miss Anne McIntosh (Vale of York) (Con): Does the Minister accept that ASBOs are failing to work in the villages around York? Skelton, Rawcliffe and Clifton Moor have been made to pay £14,000 this year, rising to £16,000 next year, for private security guards to assist the police in tackling antisocial behaviour. Surely that is privatisation by the back door, and totally unacceptable.

Ms Blears: I do not accept for a moment that ASBOs are failing. The hon. Lady should take a look at Leeds, where 66 interim ASBOs were obtained over the course of a weekend to reclaim an estate that was completely out of control. She should come to my Salford constituency, where we now have more than 50 ASBOs, 25 of which were obtained on conviction after the new powers were brought in—*[Interruption.]*

Mr. Speaker: Order. The hon. Member for Vale of York (Miss McIntosh) put a question to the Minister; she must allow the Minister to reply and not butt in.

Ms Blears: We like to start off gently, so we start with an acceptable behaviour contract; perhaps we should have one of those in relation to our proceedings. By using the range of tools available—acceptable behaviour contracts, ASBOs and parenting orders—local authorities and the police can successfully tackle antisocial behaviour, which is an extremely important issue to the people whom we represent.

Mr. John Smith (Vale of Glamorgan) (Lab): Just a thought: perhaps you, Mr. Speaker, should consider issuing antisocial behaviour orders from time to time. What about the problem that we have with our local authority, Conservative-controlled Vale of Glamorgan council, which refuses to co-operate in the issuing of antisocial behaviour orders, even when residents demand them to solve the most difficult problems on some of our most difficult estates?

Ms Blears: My hon. Friend knows that, under the Crime and Disorder Act 1998, there is a duty on local authorities and the police to co-operate. Those authorities have a responsibility to work together to tackle such issues. We in Government have put on the statute book a range of tools for local authorities to use in tackling those problems, and we are determined that they will be encouraged to use the tools available and tackle deep-seated problems in our communities. That is why we have the Together action plan, Trailblazers, the Together Academy, bringing practitioners together, and the Together ActionLine, to make sure that we can all tackle the problems together.

Mr. Graham Brady (Altrincham and Sale, West) (Con): Does the Minister accept that sometimes, by barring offenders from the place where they commit offences, the effect of ASBOs can be to move them to another community, where they can cause serious problems that did not previously exist?

Ms Blears: The evidence shows that displacement does not occur as a result of ASBOs. With such innovative legislation, it is important that there should be exclusion areas around the place where people are allowed to go. If they breach that, they can get a custodial sentence, which is increasingly happening. We have included in the Act a provision to widen the exclusion area from the area where the offences were committed so that the problems of displacement do not occur. The legislation is innovative and forward looking, and I commend it to the hon. Gentleman.

Mr. Michael Jabez Foster (Hastings and Rye) (Lab): Nigel Barry, the antisocial behaviour officer of Hastings borough council, tells me that one of the problems is the criminal test that is being applied to the obtaining of ASBOs. Does my hon. Friend intend to restore the balance of probabilities evidential test, as was originally intended, so that such orders can be more easily obtained?

Ms Blears: I understand the point that my hon. Friend makes, but I reaffirm and put it on record that the antisocial behaviour order is a civil order. Its rules of evidence are governed by civil rules of evidence, which means that we can use professional evidence. Local people do not have to stand up and be intimidated and harassed, as they have been. The evidential requirement for proof is the highest standard. These matters are serious, and it is acceptable to have the highest standard of proof, but at the same time we must retain the civil rules of evidence so that victims and witnesses can be supported when they come forward and make the case.

Prisons

14. **Gareth Thomas** (Clwyd, West) (Lab): If he will make a statement on his assessment of likely changes in the prison population over the next five years. [142100]

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): The prison population is expected to grow over the next five years, which is why the number of prison places will be increased to 78,700 by 2006. At the same time we anticipate that a greater use of community penalties will reduce the number of less serious offenders who are given a custodial sentence.

Gareth Thomas: Given the fact that the vast majority of prisoners go on to reoffend once released, what assurances can my hon. Friend give that those worrying increases in the prison population will not affect the ability of the Prison Service to carry out rehabilitation programmes to stop reoffending?

Paul Goggins: My hon. Friend is right that some people who leave prison do go on to reoffend. We place emphasis on improving education in prisons and making sure that there is a better connection to Jobcentre Plus so that people leaving prison stand a better chance of getting into a job. We must ensure that when people leave prison they can adopt a lifestyle that means they do not have to return to crime.

Mr. Nigel Evans (Ribble Valley) (Con): Does the Minister accept that if someone is arrested for a first offence for burglary, the chances are that it is not their first offence but merely the first time that they have been caught? Is the Government's policy, therefore, for first-offence burglars to go to prison? If so, what assessment has he made of the extra places needed for that?

Paul Goggins: The court can deal only with the offences before it; it cannot second-guess the crimes that an individual may have committed. In the light of the information before it and the offence of which the person has been convicted, the court must choose the penalty deemed appropriate for that individual.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): Is it not a shocking fact that 25 young people have died in young offenders institutions over the past 13 years? Is it not time that the Government made a principled stand and arranged for all children to come out of custody?

Paul Goggins: Like Members on both sides of the House, I deeply regret the death of any young person in custody, or of anybody in custody. The Prison Service is working mightily hard to reduce the incidence of people taking their own lives or engaging in self-harm. The use of custody for juveniles has fallen in the past year by about 13 per cent. as we have developed intensive and appropriate programmes for young people in the community. However, some young people commit extremely serious offences, and for their sake and because of the need to protect the public they sometimes need to be in custody.

Speed Cameras

17. **Mr. Hugo Swire** (East Devon) (Con): How many prosecutions have been brought as a result of speed cameras in Devon and Cornwall since cameras were first introduced. [142103]

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): Cameras were first used in Devon and Cornwall in 1992. The latest year for which data are available is 2001. In that period there were 22,902 prosecutions for speeding offences detected by camera.

Mr. Swire: In the run-up to Christmas everyone is interested in road safety. In her earlier answer to the hon. Member for St. Helens, North (Mr. Watts) I think that the Minister added to the general confusion surrounding speed cameras by overstating their importance. When I recently asked the Secretary of State for Transport about SPECS digital speed cameras, which, as far as I am aware, we do not have yet in Devon and Cornwall, he said that the revenue from the cameras went to cover the cost of their operation, with all surplus moneys going to the Treasury.

That seems to be the case in some parts of the country but not in others. Chief constables in some areas say that speed cameras are not an effective way of policing, and in some areas revenue is reserved by the chief constable and in other areas by the Treasury. Is not the real case—

Mr. Speaker: Order. I call the Minister.

Caroline Flint: Devon and Cornwall want the cameras because they joined the scheme in October 2002. They did not have to join the scheme, but they did so. That must say something about why they want the cameras. As I said earlier to my hon. Friend the Member for St. Helens, North (Mr. Watts), we must use the latest technology and police officers to tackle offences on our streets and roads. There is no doubt that speeding is a serious criminal offence. When people are speeding or not driving at the appropriate speed according to the conditions, they can affect lives. That is what needs to be dealt with. That is why the scheme is so popular, that is why police forces want it, and that is why they want the resources to assist them in dealing with road safety.

Points of Order

3.33 pm

John Mann (Bassetlaw) (Lab): On a point of order, Mr. Speaker. On 4 December I received from the Secretary of State for Transport an answer to a written question of which I had given the Department prior notice, in which I sought to clarify what a specific piece of legislation stated in relation to car parking fines—an issue that I have tested successfully in court. As I have not received an answer concerning what the law is in relation to private operators of local authority car parks fining or attempting to fine people, what advice would you give me, Mr. Speaker, as to how to clarify what the law of the land is?

Mr. Speaker: I would strongly advise the hon. Gentleman to go to the Table Office and persevere, to make sure that he gets the reply that he is looking for.

Tony Lloyd (Manchester, Central) (Lab): On a point of order, Mr. Speaker. May I draw your attention and that of the House to the parliamentary convention whereby one Member advises another when he or she visits another Member's constituency? In particular, may I draw your attention to the fact that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), also known as the Leader of the Opposition, visited my constituency over the weekend without having the courtesy to let me know? My constituents were quite happy to welcome him—indeed, most of them were pretty oblivious to his visit—but they were surprised that he offered no apology for the damage that he did as Employment Secretary, which led to increasing unemployment in the area, or for the crime that took place as a result of that damage when he was Home Secretary.

Mr. Speaker: I replied in depth to a similar point of order made by the hon. Member for Dumbarton (Mr. McFall), and I urge all hon. Members to read that in *Hansard*, where it is recorded for the benefit of every hon. Member.

Mr. Peter Lilley (Hitchin and Harpenden) (Con): On a point of order, Mr. Speaker. You will recall that on Wednesday I raised with the Prime Minister the issue of hospital-acquired infections, which kill more people every few months than died in New York on 9/11. One would normally be gratified if within a couple of days the Government had come out with a policy response—except that the Secretary of State for Health chose to announce his new policy for dealing with this terrible problem on the "Today" programme on Friday, a day when the House was not sitting, and does not appear even to have tabled a written ministerial statement today. Would you advise me whether you have received any request from the Secretary of State to come to the House to give Members an opportunity to question him on that policy to establish whether it is, as I hope, a substantive contribution to one of the most serious issues facing our constituents, or whether it is, as I fear, another ineffective gesture? Will you confirm this is an issue of immense importance that should be treated not as the NHS's dirty little secret but as a dirty great issue that is of concern to us all?

Mr. Eric Forth (Bromley and Chislehurst) (Con): Further to that point of order, Mr. Speaker—

Mr. Speaker: Order. Let me reply to the right hon. Member for Hitchin and Harpenden (Mr. Lilley).

I recall the right hon. Gentleman raising the matter, which is obviously important to him. I shall not be drawn into the argument, but when a Minister has an important matter to announce, I expect it to be announced in the House. Tomorrow is Health questions, when the right hon. Gentleman may catch my eye.

Mr. Tam Dalyell (Linlithgow) (Lab): On a point of order, Mr. Speaker. I apologise for not following my usual practice of giving your office notice of a point of order.

It may have been brought to your attention that in the Scottish press this morning there is much discussion of the issue of certification of Bills, as to whether they pertain simply to England or to Britain as a whole. I do not wish to make any party point of this, because it was raised quite properly by the Leader of the Opposition on his visit to Scotland, but I raised this question with Mr. Speaker Selwyn Lloyd many years ago, and he said benignly that he and his office would consider the matter. Well, I suspect that they are still considering it.

My point of order is this. In the light of what is said in the Scottish press this morning, and in the light of what the Leader of the Opposition has said in Scotland—he is quite entitled to say it—I ask that, after consideration, there should be some statement from the Speaker's Office saying how practical or otherwise it is. I do not ask for an immediate answer; I merely hope that the consideration that Mr. Speaker Selwyn Lloyd began will be brought to some kind of fruition.

Mr. Speaker: I inform the hon. Gentleman that I have a responsibility to certify Bills that relate exclusively to Scotland. I hope that that is of some help to him.

Mr. Forth: Further to the point of order made by my right hon. friend the Member for Hitchin and Harpenden (Mr. Lilley), Mr. Speaker. Do you share my frustration that on the wireless this morning we heard the Secretary of State for Trade and Industry answering questions about consumer credit, and on the Order Paper today under written ministerial statements, I find that very matter: "consumer credit, Secretary of State for Trade and Industry"? Why do Mr. Humphrys and Mr. Naughtie get to question the Secretary of State on the radio, while we do not get the same opportunity here in this Chamber? Something is going badly wrong, Mr. Speaker, and it really is time that a grip was got on the matter, so that we stop this appalling habit of Secretaries of State and Ministers answering questions on the radio, but refusing to come here to answer them in the Chamber.

Mr. Speaker: The right hon. Gentleman brings to my attention a matter in relation to which Ministers are

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clearly acting within the rules of the House. A written statement has been made, and I have no other powers in this matter.

Mr. Dalyell: Further to the point of order that I raised earlier, Mr. Speaker. In the light of your reply, would it be impertinent to ask whether your office was approached on the question of certification in relation to the proceedings of the House on foundation hospitals? Was the Speaker's Office ever asked for a ruling on this matter?

Mr. Speaker: The hon. Gentleman should remember my words. I referred to Bills relating exclusively to Scotland, and I do not think that foundation hospitals featured in a Bill relating exclusively to Scotland—far from it.

Mr. Patrick McLoughlin (West Derbyshire) (Con): On a point of order, Mr. Speaker. May I ask you to reflect on the reply that you have just given to my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth)? Surely, the Secretary of State for Trade and Industry, like the Secretary of State for Health on Friday, answered questions on the radio before a statement had been made to Parliament. I thought that a statement to Parliament should be made first, before a statement to the news media.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): Further to that point of order, Mr. Speaker. I think it is important for us all to remember that the idea of having written statements, on which you have expanded several times, was that it would regularise a habit of tabling written questions that were planted. However, it will be difficult for the House if people use the arrangement as a means of avoiding making statements that should be questioned. I know that you would deprecate that, and I hope that that will be made clear.

Mr. Speaker: I say to the hon. Lady and to the hon. Member for West Derbyshire (Mr. McLoughlin) that the health statement and the statement on trade and industry that have been mentioned are two different matters. On the health statement, I repeat that the right hon. Member for Hitchin and Harpenden (Mr. Lilley) had expressed deep concern as early as Wednesday about the matter to which he referred. I would hope that a Minister would come before the House and not only make a statement but give the House an opportunity to question it. On the other matter, a written statement was given to the House. Therefore, as a custodian of the rules, I can say that there has been no breach of rules. If the hon. Member for Crewe and Nantwich (Mrs. Dunwoody) feels that this matter should be tightened up, it is up to her and others to take it before the appropriate Committee.

Mr. Forth: Further to the previous point of order, Mr. Speaker. If I may say so, I think that that is a very helpful ruling on your part. Without it, surely Ministers could start to take refuge in hiding behind the written ministerial statement procedure, knowing that they could not be questioned in the House. If are not very careful, Ministers could see that procedure as some sort of substitute for making a proper statement here and subjecting themselves to questioning. I am sure that you will want to make it clear that you would not expect them to use that dodge.

Mr. Speaker: I am glad that my replies are helpful; I would only hope that the points of order will be helpful.

BILL PRESENTED

HOUSING

Mr. Secretary Prescott, supported by Mr. Chancellor of the Exchequer, Mr. Secretary Blunkett, Secretary Margaret Beckett, Mr. Secretary Darling, Mr. Secretary Reid, Ms Secretary Hewitt, Mr. Secretary Clarke, Mr. Paul Boateng and Mr. Peter Hain, presented a Bill to make provision about housing conditions; to regulate houses in multiple occupation and certain other residential accommodation; to make provision for home information packs in connection with the sale of residential properties; to make provision about secure tenants and the right to buy; to make other provision about housing; and for connected purposes: And the same was read the First time; and ordered to be read a Second time tomorrow, and to be printed. Explanatory notes to be printed. [Bill 11].

Planning and Compulsory Purchase Bill (Programme)

3.43 pm

The Minister for Housing and Planning (Keith Hill): I beg to move, That the programme order of 17th December 2002 shall be varied as follows:

Consideration and Third Reading

1. Paragraphs 4 and 5 of the Order (Consideration and Third Reading) shall be omitted.

2. Proceedings on Consideration and Third Reading shall be completed in two days.

3. Proceedings on Consideration on the first day shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption.

4. Proceedings on Consideration on the second day shall (so far as not previously concluded) be brought to a conclusion two hours after their commencement on that day.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion three hours after the commencement of proceedings on the Bill on the second day.

6. Proceedings on Consideration shall be taken in the following order: New Clauses standing in the name of a Minister of the Crown, remaining New Clauses, remaining proceedings on the Bill.

As the House will know, the Bill has received detailed scrutiny in Committee, both in its initial three-week consideration, and later, in the two weeks when it was recommitted so that the new provisions that we sought to introduce to cover the removal of the Crown's immunity from planning controls and some further provisions to improve the system of compulsory purchase could be considered. Recommital meant that, in total, the Bill was debated for some 55.5 hours in Standing Committee. I am grateful to all hon. Members who participated in consideration of the Bill for their constructive contributions.

Anxious as I am to make progress on the substantive rather than the procedural aspects of the debate, I should respond to the observations that the hon. Member for Cotswold (Mr. Clifton-Brown) made last week in his point of order, in which he complained about lack of notice on the amendments relating to planning contributions. The hon. Gentleman acts as though this is a dark plot to spring the amendments on him, but it is the end of a process that began back in December 2001, when we consulted on four options for reforming planning obligations. Our preferred option was the tariff. In July last year, having received and considered more than 500 responses to that consultation, the Office of the Deputy Prime Minister announced that although the objectives of the tariff proposal were widely welcomed by a majority of respondents, many could be delivered without legislative change.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Will the Minister give way?

Keith Hill: Of course—how can I resist giving way to my former opposite number?

Mr. McLoughlin: Can the Minister tell us how much of the Bill is in the original form in which it received its Second Reading in this House?

Keith Hill: The greater part of the Bill remains in its original form—subject, of course, to sensible amendments, many of which were made in the light of sensible representations on the part of the loyal Opposition. Additions to the Bill were properly debated and scrutinised on its recommittal. We are now bringing forward new material that I will try to deal with in the course of this short debate.

Mr. Eric Forth (Bromley and Chislehurst) (Con): Who decides what is sensible?

Keith Hill: Members of the House of Commons when they vote on the provisions of the Bill: I am sure that the right hon. Gentleman would entirely agree with that.

Work continued on the issues, especially in the light of the many representations that we continued to receive. We continued to explore how to offer developers and local authorities a straightforward way in which to shorten the time taken on negotiations. The proposals are a development of our earlier consultation about the tariff—they are nothing new; and they are optional, not mandatory.

I announced our proposals in a written statement to the House and published the consultation document on 6 November. In both I explained that we intended to take enabling powers in the Bill. I made a particular point of ensuring that the Opposition were in immediate receipt of the consultation document. If the hon. Member for Cotswold and his Liberal Democrat counterpart, the hon. Member for Ludlow (Matthew Green), happened to miss my statement and the consultation document, perhaps they had a chance to read about it in their daily newspapers. The *Financial Times*, *The Daily Telegraph* and *The Times* covered my announcement extensively, explaining that we intended to legislate, what we intended to legislate for, and that the detail of the proposals would be subject to further discussion. I do not know what the weekend reading matter of the hon. Member for Cotswold might be, but I am sure that, as a chartered surveyor, he takes the opportunity to catch up with specialist publications such as *Property Week*, *Estates Gazette*, *Regeneration and Renewal* and *Housing Today*, all of which made it clear that we intended, as I said on 6 November, to take enabling powers in the Bill.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Of course, I read all those publications avidly, because I try to get into them as often as possible. However, what the Minister says is a travesty. Although we knew in principle that the new clauses were on the way, until we saw them in detail there was no possibility of our being able to table counter-amendments. The Minister sat on the matter for a month and tabled the amendments just two days—not even two full days—before all amendments had to be in or end up being starred and therefore unable to be debated. That is a manipulation of parliamentary procedure and a sloppy way of carrying on.

Keith Hill: Notwithstanding the hon. Gentleman's protestations, he succeeded in tabling no fewer than 20 amendments to two new clauses, so it appears that he

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did not find the process of responding to the possibly late tabling of the new clauses a particularly arduous process.

Mr. Clifton-Brown: Although I do not have an entire ministerial team behind me, I was up very late into the night drafting amendments to try to ensure that the Minister and Government did not get away with it.

Keith Hill: I do not want to take away from the assiduousness of the hon. Gentleman, but his amendments' redolence of the midnight oil means that, unfortunately, I shall have to reject quite a lot of them.

The consultation document invited views on the general principles of reform. It was clear that we intended to legislate by making provision for a new optional planning charge that will give developers a choice between the current negotiated approach and the alternative of paying a predetermined fixed amount. I want to make it clear that we will publish the results of the consultation and our response to the points raised, as well as more detail on the form that the regulations will take, in order to inform the debates in the other place during January.

Sir Paul Beresford (Mole Valley) (Con): The Minister will be aware that, in July last year, the Select Committee condemned most of the draft planning Bill, including the part dealing with tariffs. Considering that it did so on the basis of what had been said by the many people who came before it, and of the many memorandums that it received, would it not be more appropriate for such a delicate issue to be delayed—or at least for the relevant part of the Report stage of the Bill to be put off—until the results of the consultation are in and have been seriously considered by the Government?

Keith Hill: I do not think so. Our earlier consultation received precisely 505 representations on this subject. The broad outlines of the issue have been sufficiently adumbrated up and down the country, although of course we continue to discuss the matter with interested parties. In the circumstances, and in the light of the fact that these are enabling measures which will be subject to further detailed consideration in consultation, guidance and regulation, we feel that this is the right moment to introduce them.

We intend to issue a second, more detailed consultation document in spring 2004, which will be a draft circular setting out firmer and more detailed proposals. After that second consultation period, we will publish a new, revised circular to replace circular 1/97. I accept that we have shortened the consultation period to nine weeks from the 12 weeks that we usually allow. In this case, the period is shorter because we are looking for broad views on the general principles. As I have said, a further consultation document will set out our proposals in detail, and we expect to consult for longer at that time. In a nutshell, we have decided that we want to take advantage of this rare legislative opportunity to introduce the optional planning charge. Planning Bills are not introduced frequently, and the opportunity might not arise again for years.

I hope that these explanations will satisfy the House, and the hon. Member for Cotswold in particular. As I have said, the Bill has already enjoyed a lengthy Committee stage, in which there has been ample opportunity for the Opposition to scrutinise all its aspects. Moreover, it is precisely because we recognise that we are bringing new material to it, in the form of three new clauses and four amendments, that we are proposing this motion to increase even further the time available for debate. The programme motion tabled in the name of the Deputy Prime Minister and the Leader of the House provides that we consider the new material first. It is therefore entirely in the hands of the Opposition to decide how long we need to consider this new material. There will be no knives.

The Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Pontefract and Castleford (Yvette Cooper) and I eagerly anticipate an interesting day and a half of debate, and I hope that we can now move quickly to address the substance of the Bill without any excessive expenditure of energy on procedural wrangles.

3.53 pm

Mr. Geoffrey Clifton-Brown (Cotswold): Thank you for allowing me to catch your eye, Mr. Speaker.

The Minister is skating on pretty thin ice, considering the chronology of the Bill. I shall go through that in some detail, so that anyone listening to this debate or reading the report of it later can see the mismanagement of Government business that the Bill exemplifies par excellence. The programme motion provides that we shall finish our proceedings at the moment of interruption today, giving us just six and a half hours. Tomorrow, we shall have just two hours on further consideration, giving us a total of eight and a half hours. Points of order and the ministerial statement have taken up half an hour, so we will have in effect only eight hours to debate 23 new clauses and 78 amendments, most of which—certainly the substantive ones—are Government new clauses and amendments. These amendments are very technical and extremely important to the development industry.

What a way to carry on! I apologise for my point of order last Thursday, which was marginally incorrect. The Bill started its Second Reading on 17 December 2002, which is almost a year ago. The Government rushed it through Second Reading and Committee on a timetable of 12 sittings between 9 and 28 January, which meant that on the first go at this in Standing Committee only 30 clauses out of 90 and only 1 schedule out of six were discussed.

The Government were not content with rushing the Bill through at that huge pace. The whole thing went to sleep until June, when they introduced an unprecedented recommittal motion to recommit it to Standing Committee. That took place, and despite the fact that we had argued strongly for 12 sittings we were given only eight. Even on the second go, only 29 clauses out of 90 were discussed, and four schedules out of six were not even debated.

Despite the fact that the Government have had two goes at this legislation in Standing Committee, there are still huge chunks of the original Bill that have never been discussed. On top of that, during the second Standing

Committee stage, the Government introduced two new huge portions, which I estimate add about 20 clauses to the existing 90 on important matters to do with Crown immunity and compulsory purchase.

No sooner had that second Committee finished and while the ink was hardly dry, the Government announced that they wanted to add another huge bit on to the section 106 procedure—the alternative procedure that the Minister has outlined—in the highly complex clauses 1, 2 and 3. Yet we are being allowed only one and a half days for debate on Report—in fact, not even one and a half days. That is totally inadequate. I suspect that at the end of Report stage huge chunks of the original Bill will not have been discussed, and neither will the other new clauses and amendments. I draw hon. Members' attention to the new list of amendments. There are 40 pages of amendments, which include 23 new clauses and 78 amendments. That shows the huge interest of a large number of Members who want to discuss various aspects of the Bill, yet we have this timetable motion. At the very least, we should have two days for Report.

There is no reason at all why we need to finish at 10 o'clock today. There is no reason why discussion of the Bill should not go on after the moment of interruption. That would allow Back Benchers to present the new clauses that they have tabled and to raise all the issues that pertain to the Bill.

I must express our serious reservations about what we will discuss today. The Government say that they had a consultation document way back in December and that they had 505 responses. That consultation paper led the Government to conclude that the tariff system was unworkable, yet for some extraordinary reason they have decided to bring it back in these new clauses. Not only is that an extraordinary way to go about things, given that we thought this whole tariff idea had been dropped, but the Government are bringing it back in the middle of their new consultation, which does not end until 8 January. Many experts wonder whether it is possible to subject this whole procedure to judicial review. The Government have introduced clauses not only in the middle of the consultation but at a time when the Treasury-sponsored Barker report is still not available in full. I thank the Minister for acceding to part of my request by ensuring that some of the responses are available on the website. However, we still have not seen the full Barker report, which touches on this matter.

The new clauses are both wide in scope and vague. I have no doubt that the other place will want to give this whole Bill huge scrutiny. It is reprehensible to bring forward these new clauses in such a vague form and in such a hurry.

There is no reason why these matters could not have been specified in the Queen's Speech, and subject to a separate Bill.

We all rely on the planning system in this country, but the Government have ripped up the present system and made the new system even more complicated. Once we have added to that the further complication that will be raised in today's debate, the system will probably be unable to cope.

These are important matters that touch on all our lives, and not least on the country's economic development, but the timetable only allows us about eight and a half hours in which to discuss them. This is a monstrous travesty of parliamentary procedure.

4 pm

Mr. Andrew Mitchell (Sutton Coldfield): I am grateful for the opportunity to speak briefly. The Minister knows how deeply some of the issues in the Bill concern us in Sutton Coldfield and it worries me that insufficient time has been allocated to them. The Minister was good enough to reply to a late night Adjournment debate about some of those issues in the summer, within minutes of taking up his post. He will therefore know that planning decisions and the way in which they are made is one of the most important issues.

I am particularly concerned about two matters that the motion may prevent us from discussing. The first is misuse of brown land. I have always suspected that the Minister feels some sympathy for us in Sutton Coldfield where that is concerned. Under current legislation, developers can wilfully misinterpret the definition of brown land. They can knock down large houses with large, mature gardens—I gave the Minister a specific example last summer—and replace two or three of them with enormous blocks of flats. They can increase density in areas where that is wholly inappropriate. I suggested to the Minister that he might like to undertake a journey from Sutton Coldfield to Birmingham, as en route he would see what both he and I would consider proper and legitimate brown-land development. But I fear that the wilful misinterpretation that I have described cannot be discussed adequately in our debates.

The second issue is that of appeals. Under current legislation, a developer whose application is turned down by a planning committee can appeal if he can persuade the appeal authorities that he has been denied the opportunity of proceeding with his development. The problem is that when a developer is given permission under the current legislation—even when the planners would have preferred not to give permission, but the planning department believes that it must do so under the legislation—my constituents have no right of appeal.

When the matter was discussed at length in Committee, the Government's response was that it was an extremely difficult issue, that they would think about it, but that they had no plans to act. If more time were available today, we might have had an opportunity to consider ways of redressing the balance more in favour of our constituents and less to the advantage of developers. It might, for instance, have been possible to argue that when a large number of local people object to a decision in favour of a developer—

Mr. Speaker: Order. The hon. Gentleman can advance these arguments at a later stage. We are discussing the programme motion, which is very tightly and strictly drawn.

Mr. Mitchell: I am most grateful for that guidance, Mr. Speaker, and I am about to bring my remarks to a conclusion. If this programme motion were more extensive—if it gave us greater opportunity to raise such

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points—the very important issues of appeals, and of the current injustice affecting my constituents and the developers, could be addressed.

Mr. Clifton-Brown: My hon. Friend will be aware that I argued very hard in Committee for our amendment on this issue. Indeed, I tabled new clause 9, which would have achieved precisely what his constituents are asking him to achieve, but because of the constraints of the timetable motion that we are discussing it will not even be discussed. That is yet another example of why the timetable motion is inadequate.

Mr. Mitchell: My hon. Friend makes the point extremely well. The timetable motion is so tightly drawn that his excellent new clause, which I fully support, cannot be discussed. That is a cause of dismay to my constituents, who will of course hold the Government absolutely to account for not enabling my hon. Friend's new clause to be debated.

I draw my remarks to a close by making one final point. I have yet to decide whether to vote in favour of, or against, the programme motion, so I shall listen with great care to the Minister's response. He has been most helpful. He has agreed to visit my constituency and to take tea with me and others to discuss these very matters, and I look forward to that occasion. There is no more important issue in Sutton Coldfield than this one, and the question of whether I shall support the programme motion will depend on the Minister's response.

4.8 pm

Matthew Green (Ludlow) (LD): I am relieved to hear that the Minister is so worried about losing votes these days that he is offering to take tea with Conservative Members to ensure that they vote with him on programme motions. Unlike Conservative Front Benchers, I shall not express indignation. The Bill spent a long time in Committee—some 55¼ hours, as the Minister said—and virtually all its substantive elements were covered at one time or another.

If we had considered the Bill on Report immediately after last January, I, too, would have argued against the programme motion, because the way in which business was conducted in Committee at that time was appalling. The Bill was simply pushed through and there was no real attempt to have a debate. However, the new Ministers have taken a completely different, much more welcome and open approach during our recent Committee proceedings. There were no knives, and we were able to deal with all the substantive business with which the Government and the Opposition wanted to deal. Again, there are no knives in this programme motion.

Mr. Clifton-Brown: Will the hon. Gentleman clarify what he just said? In view of what I said about the number of clauses and schedules that were not discussed in either Committee, his observation that we were able to deal with all the Government's and the Opposition's business is simply not true.

Matthew Green: I will clarify what I said. Because of talks conducted through the usual channels, we were able to move up the order those elements that we considered most important so that we could discuss them. That is a very agreeable and sensible way forward. Frankly, many clauses would not have detained the Committee because they were minor or required no amending; indeed, no one indicated that they wanted to speak against them.

Mr. Andrew Turner (Isle of Wight) (Con): The hon. Gentleman may be aware of amendment No. 26, which is on today's amendment paper but was not reached in Committee, even though it deals with a very important issue. That clearly demonstrates that we were unable to move everything up the agenda. Indeed, it is quite impossible to move some things up the agenda without moving others down it—even the hon. Gentleman must recognise that. Some planning authorities are very concerned that they will get their consultation process on the local development framework under way, only to find that they have to go through it again.

Matthew Green: The hon. Gentleman may have a point in respect of a particular amendment, but we were able in Committee to discuss many of the new clauses and amendments tabled by both Opposition parties, and to deal with the Government's new clauses.

Mr. John Hayes (South Holland and The Deepings) (Con): I understand that the hon. Gentleman thinks that he is making a reasonable case, but—notwithstanding the fair point made by my hon. Friend the Member for Cotswold (Mr. Clifton-Brown)—does he think it reasonable that there will be very little time to debate the measures added on Wednesday regarding section 106? These are matters of fundamental importance; surely they concern him just as much as they concern us.

Matthew Green: I understand that there would have been one day for Report but for the introduction of the section 106 measures, which has resulted in the addition of another half-day. Once again, that is reasonable. This is a complex and detailed Bill, but it is not one of high politics. It is a Bill best dealt with in Committee. I am sure that, in the other place, their lordships will pore over it and table many amendments. It is a different sort of Bill from those concerned with foundation hospitals and tuition fees.

The Government's recent handling of the Bill has been satisfactory; they have placed no knives and allowed us to move around the order. I should like to see such an approach used with other Bills—compared with others Bills that I have experienced during the past year, I find the Government's approach to be satisfactory. I hope that we will get through the business. I suspect that whether we do or not will depend largely on the length of speeches from Conservative Members, the factor that probably had the largest impact in Committee.

The Liberal Democrats will not be opposing the motion, which we believe gives sufficient time to deal with the major salient points. We would have liked some proposals to be selected, but they were ruled out by the Clerks. With that proviso, we are happy to support the motion.

4.11 pm

Sir Sydney Chapman (Chipping Barnet) (Con): I shall detain the House for as short a time as possible, and I can do so particularly because I agree almost entirely with what my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) has said. It is worth referring back to the original Bill, which had its Second Reading almost exactly a year ago. We were told by Ministers—not the same Ministers who are on the Front Bench now—that this was an important, fast-track Bill that needed to be on the statute book as quickly as possible. It was rushed through Committee—only 26 out of 90 clauses and only three out of six schedules were examined. Last June, we heard that instead of bringing the Bill to the Floor for Report, the Government were going to send it back into Committee, which was a unique experience in my time in the House since 1970. I note that the Bill now has 117 clauses and nine schedules.

I disagree with the hon. Member for Ludlow (Mr. Green). There is not enough time to consider the new clauses and those clauses that were not examined at all during last year's Committee stage. The Government are represented by two courteous, fair and considerate Ministers, and I do not blame them. However, rather than deciding to bring the Bill back to Committee with the intention of adding new clauses on planning contributions, the Government managers should have let the original Bill proceed normally last June. Then, after consulting on planning contributions, they should have proposed a second planning Bill, suitably named, either later in this Session or in the next one.

I do not believe that fewer than six hours today and two or three hours tomorrow—depending on how long we spend on Third Reading—is sufficient time to deal properly with 117 clauses and nine schedules.

The Government's latest topical spin phrase is "the big conversation". I say to them that what we badly need in this House is more conversation and more scrutiny of Bills, so that the other place does not have to work overtime to deal with all those matters that cannot be considered tonight.

Mr. Clifton-Brown: My hon. Friend is making a cogent case. He has not only architectural but planning and other professional experience, so he knows a great deal about these matters. Does he, with his long experience in this House, agree that the Report stage of any Bill is the only opportunity for those Members who were not members of the Committee to table amendments and new clauses, so the effect of this timetable will be to squeeze out many of those Members?

Sir Sydney Chapman: I entirely agree, and that was the point made by my hon. Friend the Member for Sutton Coldfield (Mr. Mitchell).

Returning to what the hon. Member for Ludlow said, it may be that on some clauses there are no party political divisions. I do not know that, but I suspect that in general terms there are no such divisions. However, whether or not any of the clauses are non-contentious and will not divide the parties, they all concern matters that are important to many outside organisations. Planning affects each and every one of us. It is a sensitive issue and we really should have had much more time to deal with these important matters.

Mr. Andrew Mitchell: My hon. Friend has put his finger on precisely the point. There may not be a political divide, but he has made it clear that 64 of the 90 clauses were not discussed in Committee—that is a phenomenal figure. Many outside professional bodies, in which people earn their living and have a great expertise in these matters, need to see in *Hansard* what the effect of the clauses will be. They need us to ventilate the issues in the House, and the fact that we are unable to do so today is a retrograde step. The business managers should think again.

Sir Sydney Chapman: I entirely agree, and while I am on that winning streak I shall resume my seat.

4.16 pm

Andrew Selous (South-West Bedfordshire): I wish to express my concern that the programme motion may not allow us to come to new clause 17, tabled by my Front-Bench colleagues. I raise the matter because it is of great concern to my constituents, and it would provide a remedy for the unauthorised development of land by Gypsies and travellers. I have seven such sites in my constituency and feeling is running extremely high among my constituents on this issue. I find it surprising that the Government have not seen fit to deal with the matter in the Bill or to table an amendment, and I am extremely concerned that the time allotted to us today may not allow us to reach this vital new clause.

The new clause would allow the enforcement of stop notices, preventing the continuing development of sites. At present, people who develop sites illegally are able to play the appeals system until the site is fully developed. I can think of nothing more calculated to cause disharmony between the settled community and the travelling community than such a state of affairs. It is a matter of great regret that the programme motion will very likely not allow us to reach new clause 17, and I am extremely concerned that the Government have not seen fit to propose measures on this subject.

4.18 pm

Keith Hill: With the leave of the House, Mr. Speaker, I shall briefly respond to some of the points that have been made.

I say immediately to the hon. Members for Sutton Coldfield (Mr. Mitchell) and for South-West Bedfordshire (Andrew Selous) that, as far as the Government are concerned, there is no reason why the issues of concern to the hon. Gentlemen should not be reached. The Government will certainly not seek to delay the proceedings—it is not in our interests to do so—but of course we shall certainly endeavour, in an entirely proper fashion, to expound our proposals and our responses to the amendments tabled by the Opposition.

The hon. Member for Sutton Coldfield said that he had an open mind about how he should vote in the event of a Division on the programme motion.

As a former deputy Chief Whip, I am not sure that I approve entirely of such an approach, even by an Opposition Member. In an attempt to win him over, however, perhaps I can deal with the issue of scrutiny in Committee.

[Keith Hill]

I was grateful for the kind remarks from several Opposition Members, and particularly for those from the hon. Member for Ludlow (Matthew Green), and I agree totally with his observation about scrutiny in Committee. Ultimately, the fact is that as a result of the five weeks that we spent in Committee, all the substantive provisions of the Bill were scrutinised. Hon. Members can play this numbers game how they like. The Bill has 117 clauses, but the House ought to be aware that many of them are of a procedural, interpretive and/or technical nature: 47 clauses are of that character; four clauses relate to the slip rule, which is about the correction of errors, on which I have been very broad-minded; 15 clauses are general provisions, regulation-making powers, supplementary or interpretation provisions, repeals or provisions relating to commencement, extent and so on; 19 clauses relate to Wales; and nine clauses simply apply provisions to Scotland and are the same as the English ones in principle and application.

Today, we are talking about only three new clauses for debate. The remainder of the Government amendments are of a minor and technical nature. I would bet my bottom dollar that the Opposition will not wish to take any length of time to debate our new provisions on tree preservation orders. There are a large number of those, and I shall of course endeavour to describe properly the new provisions. I would be extremely surprised, however, if that large number of amendments were the subject of much discussion.

The simple fact is that we can play games with numbers however we want to do it, but in this case the numbers bear no relation to reality. I very much hope that we can now get on to the substance of the Bill.

Question agreed to.

Orders of the Day

Planning and Compulsory Purchase Bill

[1ST ALLOTTED DAY]

Considered.

New clause 1

PLANNING CONTRIBUTION

'(1) The Secretary of State may, by regulations, make provision for the making of a planning contribution in relation to the development or use of land in the area of a local planning authority.

(2) The contribution may be made—

(a) by the prescribed means,

(b) by compliance with the relevant requirements, or

(c) by a combination of such means and compliance.

(3) The regulations may require the local planning authority to include in a development plan document (or in such other document as is prescribed)—

(a) a statement of the developments or uses or descriptions of development or use in relation to which they will consider accepting a planning contribution;

(b) a statement of the matters relating to development or use in relation to which they will not consider accepting a contribution by the prescribed means;

(c) the purposes to which receipts from payments made in respect of contributions are (in whole or in part) to be put;

(d) the criteria by reference to which the value of a contribution made by the prescribed means is to be determined.

(4) The regulations may make provision as to circumstances in which—

(a) except in the case of a contribution to which subsection (3)(b) applies, the person making the contribution (the contributor) must state the form in which he will make the contribution;

(b) the contribution may not be made by compliance with the relevant requirements if it is made by the prescribed means;

(c) the contribution may not be made by the prescribed means if it is made by compliance with the relevant requirements;

(d) a contribution must not be made.

(5) The prescribed means are—

(a) the payment of a sum the amount and terms of payment of which are determined in accordance with criteria published by the local planning authority for the purposes of subsection (3) (d).

(b) the provision of a benefit in kind the value of which is so determined, or

(c) a combination of such payment and provision.

(6) The relevant requirements are such requirements relating to the development or use as are—

(a) prescribed for the purposes of this section, and

(b) included as part of the terms of the contribution,

and may include a requirement to make a payment of a sum.

(7) Development plan document must be construed in accordance with section 36(3).'.—*[Keith Hill.]*

Brought up, and read the First time.

4.22 pm

The Minister for Housing and Planning (Keith Hill): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following: Amendment (b) to the proposed new clause, in line 3, at end insert—

'(1A) Both the payments under section 106 (planning obligations) and the planning contributions will be in the form of the planning condition and therefore both procedures will have the same provisions providing for an appeal to the Secretary of State.'.

Amendment (c) to the proposed new clause, in line 12, leave out 'consider accepting' and insert 'accept'.

Amendment (e) to the proposed new clause, in line 18, at end insert

'but this cannot be wider in scope than the current "necessity test" as currently applied in the section 106 procedure.'.

Amendment (f) to the proposed new clause, in line 20, at end insert

'(which where this includes the provisions of a benefit in kind this may not be a higher value than the alternative monetary payment).'.

Amendment (g) to the proposed new clause, in line 20, at end insert—

'(3A) The criteria referred to in subsection (3) (d) may amongst other matters set out—

(a) the charge per dwelling;

(b) the charge per square metre of all other developments;

(c) the minimum size of development to which the charge will apply;

(d) whether different charges will apply to "greenfield" and "brownfield" land;

(e) the percentage of affordable housing that must be applied to each development;

(f) that there will not be any R.P.I. escalator attached to these charges.'.

Amendment (h) to the proposed new clause, in line 25, leave out paragraph (b).

Amendment (i) to the proposed new clause, in line 27, leave out paragraph (c).

Amendment (j) to the proposed new clause, in line 43, at end add—

'(8) Provided the planning authority have complied with all the regulations relating to planning contributions the Secretary of State may not cause a plan to be rejected or revised on the grounds that the authority have set the charge at too low a level.'.

Amendment (k) to the proposed new clause, in line 43, at end add—

'(8) Provision may be made to enable periodic adjustment of the criteria mentioned in section (Planning contribution) (3) (d). But nothing in these regulations will permit any change in the quantum of the planning contribution unless there is a revision of the development plan document in subsection (7) above and any such change will be the subject to full community involvement.'.

Amendment (l) to the proposed new clause, in line 43, at end add—

'(8) The Secretary of State will fully reimburse any local planning authority where it can demonstrate that there is a net cost to them in preparing these regulations.'.

Government new clause 2—*Planning contribution: regulations*—

'(1) This section applies for the purpose of regulations made under section (Planning contribution).

(2) Maximum and minimum amounts may be prescribed in relation to a payment falling within section (Planning contribution) (5) (a).

(3) Provision may be made to enable periodic adjustment of the criteria mentioned in section (Planning contribution) (3) (d).

(4) The local planning authority may be required to publish an annual report containing such information in relation to the planning contribution as is prescribed.

(5) If a document is prescribed for the purposes of section (Planning contribution) (3) the regulations may prescribe—

(a) the procedure for its preparation and the time at which it must be published;

(b) the circumstances in which and the procedure by which the Secretary of State may take steps in relation to the preparation of the document.

(6) Provision may be made for the enforcement by the local planning authority of the terms of a planning contribution including provision—

(a) for a person deriving title to the land from the contributor to be bound by the terms of the contribution;

(b) for a condition to be attached to any planning permission relating to the land requiring the contribution to be made before any development is started;

(c) for the enforcement of a planning contribution in respect of land which is Crown land within the meaning of section 293(1) of the principal Act.

(7) The regulations may—

(a) require the local planning authority to apply receipts from planning contributions made by the prescribed means only to purposes mentioned in section (Planning contribution) (3) (c);

(b) make provision for setting out in writing the terms of the planning contribution;

(c) make provision in relation to the modification or discharge of a planning contribution.

(8) The regulations may—

(a) make different provision in relation to the areas of different local planning authorities or different descriptions of local planning authority;

(b) exclude their application (in whole or in part) in relation to the area of one or more local planning authorities or descriptions of local planning authority.'.

And the following amendments thereto:

Amendment (a), in line 4, at end insert—

'(2A) But nothing in these regulations shall enable either the Secretary of State or the local planning authority to raise the quantum of the planning contribution once—

(a) planning permission has been granted;

(b) that permission remains in force; and

(c) any condition relating to planning contribution has been agreed with the applicant.'.

Amendment (c) in line 5, after 'adjustment', insert 'either upwards or downwards'.

Amendment (e), in line 10, leave out subsection (5).

Amendment (f), in line 18, at end insert

'unless the local planning authority certify that the terms of the contribution have been fully met prior to any transfer of title taking place.'.

Amendment (g) in line 22, leave out from 'made' to end of line 23 and insert

'at agreed stages of the development;'.

[Mr. Speaker]

Amendment (h), in line 34, at end insert—

'(7A) The Audit Commission will have a specific duty to ensure value for money in any case to which subsection (7) (a) applies.'

Amendment (i), in line 37, at end insert—

'(7A) The planning contribution referred to in subsection (7) (b) must take into account any additional cost which the developer may be required to undertake at the request of any statutory body. If this occurs after the grant of planning permission the applicant will have the right to ask the local authority to reduce the amount of the contribution.'

Amendment (k), in line 41, at end add—

'(c) state the grounds on which a local authority will decline to accept an amount agreed under subsection (2).'

Amendment (j), in line 41, at end add—

'(9) Subsection (8) applies where two or more local planning authorities have prepared joint local development plans under the terms of section 27.

Government new clause 3—*Planning contribution: Wales.*

Government amendments Nos. 21 to 24.

Keith Hill: I want to begin by describing the contents and purposes of new clauses 1 to 3 and amendments Nos. 21 to 24, and then set out the reasons for introducing these new provisions at this time and deal with some of the concerns that have been expressed about them.

New clauses 1 to 3 and amendments Nos. 21 to 24 will replace sections 106, 106A and 106B of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, as the legal basis for planning obligations. It is worth noting that the new clauses use the term "planning contribution" rather than "planning obligation". The effect of the amendments is to pave the way for the new approach to planning obligations that I announced to the House on 6 November 2003 and on which the Government are consulting.

A wide range of interests agree that the current system needs reform because it can be slow, uncertain and opaque. The Government's objectives are therefore to provide greater transparency and certainty for all stakeholders in the development. Our proposals also recognise that the ability to use negotiation to tailor contributions to the circumstances of an individual site is important. We want speed and certainty where possible, and flexibility where necessary.

New clause 1 allows the Secretary of State to make regulations that will enable local planning authorities to provide for and to accept a planning contribution in relation to the development or use of land in its area. We will publish draft regulations to inform debate in the other place, once we have considered the response to our consultation. The clause allows the contributions to be made by the provision of an amount set by the planning authority, known as "the prescribed means"—in the Government's consultation document the prescribed means are described as a new optional planning charge—by a negotiated agreement, known as "the relevant requirements", or by a combination of the two.

The regulations may require the local planning authority to set out in a development plan document, or in another document, the types of developments in respect of which they are likely to seek contributions; developments where a contribution by payment of the amount set by a local authority will not be sought; how funds obtained through planning contributions will be used by the local planning authority; and how any contribution will be calculated. The regulations also provide for the developer to state, where a contribution is payable, whether he will pay the amount set by the planning authority or whether he will negotiate. Where the developer has made a contribution by one method, he may not be required to make further contributions relating to the same matters through the other method. The developer will therefore not be required to pay twice.

In some circumstances, a contribution must not be required by the local planning authority. A contribution made by the "prescribed means"—in other words, the charge—may consist of the payment of a sum calculated in line with criteria set by the planning authority in the development plan document or other document prescribed for this purpose or by providing a benefit in kind, again calculated in accordance with the criteria set out in the development plan document, or a combination of these two.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): The fact that the proposals in the new clauses will be an optional alternative to the present section 106 agreement procedures is a critical point. Will the Minister make it clear that that is the case and confirm that nothing in the regulations will enable him, at any subsequent stage, to withdraw the present section 106 procedure?

Keith Hill: To the first question, I give an unequivocal undertaking that the new proposals will be optional. The developer will have the choice. As for the second question, I must say that however important a statutory provision may be, no statutory provision is for ever. It is impossible for any Minister ever to give the sort of undertaking that the hon. Gentleman appears to be encouraging me to give.

Mr. Clifton-Brown: Of course a Minister cannot bind his successors. I was asking the Minister to give an absolute assurance that the regulations contain nothing that would give him any powers to abolish the present section 106 arrangements.

Keith Hill: There is nothing in these regulations that would give the Secretary of State powers to abolish the section 106 regulations, subject to the provision that I explained about any future decision. We must recognise the realities and remember that single Administrations, never mind succeeding Administrations, may seek to change their minds in certain circumstances.

Where contribution is to be made by a negotiated agreement, the agreement must comply with the relevant requirements, and these will be set out in regulations. It is envisaged that, where the contributor opts not to contribute through the prescribed means, the negotiation will be able to cover all the matters that are currently covered.

New clause 2 sets out the types of matters that regulations providing for planning contributions may contain. Those include specifying the maximum and minimum amounts a planning authority may set as a planning contribution made by the prescribed means, and allowing for periodic adjustment of the criteria for determining the value of planning contributions by the prescribed means—for example, the periodic adjustment could be based on the retail prices index, which would avoid the need for planning authorities to constantly change their documents setting out the planning contribution in order to ensure that the amounts retain their value. The regulations may also require planning authorities to publish an annual report, which could contain information on matters such as how the planning contributions have been implemented, the amounts obtained, and how contributions paid have been used.

4.30 pm

Sir Paul Beresford (Mole Valley) (Con): The Minister said that he was looking for clarity and I agree that the section 106 system should be adjusted. However, a section 106 system will remain, with new tariffs introduced as an option, and it is not clear whether the choice will be made by the applicant or the local authority. There will be methods to vary or change the system according to the type of development that is requested, depending on the land and so on. Now the Minister tells us that under new clause 2 there could be adjustments in the value of the tariff. That sounds like a much more complicated procedure than the previous one, which was adjustable.

Keith Hill: The procedure is really not as complicated as the hon. Gentleman imagines. The developer will face a simple choice: to pay a charge set by the local planning authority, after a public consultation in relation to the character of the site or development; or to undertake a traditional section 106 negotiation. That is a simple and straightforward arrangement. Furthermore, where there is a charge, rather than the local planning authority having to be involved in an elaborate procedure for recalculating the charge, in the light of changing costs, it is suggested—it is merely a suggestion at this point; there is a consultation process—that one means of ensuring that such a periodic adjustment could occur would be to base it on the retail prices index.

Mr. David Curry (Skipton and Ripon) (Con): What would happen when a planning development straddled local authorities or had a major impact on more than one local authority? Would there be a system of pooling? What would happen if two authorities opted for a different system and one decided to stay with the section 106 arrangements while the other decided on the tariff proposal?

Keith Hill: I can provide a straightforward answer to the first part of the right hon. Gentleman's question: there is provision for pooling, and we would encourage it where a development straddles two authorities. He raised a serious point about the possibility that local planning authorities might adopt different policies and I cannot offer him a flip answer at present. There is a consultation process and we shall want to look into those matters carefully.

Mr. John Hayes (South Holland and The Deepings) (Con) *rose*—

Keith Hill: I give way to the hon. Member for South Holland and the wonderful Deepings.

Mr. Hayes: I am grateful to the Minister.

I gather from what the Minister said to my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) that he is willing to take advice and to listen to comments on this matter. In two-tier authorities, the county council may have a responsibility for some aspect of local government that it shares with a district authority, or a number of district authorities, each of which may take a different view. The matter could thus be even more complex than my right hon. Friend suggested, because a development could straddle many authorities in one area; it is a question not only of horizontal boundaries but of vertical boundaries between different tiers of authority.

Keith Hill: The hon. Gentleman tempts me down the path of tierism, which is dealt with elsewhere in the Bill. In the example that he cited, county councils will continue to retain planning responsibilities for specific matters, notably waste and minerals. On the whole, however, the material consideration in any planning policy devised by a local planning authority will be the regional spatial strategy. Obviously, no policy will be advanced by a local planning authority that does not take cognisance of the regional spatial strategy, so to that extent, when we are dealing with a possible section 106 negotiation, under the terms that I am attempting to set out for the House, we shall be considering a policy in relation to the development that has already been established in the local plan by the local planning authority, having taken into account all the proper influences to be considered in finalising such a policy.

It will be in the light of a developer's response to the policy set out for a particular area that the application will be made and the negotiations that we are discussing will take place.

Mr. Clifton-Brown *rose*—

Keith Hill: I see that the hon. Member for Cotswold (Mr. Clifton-Brown) wants to get in on the act.

Mr. Clifton-Brown: The Minister has just raised an interesting issue. What role will the regional planning body and the regional spatial strategy have in the new tariff proposals and, indeed, in the existing section 106 procedure?

Keith Hill: I think that I am right in saying that it is anticipated that the regional planning body will have no direct bearing on the procedures that we are debating. They are essentially for the local planning authority to deal with, subject to the usual scrutiny by the Secretary

[Keith Hill]

of State that applies to most planning matters. There is no direct role in the process for either the regional planning body or the regional spatial strategy.

Sir Sydney Chapman (Chipping Barnet) (Con) *rose*—

Keith Hill: I cannot resist giving way to the hon. Gentleman.

Sir Sydney Chapman (Chipping Barnet) (Con): I am trying to save the House time by asking this question now. I cannot determine for sure from reading new clauses 1 and 2 whether a local planning authority will have complete power to decide the spectrum of planning applications in respect of which the planning contributions may be made, or whether the rules or the areas where they apply will be set by the Secretary of State. It might help the House to know the definitive answer to that now.

Keith Hill: I am grateful to the hon. Gentleman for raising an important issue. Perhaps I can put the matter in perspective by pointing out that it is estimated that no fewer than 98.5 per cent. of planning applications are not subject to a section 106 negotiation. In other words, we are dealing with a minuscule minority of planning applications, albeit the larger applications within the major application umbrella. Having said that, in some circumstances, in relation to a particular site or development, the local planning authority may decide that it will not impose a planning obligation. For example, the local planning authority may well decide that, in respect of a site that has a high level of contamination, where the costs of remediation will be extremely significant, it would be inappropriate to impose any sort of planning charge on the process.

To give another example, if a site has a multiplicity of owners, the local planning authority might deem the development to be sufficiently complex to discourage it from wanting to impose a planning obligation. However, it will be for the local planning authority to identify the sites and developments on which it will expect the negotiations to take place. In no sense will that be rocket science: such considerations will apply to the sorts of site in respect of which the negotiation takes place now. The House must remember that the point of the new arrangements is to provide all the stakeholders, to use the jargon—the developer, the local planning authority and the local community—with a high level of predictability and transparency about what will occur in terms of charges relating to a particular development.

Sir Sydney Chapman: I am grateful for that answer, but I remain concerned. The Minister says that 98.5 per cent. of planning applications do not involve section 106 agreements. However, because the measure is a money-raiser for a local planning authority, it might want to extend the area in which it can introduce this alternative to a section 106 agreement. May I have his assurance that, if necessary, the Government will issue regulations ensuring that the present area in which section 106 agreements apply cannot be extended?

Keith Hill: It certainly would not be the Government's intention or desire to permit a manipulation of the existing arrangements. Those are fairly well defined. The considerations that need to be taken into account in relation to a planning obligation negotiation are fairly well understood in the planning community, so to speak. The hon. Gentleman is greatly experienced in these matters and more familiar than I am with the usual considerations that need to be taken into account. We are consulting, initially on the principles of the matter and subsequently on the detail. The Government will play their full part and consider what limitations they want to impose on the process.

Mr. Andrew Turner (Isle of Wight) (Con): I have followed with care and interest the Minister's argument and the interventions of my hon. Friend the Member for Chipping Barnet (Sir Sydney Chapman). When a negotiation is taking place, it is possible for the applicant's agents to see how the money is to be spent. It might be spent on a school, a road, a work of so-called public art or a social housing obligation, but when money is simply handed over against a tariff to the local authority, there is no knowing what it will be spent on. How do the Government intend to ensure that money that is handed over is spent on such projects, and does not simply release resources to be shifted from the budget where they would have been spent, rather like some people have suggested tuition fees might be, into another budget?

Keith Hill: Or, one might say, into keeping down the council tax, for example. I take the hon. Gentleman's point, which is extremely important. We have made it clear throughout our consultation and proceedings that we expect the local authority to define in advance the purposes for which the charge will be used, and we propose an annual report that will contain information on how matters such as the planning contributions have been implemented, the amounts obtained and how the contributions paid have been used. The hon. Gentleman is right that it is fundamental that there should be maximum clarity on the matter.

Several hon. Members *rose*—

Keith Hill: I could say that I ought to get on with describing the provisions, but as we are in a quasi-Committee stage, I give way to the right hon. Member for Skipton and Ripon (Mr. Curry).

Mr. Curry: The subject of housing is central to the debate. It is probably true that a majority of social housing is built through planning gain. Would the provision supersede the arrangements whereby, if a developer wishes to build market houses, he must build a certain proportion of social houses or affordable houses as well? If that is the case, what guarantees are there that the planning authority will choose not to put its receipts into social housing, so that the social housing sector might be left with difficult developments while the market housing developer might opt to pay the tariff in order to concentrate on the simpler development?

Keith Hill: It will be open to the local planning authority to define the purposes for which the charge will be imposed. If it were the desire of the local planning authority, that could include an element for affordable housing. Indeed, part of the terms of the charge could be that that element of affordable housing could be provided by means of either a financial contribution or an in-kind provision on site. It goes without saying that it will remain open for local planning authorities to attach the usual conditions on affordable housing to planning permission.

Mr. Curry: If a developer develops a site of a certain size, the rules require a mix of market and affordable housing. Will the proposals remove that requirement and leave planning authorities the discretion to use some of their funds for affordable housing? It is a structural aspect of the system at the moment that the building of market housing triggers the construction of affordable housing.

4.45 pm

Keith Hill: The right hon. Gentleman raises an issue of serious concern to which I shall refer later. Let me give him an assurance that no part of the arrangement should impede the extent to which current provisions for affordable housing would be part and parcel of the system for planning permission and developments relating to section 106 negotiations and the proposed charge. The arrangement will simply facilitate the process and make it more transparent and predictable. I propose to deal with that matter in more detail toward the end of my remarks.

Mr. Hayes *rose*—

Sir Paul Beresford *rose*—

Keith Hill: I see that two further Conservative Members are anxious to intervene. I shall take their interventions on the House's understanding that I will then move on.

Mr. Hayes: The Minister is showing his customary courtesy and generosity. I want to pin him down on what would happen to local authorities if they did not use the money in the way in which he and local people would wish, which was made clear in the earlier description that we heard. In reply to my hon. Friend the Member for Isle of Wight (Mr. Turner), the Minister said that local authorities would need to make their plans clear and that annual reports would be written on what they had done. However, I understand that there are no sticks—no real sanctions or powers—to oblige authorities to do what they say that they will, in detail or substance.

Keith Hill: The hon. Gentleman needs to understand and frame the new provisions in the general context of the far more open and engaged process in the planning sphere that we anticipate as a result of the Bill. We welcome his presence on the extended Office of the Deputy Prime Minister Conservative Front-Bench team. I do not know whether he is billed as a shadow Secretary of State in that team because there seem to be quite a lot of them. As he has come to these issues only recently, there is no reason why he should know that, as a result of the measure, every local authority will be required to produce a statement of community involvement. It is the Government's desire to ensure that there is maximum community involvement and front-loaded engagement with any planning development or set of planning developments under the measure.

The hon. Gentleman's anxieties about the possible non-use—I shall not say misuse—of funds arising from the arrangement need to be set in a local, political and electoral context. If the moneys were not used for the purposes for which they were intended, we would all anticipate a strenuous local response, which would exert great local control on the situation. Having said that, we shall have to give serious consideration to the possibility of giving the Secretary of State a reserve power in such circumstances, but that is a matter for consideration and consultation after which we may come forward with firmer proposals.

Sir Paul Beresford: Bearing in mind the Government's reaction to the pooling of capital receipts and redistribution, if there is a local authority, or a group of local authorities, where there has been considerable development, and if this tariff or betterment tax turns into a windfall tax, how sure can the House be, particularly in the light of the Minister's previous answer, that it will not be reflected in either redistribution or reflected directly in the grant to those local authorities in the ongoing years?

Keith Hill: That is a good try on the part of the hon. Gentleman, but there are no intentions along those lines.

I was saying that planning authorities will need to set out their planning contributions policy in a document. New clause 2 allows the Secretary of State to set out the procedure for preparing and publishing the local planning authority's policy on planning contributions. Where the local planning authority fails to prepare such a document, the Secretary of State will have powers to intervene.

The ability to enforce any obligation to pay a contribution will be important. Subsection (6) of new clause 2 provides for that. A person who has derived title to the land after a commitment to make a planning contribution has been entered into will be bound by the terms of the contribution. That reflects the provision contained in section 106. There is also the attaching of a condition to a planning permission requiring payment of the planning contribution prior to the commencement of the development. The enforcement provisions may also apply to Crown land where a planning contribution has been agreed in respect of Crown land.

Subsection (7) of new clause 2 enables regulations to require the planning authority to spend receipts from planning contributions made by the prescribed means—the amount set by the planning authority—on the matters set out in its planning contributions policy, set out in the development plan document or other document. This provides the transparency that Opposition Members have been correctly concerned about so that everyone—in particular those paying the contribution—will know how the contributions will be used. The regulations will set out the mechanism for setting out the terms of the planning contribution in writing.

[Keith Hill]

Provisions can be made for the modification or discharge of a planning contribution. It is intended that such provisions will be similar to those contained in sections 106A and 106B of the Town and Country Planning Act 1990. Subsection (8) of new clause 2 enables the Secretary of State to make different provisions for different areas or descriptions of local authorities and also to exclude particular areas or descriptions of local authorities. That power might be used where, for example, a smaller local authority was exempted from having to set prescribed means in its planning contributions policy because it rarely negotiates planning obligations under the existing system.

New clause 3 applies the planning contribution provisions to Wales. It confers on the National Assembly for Wales the same powers in relation to the planning contribution as the Secretary of State has for England and it substitutes the local development plan for the development plan document as the document in which planning contributions should appear, unless another document is prescribed.

Mr. Clifton-Brown: New clause 3 is breaking new ground. In effect, it gives the Welsh Assembly a large tax-raising power. What assurances can the Minister give us that, in devolving this amount of power to the Welsh Assembly, we will not suddenly find that obligations in Wales become much more onerous for developers than obligations in the rest of the United Kingdom, thereby stifling economic growth in Wales?

Keith Hill: I think that the hon. Gentleman went a limited way to salvaging his position by his last observation, but I am rather shocked by his intervention. Why should we expect that the Welsh will abuse the system? That is an outrageous suggestion. We have no reason to believe that the Welsh Assembly will behave in anything other than an entirely proper manner. Amendments Nos. 21 and 22 provide that regulations made under the planning contribution provisions will be subject to the affirmative resolution procedure. That means that the House will have the opportunity to see the regulations before they are made.

Amendments Nos. 23 and 24 provide for the repeal of sections 106, 106A and 106B of the Town and Country Planning Act 1990.

I come now to our reasons for introducing the proposals now. Planning Bills are few and far between, so we are taking the legislative opportunity that the Bill represents to reform an area of planning policy that stakeholders from all sides agree needs reform. Introducing the amendments now does not preclude a full discussion on how our reforms might work, nor close off debate on the matters raised in the consultation document. I assure the House that we are listening carefully to the interested parties. Already, we have consulted face to face with hundreds of people drawn from local authorities across the country, a diverse range of businesses and their representatives, and those who are interested in the provision of affordable housing, which is the single biggest use of planning obligations. We are encouraging everyone to respond to the consultation and we will proceed by means of deliberation and discussion throughout. We will ensure that we put as much information as possible before Parliament as it considers our proposals.

Mr. Clifton-Brown: I am grateful to the Minister for giving way. He has been generous. His parliamentary answer to me said that, in the first lot of responses to the original consultation, by far the majority of developers opposed a tariff system. If his second consultation shows that by far the larger number of respondents, other than local authorities, oppose the proposals, will he withdraw them?

Keith Hill: I could not possibly give that undertaking, but looking at the responses to the tariff proposals, the proportion within the industry was about 60:40 in favour. We have begun our discussions, and our impression is that we are receiving a positive interest on the part of the industry, the housebuilders and developers, in the proposals. I have no reason to expect a negative response on these matters. We are a listening Government, but if we think it right, we will proceed with our proposals, and we should do no other. I can tell from the hon. Gentleman's body language that he agrees with me, and in the unlikely event that he were ever in my position, he would do exactly the same thing.

I want to deal with two concerns that have been raised about the proposals. The first is that this is in some way a tax on development. That is untrue. The charge will have to relate to planning matters, as the existing system of negotiated obligations does now. Under our proposals, the level of the planning contribution can be set out in advance and in public, which will allow it to be tested. New clause 2 ensures that we have a power to require that the charge be applied only to the matters identified in the local authority's planning contributions policy, and the developer can opt not to pay the charge at all, but to negotiate over what level of contribution to offer.

The second concern, which has already rightly been raised by the right hon. Member for Skipton and Ripon, is that in some way the new arrangements might undermine provision of affordable housing. I recognise that that is a matter of importance to Members on both sides of the House. The Government are determined to drive forward their agenda for mixed, socially inclusive and sustainable communities. Our consultation document invites views on the best way to provide affordable housing within the reforms.

The House will know that the Government have also issued a consultation on changes to their policy on planning for housing. Our proposed provisions place a new and vital emphasis on planning for the housing needs of the whole community. Planning obligations are one tool that local authorities can use to develop the housing that they need. The House will note that we are not precluding what is currently possible in our new approach. I draw attention to the possibility, which we have provided for, that the charge could be sought either in kind or in cash. One can draw parallels between this and the two main ways in which affordable housing is currently provided through section 106. Precisely how the new arrangements can best be used to deliver our affordable housing objectives is something that we will want to work through as part of our consultation, and we are already talking inside the Government and beyond about how that can be achieved.

5 pm

Mr. Jim Cousins (Newcastle upon Tyne, Central) (Lab): Will my right hon. Friend give way?

Keith Hill: How can I resist my hon. Friend—a lone voice from the Government Benches?

Mr. Cousins: It is kind of my right hon. Friend to refer to me in that way.

Can my right hon. Friend explain what he means when he refers to a contribution in kind? Might such a contribution mean that some of the housing to be created in a housing development could be dedicated for the use of a social housing provider?

Keith Hill: If I may say so, my hon. Friend is a lone but valued voice on the Government Benches.

Of course, it will be open to the local planning authority to stipulate in setting the terms of the charge the ways in which the developers will be expected to deliver on that charge, if it were to be a contribution in kind. It will be open to the local planning authority to indicate whether it would expect an element of contribution in kind. I fully expect the authority to set out in some detail the terms of that in-kind provision. I hope that that goes some way towards reassuring my hon. Friend.

Mr. Curry: I see from the body language of the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) that he, like me, feels a pall of incomprehension descending on him. What is the difference between a tariff delivered in kind and an old section 106 agreement?

Keith Hill: There is none in principle, but it would certainly be open to a local planning authority to stipulate that its charge could be delivered in the form of a financial contribution, a contribution wholly in kind or a contribution that is partly in kind and partly financial. That is matter for the authority to set out as part of the charge.

Mr. Curry: In that case, a charge defined as in kind and not in cash might well refer to *x* number of affordable houses or *x* provision in education or community centres. Is that what the Minister means by "in kind"? Is he saying that the charge would specify the amount to be delivered and that, while section 106 involves a negotiation, the amount would be clearly set out? Is that the difference?

Keith Hill: The right hon. Gentleman has it. Again, as part of the clarity, transparency and predictability of the arrangement, such a stipulation could be made as part of the charge set by the local planning authority, but of course, whether the developer takes that path or the traditional negotiated path remains a matter of choice.

With those explanations and reassurances, I commend Government new clauses 1 to 3 and Government amendments Nos. 21 to 24 to the House.

Mr. Clifton-Brown: I rise to speak in support of all the amendments standing in my name in respect of Government new clauses 1 and 2.

As I did not declare in the debate on the programme motion my interests as stated in the Register of Members' Interests, I should like to do so now. I am a fellow of the Royal Institute of Chartered Surveyors and I have property interests that are not currently likely to benefit from the provisions, but may conceivably do so in future.

Having got that off my chest, I shall now seek to press the Government on a number of matters, as we are entering a very wide field in debating the new clauses. Despite the Minister's assurances, if what is proposed is not carefully controlled by regulation, it could become a tax by another name. Given that the planning obligations did not have to be published until 1 July 2002, the Government are proceeding with a whole range of changes to the planning system on the basis of information that they have received only since then. The only definitive study on the subject is by John Hennebury of Sheffield university, who, although drawing on information from only 45 local authorities, tells us that the average value of planning applications is £148,000 in the north of England and £753,000 in the south of England. He further says that it is common for negotiations on section 106 agreements to last from one to eight months, but a small number last for up to four years and a very few take five years or more. It would be interesting to see whether the Minister's alternative system will deliver a quicker route to the developer.

My main concern is that the Government are producing a voluntary alternative that will require planning authorities to carry out a huge amount of work to set it up. The Bill is already exceedingly complex, with a raft of regulations several inches thick. Planning authorities will have enough difficulty in coping with those complexities, but the Minister proposes to lay even more on top by changing the section 106 procedure at a time when many authorities in the south of England are desperately short of planning officers. I would not be surprised if some authorities were simply to grind to a halt as a result. I predict that, far from delivering a quicker, more transparent planning system, the Government will deliver a system that leads some local authorities into chaos.

Matthew Green (Ludlow) (LD): I am a little confused. I had understood Conservative policy to be in favour of decentralising powers to local councils, yet, although the proposal gives local councils decision-making powers on what is appropriate in their areas, the thrust of the hon. Gentleman's argument appears to be that that is far too complex a matter for local people to decide, and that it is better decided by the Secretary of State.

Mr. Clifton-Brown: As usual, the hon. Gentleman is being mischievous. He knows perfectly well that the forthcoming regulations will prescribe exactly how the local authority is to fix the tariff.

In the absence of my amendment (a), which was not selected, I am pleased that the Minister has categorically confirmed that there will be a voluntary option for developers and that the regulations will in no way withdraw the current section 106 procedure.

[Mr. Clifton-Brown]

I therefore move rapidly on to amendment (b), which says:

"Both the payments under the section 106 (planning obligations) and the planning contributions will be in the form of the planning condition and therefore both procedures will have the same provisions providing for an appeal to the Secretary of State."

The Minister did not deal with appeals. Under the section 106 procedure, there is clearly a right of appeal for a developer who cannot reach agreement with the local authority on, for example, the level of payment. I can see nothing in these measures that provides for such an appeal. Will the Minister clarify that?

Keith Hill: I assure the hon. Gentleman that there is a right of appeal.

Mr. Clifton-Brown: That is excellent and positive news—we are making great progress.

Amendments (c) and (d) are straightforward. Amendment (c) would amend paragraph (3) (a) of the new clause, which refers to

"a statement of the developments or uses or descriptions of development or use in relation to which they will consider accepting a planning contribution".

My amendment would clarify that by stipulating that they will accept, rather than consider accepting, a planning contribution. The converse of that is in the Government's wording of new clause 1(3) (b), which refers to

"a statement of the matters relating to development or use in relation to which they will not consider accepting a contribution by the prescribed means".

I have simply amended that so that it would refer to a statement of the matters relating to development or use in relation to which they "will not accept" a planning contribution. It would therefore be quite clear what they would or would not accept. I would be grateful for the Minister's observations on the re-wording set out in those amendments.

Amendment (e) is perhaps the most important of the lot. It proposes to insert at the end of line 18:

"but this cannot be wider in scope than the current 'necessity test' as currently applied in the section 106 procedure."

I want to spend a little time on this because, if the Minister's assurances that this provision is not simply to be a tax by another name with an ever-widening scope, he must live up to the spirit of my amendments. I would like to outline the grounds for applying a section 106 agreement, and to ensure that the new procedure will cover the same grounds but no wider ones. If that were the case, we could make progress, and I shall seek assurance from the Minister on that matter.

The following requirements have to be observed in the section 106 procedure: that the planning obligations should deliver

"high quality, sustainable development . . . continue to provide affordable housing . . . help deliver the physical investment needed to secure high and stable economic growth and higher productivity . . . be more transparent to all stakeholders in the planning process . . . provide an effective mechanism for delivering desirable development without causing delays . . . not impose financial burdens on developers which in themselves deter desirable development; and be sufficiently flexible to reflect the circumstances of individual proposed developments."

I hope that we shall hear from the Minister that those seven key requirements of the section 106 procedure are to be followed when setting the new tariff procedure.

The procedure originally set out in section 106 of the Town and Country Planning Act 1990 involved a necessity test, which stipulated that it was necessary to compensate strictly for the development itself. Case law has widened that definition somewhat, in particular the Tesco case in 1995, which came up with a new de minimis test. That test provided that, if the compensation was in any way related to the development, such action would be in order. However, I do not see anything in the new clauses that would give us the clarity that developers need, and I make a plea to the Minister that, when he introduces the regulations, he should clarify exactly what can be expected from the current section 106 procedure and from the new tariff procedure. That would greatly help developers when they come to negotiate or pay the tariffs.

Mr. Andrew Turner: I am being well educated by hon. Members on both Front Benches in this debate, and I thank them for that. Will my hon. Friend assist me by repeating the words in the necessity test, because I am rather surprised that it could be interpreted as requiring the provision of social housing?

Mr. Clifton-Brown: As my hon. Friend knows, the provision of social housing is dealt with in the former Department of the Environment circular 1/97. That, too, forms part of the section 106 payment. If my hon. Friend will allow me, I will deal with that matter when I reach amendment (g) and, in particular, its reference to paragraph (e). I shall also be asking the Minister some questions on that point.

It is important for developers to have clarity on what is required from this new tariff.

My amendment refers to the statement in the new clause that the charge must be revised at regular intervals. That should include the ability to revise the charge upwards and downwards. We do not know what the economic situation is likely to be in the future. We hope that the rate of this country's performance will continue to grow, but supposing it does not and the economy goes into recession, it would be nonsense to have a system that ratcheted up section 106 or tariff payments just when we were going into recession. We must consider that carefully.

My amendment (f), which is important, deals with the question of benefits in kind. I should like to quote the report on affordable housing that the Select Committee on Office of the Deputy Prime Minister: Housing, Planning, Local Government and the Regions published in the 2002-03 Session. I think that the Government have an inflated idea of how much section 106 or tariff payments will yield. In paragraph 41, the report states:

"The supply of affordable housing through planning agreements is reliant on the development of profitable private housing. Many submissions argued that there was only a limited amount that could be demanded from developers in planning gain if their developments were to remain viable. There are increasing demands on developers to contribute to a wide range of 'planning gains' including transport infrastructure, social and community facilities and schools."

We need to know precisely what the Government have in mind when they say that the payment may be made in kind. Should the value be the same as if it was a cash payment, or will it be less? How will affordable housing be provided?

David Wright (Telford) (Lab) *rose*—

Mr. Clifton-Brown: It may be relevant to refer to some of the problems with affordable housing, and I shall do just that when I have given way to the hon. Gentleman.

David Wright: Does the hon. Gentleman agree with me that one of the major problems is the fact that many local authorities do not carry out comprehensive housing needs and housing market assessments? They fail to translate calculations on the number of new homes that are needed into their planning strategies. They need to do that to make the system work. It is no good laying the blame at the Government's door. Local authorities need to get a grip of the issue.

Mr. Clifton-Brown: I have some sympathy with the hon. Gentleman's comments. Under the present system, before the Bill becomes an Act, the Government lay down numbers in the regional planning guidance, and county councils negotiate with the authorities in their area or the unitary authorities, which are required to build that number of houses. Many authorities up north and, I suspect, in the hon. Gentleman's area do not achieve the numbers that they set out in their own plans: that is, if they have got a development or structure plan. There needs to be a much closer correlation between the numbers set out in the local structure and unitary plans. If those numbers are in the plans, they should be achieved. Some authorities in the south build more than they set out in their plans, which is what we all want to see, because if they build more housing, they will provide more affordable housing.

Matthew Green: Not all local authorities struggle to build the number of houses that they are allocated. Sometimes the allocation is too small. In the South Shropshire authority there is a great need for a larger housing allocation, as has been identified by a housing need survey carried out last year. I am hopeful that the Minister will deal with that problem. I would not want the hon. Member for Cotswold (Mr. Clifton-Brown) to leave the impression that the problem with housing numbers is purely one of local authorities being asked to build too many. The problem can be the other way round.

Mr. Clifton-Brown: If the hon. Gentleman had listened to my reply to the hon. Member for Telford (David Wright), he would have heard me deal with exactly that point. *Hansard* will bear that out. Sometimes local authorities want to build more than the number of houses specified in the plan, and I see nothing wrong with a plan providing for greater numbers than are set out in the regional planning guidance, provided that it is carefully worded.

I do not want to be sidetracked too much, as there may be other opportunities to discuss this issue. We should not concentrate entirely on numbers, although they are important, and the Bill will change the procedure completely: the arrangements will be set out by the regional planning body in the regional spatial strategy and will, I understand, be more or less binding for each authority. Whether authorities will be able to deliver is, of course, another matter. I want to discuss how affordable housing can actually be provided.

Paragraph 52 of the Select Committee report says:

"Contributions towards affordable housing secured through the planning system so far have been modest and the potential is inevitably limited. The Government has unrealistic expectations about the contribution which planning gain can make to meeting the need for affordable housing. Demands on the developers are limited because the scheme has to remain commercial viable. The use of brownfield sites can reduce profitability and there are increasing demands on the developers to pay for a wide range of facilities. The major contribution by planning agreements is to promote mixed tenure development."

We all agree with that, but the report goes on to say:

"However, the value of the contributions from developers through the planning system can be increased. To achieve this, councils need to follow best practice. They also need powers to specify the balance between social rented and intermediate tenure housing on a site by site basis to take forward the conclusions of their housing need assessments."

The question for the Minister, posed by amendment (f), is this. How will he ensure not just that the correct amount of affordable housing is provided through planning obligations, but that enough social rented and intermediate-tenure housing is provided? How will he ensure that the planning authorities can deliver the mixed-tenure estates that I have seen working so well in Manchester? Let me say in passing that the right to buy produces such estates.

Amendment (g) deals with the criteria that must be specified. We need to hear from the Minister precisely what they are. In particular, we need to know how the section 106 and tariff charges will apply to not just residential but commercial developments. The amendment asks the Minister to specify whether there will be a "charge per dwelling" and a

"charge per square metre of all other developments"

We need to know whether there will be a charge in respect of the provision of social housing in the context of commercial developments.

These are not academic questions; they are real questions, which developers are asking at this very moment.

Paragraph (c) of the new subsection (3A) refers to

"the minimum size of development to which the charge will apply"

Paragraph 47 of the Select Committee report tells us:

"Planning Circular 6/98 limits the negotiation of planning gain to housing developments of at least 25 dwellings or one hectare in urban centres and 15 dwellings or 0.5 hectares in London."

Can the Minister confirm that the new regulations will continue those arrangements so that smaller developments are not caught in the net of the new tariff procedures? Many small builders throughout the country will want to know the answer to that question.

Mr. Mark Field (Cities of London and Westminster) (Con): Is it not rather hamfisted to legislate for arrangements in London as a whole, apart from the rest of the country, rather than applying different restrictions to inner London or other parts of the built-up south-east?

Mr. Clifton-Brown: Indeed. Each local authority will need to set a different tariff, and flexibility will be needed

[Mr. Clifton-Brown]

within it. But the regulations do not yet make it clear whether that will be possible, or whether just a single tariff will be applied in a local authority area. If that proves so, it could lead to some very worrying results. In many authorities throughout the country, particularly the bigger ones, part of the authority is experiencing economic growth and another part is either stagnant or declining. Whatever tariff level is set, it will be too high for one part or too low for the other. My hon. Friend the Member for Cities of London and Westminster (Mr. Field) therefore makes a very good point.

David Wright: I am trying to be helpful to the hon. Gentleman, but I am now somewhat confused by the amendment. He has just suggested that we would need to examine the issue on the basis of each local authority, and that some flexibility would be needed. However, his amendment specifies in great detail what is required and asks the Secretary of State to set that out. I cannot understand where he is coming from in this regard.

Mr. Clifton-Brown: My hon. Friend the Member for Cities of London and Westminster was asking about a more general point.

David Wright: I am trying to be helpful.

Mr. Clifton-Brown: The hon. Gentleman is being very helpful. As I understood it, my hon. Friend's question was a general one that did not relate to this particular amendment. He will doubtless say if that is not the case, and if so I shall answer the alternative question that he may put to me.

Proposed new paragraph (d), in amendment (g), deals with different charges for greenfield and brownfield land. It is essential that this issue be dealt with if we are to encourage the development of brownfield land. Paragraph 39 of the consultation paper states:

> "The charge could be set at different levels for different types of development—such as brownfield and greenfield development or for residential and commercial development."

I ask the Minister simply to confirm whether that would be possible.

The percentage of affordable housing is an issue that I have already dealt with in some depth, so I turn to an interesting matter that the Minister let slip today, although I was already aware of it: the question whether these charges will include a retail prices index escalator. I have never heard of an RPI escalator being applied to what is, in effect, a development tax. Let us suppose that, as I said, the economy was not growing but was in recession, and yet an RPI escalator was applied to the charges. Suddenly, there would be little if anything in the way of larger developments. That could produce an absolutely nonsensical situation.

Mr. Mark Field: Surely it is rather idiotic to have any form of RPI escalator. At a given time, the RPI could be quite different from the rate of inflation in the world of development. As my hon. Friend rightly pointed out, the property market could be booming while the RPI is fairly static—indeed, one might argue that that happened in London and the south-east in recent years; likewise, the two could move in opposite directions. Either way, we are talking about the use of a somewhat artificial option to try to ensure that a correct market is put in place. I shall be interested to hear what my hon. Friend has to say about the use of this RPI system, instead of a system that takes account of changes in regional property markets, or in the market in the country as a whole.

Mr. Clifton-Brown: My hon. Friend makes a very good point indeed. Such charges ought to be adjusted through the annual report system, and thence through the development plan system.

Keith Hill: Before the hon. Gentleman moves on, I should be fascinated to hear his response to the intervention of the hon. Member for Cities of London and Westminster (Mr. Field). If I am not mistaken, the hon. Member for Cotswold (Mr. Clifton-Brown) said that the suggestion made was a very good idea. Let us be entirely precise. The RPI is probably running at some 2.5 per cent., yet house prices in London and the south-east are probably growing at a rate of 11 per cent. Is the hon. Gentleman suggesting, on the Opposition's behalf, that if such a system is to be applied, it probably ought to be based on the rate of housing price growth, rather than on that of retail price growth?

5.30 pm

Mr. Clifton-Brown: I am grateful to the Minister for muddying the waters still further. Personally, I do not think there ought to be an escalator at all. There is not one in the current section 106 procedure and the regulations provide a perfectly adequate mechanism for revising the charges upwards and downwards through the annual report, which is translated into the development plan and is subject to community involvement and discussion with developers. That seems to be the proper and fair way of dealing with the matter, rather than having an automatic escalator. If inflation went up—it may well do as a consequence of the Government's tax proposals—and the RPI escalator was in operation, no developers might come forward, to the significant detriment of this country.

Mr. Mark Field: The Minister misunderstood my point. Ten years ago, the property market was moving quickly downwards and RPI inflation stood at 7 or 8 per cent. I am sure that the Minister will point out that that was under a Conservative Government. Nevertheless, my hon. Friend will agree that using an escalator at that time would have had a catastrophic effect on any new development proposals, as the tariff would have made them entirely uneconomic.

Mr. Clifton-Brown: My hon. Friend is right to point to the fact that when economic circumstances are unstable and inflation is likely to be high, we are probably heading towards recession, which could put us in a difficult economic situation. At such a time, property development needs a boost, not the other way round. The RPI escalator could hasten a recession, rather then being a sensible measure to alleviate one. The Minister will need to examine the proposal carefully.

Amendments (h) and (i) are probing amendments to see what the Government mean by removing the clauses concerned. Amendment (j) states:

> "Provided the planning authority have complied with all the regulations relating to the planning contributions the Secretary of State may not cause a plan to be rejected or revised on the grounds that the authority have set the charge at too low a level."

The House will be aware that the mechanism will work by negotiation—subject to community involvement and negotiation with developers—after which the local plan will be made. Under the Bill, the Secretary of State has reserved huge powers to himself to cause the plans to be amended. It would be reprehensible if, having gone through all that community involvement and negotiation with developers—that is likely to take some considerable time and to delay plans considerably—the Secretary of State said that the charge was too high or too low and that it should be set at a different level. That flies in the face of local democracy. I hope that the Minister will give us some reassurance on that point.

Matthew Green: I am intrigued. I should be inclined to agree to limit the Secretary of State's powers to rule against what is decided locally, but why is the hon. Gentleman referring only to the charge being set too low? Why is he keen to leave the power to rule with the Secretary of State if the charge is set too high? If he wanted to leave it up to local people, surely he would favour removing the Secretary of State's powers in both directions.

Mr. Clifton-Brown: The hon. Gentleman does try to distort the facts. If he had listened carefully, he would have heard me refer to the charge being set either too high or too low. The amendment has been drafted in this way because I am concerned that the Minister is more likely to ask local authorities to alter the plans if the charge is too low. If the charge is too high—for example, with regard to the Mayor's aspirations that there should be 50 per cent. provision of affordable housing in the larger housing developments—no developer will come forward.

That is a good incentive for local planning authorities not to set these charges too high.

Amendment (k) says that

> "nothing in these regulations will permit any change in the quantum of the planning contribution unless there is a revision of the development plan document".

I am concerned that, by intervening through regulations or the annual plan, the local planning authority or the Secretary of State may arbitrarily raise or lower the charges. I want any changes to be subject to the proper plan-making procedure.

Amendment (l) is important. This Government have loaded all sorts of responsibilities, obligations, powers and duties on to local authorities without fully funding them through the revenue support grant. We will find that there is an enormous amount of up-front work for local authorities in producing local plans and formulae, although the process may be quicker in the future, and I do not know whether it will be. I repeat that some authorities will find it difficult to cope with the Bill, particularly if they are short of planning officers. The Minister has told me informally that his Department will provide advice and consultancy. Perhaps he will clarify that, so that local authorities throughout the land can be assured of what physical help, in the form of manpower, or financial help, in the revenue support grant, they will be given to deal with the expensive setting-up operation.

New clause 2 deals with the regulations that will decide how payments are to be made. Amendment (a) is simple: it says that once planning permission has been granted and remains in force, and any condition relating to planning contribution has been agreed with the applicant, the contribution may not be altered. That seems to me perfectly straightforward. It would be monstrously wrong if the developer had got his planning permission and agreed the tariff with the local authority, that tariff was still in force, and it was then altered by periodic revision. The local authority should have a bite of the cherry when the application is being negotiated, and once the tariff has been agreed, it should be a binding obligation on both the Secretary of State and the local authority. Any property contract would have a similar effect.

Amendment (b) is interesting: it would ensure that the maximum amount for the tariff would not be higher than if the case were an application made under the section 106 procedure. I should like to hear from the Minister how he thinks the levels of the new tariffs will compare with the payments under section 106. Will they be higher, because the developer may have greater certainty and speed—although I do not think that he will—or will they be lower, to encourage the applicant to opt for the new tariff procedure? Given that the Government and local authorities will put a great deal of work into the new tariff proposals, I hope that they will be lower, so that developers will, as a norm, opt for the tariff payments. It will be interesting to hear what the Minister has to say.

Amendment (c) deals with whether adjustments to contributions may be made upwards or downwards, and the RPI escalator. Paragraph 39 of the consultation paper says that different charges could apply to different types of land in a local authority area, namely greenfield and brownfield land.

Amendment (d) would ensure that—

Mr. Deputy Speaker (Sir Alan Haselhurst): Order. The hon. Gentleman is confusing me. Amendment (d) to new clause 2 has not been selected, so he may not refer to it.

Mr. Clifton-Brown: I am grateful, Mr. Deputy Speaker, and I apologise. There are so many amendments in this large group. I now have the selection list in front of me, and I see that your advice is very helpful. I will therefore move on rapidly to amendment (e), which has been selected. It is a probing amendment, to leave out proposed new subsection (5), which states:

> "If a document is prescribed for the purposes of section (*Planning contribution*)(3) the regulations may prescribe . . . the procedure for its preparation and the time at which it must be published . . . the circumstances in which and the procedure by which the Secretary of State may take steps in relation to the preparation of the document."

That, it seems to me, could cover almost anything under the sun. It is a very widely drawn clause, and I want the Minister to explain exactly to what he intends it to apply.

[Mr. Clifton-Brown]

Amendment (f), which has been selected, is an interesting amendment that the Government might consider seriously. It relates to the land transfer provision under proposed new subsection (6), which states:

> "Provision may be made for the enforcement by the local planning authority of the terms of a planning contribution including provision . . . for a person deriving title to the land from the contributor to be bound by the terms of the contribution".

I can see why the Minister has included that in the new clause, as he wants the obligations to be carried on, in so far as they are unspent, to the next owner or occupier of the land. My amendment allows for circumstances in which the tariff has been completely met and paid and the land is then transferred—a system should exist whereby the local authority can issue a certificate to say that the contribution has been fully paid and met, and the transfer of the property can then take place without the obligation clogging up the works.

Amendment (g) is also interesting and deals with proposed new subsection (6)(b), which relates to the provision

> "for a condition to be attached to any planning permission relating to the land requiring the contribution to be made before any development is started".

I can understand why that provision is included—it is an attempt to improve the cash flow of local authorities by making sure that the contribution is paid before the development starts. The problem is that that is not, in many cases, how the section 106 procedure works. Usually, the developer is allowed to make some money by building some part of the development before he is obliged to pay in relation to the section 106 agreement, because he has some money in the kitty to make the payment. If it is all done up front, however, that is an additional cost, which is unfair on the developer. It would be much more flexible if the same procedure that currently applies under section 106 could also be applied to the new tariff procedure, which is the purpose of amendment (g).

In relation to amendment (h), we have heard concerns expressed in numerous interventions today about how the money is actually spent. We have dealt with what the section 106 procedure and the tariff can be used for—the necessity test and the de minimis test—under previous amendments. What is not so clear, however, is how the money is actually spent. There are anecdotes that in some authorities 90 per cent. of the money raised through planning obligation simply disappears into the general budget. That is not satisfactory, as I hope the Minister will agree, so I have tabled amendment (h), which states that the Audit Commission

> "will have a specific duty to ensure value for money in any case to which subsection (7) (a) applies."

That seems to me to be eminently sensible, for two reasons. First, we want to ensure that the money is applied to the purposes for which it is paid. Secondly, even when it is applied to those purposes, we want to ensure that it has achieved proper value for money and that it has not been wasted or squandered. Giving the Audit Commission that duty is a sensible way of getting round that problem.

To move on to amendment (i), currently, in relation to developments and the section 106 procedure, the amount is negotiated at the time of grant of planning permission, or subsequently if it is a condition, but always before the development starts. Often, there are unforeseen costs produced by Departments, which are then taken into account in the section 106 payment, which can be adjusted accordingly. I have in mind such matters as archaeological digs, unforeseen contamination, problems with legal title, and so on. The amendment would provide the opportunity to go back to the local planning authority and have the section 106 agreement adjusted to take into account any extra costs that might be incurred. If there is no opportunity to change the tariff that has been set after the development has started, some developments could become unviable. We need some mechanism for certain narrowly defined categories to allow the tariff to be adjusted in the light of unforeseen circumstances.

5.45 pm

David Wright: Is the hon. Gentleman suggesting that the community contributions should bear the development risk? If a developer purchases a site, it should bear the risk as part of its commercial operation. Is he suggesting that, if circumstances change, the element of the costs that should bear the development risk is the community contribution?

Mr. Clifton-Brown: I am grateful for that intervention, because it helps me to clarify my point. The amendment would apply only when local authorities or Departments imposed additional obligations on developers, such as an extended archaeological dig if some important remains were found during the course of the development. One can think of other unforeseen circumstances in which Departments could impose additional obligations, such as flood alleviation measures that were not foreseen when the development started. Other examples include contamination of land previously owned by the Government that was not fully disclosed at the time of purchase but became apparent after the development had begun. Therefore, we need some mechanism to adjust the costs—not to reduce developer risk, which should be borne by the developer—but to cover additional costs imposed by a local authority or Department.

The Minister said that the local authority can decline to accept a tariff in some circumstances. Amendment (k) seeks to explore the circumstances in which the local authority may decline to accept the tariff, and I would be grateful if the Minister would elucidate further on that point.

Amendment (j) covers the very point that my right hon. Friend the Member for Skipton and Ripon (Mr. Curry) mentioned. It is often the case that two local authorities produce a joint development plan, and the Government hope that that will happen more often. Such a joint development plan, produced by two or more authorities, should allow for joint section 106 or tariff payments. The converse should also apply. If an applicant makes an application for a large development that spans more than one local planning authority, we should have proper arrangements to cover that.

New clause 3 mirrors new clauses 1 and 2, except that it would devolve all the powers concerned to the National Assembly for Wales. I have no problem with the devolution of powers to the National Assembly.

except that in the devolution settlement this House reserved certain matters to the relevant Secretary of State, who is accountable to this House. One of those matters is taxation. Before we devolve the powers in the Bill to the Welsh Assembly, we need to be sure that it will produce similar regulations to those that will apply in England. The Minister needs to explain the time scale under which he will devolve the powers to the National Assembly and whether he will delay issuing a commencement order for new clause 3 until he has seen the proposed regulations and is satisfied that they are reasonable. Developers and Welsh communities need to be protected. As we have said many times before, if the charge is set too high, no developers will come forward, but if it is set too low—which is unlikely—the Assembly and the planning authorities in Wales will not get the planning contribution to which they are entitled.

I have come to the end of my amendments. The Bill makes a large and important change, and the Government are rushing it with undue haste. The new clauses are far too general and they do not answer our specific points. I have put a large number of questions to the Minister and he may not be able to answer all of them in the time available, so I should be grateful if, before the Bill reaches another place, he would write to me with the answers to any questions that he cannot answer today, and put a copy of the letter in the Library.

As this huge Bill is of a technical nature, I have no doubt that Members of another place will want to give it close scrutiny. I have major concerns about the tariff proposals, not least because they will put significant burdens on local authorities at a time when the authorities are already overstretched and when they will also have to deal with the onerous regulations in the remaining parts of the Bill. The Government are introducing an entirely new planning system, so it seems an act of folly to reintroduce new tariff proposals that were deemed unworkable by many people when the Government mooted them at the first consultation—that is why the Government withdrew them. Why not ensure that the existing section 106 procedure works properly before trying to provide an alternative?

When the existing procedure does not work especially well, why are the Government trying to provide an alternative that will stretch local authority resources such that the planning system will be paralysed in some areas? In all seriousness, I offer the Minister this positive contribution: why not consider delaying the commencement order for these provisions at least until the current 106 procedure can be clarified and streamlined? When that is working, we can introduce the alternative system.

I commend my amendments to the House.

Matthew Green: I shall try to make a contribution that is a little shorter than 49 minutes. The Government have ended up falling into an unsatisfactory method of dealing with changes to section 106. I realise that planning Bills do not come along often, so I can see why the Government wanted to insert the provisions at this stage and have them enacted through regulations. However, many of the details that have caused concern on both sides of the House will be dealt with in those regulations, and that is unsatisfactory. It is also unfortunate that the Government are in the middle of the consultation process.

None the less, I suspect that the broad thrust of the changes is correct. They should enable local councils to define through a local development document the areas and types of scheme to which planning contributions—planning gain—will be expected.

Mr. Andrew Turner: To what extent does the hon. Gentleman think that we can rely on the Minister's assurances about the regulations that might be made by the National Assembly for Wales? Although local authorities in England may have considerable scope, the Assembly could introduce incredibly rigid provisions.

Matthew Green: The hon. Gentleman is right, but I welcome devolution of power not only to Wales but to local councils, and it seems to me that the proposals will take decision making to a lower level than the current system, which operates by ministerial diktat. I welcome that, whether decisions are to be made by the local council in the Isle of Wight or regulations are to be made by the National Assembly for Wales, so I have no problem with such proposals in principle. If the Assembly makes a hash of things, it is for the electorate to kick out the Labour Administration in Wales.

The new provisions will provide a more satisfactory arrangement and will give power back to local councils, but I want to raise some detailed concerns so that the answers can be put on the record. First, section 106 is not used purely for planning gain—for example, in South Shropshire district council's affordable housing scheme, it is used to put a cap on the price of individual houses for resale. I know that the Government are looking with some interest at the development of that new policy. However, as the thrust of the debate has been about the use of section 106 in terms of planning gain rather than an agreement about a single dwelling, it is unclear how the changes will affect it. My understanding is that the local council could, through its local development document, continue to make stipulations exactly as, for example, the South Shropshire council does under its current policy. I understand that a similar scheme has been taken up on Dartmoor and in some other rural areas where affordable housing is a serious problem. My reading of the provisions is that it will be left to the local authority to deal with them in the relevant local development document, but I should like the Minister to clarify that point and confirm that it is correct.

Secondly, I hope that local authorities will be left with their current freedom to stipulate, through the local development document, a fairly high percentage of affordable housing on a site. Currently, several local authorities, not least South Shropshire, require there to be 50 per cent. affordable housing on sites of two or more houses. That goes well beyond the Government's recommendation of 30 per cent. on sites of 19 or more houses. That is the current legal situation, so I hope that nothing in the regulations will curtail local authorities in the delivery of more affordable housing. Again, I seek reassurance from the Minister on that point.

Sir Sydney Chapman: The hon. Gentleman raises an interesting point, but is not there a difficulty if a local planning authority has power to raise money through a planning contribution or a section 106 agreement? Obviously, the authority would be interested in

[Sir Sydney Chapman]

obtaining as much money as possible—that is human nature—so does not that make it less likely that the authority would insist on a higher proportion of social or affordable housing?

Matthew Green: The hon. Gentleman makes a good point, but again it comes down to local decision making. I know that in Shropshire the priority would be to take little money from developers and to have affordable houses, as that is the overwhelming problem facing my constituency—as both local district councils now recognise. I suspect that the situation will vary throughout the country, but surely that is what we want: local decision making by local people.

Will the Minister confirm that, through the local development documents, councils will still be able to specify a high rate of affordable housing and use that as a way of delivering such houses? Similar schemes could be used in London in the Thames gateway to provide housing for key workers, so I hope for reassurance from the Minister as a sign that the Government are moving in that direction.

I have some concerns about the rates of the tariff and again I should like some reassurances from the Minister. Section 106 is often used to deliver small items of community benefit next to a housing development—for example, a community hall or a children's play area. Those are good uses of section 106. However, I am concerned that if the developer opted to pay the tariff it would be up to the local authority to do the work, to construct the play area or whatever the community needed. However, because the public sector acts more slowly than the private sector, by the time the council gets around to building the item in question it will cost more than it would have done when the tariff was calculated, with the result that either the community ends up with a smaller children's play area or the council tax payer is asked to pay the extra and thus subsidise the construction.

6 pm

The Minister will say that it is up to councils to calculate the tariffs correctly, so that they know that they will get the money they need, but I remain concerned that the route whereby developers can opt to pay the money will lead to more detailed work having to be done—calculations of what something might cost in a year's time, for example—rather than the contribution being made in kind. If the developer opts to produce it in kind, that is probably an appropriate way around that potential problem.

The Minister dealt broadly with another of my concerns, but I would like him to reiterate his reply that it is not intended that the charge will be some form of tax that may be used to keep down council tax. I believe that there is broad agreement in the House that that is not the intention behind the measure. Community gain is the idea underlying planning contributions and it would be worrying if a local authority sought to tax development purely to keep down council tax.

Mr. Hayes: I tried to tease the maximum clarity from the Minister earlier, and he was most helpful. However, what causes me anxiety is not that the whole sum will transparently and obviously be spent on subsidising council tax or on a completely unrelated purpose, but that the money will be divided up and a more complex, more convoluted way found to do something that was not clear at the beginning of the process, that is not in line with local expectations, and that is not in the spirit of the arrangements that the Minister is hoping local authorities will put in place.

Matthew Green: I share that concern. The council is to set out in the local development document what it will use the money for, on which sites or schemes the charge is likely to be an option, and what the levels of charge will be. My concern is that there is a danger of inaction by the local authority—not so much that it will literally take the money out of one account and put it into the revenue account to keep other services running, but that it will sit on the money and use the interest to subsidise other services.

Even though I am not a huge fan of reserved powers, I was relieved to hear the Minister mention that reserved powers may be necessary in this respect. A council could create a local development document, then broadly ignore it. The problem is that we are dealing with fairly technical stuff. Not many members of the public will rush to the local council and ask to see the local development document setting out the charging regime for developments. Nor, dare I say it, will many councillors rush to read that part of the document: they will be far more interested in seeing whether some houses are to be built next to their homes or in their wards than in reading about the charging arrangements. Although I am inclined to agree that the electorate should be the best judge and that adverse publicity about a council that takes money and does nothing with it should be enough, I suspect that because of the technical nature of the matter, there should be some form of reserved powers in this instance. The Minister touched on that subject, but I would welcome hearing about what form the powers might take.

Another of my concerns is probably best dealt with through guidance. We all know that people do not like new housing or industrial developments to be built next door. Often, community gain is used to assuage some of their fears: yes, there will be more housing in the area, but a roundabout will be installed at that really dangerous junction as a result, or the school will get a much needed extension, and the developer will pay for it. That can help to reduce local public opposition to a project, but I foresee problems arising. Let us suppose that a local development document is produced stating that all the charges will be taken from all the schemes in the area and the money used to build a new sports centre at one end of the council area. Although that would be entirely legal, it might excite great resentment in parts of the district, because the people in those areas would feel that the houses had been built next to them so that people 20 miles away could have a new sports centre.

There is a danger of public discontent with that aspect of the system. As it is difficult to deal with such issues in legislation, and nearly impossible to do so in regulations, I hope that the guidance which I assume will accompany the new arrangements will encourage councils to bear in mind that the community that bears the brunt of the development for which the planning application has been submitted should see at least some of the gain as a result.

Mr. Hayes: The hon. Gentleman makes a good point on an important matter, and I have noticed the Minister acknowledging that through his body language. However, there is a more specific issue than just the opportunity costs of the inability to ameliorate local concerns about a specific project. It may be incorrectly assumed that the money is being filtered away, that it is disappearing altogether, or even that it is being used in an underhand manner. That would be untrue, but people who do not understand the system might easily perceive that to be the case. There is the potential not only to lose the ability to assuage people's fears but, worse, to undermine local people's faith in the system.

Matthew Green: The hon. Gentleman makes a good point. The key is not to lose sight of the original concept of planning gain, which is that the community local to the development derives some gain from it. That is how section 106 originated and I am certain that the Government envisage the changes leading broadly to the same end, but local authorities should be encouraged to bear that in mind. That will probably have to be done through guidance, because I do not see another way of dealing with it.

I shall not go into the detail of the Conservative amendments because I suspect that, with hindsight, the hon. Member for Cotswold (Mr. Clifton-Brown) realises that most of them curtail local authorities' ability to decide for themselves what is best for their area, and I am sure that that is not what he intended. That he got the wrong end of the stick probably has a lot to do with the fact that he had only a couple of days, and had to burn the midnight oil. It just shows that we should work reasonable hours, because after working a certain number of hours one does not think straight.

The new clauses offer a potential way forward, but I return to my point that the Government have not chosen a satisfactory means of dealing with the issue. My main concern is that the details of how the system will work will not be dealt with on the Floor on the House or in an extended Committee sitting—they will take the form of a statutory instrument, of which there can be little scrutiny. I struggle to see how the Government, in the circumstances in which they have landed up, could have found a different way of achieving their aims. However, when the next planning Bill is introduced in 10 years' time, I hope that the Government do not spring a similar Bill on us. Of course, the Government will be different by then, and if the Liberal Democrats are in government, we shall strive to avoid doing that.

Sir Sydney Chapman: I am grateful for the opportunity to follow the hon. Member for Ludlow (Matthew Green) and agree with some of his comments. He spoke about the House sitting too late and Members perhaps getting confused. Clearly, his twilight hour is not the other side of 6 o'clock. He has done very well.

I shall try to be brief. It may be helpful, as is conventional, if I begin by declaring some possible interests. As I said in Committee, the more I think about them, the more I believe they are reverse financial interests. I do not receive a penny from any organisation outside the House or any part of my profession, but I am a member of the Royal Institute of British Architects and a fellow of the Royal Town Planning Institute, and I pay those bodies not inconsiderable amounts. I found that those sums have been going up so much that I have applied for retired status in both those prestigious professions. I should add that I am an honorary member of the Royal Institution of Chartered Surveyors, an honorary member of the Landscape Institute, an honorary fellow of the Faculty of Building and an honorary fellow of the Association of Building Engineers. If I remember any more, I shall add them later.

I have long criticised aspects of section 106 agreements. In some cases, I believe they border on the corrupt—"You don't get your planning permission unless you give us this amount of money for that particular project"—but they are here to stay, and having listened to the debate so far and thought about these matters quite deeply, I share the worry of my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), who questions whether it is a good thing to have two different mechanisms working in tandem, rather than trying to improve the present regime of section 106 agreements. I put that down as a marker.

As the Minister kindly gave way to me twice on the matter, I shall not dwell on the possibility of local planning authorities, when making their regulations, extending the present area in which section 106 agreements can apply. The Minister rightly said that, in general, section 106 agreements apply to only 1.5 per cent. of the total volume of planning applications throughout the country, but of course, as he also said, they relate to the more significant planning applications. My fear is that, at least in the margins, local planning authorities might find an opportunity under the proposed new regime to extend the area in which permitted planning contributions would apply.

I shall give a rather silly example, for a particular reason. At present, if a development requires a crossover from the highway to the curtilage of the property—say, somebody is building a garage as an extension on his or her house—the local authority might insist that it should carry out the work. Whereas, meeting the proper specification for a crossover, the work could probably be done for £700—I am using a typical example—the council might say that it costs £1,500 or £1,100, making its own profit. It is so easy, under a planning contribution agreement, for the council to set the tariff scale at £1,500.

We are all human beings. I am not criticising local authorities or local planning authorities, but if an authority has the opportunity to charge money, it will seize that opportunity and milk it to its utmost ability. That is not a party political point, but a fact of human nature. It is extremely important that the Secretary of State prescribe the areas in which the new planning contribution can apply. It is a new opportunity for a tax, just as a section 106 agreement is, in effect, a tax. The proposed contribution is a tariff, so it is a tax. I shall not dwell on the matter or call it a stealth tax. There are already section 106 agreements in place. Because it is a tax on some developments, the ability to charge the planning contribution and the amount that can be charged must be carefully prescribed.

[Sir Sydney Chapman]

6.15 pm

My hon. Friend the Member for Isle of Wight (Mr. Turner) made a good point when, if I judged him correctly, he said that under section 106 agreements, the applicant—I would say generally, but now always—knew exactly where his financial contribution was going. It would be spent on a specific project in a specific place. Under the proposed planning contribution arrangement, it is obvious—again, this is human nature—that the local planning authority will hold on to the money for as long as it can.

The hon. Member for Ludlow gave the example of a new sports centre on the other side of the borough. For such a project, the local planning authority will have to hold on to the money until it has sufficient to go ahead with what is, by any description, a pretty significant project. If the legislation goes through, and the regulations are issued, we must consider carefully how we can ensure that the local planning authority is required to specify the projects on which the money will be spent.

Mr. David Drew (Stroud) (Lab/Co-op): I thank the hon. Gentleman for giving way and apologise for not being present earlier, as I was serving on a Select Committee. Does he agree that section 106 agreements have been bedevilled by the lack of transparency—in particular, the fact that after a planning application has been agreed, it is often implemented through an individual officer talking to the developer? Communities often feel disempowered when they see that the outcome of the section 106 agreement is not what they expected.

Sir Sydney Chapman: I am glad to tell the hon. Gentleman that I agree entirely. I had some criticisms of section 106 agreements, and the apparent lack of transparency was my main argument for criticising them. That is common ground between us. Unless the regulations are very tightly drawn, the receipts coming from the planning contributions could be even less transparent than the section 106 agreements. I need not pursue the point further.

Mr. Hayes: Not only will the new arrangements be less transparent, but they will be less local, as they will not necessarily be tied to the particular development, and they will arguably be less likely to lead to the development of social housing. That is the view of those in the industry. Will my hon. Friend comment on those aspects?

Sir Sydney Chapman: I cannot disagree with my hon. Friend, but the outcome will depend on the sort of local authority in question. If it is a scattered rural local authority, I think my hon. Friend has cause for concern. I represent a more suburban area, where the metropolis meets the countryside, with all sorts of development. My constituency is much smaller in size than my hon. Friend's. Mine is only about 15 square miles in north London, so there is more sense of community than would be the case 8 miles away or in my hon. Friend's constituency. It is a matter of degree. The Minister confirmed that, if the Bill is enacted, the applicant will be able to choose between a section 106 agreement route or a planning contribution route. We must bear in mind that the system is comprehensive and complicated.

The hon. Member for Ludlow was a little unfair about the amendments tabled by my hon. Friend the Member for Cotswold. The hon. Gentleman might have been burning the midnight oil, but I imagine that my hon. Friend is with it 24 hours a day. There was a short time to consider the matters, so even if some of the amendments are found to be unnecessary, they have given us the opportunity to raise important points and get assurances from the Minister.

Mr. Clifton-Brown: My hon. Friend has great knowledge of the subject and no doubt he has read the submission by the Law Society, which is worried about the new tariff proposals. The society says:

> "The new clause seems to envisage local authorities determining that in respect of some developments a planning contribution would not be appropriate."

Does my hon. Friend agree that giving local planning authorities the power to say, "No, on these developments you must pay a tariff", is a step too far?

Sir Sydney Chapman: I am trying to play devil's advocate to my hon. Friend to keep the quality of the debate high. There may be no fundamental difference between that arrangement and the procedure for section 106 agreements. I understand what the Law Society says but I do not necessarily agree. Section 106 agreements are negotiable, but the bottom line is that local authorities may say to applicants, "If you don't do what we want, you don't get what you want." Therefore, applicants might not get planning permission, although I suppose that they could still run off to the Secretary of State to appeal. Section 106 agreements are effectively compulsory, so I envisage no difference in principle compared with the arrangements for planning contributions.

Keith Hill: The hon. Gentleman is making an interesting speech and was absolutely right to respond somewhat cautiously to the invitation of the hon. Member for Cotswold (Mr. Clifton-Brown) to leap aboard the Law Society's bandwagon. Let me remind him of what I said about circumstances in which a local authority might say that a planning contribution would be inappropriate and not required. That would be a case if a development were proposed on a site with heavy contamination that would require costly remediation, or a site under multiple ownership if it were anticipated that there would be enormous complications when engaging in a land assembly exercise. It might be inappropriate to deem that either a section 106 or a planning contribution would be required for a large development in such circumstances. The Law Society has got the wrong end of the stick on this one, so I congratulate the hon. Gentleman, who has deep experience of these matters, on reacting in an appropriately careful, calm, calculated and cautious fashion to his colleague's suggestion.

Sir Sydney Chapman: I hardly know where to put myself. This is all a matter of relativity. The Minister said that the planning contribution was not a tax on developments—he prefers not to use the word "tax" and we should not put words in his mouth, so let us call it a tariff. However, I could equally argue, without being spurious, that a tax on most developments exists because people must pay a certain amount when they put in applications to local planning authorities. That requirement entered planning law only relatively recently. There is a movable shelf and people on both sides of the argument can properly make debating points because the situation is detailed and complicated.

Although I had not intended to speak for so long, I shall make one or two other points. I thought that one of the Government's new clauses stated that the planning contribution must be paid up front—in other words, applicants who had been given planning permission could not begin developments before they had paid the planning contribution. One can relate that situation to a point about the retail prices index escalator. Incidentally, although amendment (g) to new clause 1 says:

"there will not be any R.P.I. escalator"

my hon. Friend the Member for Cotswold could have added the words, "or any other building industry inflation escalator attached to the agreement on a planning contribution" to the amendment.

A planning contribution might be agreed at a time when the building industry is booming, but that time could be a turning point before a recession. If there were a national economic recession or a building recession, the boom could go out of the housing market, which would mean that the developer might make a considerable loss. Developers speculate and make judgments, so there is already risk in the process. It is fair to say that an escalator on the contribution would represent an additional risk that developers would have to consider. I agree with my hon. Friend and believe that a planning contribution should not be changed in any way after it has been agreed, especially given that it must be paid up front.

Matthew Green: The hon. Gentleman is making a valuable contribution. I would have more sympathy with his argument if it were not up to developers to decide whether to pay the tariff or to provide work in kind. My understanding of the new system is that a council will not be able to tell developers that they must pay the tariff. A council may say that it is appropriate to impose a tariff on a specific site, but developers will have a choice because a council will not be able to force them to pay rather than undertaking work in kind.

Sir Sydney Chapman: There is little dispute among us. I understand that there may be payment in cash or in kind under a section 106 agreement. I can certainly tell the hon. Gentleman—I think that he knows already—that the new clauses provide that a planning contribution may be made in cash or in kind, or as a combination of both. I am glad to get that on the record.

My hon. Friend the Member for Cotswold talked about new clause 3 and Wales. He properly said that through devolution under the Government of Wales Act 1998, specific powers were reserved by the United Kingdom Government. The Minister will not remember that during the Bill's first Committee stage I asked why we required provisions on Wales, because as Wales has been given devolved powers, what right has the UK Parliament to say how Wales should treat planning issues? I did not receive a satisfactory answer in Committee but I received one today from my hon. Friend because he rightly identified the fact that the planning contribution is taxation—an economic matter—and that this House has the right to decide on such matters. The House owes a debt to my hon. Friend not only for tabling his amendments and making his contribution on new clauses 1 to 3, but for addressing the important aspect of the provisions for Wales.

Mr. Clifton-Brown: I have been consulting the regulations and reading new clause 1 carefully since my hon. Friend mentioned the possibility of paying the obligation in kind. New clause 1(3) says that the local plan must state the "prescribed means" when it is drawn up, and subsection (5) says that the prescribed means are:

"the payment of a sum . . . the provision of a benefit in kind . . . or . . . a combination of such payment and provision."

I am not sure whether the tariffs will be set at a local planning or a more specific development level, so perhaps my hon. Friend will comment on that.

Sir Sydney Chapman: If I may say so, it is for the Minister on duty to respond to that. I see any development in kind being given an amount of money, an allocation of money, and that is deducted from the prescribed fee or the prescribed tax, or the tariff, that will be put on the specific development. That is not a matter for me, but that is my reading of new clause 1(5). That provision underlines that payment can be made in cash or in kind, or a combination of both.

6.30 pm

Mr. Andrew Turner: One problem in dealing with a number of complex new clauses on Report is that our deliberations tend to degenerate, if that is the right word, into something more akin to consideration in Committee. I hope that the Minister will forgive me if I follow his example and probe rather carefully my understanding of some of the new clauses.

I shall begin where my hon. Friend the Member for Chipping Barnet (Sir Sydney Chapman) left off, with new clause 1(5) and (6). Perhaps the Minister will correct me if I am wrong when I say that the developer can decide between subsections (5) and (6). If he opts for subsection (5), he must use whatever prescribed means the local authority prescribes, and if he opts for subsection (6), he must negotiate. That is my understanding of new clause 1. I see that the hon. Member for Ludlow (Matthew Green) shares my understanding, which makes at least two of us. That is good.

It is a question of who should have the right to choose. If it were not the developer—the applicant—that had the right to choose, that would go some way to solving the problem illustrated by the hon. Member for Ludlow and my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes). The problem concerns developers' contributions—I use a neutral term—being gobbled up and spat out by the local authority at some development at the far end of the district or borough that may not provide any compensation for the people in whose backyard the unwanted development had taken place. Why does the Minister feel it appropriate that that should be a developer's decision rather than a community one? People expect something to be provided locally, not at the far end of the borough. They will view with great concern the failure of the supposed benefit to appear.

[Mr. Andrew Turner]

The hon. Member for Stroud (Mr. Drew), who is no longer in his place, questioned the operation of section 106 agreements. He said that, in many cases, there is agreement in committee, the officers are sent away to write a section 106 agreement, and it is hoped that something turns up that is acceptable to local people. I know that some local authorities behave in that way, but others will reserve the grant of planning permission until the members are content with the section 106 agreement. The members may have a much better focus on whether, for example, a roundabout or a play area is preferable to the people of a particular small village. I know that the people of my villages would prefer a play area to a roundabout, but it is not always the case. Surely it is reasonable that the local authority's development control committee should reserve that matter and make a decision on the basis of officers' negotiations with the developer.

I say to the hon. Member for Stroud, in his absence, that it is unreasonable for local authorities to expect the right result if they do not make clear to their officers what results they expect. It is careless of local members, to say the least, to allow their planning committees to get away with that sort of thing, when doubtless those local members will suffer if they do not come up with the right community benefit.

Mr. Hayes: I shall build on my hon. Friend's point. The position might be disadvantageous to the developer as well. Developers often get, properly, some kudos by having contributed to a local scheme that is popular and that people understand and regard as transparent. If money is given, it will not have the same impact in terms of the local community's understanding. It may not therefore benefit the local developer in quite the same way.

Mr. Turner: My hon. Friend is right. I am sure that a new play area or an extension to a local school, or even some road humps, would be more popular with the local community than a sports centre that is inaccessible by public transport. In some areas, I know that some developers' contributions have been paid in the form of park-and-ride car parks, by payments to public transport and even by works of so-called public art, which in many cases are unrecognisable as either public or art. People resent their money being spent on such ill-chosen things.

That brings me on to a response to the question of whether payments should be made up front. If a tariff is introduced, I understand that the payments are required to be made up front. An up-front payment for a developer may make the difference between the viability and unviability of a development. A payment down stream, if that is the opposite of up front, may be affordable because the profit has been realised on the development.

Mr. Hayes: There are two other aspects. The first is that payment up front may be particularly disadvantageous to small developers as opposed to large ones with large budgets and turnovers. Secondly, high-risk developers may be discouraged. Developers will be less likely to take chances if they have already paid in advance. I do not say that I am against payments up front, but these questions must be answered.

Mr. Turner: Those points indeed have to be answered. I shall illustrate what may have been in my hon. Friend's mind, if I may presume to read his mind. A brownfield development may be close to a densely populated area of housing. The people living in that housing have just as much right to the benefits that might accrue from the provision of, for example, a play area as other people who live in areas that are less costly to develop. Yet the developer may not have the capital necessary to put up front into reclamation or remediation, as the Minister calls it, of the brownfield site, and for the provision of a tariff that can be translated into a community benefit. Will the Minister consider whether an up-front payment is the best and only way in which the tariff may be paid?

Mr. Hayes: I do not want to interrupt my hon. Friend's flow any more than is necessary for the development of his own argument, but many in the industry support his point. The Chartered Institute of Housing and the House Builders Federation both draw attention to the problem of developers being unwilling to take risks specifically in respect of affordable housing on brownfield sites or on any site. They may be discouraged.

Mr. Turner: I was about to pay tribute to my hon. Friend's fertile and inventive imagination, but now I understand that I must give credit to the august bodies that he cited. He is right that there is a problem that could mean that no community benefit is received because no development takes place.

My hon. Friend gives me a cue to move on to the housing obligation—the socialist housing obligation, as some call it. My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) referred to the obligation to provide affordable housing and the necessity test. I have no objection to the provision of affordable housing, but I am curious about how the necessity test applies. How can the construction of 24 luxury flats give rise to the need to provide so many units of affordable housing? The provision of additional units of luxury housing does not push up the price of local housing, and it may even have the effect of marginally pushing down the price of other housing. When the Minister replies, will he go into some more detail on the application of the necessity test, and whether it will be broadened as a result of the implementation of new clause 1?

Mr. Clifton-Brown: My hon. Friend will be aware that, because of the Tesco case and others, case law has already broadened the necessity test to the de facto position where we have a de minimis test. I was gently chiding the Minister to suggest that the regulations should clarify the position—exactly the point that my hon. Friend is making.

On a slightly different but related point, the local authority should be able to set different tariffs in different areas according to the existing infrastructure. Clearly, some infrastructure will be poor and some better, so it makes sense to be able to set different charges in different areas.

Mr. Turner: Whether we use the necessity test or a broader test goes to the heart of whether the contribution—or a section 106 agreement—is merely a form of taxation rather than a reasonable contribution to the cost of a particular development.

What kind of applications should be free from any obligation to pay the contribution? The Minister has not stated what kind of applications he has in mind. It may be possible to speculate. It may be that he has given some opinion in the draft regulations on which he is consulting, but I hope that he will be able to clarify what kind of applications should be free—and, presumably, free at an England-wide level, rather than free at a local authority level—from a particular contribution.

Mr. Hayes: My hon. Friend is being a little ungenerous to the Minister, because, in response to an earlier intervention, he said that the development of particularly difficult sites, or those that were unlikely to be developed without the enthusiastic involvement of keen developers who may be deterred by obstacles in their way, might not incur such a tariff. But will my hon. Friend test the Minister on issues such as parts of a local authority or regions and parts of the country that desperately need an injection of new development and that might as a whole be excluded from the tariff?

Mr. Turner: I apologise to the Minister for not making myself sufficiently clear. He pointed out that certain sites may be difficult, but I was envisaging in the kind of applications that may be excluded from any obligation to make the contribution, developments such as hospitals, schools or railway undertakings—in other words, what would be erected on the site rather than the nature of the site. Perhaps the Minister could respond to that, and in so doing distinguish between schools and hospitals provided by public and private sector funds, if it is his intention that a distinction should be made in the regulations that he lays before the House.

6.45 pm

My hon. Friend prompts me to come on to whether there should be variable tariffs and variable exclusions within local authorities. Like many large authorities—and, I am sure, some small ones—my local authority has areas of relative wealth and relative poverty. The areas of relative poverty may need certain kinds of development more than others and developers of such developments might be dissuaded were the tariff set at a standard level throughout the authority. Does the Minister intend that there should be variable tariffs within local planning authority areas, and, as my hon. Friend prompts me to ask, that developments in certain councils should be exempt from any requirement to make a developer contribution?

Many people see a section 106 agreement as merely a means of extracting money from a developer in return for a development that almost certainly would take place anyway, even though that it usually contributes to some local benefit, and sometimes to a benefit that is provided city-wide. A park-and-ride scheme is a good example of such a section 106 agreement. The developer's contribution set out in new clause 1—and to some extent the section 106 agreement—begins to look like a tax, rather than merely a payment made to the authority to compensate for the consequences of a particular development. Indeed, it begins to look so much like a tax that I am sorry that *The Daily Telegraph* did not include it as No. 61 on page 3 this morning. This is a tax on development because it is not hypothecated to a particular purpose and it is not a charge because it does not compensate for a particular cost. I hope that the Minister will look carefully at whether the contributions should properly be defined as a charge or a tax. It appears to me to be a tax.

I have only two other points, one of which is on the social housing obligation. In some places—many parts of London are good examples—the profit made from developing housing is so great that the social housing obligation can be met out of profit, and the marginal rate of return on the development is so great that the developer may suffer a bit but not hugely from its imposition. In other parts of the country—parts of my constituency are an example—the marginal benefit from building housing is still regrettably so low that developers wonder whether to go ahead, because they may not make sufficient profit. I am sure that that is even more the case in more deprived parts of the country.

If the developer is not going to make sufficient profit, he will not go ahead, even with private housing, and there will be a dearth of such housing available in an area. Under those circumstances, the only way the developer can meet the social housing obligation is to raise the price of the housing that he builds.

That means that the developer no longer meets the cost of the social housing obligation out of his pocket; in many cases, it is met by first-time buyers who purchase houses that he intended to build in the first place. The price of those houses can be driven up by the social housing obligation. Will the Minister address that issue and refer to the balance that local authorities might strike in drawing up a tariff, variable or otherwise?

Finally, on Wales, the Minister has given us plenteous and generous assurances about the regulations that he intends to lay before the House setting out the details of the path that he wishes to take. For our part, Opposition Members will make a judgment on those assurances. I am sure that we will have faith in him and believe what he says. We may conclude that those assurances are not good enough, but at least a clear set of assurances will have been given. We have no such assurances from the National Assembly for Wales. Nobody has spoken in this House for the Assembly; indeed, nobody can do so. Have there been any discussions behind the scenes between his office and the Assembly that allow him to say that the Assembly concurs with the assurances that he has given?

Matthew Green: Will the hon. Gentleman clarify his comments? He appears to be saying that he wants the Welsh to be protected against decisions that they take for themselves. Is that correct?

Mr. Turner: Not at all. In deciding how to vote on the new clause, I wish to know the circumstances in which it may be applied throughout England and Wales. That is my duty as an English Member of Parliament in legislating for England and Wales.

Mr. Hayes: The Welsh issue is even more complex than my hon. Friend suggests. We heard earlier from the Minister about provision that applied where local authorities of many types were involved in a particular planning application. The border between Wales and

[Mr. Hayes]

England will sometimes be crossed in such cases, as developments may affect authorities on either side of it. Through my hon. Friend, may I invite the Minister to comment on those matters, which seem highly pertinent?

Mr. Turner: I saw the hon. Member for Ludlow (Matthew Green) nodding; I assume that he did so on the basis of some local knowledge. I am unique among Members representing English constituencies in that my local authority area has no borders with any others, so I do not encounter the problem of cross-border planning applications. None the less, I would welcome the Minister's comments on developments that occur partly in England and partly in Wales.

Mr. Clifton-Brown: Does my hon. Friend agree that I have suggested a sensible mechanism to the Minister? Setting up the tariffs will take a great deal of hard work. The Minister might wish to look carefully at the commencement order in that regard and consider the draft regulations proposed by the National Assembly for Wales to establish that they are, at least initially, in line with those in England. Of course, the matter would thereafter be one for the Assembly.

Mr. Turner: That proposal would go some way towards solving the problem postulated by my hon. Friend the Member for South Holland and The Deepings, but it would not solve—I am sure that it was not intended to—the more serious problem of what assurances the Minister is giving us. The Minister laughed merrily when I asked rhetorically whether there had been discussions with the National Assembly for Wales. *[Interruption.]* He is now muttering to my hon. Friend the Member for South Holland and The Deepings. If we are entitled when we introduce legislation to know the direction in which the Government intend to proceed in respect of England, surely we are entitled to know the direction in which the National Assembly for Wales intends to proceed in respect of Wales. Our decision on whether to vote for or against the new clause may hinge on that issue. *[Interruption.]* The Minister's Parliamentary Private Secretary is now muttering. I did not hear what he muttered, but I suspect that he was telling me that I should not worry my little head about the Welsh, as they can look after themselves. Not at all; I am required to worry my little head about Wales, just as hon. Members representing Scottish constituencies are required to worry their little heads about foundation hospitals and tuition fees. I give way to my hon. Friend the Member for Cotswold.

Mr. Clifton-Brown: I was not seeking to intervene, but another thought has entered my head. Of course, there is a financial settlement for Wales each year. If the wrong level of contribution were set, it could have a material effect on the level of financial contribution given to Wales.

Mr. Turner: From someone who was not seeking to intervene, that is a particularly clever intervention. I thank my hon. Friend for making that point, which I had not thought of.

The Minister and his Parliamentary Private Secretary still cannot give any assurances or reveal whether discussions have taken place with the National Assembly for Wales. Will the Assembly adopt the sensible, rational, honourable and clear position that the Minister has set out, or will it adopt some other position? Until we know that, we cannot come to a conclusion on how to vote on the new clause.

Keith Hill: I am grateful to all hon. Members who have participated in this genuinely good and well-informed debate, which has been none the worse for being largely confined—I note the exception of my hon. Friend the Member for Telford (David Wright), whom I am delighted to see in his place—to the usual cast of characters in such discussions, who might be described as the Planning and Compulsory Purchase Bill repertory theatre. However, it has also been a long debate and I have no desire to protract it unnecessarily, so I give notice that I shall be reluctant to take interventions on the same extremely liberal scale as I did earlier.

None the less, I wish to respond in detail to the amendments tabled by the hon. Member for Cotswold (Mr. Clifton-Brown), although many of his questions and those of other hon. Members relate to matters best dealt with in consultation. In many respects, it would be inappropriate for the Government to express views ex cathedra, as it were, when we are essentially in a listening mode. However, I give him the assurance for which he asked: if I do not fully answer his questions in the course of my response, which I hope will be fairly comprehensive, I shall write to him as far as possible.

Mr. Clifton-Brown *rose*—

Keith Hill: I advised the hon. Gentleman that I was reluctant to give way as much I did earlier. I shall immediately break my rule, but I hope that this will be a serious and substantive intervention.

Mr. Clifton-Brown: It is a very important intervention. If the Government's consultation will not finish until 8 January and the Minister is saying that he will not give specific commitments or answers to questions because that consultation is taking place, but this House is being required to legislate on this matter in the absence of those answers, he should not be bringing these regulations before the House.

Keith Hill: I am not bringing regulations to the House; I am bringing enabling amendments, and the House will in due course have ample opportunity to consider regulations relating to them when we bring those regulations before it.

Before I move on to the amendments, let me deal with Wales, with which Opposition Members seemed to be developing an obsession. I have noticed before that such moods can develop in the House—a Member makes a suggestion, someone else picks it up, then everyone begins to think that it is a really good idea. I am sorry to have to dampen the ardour on this occasion.

7 pm

The hon. Member for Chipping Barnet (Sir Sydney Chapman)—of whom, as the House will be aware, I am inordinately fond—made a sturdy effort to raise the spectre of taxation, and was joined by the hon. Member for Isle of Wight (Mr. Turner). However, we are devolving these powers to Wales for a very simple and straightforward reason—the Welsh authorities already have the power to enter into planning obligations with developers, and they should also have the power to set planning contributions and to allow developers in Wales the choice of whether to opt for the charge. All that our approach amounts to is "fair do's" for Wales. If the Conservatives still had any friends in business, I am sure that those in Wales would be enthusiastic about that development; but, candidly, I have nothing more to add to the subject.

Let me attempt to put some meat on the bones of the Government's proposals, which I outlined at the beginning of this long, but properly so, debate. As I explained, the planning contribution provisions set out a framework for planning contributions made in respect of development or use of land. The intention is to add to the provisions of section 106 of the Town and Country Planning Act 1990 an additional provision to enable developers to choose to make a fixed contribution that is calculated in advance by the planning authority. The intention is not to get rid of planning obligations, but to provide speed and certainty where possible and flexibility where necessary.

Planning authorities will be able to consider in advance the possible impacts on their area of increased development and what contributions will be appropriate to mitigate those impacts. The "plan-led" approach to planning obligations is a big improvement on the present, rather ad hoc, arrangements, to which I shall return later. Developers will have more certainty about the likely impacts of their proposed development on the area, will know in advance what contributions the planning authority is likely to require them to provide, and will be able to choose whether to make the contribution as set by the planning authority or to seek to negotiate a contribution more specifically tailored to their circumstances.

In response to the hon. Member for Isle of Wight, new clause 1 provides for two types of contributions: those made by the prescribed means—that is, the charge—and those made by compliance with the relevant requirements under the traditional section 106 negotiations. We give the choice to developers because in some cases that will assist in accelerating the planning process, as I am sure we all desire. It is not inevitable that developers will opt for the charge. That is not because of difficulties associated with the scale of the charge, but because of the commitment that many developers bring to sustainable communities in terms of adding value through their developments. We also intend that local planning authorities should be able to secure full community value from choosing the charge.

Contributions made by the prescribed means are the contributions that will be fixed in advance by planning authorities. Planning authorities will be required to put the detail of the contributions in a document, which may be a development plan document but will, in any event, be subject to consultation and public involvement. It will set out what type of development is likely to give rise to contributions and exceptions, how the contribution will be calculated, and for what the planning authority intends to use the receipts from contributions. The document will show the link between the impacts of development on the planning authority's area and the payment of the contributions. The requirements of a planning authority will, therefore, be contained in an open document that is available for all to see. That provides transparency in terms of the way that contributions are calculated, when they are likely to be required, and what they will be used for; and, in turn, provides certainty and fairness for all involved in the planning process.

Mr. Clifton-Brown: Will the Minister address the point that I raised with my hon. Friend the Member for Chipping Barnet (Sir Sydney Chapman) regarding the level at which the local authority will set the charges? Will they be applied across the whole local planning authority area? Will there be different charges for different areas—for example, if one is in growth, but another is not? Might there even be different charges for separate developments in a very large regeneration development?

Keith Hill: As one would expect, the charge will differ according to the different impacts of the development. It is essentially a matter for consultation, however, and we expect a vigorous input from all interested parties. I am sure that in due course the hon. Gentleman and the House will have the opportunity comprehensively to examine the proposals.

A contribution paid by compliance with the relevant requirements—that is, the traditional section 106 arrangement—enables contributions to be negotiated. As I said, that provides the flexibility to agree a contribution that is tailored to a particular development or its circumstances. It also enables planning contributions to relate to matters that are specific to the development site, such as provision of adequate access. It is intended that the relevant requirements will be similar to the provisions contained in section 106. Where the developer opts to pay the contribution by the prescribed means, our consultation document suggests that a residual negotiation may be necessary to cover matters that could never be covered by the charge. Where that is the case, and in order to ensure fairness, subsection (4) of new clause 1 provides that where a developer has paid the contribution by one means, the planning authority cannot seek more through the other method of securing a planning contribution.

New clause 2 sets out in further detail the matters for which the planning contribution scheme will provide. It allows the Secretary of State to set the minimum and maximum amounts that the planning authority may set as a contribution, enables the planning authority to update the set amounts by reference to a criterion such as the retail prices index in order to avoid a reduction in their value, and requires planning authorities to produce an annual report so that we can all see how the contribution system is working. As in the case of section 106, agreements to pay planning contributions will be enforceable by the planning authority. It is envisaged that the powers that are made available will be similar to those contained in section 106. The contribution may be modified or discharged depending on the circumstances.

[Keith Hill]

I am grateful to the hon. Member for Ludlow (Matthew Green) for his support for the broad thrust of the proposals, which he said are probably right and represent a more satisfactory arrangement. On his question about South Shropshire, the Government are considering that approach with interest, and I shall of course reply to him in due course. He also asked about affordable housing. I assure him that the last thing that the Government would want to do is to limit the ability of local planning authorities to secure more affordable housing.

I turn to the amendments tabled by the hon. Member for Cotswold. The fact that they deal with the detail of the provisions rather than general principles suggests that on the whole he accepts what the Government are trying to achieve. I am glad about that. I am concerned, however, that such amendments to new clauses 1 and 2 would fetter the flexibility that they provide in allowing us to respond effectively and sensibly not only to the consultation that we are undertaking, but to changing circumstances.

I cannot understand, for example, why the hon. Gentleman should wish to tie us now, in primary legislation, to how the contribution should be calculated, as he proposes in his amendments (f) and (g) to new clause 1. It would surely be more appropriate to introduce such provisions in secondary legislation, which can be more detailed, and which would also be able to take on board matters arising from the consultation process and future proposals relating to the calculation of contributions. We would not want to be too prescriptive at this stage, and to find that we were bound by the criteria set out in the amendments. For example, requiring developers to pay our optional planning charge on a per dwelling basis might simply have the effect of encouraging developers to build large houses, which would not always be appropriate.

Nor can I understand why the hon. Gentleman should have tabled amendments (h) and (i) to new clause 1, which, taken together, delete the provisions that we have proposed to ensure that developers do not have to pay twice in relation to the same matters. Our intention is that the regulations will ensure that, when a developer opts to pay the charge, he cannot also be asked to contribute through any residual negotiation in relation to matters that the local authority said were covered by the charge. These provisions are an essential ingredient of what we propose. I should also emphasise that, as with the existing system, it will be open to the developer to refuse to make any form of contribution whatever. In such a case, the local planning authority will still be required to consider the application on its planning merits, having regard to the development plan and other material considerations. So it is not necessary to introduce the additional appeal mechanisms proposed in amendment (b) to new clause 1; the existing appeal mechanisms will still be available when a developer feels that a planning contribution is unreasonable.

I detect concern that developers should not be asked to pay more than was originally indicated in the local authority policy on what it would seek through planning contributions. This appears to be the reason behind amendment (a) to new clause 2.

Mr. Clifton-Brown *rose*—

Keith Hill: I believe that I can offer reassurances on this point, if the hon. Gentleman will bear with me. We envisage that the local authority and the developer will need to come to some form of agreement, as they do now, on whether they opt to make the contribution by the prescribed means or the negotiated route. That agreement will bind the developer to pay, and the local authority to accept, the charge agreed at that point. The form of the agreement could be decided between the local authority and the developer, or could take a standard form that the Government may prescribe in regulations or issue as guidance. I accept that there are concerns about this issue, and I shall be happy to consider further whether we have the right mechanisms in place to ensure that we have the right balance of flexibility and certainty for all parties in the process.

Mr. Clifton-Brown: I want to use the Brian Walden technique on the Minister to make sure that I have understood this. He has contradicted himself, because he said earlier that there would be an appeal mechanism against these tariffs, yet he now appears to be saying that there will be no such appeal, and that once they have been set in the local plan, that will be it. If that is the case, and if the developer cannot negotiate a satisfactory section 106 agreement and cannot appeal against a tariff, it could result in some areas remaining undeveloped.

Keith Hill: The hon. Gentleman has got me wrong. I was asked a general question, as I recall—I have been asked scores, if not hundreds, of questions during the debate, many of which I have attempted to respond to—and I certainly said that there were appeal mechanisms. Let me also say, in relation to a charge agreed, that in certain cases the circumstances might alter, and that it would be utterly irrational to say that we should not take account of changed circumstances when it could be impossible—for good reason—for the charge, as agreed, to be met. In such circumstances, there has to be flexibility in the arrangements and the possibility of the agreement being revisited. On the whole, however, we would not wish to encourage such a situation, and that is not an outcome that we expect to see as a result of our process of consultation or, ultimately, the drafting of regulations.

7.15 pm

I also detect concern that the criteria set by the planning authority for calculating the contributions should be certain, and that any changes should be consulted on. This seems to be the root of amendment (k) to new clause 1, which refers to the power to enable planning authorities to adjust amounts set by a criteria published in advance, for instance the retail prices index, and suggest that any changes should be made through the development plan document process. New clause 1(3)(d) provides planning authorities with the ability to update amounts set out in a document setting out the contribution without the need to go through a fresh consultation, when the principle of how the sum was calculated and what it would be used for has been consulted on, discussed and accepted. Both the nature of the amount and the criteria used to update the amount will have been subject to the development plan document procedure or an equivalent process. There is therefore no need for the additional safeguard proposed in amendment (k) to new clause 1.

That also seems to be the root of amendment (l) to new clause 1. Again, the planning contribution document will set out what is expected. If the developer is of the view that other demands will be made of him in respect of similar matters, he will have the option to negotiate a contribution that could accommodate future demands from other statutory bodies. As I have said, the proposals we have put down provide flexibility.

Mr. Clifton-Brown: Will the Minister give way?

Keith Hill: This will be the fourth or fifth time that I have done so, and I did issue a health warning at the beginning of these exchanges.

Mr. Clifton-Brown: I appreciate the Minister's giving way. These are complex matters, and when he does not reply satisfactorily to one of my amendments, it is helpful of him to give way. He has completely misunderstood the import of my amendment (l), which simply says:

> "The Secretary of State will fully reimburse any local authority where it can demonstrate that there is a net cost to them in preparing these regulations."

That has nothing to do with what the Minister was saying. I ask him again what would happen if a local authority were overwhelmed by implementing these burdens. He has suggested to me privately that he would be prepared for his Department to provide advice. Will he now say what advice and consultancy the Department will be prepared to advance? Will it merely involve manpower, or will there be a financial contribution to help local authorities?

Keith Hill: If I have misunderstood the import of the hon. Gentleman's amendment, of course I apologise, and I withdraw my strictures on the subject. In regard to any assistance that might be given to local authorities, the hon. Gentleman ought to recognise that we are engaged in a process of re-examining the whole ethos of support for the planning function in this country. As part and parcel of that, we now have in operation the so-called planning delivery grant, worth £350 million, to reward and incentivise local authorities in terms of their planning performance in the current three-year period, £50 million of which has already been allocated to local authorities. Although that investment is not ring-fenced, I am delighted to observe that, by and large, local planning authorities seem to be putting the grants into local planning resources. That has to be a good thing.

There also seems to be some misunderstanding of the way in which the provisions will operate. I have explained that planning authorities will have to set out their contribution policy in a document, probably the development plan document, and new clause 1(3) provides for this. The planning authority will set out the circumstances in which it will consider accepting a contribution, but there may be circumstances in which the criteria are met but the authority decides not to require any contribution. We have debated this issue at some length already. I would therefore submit that amendment (c) to new clause 1 is not appropriate.

Similarly, amendment (e) to new clause 1 would be inappropriate. The "necessity" requirement is not a statutory requirement and would therefore not make sense if referred to in legislation. The connection between the development and the contribution should be contained in the planning authority's planning contribution documents setting out the impacts likely to be caused by the development and how the contributions would be used to mitigate them.

The hon. Gentleman's amendment (j) to new clause 1 suggests that the Secretary of State should not be entitled to reject a local planning contributions policy except on grounds set out in regulations. This would be highly unusual and is not consistent with the Secretary of State's powers in relation to other planning documents or decisions. The Secretary of State is, I suggest, entitled to take exception to planning documents that are not consistent with his policy, even if they are consistent with regulations, especially as the Bill contains a provision that local authorities should have regard to that policy. The provision in the amendment, if inserted, would prevent the Secretary of State from calling in any contributions policy on the grounds that it was not consistent with his affordable housing objectives. I cannot believe that that is right.

Amendment (i) to new clause 2 also relates to development plan documents and the cost of preparing such a document. I believe this amendment is unnecessary, as administrative mechanisms are already in place, as I have described, to take into account new burdens on local authorities.

Amendments (c), (f) and (g) to new clause 2 deal with issues that are already provided for or are not needed. An adjustment of an amount may be up or down, and there is no need to state that explicitly. I have explained the intention that the planning contributions agreed should be contained in agreements setting out the amount and method of payment. That should satisfy the concerns about certainty raised in amendments (f) and (g).

Amendment (e) would remove the Secretary of State's ability to set out a procedure for the preparation and making of a planning contribution document if it was decided not to use a development plan document. Such a power is necessary, and to remove it would curtail the Secretary of State's ability to ensure that such a document is a clear and transparent statement of the planning authority's policy. Amendment (k) is not needed. The planning contribution document will set out the planning authority's policy, and will give reasons why contributions will be sought and why they will not be sought in some circumstances.

I assure the hon. Gentleman that I am happy to consider the relationship between our proposals and those measures in the Bill for joint local development documents. He and other hon. Members referred to that issue and I assure them that it will be dealt with in the

[Keith Hill]

provisions relating to such plans. I am also happy to examine further the circumstances in which local land charges become satisfied, and the possibility that charge contributions could be paid at some point other than at the commencement of development. However, I do not think that the specific amendments proposed are necessarily the right way forward.

Mr. Clifton-Brown: The Minister did not respond to my amendment (h), which is an important amendment that tracks how this money is spent by each local authority. There is anecdotal evidence that, in some cases, 90 per cent. of this money goes into the general budget. Will the Minister please give us an assurance that the Audit Commission will have some role in tracking this money and ensuring that proper value for money is achieved from these contributions?

Keith Hill: I am grateful to the hon. Gentleman for drawing my attention to that oversight. I shall write to him in due course, although he stopped me in my tracks as I was precisely at the point of dealing with that amendment. I was about to say that this issue was raised by the hon. Members for Ludlow, for South Holland and The Deepings (Mr. Hayes), and for Chipping Barnet, and by my hon. Friend the Member for Stroud (Mr. Drew), although he is not in his place at the moment. I recognise the concern raised by amendment (h) to new clause 2 that there should be proper accountability in relation to the spending of income raised by both the charge and negotiated routes. The Government have already taken action on this point by requiring local authorities to add information about planning obligations to their planning registers. I believe our new proposals should be welcomed.

In our consultation document, we are proposing that the local authority should set out, in public and in advance, its policies on contributions in relation to the development for which it would seek a contribution and the matters it spends income on.

Secondly, I want to make it entirely clear that we propose to take a power to enable the Secretary of State to insist that receipts are spent in the way envisaged in the public planning contributions policy. I hope that that offers particular assurance to the hon. Member for Ludlow, who has rightly raised this issue persistently.

Thirdly, we propose a power to require local planning authorities to make an annual report on matters relating to planning contributions. Fourthly, we propose that the Secretary of State should be able to prescribe the procedure by which the charging policy is developed, and to take steps if he believes it is not being done appropriately or at all. Those are all sensible new steps, and they are on top of the existing requirements for probity and accountability in local government finance, for which the Audit Commission already has powers.

As we move forward with this policy, I undertake to keep Members of both Houses fully informed of developments. I emphasise that these enabling amendments pave the way to a new approach to planning obligations and are the right way forward. They are designed to tackle the problems that have bedevilled this aspect of the planning process for too long. As I said in my statement last month, they offer speed and certainty where possible, and flexibility where necessary. I invite the hon. Member for Cotswold not to press his amendments.

Question put, That the clause be read a Second time:—

The House divided: Ayes 307, Noes 113.

Division No. 5] **[7:26 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Atherton, Ms Candy
Atkins, Charlotte
Bailey, Adrian
Baker, Norman
Barnes, Harry
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Borrow, David
Brake, Tom *(Carshalton)*
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Caton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cotter, Brian
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Dalyell, Tam
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Farrelly, Paul
Fitzpatrick, Jim
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Harvey, Nick
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John

Hermon, Lady
Hill, Keith *(Streatham)*
Hodge, Margaret
Holmes, Paul
Hope, Phil *(Corby)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Khabra, Piara S
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McNulty, Tony
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Merron, Gillian
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morley, Elliot
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Norris, Dan *(Wansdyke)*
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Palmer, Dr. Nick
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Southworth, Helen
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Straw, rh Jack
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Vernon Coaker and
Mr. Nick Ainger

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Bellingham, Henry
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Bottomley, rh Virginia *(SW Surrey)*
Brady, Graham
Brazier, Julian
Burns, Simon
Burt, Alistair
Butterfill, John
Cameron, David
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Gummer, rh John
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Lait, Mrs Jacqui
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mawhinney, rh Sir Brian
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Robathan, Andrew
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Swire, Hugo *(E Devon)*
Syms, Robert

Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Willetts, David
Wilshire, David
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Hugh Robertson and
Mr. Mark Field

Question accordingly agreed to.

Clause read a Second time, and added to the Bill.

New Clause 2

PLANNING CONTRIBUTION: REGULATIONS

'(1) This section applies for the purpose of regulations made under section (Planning contribution).

(2) Maximum and minimum amounts may be prescribed in relation to a payment falling within section (Planning contribution) (5) (a).

(3) Provision may be made to enable periodic adjustment of the criteria mentioned in section (Planning contribution) (3) (d).

(4) The local planning authority may be required to publish an annual report containing such information in relation to the planning contribution as is prescribed.

(5) If a document is prescribed for the purposes of section (Planning contribution) (3) the regulations may prescribe—

- (a) the procedure for its preparation and the time at which it must be published;
- (b) the circumstances in which and the procedure by which the Secretary of State may take steps in relation to the preparation of the document.

(6) Provision may be made for the enforcement by the local planning authority of the terms of a planning contribution including provision—

- (a) for a person deriving title to the land from the contributor to be bound by the terms of the contribution;
- (b) for a condition to be attached to any planning permission relating to the land requiring the contribution to be made before any development is started;
- (c) for the enforcement of a planning contribution in respect of land which is Crown land within the meaning of section 293(1) of the principal Act.

(7) The regulations may—

- (a) require the local planning authority to apply receipts from planning contributions made by the prescribed means only to purposes mentioned in section (Planning contribution) (3) (c);
- (b) make provision for setting out in writing the terms of the planning contribution;
- (c) make provision in relation to the modification or discharge of a planning contribution.

(8) The regulations may—

- (a) make different provision in relation to the areas of different local planning authorities or different descriptions of local planning authority;
- (b) exclude their application (in whole or in part) in relation to the area of one or more local planning authorities or descriptions of local planning authority.'.—*[Paul Clark.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 3

PLANNING CONTRIBUTION: WALES

'In relation to land in Wales, sections (Planning contribution) and (Planning contribution: regulations) apply subject to the following modifications—

- (a) references to the Secretary of State must be construed as references to the National Assembly for Wales;
- (b) the reference to a development plan document must be construed as a reference to a local development plan (within the meaning of section 57).'.—*[Paul Clark.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 4

COMPENSATION: ADVANCE PAYMENTS TO MORTGAGEES

'(1) The Land Compensation Act 1973 is amended as follows.

(2) In section 52 (right to advance payment of compensation)—

- (a) after subsection (1) there are inserted the following subsections—

"(1A) If the acquiring authority have taken possession of part of the land—

- (a) specified in a notice of entry, or
- (b) in respect of which a payment into court has been made,

the compensation mentioned in subsection (1) is the compensation payable for the compulsory acquisition of the interest in the whole of the land.

(1B) Notice of entry and payment into court must be construed in accordance with section 5A of the Land Compensation Act 1961.",

- (b) for subsection (6) there is substituted the following subsection—

"(6) If the land is subject to a mortgage sections 52ZA and 52ZB apply."

(3) After section 52 of that Act there are inserted the following sections—

"52ZA Advance payments: land subject to mortgage

(1) This section applies if—

- (a) an acquiring authority take possession of land,
- (b) a request is made in accordance with section 52(2) for an advance payment, and
- (c) the land is subject to a mortgage the principal of which does not exceed 90 per cent of the relevant amount.

(2) The advance payment made to the claimant must be reduced by the amount the acquiring authority think will be required by them to secure the release of the interest of the mortgagee (or all the mortgagees if there is more than one).

(3) The acquiring authority must pay to the mortgagee the amount the acquiring authority think will be required by them to secure the release of the mortgagee's interest, if—

- (a) the claimant so requests, and
- (b) the mortgagee consents to the making of the payment.

(4) If there is more than one mortgagee—

- (a) subsection (3) applies to each mortgagee individually, but
- (b) payment must not be made to a mortgagee before the interest of each mortgagee whose interest has priority to his interest is released.

(5) The amount of the advance payment made to the claimant under section 52 and the amount of the payments made to mortgagees under this section must not in aggregate exceed 90 per cent of the relevant amount.

(6) Subsection (7) applies if—

(a) the acquiring authority estimated the compensation,

(b) it appears to the acquiring authority that their estimate was too low and they revise the estimate, and

(c) a request is made by the claimant in accordance with section 52(2).

(7) The provisions of subsections (2) to (5) must be re-applied on the basis of the revised estimate.

52ZB Advance payments: land subject to mortgage exceeding 90% threshold

(1) This section applies if—

(a) an acquiring authority take possession of land,

(b) a request is made in accordance with section 52(2) for an advance payment, and

(c) the land is subject to a mortgage the principal of which exceeds 90 per cent of the relevant amount.

(2) No advance payment is to be made to the claimant.

(3) But the acquiring authority must pay to the mortgagee the amount found under subsection (4), if—

(a) the claimant so requests; and

(b) the mortgagee consents to the making of the payment.

(4) The amount is whichever is the lesser of—

(a) 90% of the value of the land;

(b) the principal of the mortgagee's mortgage.

(5) The value of the land is the value—

(a) agreed by the claimant and the acquiring authority, or (failing such agreement)

(b) estimated by the acquiring authority.

(6) For the purposes of subsection (5) the value of the land is to be calculated in accordance with rule 2 of section 5 of the Land Compensation Act 1961 (market value), whether or not compensation is or is likely to be assessed in due course in accordance with rule 5 of that section (equivalent re-instatement).

(7) If there is more than one mortgagee, payment must not be made to a mortgagee until the interest of each mortgagee whose interest has priority to his interest is released.

(8) But the total payments under subsection (3) must not in any event exceed 90% of the value of the land.

(9) Subsection (10) applies if—

(a) the acquiring authority estimated the compensation,

(b) it appears to the acquiring authority that their estimate was too low and they revise the estimate,

(c) the condition in section 52ZA(1) (b) would have been satisfied if the revised estimate had been used instead of their estimate, and

(d) a request is made by the claimant in accordance with section 52(2).

(10) The provisions of section 52ZA(2) to (5) must be applied on the basis of the revised estimate.

(11) If—

(a) the acquiring authority estimated the value of the land,

(b) it appears to the acquiring authority that their estimate was too low and they revise the estimate, and

(c) a request is made by the claimant in writing,

any balance found to be due to a mortgagee on the basis of the revised estimate is payable in accordance with this section.

52ZC Land subject to mortgage: supplementary

(1) This section applies for the purposes of sections 52ZA and 52ZB.

(2) The claimant must provide the acquiring authority with such information as they may require to enable them to give effect to those sections.

(3) A request under section 52ZA(3) or 52ZB(3) must be made in writing and must be accompanied by the written consent of the mortgagee.

(4) Subsections (4) and (8) to (9) of section 52 apply to a payment which may be or is made under section 52ZA or 52ZB as they apply to a payment which may be or is made under section 52.

(5) The relevant amount is the amount of the compensation agreed or estimated as mentioned in section 52(3).

(6) If the land is subject to more than one mortgage, the reference in sections 52ZA(1) (c) and 52ZB(1) (c) to the principal is to the aggregate of the principals of all of the mortgagees.

(7) A payment made to a mortgagee under section 52ZA or 52ZB—

(a) must be applied by the mortgagee in or towards the discharge of the principal, interest and costs and any other money due under the mortgage;

(b) must be taken to be a payment on account of compensation and treated for the purposes of section 52(10) as if it were an advance payment made under section 52;

(c) must be taken, with effect from the date of the payment, to reduce by the amount of the payment the amount in respect of which interest accrues for the purposes of section 11(1) of the Compulsory Purchase Act 1965, any bond under Schedule 3 to that Act or section 85 of the Lands Clauses Compensation Act 1845;

(d) must be taken into account for the purposes of determining any payments (or payments into court) which may be made for the purposes of sections 14 to 16 of the Compulsory Purchase Act 1965.

(8) If the amount, or aggregate amount, of any payments under—

(a) sections 52 and 52ZA, or

(b) section 52ZB,

on the basis of the acquiring authority's estimate of the compensation exceed the compensation as finally determined or agreed, the excess must be repaid by the claimant.

(9) No payment must be made to a mortgagee—

(a) if any of the circumstances mentioned in subsection (10) applies, or

(b) if the compulsory acquisition is only of a right over land.

(10) The circumstances are—

(a) payment has been made under section 14(2) of the Compulsory Purchase Act 1965;

(b) a notice under section 14(3) of that Act has been given;

(c) there is an agreement under section 15(1) or 16(1) of that Act or the matter has been referred to the Lands Tribunal under that section.

(11) The claimant in relation to settled land for the purposes of the Settled Land Act 1925 is the persons entitled to give a discharge for capital money."

(4) In section 52A (right to interest where advance payment made) for subsection (2) there is substituted—

"(2) If the authority make a payment under section 52(1) to any person on account of the compensation—

(a) they must at the same time make a payment to that person of accrued interest, for the period beginning with the date of entry, on the amount of the compensation agreed or estimated under section 52(3) (the total amount), and

(b) the difference between the paid amount and the total amount is an unpaid balance for the purposes of this section.

(2A) The paid amount is—

(a) the amount of the payment under section 52(1), or

(b) if the land is subject to a mortgage, the aggregate of that amount and the amount of any payment made under section 52ZA(3).".'.—*[Yvette Cooper]*

Brought up, and read the First time.

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): I beg to move, That the clause be read a Second time.

New clause 4 deals with a proposal that we were keen to introduce in the Bill, but for reasons of complexity we were unable to get a complete draft of it in time for our deliberations in Committee. We have, however, circulated the details to members of the Committee, and to the Council of Mortgage Lenders and others, to ensure wide consultation.

The new clause deals with situations where property is subject to compulsory purchase order, where agreement has not been reached about the final level of compensation, and where the owner has moved out but has a mortgage on the property. Currently, it is possible for advance payments of compensation to be considered and given. Acquiring authorities can pay up to 90 per cent. of the value of the compensation that they have proposed. However, if the owner has a mortgage, the situation becomes more complicated. The acquiring authority then has to withhold the amount that it estimates will be needed to pay off the mortgage. If the mortgage is still worth more than 90 per cent. of the estimated compensation, the acquiring authority cannot pay out anything at all. That is to protect acquiring authorities against having to pay out twice.

If the owner does not use the cash from the advance payments to pay off the mortgage, and then disappears, the acquiring authority may still have to pay off the mortgage in order to get the property. The trouble is that the consequence of such protection is that property owners can find themselves removed from their home and still paying the mortgage—including the interest—until the matter is finally resolved. If the case has to go to the Lands Tribunal, it takes time. In the meantime, such people will probably need to pay new accommodation costs as well.

New clause 4 aims to address those problems. It allows the advance compensation to continue to be withheld from the mortgage holder, but to be paid instead to the mortgage lender. The payments can go directly to the mortgage lender, and in many cases will pay off the mortgage entirely. Where they do not, they will still reduce the debt on which the owner has to pay interest. The new clause still distinguishes between cases where the outstanding mortgage is less than 90 per cent. of the estimated compensation, and those where it is more.

In cases where the mortgage is less than 90 per cent. of the value of the compensation, the acquiring authority can still pay advance compensation of 90 per cent. of the value of the compensation in total, divided between the mortgage lender and the mortgage holder accordingly, but where the mortgage is worth more than 90 per cent. of the value of the compensation, the acquiring authority will need to pay out 90 per cent. of the value of the land to the mortgage lender. There is a reason for this. Where the mortgage is very high in relation to the value of the compensation, other factors may need to be considered in resolving the final amount of the compensation to be paid to different parties. For example, if there is negative equity, section 15(1) of the Compulsory Purchase Act 1965 provides for the balance of what is to be paid to the mortgage holder and the lender to be determined, if necessary, by the Lands Tribunal, if it cannot be determined through agreement. We are not changing these provisions, so it is important that the advance compensation payments do not prejudge that process.

7.45 pm

I turn briefly to the detail of the new clause. Subsection (3)—the important part—inserts new sections 52ZA, B and C. The purpose of new section 52ZA is to deal with cases where the mortgage principal does not exceed 90 per cent. of the estimated total compensation due to the claimant. Subsection (2) requires the acquiring authority to reduce the advance payment to the claimant by the amount that it thinks will be required to secure the release of the mortgagee's interest. Subsection (3) requires the authority to pay that amount to the mortgagee if the claimant so requests, and if the mortgagee consents.

New section 52ZB applies where the land is subject to a mortgage and the principal exceeds 90 per cent. of the total. Under those circumstances, subsection (2) specifies that no payment is to be made to the claimant. Subsection (3) requires the authority to make an advance payment to the mortgagee if the claimant so requests and the mortgagee consents. Subsection (8) specifies that the total amount paid out to mortgagees must not exceed 90 per cent. of the value of the land.

New section 52ZC includes other provisions, such as a requirement for the claimant to provide such information as the acquiring authority may need to deal with a request for an advance payment to a mortgagee.

These proposals command widespread support, certainly from those whom we have consulted. This is a sensible measure that simply allows us to deal with the current unfairness and the difficult situation in which mortgage holders whose property is subject to compulsory purchase orders find themselves. I therefore commend the new clause to the House.

Mr. Clifton-Brown: This matter arose during the proceedings of the second Standing Committee. The right hon. Member for Streatham (Keith Hill) said that this clause would be introduced, and the Opposition welcome it. Where land is subject to a mortgage, whether it is above or below the 90 per cent. level, it is sensible that provision be made so that advance compensation of up to 90 per cent., depending on the circumstances, can be paid to the mortgagee or lender. Such a provision is eminently sensible and should be applauded. We also welcome new section 52ZC and the other measures. Provision should of course be made so that somebody who has information must provide it, be it the lender or the mortgagor. That way, we can see exactly what the situation is.

There is one matter on which I am not clear, however, and perhaps the Minister would like to say a little about it. Where the mortgage is less than 90 per cent. of the value and the mortgagee and mortgagor cannot reach agreement, who will arbitrate and decide where payment should be made to? Of course, that point also applies to cases involving negative equity. In such cases, both the mortgagee and mortgagor will suffer. Who will decide who is to suffer in what proportion? It would be helpful if the Minister could say something about the existing conciliation or appeal mechanisms in respect of these provisions. That said, this highly technical new clause is widely welcomed by the industry, and by the Opposition.

Matthew Green: I rise briefly to add our support to the new clause. The Government are clearly right to introduce changes in respect of land to which a mortgage is attached. However, the new clause does not entirely deal with the issue of negative equity, and some concerns remain.

Clearly that could cause considerable financial distress to the people concerned, so we should like to see further action on that. However, in so far as it goes, the new clause is welcome.

Yvette Cooper: I welcome the support given by hon. Members to the proposal. The hon. Member for Cotswold (Mr. Clifton-Brown) made two points. The first concerned what happens when the mortgage is less than 90 per cent. and agreement cannot be reached. That is exactly the type of case we are talking about: where a matter may have to go to the Lands Tribunal, agreement has not yet been reached or overall compensation is being withheld. Those are the circumstances in which advance payment should be made.

If the mortgagee does not consent to receive the money, there will be no advance payment. Advance payments can be made to the lender only if the lender and the holder agree that that should be the case. In many cases, that will be in the interests of the lender and the holder, so one would expect them to agree to the advance payments unless there were some special circumstances that required complex arrangements. Paying the advance payments to the lender requires the consent of both parties.

The second question was what happens when there is negative equity. There are arrangements under the 1965 Act that provide that the overall amount of compensation to be paid to different parties should be agreed between the lender, the holder and the acquiring authority. We are not proposing to change the current procedures. The only important matter in terms of changing the advance payment arrangements is that we do not prejudge the process under the 1965 Act of resolving the final amount of compensation and who should receive it.

Where there is a dispute about how much should be paid between the lender, the holder and the acquiring authority in a case where there is negative equity, the matter can go to the Lands Tribunal. The only additional relevance to the advance payment arrangements is that the amount paid out in advance to the mortgage lender will be restricted to 90 per cent. of the value of the land, rather than 90 per cent. of the value of the compensation, to ensure that we do not prejudge the final decision of the Lands Tribunal or the final negotiation and agreement between the different parties about the total value of the compensation and who should be paid.

The advance payment arrangements do not change the position in terms of negative equity: they recognise that this is a complex matter and try not to amend the arrangements. These are sensible proposals and will be in the interests of mortgage lenders and of holders who are in this situation.

Mr. Clifton-Brown: Does the decision to refer the case to the Lands Tribunal apply to the 90 per cent. advance payment as well as to the eventual payment, in circumstances where there is negative equity, or are we talking only about the eventual payment and the split between the mortgagee and mortgagor?

Yvette Cooper: Where the mortgage is worth more than 90 per cent. of the value of the compensation, only 90 per cent. of the value of the land can be paid to the mortgage lender; no money can be paid to the mortgage holder under those circumstances. The Compulsory Purchase Act 1965 applies to all circumstances in which the value of the mortgaged land is less than the principal, interest and costs secured on the land. Under those circumstances, the compensation payable is to be settled by agreement between the mortgagee, the mortgagor and the acquiring authority. Failing such agreement, the amount payable by the acquiring authority is to be determined by the Lands Tribunal. The tribunal should not be involved at the earlier stage in determining whether the value of the mortgage is greater or less than the 90 per cent. figure; that should be decided by the acquiring authority. The Lands Tribunal's role is to decide on the eventual payment if the parties concerned cannot reach agreement.

I hope that that clarifies all the points raised, and I commend the new clause to the House.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 5

TREE PRESERVATION ORDERS: FORESTRY COMMISSIONERS

'For section 200 of the principal Act (Orders affecting land where Forestry Commissioners interested) there is substituted the following section—

"200 Tree preservation orders: Forestry Commissioners

(1) A tree preservation order does not have effect in respect of anything done—

(a) by or on behalf of the Forestry Commissioners on land placed at their disposal in pursuance of the Forestry Act 1967 or otherwise under their management or supervision;

(b) by or on behalf of any other person in accordance with a plan of operations or other working plan approved by the Forestry Commissioners under a forestry dedication covenant (within the meaning of section 5 of that Act) which is for the time being in force or under conditions of a grant or loan made under section 1 of the Forestry Act 1979.

(2) A reference to a provision of the Forestry Act 1967 or the Forestry Act 1979 includes a reference to a corresponding provision replaced by that provision or any earlier corresponding provision.".'.—*[Keith Hill.]*

Brought up, and read the First time.

Keith Hill: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to deal with the following: Government new clause 21—*Tree preservation orders: Scotland.*

[Mr. Deputy Speaker]

Government amendments Nos. 1 to 7, 25, 61 to 65, 8, 66 to 71, 10 to 12 and 74.

Keith Hill: This very large group of two new clauses and 26 other amendments contains Government amendments to the Crown application provisions in part 7 of the Bill, together with some other associated changes. They could all be classified as fairly small-scale improvements and as tidying-up, but some will require more explanation than others.

With your permission, Mr. Deputy Speaker, I shall endeavour to present my remarks topic by topic so that the House can keep track of what is going on. I hope that all hon. Members will bear with me in what will inevitably be a detailed exposition.

New clause 5—together with new clause 21 and amendments Nos. 25 and 69—is about tree preservation and the Forestry Commissioners. In Committee, the Government tabled an amendment to section 200 of the principal Act that dealt with the effect of tree preservation orders on land in which the Forestry Commission has an interest.

Given that the Crown will no longer be immune from planning controls, we included a provision in the Bill to ensure that the tree work carried out by the Forestry Commission in line with its statutory duties would not become subject to the controls of tree preservation orders. This would place the Forestry Commission in more or less the same position as private landowners, whose tree work is also unaffected by tree preservation orders when carried out in accordance with a management plan approved by the commission.

The Government have looked again at the detail of section 200, as amended by clause 80, which, at subsection (1), also prevents local authorities from making tree preservation orders without first obtaining the commission's consent. Following consultation with the commission, we believe that this general restriction is unnecessary.

New Clause 5 removes the requirement on local authorities to obtain the Forestry Commission's agreement before making tree preservation orders on land that has been placed at the commission's disposal, or on privately owned land that is subject to a management scheme approved by the commission.

Mr. Clifton-Brown: Will local authorities still be able to make tree preservation orders on Forestry Commission land, or does the new clause effectively preclude that possibility?

8 pm

Keith Hill: I hope to come on to that in the course of my exposition. One never knows—inspiration may wing its way to me. Indeed, I believe that my next point may be germane to the hon. Gentleman's inquiry.

In effect, local planning authorities will be free to make tree preservation orders wherever they believe it is in the interests of amenity to do so, both on Crown land and private land. I should emphasise that no order could in any way interfere with the tree work carried out by the Forestry Commission or by private individuals under commission-approved schemes such as the woodland grant scheme. The new clause makes that absolutely clear. But an order might serve a useful and immediate purpose in cases where the commission's interest in the land comes to an end.

Amendment No. 25 deletes clause 80, which new clause 5 will replace. New clause 21 makes the same change to the equivalent section of the principal Scottish planning Act, the Town and Country Planning (Scotland) Act 1997. Amendment No. 69 deletes clause 90, which new clause 21 will replace.

I now turn to the details of the appointment of special advocates when applications are subject to directions concerning national security. These are covered by amendments Nos. 1, 2, 3 and 61. I intend to speak mainly to amendment No. 1, the lead amendment of this sub-group. The amendment is in two parts, the first of which deletes new section 321(6) of the principal Act, the Town and Country Planning Act 1990, the original provision which was modelled closely on the requirements of the Special Immigration Appeals Commission procedure.

In light of the concerns raised in Committee by the hon. Gentleman, who quoted representations from the Law Society, and the hon. Members for Ludlow (Matthew Green) and for Chipping Barnet (Sir Sydney Chapman), that the provisions were unduly restrictive, we have reconsidered this issue as I promised. We accept that competent planning specialists who have the appropriate experience and skills could carry out the function of a special advocate just as effectively as legally qualified representatives. Moreover, the Attorney-General will have responsibility for those appointments, which includes ensuring that special advocates have the necessary skills to do the job. We expect to set up a panel of suitably qualified and vetted people from which the Attorney-General can choose. That is yet another example of a listening Government responding to sensible representations.

The second part of amendment No. 1 inserts a new subsection (6) into section 321 of the principal Act. That allows the Attorney-General to appoint a special advocate for the purposes of the planning inquiry after a section 321 direction has been made. That is in contrast to the situation envisaged in new subsection (5), where the special advocate is appointed before a decision is made and can make representations as to whether a direction should be made. The new provision adds flexibility where, for example, all the parties agree that a direction should be made. The Secretary of State can therefore make the direction without waiting for a special advocate to be appointed.

Amendments Nos. 2 and 3 make parallel changes to the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Planning (Hazardous Substances) Act 1990. Amendment No. 61 makes an equivalent change to the Scottish provisions in clause 86 on the appointment of special advocates.

Amendments Nos. 4, 5, 62 and 63 deal with the way in which various requirements of the urgency procedure are prescribed. Amendments Nos. 4 and 5 make technical amendments to new section 293A in clause 77. At present, various requirements for publicising urgent Crown applications and the associated documents, and for specifying statutory consultees, are to be prescribed. Without any further qualification, "prescribed" means prescribed by regulations, as specified in section 336(1) of the principal Act. We think that the correct place for specifying those requirements is in the general development procedure order, which specifies the requirements for publicising ordinary planning applications. The amendments will therefore enable the Secretary of State to specify the requirements in the most appropriate subordinate legislation. Amendments Nos. 62 and 63 make equivalent changes to the relevant Scottish provisions in the Bill.

Amendments Nos. 6, 7, 64 and 65 deal with preventing disclosure of sensitive documents in cases subject to the urgent application procedure. Amendment No. 6 makes it clear that the Secretary of State will not be required to disclose documents relating to planning applications that are the subject of national security directions made under section 321(3) of the principal Act. It would be nonsensical to put into the public domain, under the urgency provisions, documents that are highly sensitive and cannot be disclosed at a public inquiry. Amendment No. 7 makes similar provision for the listed buildings provisions. Amendments Nos. 64 and 65 make equivalent amendments to the relevant Scottish provisions in clauses 87 and 88. The amendments remove a conflict in the legislation, and I commend them to the House.

I turn now to some minor drafting amendments, Nos. 8, 10, 11 and 12. Amendments Nos. 8 and 12 amend cross-references that were rendered incorrect by printing changes to the numbers of the new sections to which they refer. Amendments Nos. 10 and 11 correct a grammatical error by removing the superfluous word "means" from the relevant definitions of "appropriate authority" in the listed buildings provisions.

I now turn to some Scottish provisions on enforcement: amendments Nos. 66, 67 and 68. They introduce provisions that will supplement and clarify the enforcement mechanisms available against the Crown. Under each of the three main Scottish planning Acts, the planning authority will be able to apply to the Court of Session for an order declaring an act or omission of the Crown to be unlawful. The inclusion of such a provision is common in Scottish legislation, which exempts the Crown from criminal liability for contravention of statute. Its effect is that, although the Crown will be immune from criminal liability, the planning authority will none the less, in an appropriate case, be able to seek a court order to declare that any contravention is unlawful.

Amendments Nos. 70 and 71 make minor changes for Scotland, simply ensuring that provisions for the procedures for making statutory instruments appear in one clause rather than two. Amendments Nos. 74 and 78 correct an omission from the existing redundant provisions of the principal Scottish planning Act repealed by the Bill. The repealed provision in question relates to agreements relating to Crown land. A saving provision is not required to preserve the legal effect of such agreements.

Mr. Clifton-Brown: Although the wording and tidiness of new clause 5 are better than what is in the Bill, if the Bill had not been rushed through Committee, we might have improved it to the extent that new clause 5 would have been unnecessary. Having said that, it obviously makes a great deal of sense to remove Crown immunity from the Forestry Commission.

I am still slightly concerned that local authorities' role in making tree preservation orders on commission land will be quite impossible, but perhaps the Minister will be able to reassure me on that. Of course, similar provisions apply in Scotland.

On the whole, the commission manages its land pretty responsibly. When I have been involved in woodland grant schemes, among other things, on my own land, those have been administered properly. I would not normally see a need for tree preservation orders in those circumstances. How many orders have ever been placed on commission land? I imagine that there have been very few.

I am delighted to see amendments Nos. 1 and 2 because, as the Minister points out, Opposition Members made a strong case for them. I made a strong case from my experience: having worked for the Property Services Agency and having been subject to the Official Secrets Act, I can see no reason why properly qualified surveyors should not be able to make just as good a case as a legal advocate in cases involving national security. Can the Minister say a little more about how this panel of qualified and suitable people will work? Will they, for instance, have to have signed the Official Secrets Act? That would seem to me to be a fairly good prerequisite. Clearly, in planning matters, it is important that there are no leaks of plans and so on. I therefore welcome amendments Nos. 6 and 7, which, as the Minister says, stop confidential plans being leaked inadvertently into the public domain. I also welcome the similar provisions in Scotland.

On provisions in Scotland, can the Minister say a little about amendments Nos. 66 and 67? I understand that the Crown cannot be liable for criminal prosecutions in Scotland, but he said that an order may be sought that something done by or on behalf of the Crown was unlawful, and that a certificate can be obtained in those circumstances. If such a certificate were obtained, what sanctions would exist against that person acting on behalf of the Crown?

I welcome amendments Nos. 70 and 71. Clearly, any simplification of the Bill must be desirable, so one statutory instrument to deal with two clauses rather than two separate statutory instruments must be good. Again, the tidying-up amendments Nos. 10 and 11, which remove the superfluous word "means", are clearly sensible.

With the exception of the national security amendments dealing with persons who can appear at planning inquiries, and the new clause on tree preservation orders, the amendments are largely of a technical and drafting nature. The Opposition welcome the new clauses and amendments in this group, and we will not seek to oppose the Government on this occasion.

Matthew Green: We, too, welcome both the new clauses and the amendments, particularly amendments Nos. 1 and 2, which, as the hon. Gentleman said, are in response to a point that several members of the Committee raised. I am glad that the Government have listened to that and that they have made it clear that it is not just legally qualified people who can be positively vetted—that is the simplest way of putting it. That is a

[Matthew Green]

welcome step forward. The other amendments provide clarification in a number of ways, particularly on the issue of documents that could have an effect on national security being forced into the open by the Bill, which none of us would want. In that respect, we support amendment No. 7 in particular. I do not wish to detain the House further. Likewise, we will not oppose the Government on these matters.

Keith Hill: I am grateful to both hon. Gentlemen for their support on behalf of their parties for the amendments, which I am pleased to acknowledge that they played an extremely helpful part in securing.

The hon. Member for Cotswold (Mr. Clifton-Brown) asked two rather precise questions. He asked how many tree preservation orders had been placed on the Forestry Commission. I must confess that I do not have that information at my fingertips, but of course I shall undertake to write to him on that. In connection with amendments Nos. 66 and 67, which concern an application by a planning authority in Scotland to the Court of Session, declaring an act or omission of the Crown to be unlawful, he asked what sanctions were available in those circumstances. There are no extra sanctions, but the provisions give the local authority leverage in getting the Crown to comply, which is their purpose.

The hon. Gentleman also asked about the proposed panel. Of course, matters in general relating to the panel are for the Attorney-General, but he asked specifically whether members of the proposed panel will have had to sign the Official Secrets Act, to which the answer is yes.

Finally, the hon. Gentleman asked for reassurance about the rights of local authorities to make tree preservation orders. Let me say, as I said earlier, that local planning authorities will in effect be free to make tree preservation orders wherever they believe that it is in the interests of amenity to do so, on both Crown land and private land. With those assurances, I hope that he will be content with the proposals.

8.15 pm

Mr. Clifton-Brown: The Minister will know that in discussions in Committee, the Crown takes many different guises. Sometimes it is land in the name of Her Majesty as well as land in the name of the Crown. Of course, the Crown immunity provisions discussed in Committee by and large treat both categories the same. Can I assume from what he has just said that the provisions in relation to tree preservation orders will treat both categories of land in the same way?

Keith Hill: I am grateful to the hon. Gentleman for asking that question. I think that our general expectation is that the answer is yes, but we will have to look at the matter in more detail—as he is only too well aware, I do not support the theory of ministerial omniscience. I think that he almost answered his own question in that regard—we will check it out, I think that he is right, but I will write to him on that subject, too.

Question put and agreed to.

Clause read a Second time, and added to the Bill.

New Clause 21

TREE PRESERVATION ORDERS: SCOTLAND

'For section 162 of the Town and Country Planning (Scotland) Act 1997 (Orders affecting land where Forestry Commissioners interested) there is substituted the following section—

"162 Tree preservation: Forestry Commissioners

(1) A tree preservation order does not have effect in respect of anything done—

(a) by or on behalf of the Forestry Commissioners on land placed at their disposal in pursuance of the Forestry Act 1967 or otherwise under their management or supervision:

(b) by or on behalf of any other person in accordance with a plan of operations or other working plan approved by the Forestry Commissioners under a forestry dedication agreement (within the meaning of section 5 of that Act) which is for the time being in force or under conditions of a grant or loan made under section 1 of the Forestry Act 1979.

(2) A reference to a provision of the Forestry Act 1967 or the Forestry Act 1979 includes a reference to a corresponding provision replaced by that provision or any earlier corresponding provision.".'.—*[Mr. Jim Murphy.]*

Brought up, read the First and Second time, and added to the Bill.

New Clause 7

PLANNING PERMISSION FOR SUBDIVISION OF AGRICULTURAL HOLDINGS FOR PURPOSE OF SALE

'. After section 57 of the principal Act (planning permission required for development) there is inserted the following section—

"57A Planning permission for subdivision of agricultural holdings for purposes of sale

(1) Planning permission is required for—

(a) the subdivision of an agricultural holding for the purpose of sale; and

(b) the sale of an agricultural holding which has been subdivided since the appointed date other than for the purpose of sale.

(2) In this section—

(a) 'subdivision' means land divided into one or more units of less than one hectare, and 'subdivided' shall be interpreted accordingly;

(b) 'agricultural holding' has the same meaning as in the Agricultural Holdings Act 1986; and

(c) 'the appointed date' means 1st July 1993.".'.—*[Mr. Andrew Turner.]*

Brought up, and read the First time.

Mr. Andrew Turner: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to take new clause 18—*Failure to comply with notice to ensure proper maintenance of Green Belt land*—

'After section 219 (Execution and cost of works required by a 215 notice) of the principal Act there is inserted the following section—

"Failure to comply with notice to ensure proper maintenance of Green Belt land

(1) This section applies when a notice has been served under section 215 in respect of land which is designated as Green Belt land.

(2) If, within the period specified in a notice under section 215 in accordance with subsection (2) of that section, or within such extended period as the local planning authority who served the notice may allow, any steps required by the notice to be taken have not been taken, the local authority may acquire the land compulsorily.

(3) Land which is compulsorily purchased under this section shall be made available for community use which is consistent with its Green Belt status.

(4) In this section "Green Belt land" shall have the same meaning as in the Green Belt (London and Home Counties) Act 1938.".'.

Mr. Turner: Members who attended the proceedings of the Committee will be familiar with my argument on this new clause, so I will not detain the House indefinitely on the subject. I want to start, however, by quoting what the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper), said at the end of the debate on what was then new clause 2 in Standing Committee A. I am glad to see her in her place, albeit with a cold, on which I sympathise with her. She undertook in Committee to write to the hon. Member for Ludlow (Matthew Green) on this clause but not more rapidly than on the subject of car boot sales, and I understand that she has written to him on the subject of car boot sales. She went on to say:

> "Hon. Members must recognise that to deal with the problem"—

the problem with which my new clause seeks to deal—

> "we need a solution that will work. Many of the solutions that have been offered, albeit in good faith, could lead to other problems or have difficulties attached".—[*Official Report, Standing Committee A*, 16 October 2003; c. 159.]

She accepted that the solution was provided in good faith, and I accept that it may lead to other problems, but that does not make it any less necessary that a solution be found to the problem of the division of agricultural land. As I said in Committee, that problem has arisen in my constituency and in those of my hon. Friends the Members for Hertsmere (Mr. Clappison) and for South-West Bedfordshire (Andrew Selous), and the hon. Member for Braintree (Mr. Hurst), as well as in many others.

Agricultural land is a valuable asset, especially when it ceases to be agricultural. Many people find many ways of using agricultural land by avoiding the planning regulations and, in many cases, the planning process. Although ways have been found to address that, they have not been effective. Indeed, they have been slow and ponderous and have not given confidence to local people that the problem in their backyard or adjoining field—or, in my constituency, at a number of sites that have been widely advertised—will be remedied. I look forward to a remedy that will work.

My hon. Friend the Member for Hertsmere has previously brought the problem to the attention of the House and my hon. Friend the Member for Croydon, South (Richard Ottaway) has tabled a new clause that relates to greenfield land in particular. However, the mischief to which I refer takes place not only on greenfield land and areas of outstanding natural beauty, but in other parts of the country. One particular example in my constituency is Alverstone, where 10 acres of the east Yar flood plain have been split into 27 plots, ranging in size from 0.15 acres to 0.73 acres, and advertised on the internet by a firm called Gladwish Land Sales. The site is important for nature conservation and within an area of outstanding natural beauty. It borders what the Environment Agency defines as a main river—Scotchells brook—and Alverstone Mead, a local nature reserve. It is a natural relict fen wetland area with peat-based soil, expanding reed beds and typical fauna, including water voles. One caravan has already been sited on a plot, without planning permission, and within 1 m of the brook bank, despite the lack of sewage disposal points, mains water supply or rubbish disposal. The public water supply intake is situated in the River Yar about 200 m away. That is a brief picture of one area in which the problem has arisen, but it is not the only area even in my constituency.

In Committee, I said that Gladwish Land Sales advertised a wide range of sites around the country. People are persuaded to buy them, perhaps because they think that they will obtain some development value in the long term or because they want to situate a caravan there, perhaps to use for holidays. The problem is that planning applications seldom precede such subdivision of agricultural land. A summary of land available, which was taken off the internet in May 2001—I have no reason to believe that any less a quantity of land is available today—describes the availability of half a dozen plots in Ashmansworthy in Devon; two in Ashwater; one in Barnhurst, near Bexleyheath, which has been sold; 14 in Bellingdon; two in Bethersden in Kent; and several others in Lamberton wood near Bethersden. I could continue through the alphabet.

We have heard about the methods used to address this problem, but they are not working. The Minister made it clear that the amendment that I had tabled would not deal with the problem satisfactorily, but she did not table an amendment that would. I hope that she will give us some comfort on that point tonight, because the practice is spoiling rural areas. Agricultural land is being abused for financial gain. I have no objection to financial gain, but in this case it is being achieved by avoiding the relevant regulations.

I first heard of the practice when Barry Abraham, who is a councillor in my constituency, was quoted in the *County Press* as saying:

> "I don't know if there is anything we can do through the LGA about this practice of people buying land on its 'hope value'."

Despite references to the Local Government Association, no satisfactory conclusion has been reached for dealing with that mischief.

The National Farmers Union also agrees that the problem should be addressed. It wrote to me when the Bill was in Committee to say:

> "We have seen with interest your new Clause 2 . . . The problems arising from the legal—but in our view objectionable—business of subdividing and selling plots of agricultural land, often to purchasers who perceive almost certainly incorrectly that their land will increase dramatically in value, have been around for a number of years."

The first occasion on which I was aware of the problem being identified was back in 1992 when the proprietors of Gladwish were named in this Chamber as the perpetrators of this mischief. Here we are, 11 years later, and still no solution has been found.

Mr. Clifton-Brown: Will my hon. Friend clarify exactly what the mischief is that can be controlled by the

[Mr. Clifton-Brown]

planning process? It is not the mere process of subdividing the land, because people have the freedom to do what they wish with their land. Surely the mischief is that when the plots are subdivided, fences, walls, gates, roadways, caravans and other paraphernalia are necessary. Before the subdivision, the plot is a clear grass field, but afterwards it is a complete mess.

Mr. Turner: My hon. Friend is right. The mischief of subdivision, if we define it as development, could of course be dealt with under the planning Acts, but the mischief of the physical manifestation of subdivision amounts to development so it should already be covered by a requirement for planning permission. Obtrusive divisions such as the erection of fences, the positioning of caravans—even if they are occupied for only 28 days a year or less they are on the site for the whole year—the erection of patios or the planting of gardens can all transform a hitherto rural area into one that it would be generous to describe as suburban.

The problem does not manifest itself only in the physical division of land but in the division of ownership. Maintenance of agricultural value and maintenance of landscape are much more difficult to enforce, even in an area of outstanding natural beauty, where ownership is divided into penny packets, so that is another reason to deal with that mischief—*[Interruption.]* I see that my hon. Friend the Member for Cotswold (Mr. Clifton-Brown) is nodding.

No one has yet proposed a perfect solution, but I am sure that the Minister will agree that the issue needs to be taken seriously and dealt with urgently. In Committee, I received certain responses that indicated the difficulty of the issue so I have tabled the new clause so that, if possible, a solution might be found—I accept that it may be difficult—that is satisfactory and can be incorporated in the Bill before it leaves the other place.

I commend the new clause to the House.

8.30 pm

Richard Ottaway (Croydon, South) (Con): I rise to support my hon. Friend the Member for Isle of Wight (Mr. Turner). I do not know whether it is relevant, but I declare an interest in that my wife has been engaged in successful litigation over a right of way on a piece of land that was originally sold by Gladwish Land Sales—in my view, in a deceptive way.

As my hon. Friend said, the matter is extremely complex. My new clause was tabled as a probing clause and I acknowledge the Minister's problem in coming up with a solution. In my judgment, there is no easy solution. My hon. Friend set out the problem clearly. It is a scam—no less, no more. Large, attractive pieces of land are bought at prices that verge on the agricultural rate. The fields are marked out with pegs and subdivided into small plots in a way that suggests to the gullible and unsuspecting that they can be developed. It has to be acknowledged that the people selling the land do not actually say, "You will get planning permission and get through the development barriers"; they say, "You may get planning permission". As the House knows, many political issues turn on the word "may". Like my hon. Friend and other colleagues in the Chamber, I have constituents who have found themselves subjected to such a scam.

Matthew Green: The hon. Gentleman is being generous to some of the companies that sell such plots. For a time, at least one such company suggested on its website that it was unethical for prospective purchasers to approach the local planning department to find out about the development potential of the land before completing their purchase. I understand that that statement has been removed, but it shows the lengths to which some companies will go.

Richard Ottaway: The hon. Gentleman makes a valid point. The whole history of such cases shows us how close to the wind those people operate. We only need to consider the sums of money involved.

When I took the hon. Gentleman's admirable intervention, I was about to discuss a piece of land called Kenley pastures, which is next to Kenley house, a grade 2 listed building. There are not many such places inside the Greater London boundaries. The land is outstandingly attractive and the Greater London Authority has confirmed that it is not only in the green belt, but in a nature conservation site, so that gives some indication of its quality.

The 37-acre site was used by the local community for recreational purposes. Local families rented plots where they kept horses or ponies. The land was a centre for equestrian activity. It was sold for just over £250,000, which was just above the agricultural rate. It was split into a number of small plots of about a quarter of an acre and marketed at £20,000 to £22,000 an acre. To save hon. Members the task of working it out, if all the land were sold at that rate it would raise £3 million—purchased for £250,000, sold for £3 million. Of course, unsuspecting people are funding that scam.

It is said that a fool and his money are easily parted, and of course it is incumbent on anyone purchasing a piece of land to take legal advice. However, I understand that the companies tell people, "Don't worry, we will even pay your solicitors' fees for you. Better still, we will provide you with legal advice—you don't need to commission your own." Extraordinarily, people fall for that.

Mr. Clifton-Brown: My hon. Friend has great knowledge of the company in question. Does he know of anyone who has tried to complain to the local trading standards office about misleading information given out in relation to the sales?

Richard Ottaway: My hon. Friend pre-empts me. Inquiries have been made to the trading standards office, the Advertising Standards Authority and the Financial Services Authority. I shall deal with their replies shortly.

It is clear that planning permission will not be given and that there will be no development of the land. People find out the hard way that they have been ripped off. In consequence, they abandon the land and what was well-maintained recreational land falls into disuse. That is the problem, and the thrust of my new clause is that in such circumstances the local authority should have power to order that the land be maintained.

My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) asks whether the trading standards authorities have been involved, or whether they have any powers or controls in this respect. The admirable Kenley greenbelt action group raised the matter with Croydon council, whose reply was that the matter

"is not covered by any legislation that Trading Standards enforces and claims about the sale of land is specifically exempt from the Trade Descriptions Act 1968."

The council tried very hard—I take my hat off to it—to take up the case with the managing director of the company, who said that

"no one can definitively say whether planning permission for the land will ever be granted."

That is an example of the way in which such people sail close to the wind: the implication is there, but it is not specifically stated that planning permission can be granted. The trading standards office said, regretfully, that it could not intervene, but suggested that we try the Advertising Standards Authority.

My diligent constituents in the action group took the matter up with the ASA. The advertisement in question is on the internet. The ASA replied:

"After careful consideration, the Advertising Standards Authority has defined online advertising that is subject to the British Code of Advertising . . . and decided that the Code should apply to online advertisements . . . advertisements in commercial e-mails and sales promotions"

but not to

"organisations' claims on their own websites."

The ASA has decided that a website constitutes "passive advertising". People have to log on to the website and go to the advertisement; the advertisement is not being projected outwards. Although the internet allows people to communicate, they do so in a way that is not relevant as far as the ASA is concerned.

My ever resourceful constituents decided to take the matter up with the Financial Services Authority.

Mr. Clifton-Brown: Before he moves on, will my hon. Friend provide some clarification? Is he actually saying that one can put any information one likes on one's own website and it is not subject to any form of control on misdescription from any authority?

Richard Ottaway: I would hate to make a definitive statement, but it seems that any information contained on a website in such a manner is not subject to the authority of the ASA as enshrined in the relevant legislation.

Reference was made to the Financial Services Authority to establish whether it had control over an investment in land. The FSA replied that investment in land was not within its jurisdiction and that it could not help either.

It seems that the activity is almost completely unregulated, with very little protection for the consumer. I give credit to the Government for the fact that the Government office for London issued an article 4 notice, which prohibits the fencing of the land in the way that was happening, so all the pegs and so on had to be removed. That was much appreciated.

I looked at the land the other day. It is beginning to get overgrown with weeds and ragwort. It is falling into disuse and people are being ripped off. As I said to the Minister at the outset, it is hard to legislate for circumstances in which people do not look after their own interests and do not recognise the doctrine of caveat emptor. When the hon. Lady replies to the debate, I shall be interested to hear what the Government's thinking is and whether she can see a way out of the mess.

Sir John Stanley (Tonbridge and Malling) (Con): I am glad to follow my hon. Friends the Members for Isle of Wight (Mr. Turner) and for Croydon, South (Richard Ottaway) on an important and increasingly worrying planning issue. Both their new clauses would represent a considerable improvement on present planning legislation, and if either of them wishes to press his new clause to a Division, I shall be pleased to support him.

The new clauses do not go far enough. My hon. Friends mentioned cases in their constituencies. However, the process to which they referred has been carried far further in my constituency in the locality known as Deer's Leap in the parish of Hever near Edenbridge. I gave a full account of what had happened at Deer's Leap in the Adjournment debate that I held on 5 June. That situation has exposed in a blatantly clear way the inadequacy of both the judicial protection and the planning legislation protection against those engaged in a deliberate, gross, large-scale abuse of development control.

What happened at Deer's Leap was the division of green belt land into sub-plots. An application was made to the Secretary of State for article 4 directions. They were obtained but proved to be totally useless. A few days after the conclusion of the final land plot sale, what took place was nothing short of an invasion—an invasion of lorries carrying hardcore, fencing and then mobile homes on to the sub-plots.

The inadequacy of the courts was rapidly exposed. Although Sevenoaks district council went for an injunction, that takes a little time, and the legal system works in such a way that if an injunction is obtained—and one was successfully obtained by Sevenoaks district council—it does not require the land to be returned to the state in which it was before the abuse of development control took place. It merely stops the development at the date on which the injunction is issued. That creates a perverse incentive for those minded to carry out such gross abuses of development control to maximise the development, for which there is no planning permission whatever, until such time as the injunction is obtained.

Following that, the acute weaknesses of the existing planning system were exposed. As those in occupation put in a retrospective planning application—which, of course, was turned down—the local authority must now deal with the planning appeal. An enforcement notice was issued and appealed against, and the local authority is still waiting for an inquiry into the enforcement and planning appeals. We are nine months on from when the invasion took place and the local authority has already had to spend substantial sums of council tax payers' money to deal with the situation that has been created. As I said in the House on 5 June, if there is such a situation and

"companies, partnerships or individuals knowingly connive in, are associated with or give effect to major breaches of development control".—[*Official Report*, 5 June 2003; Vol. 406, c. 380.]

[Sir John Stanley]

the only proper recourse and deterrent will be the criminal law.

8.45 pm

I have raised the matter with the Under-Secretary and was grateful for her latest letter to me dated 21 November. It was a pity that representatives of Sevenoaks district council were not invited to the meeting that took place in her Department on 31 October because their presence would have been valuable. I am glad that she has told me that she remains open-minded about the possibility of applying the criminal law in such cases. That is the only alternative left to deal with land speculation companies such as Parker Fields and others that follow in their wake by trying to obtain development rights by force.

I hope that the Under-Secretary will decide that applying the criminal law is necessary. Her letter said that we should focus on prevention rather than the penalties that might be applied. I, too, wish to focus on prevention, so I put it to her that the really worthwhile prevention would be the availability and application of criminal sanctions against such land speculation companies and those who set out blatantly to bust the planning control system. Such people are engaged in nothing short of robbery because achieving development rights by force is robbery and, like all forms of robbery, it must be met with a criminal sanction.

Sir Sydney Chapman: I shall detain the House only briefly. I add my support to new clause 7, which was tabled by my hon. Friend the Member for Isle of Wight (Mr. Turner). I also listened with interest when my hon. Friend the Member for Croydon, South (Richard Ottaway) spoke to new clause 18, which he tabled.

The problem is relatively new but very great. It has not been experienced in my constituency, where the metropolis meets the countryside—it is basically suburbia—but it has affected Hertsmere, the constituency next door. The whole purpose of having unspoilt land is for it to remain unspoilt, and it should not remain unspoilt only for the enjoyment of those who live near it because townies as well as countrysiders should be able to access it. If there are deliberate attempts to visually ruin such land, I believe that we have the right to pass a measure to deal with that problem. I enter the caveat that new clause 7 refers to agricultural land, but the problem can apply to land in the countryside that is not necessarily agricultural.

I emphasise a point made by my hon. Friend the Member for Croydon, South. Seventeen years ago, the Select Committee on the Environment held an inquiry into the metropolitan green belt. At that time, the average cost of an acre of land for agricultural use was about £2,500. I apologise, but I cannot metrically adjust the figure at my age, so I hope that the House will make allowances.

If that land was subject to building or development permission, the price of £2,500 increased to about £250,000 an acre. Today, 17 years later, my guestimate is that on average the agricultural value of the land has decreased from £2,500 to £1,500. However, if that land is the subject of development permission, the value will probably have risen to £5 million an acre. The temptation for developers to take whatever action they can—it is usually long term—to change the land from agricultural to development is great.

Although this is not related directly to the new clause, one dodge in my constituency was to get a farm holding changed into a pig farm. That did not need any planning application because the change was from agricultural to agricultural. Unfortunately, it was on the windward side of part of my constituency [illegible] it was not long before many of my constituents complained about the smell. At the appropriate moment, a developer came in to try to get planning permission. Public opinion was evenly divided. I am told that, on the narrowest of cases, the Secretary of State, or the inspector appointed by him, decided to grant planning permission for a limited residential development. That had not been completed before the developer tried to enlarge his estate, but that was put paid to by the planning inspector turning down the subsequent application.

As my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) said in an eloquent intervention, that sort of thing is a gross violation of the development control system. As, by and large, that system is subject not to criminal law but to civil law, I think that there are already exceptional cases where such violations should be made a criminal offence.

I have read carefully the planning powers that are available to try to deal with these matters, either for the Secretary of State or the local planning authority. My hon. Friend the Member for Croydon, South referred to an article 4 direction. That is not sufficient because it is limited and can be applied only in certain narrowly defined situations. There is a possible alternative course that I think I mentioned to the Minister in Committee: to use powers that local planning authorities have in certain circumstances to require an owner of land to tidy it up if it has fallen into gross disrepair or become an unsightly plot. However, I believe that that is insufficient. Under an article 4 direction, fences can be put up to define the imagined or hoped for plots, but not in every case. A site is made unsightly not only by the possibility of caravans, for example, coming on to it, but also by the ability of the potential owner to dig up the turf and put a few bricks on to the land, if not built bricks, and thoroughly despoil the area.

Even as a person who likes to think that we all fight for individual rights of freedom, I like to think that this is a case where the Government rightly should intervene to change the law to ensure that the practices that we have been talking about do not spread as they have in the recent past.

Matthew Green: The hon. Member for Isle of Wight (Mr. Turner) has done the House a service once again by tabling the new clause, but I suspect that the Minister will rightly say again that it is not the approach that will work. We are dealing with what is clearly a severe problem in many parts of the country. Indeed, 14 counties have had the problem, and it is spreading.

There are essentially three different problems and that is why this approach probably will not work. First, there is the problem that has been touched on of how these pieces of land are sold. That might be a matter for trading standards legislation, but it is not really a planning issue. Then there are two areas that are potentially planning issues. One is the physical subdivision of land—the putting up of fences—and the other is the degradation of the land within the fences. In a sense, they are two slightly different problems and probably cannot be dealt with in the same piece of legislation.

One problem is that all the routes open to local authorities leave the authority bearing some considerable cost, which in turn is borne by the local council tax payer. Fences can be compulsorily removed using an article 4 direction, but then the local authority has to pay compensation to the people affected, costing the local tax payer a considerable amount. There is the possibility of using a discontinuance order by virtue of section 102 of the Town and Country Planning Act 1990, but again there is a liability to pay compensation to the people concerned. Therefore, there is no easy way of getting the fences removed without it costing the council a considerable amount of money.

Degradation of the land is in many ways an even more serious problem. The council can issue an untidy land notice under section 215 of the 1990 Act, but that takes a considerable time, involves going to the magistrates court, places quite a cost burden on the local authority and is by no means a quick procedure. In some instances, particularly if the land involved was agricultural, change of land use enforcement notices can be used. Again, that is a slow procedure that involves considerable officer time and cost to the local authority. The only other option is compulsorily to purchase the land, for which there is a provision under section 226 of the 1990 Act if it is in the interests of proper planning in the area. Clearly, compulsory purchase will cost the local taxpayer considerable money. All those costs are forced on the local taxpayer by the profiteering of a handful of companies.

The solution of the hon. Member for Isle of Wight is probably not the sensible way forward. The way to hurt the companies involved is by imposing a financial rather than a criminal sanction, although a financial penalty can be imposed in criminal cases. Where local authorities are being made to bear the costs of any of these methods we need some way to recover the costs from the people who have made the money out of the site, so reducing the attractiveness of taking such an approach.

One of the easiest routes open to the Minister would be to remove the right to compensation under the article 4 direction. That might reduce some of the costs, but it would not give councils the means to pursue the companies involved for financial recompense for the costs involved.

The hon. Gentleman has once again done the House a service in tabling the new clause, as has the hon. Member for Croydon, South (Richard Ottaway) in tabling new clause 18, but this is not a practical way of dealing with the matter. However, it has been forced up the agenda and I hope that the Minister will say that she will continue to look for ways to deal with it. I suspect that the removal of the compensation part of the article 4 direction will be the most immediate route to take.

Mr. Clifton-Brown: My hon. Friend the Member for Isle of Wight (Mr. Turner) has, not for the first time during proceedings on this Bill, done the House a service by raising the matter under discussion. My hon. Friend the Member for Croydon, South (Richard Ottaway) has also done the House a service by drawing attention to problems in his constituency and to the possible route of serving a section 215 notice under the Town and Country Planning Act 1990 to ensure proper maintenance of green belt land.

9 pm

As my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) and my hon. Friend the Member for Chipping Barnet (Sir Sydney Chapman) said, the real problem is that the planning system cannot react sufficiently quickly. One therefore has to consider solutions allowing local authorities to take quicker action to stop unauthorised development dead in its tracks and to require land to be reinstated. Not only the hon. Members who have spoken tonight, but other hon. Members, including my hon. Friend the Member for Hertsmere (Mr. Clappison), my hon. Friend the Member for Billericay (Mr. Baron), who has made some proposals about this matter, and my hon. Friend the Member for South-West Bedfordshire (Andrew Selous), have experienced similar problems, and we must find a solution. If the Minister had any doubt that the problem that we are considering is serious, it has surely been well and truly drummed home tonight that action needs to be taken.

I can propose a number of solutions. Following the excellent debate initiated by my right hon. Friend the Member for Tonbridge and Malling on 5 June, I raised the same matter in Westminster Hall having received information from my cousin, Antony Clifton Brown, who sent me copies of his correspondence with the hon. Member for Braintree (Mr. Hurst) about the activities of Gladwish Land Sales in the parishes of Stisted and Greenstead Green in Essex. Eventually, as in the case raised by my right hon. Friend, the council issued an article 4 direction and obtained confirmation from the Secretary of State.

That is one method that the Minister could profitably consider, if she were listening to me. As I suggested in Committee, however, the presumption about an article 4 direction needs to be reversed. Currently, such a direction has to be confirmed by the Secretary of State once it has been issued by the local planning authority. I think that my right hon. Friend the Member for Tonbridge and Malling said in his debate that it had taken his local authority six months to obtain the Secretary of State's confirmation. If the presumption were reversed, so that the direction took effect immediately after the local planning authority had issued it, whether or not it would remain in force, but then had to be confirmed by the Secretary of State, the situation would be considerably altered.

Of course, compensation would be payable in such circumstances if the Secretary of State subsequently ruled that the direction had been applied unreasonably. In the cases raised by my right hon. Friend the Member for Tonbridge and Malling and other hon. Friends, however, the authorities would have issued directions in reasonable circumstances. The Secretary of State could, if necessary, take several months to confirm the directions, but the activities would have been stopped. That is one useful method that we could consider.

[Mr. Clifton-Brown]

There is also a second method that we could consider. There is a requirement on change of use involving planning permission when agricultural land is converted into gardens or amenity land. If former agricultural land has been converted into quasi-suburban, derelict or discontinued land, or land of whatever classification is given after it has been subdivided, I can see no reason why planning permission should not have to be sought. A fairly simple change could be made in planning law in that regard. If an applicant applies for retrospective planning permission that is not granted, as would happen in the cases that I have mentioned, and also fails at appeal, the council could have a right to ensure that enforcement action begins immediately. Currently, as my right hon. Friend the Member for Tonbridge and Malling has made clear, developers can string a local planning authority along in respect of such difficult developments for months, if not years. Their appeal against the retrospective planning application has to be followed by their appeal against the enforcement notice. Those hearings each take several months, by the end of which a year or so could have passed. There is no reason why a small change in the law could not be made to ensure that if a retrospective planning application is refused on appeal, an enforcement action can start immediately.

The problem is how to get the land reinstated. If the action is clearly in contravention of planning controls, a mechanism can be found to stop it immediately. Stop notices issued under section 188 of the Town and Country Planning Act 1990 might be useful, but require compensation. The mechanism adduced by my hon. Friend the Member for Croydon, South—the section 215 notice—is fine, but it requires an appeal to a magistrate. That takes time, and even if the magistrate finds in favour of the local authority, the applicant receives only a level 3 fine. I have not had time to look up what that is—I shall probably be told that it is £3,000, which may be correct. That is inadequate, given that Gladwish Land Sales and others are making profits running into millions from the subdivision of fields.

I have often suggested to my right hon. Friend the Member for Tonbridge and Malling that it may become necessary to consider imposing criminal sanctions in certain exceptional cases. I say that with a heavy heart, because I am one of those who believe that criminal sanctions should be applied only in the most serious cases. There would have to be proper due process beforehand, because the threat of an indictable offence is a very serious one. An associated problem is that where criminal sanctions are involved, the burden of proof is increased to that of beyond reasonable doubt. It is not an entirely straightforward matter.

As the hon. Member for Ludlow (Matthew Green) says, planning authorities can compulsorily acquire such land under a section 226 notice if it is in the interests of proper planning in their area. However, the problem is that the value of the compulsory purchase will be equivalent to the value of the land when the subdivision took place, so the local authority would have to pay the enhanced value, which it would find unacceptable.

Sir John Stanley: My hon. Friend refers to the increase in the burden of proof where criminal law is applied. Does he agree, however, that a gross use of development control is one of the most misuse easily demonstrable cases to prove in court? I have photographs of Deer's Leap as it was—a green belt meadow—and as it is today, covered with hardcore, fencing and mobile homes.

Mr. Clifton-Brown: I am grateful to my right hon. Friend, who is as lucid as always. His comments clearly demonstrate to the Minister the seriousness of such cases.

The only other mechanism that I have come across for stopping this procedure—we should explore all the mechanisms, and I hope that the Minister will respond to them all—is to issue an injunction under planning law against a person or persons unknown by posting a notice on the land. My local planning authority has done that. We have to deal with two problems—first, stopping the unauthorised development from getting worse; and secondly, reinstating the land to something akin to its former rural agricultural state.

In dealing with this problem, albeit only tangentially, the appropriate Department must examine the issue of how land sales are promoted on people's websites, although I accept that that might not involve the Office of the Deputy Prime Minister. There seems to be a suggestion that the advertising code does not apply in such circumstances. I have here a letter—procured by my hon. Friend the Member for Croydon, South—from one Beverley Gibbs, a complaints handler at the Advertising Standards Authority, dated 28 August 2003. She states quite clearly:

> "The code does not apply to organisations' claims on their own website."

I intervened earlier on my hon. Friend the Member for Croydon, South to suggest that anyone can put anything on their website, and that seems to be almost a fact. If that is the case, the Government need to address that large legal lacuna.

I hope that one or two of the methods that I have suggested to the Minister will find favour. This is a serious matter, and I hope that she will be able to give the House some comfort tonight. This issue will not go away, and it will affect more and more Members. If the Minister does nothing about it, we shall find ourselves having more debates of this kind, so I appeal to her to find a solution to the problem.

Yvette Cooper: As many hon. Members have pointed out, we have discussed these issues extensively in Committee. They have also been raised in Adjournment debates, in correspondence and in meetings between Ministers, hon. Members on both sides of the House, officials and local authorities. The Department is therefore giving them considerable thought, and I would like to set out for the House the point that we have reached in that regard.

I raised concerns on new clause 7 in Committee because the planning system is intended to decide what land should be used for and has nothing to do with the sale of land. Planning permission is not required for the subdivision of land for genuine agricultural reasons, and there is no problem with someone selling off a plot of land if it will remain in use as agricultural land. An issue involving the planning system will arise if the land is to be put to materially different use, in which case planning permission would be required.

Hon. Members have put forward evidence that the subdivision of agricultural land can be unsightly and can lead to even more harmful longer-term effects. For example, if a developer buys a plot of land and planning permission is not granted for the use that he had in mind, there is a danger that the plot could fall into disrepair or neglect. Other problems can arise when a subdivision of land becomes the trigger for a series of unauthorised developments. That could involve something as simple as unsightly fencing pegs or posts being put up, or something far more substantial involving significant intensive development over a short period of time.

Permitted development rights enable individual plots to be marked off by fencing pegs or posts without the need for planning permission. Local authorities can remove these rights by means of an article 4 direction, and the guidance sets out the circumstances in which such directions can be used. Many of the other examples to which hon. Members have referred involved cases in which permitted development rights would not apply because there was clearly unauthorised development and planning permission would be required.

Sir John Stanley: Would the hon. Lady agree, however, that even when the Deputy Prime Minister issues an article 4 direction — as happened in relation to Deer's Leap — if the land speculation company, possibly acting in conjunction with those about to carry out the development, chooses to ignore the direction, that direction is effectively torn up?

Yvette Cooper: The right hon. Gentleman will be aware that I cannot comment on individual cases, particularly those that are going through the planning system at the moment. However, I recognise that while there are cases in which article 4 directions can be appropriate and effective, and it is simply a question of introducing them in time, there are other cases in which people are simply determined to abuse the planning system and in which different issues arise. I shall come to that in a moment.

Officials from the Office of the Deputy Prime Minister have met representatives of local authorities to explore what more could be done in such circumstances, and to address the possible adverse environmental effects of subdivision and the sale of agricultural land. The hon. Member for Ludlow (Matthew Green) is right that there are different but related problems. Land may be sold off on its hope value, and the chances of planning permission for a change of use being granted may be misrepresented. Problems also arise if that land is later neglected because planning permission cannot be granted. There are problems involving the fencing, the pegs or the posts that may be erected under permitted development rights, and problems that occur when much more intensive and extensive development takes place, such as those related to the enforcement system, retrospective planning applications and so on.

9.15 pm

Mr. Clifton-Brown: In Committee way back in October, I suggested a mechanism to change the presumption on article 4 directions. I should be grateful if the Minister said something about that, because an article 4 direction will remove the permitted development rights, and could act as a brake on the erection of gates and fences.

Yvette Cooper: I shall set out the progress we have made so far and the issues that we are still considering and that we have yet to consider, and I shall come back to the point that the hon. Gentleman raises. The first thing we are considering is whether it is possible to introduce a cooling-off period in such circumstances. The seller of the land would have a duty to advise purchasers of that period, and would be required to notify the local planning authority of the proposed sale. The cooling-off period could enable the local planning authority to put in place any restrictions that it thought appropriate, and to ensure that the proposed buyer was aware of those restrictions, including article 4 directions. That would not apply to intensive development, but it might be a way of dealing with cases in which buyers of the land are deceived or have not understood the risk of failing to obtain planning permission. It also might be a way of ensuring that everyone has full information, and could prevent the purchase of subplots on their hope value, which are neglected when it is not possible to get planning permission. That may address one part of the problem.

Mr. Clifton-Brown: As my right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) said, the problem is that these things happen quickly. I suspect that by the time the local planning authority — or whatever Government agency would introduce the cooling-off period — was alert to the fact and was able to act, many of those plots would have been sold off and it would be difficult to reverse that process.

Yvette Cooper: We are trying to deal with a range of different problems. For example, there may be deliberate, rapid and unauthorised development. We are not sure of the extent of that problem, but we have anecdotal evidence that it exists. Those cases are at one extreme, while at the other are the cases in which no unauthorised development takes place, but there are unsightly consequences for the land — the erection of fencing and such like — because it is divided up and sold off in the expectation that planning permission may be granted and that there may be a change of use. Pieces of land may be bought in the hope that planning permission may be obtained, but are then neglected and left to deteriorate and to become unsightly to the local community. Different consequences arise in different cases, and there may be different solutions to different parts of the problem, some of which may be easier to solve than others. The proposal relating to the possible cooling-off period would not deal with all the problems raised by Members, but it might be one way of addressing some of them.

We also want to give further consideration to the proposal for article 4 directions to be served on site rather than in a newspaper, to bring them into effect more quickly. We are considering amendments to the Town and Country Planning (General Permitted Development) Order 1995 for that purpose. We are also considering other changes to the order. We are trying to establish, for example, whether it would be feasible to

[Yvette Cooper]

require prior approval from the local planning authority for the erection of fences on agricultural land. In some of the cases mentioned today, owners or others involved with the land are abiding by the planning system, but action is not speedy enough, or there are not sufficient warnings.

We are preparing a note to be sent to local authorities throughout England clarifying the issue and the powers that they have to deal with it. There is evidence that some authorities deal with such problems more swiftly and effectively than others.

The major difficulties arise in the event of unauthorised development. They may be triggered by the subdivision of land, but they may also occur when there is rapid, unauthorised development. Members have expressed doubts about the speed and effectiveness of the planning system in dealing with such development after it has taken place, and about the effectiveness of enforcement. The hon. Member for Cotswold (Mr. Clifton-Brown) asked about the presumption relating to article 4, and the hon. Member for Ludlow referred to compensation.

A series of wider questions could be raised about the nature and speed of the enforcement system, and about the various powers involved. Some of those may be dealt with when we discuss later amendments. Much more difficult issues must be grappled with in this context. We are reviewing the enforcement system, and following what was said in Committee we have asked officials to prioritise matters relating to retrospective planning applications. We want to deal with that as quickly as possible, but I warn Members that these are particularly difficult problems.

Mr. Clifton-Brown: The enforcement review was mentioned in Committee in October. Presumably it had been operating for some time by then. Can the Minister tell us when it began, when it is likely to end, and when we can expect some action from the Government?

Yvette Cooper: I cannot give the exact timetable, but originally the review was not expected to feed into the Bill's time. We have consulted extensively on the wide range of issues involved, and many representations have been made. We have asked officials to consider specific enforcement issues raised in Committee, and have asked for them to be made a priority in discussion of the review as a whole. They are complicated, however, and cannot be easily resolved. We are having to work out how the enforcement regime will cope when people are determined to abuse the system, and also how to ensure fair and proportionate consideration of other cases. For instance, some people may not realise that they must apply for planning permission. So there is a wide range of issues that needs to be considered further, and as I said, we are keen to prioritise the questions that Members raised in Committee.

New clause 18 aims to enable local planning authorities to purchase land compulsorily in a green belt where a section 215 notice requiring the remedying of land adversely affecting local amenity has not been complied with. Local authorities already have compulsory purchase powers to deal with derelict land, and to provide open space or community facilities in the public interest. The Secretary of State would normally expect any statutory procedures to remedy derelict or unsightly land, such as section 215 notices, to have been taken as far as possible before the local authority resorts to compulsory purchase. However, I recognise the principles behind the new clause, and as I said, we are keen to consider them further.

We are taking very seriously the points raised by Members on both sides of the House. I have set out the various ways in which we are trying to consider these issues further, in order to see what progress can be made. We will continue to do so, and to keep Members informed.

Mr. Clifton-Brown: If my reading of section 215 of the Town and Country Planning Act 1990 is correct, it is concerned not with compulsory purchase, but with the serving of notices by the local authority on land adversely affecting amenity of neighbourhood. It also provides for a 28-day period after which such a notice must take effect. Section 216 states:

> "If any owner or occupier of the land on whom the notice was served fails to take steps required by the notice within the period specified . . . he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale."

That has nothing to do with compulsory purchase. Does the Minister think that new clause 18 has any merit?

Yvette Cooper: Our concern is that new clause 18 would not necessarily add anything to local authorities' powers to deal with the problem of land in the green belt not being properly maintained. The new clause attempts to deal, for example, with development that takes place under permitted development rights, and with land that has been largely neglected when, contrary to people's expectations, the issue of planning permission has not been addressed. But, in fact, the new clause would not satisfactorily address the real problem that we have been discussing. Local authorities already have powers to deal with such land.

There is a wider range of issues that we need to consider, but at this stage it would not be right to support the two new clauses, given that considerable work is already under way to address the problems to which they refer.

Mr. Andrew Turner: It would be fair to begin by thanking the Minister—I hope that I do her no damage in doing so—for her powerful response to the two new clauses. She has demonstrated that her Department is taking the matter seriously. My right hon. Friend the Member for Tonbridge and Malling (Sir John Stanley) referred to what is by far the worst example of which I have heard in dealing with such matters. There are a couple of issues that still concern me, one of which is that, whether an enforcement notice, an article 4 direction or—as in most cases—an injunction or compulsory purchase order is being served, it is necessary to know the owner of the land. As we discussed in Committee, where land has been divided into penny packets, the process by which ownership is discovered is both difficult and expensive.

I particularly commend to the Minister three measures, two of which were advanced by one of my colleagues. The first is to reverse the presumption on an article 4 direction, and the second is to make it possible to serve an injunction against a person or persons unknown in relation to land. I also wonder whether ignoring an article 4 direction might be made a criminal offence. That would certainly seem possible.

I warmly thank my right hon. Friend the Member for Tonbridge and Malling, my hon. Friends the Members for Chipping Barnet (Sir Sydney Chapman), for Croydon, South (Richard Ottaway) and for Cotswold (Mr. Clifton-Brown), and the hon. Member for Ludlow (Matthew Green) for their contributions.

We need to address the high costs that fall on local authorities—meaning, of course, local people—which have to be recovered somehow. I hope that the Minister will look at that matter in the enforcement review. She has demonstrated that a range of different possible solutions are being considered, and I hope that one, or perhaps more, will be found to be appropriate before the Bill completes its passage through the House.

I beg to ask leave to withdraw the motion.

Motion and clause, by leave withdrawn.

New Clause 8

PLANNING: RETROSPECTIVE APPLICATIONS

'. In section 73A (planning permission for development already carried out) of the principal Act after subsection (2) there is inserted—

"(2A) An application for planning permission made to a local planning authority under subsection (1) shall be assigned as a retrospective application.

(2B) In considering a retrospective application the local planning authority shall—

(a) consider the application as if work on it had not begun;

(b) have no regard to any financial loss involved to the developers or others should the application not be approved.

(2C) If planning permission is not granted the local planning authority may require that the site be restored so far as practicable to the state that it was in before development commenced.

(2D) In determining any appeal from a refusal to grant planning permission in respect of a retrospective application, the Secretary of State shall be bound by subsections (2A) and (2B) above.".'.—*[Mr. Andrew Turner.]*

Brought up, and read the First time.

9.30 pm

Mr. Andrew Turner: I beg to move, That the clause be read a Second time.

Mr. Deputy Speaker: With this it will be convenient to discuss the following amendments:

No. 33, in page 27, line 42 [Clause 43], at end insert—

'(c) The applicant shall have a right of appeal to an Independent Inspector appointed by the Secretary of State when an application is not determined under (a) or (b) above.'.

No. 81, in page 36, line 14 [Clause 47], after 'years', insert

'beginning on the later of—

(i) the date on which the permission is granted, and

(ii) the date on which the last of all associated consents, permissions or clearances in relation to the development has been granted or given by any government or statutory body where application for such consent, permission or clearance was made as soon as reasonably practicable.'.

No. 82, in page 37, line 13 [Clause 47], after 'three years', insert

'beginning on the later of—

(i) the date on which the consent is granted, and

(ii) the date on which the last of all associated consents, permissions or clearances in relation to the works to which the listed building consent relates has been granted or given by any government or statutory body where application for such consent, permission or clearance was made as soon as reasonably practicable.'.

Mr. Turner: Since I tabled the new clause—indeed, in the past two or three minutes—information has come to light from the Minister about the work that she is doing in the enforcement review. I am pleased to hear that. In a letter that I received on Friday, the Minister wrote that she was looking to make an announcement about the outcome of the enforcement review in the new year. I am grateful for that.

I tabled the new clause because many would agree that a retrospective application appears to be an easy way of obtaining planning permission, and it is a way that people greatly resent.

Mr. Hayes: My hon. Friend is right, but the situation is worsened by the fact that local authorities are not always confident about enforcement. When they do press to enforce, they do not feel that they have the necessary backing or that the law is sufficiently behind them. That has led to a culture in which they are reticent about enforcement. It is partly a question of time and resources, but it is also about that culture and that lack of confidence.

Mr. Turner: I agree with my hon. Friend, and it is a matter that disturbs residents enormously, even when they see something small. One example from my personal history was when someone built a shark in the roof of their house, something that was greatly resented by my neighbours in my street, which happened to be the street in which the house with the shark was located. It took something like three years for the proper enforcement action to be taken, for a planning application to be procured and so on. I believe that the shark remains in the roof because Ministers eventually upheld the appeal against enforcement action.

Richard Younger-Ross (Teignbridge): I rather liked the shark. I hate to disappoint the hon. Gentleman, but I thought it was quite witty. However, I agree with the hon. Member for South Holland and The Deepings (Mr. Hayes). In my constituency—100 yards from where I live—a retrospective application was made to raise a roof 600 mm higher than was in the original application. I persuaded the local authority to turn it down and to make the applicant appeal. They did, and guess what? The Minister supported the eyesore, which was then constructed. It is difficult for politicians to tell an authority to do something, because Ministers and the Government might not support it.

Mr. Turner: I am sure that the hon. Gentleman had as much egg on his face as he usually appears to have on his

[Mr. Turner]

tie as a result of being overruled by the Minister. I sympathise. When one has gone to some considerable lengths to persuade a local authority to behave in a particular way, one easily can be undermined. I tabled the new clause because, on 23 October, in Committee, the Minister said that she had hoped to respond to the enforcement review before the end of the year.

If the review has slipped for the good reasons that she mentioned earlier—to give officials the opportunity to consider retrospection and to ensure that the review can feed into the Bill—I forgive her absolutely for not meeting that self-imposed deadline. However, it is of considerable concern to residents that applications made retrospectively should not be seen as an easy way of getting planning permission.

I gave some examples in Committee. I shall not go through those again; I am sure that those hon. Members who have read the *Hansard* report of the Committee proceedings will have seen those examples, and others may not be interested in them.

Mr. Hayes *rose*—

Mr. Turner: I see that my hon. Friend is seeking to intervene.

Mr. Hayes: I just did not want my hon. Friend to feel that he should not regale the House with examples. It is important that he emphasise his point with specifics. I could certainly give many examples from my constituency. We need to bring the issue into sharp focus.

Mr. Turner: Let me give the example in Yarmouth. I referred in a previous debate to the River Yar: that was, of course, the East Yar. Yarmouth is at the mouth of the West Yar. There are only three main rivers in my constituency, and two of them are called Yar.

The example in Yarmouth was of a house being built on a site that had planning permission—indeed, it was supposedly being built on the footprint of an earlier bungalow. Because the applicants furnished the committee with somewhat misleading drawings, it believed that the house was going to be of a certain height and that the ridge height would be the same as that of the adjoining houses. Eventually it was discovered that the ridge height was greater than that of the adjoining houses, and notwithstanding the fact that the height was much more generous than the committee would have liked to pass, the applicant went on to build something considerably higher than that. I hope that my local authority will take enforcement action in the same way as the hon. Member for Teignbridge (Richard Younger-Ross) has suggested to his local authority. I certainly hope that I will not end up with a yellow face or a yellow tie.

Richard Younger-Ross: My tie is blue.

Mr. Turner: I know that the hon. Gentleman's tie is blue today, and I congratulate him on his taste—today.

The need is for certainty in the planning system, and I believe that proper implementation of the decisions of the enforcement review will add to certainty. I commend the new clause to the House.

Sir Sydney Chapman: I support my hon. Friend on new clause 8. When he talked about the shark in the roof, I wondered whether it was a contender for the Turner prize. If it was, I suggest that the penalty ought to be £20,000, an exact match for the prize itself.

I want to draw one point to the Minister's attention. My hon. Friend referred to a place by the River Yar. In that case, the person got planning permission but did not build according to the plans. I note that my hon. Friend tabled a new clause 6, which was not selected—I do not quarrel with that at all. However, it seems to me that when we are dealing with enforcement matters, we should consider not only those edifices that appear without any planning permission but buildings for which permission has been given but which are not built in accordance with the plans, usually because the wrong measurements have been given on the plans accompanying the application. In my view, that is an equally serious situation.

Mr. Hayes: I suggest to my hon. Friend that that is not an occasional aberration. There are areas—I shall not say which exactly—where that is continually an issue. Developers will deliberately and systematically use that approach to get what they want, and the problem needs to be dealt with on that basis.

Sir Sydney Chapman: I take that point absolutely. The sad thing, from my point of view as a professional person, is that if the plans are prepared by a professional person, that professional person has some responsibility in the matter.

Richard Younger-Ross: I am not sure whether the hon. Gentleman has the same experience as me, but we have shared a profession, as I have worked in architectural industries for most of my life. In one case in the London borough of Merton, a client deliberately and knowingly made an extension far larger than the plans that I had submitted. When I spoke to the local authority to point that out, it was not interested, although it was a deliberate breach of the planning consent given.

Sir Sydney Chapman: That is a fair point, and I eagerly support the hon. Gentleman's view that it is not necessarily the professional who has made a mistake but the client not carrying out the plans drawn up by the professional. Sadly, there have also been cases in which the measurements on the plan have been inaccurate. We discussed that at length in Committee, so I need not continue the discussion now. It is a serious and important matter, however, and it is not just about building without any planning permission but building, getting permission, and not carrying out the building in accordance with the permission given.

Richard Younger-Ross: I want to speak in favour of the proposition of the hon. Member for Isle of Wight (Mr. Turner) in relation to buildings that are built without consent. In Committee, he questioned whether the process of building without consent should be considered illegal. He asked whether anybody had read what he had said in Committee, and I happen to have it to hand. He said:

> "I have come under some pressure—I would not be surprised if other hon. Members have, too—to make development without permission against the law".

Yes, many of us have come under pressure when a building has gone up to say, "How can they be allowed to do that? How can they live in that building for X years, or use it to trade, without consent? We know that they are abusing the system." However, he went on to say:

> "We have to adjust the balance of perception in the public mind, without going so far as to make it illegal to develop without permission."—[*Official Report, Standing Committee A*, 23 October 2003; c. 327–28.]

The balance of that is probably just about right. As he, and, I am sure, other Members are aware, however, there are cases in which doing work without a planning application is illegal and a criminal act—demolition of a listed building without consent is a criminal act. Therefore, if we cannot succeed in persuading people to stop constructing without consent, there would be recourse to that at a later date, which would not be inappropriate. We ought to put that in reserve for consideration later if such activity cannot be halted.

In Committee, however, the Minister rejected what the hon. Member for Isle of Wight was trying to say. She said:

> "It also would be contrary to the principles of administrative law, which require a decision maker to have regard to all relevant matters."—[*Official Report, Standing Committee A*, 23 October 2003; c. 330.]

I would not try to argue legal points—my background is in architecture, not law—[*Interruption.*] I am unlike the hon. Member for Ealing, North (Mr. Pound) in that. I would, however, question the use of the word "relevant" in that case. If a person knowingly constructs a building without consent, by and large they have done so knowing that they required consent. They have knowingly done something that they know that they should not have done. One does not accidentally happen to build a building or an extension to one's house. One does it by deliberate forethought. By and large, one will ask someone qualified, or not qualified, to draw up some plans for a builder to construct it. It would be rare for someone to manage to build something with no plans whatever, although I appreciate that there are some areas in which that may occasionally happen. Most cases, however, are not like that.

There was a case in the London borough of Wandsworth in which a person tried to build an entire office block without consent, and wondered why the local authority objected. In that case, the local authority continued to object, turned it down, and was eventually supported by the inspector. That building was four houses long and four storeys high. It was hardly a standard small extension that could be ignored. However, many other cases with different circumstances also need to be addressed.

If someone has deliberately and methodically built something, why should that be taken into consideration in the planning application? Why should that be relevant to the decision? I know, as will other hon. Members who have been in the profession, that once a building has been constructed, consent usually follows. The owner claims that he has no money to knock it down, or has used all his savings to construct it. However, those are not relevant matters. The relevant matters are the planning issues. An extension or building should be judged simply on its merits and on whether it complies with planning legislation, the local authority's plan for the area and the context of its environment—and not on whether the owner can afford to knock it down. I support the new clause for that reason.

9.45 pm

Mr. Clifton-Brown: I am glad to address this group of amendments, which includes several that I have tabled. I shall address those, as well as new clause 8, tabled by my hon. Friend the Member for Isle of Wight. He raised a similar issue in Committee and the general tenor of the debate supported what he was trying to achieve. We all know from our constituency postbags that retrospective planning applications are more likely to be granted than not. If someone has failed to comply fully with the provisions of a planning application, or fails to apply for planning consent at all, and builds a property, some strong sanction should be applied to require retrospective planning permission to be obtained. That retrospective application should be treated on exactly the same basis as one made before the construction of the property. That is what new clause 8 seeks to achieve.

Most planning authorities are too understaffed to carry out enforcement properly. That is a real problem for many local planning authorities and will worsen once the Bill, with all its complexities, comes into operation. It is all very well for my hon. Friends to say that the professional who devises the scheme—the architect or surveyor—should bear some professional responsibility if a development is not carried out entirely in accordance with the plans, but in many cases the professional's involvement in a scheme ends with drawing up the plans and he has no responsibility for supervising the development thereafter. The client has the responsibility to ensure that the development is carried out properly.

My other concern is that after four years nothing can be done, because a certificate of lawful use can be obtained. In a large, complex rural area, such as my constituency, which is more than 1,000 square miles, it is almost inevitable that some unlawful developments will take place and the planning authority will not find out about them until after the four-year period is up. That is a real problem.

The hon. Member for Teignbridge (Richard Younger-Ross) said that the decision maker must take into account all material points. Of course he must do so, but the balance should lie in favour of planning law being applied. One of the worst planning cases that I have had to deal with was within a couple of months of my being elected, when my constituency was known as Cirencester and Tewkesbury. A builder, who should have known better, had built a house out of pre-cast concrete blocks, but the planning application specified that it should be built of Cotswold stone. The local planning authority required him to demolish the house. I fully supported the local planning authority and he had to take down the whole outer skin of the building. The house has now been built in Cotswold stone and is thoroughly in keeping with its surroundings.

Planning law must be enforced, and we need to consider carefully how we deal with enforcement and retrospective planning applications. If a retrospective planning application is taken to appeal and the appeal fails, enforcement action should be immediate; it should not be subject to a separate hearing and possible further

[Mr. Clifton-Brown]

appeals, as the whole process could cost the local planning authority a large amount of money—as has been pointed out—and could take a large amount of time.

My amendments take us back to the original Bill at long last, and to some of the matters that were discussed only in scant detail in Committee. Amendment No. 33 would amend clause 43, under which local authorities are allowed to decline to determine similar applications—the so-called twin-tracking procedure. Where the conditions under subsections (1) (a) and (b) are satisfied, my amendment provides that there should be an appeal to an independent inspector appointed by the Secretary of State.

Under article 6 of the European convention on human rights, a citizen under the jurisdiction of the convention has a fundamental right of appeal to an independent hearing. It seems to me that if someone makes two similar appeals, or even two appeals that have only marginal differences, and the local authority decides that it does not want to determine one of the appeals, that is to deny that person their human rights. Even if that were not so, let us debate whether the clause is sensible.

Under current planning procedures, if a person makes an application and the local authority does not determine it within the eight weeks allowed, the person can put in a second, similar application that they take to appeal. The idea is that the person should continue to negotiate with the planning authority, which should either give good reasons for its definite determination to turn down the application—as even if it went to appeal it would not succeed—or grant the application. If we abolish that sensible system, I predict that developers will take many more cases to appeal because the local planning authority has not made a determination within the eight-week deadline.

The Government are cutting off their nose to spite their face; they will be landing themselves with many more appeals as a result of the provisions. Of course, they may reply that they will make the planning system work so well that 90 per cent. of planning applications will be determined within the eight-week period. I do not believe that that will happen—or not for some considerable time, given the complexity of the Bill. The Government ought to think again. I am certain that if they do not do so while the Bill is in this place, Members of another place will need to consider the clause very carefully indeed.

Amendments Nos. 81 and 82 deal with clause 47, which covers the duration of consents. The Town and Country Planning Act 1990 already includes powers for local planning authorities to grant planning permissions with a three-year consent, which can be varied to five years. There is also a further category that I cannot remember. Clause 47 cuts the duration of consents from five years to three years, as, according to the Government, significant large sites, often in city centres, remain undeveloped for far too long. Nobody condones that, but the problem is that it can often take three years or more just to obtain compulsory purchase of such large, complicated sites, let alone anything else.

My amendments are supported by the British Property Federation, whose comments make a great deal of sense. The amendments state that if the Government cut down the duration of all consents the three-year period should run from the date on which all statutory consents, permissions or clearances in relation to the development was granted

"or given by any government or statutory body where application for such consent, permission or clearance was made as soon as reasonably practicable".

Richard Younger-Ross: My understanding is that local authorities may, especially in respect of complex developments that require compulsory purchase orders, allow consents to run to five years or longer. Would not strong guidance—*[Interruption.]* Is the hon. Gentleman listening? Would not strong Government guidance be better than the provisions of his amendment?

Mr. Clifton-Brown: I apologise to the hon. Gentleman for the discourtesy of talking to the Minister. I chided the hon. Member for Ludlow (Matthew Green) for doing exactly the same thing. The Minister for Housing and Planning was giving me some guidance—and very useful it was too. Bearing in mind his strictures, and in view of the fact that I have dealt with the matter expeditiously, no doubt the Minister replying will accede to my amendments Nos. 81 and 82.

Yvette Cooper: I shall deal first with the issues around retrospective planning applications. As I said in Committee, we are keen to look further at those issues, especially in the context of the enforcement review. We have asked officials to prioritise consideration of the points made by hon. Members in Committee. We have to recognise that a wide range of cases is involved: there are cases in which someone simply did not realise that they needed planning permission, for example, to extend a wall; there are cases in which someone is fully aware and is deliberately abusing the system; there are cases in which there is simply a difference of view. Hon. Members mentioned the shark, which I really liked, having passed it on a bus on many occasions.

If someone has not applied for planning permission, a wide range of enforcement actions can be taken, including enforcement notices, stop notices, and injunctions. In many cases, those powers are sufficient and the retrospective application is dealt with perfectly properly, with the planning application granted or not granted, as the case may be. Cases were cited in Committee and in the House today in which—admittedly after some months have passed and local people have become concerned about the time the case has taken—the application has been turned down and the builders obliged to pull down the building. Hon. Members have spoken about cases that have caused concern, but the rate of success of retrospective planning applications is slightly lower than that of applications submitted in advance.

We recognise that we have to consider the matter further, but we should also recognise that retrospective planning applications are an important part of the planning system. Those who responded to the planning enforcement review were strongly of the view that the retrospective planning system should be continued, although, as I said, there are issues of enforcement that have to be examined.

I set out my concerns about new clause 8 in Committee. It should be possible to take account of all material considerations, but of course I recognise that considerations such as financial loss to the developer should carry different weight in, for example, a case in which the developer knew exactly what they were getting into. However, it would be going too far to say that it should never be possible to take into account personal or material considerations.

Clause 43 enables a local planning authority to decline to determine an application if a similar application has been refused within the previous two years, or if a similar application is still under consideration. We acknowledge the concerns that have been expressed; nevertheless, the local planning authority has discretion to decline to determine a further application. We shall issue guidance to stress that we expect local planning authorities to use the power only if they think that the applicant intends to exert unfair pressure; otherwise, if a genuine attempt is being made to take account of objections, the application should be determined. Equally, the Bill provides flexibility to extend the time periods applicable to complex regenerations, so that developers have sufficient time to commence work. I ask the hon. Member for Isle of Wight (Mr. Turner) to withdraw the motion.

Mr. Andrew Turner: I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

Further consideration adjourned.—*[Mr. Jim Murphy.]*

Bill to be further considered tomorrow.

COMMITTEES

Mr. Deputy Speaker (Sir Alan Haselhurst): With permission, I shall put motions 4, 5, 6, 7, 8 and 9 together.

Ordered,

CULTURE, MEDIA AND SPORT

That Miss Julie Kirkbride be discharged from the Culture, Media and Sport Committee and Mr. Charles Hendry be added.

EDUCATION AND SKILLS

That Mr. Mark Simmonds be discharged from the Education and Skills Committee and Mr. Nick Gibb be added.

INFORMATION

That Mr. Michael Jack be discharged from the Information Committee and Mr. Robert Key be added.

INTERNATIONAL DEVELOPMENT

That Mr. Robert Walter be discharged from the International Development Committee and Mr. Andrew Robathan be added.

TRADE AND INDUSTRY

That Mr. Henry Bellingham be discharged from the Trade and Industry Committee and Mr. Nigel Evans be added.

TREASURY

That Mr. Andrew Tyrie be discharged from the Treasury Committee and Mr. Robert Walter be added.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Local Government

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

Mr. Graham Allen (Nottingham, North) (Lab): The use of the council tax as a top-up fee for local government funding has run its course. Even ignoring the democratic arguments, there is now an overwhelming case for a fundamental reform of the local and national Government relationship. This is my contribution to the big conversation, which is needed on the topic ahead of the third term.

I welcome the Under-Secretary of State, Office of the Deputy Prime Minister, my hon. Friend the Member for Corby (Phil Hope), to the Front Bench. This is the first time that I have had the pleasure of having an Adjournment debate with him. We go back some time. I remember when we were twinned before the 1997 general election. I always knew that my hon. Friend had a great future ahead of him, and he is proving that as he makes a great impact in his ministerial position.

The Government are to be commended for their open-mindedness in looking at local income tax and other forms of local government funding. While important in itself, it will be even more significant as the trigger for the next serious step to democratic reform in the United Kingdom. Most western democracies have guaranteed local government independence, backed up by a constitutional guarantee. For that to work in the UK would require not only powers, but financial autonomy, to be devolved to local government.

The appalling turnouts for modern elections underline the fact that it is time either to create genuine democratic local government or to stop the pretence and wind it up. In the debate on local income tax we should stake a claim for nothing less than constitutionally independent local government for the whole of the United Kingdom. That is a concept that would sustain local government and its financing long into the future and end the annual begging-bowl round that so humiliates both the central Government giver and the local government receiver.

Given the reduction of local government over recent decades to little more than an agent of central Government, this proposal would amount to the largest denationalisation ever undertaken in the UK, and the restoration to the public of their ownership of their own local government. The centralisers in British politics have had their day. Over the past 40 years, whatever success they have had nationally, they have delivered neither economic nor social progress at the local level. We see short-term finance, interference, distortion of local priorities, people spending much of their time bidding or working to protect the future of their own jobs, and a plethora of schemes and bodies to circumvent local democratic decision making, barely understood by anyone but a new cadre of local professionals.

Virtually every nation and every business has concluded that the current economic complexities are way beyond the capacities of a command economy. They speak, and deliver on, the language of decentralisation, devolution, local budget holding, participation, and team working. Yet the way we in the UK govern ourselves seems to be stuck, Brezhnev-like, in command politics. That is seen at its starkest and its

[Mr. Graham Allen]

most wasteful in central control of local government—a concept both alien and hilarious to most other western democracies.

Free local democracy will provide more diversity and independence in our political system, which will lead to more creativity, sensitivity and innovation throughout our society and economy. Merely to remove some of the worst excesses of centralism, such as ending the capping of local spending, democratising quangos and releasing capital receipts, welcome as those steps are, is not enough. We need to put local independence beyond the reach of central Government and to admit that the man in Whitehall does not know best, even if, in my case, he is a Labour man.

Petty interference from the centre must be denied any legal or financial basis and that should be achieved in two ways. First, local authorities must be created in law as independent sovereign entities to guarantee their independence. They would then be able to undertake, as of right, all the duties for which they were elected locally and that are recognised as being local under subsidiarity—a concept that will soon have legal force in the European constitution. They would include duties that are not prohibited by law, which would turn the present injunction saying that authorities are not allowed to do things that are not expressly allowed by law on its head. Local government, like any other public body, would have to perform its duties under a legitimate inspection regime, in the context of the European convention on human rights and, potentially, under a more comprehensive and up-to-date British Bill of Rights. It could, therefore, be held to account by any citizen if it were arbitrarily to breach such rights.

Additionally, the pull of centralism is so great that even a Government who had created independent local government might succumb to the temptation to meddle unless we were to ensure that such local rights were put constitutionally out of bounds. That could be achieved initially by this place passing a local government independence Bill that could be protected from easy repeal by including an amendment to the Parliament Act 1911 to allow a second Chamber to veto legislation threatening the rights of local government. In the longer term, such a fundamental bedrock of our democracy must be guaranteed by clauses in a written constitution for the United Kingdom.

Secondly, although we may return the ownership of local government to local people, we must also restore control to them. Political independence for councils would mean nothing without financial independence. The bulk of all local authority spending—more than half—is provided by central Government and only a fraction—one eighth—is raised locally by council tax. Such dependency must end. Central Government must be removed from the financial equation locally and a radical new settlement on taxation must be implemented to achieve that.

Income tax is first collected from local taxpayers by the Inland Revenue and distributed back to the localities by central Government, but that essentially technical system of distribution has become politicised and arbitrary due to ministerial manipulation and the desire to impose central priorities. In future, I propose that the Inland Revenue should collect the same amount of income tax revenue, thus leaving the taxpayer completely financially unaffected. However, the precise amount that currently goes to local government would be ring-fenced and given to it directly rather than via the centre.

Central Government spending on local services in England and Wales is £54.6 billion and the income tax take for England and Wales is £109 billion. In effect, about 50 per cent. of the income tax take would become a local element and 50 per cent. would go to the Chancellor. That could be done via an independent commission that would be legally separate and dislocated from Whitehall. It would receive local government's slice of income tax directly from the Inland Revenue and be charged with distributing money to councils on the same basis as that currently used by the Government Department with responsibility for local government. There is no reason why most of the commission's members could not be elected councillors from all parties. Local government's national bodies have shown themselves to be mature and confident in their cross-party work and when co-operating among themselves, so there is no reason why such a commission could not perform that task. The amount of income tax raised for national and local expenditure would be clearly identified on everybody's payslip as national and local income tax to aid accountability. Although central Government would be legally excluded from tampering with the overwhelming bulk of local authorities' income, they could perform the function for which they are best suited by being free to assist councils with time-limited funding for specific problems, which is already done by the federal Government of the United States and the Governments of many—indeed, most—European states.

Local councils, assured that the funding of most of their expenditure was secure, could then be free to raise the remaining part of their income from a menu of tax-raising revenue powers, ranging from property taxes to sales taxes. Decisions on local taxes and rates could be taken by local representatives, perhaps even endorsed in local referendums. My guess is that local authorities would mostly rely on their local income tax—£54.6 billion—a returned business rate of £16.3 billion and a property tax of £17.7 billion to meet their total current expenditure of £88.5 billion. However, this would be a matter entirely for them to decide. In a mature democracy local authorities would be confident and competent enough to raise and spend what they decide is appropriate, always needing to balance service delivery with revenue raising and being aware of the electoral consequences of no taxation without explanation.

Citizens, knowing what they pay and why they pay it and holding their own local representatives to account, would constitute a firmer discipline and a stronger bulwark against central interference than any statute that could be passed by this place. Local authorities already have a record of financial expertise and economic management that bears comparison with central Government, who so often wish to lecture them whatever political party that Government happen to represent.

As a constitutional safeguard, local authorities would be obliged to operate a balanced budget provision, a self-discipline operated by most American state governments. Annual income would have to match annual spending. Local borrowing, provided that its costs were met from annual income, need not be controlled by Whitehall or appear in the old public sector borrowing requirement, which is now called the public sector net cash requirement.

Throwing away the crutch of central Government will be a frightening as well as exciting challenge. There will be nobody else to blame any more. However, devoted public service has always characterised local councillors of all parties, and they will respond to their liberty. Let local people decide on their spending, their services, their electoral system or the use of direct democracy. A thousand flowers are waiting to bloom locally, but not all of them to the liking of whichever political party is in control at the centre. We must be mature enough to accept that, alongside one council's initiative to create jobs or vocational training in schools, for example, another council may wish to reinstate grammar schools. Such diversity should be not centrally repressed but fought out nationally and locally in the melting pot of campaigns, the contest of ideas and the votes around local choices.

I have faith that my party's ideas would pass such tests, not least because they would deliver a tremendous revitalisation to our all-too-often moribund local politics. Returning real decision-making powers to local areas would give a much-needed stimulus to local political parties. Many individuals who have opted out of local politics would again be drawn back into public service. Once again, it would really matter who got elected locally and how well they were politically prepared and technically trained to handle the onerous duties and responsibilities of independent local government.

We would recreate that invaluable network of citizen politicians of all parties, in touch with their communities, close to their constituents, empowered and empowering their local areas. We all know that the current agency relationship between the centre and the localities cannot be sustained. Independence for local government and independence for people locally is an idea that could revitalise not only our politics but our local civic community. Now is the time for some bold leadership to release and return power back to where it belongs—our local communities.

10.14 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I congratulate my hon. Friend the Member for Nottingham, North (Mr. Allen) on securing this evening's debate and thank him for his kind remarks at the beginning. He managed cleverly to refer to President Brezhnev, and Chairman Mao indirectly, in the same contribution, even though they had opposing philosophies—although the citizens of their two countries may not feel that way.

This is a good time to discuss this important subject, which the Government take seriously, and with which I am closely involved, not least as a member of the steering group that is looking at the balance of funding. I listened with great interest to my hon. Friend's views and suggestions on how the local government system should operate, and it may help the House if I recap on the background to the many issues that he raised.

My hon. Friend is concerned with local government's constitutional standing, electoral turnout, the need for political and financial independence and the case for a local income tax. Any of those might be considered a suitable subject for an Adjournment debate in its own right, and he is to be congratulated on bringing so many important issues together in one short debate.

I should like to start with localism, which is at the core of my hon. Friend's proposals. That is a term that is used increasingly commonly in many different contexts, and rightly so: it is a central theme in the Government's thinking, and underpinned much of what we said in our White Paper and the new financial freedoms in the Local Government Act 2003.

What does localism mean? Like many well used phrases, it is, I suspect, open to a range of different interpretations. Presumably, it is the opposite of centralism and command politics, the sins that my hon. Friend described earlier. To do him credit, he proposed a truly radical meaning that would entirely break with the history of local government and the current constitution of this country. His localism would require constitutionally independent local government, backed by a new inspection regime, a new British Bill of Rights, a local income tax, and a menu of other tax-raising powers. I hope that I have not understated the radical nature of his approach.

The Government have their own powerful vision here—one in which strengthened and efficient councils are free to deliver what their voters demand. But we also need to have the power to intervene where they are clearly not doing so. Our vision recognises the expectations of the public. When asked their opinion, many of the public are often in favour of devolution in principle. It seems common sense that councils should be left alone to get on with things in the way that my hon. Friend described, but others seem to trust their local councils less than they do Parliament and Whitehall, and that was shown, for example, by our focus group research on public attitudes to the balance of funding. If the public are asked different questions, they tend to be hostile to what the press like to call the postcode lottery. If we are to advocate the localist cause, we have to be prepared to build public understanding that devolution of decision making involves greater diversity of provision.

The public can also be slightly less devolutionist when things go wrong. They are quick to point the finger at central Government and ask us to step in. For example, in response to a highly publicised social services case, or evidence of educational under achievement, the tendency is to insist that the Government must do something to remedy the problem. There are expectations that the Government should ensure certain minimum standards, and that means that there must be a limit to local discretion. Society simply will not accept standards of provision falling below certain norms in any area, and, frankly, neither will we.

Now we hear the term new localism or, in different contexts, civil renewal, suggesting that we should perhaps look at a radically new concept of devolution to the town hall and beyond. I should be clear that I support giving people a strong say in their localities in respect of services, and in other issues, such as liveability, that affect their everyday lives. That is about getting better services because they can better reflect local needs and priorities, and about getting people involved. I echo my hon. Friend's sentiments in his remarks towards the end of his speech, because effective

[Phil Hope]

local leadership is vital to achieving that. Thriving communities and strong democratic leadership go hand in hand. He and I both know from our constituency experience that neighbourhoods have complex interrelated problems, services are delivered by multiple agencies and there are limits to the capacity of any community to address all issues.

That is why we see a vital role for the council as community leader and facilitator, and we have started to give councils the ability to play that role. In 2000, we gave councils a power to promote the well-being of their areas, allowing them to respond to a wide range of local issues. This year, the Local Government Act 2003 gave local authorities more freedoms that will help them to respond to local priorities and needs. Financial freedoms and the freedom to respond to businesses and communities are crucial to making credible an agenda of responsiveness. In a different context, which we have been debating today, we are ensuring that the planning system—one of the issues about which local people get most concerned—is more responsive to the community.

Those issues are the context for the new localism, but we recognise that it does not stop at the town hall. There are already models of empowering communities, such as neighbourhood management schemes, which I am sure my hon. Friend has in his area, and quality parishes. We are looking at those options and others across services and Departments. He will have seen that, in the big conversation, of which his contribution is a part, we have asked for views on whether we should give neighbourhoods more direct power over public spaces and community safety, with the power to raise small sums of money. We want a real debate on those issues, and his contribution has been an important part of that.

I should add a word on the European context, to which my hon. Friend also referred. In their approach to the Convention on the Future of Europe and now towards the intergovernmental conference in drawing up a constitutional treaty for the European Union, the UK Government have throughout been a leading advocate both of ensuring that subsidiarity is properly enforced and of strengthening the role of national Parliaments in Europe. We also welcomed the recognition that the Convention gave to the role of regional and local government. We are continuing to support those proposals in the IGC.

I should like now to move on to the finance issues that my hon. Friend raised. First, I refer him to the recent provisional grant settlement for local authorities. I know that that does not quite go to the philosophical root of his arguments, but I should like to preface my later remarks with some comments on the reality of what is happening now. As he will know, the Government have increased the grant to local government by some 29 per cent. in real terms since 1997, taking account of the provisional settlement for 2004–05. That settlement is the seventh successive settlement to give an above-inflation increase to councils—in this case no less than 6.5 per cent.

More money is going into local government, but my hon. Friend asks for more financial freedoms for local government. We have already moved in that direction, as can be seen in our commitment to reverse the trend on the ring-fencing of grants to local authorities. I am pleased to say that, in the recent grant settlement, we reduced the ring-fenced grant from 13.3 to 11.1 per cent. of the total grant.

The Local Government Act 2003 is also about giving councils more independence and flexibility, including financially, and paves the way for even greater freedoms for councils to improve their services. It includes powers to trade, charge for discretionary services and retain income from some fines and penalties, and gives incentives for local government to work with local businesses through the business improvement districts and growth incentives schemes. It also provides for authorities, rather than the Government, to decide how much they need to borrow.

I welcome my hon. Friend's comments on the balanced budget duty. The duty to set a balanced revenue budget has long been a fundamental part of the local government financial framework. From next April, the 2003 Act will strengthen current rules even further.

I am also pleased that my hon. Friend favours removing central control from local borrowing. As he knows, that is exactly what will happen next April, when the new prudential capital finance system comes into force. Again, the framework has been provided in the Local Government Act 2003. For the first time, local authorities will be free to borrow to fund capital expenditure without Government consent, provided that they can afford to service the debt without extra Government support.

Let me move on to my hon. Friend's specific suggestions on what taxes local government should be able to raise and to the broader-brushed canvas that he described. In brief, I understand that he is proposing a local income tax, relocalisation of the business rates and other local revenue sources such as a sales tax. His voice is certainly not the first to make those suggestions. All of them are among the areas for further consideration raised by respondents to the consultation on our balance of funding review, which has invited expert evidence on all those issues in the next few months.

It is possible that, despite recent discussions of council tax rises, some hon. Members are not familiar with the balance of funding review, although I am sure that my hon. Friend is. The Government proposed in their 2001 White Paper to set up a high-level working group to address an issue repeatedly raised by local authorities and the Local Government Association. They argued that the fact that local authorities raised only 25 per cent. of their own funding on average, and relied on central Government grant for the rest, was bad for local democracy. They also argued that it caused the problem of gearing, by which an authority needs to raise its council tax bill by an average of 4 per cent. to raise its budget by just 1 per cent.

The review has met several times under the chairmanship of my right hon. Friend the Minister for Local Government, Regional Governance and Fire. It has discussed the principles of a successful local government finance system, commissioned independent research—all of which is now available on the Office of the Deputy Prime Minister's website, so it is transparent and available for everyone to become engaged with—and held a public consultation. It is now discussing possible reform options. In the context of this debate, I want to emphasise two of its findings so far.

First, the research shows that much of the public are not clear where accountability for local government services lies or where the money comes from. What matters to them is not where local authorities get their money, but that services are efficiently delivered. There seems to be no sign of a direct link between the balance of funding and local election turnout—that was a surprise to many of us. Secondly, our consultation results show that there are many concerns about aspects of the local government finance system, particularly gearing and the impact of council tax rises on taxpayers with fixed incomes. However, there was no clear or simple view of what needs to be done. There are no easy fixes or quick wins and we do not want a knee-jerk reaction. That is why we reject the simplistic, uncosted notions proposed by the Liberal Democrats, and why the official Opposition have so far remained silent on the matter. We need to think the issues through fully if we want, as I do, a system that is fair and widely accepted.

Let me look at my hon. Friend's proposal for a local income tax. The balance of funding review consultation showed support in some quarters for replacing or supplementing council tax with a local income tax, or at least considering the case for one. However, we already gain most of our tax revenue from a national income tax, so we would need to be very sure of the case for having a local income tax, too. I should also point out that the Prime Minister has made it clear that the Government do not favour replacing council tax with local income tax. However, we are certainly prepared in the review to listen to reasoned arguments, and this is one of four issues on which we are asking expert organisations—in this case, the Chartered Institute of Public Finance and Accountancy—to provide further evidence on the pros and cons. That is vital in the case of local income tax, because there are many different ways in which it could work. My hon. Friend proposes assigning a fixed proportion of national income tax to local government. That would, as he suggested, provide security, but it would hardly give councils greater freedom because they would have no control over the rate. I can see that it would be easier to administer than a system where councils set the rate, but I am not sure how it would increase local democracy.

Mr. Allen: I need to make it clear that, as my hon. Friend has grasped, I am not suggesting that local authorities themselves should have any ability to vary the rate—certainly, not initially—but that the amount of national income tax that gets diverted to local services follows a more direct route that would aid accountability. In a sense, since it does not alter the payments made by the individual taxpayer, it is a fairly modest proposal, but the symbolism of assigning that money as a local income tax would be a tremendous boon to accountability. It need not necessarily stop there, but I am conscious of my hon. Friend's blandishments about not doing anything too radical. This proposal is radical enough—I hope that it would encourage local government to think further about its options in a decade or two.

Phil Hope: My hon. Friend makes a good point. He talked about creating a new independent commission of elected members who would distribute that ring-fenced money. I can see advantages to his proposals as well as a great many disadvantages—that is why the balance of funding review is considering all the issues. Some advocates of local income tax suggest that its administrative costs are minimal, but that is frankly not credible. The review will need to hear a great deal of evidence about that.

I am aware that time is running out, Mr. Deputy Speaker. My hon. Friend also suggested the re-localisation of business rates. We have a predisposition against re-localisation because we fear that a postcode lottery may occur where businesses are allowed to go down that route.

I welcome my hon. Friend's contribution to this important debate. His paper certainly reflects the importance of getting it right, and it is admirably detailed in its proposals. These are complex issues. There is no easy fix and no magic formula: we need to plan for the long term. We are firmly committed to the new localism, as well as to providing new freedoms to local government and exploring options on how it is financed, although I have to say that the Government's considering how such options might work does not mean that we endorse or intend to adopt them, whatever newspapers might say.

The motion having been made at Ten o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at half-past Ten o'clock.

House of Commons

Tuesday 9 December 2003

The House met at half-past Ten o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

HEALTH

The Secretary of State was asked—

Worcestershire Health Economy

1. **Mr. Peter Luff** (Mid-Worcestershire) (Con): If he will make a statement on the financial situation of the Worcestershire health economy. [142542]

The Minister of State, Department of Health (Mr. John Hutton): Primary care trusts in Worcestershire will receive a total increase of £118.9 million over the next three years, representing a cash increase of more than 30 per cent. All primary care trusts in Worcestershire are forecasting financial balance for this financial year. However, as the hon. Gentleman will know, discussions are continuing between the strategic health authority and Worcestershire Acute Hospitals NHS trust to ensure that the trust achieves financial balance over the next two financial years.

Mr. Luff: I am grateful for that answer. The Minister will know that the budgetary problems of the South Worcestershire primary care trust, which were caused at least in part by an obligation to meet centrally imposed targets, led to significant cuts in local health services early this year. As the Worcestershire Acute Hospitals NHS trust struggles with its own precarious financial position, caused in part by an obligation to meet the new waiting time targets, can the right hon. Gentleman assure me that there will be no further cuts to patient services in Worcestershire, and that the new GP contract will be fully implemented?

Mr. Hutton: Yes. There will not be any cuts in front-line health care services in Worcestershire—quite the opposite: we are looking to expand health care services in the county because there is a need for that. The new GP contract will be fully funded and it will be properly implemented, as we have repeatedly made clear. We are trying to address the issues, of concern to the hon. Gentleman and many others in Worcestershire, affecting the hospitals trust. That task would be greatly furthered if we had the hon. Gentleman's support for the additional investment that we are providing.

Mr. Michael Foster (Worcester) (Lab): Has my right hon. Friend made an assessment of the impact on the finances of the Worcestershire health economy of diverting cash from the NHS to pay for tax relief on private medical insurance?

Mr. Hutton: Yes, I have made such an assessment—and it would wipe out the additional £118 million of investment, so I really do not think that the Conservative party's proposals would help to enhance the NHS in Worcestershire. Indeed, they would make the job of the NHS in Worcestershire immeasurably more difficult.

Sir Michael Spicer (West Worcestershire) (Con): When will work begin on the long awaited new hospital in Malvern in Worcestershire? If the Minister does not know the answer to that, will he write to me about it by the end of the week?

Mr. Hutton: I do not know the answer, but as the hon. Gentleman has asked me to, I will write to him by the end of the week.

Mr. Tim Yeo (South Suffolk) (Con): Are not the people of Worcestershire being let down by the Government? Tax is up, spending is up, but activity has barely increased. Only six days ago, the NHS chief executive admitted that average waiting times are getting longer. Last year only one patient in 400 was able to exercise choice and then only if they had been waiting for more than six months. Against that background and in view of the delays to the NHS information technology project, will the Minister confirm that the promises made this morning by the Secretary of State in No. 10 Downing street about increasing patient choice are just pie in the sky?

Mr. Hutton: No, I would not accept that, but I welcome the hon. Gentleman to his new responsibilities. There are no delays to the NHS IT programme, which will be delivered and implemented on time—because of the additional investment that we are putting into the NHS, which the hon. Gentleman is obviously not prepared to match. As to waiting times, they are falling, rather than rising as they did under the previous Government. Given the hon. Gentleman's desire to represent a new type of politics, he might have had the courtesy and the manners to acknowledge that in the House today.

NHS Dentistry

2. **Mr. Colin Breed** (South-East Cornwall) (LD): If he will make a statement on his Department's proposals to improve access to NHS dentistry. [142543]

The Minister of State, Department of Health (Ms Rosie Winterton): The Health and Social Care (Community Health and Standards) Act 2003 is the most radical reform of NHS dentistry since 1948, and means that the £1.2 billion currently held centrally will be devolved to primary care trusts to commission NHS dentistry. In the meantime we have allocated £59 million to improve access to NHS dentistry where there are currently acute short-term problems.

Mr. Breed: I thank the Minister for that response, but her predecessor told me in January that the Government would indeed strive to put more investment into NHS dentistry services in Cornwall. We have seen no visible evidence of that. Indeed, children are now being deregistered from NHS dentistry. Such inequity cannot be allowed to continue on. Can the Minister direct any specific investment into areas such as Cornwall so that NHS dentistry can be brought up to at least the average in the UK nationally?

Ms Winterton: I understand the points that the hon. Gentleman makes and, in the longer term, we will radically overhaul NHS dentistry. However, in the meantime, we have set up 22 new dental clinics in Cornwall since 1998. They provide treatment on the NHS to people who are not registered with an NHS dentist. We are also considering the hon. Gentleman's area as one of the pilot areas for the new system of local commissioning of NHS dentistry, so that we can ensure that dentists stay with the NHS and encourage others to return to it.

Mr. Peter Pike (Burnley) (Lab): My hon. Friend will know that Burnley is one of the worst places in the country for obtaining NHS dental treatment. There is a gaping hole in provision. We welcome what the Government have done and the changes that will take place in 2005, but what can be done to provide urgent dental treatment on the NHS for people who need it now?

Ms Winterton: I refer back to the £59 million that I have announced in the past few months that will be used to address exactly the problems that my hon. Friend mentions. That will happen through the NHS support team, which is funded by £9 million, backed up by around £35 million in revenue support. The NHS support team visited my hon. Friend's area in August, October and again in November. A local action plan is being drawn up to address some of the real problems that I know exist in his area and I will let him have further details in due course.

Mr. Hugo Swire (East Devon) (Con): When the Minister wrote to me in answer to a query that I raised about the critical state of dentistry in east Devon, she mentioned the figure of £65.2 million to support the changes. I notice that this morning that figure has fallen to £59 million. Does the Minister agree with me and my constituent Dr. Kenneth Croft that there is no point in improving access to dentists if they do not exist in the first place? Will she consider ensuring that some of the new money is spent on general dental practitioners, who are at the forefront of dentistry, rather than on IT training, recruitment and so forth?

Ms Winterton: Some of the money will go to dentists in general dental service. That is the whole idea. Some of the money can be used for capital expenditure—for example, if a dentist wishes to expand the surgery area or provide extra facilities in the clinic. In terms of revenue, extra money can be spent on more sessions for NHS patients. In the longer term, we are reviewing the dental work force to ensure that we have more trainees and encourage more people to return to dentistry, especially women. Overall, the hon. Gentleman should remember that this state of affairs arose because of the way in which the Conservatives behaved in the 1990s, which led to NHS dentists—

Mr. Speaker: Order. I call Ian Lucas.

Ian Lucas (Wrexham) (Lab): Will my hon. Friend join me in condemning those many dentists, some from the Wrexham area, who have unilaterally withdrawn from NHS practice? What sort of professional sends a patient of 20 years' standing a letter to say that they can no longer treat him unless he signs up to a private dental plan? That is disreputable behaviour. It is time that such dentists recognised that they have a professional obligation to offer health care, not just to seek private profit.

Ms Winterton: Dentists are independent contractors and, as such, they have the absolute right to withdraw their services if they wish to do so. The problem has been not necessarily the amount that dentists are paid but the way in which they are paid, leading to the treadmill effect of the current system. We are changing that round so that the money that is held centrally will be devolved to local level. The system of payment will change, and we believe that that will encourage more dentists to stay in the NHS and encourage more to join it in the first place.

Mrs. Patsy Calton (Cheadle) (LD): Now that more than half the population are not registered with an NHS dentist, it is clear that access is not the whole story. What will the Government do to ensure that more people are registered with an NHS dentist?

Ms Winterton: Only some 5 per cent. of dentists offer only private care. Some 60 per cent. of dentists provide some 90 per cent. of NHS care. However, the hon. Lady is right to point to a problem. We need to improve access and encourage registration. The measures that I have outlined—including devolving money held centrally to local level, allowing local commissioning and addressing the issue of the dental work force—will change the situation round. It will be a radical overhaul of the present system.

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): Cosmetic teeth whitening is, I understand, a simple but costly procedure much beloved of some Opposition Front-Bench Members. Is cosmetic teeth whitening available on the NHS and, if not, how much would it cost the NHS, and what would be the impact on availability, if it were to be provided under the patients passport that the Opposition love?

Ms Winterton: If teeth whitening were for purely cosmetic reasons it would not be available under the NHS, which is purely for clinical procedures, unless there had been a recommendation that it was necessary for clinical purposes. I agree with my hon. Friend about the policies of the Opposition; not only will the patients passport undermine the NHS—*[Interruption.]*

Mr. Speaker: Order. I call Dr. Murrison.

Dr. Andrew Murrison (Westbury) (Con): Deteriorating dental health in the UK is but the latest in a string of public health disappointments, including tuberculosis, obesity and sexual health, that have become more acute since the creation of the post of a public health Minister. Successive postholders have done little more than tweak management wiring diagrams, from the creation of directorates of infection control to the transfer of responsibility for primary dental care. Does the Minister agree in all candour that in public health terms the Government's impact on preventive oral health has been marginal at best? What comfort can she give the British Dental Association, which has highlighted its concerns to her on repeated occasions?

Ms Winterton: In fact, we are working extremely closely with the BDA. That is exactly why we have come up with our plans. The BDA told us that it did not like the present system of payment, which was introduced by the previous Administration—who, by the way, at the same time cut dental fees by 7 per cent. while we have increased them by 26 per cent. We have worked with the BDA so that the money currently being spent centrally will be devolved to local level. That is what the BDA told us it wants and that is what we are delivering.

Shona McIsaac (Cleethorpes) (Lab): My hon. Friend will know that I have been haranguing Ministers for some time about the appalling problems of access to dentistry in Grimsby and Cleethorpes. For example, a vulnerable adult on incapacity benefit, who cannot obtain NHS treatment, was quoted £500 for fillings, while a pensioner who is in severe pain following an accident and needs urgent treatment can get no treatment, not even private treatment, until the new year. I know that initial discussions on improving access in my area have taken place, so will my hon. Friend tell me what progress is being made to ensure that my constituents have access to good dental treatment?

Ms Winterton: I am well aware of the problems that my hon. Friend has highlighted. She has been as assiduous as ever in bringing them to our attention and I hope that I can offer her some reassurance. The dental support team has made three visits to her area to meet the local primary care trust. As a result, grants have been allocated for about 3,000 extra patients to be registered on NHS dentists' lists, and £50,000 has been allocated for a new service for non NHS registered patients who need urgent treatment. My Department has also allocated £95,000 to employ full-time salaried dentists in the area. Furthermore, the PCT is working with Sheffield university on a scheme to locate newly qualified dentists in the area. I hope that gives my hon. Friend some reassurance that progress is being made.

3. **Mr. Andrew Turner** (Isle of Wight) (Con): If he will make a statement on the number of dentists in NHS practice. [142544]

The Minister of State, Department of Health (Ms Rosie Winterton): On 30 September 2003, there were 18,500 dentists in England—up from 16,728 in 1997. We have also undertaken a dental work force review, which we will publish shortly.

Mr. Turner: I thank the Minister for that answer. I am sure that she is aware, because she gave me the information, that in 1999 41 per cent. of adults in my constituency were registered with an NHS dentist. That figure has now slumped to 30.6 per cent. I have raised this matter with her predecessor. My PCT chief executive tells me that the Department of Health counts the Isle of Wight as

"amongst the twelve most challenged populations"

[Interruption.]—with regard to dentistry, that is—and is very supportive. We have had three meetings with the Department of Health, and another meeting will take place in late January, but is the Minister aware that it is no good offering meetings to managers when constituents want treatment?

Ms Winterton: I can quite understand why the hon. Gentleman's constituents feel rather challenged. I reassure him that the NHS dentistry support team has, as he suggests, visited his constituency and met the local PCT and the local strategic health authority. It is important that the priorities are agreed at that level because that is how we can improve the system. Of course I understand the point about the hon. Gentleman's constituents. We are very aware of the difficulties that they face, but we have to sort those difficulties out strategically. Not only have those meetings taken place, but a local action plan has been drawn up to ensure that the situation is improved. A recruitment package has been produced. That has been attempted before in the hon. Gentleman's constituency to try to recruit dentists to the area. It was not successful, but that is being looked at again, and emphasis will be put on the fact that the access should not be required off the island and that priority should be given to children. I hope that that will improve the situation.

Mrs. Ann Cryer (Keighley) (Lab): Is my hon. Friend aware that many of my constituents cannot register with an NHS dentist? There are many good NHS dentists in Keighley, but unfortunately, there are none in Skipton, so people from Skipton flood the Keighley area to use our dentists. What help can my hon. Friend offer to my constituency?

Ms Winterton: Again, I can assure my hon. Friend that, through the NHS support team, we are trying to ensure that particularly challenged areas receive extra help. I will certainly ask the support team to consider the points that she makes and to find out whether we can do anything further to assist her area.

Hywel Williams (Caernarfon) (PC): I am the victim of an assault—an assault by treacle toffee offered to me by a seven-year-old at a school Christmas fair. I could find no dentist either in London or in my constituency, and I eventually had to pay £400 for emergency treatment. Given that many hon. Members will shortly risk their dental integrity at school fairs throughout the country, can the Minister assure us that emergency dental treatment on the NHS is available in all parts of the United Kingdom?

Ms Winterton: I can perhaps refer the hon. Gentleman to NHS Direct, which will be able to advise him on the nearest centre where he can get emergency care. That is what we pledged to do: to ensure that anyone who telephones NHS Direct can get advice on where the nearest source of emergency care is—either through a dental access centre, or through an NHS dentist who provides emergency treatment.

Lawrie Quinn (Scarborough and Whitby) (Lab): My hon. Friend has done much work with the British Dental Association, which she mentioned in an earlier answer, but crucial to maintaining the number of dentists is continued professional post-graduate training. A very good scheme has been developed on the Yorkshire coast in my constituency. Will my hon. Friend take the opportunity in the new year to come and see that work, which I very much congratulate her and her officials on helping to get started?

Ms Winterton: I thank my hon. Friend for those remarks. He is absolutely right. That is why we have undertaken the dental work force review to consider training, recruitment and how we can ensure that more dentists stay in the NHS when they have trained. I would be more than happy to visit my hon. Friend's constituency. The NHS support team has already visited the area to consider ways in which it can improve access for his constituents, following representations that he has made, but looking at some of the schemes that he has outlined would be extremely helpful.

Epilepsy Nurses

4. **Mr. George Osborne** (Tatton) (Con): If he will make a statement on the provision of specialist children's epilepsy nurses. [142545]

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): We do not collect this information centrally, but we understand that there are around 100 epilepsy specialist nurses supporting the treatment and management of children and adults with epilepsy. In February 2003, we published the Department of Health's epilepsy action plan, and primary care trusts are able to develop more epilepsy specialist nursing posts to support the delivery of local epilepsy services.

Mr. Osborne: A consultant paediatrician in my local hospital, Dr. Owens, has vividly described to me the enormous benefit that specialist epilepsy nurses can bring to families with epileptic children. Yet in my area, as in many others, those specialist services do not exist. Before putting all the responsibility on primary care trusts, would the Minister listen to what Dr. Owens has to tell us—indeed, I forwarded this letter to him a month ago—

> "Whilst the present Government has undoubtedly increased funding for the NHS, moneys are centrally controlled and streamed into specific areas. There is not much funding reaching children's services in district general hospitals."

What more can the Minister do to bring benefits to families with epileptic children in my area?

Dr. Ladyman: First, there is less ring-fencing of money now than ever before. Eight-five per cent. of the money is passed on to primary care trusts, which can make decisions about how they want to deliver epilepsy services in the best interests of local people. It is ridiculous to suggest that specialist nurses—important though they are—represent the totality of the delivery of services for children with epilepsy. I would refer the hon. Gentleman's constituent to the complete and comprehensive improvement in the priority that this Government have given to epilepsy compared with our predecessors. We have the epilepsy action plan, the national service frameworks for children and long-term conditions that are being produced next year, and two sets of NICE guidelines being produced that are also of direct relevance to epilepsy.

Tim Loughton (East Worthing and Shoreham) (Con): The lack of children's epilepsy nurses is another example of the chronic shortage of specialist children's nurses highlighted in the study by the Royal College of Nursing and the Royal College of Paediatrics and Child Health, and has been identified as a major factor in avoidable death. It underlines how children's health does not fit into this Government's target priorities. Does the Minister acknowledge the figures from the royal colleges, which point to the fact that another 2,700 children's nurses are needed just to meet demand? Can he now tell the House the number of pre-registration children's nursing training places being made available to overcome that deficiency? Will that serious problem be addressed in the children's national service framework, when we eventually get it?

Dr. Ladyman: First, there are now 48,000 more nurses in the national health service as a result of the investment made by this Government. How many would there be if we were cutting expenditure on the national health service by 20 per cent? Out of those 48,000 will come a substantial number of specialist children's nurses, including those for epilepsy. If the hon. Gentleman were genuinely reflecting the views of people working in children's health, he would be saying that this Government are dramatically improving prospects for children's health in this country, and that the national service framework is going to be one of the biggest steps forward in children's health in the history of the national health service.

GP Premises (East London)

5. **Ms Oona King** (Bethnal Green and Bow) (Lab): What measures he is taking to improve general practitioner premises in east London. [142546]

The Secretary of State for Health (Dr. John Reid): We have begun to transform the face of primary care in east London. In my hon. Friend's constituency, the local primary care trust is investing more than £1 million in opening, renewing and refurbishing general practice premises. By early next year, Tower Hamlets PCT will have opened three additional practices, bringing much-needed general practitioners to east London.

Ms King: I thank my right hon. Friend for that reply. Clearly, I warmly welcome the new premises that are being replaced, refurbished and reopened. In places such as east London, however, many older GPs, often operating from single practices that were inadequately housed, are retiring, and we are having something of a problem in ensuring that the new premises are duly improved and in the right places. Can the Secretary of State write to me outlining what measures his Department might take to work more closely with developers, the Office of the Deputy Prime Minister and others involved in regeneration initiatives to ensure that we have improved premises in the areas that need them?

Dr. Reid: I will certainly undertake to write to my hon. Friend. In the meantime, I can say that she is absolutely right that we need to unleash the capacity that exists in the public or private sector to bring together all capabilities to address health care, whether that relates to buildings or other matters. She may know that we have developed a groundbreaking initiative for the NHS that is referred to as LIFT—the local improvement finance trust—to develop and encourage a new market for investment in primary care facilities. East London contains two LIFT projects, in Barking and Havering, which are bringing investment worth more than £47 million to London. Included in the east London scheme is a £4.9 million one-stop primary care centre in Church road, a £2.6 million primary care centre in Barking road and a £12 million one-stop primary care centre in Vicarage lane. All of that is vitally important, because if we do not put capacity into the NHS, we cannot give people the quality or choice that they should have.

Mr. Richard Bacon (South Norfolk) (Con) *rose*—

Mr. Speaker: Order. I have no wish to ignore the hon. Gentleman, but South Norfolk does not exactly come under east London.

Nurse Practitioners

6. **Helen Jones** (Warrington, North) (Lab): What progress has been made in developing the role of nurse practitioners; and if he will make a statement. [142547]

The Minister of State, Department of Health (Mr. John Hutton): Over the past five years, the number of nurses working in primary care has increased by 18 per cent., and many of them work as nurse practitioners. Their roles have expanded to include prescribing and ordering some diagnostic tests for patients. The Department also remains committed to developing further the role of nurses in secondary care through the establishment of new modern matrons, nurse consultant posts and greater clinical responsibility for nurses.

Helen Jones: I am grateful to the Minister for that reply, but will he tell the House how he proposes to extend further the role of nurse practitioners in primary care? Many patients find that extremely useful—it is very popular in my area. How might the arrangements for the new GP contract impinge on that process?

Mr. Hutton: I agree with my hon. Friend that nurses have a hugely important role to play in delivering an improved range of services in the community and primary care. I know that she assiduously follows such events, so she knows that the new general medical services contract that we successfully concluded with the British Medical Association will allow nurse-led practices to be developed in GMS for the first time. That will allow nurses to continue expanding and developing their role to improve services for patients in all parts of the country, including those of my hon. Friend.

Mr. David Tredinnick (Bosworth) (Con): Will the right hon. Gentleman ensure that nurses who have trained in therapies such as acupuncture, herbal remedies and perhaps even homeopathy will not be discriminated against in hospitals? Will they be able to use such therapies as they should—to assist patients and reduce the pressure on doctors and other nurses?

Mr. Hutton: I certainly would not want to dismiss that. I have recently become something of a convert to some of those treatments. I had some reflexology recently and it was very nice indeed—I do not really want to say any more about that.

The hon. Gentleman raises a fair and important point. He might not have had a chance to read the command paper that has been published today on how we can make the NHS more responsive and equitable with choice. It deals with complementary medicines and I hope that he will find that our statements today take the issue further forward in a way he could support.

Syd Rapson (Portsmouth, North) (Lab): May I first, through you, Mr. Speaker, thank the Secretary of State for his morale-boosting visit to Portsmouth last week, which was welcomed by everyone? In welcoming the development of nurse practitioners, may I ask the Minister whether that will give nurses the authority to cope with the MRSA problem that affects most hospitals?

Mr. Hutton: My right hon. Friend the Secretary of State raises the morale of everyone in the NHS wherever he goes. My hon. Friend makes an important point about MRSA. The chief medical officer published a set of proposals last week that will help us to get on top of what we accept is a serious problem for the NHS. I agree that a key way in which we could make a significant improvement would be to develop the authority and role of nurses, which is precisely what modern matrons are doing in our hospitals today.

Stroke Services

7. **Sandra Gidley** (Romsey) (LD): What the latest average waiting time is for a scan for patients with a suspected stroke. [142548]

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): The information is not collected centrally. The target in this area is to achieve a CT or MRI scan in less than 48 hours. The 2001–02 national sentinel stroke audit reported that more patients than ever had had brain imaging, with at least 83 per cent. meeting that target.

Sandra Gidley: I hope that the Minister is not complacent about those figures because they mean that almost 20,000 people did not receive the required service in the required time. As such targets are part of the national service framework, does the fact that the information is not monitored centrally mean that NSFs are not worth the paper that they are written on?

Miss Johnson: I do not think anyone in the Chamber or outside it will give any credence to that line. One target in the priorities and planning framework for 2003 to 2006 requires the establishment of specialist stroke services by April 2004, which are important in all hospitals that care for people who have a stroke. At least three quarters of hospitals already have specialist stroke services. The local delivery plans show that 94 per cent. aim to meet that target soon.

Mr. Richard Bacon (South Norfolk) (Con): Will the latest average waiting time for a scan for patients with a suspected stroke be recorded in the national programme for IT in the health service, the contracts for which have been signed with unseemly haste despite the concerns of many in the industry? Can the Minister confirm whether a significant financial bonus has been given to the director general of IT, Mr. Richard Granger, for signing the contracts by a specific date?

Miss Johnson: I am surprised at the hon. Gentleman's line of questioning. The third national sentinel stroke audit said:

"there has been a revolution over the last few years."

Those are not the words of the Department of Health, but come from the audit on patients with stroke. Of course we want to improve services to patients through the IT investment that we are making. I should have thought that hon. Members would universally welcome that.

Mr. Harry Barnes (North-East Derbyshire) (Lab): Is the Minister aware that if someone has a stroke at the back of the head, it affects their balance, and that the test for that reveals whether someone has multiple sclerosis or has had a stroke? It is assumed that if a person is young, he has MS, and that if he is old, he has had a stroke. That is not exactly scientific because there are other possibilities. The proper way to diagnose people in those circumstances is to do a scan. It is important that that service is developed throughout the country.

Miss Johnson: I am enormously grateful to my hon. Friend for improving my medical education further. That is a useful point. The number of scanners has grown considerably since 1997. Altogether, the number of MRI scanners is expected to increase from 110 in 1997 to 276 by 2004. That is an increase of 151 per cent.

Mr. Andrew Lansley (South Cambridgeshire) (Con): The Minister referred to the national sentinel stroke audit, which said that only 27 per cent. of stroke patients spent the majority of their time in a specialist stroke unit. Does she agree that what matters most is the character of the specialist unit and whether patients spend time in it? What milestones or targets does the priorities and planning framework suggest for the proportion of patients who receive specialist care?

Miss Johnson: By next April, 95 per cent. of all hospitals will have specialist stroke services. I agree that it is important that services are appropriately tailored to meet patients' needs. We are investing in the NHS to make such provision available, which we base on best practice, spread across the service by the Modernisation Agency. That allows patients to receive the standard of care that Labour Members think they deserve, backed by the investment that will deliver that standard of care.

Care Homes

8. **Mrs. Marion Roe** (Broxbourne) (Con): If he will make a statement on the change in the number of care home beds since 1997. [142549]

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): In 1997, there were 534,410 care home beds. In 2001, there were 528,000 beds in England. Data on care home capacity have not been collected by the Department of Health since 2001, but data collected independently by Laing and Buisson indicate that at July 2003 there were about 10,000 vacant care home places in the United Kingdom.

Mrs. Roe: Does the Minister acknowledge the figures published by Laing and Buisson last summer, which show that capacity in the care home sector—throughout all sectors—was 74,000 places lower than the peak in 1996? Does he really believe that this catastrophic loss of care home places is of the care sector's own choosing? When will he admit that care homes are closing because the Labour Government's illthought-through policies are forcing them to do so?

Dr. Ladyman: Care home places are being lost because older people do not want to go in them. We are giving people choice. There are 81,500 people receiving intensive care home packages so that they can stay at home. If the hon. Lady studies the performance indicators published only a couple of weeks ago, she will find that we have increased the number of people being supported at home by 30 per cent. since 1998. We are giving older people choice. The Conservative party wants to force them all, against their will, into care homes.

Mr. George Stevenson (Stoke-on-Trent, South) (Lab): Does my hon. Friend agree that a continuing concern about the provision of care for the elderly—particularly in respect of elderly care beds—is the artificial divisions that exist between the national health service and social services? Is it not time that the Government redoubled their efforts to encourage these authorities to merge and to establish care trusts for the elderly so that the necessary focus can be placed on the comprehensive requirements of the elderly when they are in need of care?

Dr. Ladyman: I very much agree with my hon. Friend. Care trusts to support older people are a valuable tool. I encourage any local council and primary care trust looking for opportunities to improve care for older people to think carefully about building up the partnerships, co-operation and trust that are necessary to improve working, and then to cement those partnerships by forming a care trust that can deliver the comprehensive service that I know my hon. Friend supports.

Mr. Simon Burns (West Chelmsford) (Con): The care home sector will be deeply distressed that the Minister seems to be in total denial of the crisis in care. At a time when care homes are under severe financial pressures, will he tell us what justification there is for the fact that an enhanced check fee that was £12 per check in April

2002 will, by next April, have risen 175 per cent. to £33, placing more financial burdens on care homes? It will be seen by many as another stealth tax.

Dr. Ladyman: I am surprised at the hon. Gentleman and his constant attacks on Criminal Records Bureau checks. If we ever needed any confirmation of why such checks are necessary, we saw it recently in the "Panorama" programme. That is what the Government have implemented—*[Interruption.]*

Mr. Speaker: Order. Let the Minister answer in his own way.

Dr. Ladyman: Thank you, Mr. Speaker.

The cost has increased because we consulted the industry and made it clear to it that we would expect full cost recovery over a period. We are moving to that. The industry can pass on the costs to those to whom it sells its services. The Government fully fund that through local councils.

Mrs. Anne Campbell (Cambridge) (Lab): May I encourage my hon. Friend to concentrate on the care that most of my elderly constituents prefer to receive—domiciliary care? Will he ensure that social services departments are capable of providing the high-quality care that people need when they are living at home?

Dr. Ladyman: My hon. Friend is right. I am glad that at least on the Government Benches we are consistent in our support for the choice that 80 per cent. of elderly people tell us that they want to make, which is to stay in their own homes. We must work much harder to ensure that social services are aware that people want to make choices and that they have all the facilities that they need at their disposal to make such choices a reality for everybody.

Mr. Archie Norman (Tunbridge Wells) (Con): Does the Minister realise that his claim that care homes are closing because elderly people do not want to go into them will sound risible to people in west Kent, where all the care homes are full and elderly people have to be shipped off to the south coast because homes are still closing? Does he acknowledge that one reason why they are closing is the pattern of condescending regulation imposed on care home managers, such as the requirement for experienced care home owners and managers to do a four-year national vocational qualification in management, despite the fact that they have been running perfectly good homes for many years?

Dr. Ladyman: It is our intention to drive up standards in care homes. The hon. Gentleman represents Tunbridge Wells, so may I suggest that he read the last edition of *Caring Times*, in which he will see a report from a property consultant saying that the care home market has turned around, and that a care home in his constituency was recently sold for far more than the asking price because serious investors are coming back into what they regard as a healthy marketplace. I am sure that the shadow Secretary of State, the hon. Member for South Suffolk (Mr. Yeo), will confirm that fact, because he has a declared interest in the care home industry and is presumably making good money out of it.

Hepatitis C

9. **The Reverend Martin Smyth** (Belfast South) (UUP): How many people infected with hepatitis C through NHS treatment will benefit from the ex gratia payment scheme. [142551]

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): Work on the detail of the scheme is ongoing, so the exact number of potential beneficiaries is not yet known.

Rev. Martin Smyth: I am sorry that the number is not known, but does the Minister agree that, despite the goal of patient choice, those people had no choice? They were infected as a result of a mistake by the health service, and should all be compensated. Some of them have died, but their relatives have not been compensated either.

Miss Johnson: Because we recognised that there were compassionate grounds, my right hon. Friend the Secretary of State announced that, in principle, he would introduce ex gratia payments on compassionate grounds for patients infected with hepatitis C following treatment with contaminated blood and blood products. A scheme is currently under construction.

Dr. Brian Iddon (Bolton, South-East) (Lab): I hope that my hon. Friend noticed that the annual "Carpet of Lilies" campaign was held last week by the Haemophilia Society and that, sadly, we presented 232 lilies to No. 10 Downing street last week. I hope that she will take into consideration the fact that the relatives of the 232 haemophiliacs who died as a result of contracting the hepatitis C virus deserve compensation. All HCV strains are rather miraculous, as they mutate rapidly and even disappear, so will she take into account the fact that although people contracted HCV years ago they may not be HCV-positive today? However, because of the trauma that they have suffered they still deserve compensation.

Miss Johnson: First, may I extend our sympathies to everyone who has suffered as a result of contracting hepatitis C, and say that we were aware of the "Carpet of Lilies" day last week? Secondly, we are well aware of a number of concerns expressed by my hon. Friend about the proposed scheme. We are in discussion with the chairman and chief executive of the Haemophilia Society, who have also met my officials in the Department. We are considering those concerns, but the fact is that we have to decide how to use the money to the best effect. As with all things, it is not an unlimited pot.

Local Treatment Centres

10. **Mike Gapes** (Ilford, South) (Lab): If he will make a statement on plans for provision of local treatment centres. [142552]

The Secretary of State for Health (Dr. John Reid): The national health service is developing a large number of new treatment centres, which will enable more patients to receive more operations more quickly. The programme will also enable the NHS to offer patients a greater choice about where they are treated.

Mike Gapes: Is my right hon. Friend aware that for many years we have had a severe shortage of hospital beds in north-east London? In my own trust—Barking, Havering and Redbridge Hospitals NHS Trust—we have an average 98 per cent. bed occupancy. Will my hon. Friend join me in welcoming the decision by my local trust and the Anglo-Canadian Group to establish from March 2005 a treatment centre on the King George hospital site in my constituency, which will treat 12,000 elective surgical patients every year? Will he join me in acknowledging that that is another example of success and investment by the Labour Government?

Dr. Reid: Yes—*[Laughter.]* Indeed I will, but the proof of the pudding is not whether the Government give accolades or whether those on the Opposition Front Bench laugh and sneer; it is whether the people who are receiving treatment from the national health service in my hon. Friend's constituency get a better quality service quickly, in greater numbers than before. As he points out, there is no doubt that that independent sector treatment centre, which will treat an average of 11,800 patients a year over five years, will be a major boon and another indication of the results of the investment that we are putting in. Incidentally, 4,300 of those treatments will be additional operations. The proof of the pudding is in the eating, and our investment will not only give a better quality of service to patients, but mean that the vast majority of people, rather than just the rich or the privileged, can get a better choice and better quality of health care.

Mr. David Cameron (Witney) (Con): Does the Secretary of State agree that it is important that the local aspect of treatment centres is considered? Will he give me an assurance that, if a primary care trust votes against a diagnostic and treatment centre because it believes that it is not in the interests of local people, it will not be subject to improper pressure from the Department of Health or the strategic health authority to change its mind? Can he assure me that that has not happened, and will not happen, in the case of the South West Oxfordshire primary care trust?

Dr. Reid: If the hon. Gentleman were a cautious person, he would wait and see the outcome of the discussions in the area that he mentioned. I will be prepared to accept them, and all reasonable people will accept that local primary care trusts have to make their own decisions, but the public will want to be sure that those decisions are based on the interests of local patients and are not unduly influenced by the interests of local providers and producers, especially consultants. It is essential that in all these decisions the interests of patients are put first. That is why we are achieving such success in improving the national health service.

Despite the criticisms that we receive from week to week, it is noticeable that the widespread use of the NHS has now extended to the royal family. I am delighted that in recent days that has been the case. There are people of some stature currently using the NHS, not least Ozzy Osbourne, and I am sure that all of us wish him a speedy recovery.

Passive Smoking

11. **David Taylor** (North-West Leicestershire) (Lab): What contribution to the policies of his Department on controls over secondary smoking in public places has been made by the chief medical officer for England. [142553]

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): The chief medical officer's annual report that was published in July, which highlighted second-hand smoke, is an extremely valuable contribution to the debate on this important public health topic.

David Taylor: As chair of the all-party group on smoking and health, I welcome the present taxpayer-funded campaign highlighting the dangers of second-hand smoke, but regret the reluctance of the Government to abandon the failed voluntary approach on these matters. Should we not follow the imaginative legislative example of New Zealand and others listed in my early-day motion 225? Is it not the Secretary of State who is the outrider on these issues, not the chief medical officer?

Miss Johnson: The chief medical officer is certainly no outrider, nor is the Secretary of State. We have done 98 per cent. of what the chief medical officer advised with regard to smoking. We have introduced a world-leading smoking cessation service, an education campaign with a specific hard-hitting campaign on second-hand smoke, a ban on tobacco advertising and new health warnings on tobacco. Let us be clear. The chief medical officer's role is to provide medical advice, and we as politicians have the responsibility for balancing that advice with protecting the freedom of individuals.

Mr. Eric Forth (Bromley and Chislehurst) (Con): What estimate has the Minister made of the loss of revenue for each percentage drop in smoking in the population at large? What proposals does she or the Chancellor have for making good the revenues lost every time people stop smoking?

Miss Johnson: That is a matter for the Chancellor, as the right hon. Gentleman knows. Let us not forget that taxation has been crucial in encouraging many people to kick the habit and better still, never to start. For every 10 per cent. increase in price, there is a 3 per cent. fall in smoking. Also, we have funded over 1,000 extra Customs officers and a national network of X-ray scanners to combat smuggling, so we have made considerable progress. The high price of cigarettes in the UK is a contributory factor to that success.

NHS Funding (Milton Keynes)

12. **Dr. Phyllis Starkey** (Milton Keynes, South-West) (Lab): If he will make a statement on NHS funding for Milton Keynes. [142554]

The Minister of State, Department of Health (Mr. John Hutton): The resources available to Milton Keynes primary care trust will increase over the next three years by £47.8 million or 31.3 per cent. It is for primary care trusts in partnership with strategic health authorities and others to determine how best to use their funds to meet national and local priorities.

Dr. Starkey: My constituents welcome the generous extra funding that Milton Keynes has already received, but the Minister will be aware that it is one of the Government's housing growth areas and we are concerned about future health spending. In particular, given that health funding is set for a three-year period based on the population figures in year 1, we are concerned about how future health funding will take account of the very fast population growth in our area. Will the Minister consider a special mechanism for Milton Keynes to meet those growth problems, and will he ask the Secretary of State for Health if he would be prepared to meet me and my hon. Friend the Member for Milton Keynes, North-East (Brian White) to discuss the issue in more detail?

Mr. Hutton: Yes, of course we are happy to discuss with my hon. Friends any aspect of the funding formula for primary care trusts. I add two brief comments to what my hon. Friend said. It has benefited primary care trusts to have three-year allocations because that has allowed them to plan more effectively how to use those resources to the maximum effect. Making three-year allocations has been a positive rather than a negative step for the NHS, but any change to the funding formula has to apply equally and fairly to every primary care trust. That is at the forefront of our minds, but we are happy to discuss in further detail any of my hon. Friend's concerns.

Hospital-acquired Infections

13. **Mr. Peter Lilley** (Hitchin and Harpenden) (Con): If he will make a statement on the incidence of infections acquired in NHS hospitals. [142555]

The Minister of State, Department of Health (Ms Rosie Winterton): We believe that around 9 per cent. of hospital patients acquire an infection while in NHS hospitals. The chief medical officer has published his report on how to prevent and reduce hospital infections, and my right hon. Friend the Secretary of State has accepted the recommendations in full. We are confident that that will improve patient care in this area.

Mr. Lilley: Is the Minister aware that the Secretary of State's refusal to make a proper statement in this House about his initiatives to tackle a problem that kills between 5,000 and 20,000 of our constituents every year is a disgrace? Is it because the initiative that he announced on the "Today" programme on Friday when the House was not sitting was treated with derision by doctors in my constituency who say that appointing another layer of management to an already over-managed health service is not the way to bring back the Florence Nightingale culture that we need?

Ms Winterton: On the right hon. Gentleman's first point, I am surprised that he should make such a statement. He knows very well that if this were new policy it would have been brought to the House. It is not new policy; it is a review of the policy that is being carried out, and my right hon. Friend has written to him to that effect. The right hon. Gentleman might like to think what effect his policy of compulsory competitive tendering had on hospital infection rates—

Mr. Speaker: Order. It is not for the Minister to worry about such matters.

Mr. Eric Illsley (Barnsley, Central) (Lab): In contrast to the right hon. Member for Hitchin and Harpenden (Mr. Lilley), I welcome the announcement that was made last Friday, particularly in view of the problems being experienced at Barnsley district general hospital. The cleaning contractor, Initial Cleaning Services, has this year had a turnover of 200 staff and has about 40 vacancies on the cleaning contract. It was recently forced to admit that it had lied to the hospital management about the methods that it was using to clean the hospital. Do we not need such an initiative to keep in check companies that abuse their contracts within the NHS?

Ms Winterton: My hon. Friend is right to draw attention to the weaknesses of the policies introduced by the previous Administration. I am also glad that he has welcomed this initiative, which is not about introducing new bureaucracy but about ensuring that a health care professional has the authority to put together all the various issues, including hand washing, the environment and the design of buildings, to ensure that such infections are brought under control.

Maternity Services

14. **Mr. James Gray** (North Wiltshire) (Con): What his policy is on the proximity of maternity services to patients. [142556]

The Secretary of State for Health (Dr. John Reid): It is up to local health organisations, working with their communities and other local partners, to provide high-quality maternity services that are as safe and as accessible as possible to women and their families.

Mr. Gray: The Secretary of State has noticeably failed to answer the question, which was about how close maternity services should be to patients. He will know that, thanks to chronic underfunding by this Government, the Kennet and North Wiltshire primary care trust is consulting on the closure of maternity services both in Malmesbury and the constituency of my right hon. and learned Friend the Member for Devizes (Mr. Ancram). Does the Secretary of State acknowledge that it is important that at least antenatal and post-natal services should be situated as close as possible to the women concerned? Will he intervene with the Kennet and North Wiltshire PCT to try to ensure that it provides precisely what he has previously said he would like to see—services at close proximity to the women concerned?

Dr. Reid: Of course, it is absolute nonsense to speak about reduced input, investment or finance being provided when this Government have provided historically high levels of finance. We want to see maximum choice and access for women and maternity services, but it is not possible always to maintain every single unit. The hon. Gentleman talks about Malmesbury, which is a very small maternity unit. Fewer than two births a week occur there and the total cost is almost £7,000 a birth, which is many times the cost of other births, even in the same area. Of course, we want maximum access and choice, but the primary care trust in the hon. Gentleman's area has a responsibility to ask itself whether that money is best spent in that fashion in that area, thus depriving other services. I think that the trust is conducting the public consultation very responsibly, and I only wish the hon. Gentleman was acting as responsibly.

Commonwealth Heads of Government Meeting

12.31 pm

The Prime Minister (Mr. Tony Blair): With permission, Mr. Speaker, I should like to make a statement on the Commonwealth Heads of Government meeting, which took place in Abuja, Nigeria, from 5 to 8 December. Copies of the communiqué and declaration have been placed in the Library of the House.

Her Majesty the Queen attended the meeting in her role as Head of the Commonwealth and also paid a state visit to Nigeria, where she was warmly welcomed by the Nigerian people. The outgoing Commonwealth Chairman-in-Office, Prime Minister John Howard of Australia, paid tribute on behalf of all Commonwealth members to the Queen's dedication and commitment to the Commonwealth. I know that the whole House will wish to join me in echoing that tribute.

Nigeria itself returned to the Commonwealth only in 1999, after a turbulent period of military rule. The Queen's visit and the holding of the Commonwealth Heads of Government meeting there underline the progress that has since been made in rebuilding a democratic and prosperous Nigeria. Britain is committed to supporting the reform programme led by President Obasanjo, on whose chairmanship of the summit I give sincere congratulations. In a difficult situation, he managed matters with great skill.

Commonwealth Heads of Government last met in Coolum, Australia, in March 2002. At Abuja, we reviewed developments since then. We agreed on the urgent need to relaunch the world trade talks, which stalled at Cancun in September, and underlined our collective commitment to a successful Doha development round. That commitment is significant. The Commonwealth represents one third of the world's population; developing and developed countries; large and small states; and agricultural, service and manufacturing-based economies. All have different perspectives and interests. The fact that all of us agreed on the need to relaunch the Doha development round and on the need for all parties to show flexibility in the search for agreement shows that a global deal is indeed possible. Everyone will gain if the talks succeed, but the biggest winners will be the world's poor; and if the talks fail, the world's poor will be the biggest losers too.

We discussed other development issues. Heads of Government agreed on the need to accelerate progress to meet the millennium development goals, which aim to halve the proportion of people living in poverty by 2015. I reaffirmed the UK's own strong commitment to that goal. Heads of Government also underlined their concern at the spread of HIV/AIDS, which now threatens not only Africa but, increasingly, Asia and other parts of the world. Three million people will die of the HIV/AIDS virus this year alone, and two in three of the people infected live in Commonwealth countries. It poses one of the gravest threats not just to health but to sustainable development.

We agreed on the need to redouble our efforts to fight this threat. Britain is playing its full part, including through our own call for action on world AIDS day, and we are now the second largest bilateral donor in the world as regards HIV/AIDS, after the United States of America. Our bilateral aid amounted to more than £270 million in the last financial year alone—a real demonstration of commitment on behalf of the people and Government of Great Britain.

The last Commonwealth summit was postponed following the terrorist attacks of 11 September 2001. Since then, the terrorists have continued their indiscriminate campaign. We agreed in Abuja that terrorism threatens everyone, regardless of nationality or faith, and that all Commonwealth members should stand together to meet and defeat this challenge.

The meeting considered the situation in the two countries that have been suspended from the Councils of the Commonwealth: Pakistan and Zimbabwe. On Pakistan, Heads of Government welcomed the progress made back towards democratic governance. They expressed the hope that the Pakistan Parliament would soon pass the necessary measures to allow the lifting of Pakistan's suspension.

Where Pakistan has moved forward since Commonwealth leaders last met, Zimbabwe has gone backwards. The country was suspended from the Commonwealth in March 2002, shortly after elections that the Commonwealth's own observers concluded were neither free nor fair. Since then, there has been yet more violence and intimidation against the opposition MDC party—the Movement for Democratic Change—against lawyers and human rights activists, and, indeed, against anyone speaking up against President Mugabe's oppressive policies. Zimbabwe's only independent daily newspaper, *The Daily News*, has been closed down, despite court orders in its favour.

Meanwhile, ZANU-PF's ruinous economic policies are driving the country further and further into chaos. Inflation is now over 500 per cent., and Zimbabwe's GDP has halved in five years. The International Monetary Fund decided last week to begin procedures to expel Zimbabwe, because of its appalling economic policies. Half the population now needs food aid—but it is worth saying that Britain remains the leading cash donor for the UN's humanitarian programmes in Zimbabwe. In the last two years, we have given $100 million in food aid to the people of Zimbabwe.

In those circumstances, I and others argued that it was inconceivable that Zimbabwe could be readmitted to the Councils of the Commonwealth, and that, on the contrary, it should remain suspended until we saw concrete evidence of a return to democracy, respect for human rights and the rule of law—the very principles on which the Commonwealth is founded.

I am glad to say that this approach was agreed. It was decided that Zimbabwe should indeed remain suspended from the Councils of the Commonwealth, that President Obasanjo as Chairman-in-Office, together with the Commonwealth Secretary-General, will seek to facilitate progress inside Zimbabwe, and that if sufficient progress is made on the issues of concern he will report, via a representative group of six Commonwealth members, to Heads of Government. Heads will revisit the issue in the light of that report, and take any decision on the lifting of the suspension by consensus.

This is the outcome that we wanted. It is also the outcome that Mr. Mugabe worked assiduously to avoid. Incidentally, it gives the lie to one of his most outrageous

[Mr. Tony Blair]

claims—that the Commonwealth's approach to Zimbabwe is a white conspiracy led by the UK against black Africa. The fact is that every single Commonwealth country signed up to the Abuja statement on Zimbabwe, including the other 19 African members of the Commonwealth, despite the strongly held doubts of some of those countries—nor did any African member of the Commonwealth take up Mr. Mugabe's invitation to boycott the summit meeting. The outcome in Abuja was hard-fought, but in the end it was a victory for Commonwealth values.

Mr. Mugabe's reaction—to withdraw Zimbabwe from the Commonwealth—shows clearly that he does not accept Commonwealth principles. It was a decision taken without regard for the wishes or well-being of the Zimbabwean people. ZANU-PF's isolation will be increased, but the strong bonds that exist between the Zimbabwean people and the rest of the Commonwealth remain. There will always be a place for a democratic Zimbabwe in the Commonwealth.

The summit also re-elected the present Commonwealth Secretary-General, Don McKinnon, for a second and final four-year term. We welcome that outcome. The Secretary-General has done an excellent job in his first term. He will continue to have our full support in his second.

Finally, I participated in the Commonwealth sports meeting. We looked back to Manchester's successful hosting of the last Commonwealth games in 2002, and forward to the next in Melbourne in 2006. I highlighted the UK's future sporting priorities.

At this Commonwealth Heads of Government meeting, a group of more than 50 countries came together to discuss the issues that matter most to their peoples—prosperity, security, sustainable development, and the fight against terror—and agreed a common approach on all, in the interests of all. The group discussed more controversial issues such as Zimbabwe, on which it is no secret that there were, and remain, a range of differing views among member states. But here too, through serious discussion and debate, the Commonwealth was able to reach a consensus on the way forward.

I commend the outcome to the House.

Mr. Michael Howard (Folkestone and Hythe) (Con): I thank the Prime Minister for his statement. I take this opportunity to welcome back to the House my hon. Friend the Member for New Forest, West (Mr. Swayne), who has just returned from five months' military service in Iraq. We are delighted to have him back safe and sound.

I join the Prime Minister in the tribute that he paid to Her Majesty's dedication and commitment to the Commonwealth. The Harare declaration of 1991 reaffirmed the Commonwealth's values—the protection of human rights; equal opportunities for all regardless of race, colour, creed or political belief; equality for women; democracy; the rule of law; and the independence of the judiciary. Those values are of supreme importance.

Clearly, however, one country has flagrantly and blatantly breached those values. I congratulate the Prime Minister on the strong stand that he took in Abuja to resist the efforts of those who wanted to lift Zimbabwe's suspension from the Councils of the Commonwealth.

Of course, the Government did not always take that view. After the rigged parliamentary elections in 2000, the Opposition called for action, but as late as May 2001 the then Foreign Secretary was still setting out the arguments against the suspension of Zimbabwe. It is sadly true that, in the past, the Government have been behind the game on the issue; they have not led, but have followed. The people of Zimbabwe are the worse for it.

In view of President Mugabe's decision to leave the Commonwealth, will the Prime Minister say what is the current status of the committee established by the Heads of Government to examine the way forward in relation to Zimbabwe? Does President Obasanjo's mandate to encourage and facilitate continued progress and Zimbabwe's return to the Commonwealth still stand? Is it still President Obasanjo's intention to visit Zimbabwe at the earliest opportunity? There appears to be a good deal of confusion about the committee's future status. Will the Prime Minister clarify the situation for the House?

Then there is the position of the European Union. Does the Prime Minister understand that EU sanctions are still not tough enough? Why do they not include the business men who still bankroll Mugabe? Will the Prime Minister press for their inclusion at the EU summit in Rome this weekend?

When will a resolution be tabled in the United Nations? The Commonwealth's leverage is diminished following Mugabe's decision to withdraw: is there not now a powerful case for the UN to become more actively involved?

The summit raised many other fundamental issues. Will the Prime Minister clarify the position on Pakistan? Is there a consensus on the time frame for Pakistan's return to the Councils of the Commonwealth?

Undoubtedly, HIV/AIDS is one of the greatest challenges facing the Commonwealth, and the world as a whole. The Commonwealth recognises the need for greater international co-operation in combating the disease. What, in practical terms, is that likely to mean for the work of its member states?

At a time when terrorism is of such concern across the world, what are likely to be the practical results of the Commonwealth's renewed commitment to action against terrorism?

Corruption is a cancer in developed and developing countries alike. What is the proposed timetable for Commonwealth countries signing and ratifying the UN convention against corruption?

In addition, I join the Prime Minister in emphasising the primary role of business, trade and economic development in the relief of poverty. The whole House will be pleased to see the commitment to trade liberalisation. As the fourth largest economy in the world, Britain should be using its position to bring about the lowering of EU tariffs, which is crucial to opening our markets to primary producers. When a cow in the EU gets more support than a starving child in Africa, surely we can all agree that something is fundamentally wrong.

Cancun was a missed opportunity. What practical plans does the Commonwealth have to help to drive through the Doha development agenda? Agreement on the need to relaunch it is a welcome step and is all very well, but should not an attempt be made within the Commonwealth to seek agreement on some of the issues that remain outstanding, and thus send a powerful signal to the rest of the world and the other countries involved in the process?

While recognising the assistance that is already provided to developing countries in trade negotiations, may I ask the Prime Minister also to consider my proposal for an advocacy fund, financed by developed countries, to help developing countries obtain access to high-quality economic and legal advice on trade issues?

The Commonwealth is a microcosm of the world. It embraces north and south, Muslim and Christian, rich and poor. It has the potential to play a much more prominent role in tackling the key challenges facing the world today—terrorism, free trade, the promotion of democracy and the protection of human rights and the environment. I welcome the fact that the Commonwealth consultative group on the environment, which I inaugurated in 1992 with the Environment Minister of India, continues to meet. The work on sustainable development, the work of the Commonwealth ministerial action group and the co-operation between Commonwealth Education and Health Ministers, among others, also bear testimony to the Commonwealth's potential. Does the Prime Minister not agree that there is a good deal more scope for such co-operation between Commonwealth Governments working together to show the way forward to the rest of the world?

The Prime Minister: I add my thanks to the hon. Member for New Forest, West (Mr. Swayne) for his service in Iraq, which is greatly appreciated.

I thank the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) for his congratulations on the result that we achieved in relation to Zimbabwe. It is important to approach this issue with two things in mind. We are guided to a large extent—I think rightly—by what the MDC and other opposition groups in Zimbabwe say. We try therefore to keep whatever measures we are taking in line with the measures that they are asking us to take. They are on the ground and they know best what helps, and the situation in Zimbabwe is such that, in the end, it is from within that the main change will come.

It is for that reason that on sanctions, for example, we have tried to proceed in a way that such groups support. They do not support general sanctions against the population; they support targeted sanctions, and that is what we have been trying to ensure are put into effect and that is what we managed to get the EU to agree to. We keep under review the number of people to whom we can extend the sanctions and it is certainly worth considering business people and others if we can identify measures that will be effective.

We have put this issue before the United Nations Commission on Human Rights on many occasions, but the problem with a Security Council resolution is that—again, to be blunt about it—the difference of view applies between most members of the Commonwealth and some of the states in the region. Unless the states in the region are prepared to say that they believe that a UN resolution would be advantageous, it is quite difficult to get one through the UN.

We try in every way that we can, including through the statements that were forthcoming from Kofi Annan recently, to put the maximum pressure on Zimbabwe. In the end, there is only one thing that will work—the pressure that we can put on. We can do that by sending signals, and that is why it is important that the Commonwealth sends such a signal. However, we must do that by being honest with people about the fact that there is a limit to what can be done from the outside. It is very important that we give every support to democratic groups in Zimbabwe and, in addition, that we work even harder on persuading the other countries in the region that it is in their interests not to support Mugabe and the Zimbabwean regime, but to facilitate national reconciliation in the interests of changing the regime.

In respect of Pakistan, the time frame is governed by its progress towards meeting the democratic criteria that have been set out. We hope that can happen as soon as possible. No specific time frame is set down; it is a time frame determined by the meeting of the criteria.

In relation to HIV/AIDS, the practical effect will be seen in the programmes for which we use the money. The programmes must be dedicated to two things: first, achieving a sufficient capacity in the Governments of the countries with major HIV/AIDS problems so that they can deal with HIV/AIDS; and, secondly, putting the infrastructure in place in local communities where they can gain access to treatment and to preventive information. That is what we are doing.

The other aspect, of course, is the work that we are doing with drug companies so that we reduce significantly the cost of drugs available to treat people who have HIV/AIDS, but it is a shocking fact that life expectancy in many of those African countries is dropping as a result of HIV/AIDS. That has a hugely important and adverse knock-on effect on development.

In respect of terrorism, truthfully, the most that the Commonwealth is able to do is make a firm declaration of principles. It is for each state to take its own individual measures, but I was gratified to note that no one sought to temporise in any way at all over the threat terrorism poses.

In respect of corruption, the most important thing is to take the work forward on the New Partnership for Africa's Development proposals that we have been working on for two or three years—that is, increasingly, to link aid and development assistance with proper governance. That is crucial, because all those countries that need large sums of aid will not be able either to get them or to use them properly without proper systems of governance being in place.

Corruption is extremely corrosive. Once it grips a country, it is very difficult to weed out, but the best way to do that is by tying the aid and development assistance given through the NEPAD process to proper systems of government being put in place. That includes, incidentally, proper commercial and legal systems.

In respect of trade liberalisation, it is extremely important that we dismantle the EU tariffs over time, as we suggested. That means common agricultural policy reform. I would point out two things to the right hon.

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and learned Gentleman. The first is that we are better able to get that result if we are participating properly, strongly and positively in Europe. The second is that, of course, the only way that we will ever get CAP reform is through qualified majority voting.

In respect of the World Trade Organisation, we will negotiate, obviously not through the Commonwealth, but through the various blocs, but, again, what is interesting is that there was a consensus that we need to make that Doha process work. We have looked at the ideas for an advocacy fund. We help countries with their capacity building for conducting those trade negotiations and we have found that most of them prefer to have the money in that way.

Finally, it is possible to sneer at what the Commonwealth can achieve, but the Commonwealth achieves a significant amount. The fact that there is a forum in which very diverse countries come together and, even on difficult issues, find a consensus, is a great mark in its favour. From my experience of the Commonwealth meetings that I have attended, I have no doubt that although they can be difficult—indeed, at times tortuous—this is an alliance that Britain should be proud to be a member of and one that does enormous good in the world.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): I thank the Prime Minister for his statement on the summit and also join in the proper tributes that have been paid to Her Majesty the Queen on the remarkable number of decades during which she has presided over one of the most remarkable global organisations for doing good.

Like the Government, we think that, obviously, it would be infinitely preferable to see a democratic, stable and sane Zimbabwe remaining part of the Commonwealth family of nations, but, given the circumstances, the obviously worsening conditions on the ground and the fact that there are no signs of the Zimbabwean regime seeking to improve their deplorable human rights record, the Commonwealth had no choice but to continue the suspension. That is a sad but inevitable fact.

Over time, we on the Liberal Democrat Benches urged the Government to take a harder line with Zimbabwe and Mugabe at an earlier stage, but the sad fact of the matter is that Mugabe's crass, chaotic and, indeed, despotic administration of his regime and the ruinous effect that that is having on that country have led to this sad and inevitable outcome. However, I would encourage the Prime Minister, given what he said a moment ago, to take every opportunity to remind people that diplomatically on the international stage Britain very much wants to keep the United Nations resolution route open and to encourage others to see the wisdom of that approach.

I want to refer specifically to one or two issues, the first of which is HIV/AIDS. The emphasis given in the communiqué is obviously welcome and I think the Prime Minister would agree—we have seen this in respect of people such as President Mbeki in days gone by—that the issue here is one of both action and political leadership attitudes. Did the Prime Minister come away from the summit more encouraged by the attitudes of those in leadership positions in some countries where the most has to be achieved to tackle this modern scourge?

The Prime Minister rightly emphasised the need for practical programmes in that respect. Will he indicate whether our country or, indeed, the Commonwealth plans financially to support the global fund that is coming on stream and which works against the spread of the incidence of AIDS?

On trade matters, the communiqué says, as the Prime Minister said in his statement, that "all of us agreed on the need to relaunch the Doha development round". That is indeed welcome, but can he give a further indication of what practical steps at Commonwealth level we will follow towards that end?

On debt relief, again the issue is one of practical steps. Obviously, with Zimbabwe dominating so much of those discussions, perhaps less attention could be devoted to the matter than might otherwise have been the case. The communiqué, however, called for

> "a broader and more flexible approach to debt relief designed to achieve debt relief sustainability".

We would ask, what better way is there to achieve that than to support the efforts to set up an international insolvency tribunal? There appears to be support for it among many countries that are saddled with debt. Perhaps the Prime Minister could give us an indication of his Government's attitude to that proposal.

On the issue of arms—small arms in particular—and given this country's track record as one of the world's main arms exporters, the Prime Minister could take two steps to honour the commitment in the communiqué and to improve the lives of millions of people. First, we as a country and his Government could sign up to the international campaign for an international arms trade treaty. Secondly, the Government could extend extra-territorial control of British arms brokers abroad.

Britain's commitment to peace and security would be all the more credible internationally to those that doubt it or cast aspersions against it if we took such simple and, we would argue, long overdue steps. Was there any further discussion of those matters at the summit, and has the Prime Minister any positive news to report?

The Prime Minister: First, in respect of the human rights record, it may be worth reporting to the House the information given by the Zimbabwe Human Rights NGO Forum, which consists of 16 local Zimbabwean human rights groups that come together and collate information on what is happening in Zimbabwe. In the first nine months of this year, there was politically motivated violence—nine murders, six attempted murders, 20 death threats, over 300 assaults, almost 400 acts of political intimidation, almost 400 acts of torture and almost 700 unlawful arrests or detentions. Those are the things that the forum can collate as directly politically motivated acts of violence. The truth of the matter is that things have got worse. As for how hard a line we take, as I say, we try to march in step with the MDC and with other organisations there, with which we remain in contact. Those are the best people to give us advice.

In respect of political leadership on HIV/AIDS, yes, I was encouraged by the response. We will make a substantial contribution to the global fund, as well as the bilateral aid that we give, but there is a real understanding now that a major part of dealing with HIV/AIDS is political leadership. Indeed, there are countries in Africa that, through political leadership, have significantly reduced the incidence of HIV/AIDS, but it requires a no-holds-barred approach in respect of information, distribution of condoms and the availability of treatment centres to provide people with the treatment that they need. The missing two parts are the capacity within the countries, and then getting the drugs to come in.

In respect of the Doha round, the best that the Commonwealth can do, as I said, is to give a strong statement of support in principle. It will be through other mediums that we manage the process of negotiation for ourselves through the EU. However, there is now a common willingness to get the Doha round restarted, and it is necessary to do so.

On debt relief, we took certain steps forward. It is worth pointing out that we have seen something in the region of $60 billion worth of debt relief for the developing world since we began the process, which was very much driven from this country. I have to say that I am not convinced that the concept of an international solvency tribunal has sufficient support in creditor countries, but we are looking into how we can make the criteria for the sustainability of debt more rational in order to provide more help to the countries that really need it.

In respect of small arms, we already prevent their sale into Africa, which is the single most important thing that we can do. We mentioned that in part of the communiqué, and countries agreed to look into further measures to prevent the sale and export of small arms to countries where there is going to be conflict. The other important thing—it is part of the New Partnership for Africa's Development process—is to develop a regional set of forces within Africa that could intervene in some of the conflicts. The truth is that many of the conflicts are driven by the desire to acquire natural resources. They often involve people who operate in small gangs, and, as we showed in Sierra Leone, they can be reasonably easily dealt with by a small number of people, but we need a capability based in Africa in order to deal with the problem.

Mr. Gerald Kaufman (Manchester, Gorton) (Lab): I welcome what was said today by my right hon. Friend the Prime Minister, and yesterday by my right hon. Friend the Foreign Secretary, about the progress being made in Pakistan, but is the Prime Minister aware that when I recently visited President Musharraf in Islamabad, he assured me of his determination to progress towards full democracy in Pakistan and also emphasised the importance of a negotiation between India and Pakistan that could bring about justice for all the people of Jammu and Kashmir? Will my right hon. Friend dedicate the Government's efforts to bringing about that result?

The Prime Minister: My right hon. Friend is quite right about the movement towards democracy within Pakistan, which is extremely important. The signs are basically positive there. In respect of Kashmir, I was able to have a bilateral meeting with the Indian Prime Minister at the Commonwealth Heads of Government Meeting and I believe that there is strong desire on all sides to make progress. The key is for Pakistan to end all support for terrorism in any form and, if that proves to be the case, for India to be willing to enter into a sensible dialogue about Kashmir. I hope that the omens are better than they have been. Over the last 18 months there has been some progress, but further progress is required. I remain sure that both Governments are committed to making that progress.

Mrs. Caroline Spelman (Meriden) (Con): The Prime Minister referred to $100 million worth of food aid to Zimbabwe over the last two years, but aid agencies are not confident that it is getting into the right hands. Will the Government support our call for UN monitors to be installed to ensure that the food aid reaches those who it should reach?

The Prime Minister: We are making every effort to do so. There are concerns about whether the food aid is reaching the people it should. Monitors are there now, and the important thing is to make sure that we take their reports back and act on them. We are doing that, but it is a constant struggle because of the attitude of the Zimbabwean Government; but I can assure the hon. Lady that the issue of independent monitoring has already been taken up. The difficulty is that it is sometimes hard to make it work on the ground.

Claire Ward (Watford) (Lab): May I ask my right hon. Friend what specific measures the Commonwealth agreed to take to facilitate Pakistan's becoming a full member again? What action can the Government take to encourage a necessary and vital member of the Commonwealth to return once again to full membership?

The Prime Minister: The contrast with Zimbabwe could not have been greater. The Commonwealth Heads of Government accepted that Pakistan was making the right moves towards democracy and encouraged the country to carry on doing so. As soon as those criteria are met, Pakistan will be readmitted to the Councils of the Commonwealth. So far as we are concerned, it is important to keep up, through our strong bilateral relationship with Pakistan, the process of dialogue and partnership to ensure that the process towards democracy is properly fulfilled. I remain optimistic that it will be. As my right hon. Friend the Member for Manchester, Gorton (Mr. Kaufman) said a few moments ago on the basis of his conversations with him, President Musharraf recognises the need to fulfil the commitments to democracy that he has already laid out. I remain optimistic that he will do so.

Mr. John Gummer (Suffolk, Coastal) (Con): Did the Prime Minister have the opportunity to explain to Commonwealth leaders why he was taking moneys from the aid budget for activities in Iraq; and were they impressed to find that some of those moneys were being used to pay for gender advisers?

The Prime Minister: I am sorry that the right hon. Gentleman makes that point. It is inappropriate to do so, because we are actually trebling aid to Africa. In the next two years, we will roughly have trebled the amount of aid going to Africa, despite our commitments in Iraq,

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by comparison with when we came to power in 1997. This Government and this country can be proud of the commitment that we have made to Africa, but I do not believe that the money that we spent in helping Iraq towards a stable and democratic future was wasted. It is important to do both; we are doing both. With the greatest respect, it is absurd to suggest that all the money is being wasted on gender advice. The money in our aid programme is going to help the poorest people in the world, and it is making a real difference.

David Winnick (Walsall, North) (Lab): Is it not the case that when Labour Members campaigned continuously against the illegal regime of Smith, we were not told by Mugabe and his friends that we were anti-black. The accusation in those days of the settlers and their friends—some of whom were in the House of Commons—was that we were anti-white. If a Commonwealth country that has abolished the rule of law and replaced it with outright violence were allowed to remain in the Commonwealth without any suspension, what would be the point of the Commonwealth?

The Prime Minister: My hon. Friend is absolutely right. That is why we decided that the suspension had to remain. It is worth pointing out two other things. First, in respect of land reform, which is often mentioned by the Government of Zimbabwe and others, it cannot be stressed too often that we provided millions of pounds of help to Zimbabwe for land reform back in the 1980s. We have maintained the position that money can be set aside for land reform in Zimbabwe provided that it is channelled through the UN development programme, so that we can be sure that it is spent on proper land reform and not secreted away by Mr. Mugabe, his henchmen and others. That is why the issue of land reform is, in the end, a diversion from the real problem of bad governance in Zimbabwe.

Secondly, regarding the allegations of colonialism, they are particularly absurd if directed against this Government not merely because of our commitment to people in Africa and the people of Zimbabwe, but because it was our party that, although not in government, was—and I am proud to say this—at the forefront of calling for sanctions against South Africa when apartheid was in place.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): I am sure that the Prime Minister would agree that many of Mr. Mugabe's acts, both past and present, are not just morally offensive, but probably constitute crimes under national and international law. That being so, will the Prime Minister tell the House what conversations he has had with Heads of the Government to ensure that Mr. Mugabe and his henchman are made personally accountable before a court for their past and present offences?

The Prime Minister: It is of course important that they be held accountable for what they have done, but the main objective of most people is to put a proper democratic regime in place in Zimbabwe and thus to have a mechanism through which the people of Zimbabwe can take the action that needs to be taken.

Mr. Tom Clarke (Coatbridge and Chryston) (Lab): I welcome my right hon. Friend's confirmation that the millennium goals were discussed, even with all the other problems on the agenda. Given the mineral resources and wealth of some developing countries and the necessity that the goals should be based on transparency, accountability and fairness if the poorest people in the poorest countries are to have their needs addressed, does he think that we in Britain have a contribution to make to that growing debate?

The Prime Minister: I pay tribute to what my right hon. Friend has done in that area, which has been extremely important. The best contribution that we can make is through the New Partnership for Africa's Development, which is the concept of a partnership for Africa in which more development assistance is given, and poorer countries are increasingly relieved of their debt, in return for reaching clear benchmarks on governance. It is not simply aid and development assistance that those countries need, because many of them have fundamental problems of capacity within their Governments. Their judicial, commercial, and taxation systems need fundamental reform, and the best way to assist those countries to develop their enormous wealth and resources is through that partnership. The other thing that they need is private investment, but it will not be forthcoming without the proper systems of governance.

As I said earlier, it is vital to reach solutions to regional conflicts and then for the peace to be maintained. It is impossible to put many of those countries back on their feet, because of the conflict within their borders. Their wealth is plundered and their people constantly subjected to brutality and harassment by marauding gangs and factions fighting over the land. As we are trying to show in the Congo at present, the only way of making progress is to put in place a sufficiently robust peace that can be maintained and which allows development aid to be provided and systems of governance to be rebuilt. Otherwise, such countries will continue to be subject to the most appalling depredations which have gone on in Africa for decades; as a result, the people of a potentially rich continent remain poor.

Rev. Martin Smyth (Belfast, South) (UUP): I recognise the complex situation in Africa and welcome the positive steps that have been taken by the Commonwealth conference. Does the Prime Minister agree with those who involved in development aid who say that unless the developed countries increase their contributions, it will be many years before we reach the targets that have been set? I also wish to underline the point that was made earlier about stability in Zimbabwe. The Prime Minister said that he wants a Government for that country which can deal with the problem under their own laws, but unless we indict Mugabe he will continue to use the laws of Zimbabwe to oppress his people rather than to release them.

The Prime Minister: On the latter point, it is important that we keep up maximum pressure to get the regime changed in the only way that that is likely to happen, and then the Zimbabwean people can address those issues. On the first point, it is important that we increase development aid. That is why the international financing facility, proposed by our Chancellor, is a sound idea. It is also why this country should continue to increase the aid we give as a proportion of our national income. Before we came to office, the amount fell substantially, but we have increased it year in, year out. However, we will not obtain the full support for development assistance unless it is in return for a partnership with those countries which are taking the necessary measures to improve their governance.

Mr. Stuart Bell (Middlesbrough) (Lab): The entire House welcomes the Prime Minister's statement that there was a collective commitment at the conference to the relaunching of the Doha round. As my right hon. Friend said, that would be of the greatest benefit to the world's poor. In relation to the practical steps that may be taken towards that end, does he agree that when the world's Trade Ministers meet in Geneva on 15 December, the statement from the Commonwealth conference—comprising 50-odd nation states—will give impetus to those talks and provide fresh enthusiasm? It may lead not only to the relaunch of the round, but to its successful conclusion.

The Prime Minister: I am sure that my hon. Friend is right, and let us hope that the meeting on 15 December makes significant progress. It certainly should.

Mr. Andrew Mackay (Bracknell) (Con): Clearly the Prime Minister was right to say that maximum pressure must be put on the Mugabe regime. We must also take careful account of the views of the Movement for Democratic Change. The MDC tells us that there should be further sharp sanctions, especially against the crooked businessmen who are keeping the regime going, so it is disappointing to hear the Prime Minister respond to my right hon. and learned Friend the Leader of the Opposition by saying that he would bear the need for such sanctions in mind. We should press now for sharper sanctions, because that is the way to bring the regime down.

The Prime Minister: We have pressed for tougher sanctions the entire time, and next February, when the EU reconsiders its position, we will do so again. We have targeted the assets of the 79 leading members of the regime, but we have managed to freeze only £500,000 worth of assets. That is because those involved ship their assets out to other countries when they are targeted. It is therefore not only a problem for the EU, but for those other countries as well. We need to ensure that the sanctions we have in place are more effective, because they are not fully effective at present.

Mr. Tam Dalyell (Linlithgow): I refer my right hon. Friend to paragraphs 17 to 19 of the Abuja communiqué, on Belize. Some of the poorest people in the Americas, if not in the world, live on the troubled border between Belize and Guatemala. As chairman of the all-party Latin America group, I urge the British Government to do as much as they can for the development fund that has been suggested by the Commonwealth.

The Prime Minister: The issue of Belize is included in the declaration by the Heads of Government, which notes at paragraph 18 that the proposals for a final settlement of the continuing dispute

"contain a provision for the establishment of a development fund to be used for the benefit of both countries and urged member states to contribute to it generously."

I know that the Secretary-General will be back in contact with the members of the Commonwealth to see what contributions can be made. We want to ensure that we solve the issue in a way that protects the territorial integrity of Belize, but it is important to recognise that certain development issues have to be tackled for both countries.

Mr. Dalyell: Not a great deal of money.

The Prime Minister: No, it is not a great deal of money, so we should be able to do it.

Norman Lamb (North Norfolk) (LD): The Prime Minister rightly emphasises the importance of the NEPAD initiative in improving governance, which will in turn lead to improved inward investment and increased prospects for development. What real progress is being made on NEPAD? The first big test for the initiative is Zimbabwe. Is there any evidence that African countries are getting to grips with the importance of demonstrating that they are making progress?

The Prime Minister: NEPAD includes a peer review group mechanism, which has now been established. Obviously, Zimbabwe will not qualify, but other African countries accept that their only route to greater development aid and assistance is through proper governance. Zimbabwe is the worst aspect of what is happening in Africa, but several countries—including Nigeria, Ghana and Kenya—have been through that democratic process and changed their governance. They are now sitting around the table, and that is all to the good. Other countries, such as the Gambia, have returned to full, proper democracy.

Much work remains to be done, but NEPAD is having an impact. The peer review group mechanism is making people face up to the problems that they have and is addressing the important issue of regional conflict, because it builds on the UN proposals to establish regional forces. Within the next year, we should have the beginnings of the first of those forces that can keep peace in those conflicts and allow countries to address the other measures in NEPAD, to their benefit. There is a long way to go, but the basic framework is right.

Mr. Clive Soley (Ealing, Acton and Shepherd's Bush) (Lab): Does the Prime Minister agree that the already significant influence of the Commonwealth would be greatly increased if it developed a more coherent and wide-ranging policy to deal with failed and failing states? If the Commonwealth were able to do that, it

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would be easier not only to deal with the case of Zimbabwe with less opposition from within the Commonwealth, but also to set a model for others.

The Prime Minister: That is absolutely right, and I hope that the Commonwealth does so. I am afraid that there is a dispute between some people, especially in the region, who fear that Zimbabwe will move into greater chaos, which will have a spill-over effect on their countries and damage them and the region. Although I think that it is misguided, there is a strong feeling to that effect. My view and, I believe, the majority view of the Commonwealth—not just the so-called white countries but the Commonwealth as a whole—is that unless a strong stand is taken on Zimbabwe it will be very difficult to convince people that Africa as a whole is making the right progress towards development. That is why I have always said that Zimbabwe and what is happening there drags the reputation of Africa down, unfairly in many respects, so it is important that the problem be dealt with from within Africa itself.

Mr. Patrick McLoughlin (West Derbyshire) (Con): The Prime Minister said that there was growing awareness of the problem of HIV/AIDS, so was he able to share with the other Commonwealth Heads of Government the reasons why his Department of Health announced a few weeks ago that we had seen the largest recorded increase of that disease in this country?

The Prime Minister: We are dealing with HIV/AIDS in this country and abroad. Obviously, as I pointed out a moment or two ago, we are dealing with the very serious situation in the continent of Africa. We are the second largest bilateral donor after the United States of America. Of course, there is more to do in this country and we are doing it, but I hope that the hon. Gentleman is not trying to compare the state of HIV/AIDS in this country with what is happening in Africa, where there is a pandemic of the most grotesque and appalling proportions.

Joyce Quin (Gateshead, East and Washington, West) (Lab): In consideration of terrorism-related issues, was there any discussion with Commonwealth partners, either formally or informally, of the need for strong support for reconstruction efforts in Afghanistan, especially among those countries that might be able to increase such efforts, to ensure that the needs of Afghanistan are not too overshadowed by the understandable focus on Iraq?

The Prime Minister: I was able to raise that matter bilaterally with several countries, and there is a clear understanding that Afghanistan needs to be helped. It is important to point out that, whatever the problems of Afghanistan today, it is an infinitely better country than it was three years ago when it was ruled by the Taliban. We are taking measures—not so much through the Commonwealth—in the United Nations and, indeed, with our NATO partners so that we spread the security force out from Kabul and so that provincial reconstruction teams help to ensure that the Government in Kabul has the right remit not just in the surrounds of Kabul but also out in the provinces. There is a general recognition that an Afghanistan that is back on its feet, or on its feet for the first time in decades, will be of huge importance to the stability of that region.

Dr. Julian Lewis (New Forest, East) (Con): Given the dependence of Zimbabwe on South Africa, will the Prime Minister expand on the reasons, at which he hinted a few moments ago, for South Africa's reluctance to take action against the atrocious Mugabe regime? In that connection, what representations are the Government making to South Africa, and have they thought of trying to involve former President Mandela in the process?

The Prime Minister: Obviously there has been a disagreement about how to deal with Zimbabwe and it is important to work primarily through the South African Government. There was a view—at least in parts of southern Africa—that if Zimbabwe were suspended from the Commonwealth we would somehow be unable to engage with Zimbabwe itself. That is just a disagreement, however, and we have to carry on trying to work through it in a reasonably diplomatic way, as we need to reach a consensus in the Commonwealth. It is fair to say that in the end, despite the reservations that South Africa had, it did not oppose the statement about continuing the suspension. The debate is continuing, but it is best continued on the basis that we are two strong allies who have a difference of view but that we will try to reach agreement.

I only hope that people understand that the state of things in Zimbabwe is so bad that in the end the impact will be felt in the entire region, and that the best way of dealing with things is to realise that until that regime is changed the situation will continue. If the regime is changed, it would be as well that the people who then come to office understand that the Commonwealth and other parts of the world actually stood by them.

Mr. Derek Wyatt (Sittingbourne and Sheppey) (Lab): The Prime Minister will know that I wrote to him last week as chairman of the all-party group on Zimbabwe asking whether the Commonwealth secretariat would consider arranging an eminent persons visit. I noticed that in his statement today he said that a representative group of six Commonwealth members would go. Is that the same thing; if so, has a date yet been fixed for the start of the visit?

The Prime Minister: I do not think that the idea was ever that the six who formed the committee would go to Zimbabwe, but that President Obasanjo should go, and he will go, although Mr. Mugabe will claim that he goes merely as the President of Nigeria and not as the Chairman-in-Office of the Commonwealth. However, there is at the very least a feeling, even among African countries that strongly support our position on Zimbabwe, that it is important that people such as President Obasanjo go to Zimbabwe, in part to make it clear to the Zimbabwean people that initiatives are directed not against them but against the regime. I do not know whether an eminent persons group would have any impact on the situation; I suspect that at present we do best to work through the existing mechanisms.

Mr. Henry Bellingham (North-West Norfolk) (Con): There is certainly widespread support in the House for the stance that the Prime Minister took on Zimbabwe during the conference, not least because the appalling regime of Mugabe is hitting the poorest in that community. However, I think that there is disappointment on the Opposition Benches at the Prime Minister's reply to my hon. Friend the Member for New Forest, East (Dr. Lewis), as surely the one person who could really bring pressure to bear is Thabo Mbeki. The Prime Minister mentioned the MDC; it, too, wants Thabo Mbeki to take a much more leading role in getting a grip on things. Why does the Prime Minister feel that Thabo Mbeki is being so weak, so half-hearted and so negative?

The Prime Minister: If we want the President of South Africa to play a role, we do best to deal with the situation in a way that helps him to do so. If I can put things diplomatically, where there is disagreement—as there is over this matter—rather than engaging in an attack on the South African position, it is best simply to indicate why we feel so strongly that the right way to deal with the situation is to change the regime in Zimbabwe and to work with other countries to ensure that. I can tell the hon. Gentleman that we make those points very strongly indeed, but there is a way to do it and we must be careful about that.

Hugh Bayley (City of York) (Lab): Given that two-thirds of all the people in the world who are infected with the HIV virus live in Commonwealth countries, does the Prime Minister believe that the Commonwealth as a whole, not just Britain, has a unique role in providing leadership in the fight against HIV and AIDS? What are African member countries doing to argue that the fight against AIDS should take greater priority in the work of the NEPAD secretariat, and what are the Government doing in preparation for our presidency of the G8 and the EU to ensure that it forms an important part of our agenda?

The Prime Minister: The African countries are taking measures to ensure that they have capacity in their own countries to deal with HIV/AIDS, and a few weeks ago, President Bush and I met several health Ministers from African countries to discuss that. For us, issues relating to climate change and to Africa—including, of course, the problem of HIV/AIDS—will be a main part of our G8 presidency in 2005. That will send out a strong signal of the priority that we attach to those issues.

Mr. Andrew Robathan (Blaby) (Con): I am sure that we all agree entirely with what the Prime Minister has said about Zimbabwe, but may I take him back to the maximum pressure to which he referred earlier? How about adopting the suggestion made by the Select Committee on Foreign Affairs and withdrawing the honorary knighthood that Mugabe was given in 1994? How about raising the matter at the Security Council of the United Nations where it can be debated in world forums and the world can see—as can Zimbabweans and black Africans—the contempt in which Mugabe is held? How about extending the sanctions list to the same people as New Zealand does, so that the immediate families of Mugabe's cronies cannot travel around the world spending their ill-gotten gains, and in particular so that Bredenkamp and the paymasters of Mugabe's regime cannot travel around Britain spending their ill-gotten gains?

The Prime Minister: As I said earlier, when the sanctions come up, we should certainly consider how they could be extended without giving people false solace about how effective they might be in sinking the regime. I will certainly consider the honorary knighthood, although I somewhat question how great the impact of the hon. Gentleman's suggestion would be on President Mugabe.

Mr. Robathan: It is a symbol.

The Prime Minister: All these things are symbols, but in the end the most important thing is, as I say, to work to ensure that the pressure does not just come from here, but from within the region.

In respect of the UN, as I said before, we raise this issue regularly at the UN. It is important, however, that we do not put a resolution before the UN Security Council, in particular, unless we are sure that it would succeed because, if we put one and it failed, the impact would be adverse.

Mr. Harry Barnes (North-East Derbyshire) (Lab): On Zimbabwe, does not Nigeria itself show what Commonwealth pressure can bring about in advancing democratic provisions? For instance, the African meeting of the Commonwealth Parliamentary Association was recently held in Abuja—perhaps, in time, another such meeting will be held in Harare—and a spin-off is that the Nigerian arrangements to deal with HIV/AIDS have developed into a progressive programme, considerably assisted by our own Department for International Development.

The Prime Minister: My hon. Friend is absolutely right. Indeed, Nigeria represents a model example of a country returning to democracy, and Commonwealth pressure assisted in that, which is why the Commonwealth continuing to suspend Zimbabwe will, of course, have its own impact.

Mr. George Osborne (Tatton) (Con) *rose*—

Hon. Members: Hear, hear.

Mr. Osborne: I thank my colleagues.

I agree with everything that the Prime Minister says about HIV/AIDS. Of course he is right to work with the drug companies to try to reduce the cost of the drugs, but does he agree that pharmaceutical research is phenomenally expensive—AstraZeneca employs 5,000 on research in my constituency alone—and that it would be a tragedy if the campaign against HIV/AIDS turned into a campaign against international drug companies? We need their help and research, and we must not demonise them.

The Prime Minister: It is precisely for that reason that we as a Government have given such strong support to

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science and research over the past few years. Yes, of course it is important that drug companies play their part, but they are part of the solution, and part of the solution involves us trying in so far as possible, while protecting their interests, to reduce the cost of the generic drugs that can be used to treat HIV/AIDS patients. All the indications now are that such drugs are available—the drug companies have played their part in that—and if we can only put the right capacity together in those countries whose people are suffering from HIV/AIDS, we will be able to take a significant step forward in the treatment of the disease. If the drug companies play their part in that, they should be congratulated.

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): May I return to the world trade talks? Does the Prime Minister agree that the Commonwealth is an ideally placed organisation and perhaps should do more to campaign on the principles of movements such as the Traidcraft movement, which suggest that investment in trade for developing countries is a good thing, but that it must be done in a manner that supports and reinforces sustainable progress? It should be made absolutely clear to the businesses involved that we will not tolerate exploitative or corrupt practices of the kind that would be intolerable in this country.

The Prime Minister: I am sure that it is right that, when we open up world trade, we do so responsibly. The important thing is to ensure that we break down the open tariffs and barriers as well as the hidden barriers; but the point that my hon. Friend makes about Traidcraft is welcome.

Orders of the Day

Planning and Compulsory Purchase Bill

[2ND ALLOTTED DAY]

Further considered.

New Clause 10

LOCAL DEVELOPMENT PLAN

'(1) The local planning authority must prepare and maintain a plan to be known as their local development plan ("the plan") which will contain a number of Local Development Documents, each of which will cover a different subject matter as specified in the plan.

(2) The plan must specify—

(a) the documents which are to be local development documents ("the documents");

(b) the subject matter and geographical area to which each document is to relate;

(c) which documents (if any) are to be prepared jointly with one or more other local planning authorities which will be treated the same as if one single authority had prepared it;

(d) any matter or area in respect of which the authority have agreed to (or propose to agree) to the constitution of a joint committee under section 28;

(e) the timetable for the preparation and revision of the documents;

(f) such other matters as are prescribed.

(3) Different plan documents must, amongst other matters, include:

(a) those matters in which the County Council or Unitary Authority has a role;

(b) a plan for each of the larger settlements as detailed in the plan;

(c) a plan for any other settlement which may be designated in the plan;

(d) a plan detailing all section 106 matters including the formula or tariff including the provision of social housing;

(e) a plan detailing how specific planning designations, such as Areas of Outstanding Natural Beauty will be operated;

(f) a plan detailing how land use, sustainability and economic regeneration are to be managed;

(g) such other matters as the Secretary of State prescribes.

(4) The local planning authority may withdraw their plan or documents at any time before they are formally adopted.

(5) The local planning authority must—

(a) prepare the plan and documents in accordance with such other requirements as are prescribed;

(b) submit the plan and documents to the Secretary of State at such time as is prescribed or as the Secretary of State (in a particular case) directs;

(c) at that time send a copy of the plan and documents to the RPB or (if the authority are a London borough) to the Mayor of London;

(d) prepare, publish and have regard to a Statement of Community Involvement as negotiated by section 4 of the Local Government Act 2000 (c. 22).

(6) The Secretary of State may direct the local planning authority to make such amendments to the plan or documents as he thinks appropriate, but only when the Secretary of State and Authority can not agree on any matter.

(7) A direction under subsection (6) above must contain the Secretary of State's reasons for giving it.

(8) The local planning authority must comply with a direction given under subsection (5).

(9) The Secretary of State may make regulations as to the following matters—

(a) publicity about the plan and documents;

(b) making the plan and documents available for inspection by the public;

(c) requirements to be met for the purpose of bringing the plan and documents into effect.

(10) The local planning authority must revise their local development plan and documents—

(a) at such time as they consider appropriate;

(b) when directed to do so by the Secretary of State.

(11) Subsections (2) to (10) above apply to the revision of a plan or documents as they apply to the preparation of the plan or documents.

(12) When preparing the local development plan or documents under (1) and (2) above the local planning authority must have regard to—

(a) national policies and advice contained in guidance issued by the Secretary of State;

(b) the RSS for the region in which the area of the authority is situated, if the area is outside Greater London;

(c) the spatial development strategy if the authority are a London borough or if any part of the authority's area adjoins Greater London;

(d) the RSS for any region which adjoins the area of the authority;

(e) the Wales Spatial Plan if any part of the authority's area adjoins Wales;

(f) the community strategy prepared by the authority;

(g) the community strategy for any other authority whose area comprises any part of the area of the local planning authority;

(h) any other local development document which has been adopted by the authority;

(i) the resources likely to be available for implementing the proposals in the document;

(j) such other matters as the Secretary of State prescribes.

(13) The local planning authority must submit their local development plan and documents in their entirety to the Secretary of State for independent examination.

(14) But the authority must not submit such a plan or document unless—

(a) they have complied with any relevant requirements contained in regulations under this Part, and

(b) they are satisfied that they are ready for independent examination.

(15) The authority must also send to the Secretary of State (in addition to the development plan) such other documents (or copies of documents) and such information as is prescribed.

(16) The examination must be carried out by a person appointed by the Secretary of State to be known as the Independent Inspector.

(17) The purpose of an independent examination is to determine in respect of the local development plan and documents—

(a) whether they satisfy the requirements in this section;

(b) whether they are sound in all material aspects.

(18) Any person who makes representations seeking to change a development plan must (if he so requests) be given the opportunity to submit a summary of each person's representations in writing to the Independent Inspector (as defined in subsection 16), who may decline the evidence if he has reason to believe that it is a repetition of evidence which he has already received from another person.

(19) The Independent Inspector must—

(a) make recommendations; and

(b) give reasons for those recommendations.

(20) The local planning authority must publish the recommendations made under subsection (19).'.—*[Mr. Clifton-Brown.]*

Brought up, and read the First time.

1.33 pm

Mr. Geoffrey Clifton-Brown (Cotswold): I beg to move, That the clause be read a Second time.

Mr. Speaker: With this it will be convenient to discuss the following:

New clause 19—*Local Development Plan (No. 2)*—

'(1) The local planning authority must prepare and maintain a plan to be known as their local development plan ("the Plan") which will contain a number of Local Development Documents ("the Documents"), each of which will cover a different subject matter as specified in the plan.

(2) The Plan must specify—

(a) the Documents;

(b) the subject matter and geographical area to which each of the Documents is to relate;

(c) which Documents (if any) are to be prepared jointly with one or more other local planning authorities which will be treated the same as if one single authority had prepared it;

(d) any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under section 28;

(e) such other matters as are prescribed.

(3) When preparing the Plan or the Documents under (1) and (2) above the local planning authority must have regard to—

(a) national policies and advice contained in guidance issued by the Secretary of State;

(b) the RSS for the region in which the area of the authority is situated, if the area is outside Greater London;

(c) the spatial development strategy if the authority are a London borough or if any part of the authority's area adjoins Greater London;

(d) the RSS for any region which adjoins the area of the authority;

(e) the Wales Spatial Plan if any part of the authority's area adjoins Wales;

(f) the Plan of any adjoining Local Planning Authority together with any of its documents which may be relevant;

(g) the community strategy prepared by the authority;

(h) the community strategy for any other authority whose area comprises any part of the area of the local planning authority;

(i) any other local development document which has been adopted by the authority;

(j) the resources likely to be available for implementing the proposals in the Documents;

(4) The "Documents" must include inter alia—

(a) a statement of those matters in which the County Council has a role;

(b) a Document for each of the larger settlements as detailed in the "plan".

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(c) a Document for any other settlement which may be designated in the plan;

(d) a Document detailing the matters relating to the Authority's policies on planning contributions and the provisions of social housing;

(e) a "document" containing policies for areas where there are specific planning designations, such as Areas of Outstanding Natural Beauty and National Parks;

(f) a Document detailing how land use, sustainability and economic regeneration are to be managed;

(g) such other matters as the Secretary of State prescribes.

(5) The local planning authority must—

(a) prepare the Plan and the Documents in accordance with such other requirements as are prescribed;

(b) submit the Plan and the Documents to the Secretary of State at such time as is prescribed or as the Secretary of State (in a particular case) directs;

(c) at that time send a copy of the Plan and the Documents to the RPB or (if the authority are a London borough) to the Mayor of London;

(d) prepare, publish and have regard to a Statement of Community Involvement when preparing the Plan and the Documents as negotiated by section 4 of the Local Government Act 2000 (c. 22).

(6) The local planning authority may withdraw the Plan or the Documents at any time before submission to the Secretary of State in accordance with (5)(b).

(7) The Secretary of State may direct the local planning authority to make such amendments to the Plan or the Documents as he thinks appropriate.

(8) A direction under subsection (7) above must contain the Secretary of State's reasons for giving it.

(9) The Secretary of State may make regulations as to the following matters—

(a) publicity about the Plan and the Documents;

(b) making the Plan and the Documents available for inspection by the public;

(c) requirements and timetable to be met for the purpose of bringing the Plan and the Documents into effect, which may not exceed six months.

(10) The local planning authority must revise their local development plan and Documents—

(a) at such time as they consider appropriate, which may not be later than five years from the date the plan came into effect;

(b) when directed to do so by the Secretary of State.

(11) Subsections (2) to (10) above apply to the revision of a plan or documents as they apply to the preparation of the Plan or the Documents.

(12) The local planning authority must submit their local development plan and documents in their entirety to the Secretary of State for independent examination at the times and in the manner laid down in subsections (5) and (10).

(13) But the authority must not submit such a plan or document unless—

(a) they have complied with any relevant requirements contained in regulations under this Part, and

(b) they are satisfied that they are ready for independent examination.

(14) The authority must also send to the Secretary of State (in addition to the development plan) such other documents (or copies of documents) and such information as is prescribed.

(15) The examination must be carried out by a person appointed by the Secretary of State to be known as "the Independent Inspector."

(16) The purpose of an independent examination is to determine in respect of the local development plan and documents—

(a) whether they satisfy the requirements in this section;

(b) whether they are sound in all material aspects;

(c) whether all or part of the Plan and the Documents need to be subject of the examination.

(17) Any person who makes representations seeking to change a development Plan or Documents must (if he so requests) be given the opportunity to submit a summary of his representations in writing to the Independent Inspector who may decline to hear either in writing or orally the evidence if he has reason to believe that it is a repetition of evidence which he has already received from another person.

(18) The independent inspector must within three months unless otherwise directed by the Secretary of State—

(a) make recommendations;

(b) give reasons for the recommendations.

(19) The local planning authority must within one month publish the recommendations made under subsection (18) which must be either confirmed by the Secretary of State or modified and published with reasons within the prescribed period under subsection (9)(c).

(20) The local planning authority must comply with directions given by the Secretary of State under subsections (2), (4), (6), (7), (9), (10), (12), (14), (18) and (19).'.

Amendment No. 39, in page 8, line 12, leave out Clause 14.

Amendment No. 40, in page 9, line 16 [Clause 15], leave out 'scheme' and insert 'plan'.

Amendment No. 41, in page 9, line 25, leave out Clause 16.

Amendment No. 42, in page 10, line 22 [Clause 17], leave out subsection (3).

Amendment No. 43, in page 10, line 34, leave out Clause 18.

Amendment No. 27, in page 10, line 40 [Clause 18], at end insert—

'(aa) the housing strategy prepared by the authority under the Local Government Act;'.

Amendment No. 44, in page 11, line 27, leave out Clause 19.

Amendment No. 45, in page 12, line 8, leave out Clause 20.

Amendment No. 46, in page 13, line 4, leave out Clause 21.

Amendment No. 47, in page 13, line 14, leave out Clause 22.

Amendment No. 83, in page 13, line 35 [Clause 23], at end insert—

'(c) any recommendations made by the person appointed to carry out the independent examination of the document.'.

Amendment No. 84, in page 13, line 36 [Clause 23], leave out subsections (2) to (4).

Amendment No. 48, in page 14, line 27 [Clause 24], leave out 'document' and insert 'plan'.

Amendment No. 49, in page 14, line 29 [Clause 24], leave out 'document' and insert 'plan'.

Amendment No. 50, in page 14, line 31, leave out Clause 25.

Mr. Clifton-Brown: I am very pleased to catch your eye, Mr. Speaker, on this group of new clauses and amendments. For the convenience of the House, may I say straight away that new clause 10 has been supplemented by new clause 19? When I tabled new clause 10, I realised that it could be improved, so I shall speak to the revised version—new clause 19—but I do not say that new clause 19 could not be improved as well. I would very much welcome the Minister and his civil servants attempting to improve it, if he were minded to accept it. We shall come to that a little later, but although I suspect that he is not minded to accept it. Nevertheless, I have carefully studied the Minister's remarks in Committee during the previous Session, and I have redrafted my proposals in light of the criticisms that he made then, so I hope that new clause 19 will meet with his full approval and that he will accept it. *[Interruption.]* I live in hope. It is better to travel in hope than to arrive.

New clause 19 deals with the whole local plan-making procedure, and the success or failure of the Bill rests entirely on whether the regional and local plan-making processes actually work. I shall not say anything about the regional plan-making process because it is not relevant to new clause 19. Suffice it to say that the Opposition oppose the regional plan-making process. I want to deal with the local plan-making process, which is hideously complicated. Indeed, I have good reason to believe that even the Minister and his civil servants do not fully carry at the top of their heads exactly how it works.

New clause 19, which I have drafted, would combine eight or nine clauses, depending on which we include and which we exclude, so halving the number of pages. Moreover, this is not just a simple question of consolidation; new clause 19 would make it far easier for local authorities, businesses and, indeed, all those who get involved in the planning process to understand how the local plan-making process worked in one simple new clause. I shall state why I think that it is superior to the Government's eight or nine clauses.

The Government's stated wish is to produce a simpler, fairer and more transparent planning system. The local plan-making process contained in part 2—clauses 12 to 36—is highly complex. Instead of all the various categories contained in the Bill—the local development schemes, the local development documents, the local development frameworks, the local development plan documents and the joint development documents and schemes, and so on—all with their own provisions for commencement, revision, community involvement, appeals and independent inspections, I propose a simplification that uses just two categories: local plans and local documents. The Bill deals with those two categories. Again, instead of six different tiers and frameworks, I have two—much simpler than the Bill.

New clause 19 would provide county councils with a statutory role—something that the Government have consistently failed to do. Unfortunately, we will probably not reach new clause 23, which I also tabled. Nevertheless, a statutory role for county councils is important because we believe that county councils, in some cases centuries old, have built up a huge bank of knowledge that could be lost to the planning process if we are not careful. We cannot even consider an amendment that would make county councils statutory consultees in the new regional strategy documents.

Mr. John Gummer (Suffolk, Coastal) (Con): The Government do not dismiss the fact that some parts of the country will clearly not have elected regional assemblies. Clearly, my own area will not a have regional assembly. Does my hon. Friend agree that county councils provide an important input into planning in those areas? What he proposes would be very much supported throughout the shire counties of England—areas such as my own.

Mr. Clifton-Brown: My right hon. Friend is exactly right. We tried very hard in Committee to persuade the Government to give county councils a statutory role in the regional plan-making process. Although we won the argument, we failed because the Government used their huge majority. Members of another place will wish to return to this subject. At this stage, however, I am dealing with the local plan-making procedure, and it is absolutely right that county councils have a statutory and proper role in that process.

My new clause deals with clause 14, which provides that documents should be submitted to the Secretary of State for independent inspection. Both my new clause, however, which is modelled on the Bill, and the Bill itself provide that other documents are to be submitted to the Secretary of State. The Law Society and others have concerns about that provision, because they feel that if other arbitrary documents are submitted, confusion may arise about what are legal documents and what are not. I would therefore prefer the new clause to be drawn with just the plan and the documents, and no other documents, to be submitted.

My proposed new subsection (6) allows the local planning authority to withdraw its documents at any time up to submission to the Secretary of State. The Bill allows those documents to be withdrawn at any time up to adoption. In other words, they can go through all the independent examination, and consultation with neighbouring authorities, regional planning bodies and so on, and then suddenly, a few days prior to adoption, be withdrawn. What a waste of time and money.

In my proposed new subsection (8), the Secretary of State must give reasons for directing a local authority to make amendments to its plan. Again, if a local planning authority has gone through all its committee structures, has carried out its community involvement, has consulted the regional planning body and neighbouring authorities, as required under my new clause and the Bill, and the Secretary of State comes along and directs it to change the plan, surely it is only reasonable and fair that he must give his reasons for doing so. The Bill does not provide for that.

My proposed new subsection (16) provides that all or part of the plan and documents are to be subject to an independent examination. That gives much greater flexibility than the Bill, which requires all documents to be subject to an independent examination. I envisage that under my system, the plan, which sets out the overall strategy for the area, might remain in place for 10 years. The analogy in relation to my system is that the

[Mr. Clifton-Brown]

plan is the filing cabinet and the documents are the individual drawers or files within it. The plan might therefore remain, but the documents, which cover all sorts of areas—*[Interruption.]* Yes, I know that the Minister for Housing and Planning will say that that is his plan, but the trouble is that it is not, because he has so many other different categories. I have just two: a filing cabinet and drawers. Anybody who wants to do so can pull out those drawers at any time, and they can be subject to revision, independent examination and re-adoption of the new plan—simple, flexible and easy to revise. One of the Minister's main criticisms of my proposal in Committee related to that.

My proposed new subsection (17) provides that in an independent hearing certain repetitive evidence need not be considered by the inspector. We all know of cases in which action groups—suddenly formed, not particularly well organised and with one typewritten statement—file into an independent hearing one by one and read out exactly the same statement. Surely the inspector must have powers to disregard such repetitive evidence, or a great deal of time could be wasted under clause 19(6), which provides that everybody must be heard orally. The Minister must consider that, if nothing else in my new clause.

Mr. Gummer: Does not my hon. Friend agree that for a very long time inspectors have requested, when they are going over such repetitive ground, that they should be able to say, "We have heard about that, we know about it, and we can now move on." Is it not a great pity that the Government have not taken their advice?

Mr. Clifton-Brown: I imagine that my right hon. Friend, who is a former Secretary of State for the Environment and has huge experience in these matters, will have come across this problem time and again. He makes a timely and potent intervention, and I hope that the Minister will consider such an amendment even if he does not consider anything else.

David Wright (Telford) (Lab): I have some sympathy with the point that has just been made about saving time in inquiries. Does the hon. Gentleman agree, however, that it is important that if 100 people, for example, submit the same piece of evidence, those 100 people are counted as objectors or supporters of a proposal? If we are not careful, the system that he proposes could be used to lower the number of objections, and in some cases stop an inquiry being triggered.

1.45 pm

Mr. Clifton-Brown: The hon. Gentleman makes an extremely good point. I would have no objection—in fact, I would find it desirable—if when the independent inspector makes his report he were to say, "And 150 residents of Little Acacia on the Green objected to this proposal with the same evidence. Although I took evidence from Mrs. Black, I had similar evidence from another 149 residents." That would be perfectly reasonable, and I do not seek to stop it in any way whatever. We need some form of power, however, to stop repetitive evidence. After all, in this House, Mr. Deputy Speaker, you would soon rule me out of order if you felt that what I was saying was unduly repetitive—indeed, Standing Orders provide that you do that. A court of law may do exactly the same thing. There does not therefore seem to be any reason why an independent inspector in a planning hearing should not be able to do the same.

My new clause provides for strict times within which various events should happen. Again, the Secretary of State reserves powers to do that by regulations in the Bill. Those are arbitrary, however, and can be revised at any time. It is vital that timetables, or at least the main timetables, are laid down in statute. Otherwise, the new system will fall into exactly the same failure as the present system. The problem with the present one is that nobody forces local authorities to draw up their plans and to revise them within a certain timetable. Unless that is rigorously upheld, with the complexity of the new system, we will hear every excuse under the sun as to why the new plans are not to be revised. My new clause therefore provides that within five years the plan and the documents must be revised. On reflection, the plan must be looked at but it does not have to be revised—some documents, however, must be revised within the five-year period.

Sir Sydney Chapman (Chipping Barnet) (Con): I very much agree with my hon. Friend on the need to introduce sensible timetables for provision and revision of development plans—I prefer to call them development plans rather than documents or schemes as he has done in his amendments. Good precedent for that, whether or not the system works properly, is provided by the fact that a local planning authority is required to give a determination of a planning application within eight weeks; otherwise, the applicant has the right to appeal.

Mr. Clifton-Brown: My hon. Friend, who has huge experience in these matters—he referred yesterday to his entry in the Register of Members' Interests and to his previous posts—is absolutely right. A strict timetable should be in place, particularly for revisions of plans, or at least of documents—perhaps the plan should be looked at to determine whether it is still current, but the documents must be revised.

The timetable should then provide that when the plans have been submitted to the Secretary of State for independent inspection, the independent inspector has three months to carry out his work. Again, unless the independent inspector has a strict timetable, things will just drift and not get done. There must be a proper impetus for him to provide his report within three months unless the Secretary of State directs otherwise. The local authority must then publish the results within one month—having received his report, which may in some cases be quite lengthy, there is no reason why it should not do so. When the Secretary of State confirms the plan or modifies it, there is no reason why it should not be brought into effect within six months.

I am not saying that those timetables are absolutely right, but some form of timetable along the lines that I have suggested must make eminent sense. Again, I hope that the Minister will consider whether those timetables can be included in the Bill rather than being determined by regulations, which are arbitrary and can be revised at any time.

New clause 10 represents a simpler approach. It considers the plan-making process as one entity to allow local planning authorities, businesses and individuals to be much clearer about how the system works and make them more likely to become involved in the process. If it is to be as complicated as the Bill prescribes, people will feel alienated from the planning process and will not have a clue about it. Few people get involved in the planning process even now. They become frightfully surprised when a planning application for several houses next door comes along and a local authority says, "We can't refuse that because it was in the plan that we made four years ago," although the residents had no idea about the plan. That is an unsatisfactory way in which to proceed, so I hope that the new process will at the very least encourage more people to participate in the community element of the plan-making process.

The already overly complicated plan-making process has been made even more complex by yesterday's proceedings, so I fear that it will drown under such complexity. If that happens, the Bill will utterly fail to achieve the Government's stated aim of promoting speed, transparency, community development and a user-friendly process, with the net result that economic growth and sustainability will suffer.

The Government will probably reject new clause 10 today, but I hope that those in another place will appreciate that having one holistic whole—a dreadful phrase—for the local plan-making process, set out in a relatively simple new clause, would be far better than the provisions in the Government's eight equivalent clauses.

David Wright: I rise to provoke a debate on amendment No. 27, which I tabled. The amendment relates to local housing strategies and was prompted by my discussions with the National Housing Federation and the Chartered Institute of Housing. I appreciate that the amendment has arrived on the scene somewhat late, but it is worthy of discussion. I should declare an interest as a full member of the Chartered Institute of Housing. The hon. Member for Chipping Barnet (Sir Sydney Chapman) said yesterday that, rather than receiving any money from such bodies, he paid them. Similarly, rather than receiving any resources from the Chartered Institute of Housing, it takes money off me—I draw no financial benefit from it at all. Both the institute and the National Housing Federation are excellent organisations that contribute to the wider debate on housing and planning in the UK.

I want to discuss the broad parameters of the link between housing and planning, although I do not intend to take up too much of the House's time. The amendment is an attempt to join up local housing and planning strategies, so that better planned housing that matches local economic, social and environmental needs can be delivered. It would ensure that the local housing strategy was explicitly included in the list of considerations to which local development documents must have regard.

Before I came into the House, I spent a long time working as a housing strategy manager. I tried to integrate the workings of a large local authority's planning and housing departments—it was quite a struggle at times. Documents such as local housing strategies were often produced completely independently of local planning documentation. Local plans tended to be dominated by professional planning officers who worked at regional level, often with little input from other local authority officers. Housing targets cascaded down the system and arrived on the doorstep of housing strategy officers after decisions were signed, sealed and delivered. It is important to integrate housing strategies more effectively with the local planning process.

For many years, local housing strategies were framed by local authorities' ownership of large amounts of municipal stock. In the 1980s, the then Government rightly promoted the establishment of an enabling authority—the right hon. Member for Suffolk, Coastal (Mr. Gummer) was involved in that. Local authorities' strategic housing functions are extremely important because they need to be integrated effectively and coherently with local plans.

I have made the case for better integration. Strategies are often inconsistent and conflict with each other. Many local authorities have housing strategies that promote the growth of affordable housing, but local planning documents often do not take any account of that, which means that sites do not become available for new housing developments. There is often a deep conflict between the actions of local authority departments. We need to put that right, which is why amendment No. 27 would provide that local housing strategies must be considered as a key component of the development of local planning documentation.

The amendment would create a strong incentive for authorities to reconcile planning and housing policies. It would provide for greater clarity and decrease the number of disputes involving authorities and their stakeholders, especially on planning applications for housing developments. Perhaps most important, it would create a culture of positive planning for housing by reinforcing the mutual importance of planning and housing in achieving sustainable development.

Why should we co-ordinate the strategies? It is no longer appropriate to think about the housing market and affordable housing separately. We must ensure that areas have a single perspective on the housing market because people move across sectors and tenures to find suitable housing. We need a comprehensive analysis that covers all elements of the housing market in a local area, so planning documentation requires a comprehensive understanding of the way in which the housing market operates. We need to promote a good mix of housing types—houses for affordable rent, shared ownership and owner-occupation—because that creates more stable and sustainable neighbourhoods. We must integrate our housing approach with authorities' wider planning strategies, because factors such as transport, communication and proximity to community facilities are important.

Richard Younger-Ross (Teignbridge) (LD): I agree with the points that the hon. Gentleman is making. The importance of what he is saying is shown by the fact that developers may currently say, "Okay, we'll do 20 or 30 per cent. affordable housing," yet design two estates with a wall through the middle, so that social and

[Richard Younger-Ross]

private housing are never mixed. His point is well put: we need integration, rather than fencing communities off from each other.

David Wright: The hon. Gentleman is right. We need to develop what could perhaps be called "tenure-blind estates", in which people could walk down a road without being able to tell which properties were rented, owner-occupied or in shared ownership. We need a process to integrate tenures throughout a neighbourhood and to ensure that all facilities are consistent for everyone living there. That is how balance may be achieved and sustainable communities built.

Another key point about the co-ordination of strategies for housing is that the delivery of affordable housing is being hampered because of inconsistencies in local plans and housing strategies. That provides an opportunity for appeals against decisions. Local housing authorities need to do much more to understand their housing markets and they should integrate the results of housing need and housing market surveys into their planning strategies. Developers often challenge authorities because they are not confident that their housing market analysis is correct. Such authorities tend to back off because they are not sure that they can win the case. We need a strong and consistent approach between authorities' housing and planning departments to ensure that, if cases are taken to appeal, housing officers will have a commitment from their planning colleagues that the assessments will be defended.

Government policy is starting to tackle failing housing markets but I wonder whether planning practice is responding to that. When we develop comprehensive regeneration strategies for areas in consultation with communities, we need to ensure that our planning colleagues—if I may say that as an ex-housing strategy officer—respond to them positively and plan estates coherently and effectively.

The debate has been enjoyable. It is a bit like groundhog day, with the same few Members in the Chamber, but the debate has been of a high quality.

2 pm

Mr. Clifton-Brown: Amendment No. 27 recognises that the Local Government Act 1992 requires local authorities to draw up a housing plan. They are also required to draw up a homelessness plan under the Homelessness Act 2002 and a sustainability plan under this Bill. The Opposition are keen that all the plans should mesh together; otherwise local authorities will drown under the weight of drawing up separate plans with separate provisions.

David Wright: I appreciate the hon. Gentleman's comments—that is why my probing amendment was tabled. I want to hear what the Minister has to say about how the new structure will integrate the variety of strategies that local authorities are required to produce. In particular, it will be interesting to hear what guidance will be issued to local authorities on the integration of housing strategy with planning policy.

Our debates have been interesting on both days. I look forward to hearing the Minister's response before I decide whether to press my amendment to a vote.

Matthew Green (Ludlow) (LD): In tabling the new clauses and attached amendments, the hon. Member for Cotswold (Mr. Clifton-Brown) has given us an opportunity to discuss the scheme at the heart of the plan. Once again, he has produced a revised alternative scheme.

We have been discussing the Bill for almost 12 months and there is now a great danger of consensus emerging, with our positions getting closer and closer.

Mr. Clifton-Brown: But is that not what Parliament is all about—debating matters until a consensus is reached? The Government approach things with a sledgehammer, using their huge majority to vote out any sensible proposals from wherever they emerge.

Matthew Green: If a consensus emerges, that is all good and well. Some of us have moved along a little faster than the hon. Gentleman, for whom it is sometimes a case of "Hurry up at the back."

David Wright: Does the hon. Gentleman think that it was a good idea to carry the Bill over into this Session? That gave us even more time to consider it and allowed the hon. Member for Cotswold (Mr. Clifton-Brown) enough time to prepare his notes.

Matthew Green: The extra time, perhaps unintentionally on the part of the Government back in January, has been valuable for a huge number of reasons. The hon. Gentleman may have touched on one of them.

A consensus is building around the idea of a flexible scheme. Before the Minister claims the phrase as his own, I think I originally referred to a filing cabinet or box file comprising a series of folders. He pinched my words and used them around the country, and I am delighted to have given him such assistance. After our deliberations in Committee, the hon. Member for Cotswold has moved on to similar ground. There is an understanding that we need a flexible scheme.

A local example highlights why such a scheme is needed. It concerns an application for an eco-business park on the edge of Ludlow, currently before the Under-Secretary of State, the hon. Member for Pontefract and Castleford (Yvette Cooper), who is the planning Minister for the west midlands. South Shropshire district council realised that it was running out of business development land. It is revising its local plan, but its implementation is probably about 18 months to two years away. The council will run out of business development land before the plan is likely to come into force.

Almost two years ago, the council entered into a process of considering where future business development land might be. It is a controversial process, because no one wants to be next to such land. The council held an inquiry in public, although it cannot be called a public inquiry, over two days. All sorts of organisations were able to give evidence, and possible sites became clear. The council committee made a decision on them and adopted their development as part of council policy. They are included in the new draft local plan but are obviously not in the current plan.

An application has been made, which the council accepted, but it has been called in because it is not in the current plan. The difficulty is that the process has been gone into in great detail locally. In fact, the Audit Commission holds it up as an excellent example of open local government. A more flexible scheme would have allowed South Shropshire district council to make changes to the local development document. The application would not have encountered the same difficulties and Government officials would not be clawing all over it. So greater flexibility is important.

As the hon. Member for Cotswold said, new clause 19 is the key clause. However, it is deficient. He is trying hard to produce something so that he does not have to agree with the Government's scheme, although his proposals are close to it.

Mr. Clifton-Brown: Consensus is breaking out.

Matthew Green: Indeed. The hon. Gentleman might as well accept that the Government's scheme is satisfactory.

Unlike the Government's proposal, new clause 19 does not stipulate that statements of community involvement are to be documents in the scheme. The effective use of statements of community involvement will speed up the planning process more than anything else. The schemes that go through the planning process with the least difficulty are those on which there has been the greatest consultation before a planning application is made. The most enlightened developers do that with large schemes. They carry out extensive local consultations, which iron out many of the problems, before the application is made.

I hope that councils will be encouraged to ensure that there is sufficient pre-consultation on those elements. The problem is, of course, that we do not know for sure whether that will happen until the regulations and guidance are published in their final form, but the suggestion is built into the Government's scheme. Unfortunately, however, it is not included in new clause 19. Perhaps the hon. Member for Cotswold intends it to be included in another document under subsection (4)(g), which refers to:

"such matters as the Secretary of State prescribes."

Statements of community involvement are fundamental to the success of a faster and more open planning system. I am surprised at their absence from the new clause.

Mr. Clifton-Brown: The hon. Gentleman is confusing two things. Community involvement in plan making is one thing; pre-application discussions on an individual application are a different matter.

New clause 19(3)(g) would ensure that the local planning authority has regard to community strategy. The Local Government Act 1992 requires local authorities to draw up a statement of community strategy. As that will have to be done anyway, why should it also be one of the documents? If a local planning authority does not have regard to that community strategy, it will be subject to judicial review.

Matthew Green: I think that the hon. Gentleman fails to understand the full importance of the potential of a statement of community involvement. When the council draws up such a statement, it will set out exactly the way in which the community will be involved in individual plans. It is a document in the scheme and it sets out the process. There is no mention of a statement of community involvement, but there is mention of a community strategy, which is a different issue. I shall understand if the hon. Gentleman says that he meant to mention a statement of community involvement in the new clause, which has had various incarnations as it has moved gradually towards being the same as the Government's proposal.

There is another area with which I have some difficulty. A number of councils—I mention South Shropshire council again, but only because I know it well as it is in my constituency—have been quite forward thinking in developing planning policies. There is no law that prevents that. South Shropshire council has its own separate document setting out its affordable housing policy. It also has its own separate document on policy that relates to how it deals with mast applications, which is quite a controversial issue. That is something that many councils have not done. The council uses the document to guide those who are making mast applications so that they know how they will be dealt with—central Government have not said that the council cannot adopt that approach. It is creating effective local policies in other ways, too.

My understanding of the Government's scheme is that, in effect, local development documents will be allowed to include documents that relate not only to geographical areas, not only to settlements, not only to housing and not only to areas of outstanding natural beauty, but also to specific areas such as business development land and a strategy for dealing with masts, for example. That is a great degree of flexibility, local decision making and local choice. I thought that all three parties were trying to compete with one another to show just how much they are in favour of the new localism, to use a word that comes from the Office of the Deputy Prime Minister. I do not think that there is sufficient flexibility in new clause 19 to allow councils to do that. There is too much structure in the clause.

I used to think, particularly back in January, that the Government had created a scheme that involved a plethora of new terms and far too many new clauses. In creating flexibility, it is difficult to have only one scheme. I urge the hon. Member for Cotswold to withdraw new clause 19 which, as I have said, moves broadly down the route that the Government have taken.

I am pleased that the hon. Member for Telford (David Wright) tabled amendment No. 27. He was right to do so. I suspect that it will not be necessary to give effect to it, but it has enabled him to raise some important issues relating to housing strategies and their close involvement with local planning. I was struck by his rightful call to see proper mixed-tenure estates, rather than divided estates. The Government need to be careful that by changing section 106, which we debated yesterday, they do not create a situation where non-mixed tenure estates are encouraged by the back door. One way to avoid that is the close involvement of housing strategies in local plans. I hope that the Government guidance will include a strong line recommending to councils that that is exactly what the Government would expect to see. We do not want all the

[Matthew Green]

social housing at one end of the settlement and the owner occupiers at the other end, with a high wall and protective fencing round it. Heaven forbid that we ever move down that route.

2.15 pm

Mr. Mark Francois (Rayleigh) (Con): When I served in local government, we did much to try to promote shared ownership housing—this meets the sort of objective that the hon. Gentleman and others have been talking about. We found that that worked well on mixed-tenure estates, and also when such housing was built next to private estates. It did not seem to worry anybody and it gave everybody an opportunity to get a foot on a rung of the housing ladder. It is something of which I have always been proud.

Matthew Green: The hon. Gentleman is absolutely right. Given house prices, we shall have to see a growth of shared equity of various forms. There are various ways of arriving at shared equity. The key thrust is not only mixed-tenure estates but, as the hon. Member for Telford said, the experience of walking down a street without knowing the tenure of the properties. There has been a tendency to get through the social housing obligation by putting a couple of boxes at one end of the estate and then building some nice five-bedroom houses on the rest of the estate. That approach has been adopted in some areas, but it is not satisfactory.

Once again, the hon. Member for Cotswold has done the House a favour by tabling his new clauses, because he has allowed us to debate matters that are at the heart of the new planning system. I was worried when he said that he wanted independent examination of his drawers, but, to be more serious, the new clauses have allowed us properly to debate these matters. However, I think that new clause 19 is unnecessary and I hope that he will withdraw it. This part of the Bill is now satisfactory and does not need substantive amendment.

Mr. Clifton-Brown: Is the Liberal spokesman saying that he thinks that the local plan-making process as provided in the Bill is entirely satisfactory?

Matthew Green: I would struggle to say that it is entirely satisfactory. I suspect that there are few pieces of legislation that any of us would describe as entirely satisfactory, but this part of the Bill moves in the right direction. As with any new system, it may need tinkering with later. The Government have made a good stab at trying to create a flexible and more open system.

Mr. Clifton-Brown: If the hon. Gentleman thinks that the Bill is not entirely satisfactory, may I ask him, mischievously, why he has tabled no amendments to try to improve this part of the Bill?

Matthew Green: Time will probably tell us where the deficiencies lie in the Government system, as time has told us where the deficiencies are in the 1990 Act. Given what the Government have set out, and given the slight amendments that have been made over time, I think that the Government have made a reasonable stab. I think that they have moved in the right direction in creating flexibility, local decision making and accountability, and that that will lead to some speeding up of the planning process. However, I do not follow the mantra of the Chancellor of the Exchequer that speeding up the process is the be all and end all, and that British business would suddenly flourish even more if we speeded it up so that somebody could get an application through in a week. That is a lot of nonsense. We would do the public and business a great disservice if we pretended that that could be achieved. A well-structured, efficient and flexible planning system is what local business people and others want.

Mr. Gummer: First, I declare an interest both as an honorary officer of the Town and Country Planning Association and of the Landscape Institute, and as a chairman of a company that, among other things, gives sound planning advice, particularly of an environmental nature. Perhaps that means that I care particularly about the simplicity of the documents and measures that we are considering. I suggest that the House gives serious consideration to some of the amendments, including the one tabled by the hon. Member for Telford (David Wright), which deals with a key issue. The hon. Gentleman is seeking to ensure that the Bill takes a more integrated approach, and has used the example of the housing strategy, although it has a wider application. We must ensure that when we make planning decisions and write local plans we do so holistically. That is crucial, as that does not happen at the moment and will not do so under the Bill in its current form. The Minister will no doubt help us by saying that he will introduce regulations to achieve that end. However, I commend the amendments because the requirement for an holistic system should be included in the Bill.

My hon. Friend the Member for Cotswold (Mr. Clifton-Brown) has done the House a service, both generally and specifically, in tabling his amendment. It is hard to conceive how local plans will work if the county council, which has responsibilities not only for the overarching plan but for highways, education and other concerns, is excluded from their operation. Why, then, is it wicked to remind the country that the county council is, and ought to be, a statutory consultee? I do not believe that the Minister is a bad man or has a hidden agenda, but there is an unattractive antagonism towards county councils in the way the Government talk about planning.

In many parts of the country, the county council is an historical structure that covers an area that, for the people who live there, equates closely to the locality. Nobody in my constituency has much love for a region called East Anglia. The people of Trimley St. Mary find it hard to believe that they have much in common with the people of Rickmansworth, and I doubt whether they will be seeking a close association with Essex. My hon. Friend the Member for Upminster (Angela Watkinson) may believe that the feeling is mutual, but it is worth making the point that the concept of the regional nature of locality is alien to many parts of the country. However, there is a commitment to the county, even when the county is in the care of the Labour party and its Liberal supporters. I am sure that those Liberal supporters will be considering why, yet again, their party wants to push up the county rate. The Liberals will be blamed, as they deserve to be, for their association with this spendthrift Government. Even when we have just suffered an 18.5 per cent. rise in council tax, we still like our county structure and believe that it is important. That ought to be reflected in the Bill.

Matthew Green: The right hon. Gentleman will know that last week the Audit Commission's report made it clear that, regardless of political control, council tax has been forced up by the council tax system, with the biggest effect resulting from the central Government grant. The report makes it clear that external forces are responsible, so I do not accept that rises are dependent on party control.

Mr. Gummer: I do not think that the hon. Gentleman was listening to what I was saying. In Suffolk, we have consistently asked the Liberals to stand up and say that it is the Government's fault. We have told them to stand up and attack the Government. We have told them that we do not expect them to support the Labour party any more because of the damage done to the county. However, as usual, the Liberals have sycophantically supported the Government, as they always do and always will. They are the other Labour party.

Richard Younger-Ross *rose—*

Mr. Gummer: They always rise to the bait, which is a great joy. I rarely make a speech on local government in which I do not manage to get almost every Liberal who has bothered to turn up for the debate to intervene. I have one more to tempt today, but in the meantime I shall give way to the hon. Member for Teignbridge (Richard Younger-Ross).

Richard Younger-Ross: How does the right hon. Gentleman answer the point that in Devon the councillors who run the county are a coalition not only of Tories and Liberal Democrats but of Labour and independent councillors? In Devon, the Tory party is tied to the Labour party as well, so what he has just said about the Liberal Democrats surely applies to his own party.

Mr. Gummer: Not at all, because the Conservatives in Devon have made it perfectly clear that they oppose the Labour Government and want to get rid of them. They also want to get rid of the need to associate themselves with the Liberals, which must be a very unpleasant experience for them. I very much commend them on putting the county's interests above the unpleasantness of being close to the Liberals.

I shall move on, because I have not been able to tempt the third Liberal in the Chamber to speak—I shall have to be a little more extreme to get the hon. Member for Somerton and Frome (Mr. Heath) to intervene. There is a serious problem with the Bill. I wish that the Minister had been much more radical, as many things should have been covered in the Bill, including sustainability, energy saving and the way in which building regulations should develop. The Government ought to be legislating on many of those things, as they are important. The Bill is truncated, and does not include many things that we have been pressing for on an all-party basis. I am concerned that the provisions on local development plans are not wide, progressive or radical enough. I am sure that that is not the Minister's fault, and that it was his predecessor who got us into this situation. However, I wish to put down a marker for the future.

Mr. Clifton-Brown: Before my right hon. Friend leaves the subject of county councils, does he not think that almost all their responsibilities, including transport, highways, archives and education have a critical bearing on the planning system? If those councils are excluded from the fundamental plan-making part of that system, I do not see how it will work.

Mr. Gummer: My hon. Friend has put his finger on an important matter, which I have raised myself. The difficulty is that the Government may say, "Yes, that is perfectly true, but we do not need to say so." However, if it is true, it cannot do any harm to say so. There must be a reason why the Government do not want to say so, and I believe that it is their antagonism towards county councils. They do not like them because they are old. The Government have got a thing about anything that has gone on for a long time and is working. They usually stop such things working by changing them when that is not necessary, leaving us with a much worse situation—vide the House of Lords. However, we do not want to get into that now.

Sir Sydney Chapman: I did not know why the Government did not like me very much, but now I realise that it is because I am old. In fairness to the Minister, as my right hon. Friend knows, there is reference in the Bill to sustainable development, but it is confined to clause 38. As I argued in Committee, the Bill mentions sustainable development, but it does not even define what it is. Given my right hon. Friend's vast experience as a former Secretary of State for the Environment, does he not think that sustainable development needs much greater attention in the Bill? The opening clause in the relevant part of the Bill should begin with a definition of sustainable development.

2.30 pm

Mr. Gummer: I need to be careful, lest you, Mr. Deputy Speaker, should feel that I am straying from the amendment that we are discussing. One of my criticisms of my hon. Friend's amendment is that it does not make clear that very point. Perhaps I know why sustainable development is not defined. If they define it, the Government have to admit that so far they have spoken a great deal about it, but done little. The trouble is not that they need joined-up government. They need joined-down government: there ought to be a connection between the mouth and the action. There needs to be more done and less spoken. I hoped that the Bill and this part of the Bill would deliver so many of the things about which the Government have rightly spoken. For five or six years I have tried hard to be non-party political and bipartisan on the subject of the environment, but it is increasingly difficult to continue, because there is no delivery in that regard. Although I am sometimes less than utterly polite about Liberals, on this occasion I think they would agree that we need more action. In the context of local development plans, I

[Mr. Gummer]

should have liked to see a much greater sense of urgency about sustainable development spelled out in a way that could insist upon action.

Mr. Andrew Turner (Isle of Wight) (Con): I am wondering whether the disparity between action and words on the part of the Government in relation to the environment was due to the fact that the environment itself was mostly old.

Mr. Gummer: I should not pursue that line too far because I know that Mr. Deputy Speaker is assiduous in ensuring that I remain in order, but I have great sympathy with my hon. Friend on that.

Matthew Green: On sustainability and new clause 19, the Government would argue that they have left the matter open so that they can deal with it through regulations because it is such a difficult subject to deal with. I understand that one of their own consultations came up with 50 different components of sustainability, including happiness. The right hon. Gentleman is right. The Government should have written some definition of sustainability into the Bill, leaving themselves the ability to add to it later through regulations, because the argument is evolving—we are at a different place now from where we were 10 years ago as regards sustainability.

Mr. Gummer: The hon. Gentleman is right, particularly in his last point. The Prime Minister said that sustainability was at the heart of the Labour party programme. The heart of the Bill is the part that we are seeking to amend, and sustainability should be included in that. For that, it must be defined. It is better to have a poor definition that gives at least some indication than merely to use words with no definition and to tell the House that everything will be done by regulation afterwards. I shall say something in a moment about regulation, with particular reference to the new clause.

Mr. Clifton-Brown: In new clause 10(3)(f), I specifically included a reference to

> "a plan detailing how land use, sustainability and economic regeneration are to be managed".

I took out an entire subsection about that because I knew the Minister would criticise me for putting some things in and not others, so I decided to take the whole lot out. I accept my right hon. Friend's criticism. Perhaps I should have left the whole subsection, particularly paragraph (f), in new clause 19.

Mr. Gummer: I hesitate to force such an apology from my hon. Friend. Indeed, I see the new clause as a mechanism for asking the Government to rethink in time for the discussions in another place. My hon. Friend will no doubt agree that it is difficult for the Opposition to produce such a detailed clause. I am sure the Minister will make some such comment—I have made such comments myself from the Government Benches—and I know that one should not look towards them, but the officials will glow with pleasure at the fact that the Minister has reminded the House that without their help it is difficult to proceed.

I have no doubt that the right hon. Gentleman will do that in the same elegant way as we have all tried to do it from time to time, but I hope he will not use that for an excuse. I hope he will undertake to look again at the fundamental concerns behind the new clause. I shall explain what I think them to be. First, as I said, one does not have the feeling that the Government have grasped the concept that the exercise should be holistic. That is where I agree with the hon. Member for Telford. Secondly, the Government have failed to define sustainability and put it at the heart of what they are trying to do in this part of the Bill.

Thirdly, I have a problem with the approach whereby the Government intend to deal with the matter in regulations. There is a real issue about the House's control. Someone came into my constituency surgery in Woodbridge recently complaining about a particular part of a Bill. She asked how any sane collection of people could pass that clause. I looked it up and I know why. We never discussed that clause, as we did not discuss almost two thirds of that Bill, because the Government made sure that we could not do so. We had to make a choice between proper discussion of part of it and no discussion of the rest, or improper discussion—if that is the word—of the whole Bill.

The emasculation of Parliament by procedure has been the mark of the Government. The same is true of the over-use of regulations. Of course it is true that in many cases regulations have to be made beyond the Bill, because of their detailed nature, but we do not have a satisfactory mechanism in the House for dealing with regulations. Many regulations are therefore not properly produced, and they affect the rights of the citizen. The Government should have given a much clearer indication of the nature of the regulations that they propose under this part.

The fourth reason why I hope the Government will think again is the point that my hon. Friend the Member for Cotswold made about the complexity of this part of the Bill. The Minister goes round the country talking as though this part were as simple as the amendment that has been proposed by my hon. Friend. When the Minister talks about it, he does not explain how many documents, papers and so on must all come together. He has a simplistic and rather attractive way of presenting it. Those things should be in the Bill, and not merely be his explanation of what is in the Bill. The public would never understand it if he presented what is written in the Bill. They would be caught up in terminology such as "hereinafter" and "before him", and would begin to wonder whether they were supposed to have access to the system at all.

The Minister does not try to explain that. He explains, more or less, what my hon. Friend has proposed in his new clause. I hope the Minister will think again about his excellent speeches—not the ones that he makes in the House, but the ones that he makes in public, when he explains to ordinary people what he is trying to do—and ask himself whether he can put that into the Bill so that people will understand what it is about.

Fifthly, I hope the Minister will take notice of the timetable issue. When I was Secretary of State, one of our difficulties was that we did not have enough powers to insist that local authorities completed their plans. Some of them, of all political parties, were unbelievably long-winded about trying to do it, not because they were so busy consulting and listening to the public, but because they were so incompetent that they never got to the point at which they could do that. It needed the use of the law to get them to do it. For that reason, I commend to the Minister the concept of timetabling. We may have got it slightly wrong—perhaps we should have given an extension in some cases and shown more flexibility in others—but does he accept that if we do not have something more akin to a timetable, he will find it difficult to get out of some local authorities the work that he needs?

Matthew Green: To elucidate the right hon. Gentleman's point about local plans, I understand that 38 local authorities still do not have their first ever local plan, let alone a revised one.

Mr. Gummer: The hon. Gentleman underlines what I was saying; that given that I was trying to do that five years ago, I was not all that successful, and the Government have not been very successful since. If we now have a new system that supersedes the one that they have not filled in, it is doubtful whether those local authorities will ever end up producing anything at all. If the Minister were prepared to seek to do more it would be helpful.

I was intrigued by the point made by the hon. Member for Ludlow (Matthew Green). I see that, rather than being tempted to intervene, the hon. Member for Somerton and Frome has now been forced out of the Chamber, so I am pleased that I have at least half won. The hon. Member for Ludlow referred to local authorities' ability to take a forward look at aspects that are particularly pertinent, and my local authority of Suffolk Coastal is also good at doing that. One knows where one is with Suffolk Coastal and it is prepared to be radical. I am pleased that it has given planning permission for an outstanding modern house in the countryside, totally contrary to what the Minister seeks to do, giving real jobs to architects who will do some really good work. I declare an interest, in that I serve on a committee of the Royal Institute of British Architects. That is the sort of interest that shows that one may know something about this matter, which usually excludes one from speaking in this House—but there we are. The Minister has tried to reduce and withdraw the employment of architects and builders of quality by the changes that he has already made. But one of the things that my local authority tries to do is to meet the particular needs of the area in advance so that people know where they are. I do not know South Shropshire district council, but it clearly works in the same way.

I am all for that kind of material being applied, but the Minister should not forget the point that has been made, which was also made by the Law Society. I rarely like points made by the Law Society because they are usually wrong and are usually about protecting the interests of lawyers, which I sought not to do when I came into the House. It is important that not every bit of paper or statement should be admitted, simply because it means that there may be circumstances in which that which is simply not appropriate, applicable or right—truthful—might find itself treated as if it were on a common basis with that which was obviously necessary. There is an issue here that should be looked at.

My last point is the one in relation which I intervened earlier. We need to enable better local consultation, and one way in which to do that is stopping otiose repetition. It is not proper consultation to have 92 different versions of the same pressure group appear one after the other before an inspector. It is not proper consultation for small groups to hijack the discussion in particular areas and to prevent the wider community from playing a proper part, and I think that both sides of the House would agree. One way to avoid that is to give greater powers to the inspector.

2.45 pm

I warn the Minister what his officials will do to him, because they did it to me. After a very important inquiry had finished when I was no longer in office, I criticised the length of time that it had taken and the length of the inspector's report. He asked to talk to me and he revealed that he had asked to see me as Secretary of State before he had started the inspection, and that he had wanted to say that if the job was to be done properly he wanted to do it in a particular way, at a certain speed and to produce a certain type of report. Officials not only made sure that he was not allowed to do that, but never told me that he had asked to do so.

I warn the Minister that there is a kind of fear that he should be too implicated in these matters. Of course he must not become implicated in the sense of being unfair, but we must have a planning system where the Minister can facilitate its speed and efficacy when the law allows him to do so, but is not so detailed as to ensure that it happens automatically. Therefore, I hope that he will give himself the elbow room to make it possible for inspectors to do the job that he wants them to do, and to listen to the general public and not to be hijacked, and insist that the law be not applied in so inflexible a manner that he is not even allowed to understand the concerns of the inspector whom he has appointed. It should not happen like that, I can show that it does happen like that, and I am perfectly sure that that is still going on. Unfortunately, nothing in the Bill gives me the feeling that it may stop.

Mr. Clifton-Brown: Is it not curious that the Government, in the Bill and in statutory instruments on tribunals inquiries, have given themselves very much the sort of powers that my right hon. Friend adduces for major infrastructure projects, but they have not taken the same powers in this part of the Bill relating to local plans? That is a curious anomaly.

Mr. Gummer: I am entirely in favour of what the Government have done on major infrastructure projects. That is crucial. I would have wanted them to go further, and I supported the previous proposals. That is something that the general body politic needs if Britain is to be able to make difficult major decisions. However, as my hon. Friend says, the principle should be extended to these issues. In terms of a locality, these decisions are just as important. They may not be important to the nation, but in my constituency a decision relating to whether a new park-and-ride service should be at one place rather than another, is, to the people who live nearby, just as crucial as a decision relating to terminal 5. Therefore, the system must not be hijacked by a small number of campaigners. I say that about wind farms. I

[Mr. Gummer]

would not like to embarrass the Minister, but I oppose a particular scheme in my constituency. For the people round about, such issues really matter, and he should have the powers to ensure that inspectors can do their jobs without being hijacked by small groups.

For that reason, I hope that he will be careful in his reply, offer to take some of these points on board, and use the other House for the excellent purpose for which it exists, which is to revise. There is no shame about second thoughts; I have had them myself, and I certainly will not crow if the Minister is kind enough to take some of those points on board.

Sir Sydney Chapman: It is a great pleasure to follow my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer). If I may spare his blushes, I have to say that, among many of the professional institutions at least, but other organisations as well, he was regarded as one of the finest Secretaries of State for the Environment, at least in relation to environmental issues. I hope that I am in no way passing any comment on those on the Government Benches in saying that, because there is now no such person as a Secretary of State for the Environment.

I am with the hon. Member for Telford (David Wright) on his amendment No. 27: I believe that adopted housing strategies are of key importance in planning any community and that they should be included in the new clause. Clause 18, which he seeks to amend, already contains 10 categories. In Committee, a bipartisan attempt was made to try to keep the number of categories to a minimum, as Members wanted to include archaeological finds and other such items. Of course, the Minister may argue that clause 18(2)(f), which deals with community strategies, could include housing strategies. He might advance the same argument about paragraph (h), which refers to

"any other local development document which has been adopted by the authority".

Presumably, that could include housing.

Incidentally, if I may say so, I think that it is idiocy that this House can meet in two places at the same time. The reason I say that is that an important debate on affordable housing is being held in Westminster Hall at this very moment. This is not a point for the Minister to deal with, but I again ask the Government to reconsider the issue of this House meeting in two places at the same time.

I should like to address one remark to the hon. Member for Ludlow (Matthew Green), whose interventions and performances—I say this very sincerely—I always find interesting. I am very much in favour of pre-application consultations where necessary, post-application consultations on significant applications where necessary and the undertaking of public consultation before local development plans are drawn up. I am 100 per cent. behind him on that issue, but I wish to make what I shall call a human nature observation. I have found, especially as a Member of Parliament, that the more a local planning authority consults the public, the more angry the local community will be if the authority does not seem to take its advice. That is a human nature point that must be overcome, but I think that we must recognise that it exists.

Mr. Andrew Turner: Does my hon. Friend agree that another problem is that people can be consulted to death? The response to consultation can be in inverse proportion to the amount. Sometimes, people feel that a second consultation does not need the same level of response—for example when a second planning application is made broadly along the same lines as an earlier one.

Sir Sydney Chapman: I hesitate to say this, but I cannot give definitive proof that I have yet been consulted to death. None the less, I agree with the generality of what my hon. Friend says. There must be a sensible balance, with full consultation. If there has been full consultation at an earlier stage, less will be needed at a later stage.

Matthew Green: The hon. Gentleman speaks about consultation as though it is only the local authority that reacts to it. One of the reasons why I am keen to see a lot of pre-consultation on planning applications is that it is often the applicant who reacts to what the public have said and alters his or her application to lessen the likelihood of public opposition. One of the key elements is that the applicant responds to the consultation by listening and making changes, rather than the local authority responding by deciding whether to say yes or no.

Sir Sydney Chapman: I agree. I am in favour of pre-application consultation, which should obviously be organised by the applicant rather than by the local authority, which would consult on significant cases after the application had been submitted.

I am anxious to make progress. I should like to consider new clause 19, which was tabled by my hon. Friend the Member for Cotswold (Mr. Clifton-Brown), in a slightly different light. As I understand it, his one, albeit long, new clause seeks to replace eight clauses and parts of two other clauses. It is worth pointing out that his amendments propose the deletion of clauses 14, 16, 18 to 22 and 25, and parts of clauses 17 and 23. I am very much in favour of Bills being as simple as possible. A year ago, the Government heralded the introduction of the Bill by saying that they wanted a firmer, fairer and simpler planning system. We all say amen to that. It is not for me to argue now whether the Bill is fairer and faster—perhaps I can do so later today—but I am anxious to ensure that it is simpler.

I believe that my hon. Friend the Member for Cotswold is on to a good point with new clause 19, which would make the legislation simpler. I know perfectly well that, as the Minister will probably point out, legislation must be complicated and comprehensive to a certain extent. For example, we could decide across party divisions that it was a good thing to ban spitting on the Queen's highway on the Sabbath. However, we could not merely introduce a 13-word clause stating, "it is an offence to spit on the Queen's highway on the Sabbath". We would have to define the Queen's highway, spitting—I shall go no further on that point—and the Sabbath, which, as I understand it, represents different days to different religions. I therefore understand that, in order to attempt to cover all eventualities and any loopholes, legislation is necessarily more comprehensive and complicated than we might at first think it needs to be.

I have not been able to compare new clause 19 with the Government's clauses, because of the time factor. Whatever professional reputation I have, although I am retired, I must cover myself by making that comment, but I ask the Minister most sincerely—he does respond to genuine points—to consider whether his clauses can be made simpler, even if he feels unable to accept new clause 19 as it is drafted.

I should like to say how much I agree with my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) about the importance of public recognition of county councils. My constituency, which is situated in the Greater London area, used to have a county council. It now has the Greater London Authority, which I suppose is a regional council of some sort, although it can be argued that the natural region of the hub of our country, London, extends well beyond the boundaries of the Greater London area. I strongly support him in stressing the importance of county councils. If, perchance, any part of England ever has a regional council or assembly—I hope that will not happen, as such a body would be yet another tier of government—I hope that the Government will take to heart the public identification with the county council in the name that is given.

I feel that it would be quite wrong to transfer any powers from a county council to a regional assembly unless and until that assembly was democratically elected. I shall say no more about that, as I raised the same matter in Committee, but I think that it is vital. The Minister might say, "Well, of course, the regional assemblies include nominations from county and borough councils," or whatever, but I think that that direct link with the voter who votes for the county councillor makes it essential that we do not lose sight of that important point.

Mr. Clifton-Brown: Does my hon. Friend, with his enormous expertise and knowledge, agree that the bulk of knowledge that county councils have built up over decades, and in some cases centuries, has not been given enough weight in today's debate? If we are not careful, that bulk of knowledge and the very experienced strategic planning officers who are employed by county councils could be lost. That would be greatly to the detriment of the sort of county council areas that my right hon. Friend the Member for Suffolk, Coastal (Mr. Gummer) and I represent.

Sir Sydney Chapman: I agree. County councils are known and accepted by the public. People had great difficulty in identifying with the new councils—Avon or Humberside, as I think the latter was called—that a previous Government introduced.

Mr. Gummer: I abolished them.

Sir Sydney Chapman: My right hon. Friend reminds me that he abolished some of them. He deserves extra brownie points for that.

Mr. Andrew Turner: Would my hon. Friend also deliver appropriate brownie points for the restoration of Herefordshire and Rutland?

3 pm

Sir Sydney Chapman: Yes, and although I shall not be standing at the next election, I shall willingly join anybody who wants a mention of any fine piece of architecture in their constituency—although I do not suppose that any of those will have been designed by me.

I seriously commend to the Minister the suggestion by my hon. Friend the Member for Cotswold that instead of talking about development documents and development schemes in different parts of the Bill, we go back to the phrase that everybody knows—development plan. The development plan in operation in my local planning authority area is the unitary development plan, which consists not only of plans and maps but of statements and reports. "Development plan" is an all-embracing phrase that is accepted and understood in town and country planning.

I also agree with my hon. Friend's wish to introduce more timetables. He said that each local planning authority should revise its plan every five years, and I would suggest a scintilla of amendment to that proposal by saying that a review should be begun five years after the plan is approved, which means that it may not be completed until a few months later. That is a trivial point, however, and I do not need to explain it further. There would then be three months for the inspector to report, although there could always be exceptions for big cases, for which the Secretary of State could suggest six months or whatever. The report should then be published within one month. I stress that idea in particular, because I know that Secretaries of State sometimes delay a report if they feel that it is politically sensitive and an election is looming—although I am sure that that my right hon. Friend the Member for Suffolk, Coastal never did that.

I am very much in favour, as we all are, of the community participating in the planning process. In my area there are Agenda 21 forums, which could be used to gauge opinion. They do not necessarily reflect all public opinion in their communities, but it would be a good thing to use them.

New clause 19 consolidates eight clauses and parts of two others, and I am in favour of it. Whatever Bill goes on to the statute book, while we are talking about consolidating clauses may I make a final plea to the Government—this may be my last opportunity to do so—that as the principal Act is the Town and Country Planning Act 1990 this would be a good time to have a consolidated town and country planning Act embracing all the relevant legislation that has been passed since 1990?

The Minister for Housing and Planning (Keith Hill): The hon. Gentleman made exactly the same recommendation in favour of a consolidated planning Act in the Standing Committee, and at the time I said, as I expect he recalls, that I wholeheartedly agreed with him—so long as I was not the planning Minister who had to take it through.

This has been a good and amiable debate, which has gone to the heart of the Government's new planning framework. I assure the House that I have listened carefully to all the arguments that have been made, although I do not suppose that I shall be able to respond wholeheartedly to them all. As usual, the debate has

[Keith Hill]

been sustained by what I have come to describe as the planning Bill repertory company—in which I can now include my hon. Friend the Member for Telford (David Wright), who has sat through two days of our proceedings on the Floor of the House. There was also a fleeting but welcome appearance by the hon. Member for Rayleigh (Mr. Francois), and we have listened to an interesting contribution by a distinguished former Secretary of State for the Environment, the right hon. Member for Suffolk, Coastal (Mr. Gummer). I assure him that I listened to him as carefully as I avidly read his column in *Estates Gazette*, and as avidly as I visit his delightful constituency, which contains the nation's premier serious music venue.

I am grateful to the hon. Member for Ludlow (Matthew Green) for his growing enthusiasm for our local development framework. He was absolutely right to attach such importance to the statement of community involvement and its implications. I fully acknowledge that he invented the filing cabinet metaphor. He will remember that as I am a somewhat old-fashioned chap myself, my metaphor of preference was the concertina file—but the filing cabinet image seems to have taken hold.

The right hon. Member for Suffolk, Coastal and the hon. Member for Chipping Barnet (Sir Sydney Chapman) will have to forgive me if I do not follow them down the path of talking about the role of county councils now. It goes without saying that that matter has been well ventilated already in our proceedings, and I am reasonably confident that it will be reverted to elsewhere.

I shall focus on the new clauses tabled by the hon. Member for Cotswold (Mr. Clifton-Brown). He promised that he would return to the subject of how local planning should work and how we should legislate for it, and as always, he has been as good as his word—or perhaps I should say twice as good, because we have not one but two new clauses to look at, and they are not even the same.

The hon. Gentleman starts from the view that the system that we are putting in place is too complicated. Secondly, he believes that attempting to cover local planning arrangements in a single clause, however long, will make the system better and easier to understand. Thirdly, he believes that the arrangements in his new clauses—or at least, those in one of them—would lead to a better local planning system than would part 2 of the Bill. I have to reveal to him that I disagree on all three counts.

It is the Government's contention that our new arrangements, although precise, are not complicated. The hon. Member for Chipping Barnet was right to say that we believe that they will deliver simpler, clearer local planning that is faster and more flexible, and with which the community can more easily become involved.

Describing the component parts of the system in sufficient detail means that people can be certain how it operates. Each element of our new system is there for a reason—to address the problems in the present system and to contribute to the goals of our planning reforms. The proposals of the hon. Member for Cotswold not only fail to address some of those problems, but would create some entirely new problems.

Our proposals are perfectly straightforward. Each authority must have a core strategy, covering 10 or more years. There will be a proposals map, showing which land is to be developed and which is to be conserved. Authorities may choose to have one or more area action plans showing in more detail what will happen in areas where there will be a lot of change, or in areas that will be kept as they are.

Those documents will be subject to independent examination. They will be known as development plan documents and, with the regional spatial strategy for the area, will form the development plan. What could be simpler than that?

Mr. Clifton-Brown: The number of plans is mushrooming by the second. I picked out six in the Bill, but today I have heard from the Minister about two new ones that I have never heard of before—a proposals map and an action plan, neither of which is mentioned in the Bill, so far as I am aware. The system is getting more complicated every second. Instead of the two filing cabinets in my system, the Minister's system now has eight.

Keith Hill: As I shall seek to demonstrate, the hon. Gentleman himself has suggested no fewer than six elements in his local plan. At the core of the Government's local development framework are proposals for three development plan documents—those that I have mentioned. Of course, as we have already said, a local authority may expand the number of those documents if it chooses. They are the categories of the development plan document.

Local planning authorities will also be able to set out more details on their main policies, or on their policies in relation to, say, accessibility or design. Those elements will be known as supplementary planning documents.

Mr. Clifton-Brown: Oh no!

Keith Hill: The hon. Gentleman has sat through fifty-five and a half hours of this. He knows perfectly well that SPDs are proposed. They correspond to what is normal practice already. I fail to see the problem with them.

Each local planning authority will also have a statement of community involvement, which will explain how local people and other interested parties will be able to influence, and express their views on, plans for their areas. I confess that that is new, but it is perfectly reasonable and straightforward. To make sure that those elements are put in place within a reasonable time, each area will prepare, and stick to, a project plan. That plan will set out what documents it will prepare, and a timetable for them, and it will be known as the local development scheme. That, too, is surely eminently sensible.

Our proposals will also ensure that local planning will not suffer from the serious problems encountered under the current system. No longer will plans take far too long to put in place, and no longer will it be extremely difficult and time consuming to update them. It is worth reflecting that half the local plans compiled by the nearly 300 local planning authorities are out of date, and that

15 authorities never completed one in the first place. We intend things to be different. The plan will have to set out a clear strategy for an area's future development, and not merely list hundreds of policies that make it hard for anyone to see what development might happen where. No longer will preparing a plan be such a mammoth endeavour that residents and businesses find it too hard or too off-putting to get involved, and stay involved, in the process.

Matthew Green: Does not the scheme have another potential advantage? At the moment, local authorities preparing the mammoth documents that are local plans inevitably get involved in a public inquiry. Preparing the plan in a series of folders carries the advantage that, if one of the folders is controversial and ends up the subject of a public inquiry, the other folders will not require such an investigation. At the moment, a local plan is put to a public inquiry even though most of it is not controversial. That means that local plans are held up because of problems in one element.

Keith Hill: The hon. Gentleman is right. A great advantage of the Government's proposed schema is that it offers the flexibility that he describes. We have already debated in Committee the possibility that the new framework would mean that, if a new site unexpectedly became available—say, after the closure of a factory—it would not be necessary to respond by initiating the complex process of disentangling the existing plan. The new framework will make it possible to look at the site and to slot it into the relevant part of what the hon. Gentleman calls his filing cabinet and what I call my concertina file.

I admit that these are new arrangements. As with all changes, it will take time for people to become familiar with them. No one expects reading a Bill to be the best way to grasp a new system, but we have already taken action on various fronts. We have published for consultation five drafts of the key documents in local planning. They are the part 2 regulations, the transitional regulations, planning policy statement 12 on local development frameworks—that is, the policy statement that sets out the new system—a guide to procedures, and the code of practice which is aimed at helping interested parties and the person on the street to get involved in the new procedures. We have also published a guide to creating local development frameworks, which is a "how-to-do-it" guide for local authorities and others involved in preparing the new local development documents.

Comments are welcome up to mid-January, and we will take them fully into account in preparing final versions of the documents. They will be published in an accessible fashion.

Mr. Clifton-Brown: I am holding the documents to which the Minister refers. My local planning officer asked me the other day how his staff were supposed to cope with getting to grips with all the documentation. His department is already overstretched, as there are not enough planning officers to deal with the present system, to say nothing of the new one. How are they supposed to deal with the new system, with an even more complicated section 106 procedure system as well?

3.15 pm

Keith Hill: I accept that there is a resource scarcity in planning departments around the country. The Government are addressing that problem. We want to incentivise improvements in planning performance by means of our £350 million planning development grant over the next three years, £50 million of which has been disbursed already. I am very pleased that, although the grant is not ring-fenced, many local planning authorities are putting the grant money back into the planning system. Despite the scarcity of resources at local level, the latest figures show that planning performance in all categories is at its highest levels for 10 years. A problem exists, but I am delighted to say that the planning system is responding to it.

We are engaged in preparing further guidance on the availability appraisal, the strategic environmental assessment—the right hon. Member for Suffolk, Coastal will be interested in that—and on monitoring and indicators. We are working with a range of organisations to spread the message about the new system and to train planners in it. Those organisations include the Planning Officers Society, the Royal Institute of Chartered Surveyors, the Royal Town Planning Institute, the British Urban Regeneration Association, and the Town and Country Planning Association. We are engaged in a major programme of communication and training. The aim is to develop knowledge and appreciation of the Government's new proposals, so that planners have the attitudes, skills and resources they need to practise our new spatial planning proposals effectively.

I have attempted briefly to describe the Government's new planning framework and the planning reform agenda. However, I take seriously the Opposition's alternative proposals, and I shall focus on some of the detail.

The task has not been easy, as I have had to study two new clauses that are similar but not identical. In light of the problems clearly experienced by the hon. Member for Cotswold in drafting the new clauses, it is slightly ironic that they are supposed to be a simpler alternative to the Government's, and easier to understand.

Flexibility in revising the local plan is at the heart of the Government's proposals. It is not clear that the new clauses offer that. I was confused by the fact that both new clauses have a plan containing documents. It is not clear whether the local planning authority would be able to prepare or revise one document at a time—and we believe that to be of critical importance, as noted by the hon. Member for Ludlow—or whether it would have to tackle everything at once, with all the problems that we know that that causes. Both new clauses suggest that the authority would not be able to do that. That is a fatal flaw that would perpetuate the problems of the existing system.

One might have expected that the alternative plan would be about planning policies, but I could not see what it was supposed to be about. Although there are various elements that the alternative plan must include, neither new clause says that that plan must set out the authority's spatial or land-use planning policies. As far as possible, there must be a separation between the purposes of real planning and the process by which real plans are put in place.

[Keith Hill]

Admittedly the Opposition's schema—the plan, its document and any changes that the local authority wants to make—will have to go through an independent examination. However, the plan and/or documents will include practical matters too. What these will be depends on which of the new clauses one examines. In new clause 10, the practical matters included are joint working, joint committees, the timetable, and the role that county counties and—oddly, because they are planning authorities—unitary authorities would play. In new clause 19, the list has been cut to joint committees and the role of the counties. Why subject these processes to independent examination? I simply cannot see the justification for such an onerous procedure for any changes to these matters.

The hon. Member for Cotswold has attempted to address that point in new clause 19 by specifying that the examination would consider whether an examination was necessary. Therefore, a proposal that a county council should do something more or different would have to go to an examination, and then the inspector would carry out an examination to decide whether an examination was needed. Perhaps I have got it wrong, but that hardly seems a sensible approach. It would be a barrier to county-district co-operation and partnership. This approach, which mixes real planning with how it will be done, is also incompatible with our plan-led system in which planning applications are determined in accordance with the development plan unless material considerations dictate otherwise.

The hon. Gentleman accuses the Government of complexity, but he wants every authority to have at least six separate documents or plans within the overall plan dealing with various subjects. The approach to particular planning issues under our proposals is far more sensible.

Let us consider settlements, for example. The core strategy will set out which settlements in a local authority's area will be a focus for new development, such as housing and employment, and will take into account national policy guidance and the regional strategy. It will apply other strategic policies to different settlements, such as restrictions on the scale of growth that can take place in villages in the countryside.

Mr. Gummer: I hope that the Minister will take this point seriously, but can we remove for ever from our planning jargon the word "settlement"? I know of nobody who lives in a settlement. People live in either a village or a town, but my county has scattered settlements. I live in one of them, but I have never said that I live in the scattered settlement of Winston. I hope that we can start using language in planning that is the language of the people and not of planners. Can we lose the obnoxious word "settlement"?

Keith Hill: As a very new Minister for Housing and Planning, I have no stake in this matter, and I am absolutely willing to examine that proposal. I have heard the right hon. Gentleman use the word "stake", but even if I do not wholly succeed, by and large, I manage to excise from my remarks the expression "stakeholder", about which I am not entirely enthusiastic. I take his point about settlements: I am sure that his own is delightful.

The proposals map will show all the policy designations, such as green-belt or conservation areas, that apply to "settlements" in the area arising from the core strategy and other development plan documents. The map will identify where land is allocated for particular uses through development plan documents. It may also show the boundaries to those living areas to which the right hon. Gentleman takes such exception. When there are proposals for change or conservation in a settlement or part of a settlement, the authority could choose to set out the comprehensive set of policies that will apply to that area to achieve what is wanted in an area action plan.

New clause 1(3) provides for regulations to require the authority to set out in the development plan document, or such other documents as is prescribed, the key matters relating to the policy that it is adopting on planning contributions. The hon. Member for Cotswold raised that issue. On areas of outstanding natural beauty, as I have already made clear, designations will be covered in the proposals map. National park authorities are, of course, the local planning authorities for their areas.

The last document that the hon. Gentleman's proposals would require is one that would set out how land use sustainability and regeneration are to be managed. These issues will be central to an authority's core strategy, which must set out not only the vision and the strategic policies, but the proposals to deliver that vision. He also proposes that the plan and/or document should specify the matters on which county councils and—oddly, under new clause 10—unitary authorities would have a role. I am certain that district councils will work closely with their county councils when preparing their development plans and supplementary documents, but surely it cannot be sensible to set that out in the plans and/or documents themselves. Would the county be unable to play a role until a plan and/or document was adopted? What would happen if everyone agreed that the county was to play a role on a matter that had not been specified?

I could make many more observations about the hon. Gentleman's proposals. However, in the relatively short time that I have before I deal with amendment No. 27, tabled by my hon. Friend the Member for Telford, I should perhaps say a brief word about the timetables about which several Opposition Members expressed a view. It seems to me that the hon. Member for Cotswold was revising the timetable for his proposed revisions as he went along. The right hon. Member for Suffolk, Coastal also raised this issue, and I say to him that we expect the local development scheme, which is the project plan for the emergence of the local development framework, to be in place in local planning authorities by the end of 2004. That will set the timetable for the development of the local development framework, and we expect LDFs to be in place by 2007. We shall monitor the process very carefully. I also point out that this matter is not in the possession of the Secretary of State. They will be local development schemes and project plans that set out what is to go into the LDF and what the timetable for that framework will be. That will be published locally and it will be owned by the local authority and known by local publics. To that extent, there will be a powerful compulsion on local planning authorities to develop their LDFs.

I pay tribute to my hon. Friend the Member for Telford for the able way in which he spoke to amendment No. 27 and for his expertise in housing policy. However, I suspect that it will come as no surprise to him to learn that I shall have to invite him not to insist on the amendment. It would require the local planning authority, in preparing local development documents, to have regard to the housing strategy that it has to prepare under section 87 of the Local Government Act 2003.

Our planning reforms are about getting authorities to take a comprehensive and spatial approach to planning. We do that through a primary duty in clause 16(3), which says that

> "local development documents must . . . set out the authority's policies . . . relating to the development and use of land".

That is not restricted to policies implemented through planning permissions.

Draft PPS12 on the local development frameworks also makes it clear that under the new system local development documents should provide an agreed vision for an area signed up to by the community and interested parties. That will involve linking strategies and programmes that exist at the local level, but it will not be restricted to matters that may be implemented through the planning system.

One of those strategies would, of course, be the housing strategy. However, the range of policies, programmes and strategies that authorities should have regard to when preparing local development documents is wide. Frankly, we believe that it would be impractical to identify and set out every one, even of those prepared by the authority itself, in the Bill. Indeed, the only strategy prepared by the local planning authority listed in the Bill is the community strategy. That is included because it is the statement of the authority's strategic vision for the area and the context for all subject-based strategies, policies and programmes.

I doubt that my hon. Friend the Member for Telford would question the importance that the Government attach to housing issues. For example, in the past year we have published the sustainable communities plan and an update to planning policy guidance note 3 on housing. A consultation on a full replacement for PPG3 finished on 31 October, and we expect to publish a final version in the summer of next year.

Regulations made under the Bill will also strengthen the consideration of housing by requiring the authority's annual monitoring report to set out how many houses and flats have been built during the year. If I might say so to my hon. Friend, in any event the Secretary of State has power under clause 18(2)(j) to prescribe other matters that authorities ought to have regard to should it transpire, for whatever reason, that difficulties arise with that approach. While I entirely understand his desire to highlight the role of housing and the need to integrate housing in local planning, I must tell him that I believe the amendment to be unnecessary. I urge him not to press it.

I have attempted to deal with many of the issues raised by the hon. Member for Cotswold, and the House owes him a debt of gratitude for allowing us once more to turn our attentions to the core of the Government's proposals, but I have to say that we find his new clause unnecessary and defective. I urge him to withdraw the motion.

Mr. Clifton-Brown: While I accept that my proposal is not drafted perfectly—if it was, I would be seeking a job as a parliamentary draftsman—it is sufficiently robust to show that the four pages on which eight Government clauses are printed could be consolidated in one simple new clause. We did not get a chink of light to show that the Minister is prepared to consider anything in the new clause, despite some experienced voices on the Opposition Benches pleading with him to give county councils a greater role and to give greater powers to the inspectors to enable them to control the independent hearings more judiciously and more expeditiously. On that basis, I urge my colleagues to vote in favour of the motion.

Question put, That the clause be read a Second time:—

The House divided: Ayes 134, Noes 329.

Division No. 6] **[3:31 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brazier, Julian
Browning, Mrs Angela
Burt, Alistair
Butterfill, John
Cameron, David
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Francois, Mark
Gale, Roger *(N Thanet)*
Gibb, Nick *(Bognor Regis)*
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Jack, rh Michael
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Portillo, rh Michael

Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Angela Watkinson and
Mr. Mark Field

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baker, Norman
Barnes, Harry
Barrett, John
Battle, John
Bayley, Hugh
Beard, Nigel
Beith, rh A. J.
Bell, Stuart
Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cotter, Brian
Cousins, Jim
Cranston, Ross
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dismore, Andrew
Dobson, rh Frank
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Dr. Evan *(Oxford W & Abingdon)*
Harris, Tom *(Glasgow Cathcart)*
Heath, David
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Holmes, Paul
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Keetch, Paul
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lamb, Norman
Lawrence, Mrs Jackie
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Meacher, rh Michael
Merron, Gillian
Milburn, rh Alan
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Morgan, Julie
Morris, rh Estelle
Mudie, George
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Oaten, Mark *(Winchester)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry

Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rammell, Bill
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Rendel, David
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Webb, Steve *(Northavon)*
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Willis, Phil
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, David *(Telford)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:
Margaret Moran and
Mr. Jim Murphy

Question accordingly negatived.

It being more than two hours after the commencement of proceedings, MR. DEPUTY SPEAKER *put the Questions necessary for the disposal of the business to be concluded at that hour.*

Remaining Government amendments agreed to.

Order for Third Reading read.—[Queen's Consent, on behalf of the Crown, and Prince of Wales's consent, on behalf of the Duchy of Cornwall, signified.]

3.47 pm

Keith Hill: I beg to move, That the Bill be now read the Third time.

We have held full and extensive debates on the Bill. I again sincerely thank both Opposition parties for the serious and responsible way in which they contributed to the proceedings. The Bill is in good shape and it is right that we now commend it to the other House, where I hope that it will receive a fair and impartial hearing from both sides.

As my right hon. Friend the Deputy Prime Minister made clear, we have a huge agenda to deliver sustainable communities. A reformed planning system is a key part of our strategy for those communities. The challenges of sustainable development, of building sustainable communities and of dealing with the problems of providing decent and affordable homes for our people should be taken up by hon. Members on both sides of the House.

The Government are rising to those challenges, but we can and must do better on planning. The Bill will help us to build a better planning system to help us to achieve those goals. It delivers on our commitments to introduce a simpler and more flexible plan-making system regionally and locally. Perhaps most important, effective community involvement and the achievement of sustainable development are at its heart.

This is an important Bill and I commend it to the House.

3.49 pm

Mr. Clifton-Brown: I am pleased to catch your eye, Madam Deputy Speaker, in what has been a real marathon. The Bill was read the First time in the House on 1 December last year and the Second time on 17 December. After a rushed first stage in Committee, the Government went to sleep until June, when they suddenly awoke and decided to recommit the Bill, having got it wrong the first time, to Standing Committee in October. We had an inadequate number of sittings in Committee in October—eight, although we pleaded for 12 in debating the recommittal motion—and a day and a quarter on Report, followed by Third Reading now. That represents a complete manipulation of the parliamentary timetable, using the Government's guillotine procedures. It is very unsatisfactory that large chunks of the original Bill remain undebated to this day. Of course, we should have liked to have the opportunity to debate those important matters.

The regional element of the Bill and the sidelining of county councils will only diminish the legitimacy of the planning system and increasingly distance people from the planning decision-making process. If people feel alienated from their own planning process, they will not participate in it. It will become less effective, so it will decline. Limiting the role of county councils effectively breaks up a large bank of planning knowledge that has been built up over centuries in some cases. County councils have a clearer view of a local area's needs—and a superior grasp of the important strategic detail in an area—than large regional authorities. Counties allow for accountability. Local people readily identify with them. They also have a long-standing pool of planning expertise and local knowledge.

The local development framework—the local plan-making system, about which we had a long debate before Third Reading—will be unnecessarily complex and cause further delays in the planning system. In that debate, I identified no fewer than six types of local plan in the Bill. I was absolutely horrified when the Minister, when replying to that debate, identified a further four types of plan that are not even in the Bill: the proposals map, the action plan, the project plan and the local development scheme. No wonder plans will be implemented more quickly—there are so many of them that each must take less time to implement—but the question is whether they will all be implemented.

[Mr. Clifton-Brown]

My suspicion is that the local plan-making process will be so complex that huge excuses will be made not to revise the plans regularly. Surely the major lacuna in the present system is that 15 authorities have no plans at all and many others never revise them. It would have been far better to fix the present system, rather than to rip it up and implement a new system that is bound to cause delay and, at the very least, to become a lawyers' paradise.

Other elements of the Bill are reprehensible. The idea of replacing outline planning permission—a legal process—with a statement of development principles will cause developers many problems because they will not be able to obtain finance on the basis merely of such a statement, which has no binding effect on a local authority. The Secretary of State's power is greatly strengthened in the Bill. It has almost become a planning system by diktat of the Secretary of State. This hugely centralising measure will take powers away from local people and local authorities. It will move powers upwards, rather than devolve them, which is what we sincerely advocate. Add to all that the complexity of an alternative system to the section 106 procedure, which we discussed yesterday, and I am not sure how local planning officers, who are often in scarce supply, will cope with the whole process.

The proposal to cut the duration of consents is wrong. The principal legislation—the Town and Country Planning Act 1990—already provides flexibility on the duration of consents. Local planning authorities already have the power to grant planning consents for only three years if they wish to do so, so why make that mandatory? Developers on big developments will have a great deal of difficulty with consents of three years' duration. It often takes three years to overcome certain things, such as compulsory purchase. The Government rejected our amendments that would have ensured that the three years ran from the end of any statutory procedure in the plan-making process.

The proposal to remove the so-called twin-tracking process is wrong. Under that system, if the local authority does not determine an application made by a developer within eight weeks, which it is supposed to do, the developer continues negotiating with the local authority but at the same time puts in an alternative application, which it takes to appeal. If the system works properly, the local planning authority is able to negotiate with the developer, the original application is passed, or sufficient reasons are given why it will never pass and the alternative proposal is withdrawn. Under the system in the Bill, however, there will be far more appeals, because local developers will have no alternative but to appeal.

We welcome parts of the Bill—the clarification of the compulsory purchase procedures and the Crown immunity provisions—but we have grave concerns about the general resources available for planning. Many times in Committee and during debates on Report, the Minister said that the Government are already distributing part of the £350 million planning grant. The problem, however, is that it is not ring-fenced. Therefore, cash-strapped local authorities are likely to spend some of it elsewhere. In any case, I believe that a large chunk of it will go into setting up an unnecessary and unwanted regional tier of planning.

The Bill is hugely complicated and hugely bureaucratic—that is just the regulation so far related to this Bill. By the time that we finish, my guess is that the quantity of regulations related to the Bill will be even bigger than the pile in front of me. How on earth will local planning authorities, which are already hard-pressed to deal with existing regulations, devote their energies to enforcement, which we have discussed under various amendments? I simply do not know how the planning system will cope.

This is a bad Bill. It will cause delay and a great deal more complication in the planning system. The right hon. Member for Tyneside, North (Mr. Byers) said when he started the review of our planning process:

"The customers"—

you and I, Madam Deputy Speaker, and everybody who uses planning departments—

"have a right to an efficient and user-friendly service. Business, in particular, needs to know that their planning applications will be dealt with efficiently and predictably. Time delays caused by bureaucracy, lack of skilled staff or over-complex systems are bad for business and do little good for anyone else. Delays in receiving a planning decision can mean loss of competitiveness for business, something that we simply cannot afford in the modern global economy."

I agree wholeheartedly with every word of that. The trouble is that it is completely hollow, because the Bill will be completely contrary to everything in that paragraph. We will see, but I bet the Minister—he has been unfortunate enough to be cast in the role of trying to sort out this mess; it is Hill's Bill and it will be a testimonial to him—that there will be at least one and probably several planning revision Bills in the next five years to sort out the mess that he has created. On that basis, I will urge my colleagues to vote against this bad and over-complex Bill.

3.58 pm

Matthew Green: May I start by congratulating the hon. Member for Cotswold (Mr. Clifton-Brown) on his shortest contribution so far in all the stages of our consideration of this Bill? I sometimes wonder whether the reason the Conservatives are always antagonistic towards programmed Bills is that they work on the principle, "Why make a five-minute speech when a 25-minute speech will do?"

We welcome much that is in the Bill, as the Minister and Members who have followed this debate will know. We broadly welcome the new planning system at the heart of the Bill, with the local development schemes and local development documents. It should lead to a more flexible, open and accountable system, which should result in fewer appeals to the Secretary of State, fewer public inquiries, more public contentment—happiness is probably too strong a word—with the planning process, and, therefore, a speedier process. I therefore want to put on record that the idea that moving to an entirely managerial process—of which we hear more from the Chancellor than from the Minister—will solve the nation's economic problems is far-fetched. The reality is that it will take some time for a proper and effective planning system to work, but it does not have to take the amount of time that it sometimes does at the moment.

Mr. John Redwood (Wokingham) (Con): Given the hon. Gentleman's enthusiasm for the new regional-plan-led system, will the Liberal Democrats support all the extra houses that the Secretary of State will want to visit on the green fields of many beautiful places in England?

Matthew Green: Had the right hon. Gentleman deigned to participate in any of the Bill's stages before Third Reading, he would have anticipated that I would address some of the Bill's problems, including the regional elements, and explain why we shall vote against it.

There are other aspects of the Bill that we like. It contains a provision on sustainable development, although we would have liked it to include a definition of that. We hope that the regulations will be effective. At least there is now the intention for sustainability to form part of the planning process. Although the clauses that concern Wales have not found universal approval, no one can find any reason to object to them and the Welsh seem happy with them, so that is good enough for me. The local development orders represent a step forward and the Bill's provisions on Crown immunity are long overdue. Although I am worried that the section 106 reforms might have perverse consequences for affordable housing—I am sure that the Minister will work to try to prevent that—the changes are broadly welcome, as are the Bill's compulsory purchase provisions.

We have some worries about the Bill, though. We did not discuss the simplified planning zones—or "Gordon's planning zones", as I call them—at length in Committee. I think that the provisions are in the Bill only because the zones were mentioned in last year's Budget. If the Office of the Deputy Prime Minister were honest, I am sure that it would rather that the provisions were not in the Bill because broadly similar provisions exist, although no one—including developers—uses them or is enthusiastic about them. Developers and businesses often prefer a structured process to a simplified one. When development takes place, people want to ensure that there is some control on what happens next door. I suspect that the Bill's provisions on such zones will not be used.

We are also worried about the introduction of statements of development principles. The Government rightly had to row back from abolishing outline planning permission because of the question of land banks and their value. There is a danger that the statements of development principles will become rapidly discredited because they will be relatively worthless. It would be good if the shift from outline planning permission to statements of development principles could be achieved, because the statements would allow planners to detail what they would like to see on a site, rather than using a reactive system in which they must wait for applications to come forward. However, it will be difficult to make that transition and given that the Government are rightly allowing outline planning permission to continue, the statements of development principles will be fairly worthless.

Mr. Clifton-Brown: I thought that the hon. Gentleman said that the Government had to row back on the abolition of outline planning permission, but I understand that that is not the case. A provision to abolish outline planning permission remains in the Bill and the Minister in Committee said that such planning permission would be abolished once the Government had decided that statements of development principles were working properly.

Matthew Green: The hon. Gentleman is right that the Bill still contains such a provision. The Government have rowed back because the Bill originally provided that if a development was covered by a statement of development principles, outline planning permission could not be issued. They have removed that provision and left the situation for outline planning permission unchanged. The Bill does include a provision to abolish such permission, but the Minister will never be able to use it because he will find that statements of development principles will unfortunately be discredited and considered to be worthless. It will be potential objectors or people with a third-party interest who will apply for them, rather than developers, who will continue to opt for outline planning permission.

Those are the technical details. There is one fundamental reason why we will not support the Bill. The regional element means that powers are transferred from elected county councils and elected principal local authorities up to a regional tier. That would be acceptable if elected regional assemblies were in place. Regional planning can make a great deal of sense, especially for transport, which is difficult to organise at a local level. However, in many cases power will be transferred before elected regional assemblies exist. In some cases, it will be at least a decade before those assemblies are established, because the Government will not win referendums in the south-east and south-west unless they review the regional boundaries. The powers will go to the regional planning bodies, which are accountable to no one except the Secretary of State, who appoints them.

The transfer of powers from elected to unelected bodies is unacceptable. That is a strong enough reason to vote against the Bill, regardless of its good aspects. A compromise is possible. As I made clear in Committee, and as I have told the Minister at other times, if the county councils or principal local authorities have a power of veto over the new regional spatial strategy, the elected county councillors could indirectly hold the regional planning body to account and it would be forced to take note of their views. That would be a step forward, which might go some way to allaying some of the concerns raised.

As I have said before, the Minister has the numbers on his side in this place, but he does not in the other place, which will be greatly concerned by issues such as the transfer of powers. If he wants the good parts of the Bill to survive, he needs to find a way around the problem. I cannot foresee circumstances in which the other place will accept that proposal in its current form.

[Matthew Green]

Overall, there is much in the Bill to welcome, but the fundamental problem remains. I am surprised that the Minister has signed up to it, because I should not have thought that he would want to sign up too often to allowing power to be taken upwards, away from elected people to unelected people. For that reason, I too shall urge my colleagues to vote against the Bill.

4.8 pm

Sir Sydney Chapman: I want to pick the hon. Member for Ludlow (Matthew Green) up on one thing. He complained about the length of the performances of my hon. Friend the Member for Cotswold (Mr. Clifton-Brown). They were as long as they were because my hon. Friend allowed Members on both sides of the House to intervene to raise specific points, which, ultimately, saved time. The hon. Gentleman spoke for longer than he intended because he accepted an intervention from my right hon. Friend the Member for Wokingham (Mr. Redwood).

My main point is that here we are again, involved in a rushed and shortened Third Reading of an important Bill, with not enough time to consider it on Report. The Government amendments went through on the nod and the same thing happened in Committee.

David Wright: I have one point to make. As I said on Report, the Government could have crashed the Bill through Parliament in the last Session. Instead, they took time to consider its contents and to carry it over into this Session. Does the hon. Gentleman acknowledge that it could have been crashed through with a large parliamentary majority?

Sir Sydney Chapman: I shall deal with the hon. Gentleman's point in my own time, because I wish to raise that specific matter.

The purpose of the Bill is to speed up the planning system—that is the summary in the explanatory notes. I accept that the Government would say that they want to "speed up the planning system while ensuring that it becomes fairer or remains as fair, and is as simple as possible."

Of course I welcome parts of the Bill, as the hon. Member for Ludlow has, as has my hon. Friend the Member for Cotswold (Mr. Clifton-Brown). If we could speed up the handling of major infrastructure projects, that would be a good thing. The devil is in the detail, and we must look into that. There is a good case for simplified planning zones, except perhaps for people who live in the affected areas, who may not think that a simplified system is necessarily the best way forward.

On reforms relating to the handling of planning applications, I do not think that the process will become quicker and more efficient, except possibly in the simplified planning zones. The regulations have been made more and unnecessarily complicated.

I am sorry that the Minister resisted the timetable proposals for drawing up development plans and for the inspector examining them and publishing the reports. Like the hon. Member for Ludlow, I feel strongly that there should be no question of transferring any powers from county councils to regional assemblies unless and until those assemblies are directly elected. That is not an unreasonable point to make. Even at this late stage, I ask the Minister to think again. I am against the strategy of regional assemblies. In the whole planning system, I think that outline planning applications serve a useful purpose and in many instances save time and money.

Let me deal with the remarks of the hon. Member for Telford (David Wright). The Government introduced the first Bill, if I may call it that. We had a Second Reading almost a year ago and the Bill was rushed through Committee in January. The Government said that they rushed it through because they needed to get it on to the statute book quickly—those are their words, not mine. We then waited expectantly for no fewer than six months before the Government decided to recommit the Bill. That was unique in my experience in this place. The Government then added substantial new clauses.

The Bill now returns to the Chamber, having gone through a special procedure and having been carried forward into a new Session, and the Government have added more new clauses to the revised Bill.

Matthew Green: The hon. Gentleman made many sensible contributions in both Committees. He will recall that in Committee in January the hon. Member for Spelthorne (Mr. Wilshire) made several hundred references to Heathrow airport and terminal 5—every clause seemed to have an issue to do with Heathrow and terminal 5. Some account should be taken of the fact that time may have been wasted during some sittings of the Committee.

Sir Sydney Chapman: I cannot speak for my hon. Friend the Member for Spelthorne (Mr. Wilshire); I can only say that if my constituency included Heathrow or was adjacent to it, I would raise the issue of terminal 5 as many times as I could. I am sure that the hon. Gentleman would agree that we are here to defend our constituents' interests at all times within what we believe to be the national priority.

Instead of rushing the Bill through now, and given what the Minister has said about the planning contribution proposals, it would have been far better to have delayed the Bill until perhaps next year, when the consultation period will have finished and the Minister will have had time to reflect on the public view on many of the issues that we have been discussing.

Mr. Clifton-Brown: The Government claim that their timetable has not rushed the Bill and that all the major parts of it have been discussed. Clause 44, to which my hon. Friend has referred, deals with major infrastructure projects. It is a highly complex clause covering five and a bit pages. It was never discussed in either Committee. Does my hon. Friend agree that that is a disgrace?

Sir Sydney Chapman: I do indeed, and I entirely accept the point that my hon. Friend makes. I have been trying to make the point, perhaps with a little resistance from Liberal Democrat and Labour Members, that far too little time has been devoted to those important issues.

Whatever the time constraints, which may not be the Minister's fault, I want to try to finish on a bipartisan note and congratulate him, the Under-Secretary of

State, Office of the Deputy Prime Minister, the hon. Member for Pontefract and Castleford (Yvette Cooper), my hon. Friend the Member for Cotswold and, indeed, the hon. Member for Ludlow on dealing valiantly with some big issues in a relatively short time. Finally, may I make a plea to the Minister for Housing and Planning about a matter that applies more to this Bill than perhaps to any other with which I have been involved in the Commons? It is essential that there is sufficient time to deal with these matters in the other place. Planning is not a party political issue, and it is a priority to get the best possible legislation on to the statute book. I hope that the Minister and the Government will think for a long time about, and consider sympathetically, any amendments that may be made in the other place.

4.15 pm

Mr. Redwood: I share the worries of my hon. Friend the Member for Chipping Barnet (Sir Sydney Chapman) about the lack of time for debate. My objections to the Bill are fundamental, which is why I wish to make them on Third Reading. I was given guidance earlier that time was limited on Report and that the Government kept rewriting the Bill in Committee, so it was a good idea to wait and see what the final outcome was. However, now that I have seen that outcome, I am afraid that the Bill is little better than it was originally and the big problems that were apparent when it was introduced remain. I have declared my interests in the Register.

The first objection that my constituents and I have to the Bill concerns the phenomenal powers that it gives the Secretary of State. Secretaries of State have traditionally had substantial powers, which are often vexatious for constituencies and councils, including those in my area, because they are usually used to encourage more development than is desirable for the local community or can be easily accommodated, given the inadequacies of investment in transport, health and education. The Bill will make that problem far worse, as it gives the Secretary of State phenomenal powers to drive through major infrastructure projects and his own housing targets as part of the regional spatial strategy. It will cause endless disagreements and difficulties with elected councils and communities, which will be angry when the Secretary of State flexes his muscles and uses those powers.

I am suspicious about the delay that will be caused by throwing the existing planning system into the air and having to build a new one at considerable expense. Undoubtedly, the Secretary of State will then panic about the delay preventing the development that he would like. That, I fear, is likely to mean that the present Secretary of State or a future one will want to increase the targets even further, whatever the wishes of reluctant communities, as there will be another shortfall in housing provision, as assessed by him, caused by the uncertainties of the new planning system.

Good points have already been made in our short debate about the lack of democratic accountability of the new regional planning bodies. Like my hon. Friends, I do not welcome regional government of any kind in England, and certainly do not want it to affect my constituency—that is also the majority view of my constituents. Regional government is a waste of money, and it is offensive when it is designed, as it is in the Bill, deliberately to override the wishes of local communities as expressed through their elected unitary authorities or county or district councils. What is the point of all the costs and expenses of elections, planning officers and councillors in our areas if they will simply have to dance to the Secretary of State's tune on all the major issues that matter to those local communities?

I am sure that the Secretary of State has one good intention, and would like more development on brownfield sites. But we know that in practice the regional spatial strategy will be used to demand development across the piece, including development on the large number of green fields that remain in constituencies beyond the main metropolitan areas.

We also know that the Government's transport shambles continues apace, and that there are no plans now or on the horizon for increasing rail or road capacity to serve the large new housing areas that will undoubtedly emerge from the regional spatial strategies. Once again, the Government have produced a solution to the problem that will not work. Once again, that shows their inability to indulge in joined-up government. The Department for Transport is stumbling well behind the pace, with no ability to provide the links that are needed, and the Office of the Deputy Prime Minister, which is responsible for planning, is worried that it is not driving enough housing through in areas with green fields, so it has invented a new planning system that will allow it to do that, making the transport and other infrastructure problems far worse.

My constituents in Wokingham and I have a heavy heart about the legislation being driven through this afternoon. We hope that in another place wiser counsel will prevail. Regional government in England is unnatural and a waste of money. Regional government directed by a Secretary of State who is out of touch and sympathy with many of our constituents is an abomination to us democratically, and it leads us to wonder why we go to the expense and trouble of building and electing local authorities when they are to be treated in such a cavalier fashion. I hope that in the other place those wiser counsels will force Ministers to think again. If they mean what they say about devolving power to local communities and acting democratically, they should tear up a large chunk of the Bill.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 301, Noes 178.

Division No. 7] **[4:22 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, rh Donald *(Swansea E)*
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Banks, Tony
Barnes, Harry
Battle, John
Bayley, Hugh
Beard, Nigel
Bell, Stuart

Bennett, Andrew
Benton, Joe *(Bootle)*
Berry, Roger
Best, Harold
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Borrow, David
Bradley, Peter *(The Wrekin)*
Bradshaw, Ben
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, Ann *(Keighley)*
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Dalyell, Tam
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobson, rh Frank
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Edwards, Huw
Ewing, Annabelle
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Henderson, Ivan *(Harwich)*
Hepburn, Stephen
Hesford, Stephen
Hewitt, rh Ms Patricia
Hill, Keith *(Streatham)*
Hoey, Kate *(Vauxhall)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Jones, Helen *(Warrington N)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lawrence, Mrs Jackie
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Lloyd, Tony *(Manchester C)*
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGrady, Eddie
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahmood, Khalid
Mallaber, Judy
Mandelson, rh Peter
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Moffatt, Laura
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morgan, Julie
Mudie, George
Munn, Ms Meg
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Palmer, Dr. Nick
Perham, Linda
Pickthall, Colin
Plaskitt, James
Pollard, Kerry
Pond, Chris *(Gravesham)*
Pope, Greg *(Hyndburn)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Price, Adam *(E Carmarthen & Dinefwr)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Robertson, Angus *(Moray)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ross, Ernie *(Dundee W)*
Roy, Frank *(Motherwell)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr. Rudi
Walley, Ms Joan
Ward, Claire
Wareing, Robert N.
Watson, Tom *(W Bromwich E)*
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wilson, Brian
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Wood, Mike *(Batley)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, David *(Telford)*
Wyatt, Derek

Tellers for the Ayes:
Gillian Merron and
Paul Clark

NOES

Ainsworth, Peter *(E Surrey)*
Arbuthnot, rh James
Bacon, Richard
Baker, Norman
Baldry, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Beresford, Sir Paul
Boswell, Tim
Bottomley, Peter *(Worthing W)*
Brady, Graham
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, Quentin *(Grantham & Stamford)*
Davis, rh David *(Haltemprice & Howden)*
Djanogly, Jonathan
Dodds, Nigel
Doughty, Sue
Duncan, Alan *(Rutland)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paisley, Rev. Ian
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robinson, Mrs Iris *(Strangford)*
Robinson, Peter *(Belfast E)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Stanley, rh Sir John
Steen, Anthony
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tapsell, Sir Peter
Taylor, Ian *(Esher)*
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*
Young, rh Sir George
Younger-Ross, Richard

Tellers for the Noes:
Mr. Mark Field and
Mr. Peter Atkinson

Question accordingly agreed to.

Bill read the Third time, and passed.

Mr. Anthony Steen (Totnes) (Con): On a point of order, Madam Deputy Speaker. May I seek your advice on the problems of the postal service to and from the House of Commons using franked House of Commons envelopes, and the disadvantageous effect on constituents? I had an advice centre session lasting from 10 o'clock to 6 o'clock on Saturday, and I did a tape, with which I travelled 25 miles to Totnes to catch the midday post on Sunday. The franked House of Commons envelope has still not arrived. There were some important cases and serious issues on that tape, and the Post Office has completely failed to deliver the mail. Is there anything you can do to ensure that House of Commons envelopes get priority when posted from constituencies to the House of Commons?

Madam Deputy Speaker (Sylvia Heal): The House authorities will have heard the hon. Gentleman's comments, and no doubt they will make any report if necessary.

Fisheries

[Relevant document: European Commission Document COM (2003) 746 Final: Commission proposals for 2004 TACS and Quotas.]

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Kemp.]*

4.38 pm

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): I am pleased that it has proved possible to arrange this annual debate at the most appropriate time. The European Commission published its key proposals for the management of fisheries in 2004 late last week, on 4 December. The Council of Ministers is to meet from 17 to 19 December to reach its decisions on them, so today presents an opportunity, which I welcome, for us to debate the important issues that are to be addressed.

I hope that it will be helpful if I start by sketching out the state of our progress on the recovery of fish stocks, and then what the Commission proposes. I am sure that all right hon. and hon. Members will be aware of the hard decisions that the Council of Ministers had to take this time last year. The scientific advice on a number of key fish stocks had emphasised the need to act urgently to avert the risk of collapse, and for some stocks, the closure of fisheries was recommended. The scientists also stressed that setting total allowable catches—TACS—alone was not an adequate means of addressing the depletion of stocks in mixed fisheries. More direct measures to curtail fishing effort were essential as well.

Mr. John Redwood (Wokingham) (Con): Why cannot the EU understand that abolishing the discard policy and stopping industrial fishing would solve the problem in the North sea? Will the Minister put that case strongly, and win it for Britain?

Mr. Bradshaw: The right hon. Gentleman does not speak with great authority on these matters. There is a problem with discards, which the European Commission is addressing already. The right hon. Gentleman is clearly not aware of that. However, discards are only part of the problem. As the Norwegians have discovered to their cost, abolishing industrial fishing and banning discards will not solve the problems.

In response to that advice, the Council of Ministers in December 2002—

Mr. Alex Salmond (Banff and Buchan) (SNP): Will the Minister give way?

Mr. Bradshaw: Yes, as the hon. Gentleman speaks with more knowledge on these matters.

Mr. Salmond: I have a specific and important question. Mr. John Rutherford is the chief executive of the Sea Fish Industry Authority. He was able to tell the all-party fisheries group a few hours ago that the results of the authority's survey in the North sea showed that cod by-catch in pursuit of the haddock stock was less than 3 per cent. Will the Minister take that vital information to next week's talks, and get for our fishermen the bumper stock of haddock to which they are entitled? That would be instead of the derisory quota that they are being offered by the European Commission.

Mr. Bradshaw: Yes. I shall be happy to take with me that extremely useful piece of information from the all-party fisheries group. The hon. Gentleman is right: we must do whatever we can to separate the measures that may have to be taken to protect cod stocks from opportunities to continue to fish varieties such as haddock, whose stock levels are healthy.

In response to the advice last year, the Council of Ministers set out to find the right balance between ensuring the recovery of depleted stocks and maximising the availability of continued fishing opportunities. The package agreed for 2003 included two basic elements. First, there was a one-year regime setting maximum permitted days fishing per month by vessels having an impact on cod in the North sea and the west of Scotland. Different monthly allowances of days were set according to gear type. This measure was designed to reduce the fishing effort on cod by 65 per cent.

Secondly, a set of TACs was established for commercially exploited species, specifically set—in the case of recovery stocks and the stocks associated with them—to equate to the 65 per cent. reduction in fishing effort.

Mr. Eric Forth (Bromley and Chislehurst) (Con): I do not understand.

Mr. Bradshaw: The right hon. Gentleman does not understand because he knows little about fisheries.

Mr. Anthony Steen (Totnes) (Con): The Minister wants authoritative contributions, so would it not be helpful to UK fishermen—especially those in Brixham—if we got out of the common fisheries policy? That would mean that fewer boats would be chasing the available fish. We could then get rid of the discard policy and have a much happier industry. Why has not the Minister approached that matter in the constructive way adopted by authoritative people who have been saying the same things for 20 years?

Mr. Bradshaw: I am not sure whether the hon. Gentleman agrees with the policy of those on the Opposition Front Bench. I suspect that he does not, but I am prepared to answer his question. The smiling contours of his face suggest that he does not agree with his Front-Bench colleagues, and that he agrees with other, sensible Conservative Members—that the Opposition policy of withdrawal from the CFP would be an absolute disaster, not least for the fishermen of Brixham. [HON. MEMBERS: "Why?"] I shall deal with that later in my speech.

For the UK, an absolutely key issue was that there be fairness in the number of days at sea per month that our fishermen would receive. The Commission's original proposal for the figures in what is now known as annexe XVII would have given our key whitefish trawl fleet a mere seven days per month. The outcome negotiated by my predecessor, who is now the Minister for the Environment, and his Scottish colleague, Ross Finnie, was 15 days.

To complete the background, I need to mention just a few subsequent developments during this past year. Aid amounting to £60 million has been made available by fisheries Departments in the UK. This was mainly for decommissioning, as an adjunct to the days-at-sea restrictions. In April, various adjustments were made to the days-at-sea rules to reflect practical points, many of them identified by UK fishermen in their discussions with us. In May, the Commission issued its proposals for a longer-term recovery plan for cod. This reflects the Commission's view that the current regime, which allocates days according to gear type, is essentially an interim measure.

The Commission's longer-term proposal would allocate a quantity of kilowatt days of fishing effort to each member state according to its fleet's historical fishing record and it would leave it to each member state to decide how to allocate these days among its fishing vessels. The recovery plan would also contain harvest control rules that would commit the Council to reacting in a prescribed way each year in response to the annual scientific advice on the state of the stock. The prescription's basic aim would be to increase the biomass by 30 per cent. each year until recovery was achieved. A parallel proposal from the Commission is on the table for a hake recovery plan.

That brings us to the latest developments, which are this year's scientific advice and the Commission's proposals that are based on it. The scientific advice reports some small improvements in the state of the cod stocks in the Irish sea and North sea. We can draw just a little encouragement from that, but we need to see greater signs of improvement sustained over a longer period before the scientists will be able to conclude that the recovery plans are working.

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): Not only the scientists but the fishermen recognise that cod stocks in the Irish sea have improved and are improving. However, it is utterly bewildering to the fishermen of Fleetwood that, although they are seeing a small increase in the amount of cod that they can catch, they have been told that they will have to reduce substantially the amount of plaice that they can catch given that plaice is the only species in the Irish sea that is designated as being within its safe biomass.

Mr. Bradshaw: My hon. Friend may be putting her finger on one of the problems of setting TACs and quotas in a mixed fishery where cod, which is an endangered species, may be caught as a by-catch. I shall come to that point a little later in my remarks.

In any case, there is a high degree of uncertainty in the assessment because the catch data are not entirely reliable. The basic message drawn by the Commission from the advice is that we do not need to change our aim of achieving a 65 per cent. reduction in effort compared with 2002, but that, on the other hand, we need to make sure that we actually achieve that reduction.

Unfortunately, though, the scientific advice indicates that some further stocks are in need of recovery action. Plaice in the North sea and sole in the western channel are examples that are of direct concern to the United Kingdom. An important new feature of the advice this year is that it recommends a fishery-based approach to management on the grounds that single species management does not adequately reflect the complexity of mixed fisheries in which stocks are caught together. Therefore, the recommendations for each management zone now aim to take account of the need to reduce effort not only on the stocks that are outside safe biological limits, but on the associated stocks that involve a by-catch of the recovery stock concerned.

That brings me to the issues that will be before us next week at the December Council. The first is the TACs and quotas for 2004. They are the main features of the voluminous Commission proposal—document No. 15388/03—that was issued on 4 December. The Commission has, of course, aimed to reflect the scientific advice and the commitments made at the Council last year to reduce the effort that impacts on depleted stocks. It would be entirely absurd of me to try and convey to the House the full list of proposals, but I will note one or two key features.

For cod in the North sea, Irish sea and west of Scotland and stocks associated with it, the proposals are generally for roll-overs of last year's TACs, for minimal increases or for further reductions. There is also a proposal for a closed area west of Scotland. Around the fishing grounds of interest to the UK, there are proposals for TAC reductions for stocks newly shown to be in decline. There are, on the other hand, some more positive features—for example, an increase in the North sea nephrops TAC, an increase in the western anglerfish TAC, which confirms what we found and fought for successfully in 2003, and a higher TAC for North sea herring. We are currently studying these proposals carefully and will, of course, be discussing them with the industry.

Mr. Bob Blizzard (Waveney) (Lab): My hon. Friend mentioned an increase in the TAC for herring. As he will know, there is now an abundance of herring in the North sea whereas a few decades ago we thought that the species had become extinct. That shows that stocks can recover. However, the difficulty inshore fishermen in my area face is that there is no market for herring. They could catch herring and make a good living from that if there were a market. Will he do what he can to stimulate such a market? Would that not also have a conservation benefit, given that I am told that, with demersal species depleted, an abundance of pelagic species can be an obstacle to the recovery of those demersal species?

Mr. Bradshaw: Yes, certainly. My hon. Friend is absolutely right. I would love there to be a much more buoyant market for herring in the United Kingdom and I would recommend herring to any Member present. Herring roe is probably the most delicious roe from any fish and I eat it regularly. There is a healthy export market for herring and herring products. Indeed, some of our pelagic boats, which fish herring successfully, export a great deal to central and eastern European countries that traditionally consume a lot more herring than we do.

My hon. Friend is also right in his point about the successful recovery plan and this is a good example in respect of stocks that were in serious jeopardy. All the

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pelagic stocks—not just herring, but mackerel and bass—are doing very well indeed. They present good fishing opportunities to our industry and he is right to draw attention to the fact that although we have faced serious difficulties in the white fish sector for many years with declining cod, other bits of the industry, such as pelagics, shellfish and prawns, have been doing extremely well.

Andrew George (St. Ives) (LD) *rose—*

Mr. A. J. Beith (Berwick-upon-Tweed) (LD) *rose—*

Mr. Bradshaw: I shall give way first to the hon. Member for St. Ives (Andrew George), if I may.

Andrew George: I am grateful to the Minister for giving way. How sound is the science on which the recommendations are being made by the International Council for the Exploration of the Sea and the quotas proposed? Last year, it was clear that the quota for angler fish—monkfish—in area VII was so unsound that fishermen discovered, and persuaded the scientists, that the stock was a great deal more healthy than previously indicated. No doubt that will be the same in the North sea. On what precautionary basis are the quotas proposed and the science based?

Mr. Bradshaw: It would be true to say that marine biologists who work in the field are naturally cautious. That is their job. They see it as their interest to preserve and conserve stocks and to ensure that stocks are not depleted to the extent that they become non-renewable, as it were. However, I do not think that there is any doubt about the state of cod stocks. The nature of fish stocks is that they fluctuate dramatically from one year to the next if there is a good recruitment year, as there was with haddock four years ago. One good recruitment year can completely transform the situation for haddock stocks, as it has. Fish move around, so there may have been a prediction on angler fish in the south-west made on good science, which changed quickly because of movement or because of a single good recruitment year.

We have come quite a long way in improving how the industry works with the science, although there are still some in the industry who do not accept it. I always say to those in the industry and to those in this place who make a habit of saying that they do not believe the science that they should go off and commission science of their own and have it peer reviewed. I would be interested to see it.

Mr. Beith: I thank the Minister for giving way. To return to the point about herring, which he discussed with the hon. Member for Waveney (Mr. Blizzard), surely the key to the herring market is processing, whether it involves Craster kippers or smoked herring. What we have seen in the herring market could happen again with cod, because if the processing and marketing mechanisms collapse, as they nearly did during a period when fishing was restrained, and we are unable to ensure the processing industry's survival, when the fish return there will be no market for them.

Mr. Bradshaw: Forgive me for forgetting that kippers are another delicious way to consume herring. The right hon. Gentleman is right to a certain extent, but he should not necessarily equate the success of the processing industry with UK-caught fish. There are successful processing industries, not least in the constituency of my hon. Friend the Member for Cleethorpes (Shona McIsaac), that rely largely on imported white fish from areas of the world with healthier stocks. So, a successful processing industry, which we have—it is important to recognise that fact—does not necessarily depend on domestic stocks. However, that does not mean that we should not do what we can to protect and encourage the growth of those stocks.

Mr. Michael Weir (Angus) (SNP): I thank the Minister for giving way. Does he accept that what he says about processing is true for large-scale processors, but that there is a serious problem for small-scale processors who rely on locally caught fish? Many, such as those in my constituency, are suffering because they cannot get such fish.

Mr. Bradshaw: Yes, I accept that, but the answer is to ensure that we have credible policies in force to protect the fish stocks and secure sustainable and profitable fisheries for the future. Taking risks with the stocks would put the processors as well as the fishermen out of business.

Rev. Ian Paisley (North Antrim) (DUP): The Minister has told the House that people who disagree with the scientists in Europe should get scientists of their own to examine the issue. Is he not aware that that has been done in Northern Ireland? The fishermen have consulted other scientists, who backed up those fishermen. A meeting was held in Brussels on 28 and 29 October, at which it was put to the Fisheries Committee that some scientists disagreed strongly with the recommendations from Europe.

Mr. Bradshaw: I am aware of dissident scientists and dissident science—*[Interruption.]* I recall people standing up in the House about 10 years ago proclaiming, on the basis of what dissident scientists said, that there was no such thing as AIDS in Africa. All I would say to the hon. Gentleman is that he and others who challenge the orthodox science should commission some research and have it peer reviewed. The simple fact is that it has never been done.

Mr. Salmond: I speak as a dissident MP and ask the Minister to reconsider his point about monkfish. The monkfish quota is not based on empirical evidence of the number of monkfish, but on landing data. Clearly, if the quota is reduced, so are the landings and the quota is then reduced for the next year. It is a circular argument. Given the Minister's experience of the monkfish quota elsewhere, will he now look with a more sceptical eye at the monkfish quota being set for the North sea?

Mr. Bradshaw: The hon. Gentleman is wrong because the scientists take landings as well as studies of biomass and ocean research into account. It is simply wrong to imply that they do not take any notice of landings. They do, and they even take into account the fact that actual landings are in some cases higher than they should be.

Mr. Salmond: Will the Minister give way?

Mr. Bradshaw: I want to make some progress.

Mr. Richard Bacon (South Norfolk) (Con): Give way.

Mr. Bradshaw: I have been generous in giving way. Does the hon. Member for South Norfolk (Mr. Bacon) want to say something about fisheries?

Mr. Bacon: I was merely pointing out that, if the Minister gave way to the hon. Member for Banff and Buchan (Mr. Salmond), he might learn something.

Mr. Bradshaw: I have already given way to him three times—*[Interruption.]*—all right, twice, but perhaps I will give him another go in a minute.

As I have already said in response to interventions, we shall be looking for ways of decoupling the associated stocks from cod, so that our fleet can take advantage of fishing opportunities that exist, but which are contraindicated because of a link with cod. That involves identifying more closely the extent of the association with cod, and finding ways—technical or geographical—to ensure that the associated species can be caught without undue damage to cod. More widely, I am aware that some of the total allowable catch reductions proposed will have serious effects on local communities, and we will be checking the scientific justification for all the proposals and arguing that any agreed to be excessive should be reined back. We will take close account of the industry's view in preparing our position.

The process of setting TACs on an annual basis has been criticised as too short-term an approach. One of the achievements of the reform of the common fisheries policy last year was that we now have a new tool for setting the policy for TAC levels over a longer period. We welcome that new mechanism, which can be useful as part of managing recovery plans for the most depleted species. The proposal that I mentioned earlier for a long-term recovery plan for cod is the second major item that will be before the Council next week. We support its approach for adjusting the cod TACs year by year in the light of scientific advice. It would provide greater assurance as to future TACs and would provide the industry with a clearer view of how policy on quota levels responds to changes in fish stocks.

We agree with the view that for some areas recovery plans based on TACs and technical conservation alone may not be sufficient to restore the most depleted stocks. It is important that fishing effort is not too high, and in some cases it can be necessary to tackle fishing effort directly, by limiting the amount of time that vessels can spend at sea. We therefore agree with the development of long-term recovery plans for cod and hake, and we will want to develop a suitable long-term mechanism for restraining fishing effort to restore the cod stocks.

Mr. Alistair Carmichael (Orkney and Shetland) (LD): The Minister will be aware that the working document for annexe V—the proposal on days at sea that will replace annexe XVII—makes the interesting suggestion that it should be possible to allow 22 days a month to fishing boats that limit their effort on cod to less than 5 per cent., as opposed to the 15 days they currently have. The difficulty is that the proposal is not open to boats with a track record for the years 2000, 2001 and 2002 of more than 5 per cent. on cod. Will the Minister consider removing that restriction, and does he agree that it would be the most significant incentive to minimising cod by-catch from an increased haddock quota?

Mr. Bradshaw: I shall certainly look at that. The hon. Gentleman is right. We need to do whatever we can to try to decouple cod from other healthy stocks and to encourage a reduction of the cod by-catch in the fisheries to which he referred.

Bob Spink (Castle Point) (Con): Is the Minister aware that the balance between vessel viability and control of fishing effort is delicate, especially for the inshore fleet, which is not responsible for the mass depletion of fishing stocks? Will he make an exception for small inshore fleets such as that at Leigh and Canvey Island, so that they can remain viable?

Mr. Bradshaw: The hon. Gentleman makes a good point about the need to protect the interests of our inshore fleet, which was one of the successes of the reform that we achieved at last year's Fisheries Council. We did protect those interests, contrary to the predictions of several hon. Members, including some Conservative Members.

We also support the element of the proposal that would allocate a total amount of fishing time to each member state, enabling the member state itself to decide how to allocate that total among its fleet. That flexibility would enable us to allocate fishing time in the way most appropriate to our own national needs. It would, however, take some time to work out, in consultation with the fishing industry, how to apply those arrangements in this country. We agree with the Commission that it would not be practicable to introduce the scheme at the beginning of next year. If the Council can agree on how fishing effort should be controlled, we would look to introduce the scheme in perhaps a year's time.

We already have limits on fishing effort in the North sea and the west of Scotland, which should continue next year. The Commission has proposed an extension of the current scheme. The formal proposal for the extension is the fifth annexe to the TAC and quota regulation, so we would have to get used to remembering that the scheme that we currently call annexe XVII would from next year be called annexe V.

There need to be some changes to the form of the scheme. Annexe XVII was negotiated very quickly, and experience has shown that there is room for improvement. We want the scheme to be adjusted so that it can achieve the objectives that the Council set for it a year ago. Several aspects have made it difficult to operate as effectively as is necessary. I hope that we can make changes that will ensure that the limits on time at sea are fully observed. I hope, too, that we can minimise the amount of bureaucracy. We appreciate that the number of days permitted for vessels targeting cod is an

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important priority for the fishing industry, and we want to retain the current amount of fishing time for those boats next year.

Mr. Blizzard: Does my hon. Friend agree that the various schemes, such as TACs, stand any chance of succeeding only if they are adhered to? As he said earlier, there is a large discrepancy between what is supposed to be landed and what is landed. What is his estimate of the degree of misreporting and underreporting that exists in this country and throughout the European Union?

Mr. Bradshaw: The fact that it is unreported makes it difficult to put an exact figure on it, but it is serious. Otherwise, the European Commission would not have singled out the UK and Spain for strong criticism of our enforcement. My hon. Friend may await with expectation the report from the Prime Minister's strategy unit, which is expected in January and which has looked closely at enforcement. My hon. Friend is right, however: none of that will be any good unless we can be satisfied and confident that our enforcement procedures work, and I was just about to set out exactly what we propose to do about enforcement.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): Will the Minister clarify the Government's stance in the negotiations on the allocation of days at sea between countries? Will he press for the baseline to be the 2001 fleet, given that since then we have made considerable efforts to decommission our fleet while other countries have been using EU money to build up their fleets? A fairer allocation would be made using 2001.

Mr. Bradshaw: The hon. Gentleman anticipates the next sentence of my speech: I was about to say exactly that. The UK decommissioned substantial amounts of capacity in 2001 and this year, and we must ensure that we obtain full credit for that cut when the days permitted for fishing are calculated.

Mr. Weir: The Minister mentioned annexe V of the new regulations. Is he aware that it includes a two-net rule that would affect fishermen who fish for white fish and nephrops? They use a different-sized net for each species, and as the regulation proposes that they may change their nets only once every three months, it would effectively destroy that fishery, which is extremely important in many small ports in Scotland, such as Arbroath in my constituency. If the Minister is involved in negotiations on annexe V, will he ensure that the two-net rule is amended to allow individual nations to impose their own time limit for the swap-over period?

Mr. Bradshaw: I shall certainly bear the hon. Gentleman's comments in mind, but I hope that he will join me in welcoming the fact that there has been a slight increase in the recommendation for the TACs for prawns—nephrops—and that we must do as much as we can to exploit those opportunities without taking cod as a by-catch or in any other form.

Mr. Alan Reid (Argyll and Bute) (LD): The Minister referred to the Commission's proposal for an increased nephrops quota, but he will be aware that it applies only to the North sea. There is no proposal from the Commission for an increase in TACs in the west of Scotland, where nephrops stocks are abundant. Given the abundance of the stocks and the fact that since the baseline precautionary TAC was introduced the area over which nephrops were fished has extended and the TAC has not been increased to take that into account, will the Minister go back to the Commission and try to negotiate a modest increase—say, 10 per cent.—in the TAC for nephrops in the west of Scotland?

Mr. Bradshaw: I am happy to examine the case made by the hon. Gentleman, but without considering the detail I cannot give him the commitment he seeks.

No debate on TACs and quotas and the conservation of fish stocks would be complete without reference to enforcement. This year, enforcement is of added significance because fisheries scientists have repeatedly referred to stock assessment work being compromised by the lack of reliable data on landings, while the industry has repeatedly claimed that stocks are in much better shape than official landing statistics. To manage fisheries successfully, it is essential to have reliable and accurate data on fishing activity and landings. It is the very lack of such data that has led the Commission—reluctantly, I believe—to begin legal proceedings against the United Kingdom for failing to take adequate steps to ensure that fishing activity and landings are properly monitored and recorded.

I recognise that the fishing industry has been badly affected by the impact of successive cuts in quota over the last three to four years and that there have been tensions as fishermen adjust to changing circumstances, but that is no excuse for dropping our guard. Effective and consistent standards of monitoring and control across the Community remain a key objective and we must be seen to be playing our part. Fisheries inspectors have a key role to play. They do a difficult job at the best of times, and I trust that all members of the industry will continue to co-operate fully with them in the performance of their duties.

Mr. Edward Leigh (Gainsborough) (Con): Has the Minister noted the 43rd report of the Public Accounts Committee, which states:

> "The probability of a fishing vessel being subject to physical inspection at sea or on landing fish is low, being just 1 and 6% respectively on any day of fishing."

In fact, if people infringe the quotas, the chance of their being found out is extremely low.

Mr. Bradshaw: I certainly welcome the PAC report, which has already informed some of the measures that we are taking to improve our enforcement record and will continue to do so. I do not think that it is fair to paint a completely bleak picture of our enforcement system. We have one of the highest spends on enforcement under the CFP in the whole EU; we impose some of the stiffest penalties on people who are caught and prosecuted, and our inspectors do an excellent job. However, I acknowledge that there is plenty of room for improvement, and the recommendations of the PAC report are welcome and helpful.

Mr. Roy Beggs (East Antrim) (UUP): Has the Minister any plan to develop closer working relationships between scientists and fishermen, so that the scientific outcomes are more believable to fishermen?

Mr. Bradshaw: Not only do we have plans, but in the last financial year we spent £1 million of public money on collaborative projects between fishermen and scientists. We have put scientists on trawler boats for the first time at the request of fishermen from ports where for a long time they have said, "Oh, we know where the fish are. We can find plenty of them. There are plenty of cod out there. We'll show you if you put some scientists on our boats." We have also put fishermen on the scientific vessels. That exchange has contributed to a better atmosphere between scientists and the fishing industry than there was a year ago, and it is desperately important that we try to improve that in future. I should like a system whereby each region's fishing industry took responsibility for the management of its own industry, but in doing so would have to fund and accept the scientific research, as happens in some of the most successful fisheries in other parts of the world.

Mr. Carmichael: The Minister will be aware that all vessels over 18 m will need to be fitted with satellite tracking devices from 1 January. Does he accept that that represents a significant contribution to enforcement, particularly in relation to days-at-sea regulations? What assessment of that proposal's effectiveness has his Department made?

Mr. Bradshaw: Again, the hon. Gentleman is absolutely right: effective satellite monitoring will become increasingly important in future fisheries management. If he is patient, he will hear some good news a little later in my speech, which is about to come to an end.

Mr. Malcolm Savidge (Aberdeen, North) (Lab): I thank my hon. Friend for being generous in giving way once more. The hon. Member for Gainsborough (Mr. Leigh), Chairman of the Public Accounts Committee, referred to 1 and 6 per cent. in any day's fishing, so the chances of boats being inspected in any given year are surely not that bad. I am not saying that we do not need to do much more, but we are carrying out proper supervision.

Mr. Bradshaw: We could do better, but we are neither the worst nor the best on enforcement.

Mr. Steen: The Minister will be aware that one of the major problems in south Devon and the rest of the west country is the number of dolphins caught by way of by-catch. Scottish and French boats are to blame. Does that concern him? What will he do about it? It is most dreadful to see hundreds, if not thousands, of those dolphins washed up on the beaches of the west country.

Mr. Bradshaw: The hon. Gentleman raises the spectre of the old alliance. He is right to say that cetacean by-catch is a problem, but it is not restricted exclusively to pair trawling for bass off the south-west coast; it happens in all fisheries, unfortunately. At the most, only two or three pairs of Scottish boats are involved, compared with about 30 from the French side. While we take the problem extremely seriously and have been funding some very successful research involving the use of a separator grid in the nets, which almost reduced to zero the number of dolphins caught in that way, the French have so far not shown the same sense of urgency. There is not even the same awareness of it in France, but we are working very hard on that. My predecessor wrote to the French Fisheries Minister, and we are giving the evidence of our successful trials to the Commission and the French. We very much hope to make progress on that sad phenomenon.

I expect to set out our plans to enhance monitoring and control early in the new year, taking account of any additional commitments that arise from the decisions to be taken at next week's Council. The plans will involve a greater emphasis on weighing and inspecting fish in port, changes to our designated port arrangements, the installation of tamper-proof satellite position-reporting terminals on all vessels over 15 m and the registration of the sellers and buyers of first-sale fish. I can also advise the House that my Department will meet the full cost of fitting satellite terminals to all vessels for which it is the licensing authority.

I want to end on a more strategic note. The reason why we contemplated the measures now under discussion, with the pain that they have unquestionably brought, is to ensure a sustainable future for our fishing industry. It would be good for the decisions that we take to be reached within the framework of a long-term strategy aimed at that sustainable future. That was exactly why the Prime Minister, after last December's Council of Ministers, asked his strategy unit to set up a fisheries project to identify the options for ensuring a long-term sustainable future for the industry. The strategy unit has been doing an extremely thorough job of examining the issues and discussing ideas with all interested parties. Its report will be an important document, and we look forward to receiving it early in the new year.

5.15 pm

Mr. John Whittingdale (Maldon and East Chelmsford): This is the first time I have spoken in this debate, but the issues under discussion are depressingly familiar. Once again, they revolve around a Fisheries Council at which the agenda will consist of further reductions in total allowable catches, leading to further cuts in quotas, squeezing still further an industry that is already in crisis. For fishermen, the outlook is one of unremitting gloom as each year they struggle harder to survive while yet more of their number give up the fight and leave the industry for good.

Fishing is not just another industry—it is one of the first ever pursued by the residents of these islands and it is also one of the most dangerous. The chief inspector of the marine accident investigation branch said in his annual report last year:

> "Fishing remains the single most hazardous occupation in the United Kingdom."

Last year, 18 fishing vessels were reported lost, and I would like to pay tribute to the eight crew members who lost their lives.

No one understands better than fishermen the need to conserve fish stocks. If there was evidence that the common fisheries policy was succeeding in building

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back up depleted stocks, they would be much more willing to support it. The CFP, however, has been a miserable failure. Each year, the estimates of stocks are reduced once again and the inevitable prescription is another cut in TACs.

Angus Robertson (Moray) (SNP): The hon. Gentleman is absolutely right to identify the common fisheries policy as being an unmitigated disaster. Will he take the opportunity to apologise on behalf of the Conservative party for signing the UK up to it in the first place?

Mr. Whittingdale: I suspect that all Governments need to take some of the blame, and I would point at the record of the previous Labour Government, who extended the limits to 200 miles and gave access to EU ships into all those British waters. I want to concentrate on the future, however, and on what the next Conservative Government will do.

It takes three years for a cod to mature, so fishermen point out rightly that if the policy were working, after three years, TACs should start improving. The revision, however, is always downward, and the pressure on the industry increases relentlessly.

Mrs. Humble: Will the hon. Gentleman recognise and acknowledge that in fact the Irish sea cod recovery programme is working, and it is doing so because of the commitment of Irish sea fishermen, including my constituents in Fleetwood? The cod stocks are going up, and this year the Commission is suggesting a small increase. The problem for Fleetwood fishermen is the associated species. The cod recovery programme, however, is paying dividends, and we are seeing mature cod—it is working.

Mr. Whittingdale: It is good to hear that in one small part one species is showing some signs of recovery. If the hon. Lady concludes from that that the common fisheries policy is a success, however, I suspect that her fishermen would not agree.

Mr. Calum MacDonald (Western Isles) (Lab): Actually, stocks of herring have increased over the past 20 years, stocks of mackerel have increased over the past 20 years, and stocks of shellfish are doing better than they have done over the past 20 years. How does that square with the hon. Gentleman's simplistic condemnation of the common fisheries policy?

Mr. Whittingdale: If Labour Members believe that the common fisheries policy has been such a wonderful success, why is it that every year more and more of our fishermen go out of business and we experience continuing reductions in quotas? Why is it that the Minister must again go to the Fisheries Council to argue against yet another savage cut in quotas that will lead to more of our fishermen losing their livelihoods? It is fiction to believe that the policy has been a success. It is hardly any wonder that fishermen conclude that the CFP has little to do with conserving fish stocks and rather more to do with accommodating the vast Spanish fishing fleet in our waters.

Before the advent of the common fisheries policy, the British fishing industry was a model of sustainability. Thirty years on, throughout which the CFP has been in operation supposedly to conserve stocks, large areas of the most fertile and productive fishing grounds in the world are threatened with closure.

Shona McIsaac (Cleethorpes) (Lab): The hon. Gentleman says that we had wonderful fisheries 30 years ago. Does he acknowledge that one of the greatest impacts on our fishing industry resulted from the cod war when Iceland introduced its own fishing limit? It is wrong to blame the EU for the decline in places such as Grimsby, because that was a result of the cod war.

Mr. Whittingdale: I do not share the hon. Lady's view that the problem was all Iceland's fault, and I doubt whether fishermen would agree with her either. In 1995—only eight years ago—there were 9,200 British fishing vessels that landed 912,000 tonnes of fish on these shores. In 2002, 7,003 vessels landed 686,000 tonnes—a 25 per cent. reduction in just eight years.

The decline in Scotland has been even more dramatic. There was a total of 1,782 boats of more than 10 m in length in 1975, but it is estimated from current decommissioning plans that there will be about 700 such boats next year. That will represent a 60 per cent. cut in the Scottish fishing fleet since we joined the CFP. Each of the sold or decommissioned boats would have grossed an average of £300,000 a year at current values from landing about 333 tonnes of fish. The annual loss of direct income to the catching sector is therefore more than £300 million. However, the knock-on effects of that are felt far more widely. Associated industries that are dependent on fishing, such as processing, marketing, netting and boat repair industries, have suffered. The recognised gross domestic product impact ratio for fisheries is 2.35 times the landed value, so the total annual loss to the Scottish economy as a result of the reduction to the Scottish fishing fleet has reached £785 million. If one adds to that the cost to public funds from unemployment benefit and other benefits, the figure is still higher.

The figures cannot reveal the personal tragedies experienced and the destruction of thriving communities that lie behind them. Major harbours such as Lossiemouth that used to be a focus of social and economic life throughout the year are now reduced to being marinas for a handful of yachts for a few weeks in summer. The story is repeated all around the coast of Britain. I was in Lowestoft yesterday, which was once the largest fishing port in England and only a few years ago would have been home to a couple of hundred boats, including 130 ft trawlers. I saw only a dozen boats in the harbour yesterday and only two were more than 10 m long. I went on to attend the morning fish auction in the purpose-built hall on the quayside. The hall is cavernous—it stretches perhaps five times the length of the Chamber—yet the fish available for auction on what I was told was a relatively good day took up only a few square metres of space. Additionally, a significant proportion of the fish, including the one large halibut that sold for £250, had not been caught by local boats but imported from Iceland.

The tragedy for our fishing industry is that there is no reason why it must be in decline. Other countries manage their fisheries extremely successfully by conserving stocks and supporting a viable industry. Norway operates a quota system that is agreed by a management advisory board on which fishermen are represented. Discards are banned, as is the fishing of undersized fish. Cheating is largely unknown.

In the Faroe islands, fishing is the principal source of income. The incentive to manage stocks in a sustainable way is even greater. Under their system, vessels are grouped according to size and gear type. Each group is allocated a set number of fishing days per year, which are divided among the vessels. That is combined with gear regulations designed to protect juvenile fish, as well as closures of extensive areas to active gear, such as trawls, to protect nurseries and spawning stocks.

By allocating fishing days rather than stock quotas, mixed fisheries are allowed, giving the entire catch an economic value. The system works extremely well in achieving its aim that not more than a third of each stock should be taken every year. It is well supported by the fishermen, who are closely involved in deciding the number of fishing days to be allotted each year. As one respected fishing journalist recently wrote:

> "There are always some complaints, but the grass roots hatred and sheer loathing of the management system that is heard from fishermen in Iceland and most EU countries is entirely absent in the Faroes. Unbelievably, everyone in the Faroes appears happy with their system. Stocks are healthy and fishing is flourishing".

In the Falklands, strict controls are exercised within the 200-mile conservation zone. The main squid species caught has a lifespan of just a year, so the stock assessment needs to be updated constantly. To ensure that conservation targets are achieved, fishing effort is controlled by strictly limiting the number of vessels licensed to fish within the zone. The lesson of the Falklands and the Faroes is that because the fishermen trust the data, they are prepared to accept limitations on their activities based on it.

Mr. Redwood: My hon. Friend makes a powerful case. Does he understand why the Minister is so hostile to the idea of banning discards when last year 20,000 tonnes of fish, more than the combined quotas for cod and haddock, were dumped dead in the sea and not landed for human consumption? Is not that an outrage? Would not getting rid of that system make a lot of difference?

Mr. Whittingdale: It would clearly make a difference. Discarding dead fish into the sea is a disgrace and should be stopped. I agree with my right hon. Friend that that is an essential component of a sensible fisheries policy.

Mr. Bacon: My hon. Friend mentioned the Falkland islands, which I visited last year. I saw the fisheries department while I was there. As it controls the system, it can close the entire fishery earlier than planned if necessary. As it takes three years for a cod to mature, is it not the case, with 900,000 people unemployed, 14,000 of whom are fishermen, as a Minister of State told me the other day, that for the cost of just one failed Government computer system we could support the entire fishing industry in this country for three years, keep out all the foreign boats and have a sustainable industry again?

Mr. Whittingdale: I am grateful to my hon. Friend, in particular for telling us of his recent experience in the Falklands. He is, of course, absolutely right.

The essential point is that there are very successful examples of national fisheries management schemes which contrast with the complete failure of the CFP. The system of quotas for each species that is operated under the CFP means that a fish of a different species or a fish that is in excess of quota is discarded back into the sea, as my right hon. Friend the Member for Wokingham (Mr. Redwood) said. Each year as many, if not more, fish are discarded to pollute the seabed as are landed for human consumption. How can that possibly help the conservation effort? The alternative is that the fish are landed black and fishermen risk being turned into criminals for breaching quota regulations.

Mr. Blizzard: The hon. Gentleman gave examples of the way in which more remote islands manage their fish stocks. I agree that the CFP has, self-evidently, not conserved fish. In advocating national controls, however, how would he deal with the issue of the median line in the North sea? The fish would not respect the median line. Many species spawn in shallower water on the continental side and swim over. If we had the median line, the Dutch and others would catch all the fish before they got here.

Mr. Whittingdale: I am glad that the hon. Gentleman accepts that the CFP has been a complete failure. That is at least an advance on some of his colleagues. Obviously, if there were national management—I shall say a little about how we believe it should operate—it would require negotiation and bilateral agreements with other fishing nations.

Mr. Bradshaw: That will be easy.

Mr. Whittingdale: I think that compared with the annual fight which he goes into and which is about to take place next week, where every nation scratches around to try to benefit its own fishing industry within the framework of an ever-reducing total allowable catch, it will be rather more simple. As I have said, the CFP has been a complete failure. Almost anything would be an improvement on the CFP.

Mr. Leigh: May I give a positive idea to my hon. Friend that might commend itself to Members on both sides of the House? It is an idea that was discussed in the report of the Public Accounts Committee. It relates to discarded fish. Many of these fish are dead or dying when they are thrown into the sea. We suggested that we should seek changes in European Union legislation to allow the landing of discards and over-quota catches, but with proceeds being used to fund research and greater enforcement activity, as is already the case in Iceland. Will my hon. Friend and perhaps the Minister consider this idea?

Mr. Whittingdale: The report of my hon. Friend's Committee is undoubtedly a valuable contribution. However, we believe that the problem is the system itself. A system based on quotas creates the incentive or the necessity either for the discard of dead fish which are over quota or the alternative, which is the illegal landing of fish. Many fishermen have little choice but to break the law, given that their allocation of legal quota is so pitiful that it is impossible for them to sustain a living.

[Mr. Whittingdale]

At the same time, the enforcement system has led to fishery inspectors, who were previously regarded as the friends of fishermen, being regarded with utter hatred throughout the industry.

As has been suggested in several interventions, fishermen are increasingly disbelieving of the figures on which TACs are based. Estimates of fish stock are based on two main types of data; those which are fishery dependent and those which are fishery independent. Fishery dependent data come from commercial vessels and comprise the quantities of fish landed into port and measures of the time spent fishing or searching for fish to catch. The quota allocations are so inadequate that inevitably fishermen cheat to make a living. They either do not declare landings or they make false declarations as to the locations in which fish are caught. As a result, the amount of fish is under-reported, leading to quotas being set even lower.

Even the European Commission has now acknowledged that

"the reliability of commercial fisheries information has declined."

The Commission is therefore relying increasingly on data from research vessels, but those too are flawed. For instance, in the critical North sea cod fishery, test trawls are made by the Department for Environment, Food and Rural Affairs-commissioned survey vessels. These are conducted in the spring and autumn when standardised gear is shot in specific locations at the same time each year, and trawling is carried out at a standard speed for half an hour. The catch is then measured and compared year on year to determine changes in stocks.

It has been said that the process is similar to flying in a hot air balloon high over a land completely covered in cloud, with the occupants seeking to determine what lives on the land, how many of each species there are and how their populations might change, all with a basket and a long rope. The surveyors are asked to scrape the basket along the ground for half an hour, haul it up and guesstimate the population, a process which they repeat at the same place at the same time the following year to determine trends.

Mr. Jim Portus, the chief executive of the South West Fish Producer Organisation, told my hon. Friend the Member for North Shropshire (Mr. Paterson) this morning that the scientists on research vessels often have inappropriate kit that is wrongly set. Those in the industry who have seen photographs were flabbergasted that the Commission should put such reliance on information gleaned from such badly set equipment. The solution, as the Select Committee recommended last year, is to have more independent scientific observers aboard fishing vessels.

Mr. Bradshaw: During his visit to Lowestoft yesterday, did the hon. Gentleman visit the Centre for Environment, Fisheries and Aquaculture Science, which conducts those trials, and did he put those questions to it?

Mr. Whittingdale: I did not go to CEFAS, but certainly intend to go back and talk to it. As the hon. Gentleman should know, because he was there a few months ago, there is a CEFAS laboratory in my constituency, so I talk to CEFAS quite regularly.

The conclusion that we must draw is that ever-reducing quotas are calculated from TACs that are based on questionable data. While the CFP may be limiting unnecessarily the fishing of mature fish, it is failing to prevent industrial fishing, which may be doing far more damage. Trawling for sand eels results in hundreds of thousands of tonnes of the basis of the marine food chain being scooped up every year, while landing at the same time masses of juvenile cod, haddock and whiting as by-catch. To produce fishmeal to feed farmed fish and Danish pigs and, it is even said, fish oil to run a power station, the basic foodstuff on which are fish stocks depend is being removed.

By any measure, the CFP has been a disaster for the British fishing industry, which is why my right hon. and learned Friend the Leader of the Opposition reaffirmed on Sunday that

"we are committed to a policy of withdrawing from the Common Fisheries Policy and restoring national control for our fishing industry".

In the next few months, we will develop a new way of managing fish stocks based on controlling inputs by limiting fishing effort and banning industrial fishing in place of the discredited and damaging quota system of output controls. As I have said, other places such as the Faroes operate such management schemes extremely successfully. We therefore intend to sit down with the fishermen to work out the details of an alternative to the CFP.

Mr. Bradshaw: How is the hon. Gentleman going to ban industrial fishing if he takes national control, which he knows is impossible, in those bits of the North sea over which we have no control?

Mr. Whittingdale: I shall tell the hon. Gentleman precisely how we will do so. It is not impossible to restore national control over our own waters—it is a question of political will. I shall explain to the hon. Gentleman how we will do so, as there is a genuine opportunity on the table right now to carry out a renegotiation of the CFP. In the draft constitution that is being considered by the intergovernmental conference, article 12 gives the European Union exclusive competence over

"the conservation of marine biological resources under the Common Fisheries Policy".

The hon. Member for Birmingham, Edgbaston (Ms Stuart), who served on the Convention on the Future of Europe, said that

"this is basically a renegotiation of the basic Treaties".

There is therefore no reason why the Government cannot introduce a proposal in the IGC to renegotiate the CFP and restore national control. That should be a red line issue for the Government, but instead they are meekly prepared to continue with a failed policy that is destroying our industry.

Mr. Blizzard: If that is the case, why did the Conservative representative on the Convention on the Future of Europe not make an issue of that in all the months in which he talked about it? He made one feeble reference to it, and did not turn it into a major issue. Why, when the Conservative party had the chance to put it on the agenda, did it fail to do so?

Mr. Whittingdale: I have the highest regard for my right hon. Friend the Member for Wells (Mr.

Heathcoat-Amory), who represented my party on the convention, and I am told that he did move amendments to that effect. Nobody could be more robust in their defence of British industry and the British fishing industry than my right hon. Friend.

Mr. Bacon: My hon. Friend may like to know that our right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) said in the Standing Committee on the Convention that he would often move amendments. He also protested about the fact that an amendment moved by someone opposed to a proposal would not even be recorded.

Mr. Whittingdale: I am extremely grateful to my hon. Friend. I have no doubt that that is the case. I am afraid that all too often during the process of that Convention, my right hon. Friend the Member for Wells was a lone voice of sanity.

Mr. Savidge: If the right hon. Member for Wells was a lone voice of sanity, what chance does the hon. Gentleman think he would have of conducting a successful negotiation?

Mr. Whittingdale: I will tell the hon. Gentleman precisely. I quote the example of his own Prime Minister, who said before the general election in 1997:

> "We certainly have not ruled out holding up IGC business in order to get the right changes to fishing policy in the British interest".

Now his Government are not even prepared to put it on the agenda.

The Government have said that they are prepared to fight to prevent the European Union having any say over our oil and gas reserves, as is proposed in the energy chapter of the European constitution.

Mr. Salmond: May I point out to the hon. Gentleman that Professor Neil McCormick incessantly moved amendments on fisheries in the Convention? Perhaps a little more support from the Conservative representative would have been appreciated. The Conservatives did not raise the matter on 16 September 2003. The hon. Gentleman has alighted on a good policy. It would help his credibility if he admitted that it is also a very recent policy for the Conservative party.

Mr. Whittingdale: I welcome the hon. Gentleman's support, but it was the policy of my party rather earlier than it was the policy of his party. The policy was advocated under the past three leaders of the Conservative party.

I return to the Government's determination to fight to prevent the EU having any say over our oil and gas reserves. The hon. Member for Waveney (Mr. Blizzard) tabled a good early-day motion on the subject which has been signed by almost 100 of his colleagues. It calls for the Government to veto any proposal to cede competence over licensing and other national control of the UK's oil and gas reserves to the European Union. Although the Government are prepared to stand up to protect our oil and gas reserves, they seem unwilling even to contemplate mounting a similar fight to re-establish national control of our fish reserves.

When France and Germany recently decided that the terms of the stability pact were operating against their national interest, what did they do? They simply ignored them. It is not true to say, therefore, that a policy to restore national control cannot be achieved. It is a matter of political will. It is time for the Government to start standing up for the interests of the British fishing industry. Unless they do so, there soon will not be an industry left.

Several hon. Members rose—

Mr. Deputy Speaker (Sir Michael Lord): Before I call the next hon. Member to speak, I remind the House that Mr. Speaker has imposed a 10-minute limit on Back-Bench speeches. That applies from now on.

5.42 pm

Mr. Calum MacDonald (Western Isles) (Lab): I shall raise a matter that is of great importance for my constituency and for fishermen up and down the west coast of Scotland. It is a matter that has already been mentioned in the debate: the nephrops stocks on the west coast of Scotland.

In opening the debate, the Minister observed that nephrops stocks are perfectly healthy and viable. Indeed, my fishermen tell me that the catches are as good as they have been for 20 years, in terms of both the quantity of the landings and the quality of the prawns. The catch is exceptionally good, but stocks are affected by the linkage to the threatened cod stock.

The Minister suggested in his opening remarks that we should consider finding technical solutions to the problem. Instead of going down the road proposed by the European Commission this year and last year of reducing the prawn stock or other viable stocks in order to have a positive impact on cod, we should look at technical measures that would allow us to continue fishing for viable stocks without having an adverse impact on cod.

I should like to use my few minutes to flag up one proposal that has emerged recently from within the industry, which I urge the Minister to consider and to ask his officials to study with a view to pressing it at the Council later this month.The Commission, in its proposals for the west coast nephrops stocks, has once again advocated a reduction, this time of the somewhat puzzling figure of 40 tonnes, which set against an overall TAC of 11,300 tonnes would not seem to make much difference one way or the other, and one wonders how on earth it came up with that particular figure. The concern of my fishermen is not simply to avert that reduction but, as the hon. Member for Argyll and Bute (Mr. Reid) said earlier, to try to restore the previous 10 per cent. cut, and even to go beyond that and increase the TAC to a sustainable level that can provide a viable fishery.

The proposal that has emerged recently is to try to target conservation measures on the best spawning grounds for cod—to try a zonal approach to the problem of the west coast prawns and cod linkage. I am told that the consensus in the scientific community is that the best spawning ground for cod on the west coast is just north of my constituency, about 40 miles off the Butt of Lewis, and the proposal that has achieved a consensus in the industry is for a full closure of that area

[Mr. Calum MacDonald]

for prawn trawling at least during the spawning of the cod, which is typically from about February through to April. A complete three-month closure of prawn trawling could be targeted on that area to ensure that the spawning grounds are untouched, giving the cod a chance then to move on into the wider area.

In return for such a complete closure, affecting prawn trawling in that area, the industry wants not just a holding off of the proposed 40-tonne cut, but a restoration of the 10 per cent. cut that happened some years ago, and a fresh look at the case for a gradual restoration to the original TAC of several years ago, when it was in the order of 16,000 tonnes. As the Minister is already aware, the case for a restoration to that figure is considerable, because there is a strong argument that the current TACs are based on a misreading of the landing figures some years ago.

I should be grateful if the Minister would give an undertaking that he will look closely at that new proposal that has emerged to tackle the problem that has already been flagged up in the course of the opening speeches, and that he will look sympathetically at the case for a zonal closure in return for a restoration of the 10 per cent. cut on the west coast. It would be helpful if he could tell me later or in writing whether he is sympathetic in principle to such a zonal approach—so that the industry will know whether it should continue to investigate and research the matter—and give a commitment to look hard at the new proposals, and with urgency, so that they can be raised and, I hope, pushed at the summit later this month.

5.50 pm

Andrew George (St. Ives) (LD): May I welcome the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) to our annual fisheries debates? He was right to pay tribute to fishermen and fishing communities, and to reflect on the tragic loss of eight lives in the industry this year. Those of us who represent fishing constituencies fully understand the tragic circumstances in which the industry often has to operate, and we use this opportunity to reflect on them each year.

Once again, we are discussing in the annual fisheries debate rather panicked negotiations occurring at the eleventh hour about how we are to settle TACs and quotas for species that will be vital to the industry over the next 12 months. Although the revised common fisheries policy talked bravely of the need to establish a medium-term plan in respect of multi-annual quotas, which would at least inform the industry about the prospect of the indicative quotas for subsequent years on the basis of the best science available in making decisions for the next year, the fact is that no mention has so far been made of multi-annual quotas. One of a number of failures of the policy that have occurred since its reform at the beginning of this year is the failure to look for medium-term solutions to the very serious problems that are besetting the industry.

A complaint was rightly made in the previous debate on this matter about the fact that negotiations and discussions between fishermen and scientists were still not as productive and constructive as we would have hoped. In many other European countries, the relationship between scientists and fishermen is more productive, and greater confidence and respect operate both ways. When one speaks to fishermen in this country, it is clear that they still strongly feel a sense of disregard of the basis on which scientific advice is given. That is clearly an issue on which further work is needed.

Work is also needed on something that I detected at an early stage in the negotiations—the fact that the scientists are not bringing fishermen in early enough to discuss the science. In my view, the Minister has a role to play in encouraging better dialogue at a much earlier stage in the process. He knows from his own dealings in respect of monkfish in area VII, for example, about an indicative and precautionary quota that has been set on the best information that the scientists say is available to them, despite fishermen's claims that the stock is a great deal more healthy. When fishermen demonstrate what is happening during the year by referring to catch and landings, as well as to the speed of those landings, which is a clear indication of the health of the angler fish stock, it is important that scientists learn lessons from them, just as fisherman—to be fair, it is a balanced relationship—sometimes need to learn lessons from the scientists.

I think I heard the Minister, in response to an earlier question, make the telling remark that fishermen and scientists need to take responsibility for the management of the fishery. Indeed, one of the failings of the annual fisheries debate is the fact that we are here at all, debating the details about the relationship between nephrops and cod, and cod and haddock, and about what will happen in area VII and the North sea. Politicians, who merely dip into the subject from time to time, are not best placed to make decisions on those subjects.

The Minister must admit that when he goes to negotiations such as those in the Council of Ministers, which he is soon to attend, the Ministers, even with the benefit of their best experts' advice, are likely to come up with a political fix. That is what happens each year. All the evidence is pushing us towards recognising the need to give fishermen and scientists genuine responsibility for the management of their fisheries in devolved regions.

Mr. Blizzard: The hon. Gentleman is talking about fishermen and scientists. Does he also acknowledge the substantial contribution made to the local economy in his constituency and mine, and in the others all round our coasts, by recreational sea angling, which I believe is worth about £1 billion a year? Does he agree that as politicians we should give some thought to how we can manage the stocks immediately around our coast so that sea angling is encouraged, and can continue to make that important contribution?

Andrew George: Yes, but there are also other stakeholders who should be involved in the discussions and the production of management plans. Fishermen and scientists are the two groups that tend to lock horns most on the issue of what is best overall for fisheries management. Clearly they need to be there as two of the main stakeholders in any decision-making process, but the hon. Gentleman is right to say that recreational sea anglers, too, need to be represented. Indeed, it was sea anglers who first drew attention to the problem of cetacean by-catch in western waters. They also pointed out that pair trawling was having a detrimental impact on bass stocks, which normally made a substantial contribution to the local economy of the coastal communities in the west, where many tourists are taken out to catch bass by line.

There are other stakeholders, too, such as processors and environmental bodies such as WWF, which is now engaged with the industry, including the Cornish Fish Producers Organisation, in the establishment of the new project in the south-west. There are many bodies that could play a constructive and productive role in the future of the regional management bodies.

There was a policy within the revised common fisheries policy to establish regional advisory councils. We were all disappointed that those were to be purely advisory, and in discussions with Commissioner Fischler it was encouraging that he wanted to develop that idea into regional fisheries management councils, but as a written answer from the Department received yesterday shows, a year into the policy, little has happened.

Most of the development has resulted from the industry's desire to push the process along, which has not been helped by either the Commission or the Government. In that written answer, the Minister who is here today says:

> "It will take time for effective RACs to develop, but fishermen and other interests active in international fisheries partnerships in the North sea, the Irish sea and the south west, the Baltic and the Mediterranean have already made good progress".—[*Official Report*, 8 December 2003; Vol. 415, c. 224W.]

That is largely the result of their own initiative, and not because the European Commission has pushed them in that direction. Support is needed if that policy is to make progress. We need to step up the momentum in delivering that policy.

I do not want to rehearse the arguments already made to some extent in interventions. The Minister will be armed with industry responses to specific proposals, especially for cod, monkfish, herring, haddock, nephrops and hake. However, it is clear that the industry is justified in querying the science. For example, the absolute measure for North sea cod spawning stock biomass shows an increase of around 60 per cent. over the past two years. That meets the SSB regeneration target of 30 per cent. that has been predicted, and planned for. Similarly, the hake recovery programme has been shown to have worked well so far. The Minister must take account of the variety of views about the science.

The same is true for the inevitability of a very significant mixed-fishery by-catch. There has been a high cod by-catch in western waters, for example. A lot of the area VII fishery is mixed, and the Minister must find new methods for the proper management of such areas. We need a more sophisticated and localised method of fisheries management, as it cannot be denied that the CFP has been extremely damaging to fishing communities, fish stocks and fishermen. We must move away as quickly as possible from the centralised basis of the CFP.

Mr. Owen Paterson (North Shropshire) (Con): Does the hon. Gentleman therefore endorse the views of his colleague in Scotland, Mr. Tavish Scott, a member of the coalition Government in Scotland, who said:

> "The CFP has failed fishermen, fishing communities and fish stocks and must end."

That view has been endorsed by the hon. Member for Orkney and Shetland (Mr. Carmichael).

Andrew George: Yes. The CFP has failed in exactly the way that has been described. I am sure that the hon. Gentleman understands that we need to examine credible solutions that will deliver a better future for fishermen. However, the Conservatives were responsible for fisheries policy for 18 years, and never once in all that time did the apparently obvious—that they should unilaterally withdraw from the CFP—occur to them in a blinding flash. It was not muttered or mentioned even once, but that suddenly became party policy a few nanoseconds after the Conservatives lost power in 1997. The Conservative policy on fishing has no credibility.

Shona McIsaac: Did the hon. Gentleman notice that the anti-European brigade exited the Chamber a few nanoseconds after the Opposition Front-Bench spokesman sat down, and as soon as my hon. Friend the Member for Western Isles (Mr. MacDonald) rose to speak? Unlike Conservative Members, he knows an awful lot about this subject.

Andrew George: That is certainly true. Although many hon. Members are genuinely concerned about the future of a serious industry, it is tragic that many fishing communities and fishermen are used as convenient front-line troops in an anti-European war by many Members who represent land-locked constituencies. We need serious and credible solutions. If we can suspend disbelief and concede that the Conservatives have a policy that is legally and technically attainable, let us scrutinise it. I keep an open mind on all these issues, but I fundamentally believe that we should have a policy that is deliverable and that gives fishermen in the UK a better future than is currently projected for them. I am always prepared to consider alternative approaches.

I strongly endorse the views expressed by several hon. Members, including the hon. Member for Maldon and East Chelmsford, about industrial fishing. We need a more robust debate on that issue. We should take that bull by the horns, because such fishing has a detrimental effect on the stocks of sand eels and scad. As has been shown, a significant by-catch of white fish is also associated with industrial fishing.

I draw the Minister's attention to a deep concern in some coastal communities about the six and 12-mile zones. Fishermen in my constituency use inshore boats to fish to the six-mile limit, but they often find large French trawlers trawling across their fixed gear. That is happening with increasing frequency, and damage occurs to gear in many cases. That restricts many cove fishermen from the far west of Cornwall to within the

[Andrew George]

six-mile limit, and it does not give them room for manoeuvre. Those fishermen already face tremendous problems, so they need our support.

A serious problem also relates to the future of small cove boats. Fishing from boats of less than 8 m—those that are dragged up the beaches in many coves in Cornwall and the south-west—is often restricted by quotas. Such boats use sustainable methods to catch shellfish and other species, and it is argued that they should form a sub-group below the 10 m restrictions and have different regulations applied to them.

I also wish to caution the Minister about the shellfish licensing scheme, which will be implemented progressively from January to April next year. Many young people are now able to enter the inshore industry literally with a punt and go out to catch crab. They have traditionally been able to build their own businesses in that way. Even though the shellfish licensing scheme provides them with the freedom to catch five lobster and 25 crab, that would not provide them with sufficient opportunity to succeed. Such young people are the future lifeblood of the inshore industry in many coves, and I would like the Minister to consider ways of protecting quotas so that young entrants are not excluded from the industry. There is concern in some communities that the introduction of shellfish licensing will mean the end of cove fishing.

With those remarks, Mr. Deputy Speaker, I thank you for your forbearance.

6.9 pm

Mr. Frank Doran (Aberdeen, Central) (Lab): I want to make a short contribution about the processing side of the industry and to address other issues that have been raised. My primary constituency concern is processing, because Aberdeen lost its main fishing fleet many years ago. A number of issues are of concern to the industry. The major one is that it has become increasingly difficult to secure regular supplies of fish. I think that, if the Minister answered that point directly, he would tell me that the fish processing industry has had quite a good year this year. That is true, but a lot of it has come on the back of imported fish. Most primary processors depend on regular supplies of locally caught white fish. That remains a concern and I ask him to keep himself fully apprised of it.

The industry is constantly struggling against the difficulties of regulation. Every time I get to my feet in the Chamber to talk about it, new problems seem to have been raised. At the moment, two issues are causing concern: animal by-products legislation and the Pollution Prevention and Control Act 1999, which is having serious cost implications for the industry. I will write to the Minister about particular concerns on that. There is another major issue. Some sections of the industry went through a difficult period at exactly the same time as the catching side but have not had the same help. There is a sense that it is a two-tier industry. I simply put that point on the record.

I will not labour the points, but I want to use the rest of the time available to me to pick up on what was said by the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale). The points he raised are important. Although I do not want to say that I have swallowed them hook, line and sinker—he would not expect me to do that—the way in which the Conservatives and the Scottish National party are addressing the issue sends a warning to the Government. It is important that we do not indulge in the usual political rhetoric and try to brush them off, because there are difficulties.

Before making my points, I want to say that I listened carefully to the hon. Gentleman's speech. He tried to persuade us all of the virtues of independence. The nationalists and the Tory party have always been close—we have known that in Scotland—and it was interesting to hear that being pointed out today. He picked a number of unfortunate examples that do not bear scrutiny, mentioning Norway, the Faroes and the Falklands.

The Norwegian industry is quite different from ours. Apart from its importance to a country the size of Norway, it has been heavily subsidised and modernised with the aid of oil money. The nationalists will say that we could do that in Scotland, but I am not going down that road. Those factors distinguish it from our industry. Its importance compared with that of the UK industry is different. The importance of the Faroese industry is similar, as fishing is the major industry there, as it is in Iceland. Apart from tourism and the possibility of oil, it is difficult to see what other major industry the Faroes might have. Therefore, we are talking about a completely different situation.

What amused me was the hon. Gentleman's reference to the Falklands. I have been there and seen its industry. There is virtually no indigenous fishing industry in the Falklands. There is no fishing fleet. The Falklanders sell their licences to foreign vessels, making £40 million to £50 million a year, which has transformed the Falklands economy. I think that there is an argument, although fish processors in my constituency do not want to hear it, for learning one lesson from the Falklands—I refer to the idea of selling licences each year. However, some fishermen have spent thousands of pounds in buying up licences for quota, so they would be greatly opposed to that idea.

On the basis of how the Scottish nationalists and the Conservatives are reacting and from what I know about my area, there are real problems with how the common fisheries policy is managed. It is important to see how the stakeholders are reacting to the management of the CFP. It suggests that we are at a fairly advanced stage in the breakdown of trust in the process. That means that we are in real difficulties. I do not need to go into the details, because the Minister has already heard the various interventions about those matters.

I always listen carefully to the fishermen in my constituency. I have been involved in these debates since I was first elected to this place in 1997. Throughout that period, mistrust in the Commission was never as strong as it is now. We have heard the word "contempt" used, but I believe that that is too strong because most people in the industry know that they depend on the Commission for their future. Nevertheless, serious concerns remain about the management of the CFP. Every year around December, there are a couple of months of panic as the scientists produce their report, the Commission produces its response and the various forces within the EU go into battle to deal with the issues.

Angus Robertson: Does the hon. Gentleman share my concern and that of hon. Members on both sides of the House, including members of the European Scrutiny Committee, that, with the entrenchment of the common fisheries policy and with fishing becoming an exclusive competence in the EU constitution, we are taking a dangerous step backwards? Will he urge his Front-Bench colleagues, in the few remaining weeks of the IGC, to turn that position around?

Mr. Doran: I am not going down that road. The hon. Gentleman knows that many issues, in which we have both been involved, remain open to negotiation. I hope that that is one of the issues that will be dealt with. The whole basis of the negotiations is of major concern. There is a major rift between the industry and the scientists. We all welcome the advice and we need hard facts. I looked, for example, at the briefing from the Scottish Fishermen's Federation. It is a modest and serious briefing, throughout which there are constant challenges to the scientific evidence.

Mr. Carmichael *rose—*

Mr. Doran: I want to finish my points and I know that other hon. Members want to contribute to the debate.

The industry has gone through two years of trauma, in which the Scottish fleet has been reduced by half. We heard this morning from the chief executive of the Sea Fish Industry Authority that the income of operators in the white fish catching side of the industry has decreased by another 30 per cent. this year. There are serious issues here. If the stakeholders are losing confidence in the process, the process will fail.

It is no accident that both the Conservatives and the nationalists have adopted withdrawal from the CFP as the main plank in their fisheries policy. I certainly do not support that policy, which is nonsense and populist and will be extremely damaging to our fishing industry. At the same time, however, the Government must pay attention to what is happening on the ground. Debates about the future of the industry have moved on immensely since the Government were elected in 1997. Everyone in the industry awaits the report from the strategy unit due in 2003, which will make an important contribution to the debate. Somehow or other, we must get the message across to the Commission that it must understand the growing problems created by the management of our industry.

6.19 pm

Ann Winterton (Congleton): I wish to begin by genuinely wishing the Minister well in the forthcoming negotiations at the Council of Ministers. For him, it will be a baptism of fire, but it is essential for the actual survival of the industry that he is successful and salvages what he can for the UK fishing industry. It will not be a straightforward meeting at which the UK can make real progress, because the proposals come directly from the Commission and will already be cut and dried. It must also be recognised that the Council of Ministers cannot change the Commission's proposals other than by unanimity. The Commission is, after all, the guardian of the treaties and therefore works only within the confines of those treaties.

My hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) clearly and succinctly described to the House the policy espoused by the Conservative party, but I want to correct the impression that it is a recent policy. I remind the House that the former hon. Member for Teignbridge first introduced it, followed by myself—

Mr. Blizzard: He was sacked.

Ann Winterton: As was I. However, the policy will not be sacked, because it is right. The post was then held, with great distinction, by my hon. Friend the Member for South Holland and The Deepings (Mr. Hayes), who has not been sacked. Now we have my hon. Friend the Member for Maldon and East Chelmsford, and I would put money on him not being sacked. He will stay and carry the policy through into government.

Mr. Blizzard: Will the hon. Lady give way?

Ann Winterton: No. The hon. Gentleman has already intervened many times today. He should make his own speech, rather than trying to be reported in his local newspaper by intervening on other hon. Members.

Mr. Salmond: I would not dispute for a second the hon. Lady's consistency on this matter. When I referred to a recent policy, it was not the policy of withdrawal from the common fisheries policy, but the recent realisation that the European Convention provides the lever to bring about the fundamental renegotiation of fisheries policy. That is the recent conversion.

Ann Winterton: I was actually addressing the point made by the Liberal Democrat spokesman. I am pleased to support the Bill of the hon. Member for Banff and Buchan (Mr. Salmond). He has been converted rather late on the road to Damascus, but he is welcome to join those of us who support the policy of national control.

During a recent Department for Environment, Food and Rural Affairs Question Time, the hon. Member for St. Ives (Andrew George) asked:

> "Does the Minister agree that those who claim that we can unilaterally withdraw from the common fisheries policy are engaged in creating an irresponsible diversion and perpetrating a cruel hoax on desperate fishing communities?"

The cruel hoax is being perpetrated not by the growing number of hon. Members who support national controls, because they put forward the truth, unpalatable as it is to some; it is being perpetrated by their accusers. The hon. Gentleman continued:

> "Does he therefore agree that the UK should now take the lead, grab the issue by the scruff of the neck, go back to the drawing board, and acknowledge that the centralised basis of the common fisheries policy should be scrapped and replaced with a robust, devolved, regional management structure?"—[*Official Report*, 20 November 2003; Vol. 162, c. 938.]

The Minister agreed with him, and by so doing displayed the breathtaking lack of knowledge and understanding that the original question exhibited. Frankly, it does not bode well for the forthcoming

[Ann Winterton]

negotiations when the Minister and the Liberal Democrat Front-Bench spokesman, who represents a south-west constituency, are either ignorant of the structure of the European Union and the rules within which we have to work or just do not want to know. No wonder fishermen in the UK industry are in such a desperate state. That solution is not credible.

First, if we wanted to scrap the centralised basis of the CFP, as confirmed by the Foreign Secretary on 22 October at column 389 in reply to the hon. Member for Perth (Annabelle Ewing), we would have to scrap the terms of our accession to the EEC in 1973, which included the principle of equal access to a common resource without discrimination. In other words, we would have to withdraw from the CFP, which is exactly what the Conservative party have been saying for several years.

More often than not, the Liberal Democrats—with the honourable exception of the hon. Member for Orkney and Shetland (Mr. Carmichael), who sensibly consulted his constituents and now supports national control—say different things to different constituencies throughout the United Kingdom. An obvious example, which was mentioned earlier, was provided by the MSP for Shetland, one Tavish Scott, who supports national control while he is in Shetland but who, as a Minister in the Scottish Executive, supports the Liberal Democrat party line of regional management. Something about trying to have one's cake and eat it springs to mind.

Do the Minister, the hon. Member for St. Ives and other Liberal Democrat Members realise that, with the support of new Labour, they are trying to scrap the CFP? Perhaps the penny has not dropped. If, as they said on 20 November, they want the CFP to be replaced by a robust, devolved, proper regional management structure, perhaps they can tell us how that will be achieved. Commissioner Fischler has already made it clear in relation to Baltic cod that the principle of subsidiarity does not apply to fisheries, so can the Minister or the hon. Member for St. Ives tell us how they will obtain the treaty changes necessary for the type of regional management they support, instead of our being fobbed off with toothless regional councils?

Andrew George: It would of course be churlish of me to point out Tory inconsistencies, although I understand that, on a number of occasions, the Conservative MEP in Scotland has taken a different view of fisheries matters from that of his party. If we assume that the Conservatives have adopted their policy with the best of intentions and that it is neither naked populism nor opposition for opposition's sake, will the hon. Lady at least accept that there is a question of interpretation? Will she keep an open mind as to the possibility technically of delivering a decentralised system, just as I am prepared to keep an open mind about the legality of her claim?

Ann Winterton: All the Scottish MEPs are in favour of national control. In fact, the hon. Gentleman has some questions to answer. I am posing questions to the Liberal Democrats about their party's policy; it is about time they stopped trying to play it both ways. The hon. Gentleman should tell the House precisely—

Mr. MacDonald: Will the hon. Lady give way?

Ann Winterton: No, I am responding to the hon. Member for St. Ives. I want him to tell the House precisely how the Liberal Democrats will achieve those vital treaty changes and I suggest that he stop trying to deceive fishermen.

Mr. MacDonald: Will the hon. Lady give way?

Ann Winterton: I have only three minutes left for my speech, so I intend to continue.

During the same oral questions to which I referred earlier, the Minister accused me of annoying countries with which we would have to negotiate reciprocal arrangements in the event of national control. Let me assure him that Iceland, the Faroes and Norway have made it perfectly clear that they would not even contemplate EU membership unless national control of fisheries was in place. Furthermore, those countries would rather negotiate with the United Kingdom than with the whole European Union.

What is also staggering is that on 20 November at column 972 of *Hansard*, the Leader of the House described the other place as unelected and undemocratic, yet the UK fisheries Minister considers it best to relinquish responsibility for the British nation's marine resources and for them to be controlled by an unelected, undemocratic and corrupt Commission. The Government have no principle and no consistency, and they are all over the place.

I can only say, to the repeated hollow cry that establishing national control will mean leaving the European Union, "What arrant nonsense!" I did not notice France or Germany at the exit door as they broke their treaty obligations on the stability pact; in fact, they seem to be in the driving seat, with the British whimpering at the sidelines.

On 11 November, during my Adjournment debate on the demise of cod in the British sector, the Minister threw down the gauntlet—he has repeated this twice today—challenging me to produce alternative science. I responded to that challenge by writing to him on 20 November—I have not yet received an acknowledgement or a reply—inviting him to chair a meeting to be held in the House of Commons in the spring, at which scientists of my choice will debate and challenge the scientists who advise him. I very much hope that he will agree to attend, although the meeting will take place anyway. If neither the Minister nor the scientists whom he nominates is present, a clear indication will be given to the fishing industry that the Government's actions cannot be defended, and they will stand condemned in the eyes of fishermen as a result.

When the Prime Minister recently entertained the President of the United States of America in Sedgefield, they lunched, we are told, in a rather nice pub, on cod, chips and mushy peas. That delectable dish is the hallmark of Save Britain's Fish fringe meetings at Conservative party conference, which always attract maximum attendance, although haddock is served, rather than cod. I am glad that haddock is so plentiful at the moment, and we very much hope that changes will be made so that more can be caught in the future. The cod eaten on that occasion at Sedgefield came from the constituency of the right hon. Member for Hartlepool (Mr. Mandelson), and I hope there was nothing fishy about that.

The Prime Minister is on record as saying that he is very partial to fish and chips. What a pity his much-vaunted No. 10 strategy unit was not allowed to start examining fisheries policy with a clean sheet of paper, but was given specific orders: its remit was to stay within the bounds of the CFP. What a wasted opportunity and yet another piece of cruel deception and spin. The truth speaks louder than words, and it is not those who support national control who cruelly deceive but those who shine an imaginary light at the end of a very long tunnel of deception. United Kingdom fishermen will never prosper while policy remains in the CFP, and the fishing industry will suffer yet further emasculation. The only solution is national control based on—

Mr. Deputy Speaker: Order. The hon. Lady has had her time.

6.32 pm

Mr. Eddie McGrady (South Down) (SDLP): It is with some trepidation that I go from the global problems to the parochial problems of those fishermen in the Irish sea who fish off the County Down coast. The three most important fishing ports in Northern Ireland are on the County Down coast, and two of those are in my constituency. We have an added problem—I had hoped that it would not be a problem this year—in that our devolved institutions are suspended, and we have no local Minister responsible for fisheries to attend the Brussels negotiations. We are dependent on a no doubt able person to represent third hand the concerns and views of the Northern Ireland fishing industry.

Fishermen's observations regarding the Irish sea are usually criticised as self-interested, but we have evidence from independent scientists that the fishermen's assessment, in fact, has justification. I was rather disappointed during the early part of the Minister's introduction, when he called such scientists dissidents, as opposed to people with dissenting opinions. Those two terms have different meanings in my vocabulary. A scientist's credibility should always be taken on board and he should not be castigated in any way simply because he has a different or opposing view.

Leaving that aside, the International Council for the Exploration of the Sea is much more positive for 2004 in respect of the Irish sea than it has been for many years. In fact, the chairman of the fishery science group stated at a recent meeting that the positive signs from the Irish sea had to be emphasised. We shall look to see how that emphasis on the positive aspects is reflected in the outcome of the negotiations.

Those positive signs include the fact that cod stocks in the Irish sea have increased by a multiple of three—three times what was there before. In the past year alone, the availability of Irish sea cod has increased by 40 per cent. Those are not the opinions of dissident scientists—the ICES scientists are advisers to the Commission. They go on to say that one of the most important species now, nephrops, remains robust.

Given that backcloth, the proposals coming out of Brussels indicate that that is not being taken on board. That is so desponding that it has driven the fishermen of Northern Ireland to the point where they, like many others, wish to withdraw from European fisheries policy. I am a committed European. In this instance, however, for serious, particular reasons, I would support a policy of withdrawal unless there is a meaningful, fair and alternative means of species preservation.

The Northern Ireland fishing fleet is very small. In the past 10 years, however, it has been halved. In the past three years, income right across the white fish industry has dropped by 76 per cent., and in relation to nephrops it has dropped by 40 per cent. The Northern Ireland fishing fleet has made a major contribution, suggested conservation measures, promoted them, participated in them and done a good deal more than its share. That should be taken on board.

When the measures in relation to closure of the Irish sea were introduced, the Northern Irish fishermen who had suffered since 2000 got no compensation. Yet when other UK fleet industries suffered the same fate, they received transitional aid.

Mrs. Humble: Does my hon. Friend recognise that Fleetwood fishermen, who were part of that Irish sea community, received no compensation either? They have been working closely with their colleagues in the Northern Ireland fishing communities to make sure that the cod recovery programme works, without receiving any compensation.

Mr. McGrady: I thank my hon. Friend for that intervention. Like me, she is fighting her corner of the Irish sea. I agree that the restricted days-at-sea efforts should be subject to some transitional aid. None was given in Northern Ireland, and none was given to the Fleetwood fleet. We envy the Scottish fishing industry, which, I understand, received some transitional aid, but it has the benefit of devolution.

If the 10 days per month at sea proposal is brought into effect in respect of the north Irish fleet, it will spell the death knell of that fleet. There is no doubt about that whatever. I remember reading back in 1991–92 a very special report from the European Community on the Irish sea. The report acknowledged the Irish sea's unique biomass and—of particular interest to me—the fact that the fishing communities of the east Down coast to which I refer were so dependent and so vulnerable to the ups and downs of the fishing industry that they required special consideration. I do not think that that report, which was accepted, was ever really put into practice. The specialness of the Irish sea's biomass and the total dependency of communities on fishing was never taken into account to facilitate its findings.

I could cite the views of several scientists that are much more optimistic than those mentioned by the Minister and give a degree of confidence about how things might go forward. Does the Minister realise that against scientific advice, there is a proposed reduction of the total allowable catch for Irish sea haddock stocks from 1,500 tonnes to 1,075 tonnes? Again against scientific advice, it has been suggested that the TAC for plaice should be reduced from the scientists'

[Mr. McGrady]

recommendation of 1,700 tonnes to 896 tonnes. We have heard about a 14 per cent. increase in the TAC for nephrops in the North sea, but although nephrops are one of the basic species fished in the Irish sea, it is proposed to reduce the TAC for nephrops by a further 340 tonnes.

We must take account of all those factors and the history of competition from fishermen from the Republic of Ireland. My constituency has a water border with the Republic of Ireland—Carlinford Lough. The restrictions on fishermen in the north of Ireland are not the same as those that apply two miles out at sea across an imaginary water border. The co-operation of these isles is vital if justice is to be done, so I ask the Minister to take on board some of the facts that I have presented tonight—albeit poorly. As someone said, politicians simply have to dip into a difficult science. I do not pretend to be an expert; I simply try to represent the views of my local fishermen and the communities that they sustain.

A separate Northern Ireland Minister of Agriculture and Rural Development will not represent our fishing industry at the talks this year, unlike the last year, so I ask the Minister to give special consideration to his ministerial colleague who will represent Northern Ireland, and remember that he has three huge Northern Ireland Departments to run—it is difficult enough to deal with only this issue. I ask—I almost beg—for special consideration to be given to the facts and for representatives from the Department for Agriculture and Rural Development in Northern Ireland to be given a fair hearing.

6.42 pm

Mr. Alex Salmond (Banff and Buchan) (SNP): I used to think that there was a constancy to the personnel in fishing debates—indeed, I used to think that the only thing that changed from debate to debate was the Conservative fishing spokesperson. This year, however, not only the Conservative spokesperson, but the Minister with responsibility for fisheries and the Secretary of State for Scotland have changed. I do not present that to the new Fisheries Minister as a warning. I merely suggest that his performance at the Fisheries Council might be important for his future career prospects, especially as far as fisheries MPs are concerned.

The loss to fishing communities of the jobs on which they depend has been more important than the change of personnel to fisheries spokespersons. Some 50 per cent.—half—of our Scottish white fish fleet has disappeared and been decommissioned over the past three years. A few years ago, Ross Finnie, the Scottish Minister for Environment and Rural Development, said that he would not preside over the destruction of the Scottish fishing industry, yet he and the Under-Secretary of State for Environment, Food and Rural Affairs, the hon. Member for Exeter (Mr. Bradshaw), are presiding over the destruction of the Scottish white fish fleet. That is not a forecast; it is what has happened.

The Scottish White Fish Producers Association and the Scottish Fishermen's Federation gave evidence to the all-party group on fisheries earlier today. They pointed out graphically that we are now in a situation in which every fishing boat in the North sea has 1,000 square miles in which to fish, which shows how few boats we have in our specialist white fish sector. Indeed, Michael Park, the chairman of the Scottish White Fish Producers Association, explained that his boat, the Denebula, had to sail 190 miles to help another fishing boat in distress this week because he was closest to it. That is the extent to which our boats and white fish sector have been denuded over the past three years. The industry is the lifeblood of our communities. The companies that depend on that white fish fleet for their orders—the engineers, ice factories, painters and carpenters—are under the most horrendous pressure and have been shamefully treated by the decommissioning scheme in Scotland.

If there were no fish in the sea, the situation would be regrettable, but perhaps nothing could be done. We are not in that situation, however. The sea is full of fish; it is just empty of fishermen. We heard that the herring and mackerel stocks are at high levels. Haddock stock is on a 32-year high in the North sea; indeed, we could walk to Norway on the haddock in that sea. Prawn stocks are in a robust condition. Cod stocks, although at a low level, are recovering. It might interest the Minister to know that monkfish in the North sea are assessed not on survey data, but purely on landing data. If the quota goes down, the landings go down and the quota is lowered again the following year. After the Minister's experience of monkfish stocks elsewhere, perhaps he will turn his attention to increasing the quota in the North sea, as any intelligent assessment would require and defend.

Mr. MacDonald: The hon. Gentleman's solution is unilateral withdrawal from the CFP, as set out in his private Member's Bill introduced at the end of the last Session. When I asked the House of Commons Library to evaluate his Bill, it said:

> "If the Bill were passed, it would not result in the UK withdrawing from the Common Fisheries Policy. That policy has been established by various EC Council Regulations, and no single country can simply repudiate them."

Surely his Bill and policy are a complete fraud and con on the fishing community.

Mr. Salmond: I relied heavily on two things in framing the Bill: the excellent Bill introduced by the hon. Member for Great Grimsby (Mr. Mitchell) and the advice of the House of Commons Clerks. The Bill was well founded. In a reply to a constituent of the hon. Member for Orkney and Shetland (Mr. Carmichael) just a few months ago, the Government explained that the UK Parliament could withdraw from the European Act 1972 or any part of that Act. The hon. Member for Western Isles (Mr. MacDonald) should check with his colleagues and Government before he launches attacks on me.

Ann Winterton: May I back up the hon. Gentleman's point? In a written answer to me, the Minister for Europe said:

> "The UK will honour its international treaty obligations until such time as Parliament decides to repeal the Acts that give effect to them."—*[Official Report*, 30 October 2003; Vol. 412, c. 360W.]

It is this place that decides, not the House of Commons Library.

Mr. Salmond: As the hon. Lady and I discussed a few moments ago, the European Convention offers the Government a huge opportunity to force the issue, if they had the political will to do so.

I have three specific points to make on the negotiations. The first is that for all the badinage, they are vital. I told the Minister about the haddock quota and I think that I got a favourable reply on the information from Seafish about the cod by-catch and haddock fishing. If he cannot secure the bountiful quota that we should have in the North sea, he will have committed a cardinal failure.

I understand that the Prime Minister's strategy unit is complimentary about the Faroese fishing policy. If the Faroese were managing the North sea haddock fishery, this year's quota would be set at 150,000 tonnes as opposed to the 37,000 tonnes suggested by the European Commission. For marketing reasons, the fishing industry would not suggest that the quota should be set that high, but if it were doubled to 80,000 tonnes, that would be worth £40 million to the hard-pressed Scottish fishing industry. Haddock is not the only species that needs to be decoupled from cod, but that quota will be the benchmark on which we judge the success or otherwise of this Fisheries Minister.

My second point relates to days at sea. The Minister was asked—I think he took it on board—about the huge reduction in capacity absorbed by the Scottish fleet, and the English fleet to a lesser extent, over the past few years. It would be incredible if the Scottish fleet ended up with the same number of days at sea as the Irish or French fleets, which have increased in size. We must make sure, whether it comes out of annexe XVII or annexe V, that we do not end up, having decommissioned half our fleet, with no benefits accruing to the half that remains. The Minister should understand that the fishing entitlement of the decommissioned boats has not gone to the boats that remain. We are in the dreadful position that the people who are still in the industry are not getting the benefit from less fishing effort that has been applied in the North sea and elsewhere.

Thirdly—this is a point for the Government as well as for other interests—I am sick and tired of hearing arguments from celebrity chefs, environmental organisations, the Government and companies such as Birds Eye on which it is carelessly said that the North sea is denuded of fish, when that is not the case. That claim has been a significant factor, as Seafish told us today, in the reducing the demand for our excellent products over the past year.

Instead of arguing from that position, the Minister should be addressing the need for more money for Seafish to promote fish. He should be looking carefully at funding for the processing sector to enable it to move into higher value-added markets. He should be refuting, not encouraging, suggestions that there are no fish in the North sea and elsewhere.

I move on to the European Convention. I think that the Minister is missing the point, as all Fisheries Ministers on being relegated in importance within the Government are bound to miss, perhaps, that it offers a huge opportunity. The hon. Member for Birmingham, Edgbaston (Ms Stuart), the Labour representative on the Convention said today:

> "The process in the convention was riddled with imperfections and moulded by a largely unaccountable political elite, set on a particular outcome from the ... start ... There are certain provisions in there which I think the British government would find unacceptable."

Professor Neil MacCormick, MEP, head of constitutional law at Edinburgh university for 20 years and the SNP representative on the Convention said:

> "At this time, public opinion leans strongly towards transferring substantial powers back to Member States or to Zonal Management Authorities involving regional groups of Member States. It is quite unacceptable to enact a new constitutional entrenchment that will make any change in practice harder to achieve".

Putting into the Convention, as an exclusive competence, a failed policy such as the common fisheries policy is a step backwards, or a step further into the mire into which successive Governments have taken the industry.

The question that fishing communities ask is, I suppose, the same question that was asked after the revelations that 30 years ago they were considered in the European negotiations as "expendable" in the light of Britain's wider interests. That is not something that those in the fishing community have made up—civil service documents released under the 30-year rule stated that the Government of the day regarded Scottish fishermen as "expendable" in the light of Britain's wider interests. We suspect that in common with Lord Owen, Lady Thatcher and John Major's Government, the present Government still regard those fishermen as expendable in the light of other negotiations.

Why cannot fishing be a red line issue? Why cannot fishing be the priority in negotiations? Why cannot the unanimity that is required within the European Convention and the intergovernmental conference be used to extract concessions and the dismantling of the common fisheries policy, which has caused so much damage to our fishing communities?

I do not doubt the good intentions of the Fisheries Minister, I merely say to him as gently as I can that whereas he has been in office for 180 days, I have been representing the Banff and Buchan fishing community for 16 years in this place. The hon. Member for Great Grimsby has been representing his constituents since before recorded parliamentary history in this place. What has drawn us and others to the conclusion that the CFP is fundamentally flawed and needs to be dismantled? It is not party political banter. It is not talking about who said what and when. It is the effect that the policy has had on once thriving fishing communities. It is the damage that the policy is still inflicting on the industry that we have left. It is the lost opportunity of a magnificent crop of haddock not being accessible to fishing boats, to fish processors and to the fishing support industry, which require it at a time when any rational policy would set out that that should be done. In a private meeting with the Minister last week I quoted remarks made by David Griffith, the head of the International Council for the Exploration of the Sea, in a radio debate that we had in late October. He said that if ICES had the information, it would have made the same recommendation as we have about the haddock

[Mr. Salmond]

stock. Instead of telling me that I was quoting David Griffith out of context, which I was not, the Minister should make sure that fishing opportunities are realised and, just once, ensure that the fishing industry and our communities are a priority for Westminster Government.

6.55 pm

Mrs. Joan Humble (Blackpool, North and Fleetwood) (Lab): Like many Members in the Chamber, for the past few years I have talked about the depressing situation of our fishing industry and the European quotas. This year, paradoxically, the backdrop to our debate is, for the fishermen of Fleetwood in my constituency, a success story in the Irish sea, which makes the cuts that they now face all the more bewildering.

I should like to clarify a point that I made in an intervention on the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale). I referred to the Irish sea cod recovery programme, which he interpreted as support for the common fisheries policy. However, I should like to point out that nobody in the Chamber thinks that the CFP is an unmitigated success. In my own constituency, the fishing fleet has deteriorated and declined over the past 10 years. However, I should like to emphasise the fact that the fishermen of Fleetwood and many of the fishing communities around the Irish sea accept that fish stocks need to be conserved if they are to have hope for the future. They want fairness from the CFP for all the different national vessels that fish the Irish sea, and have worked hard to make sure that the CFP works.

We are now in the fourth year of that policy, and the fishermen tell me that when they go out they see not just more cod but more mature cod. They are catching mature cod, not codlings. They are therefore seeing the success of their investment, but have been told that they cannot profit from it. That is the difficulty that they are experiencing, and that is the message that the Minister must take to his meetings in Europe. There has been a reduction in the British fishing effort, and spawning stock biomass has increased. Unfortunately, however, the Belgians and the southern Irish have not decommissioned any of their fleet, and their catch of cod and plaice has gone up, while ours has gone down.

The European Commission must accept that it will only secure support for its proposals if it manages to achieve a balance between stock recovery and vessel viability. Fleetwood fishermen need to earn a living, and whatever the Commission's decision, it must guarantee that. The Fleetwood fishermen have been working closely with other Irish sea communities, and have formed the Pan-Irish Sea Alliance, whose immediate priority is that

"the biological distinctiveness of the Irish Sea and adjacent fisheries be fully recognised and taken into account by the Commission and Council of Ministers."

Many fishermen who target the Irish sea are concerned that proposals that may be appropriate for the North sea or Scottish waters are not appropriate for the Irish sea—we need our own special measures and recognition of what mixed fishery means in the Irish sea.

The objectives of the Pan-Irish Sea Alliance include the need for

"central involvement of the fishing industry in all management decisions."

I urge my hon. Friend the Minister, when considering reform of the CFP, to ensure that we get regional management for the fishing industry. PISA also calls for further

"involvement of fishermen in the collation and interpretation of scientific data of all stocks and setting of management objectives."

I repeat the point that many other people have made about the need to listen to fishermen. They have a voice and it is as important as the voice of the scientists.

Another key objective is building fish stocks to optimum harvesting levels, recognising the natural fluctuations in species' levels. Those alter from year to year, and we should not panic and bring in draconian measures if a species' numbers go down one year, just as we should not allow over-fishing if the stocks go up a little in one year.

In every annual debate I have argued that the voice of the fishermen must be listened to. That is why I welcome my hon. Friend the Minister's comments that he is considering much closer working between fishermen and scientists. That will be vital. Such collaboration is set against huge reductions in quota over the past several years. In 1996 the cod quota from area VIIa was 288 tonnes. Next year it will be reduced by 75 per cent. In 1996 the sole quota was 83 tonnes. Next year it will be just 5 tonnes. That is a 94 per cent. reduction. The plaice quota will be down 85 per cent. since 1996 and the whiting quota will be down by 96 per cent.

There is serious concern, especially about the proposals for a substantial reduction in plaice quota. Over the past three or four years of the cod recovery programme, because Fleetwood fishermen could not target cod, they targeted plaice. Now they are being told that they can catch a little more cod, but at the cost of not being able to catch the fish that they have been catching successfully over the past three years. The irony is that Irish sea plaice is being fished within safe biological limits. The advice from the Advisory Committee on Fisheries Management in October was for a roll-over. Why is the advice now a 46 per cent. cut? What has happened between October and now?

Fleetwood fishermen need an answer to that, because without that plaice quota, they will be in serious difficulties. They are concerned that they seem to be taking a disproportionate share of the pain of managing the cod recovery programme. They see Belgian beamers increasing their cod by-catch by a large amount—it went up from 283 tonnes in 2001 to 318 tonnes in 2002. In three months Belgian beamers—I cite them not because I am anti-Belgian, but because it is a blatant example of what is happening—are taking three times as much cod as the Fleetwood fish producers organisation is allowed for a year. That is not seen as fair by the fishermen of Fleetwood.

As my hon. Friend the Member for South Down (Mr. McGrady) mentioned, the advice from ICES is that the spawning biomass of cod has tripled. The Irish sea cod recovery programme is working, so why does the European Commission not recognise that Fleetwood fishermen, who contributed to that, should be allowed to earn a livelihood? The Commission seems to be linking the catching of cod with the catching of plaice. I urge my hon. Friend the Minister to consider whether that link exists. Fleetwood fishermen tell me that when they catch plaice, they are not catching cod. The plaice quota could be increased while protecting the improvement in cod stocks.

Tom Watson of the Fleetwood fish producers organisation is quoted in *Fishing News* of 5 December as saying:

> "Fleetwood's fishing industry is not dead by a long way. There are people in it who are doing well, but it can't take any more knocks. We will fight tooth and nail to stop a cod ban or any quota cuts."

So will I. I am standing up to defend the fishermen of my community, and I urge my hon. Friend to fulfil the promise that he made at the beginning of his address to us that he will defend fishing communities and, if there are cuts that are disproportionate and not justified by science, he will fight against them. I urge him in the strongest terms to do that at the Council of Ministers meeting.

7.4 pm

Rev. Ian Paisley (North Antrim) (DUP): I have been in this House longer than most Members sitting around me today—more than 30 years in the House and 25 years in Europe—and this is a matter of great seriousness; it is not a party political issue. It unites all the people who are associated with and know the needs of the fishing industry and what it faces.

No one would say that the hon. Member for South Down (Mr. McGrady) and the hon. Member for North Antrim agree on the big issues in Northern Ireland, but we agree on this. I should like to put it on record that I am grateful to the hon. Gentleman because he graciously hung up all over Northern Ireland a beautiful photograph of me and my son. It is not very often that the opposition puts out photographs of its opposition, and I am grateful, but it did not have the decency to send me a copy. I had to go round and get one when the election was over.

Mr. McGrady: I guarantee to send the hon. Gentleman an autographed photograph.

Rev. Ian Paisley: The photograph was auctioned for my election, and I obtained a massive sum—I will not say how much—but what money a photograph autographed by the hon. Gentleman could bring in. I thank him. I await the day.

The House should remember that when we joined the Common Market, as it was then, we controlled, owned and had sovereignty over a vast stretch of territorial waters. We were told by people who wanted us to join the Common Market that, as the voting was based on a weighted majority, we would always be able to protect our fishermen. But the fishing industry today is only a slight shadow of what it was. This jewel in the crown of industry has been taken away from us bit by bit. Those who control it are interested not in the well-being of fisherman in Britain, but in the well-being of fishermen in their own countries, and, unlike Britain, those countries do not police the regulations against fishermen—and they get away with it.

Our once prosperous fleet is tiny today. In 1993, 213 commercial fishing vessels were registered in the Northern Ireland fishing fleet. By the beginning of 2003, that had been reduced to 136, and with the continuing decommissioning schemes the number has now been reduced to around 110. Since 1999, the average profit, before depreciation, of a Northern Irish-based whitefish trawler has fallen by 76 per cent. to £10,400. The average profit of a nephrop trawler has fallen by 48 per cent. to £15,600. That is a reflection of the imposition of four years of temporary closures in the spring of the year, which have removed the whitefish fleet's main fishing season and led to an increased supply of nephrops undermining the market for all nephrop fishermen.

I speak for the fishermen who have asked me to take part in this debate tonight, and if this plan, or any semblance of it, goes through, it will sound the final death knell of the local fishing fleet, and I am sure that my friend across the way, the hon. Member for South Down, will agree with that, as will my hon. Friend the Member for Strangford (Mrs. Robinson) who represents the other large part of the fishing industry in South Down. This is a very serious matter.

I was saddened at the start of the debate when the Minister said that he felt that there was something wrong in respect of fishermen and scientists. I sat in a meeting at Brussels—I would like him to remember this—and we argued the matter out. The fishermen said, "All right, you say that the scientists want to hear our side," and they named a boat, appointed a day and gave a schedule so that the scientists could go out in the boat with them, allowing them to show the scientists what they saw when they were at sea. Not one of the scientists turned up. I must ask why. I am glad that the Minister has said that encouragement is being given, as there is a battle between certain scientists and the fishermen, who think that the truth is not being fully told.

The time has come when that obstacle must be overcome. The scientists must see that they can make mistakes and recognise that, while the fishermen are filled with zeal about keeping their fisheries, they are also the friend of the fish. If the fish are destroyed, their activity will be destroyed as well. Let us think of the fishermen. They do not want to put out of existence their own industry.

The Minister will face a difficult situation, as this decision will be taken not on the truth but on politics. Let no one in this House be mistaken about that. For all any of us know tonight, it is probably all fixed, fiddled and finished. If it is fixed, fiddled and finished, it will have dire consequences for our fishing industry and we will see the result in coming days. This is not a matter of being for or against the European Union or of what view we take of the constitution, but a matter of the well-being of our fishing industry. If the European Commission cannot look after our industry, let us look after it ourselves. What is wrong with that? Is there something immoral in a nation looking after its own fishing industry and in a person saying "We gave you the job and you failed; we do not have any waters or territorial claims, we have given everything that we could give and, at the end of the day, we have seen our fishing industry lost to society"?

In Northern Ireland, we cannot afford the loss of one job, let alone of this whole industry, as it feeds a number of fishing villages. In those villages, fishing provides

[Rev. Ian Paisley]

employment. Once we close down the boats, we will close down the village and the future of the men and women, and boys and girls, in that village.

I know a little about Europe and I say to the Minister that I pity him. He faces a hard task. One does not know why a man leaves a meeting and comes in again having had a road to Damascus experience. He will have suddenly changed because something has been offered to him—a pay-off. Our fishermen should not accept a pay-off. They deserve what is right, and I trust that the Minister will succeed in getting what is right for them.

7.14 pm

Lawrie Quinn (Scarborough and Whitby) (Lab): Yet again, I have the sense of "Groundhog Day" that I get at this time of year. I hope to keep my remarks brief so that at least one other Opposition Member representing a fishing community might say their piece for that community.

This morning, I was looking at this year's census figures. It staggered me to find out that only 138 people declared themselves as working in the fishing industry in my constituency. Even that number, if we extend it using the conventional multiplier of eight, means that about 1,000 people in my constituency work in the fishing industry. That is still a significant number.

The hon. Member for North Antrim (Rev. Ian Paisley) spoke of the road to Damascus. From the perspective of my constituents, I wish the Minister well on his road to Brussels, and I hope that he tries to achieve the best he can from those negotiations.

As is traditional in this debate, we have already been told that, sadly, people die in the fishing industry every year. I am passionate about health and safety at work; it is a policy area to which I have tried to commit a lot of time, and I hope that the Minister will have the fullest regard to the perils that people in my constituency face when they go to sea. When he is considering subjects such as days at sea, I hope that he will understand the pressures that people going out to sea face as they try to maximise their achievement in reclaiming the harvest that they feel is their own.

The Minister knows only too well that the current chairman of the National Federation of Fishermen's Organisations in England is one of my constituents, Mr. Arnold Locker, and that one of his close colleagues is Mr. Fred Normandale, the master of the Alliance fishing organisation in Scarborough. He knows those two individuals very well. He talked at some length about his concerns about enforcement and the pressure that the Commission is bringing to bear on the British fishing industry, and I ask him to have due regard to the recent court case in which Mr. Locker, Mr. Normandale and seven other of my constituents faced charges for allegedly breaching the enforcement measures.

As the Minister knows, since the summer I have been trying to have a conversation with him, but, regrettably, for some reason his diary did not permit that conversation to take place. There is a need to bring not only the inspectors but everyone involved in enforcement, especially in the English industry, round the table to think about how they can try to manage that difficult area.

The Minister will know that the case was thrown out, at considerable cost to his Department, because the breach was alleged to have occurred a month before the notice and the regulation took effect. The fact that such a fundamental mistake could be made, wasting much time and money and causing great distress to my constituents, is a disgrace, and I urge the Minister to go back to his Department and try to encourage the more co-operative partnership approach that he described earlier.

Like many of my constituents, I regarded the Prime Minister's intervention earlier this year, and his commissioning of a strategic report on the fishing industry, as quite hopeful. The report is very timely, but there is also major scepticism about it, not least on the part of Mr. Fred Normandale, who was quoted in the local newspaper as saying that it was rather like trying to rearrange the deckchairs on the Titanic. That conveys the sense of beleaguerment felt by many people who face the perils of the sea daily, when they consider the measure about which we hope we will hear conclusions in the near future.

Finally, I shall offer a little glimmer of hope and try to look beyond the difficult times that many people in my constituency and in the rest of the industry now face. In Whitby, there is a small success story. A sea fishing school has about a dozen apprentices learning their craft onshore before they go out to sea. I am pleased that youngsters wanting a career in the fishing industry come to Whitby from all over the UK, with the aim of learning how to ply their trade at sea.

I want my hon. Friend the Minister to take the message from Scarborough and Whitby to the difficult negotiations in Brussels. I want him to have regard for the youngsters who seek a future at sea. I notice that the Under-Secretary of State for Scotland, my hon. Friend the Member for Stirling (Mrs. McGuire), is sitting on the Front Bench next to the Minister. She knows only too well the difficulties faced by families who earn their living by going to sea in boats. Those people need skill and craft, but above all they need the hope that they have a sustainable future.

I wish my hon. Friend the Minister well in his attempts to secure the best outcome for this country.

7.20 pm

Mr. Alistair Carmichael (Orkney and Shetland): It is always a pleasure to follow the hon. Member for Scarborough and Whitby (Lawrie Quinn), who favoured us with a cogent and thoughtful analysis of the industry's problems. I endorse in particular his remarks about the problems of enforcement. I hope that the Minister will take them on board.

It bears saying that this debate is not about fish alone, but about people living in communities that depend on fish. It is difficult to overstate the importance of this issue to my constituency. As I did my tour of the outer isles of my constituency this summer, more than 100 people turned up to the Symbister hall in Whalsay to lobby me on the state of the fishing industry.

One of the most difficult things that I have ever had to do was to stand up in the Lerwick mission hall on 19 December last year, six days before Christmas, and face more than 100 skippers and crew members. I had to try to explain the bad, corrupt and downright deceitful deal foisted on them by people in Brussels. It was a vicious deal, and they were its victims. They were staring ruin in the face—that is the human cost of the decisions taken last year. I do not believe for one second that Franz Fischler could have been a party to that deal if he had had to stand where I had to stand on that day. That is why I say that the remoteness of Brussels in respect of fishing cannot be overstated.

We in Shetland have taken our share of the pain. Two years ago, we had a white fish fleet of 27 vessels fishing out of Lerwick, but today we have a fleet of 14. In the intervening period, the Zenith, the Harmony, the Donvale II, the Shannon, the Brighter Dawn, the Neptune, the Fear Not, the Madalia, the Langdale, the Andromeda, the Lomur, the Auriga, the Heatherbelle, and the Sarah Joan have either been decommissioned or sold. They have been lost to our community: 40 per cent. of the vessel capacity units have now been removed from the Shetland white fish fleet.

It is not just about the boats, but about the jobs that go with them. It is not just about the jobs on deck, either, but about the onshore jobs associated with them. I want to impress on the Minister the fact that we have suffered the pain, and are now looking for some of the gain. We are looking for a bit more stability in fisheries management. I want the Minister to accept the message, and to take it to Brussels with him, that there is now opportunity for growth in certain areas.

I turn first to the question of cod stocks. Figures from the International Council for the Exploration of the Sea show that there has been a 59 per cent. increase in those stocks in the past two years. If that increase is repeated this year—and the extent of decommissioning over the past 12 months means that that may be a conservative estimate—it is reasonable to expect that the spawning stock biomass of cod in the North sea will be in the region of 69,000 tonnes next year. The ICES figures show that 70,000 tonnes is the minimum safe biological level. Therefore, the ICES proposal earlier this year for a total closure of cod was completely ill judged. At the same time, recruitment to the cod stocks has stabilised and, more important, the cod mortality fishing rate is now half what it was in 2000. In fact, it is at its lowest since 1979.

With a little imagination, there is an opportunity to explore the way in which spatial management might be used to decouple cod stocks from those of haddock. I have already made the point to the Minister about the opportunities that are provided by annexe V and the proposal to allow 22 days at sea for those boats that are able to take less than 5 per cent. of their catch from cod. However, that will be of little benefit to anyone if it excludes boats that, in previous years, have a track record of taking more than 5 per cent. That is one fight that must be winnable for our white fish fleet, and it would make a remarkable difference to the situation in which it finds itself.

I share the irritation of the hon. Member for Banff and Buchan (Mr. Salmond) about the impression that, in some way or another, the North sea has been denuded of fish. I met an academic this morning who, at the end of our time together, told me that a fish van visited his village. He said that he liked to buy haddock from that van, but he was a bit concerned that buying haddock would affect the cod stocks. He knew that the level of cod stocks was critical. I told him that he was probably buying imported haddock so we perhaps should not go into that matter. However, I explained that if he was eating mature haddock, he would probably improve the recruitment to cod, so that his continuing to eat haddock might, in fact, do the cod a favour. If he really wants to help the stock of cod or that of any other species in the North sea, the one thing that he might do is stop eating Danish bacon. That is the ultimate destination of the sand eels and immature by-catch that industrial fishermen remove from the North sea.

As I have said to the Minister before, surely any proper application of the precautionary principle would mean that, instead of saying that the case that industrial fishing is damaging had not been proved, that point should be taken as self-evident. The burden of proof should be on the industrial fishermen to show that they are not damaging fish stocks by taking the amount that they do from the food chain.

The hon. Member for Banff and Buchan also mentioned monkfish. I emphasise the importance of monkfish to the fishermen in my constituency. My understanding is much the same as his. I believe that the stock levels that are prepared by ICES are made on the basis of landings and that there are no trawling data available specifically for monkfish. That is possibly because monkfish are inevitably a by-catch from other species; there is no targeted fishing of monkfish. Let us consider the figures. There was a 31 per cent. increase in the spawning stock biomass of monkfish this year, and there has been a 50 per cent. reduction in their fishing mortality over the past three years. The increased flexibility that the industry seeks for monkfish is crucial to the continued survival of a very fragile white fish fleet.

Sadly, nothing has been said about the pelagic sector, which is also of great importance to my constituency. It is healthy at present, but we must recognise that, like every other fishery sector, it will always remain vulnerable to bureaucratic micro-management from the centre. As others have said, we have an abundance of herring, but I draw the attention of the hon. Member for Aberdeen, Central (Mr. Doran) to what is said in the briefing supplied by the Scottish Fishermen's Federation. In relation to pelagic stocks and herring, it says:

> "The proposed increase of 11 per cent . . . in the southern component is less prudent."

That is a very responsible attitude for the federation to take.

We have also seen a slight downturn in the numbers of mackerel, but I hope that the Minister will take on board the concerns in the pelagic sector that an 8 per cent. reduction in the mackerel TAC is excessive and unnecessary. It is an over-reaction.

At this time of year, we always wish the Minister well. Indeed, we could not wish him anything other. He has a massive task ahead of him. I very much hope that he is equal to it, because the survival of fishing communities in my constituency, as in so many other places in this country, depends on his success.

7.29 pm

Mr. Peter Duncan (Galloway and Upper Nithsdale): It gives me pleasure to respond to the debate. The Opposition attach importance to the industry in Scotland, so it is a matter of some regret that the

[Mr. Peter Duncan]

Secretary of State for Scotland has not managed to find time in his diary to be with us today, not least in view of the effect on the economy of the disaster affecting the fishing industry, which, as my hon. Friend the Member for Maldon and East Chelmsford (Mr. Whittingdale) demonstrated, represents in excess of £780 million. Scotland will judge the Secretary of State's absence.

In the short time available, I must point to the incredible situation in which not one Back-Bench contribution gave unqualified support for the common fisheries policy. It has been a striking attribute of the debate that not one person free of the Government's whipping stood up to defend that which is doubtless indefensible. Indeed, only the Government are out of step with public opinion in the communities and opinion in the House.

The hon. Member for Orkney and Shetland (Mr. Carmichael) rightly said that the debate is not about numbers or ships; it is about communities, people, families and family businesses. Yesterday and the day before, I was in Pittenweem, Peterhead and Fraserburgh. I learned there of the devastation of the industry. In Fraserburgh, 600 jobs have gone since 1997 and people cannot look with certainty towards a fishing industry course at the local college next year. That scale of devastation in the industry is truly one that we cannot contemplate, and I am pleased to reassure hon. Members that the Opposition will not countenance it for much longer. I was presented with a photograph that amply demonstrates the cost to the British taxpayer of tearing up Scottish fishing vessels, which we learn are being built elsewhere with that same UK taxpayers' money.

For the avoidance of doubt, the CFP has been an environmental, ecological, social, commercial and economic disaster that Her Majesty's Opposition will not tolerate for any longer than is necessary. The communities in Scotland and the UK as a whole that are affected will want to hear explicit confirmation of our plans. We will shortly commence work with industry representatives on our strategy for managing our fish resources once we return to national control. However, we must not equivocate. One of the first priorities for the next Conservative Government will be negotiating the return of national control of our fishing.

We do not underestimate the price that our fishing communities have paid, and unlike the Government and the Minister, we are not complacent about the price that will still be paid between now and the general election. Shortly after it, the political will required to remove us from the disaster of a CFP will be provided by Her Majesty's official Opposition when we return to government. The communities affected will not be disappointed by the priority that we give to this matter. For too long—for 30 years too long—our communities have paid a high price. They will not pay that price for much longer.

7.33 pm

Mr. Bradshaw: It may be helpful to tell hon. Members—it may save their knee joints—that I am not going to take any interventions as I have only three or four minutes in which to speak. I think I was pretty generous in taking interventions during my opening remarks.

We have had a wide-ranging and mainly constructive debate that understandably concentrated on those parts of the fishing industry that are under pressure and highlighted concerns in advance of next week's all-important annual Fisheries Council. Before turning to those concerns, let me thank those Members in the Chamber who reminded the House that the fishing industry is more than the commercial white fish fleet.

My hon. Friend the Member for Waveney (Mr. Blizzard) rightly emphasised the importance of recreational fishing, which is worth £3 billion to the UK economy every year. My hon. Friend the Member for Aberdeen, Central (Mr. Doran) emphasised the importance of the fish processing industry, which is doing well in many parts of the UK. My hon. Friend the Member for Western Isles (Mr. MacDonald) stressed the health of the nephrops stocks off the west coast of Scotland. The hon. Member for St. Ives (Andrew George), who leads on fisheries for the Liberal Democrats, reminded the House that the crab and lobster fisheries in the south-west of England are thriving. My hon. Friend the Member for Cleethorpes (Shona McIsaac) spoke about the healthy state of the pelagic stocks, and, finally, my hon. Friend the Member for Scarborough and Whitby (Lawrie Quinn) made an important speech about the importance of safety in the fisheries industry. I associate myself entirely with his remarks about the sacrifice that fishermen make in a dangerous profession. He also rightly pointed to the importance of the forthcoming publication in the new year of the Prime Minister's strategy unit report on fisheries. I remind the House that this is the first time for 30 years that any Government of any political colour have had a proper long-term strategic look at the future of the fishing industry.

Let me turn to the matters that are at the forefront of most right hon. and hon. Members' minds: the forthcoming Council and the particular stocks that are under pressure. I am happy to give an assurance that I have listened to and will take into account the points made by individual Members in the debate this afternoon who admirably represented their own local industry interests.

My hon. Friend the Member for Western Isles asked about nephrops and a zonal approach off the west of Scotland. The special position of the Irish sea was highlighted by the hon. Members for South Down (Mr. McGrady) and for North Antrim (Rev. Ian Paisley). I reassure them that the Under-Secretary of State for Northern Ireland, my hon. Friend the Member for Dudley, South (Mr. Pearson), does an excellent job of representing Northern Ireland interests. I meet him regularly, just as I work closely with my colleague Ross Finnie and the Scottish Executive. We work in parallel, representing United Kingdom interests. My hon. Friend the Member for Blackpool, North and Fleetwood (Mrs. Humble) made a case on behalf of her fishermen in Fleetwood. Scottish and North sea Members want, as I do, to see maximum decoupling between cod and other species whose stocks are healthy.

Those were all sensible and constructive suggestions about how to fight for the best possible deal for our fishing industry. We want to fight for fishing opportunities while ensuring that the stocks under threat are allowed to recover. Several hon. Members advocated a constructive working relationship with our

EU partners and securing a better deal through a genuinely reformed common fisheries policy. I associate myself absolutely with the comments of the hon. Member for St. Ives about making faster progress with regional advisory councils.

Conservative Front Benchers are deluding themselves—and, I am afraid, the House—if they believe that all the problems of the UK fishing industry can be solved by a unilateral repatriation of fishing rights to the UK and a unilateral withdrawal from the common fisheries policy. Even if that were possible without leaving the EU as a whole—and anyone who knows anything about the matter knows that it is not—it would leave an isolated UK having to renegotiate with the whole of the rest of the European Union and the other nations to which they referred in the debate from a position of weakness and isolation. The idea that they could get a better deal for this country under those circumstances is, I am afraid, a cruel deception on the UK fishing industry.

I welcome the hon. Member for Maldon and East Chelmsford (Mr. Whittingdale) to his new position, but—

It being three hours after the commencement of proceedings, the motion for the Adjournment of the House lapsed, without Question put, pursuant to Order [8 December].

Shona McIsaac: On a point of order, Madam Deputy Speaker. Can you explain why the hon. Member for Congleton (Ann Winterton) was given 13 minutes to contribute to the debate? As far as I am aware, she does not represent a fishing community. I am such a representative, yet I was not called in the debate, so the voice of the fishing industry in Grimsby and Cleethorpes was not heard. What are the rules on time and constituency interest?

Madam Deputy Speaker: The hon. Member for Congleton (Ann Winterton) was allotted the standard time allowed in debates. As to the other point mentioned by the hon. Member for Cleethorpes (Shona McIsaac), the fact that Mr. Speaker imposed a time limit on the debate demonstrated his wish to try to get as many Members as possible to contribute to it.

Mr. Roy Beggs (East Antrim) (UUP): Further to that point of order, Madam Deputy Speaker. I wish to point out that many hon. Members did not have an opportunity to contribute to the debate, even though there is a crisis in the fishing industry. I ask those who organise Government affairs to take that into account for future debates.

Madam Deputy Speaker: We cannot go back to the debate now, but the hon. Member for East Antrim (Mr. Beggs) has put his remarks on the record.

BROADCASTING

Ordered,

That, for the purposes of its approval, the Amendment (Cm. 6075), dated 4th December 2003, to the Agreement (Cm. 3152) dated 25th January 1996 (as amended by the Amendment (Cm. 4797), dated 3rd July 2000), between the Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation, shall be treated as if it were an instrument subject to the provisions of Standing Order No. 118 (Standing Committees on Delegated Legislation).—*[Mr. Jim Murphy.]*

MODERNISATION OF THE HOUSE OF COMMONS

Ordered,

That Mr David Cameron be discharged from the Select Committee on Modernisation of the House of Commons and Mr Oliver Heald be added.—*[Mr. Jim Murphy.]*

PETITIONS

RAF Stafford

7.41 pm

Mr. David Kidney (Stafford): The Ministry of Defence is carrying out a review of air combat service support units that could have a catastrophic effect on RAF Stafford. That is why, in just the last three weeks, some 5,000 residents of Stafford and the surrounding area have signed a petition backing RAF Stafford. The first signature on the first page is, fittingly, the first citizen of Stafford borough and current mayor, Councillor John Russell. Also among the signatories is the chairman of Staffordshire county council, Councillor Eddie Boden. The number and range of signatures shows the depth of feeling and the concern in my community about the future of RAF Stafford.

The prayer reads:

The Petitioners therefore request that the House of Commons call on the Secretary of State for Defence to acknowledge the operational effectiveness of RAF Stafford, its commitment to tri-service working, provision of Cadet training and contribution to local recruitment to all HM Forces; urge him not to remove from RAF Stafford the majority of its uniformed personnel and to recognise that to do so would undermine the viability of the rest of the base's activities; assure him that the loss of RAF Stafford would seriously damage the local economy and good community relations between the Ministry of Defence and the civil population; and invite him to give the Petitioners an assurance that his Ministry's review shall have regard to the serious long-term implications for the whole community of Stafford.

And the Petitioners remain etc.

To lie upon the Table.

Travellers

7.42 pm

Andrew Selous (South-West Bedfordshire): I wish to present a petition from three small villages in my constituency, signed by 1,835 of my constituents, about the establishment of residential communities by travellers on non-residential land, without planning permission. It is a subject of enormous concern and upset to my constituents. It is also a matter of concern to me that the Government have had three occasions on which they could have tried to rectify the matter and have done nothing. They talked out the private Member's Bill of my hon. Friend the Member for Billericay (Mr. Baron) on this subject, and we had an Adjournment debate in the summer—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman will be aware that a speech is not appropriate on this occasion.

Andrew Selous: I am coming to the petition itself, but it is a source of concern that opportunities to do something about the problem have not been taken.

[Andrew Selous]

The petition reads as follows:

To the House of Commons

The petition of the residents of Billington, Stanbridge and the surrounding areas, Declares that the law is inadequate to prevent Travellers setting up residential communities on non-residential land without prior planning permission, and that specifically, the petitioners are concerned about the extreme speed of the recent development on Stanbridge Road, Billington, Bedfordshire.

The petitioners therefore request that the House of Commons urge the Government to change the law relating to the unlawful use of non-residential land by travellers who set up residential communities without planning permission, and give local authorities new powers to enable them to halt such unauthorised development more easily.

And the petitioners remain, etc.

To lie upon the Table.

Uttoxeter Jobcentre

7.43 pm

Mrs. Janet Dean (Burton): I wish to present a petition from my constituents and people in areas around Uttoxeter who are concerned about the proposal to close the Uttoxeter jobcentre, leaving a large area of Staffordshire without that important local service.

The petition states:

The Petition of the people of Uttoxeter,

Declares that proposals to close Uttoxeter Jobcentre will have a detrimental effect on customer service and an adverse effect on the local economy.

The Petitioners therefore request that the House of Commons urge the Secretary of State for Work and Pensions to re-examine the decision to close Uttoxeter Jobcentre and to maintain the full provision of Jobcentre Plus services in Uttoxeter.

And the Petitioners remain, etc.

To lie upon the Table.

Childhood Poverty

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

7.44 pm

Mrs. Patsy Calton (Cheadle) (LD): I am grateful for the opportunity to debate this important topic in the House, especially given the nature of the statements that are likely to be made tomorrow.

Although I acknowledge the many initiatives undertaken by the Government to alleviate the effects of poverty and to remove a number of children from the poverty statistics, I am sure that the Government themselves recognise that there is still much to do in this, the fourth richest country in the world. At first sight, it may seem odd that someone who represents what is on the face of it one of the wealthiest constituencies in terms of income should request this debate, but my early experiences as a community politician, subsequently backed up by a research study "Profiling Stockport" carried out in Stockport in 1995, led me to realise that more than half the poverty in our borough was hidden away in small pockets, well below ward level at district enumeration level. I have a persistent concern, therefore, that only a small part of the problem is being addressed. Children are suffering, and ultimately society suffers, too.

Before I go into the statistics, which are a disgrace in a country that aspires to call itself civilised, I want to thank some of the organisations that do such good work in the field and have been generous with their time in assisting me.

Barnardo's, which shocked us with its advertising campaign—I confess that I was disgusted by it—has nevertheless ensured that few people could miss the point. The pictures jangled a raw nerve. Indeed, I am little annoyed with myself, because I thought for a while that my sensibilities were more important than the suffering of children—they are not, and Barnardo's has done us all a service.

Save the Children provided me with information that makes it clear that the transition between work and benefits causes many children to fall into severe poverty. One does not have to look far to see that, to deal with part of the problem, we need not to throw extra money at it but to ensure that there is a more timely application of the money that is due in benefits. The failure to implement the new system at the Child Support Agency, alongside the failings of the previous system, has thrown many lone parents into debt and poverty.

The change from the working families tax credit to the child tax credit left families on low earnings without their entitlement, for months in some cases. Some months ago, I was concerned when I heard a Minister say on the "Today" programme that the only outstanding cases were those in which applications had not been adequately completed. The truth is that some families who had already completed the forms were asked to fill in another set, even though those forms asked for no more information than had been correctly supplied in the first place. I do not doubt for a minute that the Minister believed that she was telling the truth, but I hope that Ministers look behind some of the information supplied by officials from the organisations that are supposedly administering the system for the very real hardship that is being caused.

In a response to the Gracious Speech, the Equal Opportunities Commission made the case for a public sector duty to promote equality between men and women. That would have a direct impact on child care provision in the public sector. Good-quality child care, available for the working day, would do more than anything to lift women and their children out of poverty.

I have been sent the submissions made by the Child Poverty Action Group and Save the Children to the Select Committee on Work and Pensions inquiry into child poverty. The Child Poverty Action Group submitted a powerful document, which, while applauding the Government's intention to examine measures to make faster progress on eradicating child poverty, draws together several studies that show how much remains to be done.

The statistics for 2001–02 on households below average income showed that 3.8 million children, or one in three, were living in income poverty, compared with 1.9 million in 1979. Of those 3.8 million children, 55 per cent. were living with a couple and 45 per cent. with a lone parent; 52 per cent. with a family in which one or more members of the household worked full-time—work does not always protect families; 48 per cent. in a workless household; 45 per cent. in a family with three or more children; 25 per cent. in a household in which one or more adults had a disability; 47 per cent. in a family whose youngest child was under five; and 16 per cent. in London.

The risk is not shared equally across all household types: 54 per cent. of children in lone parent households live in income poverty, compared with 22 per cent. in couple families. Children in households with no adult working are at significantly greater risk of income poverty, at 79 per cent. However, one in five children in poverty live in households with at least one adult working. Half of children in families with four or more children live in poverty. Children from black and minority ethnic households are more at risk of income poverty, as are travellers' and asylum seekers' children.

As the CPAG says, growing up in poverty has adverse consequences for children. The effects are manifested in different ways on physical health and development, learning, behaviour and emotional well-being. The result is that children are prevented from realising their full potential. It is not far from there to the proposition, which I argue, that those individual consequences for children and the older people they grow into have a profound and negative effect on our whole society.

What, then, does poverty mean for the children? Children have been defined as deprived if their parents cannot afford one or more of the necessities listed in the Joseph Rowntree Foundation survey "Poverty and Social Exclusion" published in 2000. It found that 34 per cent. of children lacked one or more items and that 18 per cent. lacked two or more. About 1 million children—8 per cent.—have been identified as severely poor on three measures: income poverty, child deprivation and parental deprivation, the latter two of which involve parents and children going without what most people would consider necessities. About 13 per cent. of that 8 per cent. lack a warm waterproof coat; 17 per cent. do not have new, properly fitted shoes; 18 per cent. do not have enough underpants; 31 per cent. do not get meat, fish or a vegetarian equivalent twice each day; 21 per cent. do not get fresh fruit and vegetables daily.

In 1998, the Acheson inquiry—an independent inquiry into inequalities in health—highlighted the fact that low-income mothers were not able to afford an adequate and healthy diet. There is a link between low birth weight and social class, and low birth weight may influence later cognitive function and educational performance. Breast feeding is better for babies, but those in lower income groups are less likely to breast feed. Pilot studies where mothers are supported through breast feeding have proved beneficial, but what is being done elsewhere? The CPAG study "Poverty Bites: food health and poor families" challenges the notion that families in poverty have only themselves to blame for poor diet. Parents go without so that their children can eat, but those diets are still likely to be of poor quality.

I am pleased that the appalling suggestion that poor expectant and nursing mothers should have to go through hoops to receive the welfare food benefits that the state believes they need was removed from the Health and Social Care (Community Health Standards) Act 2003, when it was debated in the other place. On a related theme, any suggestion that the benefits that affect families with children in poverty should be withdrawn because of family or personal behaviour must be rejected.

Sure Start, while undoubtedly beneficial to those who receive it, has not necessarily reached those in greatest poverty, and Save the Children is particularly concerned. Early years centres need to be extended to more areas. On the positive side, the Government's school fruit initiative is a good start in schools, but they need to do more to ensure that all food available at school, including that at breakfast clubs, and early years establishments is of good quality and supports a healthy, mixed diet. I will not go on yet again about junk food and drinks machines in schools, as the Government have got the message.

There is clear evidence that children living in poverty do less well at school. They go to school hungry and feel stigmatised by their clothing and shoes, as well as by their inability to take full part in activities paid for by more well-off parents. In my area, the children from one enumeration district do significantly less well in a local school that has very good results overall. The problem is that those children do not register on the radar that determines funding for their special needs.

I argued during the last local government spending review that it is wrong that children from similar backgrounds or with similar disabilities receive very different funding from the state for their education. In 2002, only 59 per cent. of children receiving free school meals reached the expected key stage 3 levels, while 70 per cent. of those not needing school meals or not receiving them did so. Schools in the poorest communities have between 10 per cent. and 25 per cent. of children achieving five GCSE passes at grades A to C, compared with a national average of almost 50 per cent. Nearly 90 per cent. of failing schools are in areas of deprivation and have a large proportion of children eligible for free school meals.

Lack of facilities for study at home and the extra pressures of school breaks cause additional problems. One fifth of children have no holiday because of

[Mrs. Patsy Calton]

financial constraints. Poverty that is in some way visible tends to result in children being treated differently from their peers. There are clear financial implications when stigmatising benefits are not taken up.

The Government targets—the Treasury public service agreement—aimed to reduce child poverty by a quarter by 2004–05. Before the 2001 general election, the Government said that they had lifted 1.2 million children out of poverty, measured as children in households below 60 per cent. of median income. The 2002 manifesto pledged to lift another 1 million children out of poverty. In a speech at the time, the Chancellor promised that that would be achieved by 2005. The reduction between 1996–97 and 2000–01 was in fact 500,000, according to the households below average income figures for 2000–01—a little short of the promised 1 million. Even if the Government meet their 10-year target, according to Save the Children that would still leave the UK with the highest child poverty rate in Europe.

The Institute for Fiscal Studies has indicated that the Government are likely to miss their target of fewer than 3.1 million children in poverty in 2004–05 by 200,000—some estimates say 300,00—unless further measures are taken to improve financial support. Latest figures suggest that an additional £5 per week increase in benefit for every child living in a low-income family is needed to ensure that the poverty reduction targets are met.

In Budget 2003, the Chancellor made clear his intention to advance faster towards his child poverty reduction goals. It is not clear, however—and will not be until the review of child poverty measures is published by the Department for Work and Pensions—exactly what the goals are against which faster progress is to be made. I hope that we will not simply see a change in the counting methods with the statements likely to be made tomorrow. Although 60 per cent. below median income is not easy to understand, it provides a reliable measure that can be checked from one year to the next. Clearly, however, the whole range of other indicators have a part to play. I was interested to find that in my constituency, which, again, is regarded as wealthy, figures for child tooth decay, for example, are considerably higher than average, at 1.67 missing, filled and decayed teeth at age five. It seems to me that such statistics could be used reliably.

Good-quality public services such as health, education, housing and transport are required by people living in poverty. However, there is no evidence that local authorities and health services use resources to reflect the consequences of child poverty or to tackle the issue. Simply focusing on areas deemed to be deprived will miss over half the poverty. The Secondary Heads Association estimates that education funding for deprivation misses two thirds of children living in poverty. Families in poverty have a greater need for services but often less access to them. I believe that that is called the inverse care law.

The CPAG says:

> "There needs to be an explicit commitment by every spending department to the goal of eradicating child poverty with poverty related targets".

I agree. The Local Government Association says:

> "Local Government is a key player in the battle to reduce child poverty".

I agree with that, too. Local government must recognise, however, that it cannot be a key player if it refuses to change its way of working. Children's social services, education, housing and health must work together, and children's trusts provide a way forward.

It seems that the Government have rejected the notion of a minimum income standard, but the CPAG believes that one should be established and used as the basis of social security benefit rates. It says that the minimum income standard should be enhanced if a person has a disability—I agree with that, too.

Maximising take-up of benefits is absolutely crucial, because as many as 600,000 families did not take up the working families tax credit. Underpayments and overpayments need specific care in line with Save the Children's work on the increased rate of severe poverty and the interface between work and benefits. The CPAG recommends writing off administrative errors involving overpayment. That would be entirely consistent with the recognition that families in severe poverty find it almost impossible to pay back overpayments.

The social fund is not working. According to Save the Children, some 13 per cent. of children in persistent poverty have parents with social fund debts, while only 4 per cent. of such parents have loans. Both the CPAG and the Liberal Democrats believe that the funding to be used for the child trust fund would be better spent on alleviating poverty in the early years.

The Government have the opportunity to seize the issue, and seize it they must if they are to embrace their declared aims. The Department of Health today published the document "Building on the Best". I welcome the Secretary of State for Health's determination to make the NHS

> "a responsive service that provides the patient with the best possible experience".

I hope that the same attitude will pervade the Department for Work and Pensions as it tackles child poverty. People who live on low incomes and benefits should be treated with respect and dignity. Too often the benefits system loses sight of the very people whom it is supposed to help. The level of child poverty in this country is shameful to us all and it will stay that way until every child is brought up in a household with sufficient to meet what most of us regard as the necessities of life.

8.1 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I congratulate the hon. Member for Cheadle (Mrs. Calton) on securing a debate on childhood poverty in the United Kingdom. I know from the quality of her representations this evening and her active interest in the area that we agree that the subject is a matter for constant attention because of the blight on children's opportunities that poverty causes. That is the very reason why we have pledged to eradicate child poverty by 2020 and halve it by 2010. As today's Joseph Rowntree Foundation report and the recent Institute for Fiscal Studies report show, we are making steady progress on that aim, although we fully recognise, as she suggests, that we have set ourselves ambitious targets and that there is more to do.

I shall start by outlining why tackling child poverty is such a priority for us. Social justice and strong communities are absolutely central to this party and Government. Since 1997, we have worked hard—with real success—to tackle inequality and expand opportunities for all. Today's report for the Joseph Rowntree Foundation, which was prepared by the new policy institute, reports that

> "some significant milestones have now been passed"

in tackling low incomes.

We have done that in a new way by giving people the power to transform their own lives, their family and their community through a new and enabling welfare state. It is a modern welfare state that attempts not only to ameliorate poverty, but to tackle its root causes, thus giving people the opportunity to become active citizens, rather than the passive recipients of welfare. We need to break the cycle of disadvantage that too often in the past has led to poor children growing to be poor pensioners.

That is why we are rebuilding the benefit system and my Department around the support of work for those who can work, while ensuring that support is there for those who cannot. Today's Rowntree report confirms:

> "Out of work benefits to both working-age families with dependent children and to pensioners have risen by around 30 per cent. in real terms since 1998, faster than earnings".

However, for people of working age, there is now overwhelming evidence that the best route out of poverty is a job. Since 1997, we have helped nearly 2 million more people into permanent jobs and virtually eliminated long-term youth unemployment. For the first time ever, more than half of all lone parents are in work. The minimum wage and the system of tax credits are also designed to ensure that work pays, so that when people have a job they are lifted out of poverty.

The hon. Lady referred to the implementation of the new tax credits, of which she was somewhat critical. We admitted that because the change is massive—the biggest change in support for families since the establishment of Beveridge's welfare state—there were difficulties in the early stages, and we have apologised to those families affected. She should recognise, however, that nearly 6 million families, containing more than 10 million children, are benefiting from the new tax credits. Combined with child benefit increases, child support for the first child has risen to £54.10p a week, twice as much as it was in 1997.

Our crusade to tackle inequality starts where it should: with children. We should never forget that previous Conservative Governments witnessed a shameful increase in child poverty. By the time they opted out of the European social chapter, Britain accounted for a quarter of the poor children in the EU. The fact that not a single representative from the Conservative party is in the Chamber to hear this important debate shows how uninterested they are in the welfare of children and the problem of child poverty. The increase in child poverty that we experienced in those years cannot be tolerated by a civilised society. For that reason, we have set ourselves the most ambitious target to be set by any Government: we have pledged to eradicate child poverty in a generation, and we have wasted no time in starting on that task.

Real rises in child benefit and the new tax credits have meant that all families with children are on average £1,200 a year better off and the poorest fifth of families are on average £2,500 a year better off. We have cut the number of people sleeping rough and are beginning to make in-roads into reducing the high rates of teenage pregnancy.

I hope that the hon. Lady, as a former teacher, recognises the priority that we have attached to education in breaking cycles of deprivation. I know that she thinks we have not done enough, but more has been invested in education. There are smaller primary class sizes and a stronger emphasis on literacy and numeracy. We recognise, however, that many disadvantaged children are simply not ready to learn by the time they reach secondary school age. Research shows that the early years of a child's life are crucial to their welfare and future. Sure Start, to which the hon. Lady referred, is aimed precisely at addressing early childhood disadvantage by improving child care, health and family support in the most deprived areas. Local parents are directly involved in shaping provision to meet local needs.

We have also matched new resources with demanding targets to reduce worklessness, maternal smoking and the number of children at risk and with learning and behavioural difficulties. We have concentrated efforts to boost family incomes on those with young children through, for example, the enhanced child tax credit available for babies. Our wider child care strategy has created new child care places for 1.3 million children, about 8,000 out-of-school clubs and a new curriculum for the early years that places a premium on play and learning.

I think I heard the hon. Lady say that she opposed the child trust fund.

David Cairns (Greenock and Inverclyde) (Lab): She did.

Mr. Pond: My hon. Friend confirms it. The hon. Lady described herself as a community politician, but that message will not go down well on the doorsteps. For the first time in this nation's history, we have an opportunity for young people to start their lives with a nest egg, which could give them a stake in this country's future wealth.

We are already seeing the results of the Government's commitment and investment. More than 500,000 children have been lifted out of low-income households since 1997. This means that we are making steady progress on our public service agreement target to reduce by a quarter the number of children in low-income households.

I think that the hon. Lady confused the statistics and the commitments in that she suggested that we had promised to lift 1 million children out of poverty. We have said that the commitment is that the number of children in "low income" is more than a million lower now than it would have been if we had taken no action at all since 1997. The numbers in poverty would have continued to grow. As a result of the actions that we have taken, 500,000 children have been lifted out of low-income households since 1996.

The hon. Lady will know from the interest that she has shown through parliamentary questions that we will

[Mr. Pond]

announce the results of our consultation on long-term child poverty measurement before the end of the year.

Poverty, as we have always said, is not just about low income, so it is encouraging to see progress in other domains too. For instance, the proportion of children living in houses that do not meet basic standards has fallen from 43 per cent. to 30 per cent. Schools in the most deprived areas have seen their results rise fastest. Teenage conceptions have fallen by more than 10 per cent. since we launched our teenage pregnancy strategy. The number of children living a household where nobody works has fallen by 350,000.

Yet despite this success we cannot be complacent because we must not underestimate the scale of the challenges that we still face. Our strategy has to be an all-embracing one that addresses income, access to basic amenities and key services such as education and health. It must be one that balances support with personal responsibility. That is why employment is at the heart of our strategy to tackle poverty across all age groups.

Once again, I welcome this debate and congratulate the hon. Lady on securing it and on her determination to keep the issue at the top of the agenda. I hope that I have been able to show that we are making real progress in tackling child poverty in the UK. However, we are under no illusion that the Government can go it alone. We cannot. If we are to win the fight against poverty, we will need to use every lever at our disposal: jobs; help for people who cannot work; and public services that deliver for us all.

A partnership between the Government and all sectors—voluntary organisations to which the hon. Lady referred and to which I also pay tribute, and private, public, faith and community groups working together—is the best way to tackle poverty and support families. That is demonstrated by the fact that some of the best projects of recent years have partnership with community organisations at their heart, from Sure Start to the new deal for communities. We need to tap into that expertise continually to refine our strategy in line with what works on the ground.

Today's British Social Attitudes report shows that the British people oppose the idea, in an increasingly prosperous society, that large numbers of our fellow citizens should live in poverty. They reject the Tory philosophy of cuts in public services and the claim that economic prosperity can be achieved only at the expense of social justice. We reject that philosophy as well.

We are making progress in building the fairer society that people want, but there are no quick fixes to sort out problems that have developed over several decades. We have set ourselves an ambitious target and we are determined to deliver it. We are ready to be judged on whether we do.

Question put and agreed to.

Adjourned accordingly at thirteen minutes past Eight o'clock.

House of Commons

Wednesday 10 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

WALES

The Secretary of State was asked—

Police

1. **Mrs. Betty Williams** (Conwy) (Lab): If he will make a statement on the change in the number of police officers in Wales since 1997. [142069]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): On 31 August, there were 7,354 police officers in Wales, an increase of more than 12 per cent. since 1997. In addition, Welsh police forces have received funding for 113 community support officers.

Mrs. Williams: I thank my hon. Friend for that encouraging answer, and should like to declare that my eldest son is now part of those statistics.

Does my hon. Friend agree that such an increase in the number of police officers will assist individuals such as my constituent, Mr. Noel Kennerley of Dwygyfylchi, in tackling his neighbour from hell, Richard Lloyd, as the antisocial behaviour route took such a long time? Will my hon. Friend join me in congratulating PC Mike Clements for his co-operation in dealing with that case?

Mr. Touhig: I am aware of the case of Mr. Kennerley and I pay tribute to him for his bravery and for his commitment to tackling the scourge of antisocial behaviour. I also pay tribute to the police officer involved.

The Government are determined to introduce measures that will overcome the problems of antisocial behaviour faced by many of our communities. Increased funding for the police service is part of that, and I am delighted that we have put so much extra funding into police numbers and that we have a record number of officers on the beat in Wales.

Mr. Nigel Evans (Ribble Valley) (Con): Morriston hospital in Swansea has already made it clear that some of the extra police officers will be used to police its accident and emergency unit during Christmas to deal with any drunks who turn up. Will the Minister make it absolutely clear that if anybody—especially someone who is drunk—turns up at an accident and emergency unit over Christmas and attacks a nurse or a doctor, they will receive a hangover that lasts well into 2004?

Mr. Touhig: I endorse the hon. Gentleman's point, especially given the efforts to provide care and attention in our hospitals, particularly in accident and emergency departments. I have witnessed situations in London where staff have had to take considerable abuse from people who were much the worse for drink, so I endorse his remarks. If anybody is involved in an incident that brings harm to doctors or nurses caring for the public, I hope that they are punished with every severity.

Aerospace Industry

2. **Mark Tami** (Alyn and Deeside) (Lab): What recent discussions he has had with the First Secretary regarding the importance of the aerospace industry to the economy of Wales. [142070]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): Both my right hon. Friend the Secretary of State and I hold regular discussions with colleagues in the Assembly on a range of issues, including the aerospace industry in Wales.

The Government recognise the value of the aerospace industry to the Welsh economy. With significantly high levels of investment, we are seeing a new age of assertiveness, development and innovation that is increasingly taking the industry to new levels of success.

Mark Tami: I thank my hon. Friend for that answer. I am sure that he recognises the success and importance of Airbus at Broughton, so will he help to build on that success by using the short delay on the future air tanker, which the Ministry of Defence is expected to announce, further to press the case for the Airbus-AirTanker project that will help to secure many thousands of jobs in Wales?

Mr. Touhig: I am aware of my hon. Friend's strong commitment to Airbus and to the work at Broughton in north-east Wales. My right hon. Friend the Secretary of State and I have already visited that world-class facility several times. I certainly join my hon. Friend in welcoming the strong Airbus bid for the MOD contract to provide air-to-air refuelling aircraft, and I hope that it is successful. It will underpin our commitment to the continuing development of that important manufacturing industry in north-east Wales.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): Given the importance of the aerospace industry not only in Wales but throughout the United Kingdom, there is no doubt that it must not go overseas. Airbus Industries has made a long-term commitment in this country, so will the Minister guarantee, on behalf of the British people and especially the Welsh, to press his right hon. Friends the Secretary of State for Defence and the Prime Minister to ensure that no aerospace jobs are moved overseas?

Mr. Touhig: I do not think that the hon. Gentleman need have any worries about the efforts made by me, my right hon. Friend the Secretary of State or any of my colleagues, as we shall be exerting all the pressure that we possibly can to ensure that the industry in north-east Wales goes from strength to strength. Much public investment has already gone in: £500 million for the Airbus project at Broughton and £77 million for the Red Dragon project at the Defence Aviation Repair Agency in St. Athan. The Government are committed to that development. That important manufacturing base in Wales has a strong future and we want it to succeed.

Barnett Formula

3. **David Taylor** (North-West Leicestershire) (Lab/Co-op): What recent discussions he has had with the First Secretary about the impact of the Barnett formula on the economy of Wales. [142071]

The Secretary of State for Wales (Mr. Peter Hain): Regular ones. The Barnett formula is a means of calculating changes to the Welsh block from its historic base. Welsh gross domestic product per head increased by 15.6 per cent. between 1997 and 2001.

David Taylor: The Barnett formula has now reached its quarter century, and its eponymous creator has said that it has become terribly unfair. Does the Secretary of State agree that that deeply unsatisfactory way of distributing Government grant should be replaced by a needs-based formula throughout the United Kingdom—[HON. MEMBERS: "Hear, hear."]—as that would be more equitable for the people of the English regions such as my own, the east midlands, as well as for the people and the economy of Wales?

Mr. Hain: I thought it interesting that my hon. Friend was cheered by the Welsh nationalists—he might want to reflect on his position—but I understand the very fair point that he makes on behalf of his constituency, North-West Leicestershire, and what I want and what the Government are delivering is record investment right across Britain, rising employment and improved public services. He is nodding his head in agreement. Of course he will understand that Wales has much higher deprivation historically and ill-health problems. There were 35 per cent. more incapacity benefit claimants in Wales than in the east midlands, despite the fact that the population of the east midlands is 1 million higher. So those problems have to be tackled, and the Barnett formula was designed to address that.

Lembit Öpik (Montgomeryshire) (LD): Is the Secretary of State aware of a large, possibly Barnett-related deficit in mid-Wales health provision? For some years, the Royal Shrewsbury hospital has generously subsidised its services to Welsh patients. Does he accept that, with the best will in the world, that cannot continue? Is he willing to discuss whether the extra funding needed to remedy the problem should rightly come from the Welsh Assembly's existing budget, or possibly result from an adjustment to the Barnett formula?

Mr. Hain: The hon. Gentleman will understand that there is record spending on health provision in Wales, including in his constituency—I am grateful to him for nodding his head in agreement—and that the Welsh health budget has nearly doubled. I understand, however, that the subsidy in his constituency in respect of patients who are treated in Shrewsbury is an issue. I will certainly look into that and discuss it with the Secretary of State for Health and the First Minister.

Mr. Win Griffiths (Bridgend) (Lab): My right hon. Friend will be well aware that, apart from the national health service providing excellent care for people in Wales, it makes an important contribution, through employment, to the Welsh economy. What consideration has he given to the fact that it has now been established, through the Yvonne Watts case, that there is such a thing as a waiting time that can be regarded as too long? What implications does that have for the health service and the Barnett formula, given the fact that waiting times in Wales are generally longer than in England?

Mr. Hain: These matters are being addressed. Of course the health budget that comes from applying the Barnett formula and the consequentials that flow across from the Treasury to Wales are now funding health services, reducing waiting times and improving health services in Wales. That should encourage my hon. Friend to say that things are improving under Labour, both here in Westminster and down in Cardiff as well.

Adam Price (East Carmarthen and Dinefwr) (PC): Professor Maclean of Nuffield college has recently estimated that the Welsh Assembly Government would receive £620 million a year extra under the needs-based allocation. Since there is a range of views on this subject, will the Wales Office consider commissioning an independent study, so that we can have an objective assessment of whether Wales would be better off under a needs-based formula or the present arrangements?

Mr. Hain: We will continue to keep these matters under review. I note that the hon. Gentleman takes a close interest in them, but he will agree, because this is demonstrated by the facts, that wealth per head, spending and employment have been rising in Wales since 1997, and that Wales has been doing much better than most other parts of the United Kingdom and, indeed, most other parts of the world. He will also be aware that, partly because of the higher deprivation and need, total identifiable Government spending in Wales is 13 per cent. above the equivalent UK average and 18 per cent. above the English average. If the nationalists got their way, as he would wish, and Wales broke away from Britain, it would be plunged into poverty. That is the price that nationalism would have to pay.

Employment

4. **Julie Morgan** (Cardiff, North) (Lab): What plans he has to prevent jobs in Wales moving overseas. [142072]

The Secretary of State for Wales (Mr. Peter Hain): I will continue to fight to ensure that jobs stay in Wales, and not move overseas. Foreign firms are still choosing Wales as an attractive place to do business. Last year, employment in Wales rose by 61,000.

Julie Morgan: I thank my right hon. Friend for that reply. What would he say to the staff at Tesco house in Maes-y-Coed road in the Cardiff, North constituency, who in July were taken to the city hall and praised by Tesco for their loyalty, and a few weeks later were told that 230 of their jobs were to go to Bangalore?

Mr. Hain: I would join my hon. Friend in saying that that treatment is unacceptable, and that we continue to fight, as she does, for more call centre and finance centre jobs in Cardiff and right across Wales. The record shows that more and more jobs in this sector are being created. For example, The Number, which is part of the new directory inquiries network, recently opened a call centre in Cardiff creating 467 full-time and 105 part-time jobs in Cardiff. Whatever the plight of her constituents, under this Government, more and more job opportunities are being created, and her constituents will be helped to find other jobs. I agree with her, however, on her criticism of Tesco.

Mr. Bill Wiggin (Leominster) (Con): Can the Secretary of State confirm whether *Hansard* was correct when it reported that he thought that the transfer of call centre jobs to India could actually create a big return for the Welsh economy? Alternatively, was the *The Western Mail* wrong when it said that he would fight for every call centre job in Wales? Surely he did not make both statements.

Mr. Hain: First, I welcome the hon. Gentleman to the Front Bench. We look forward to his pronouncements. May I mourn the passing of the hon. Member for Ribble Valley (Mr. Evans), who brought a certain chippy style to the Front Bench, which we very much enjoyed? I am sure that his replacement, with his old Etonian gravitas, will provide us with a different dimension, although with his boss, the right hon. Member for Skipton and Ripon (Mr. Curry) sitting next to him, I am not sure who actually speaks for Wales. We might learn that later from the Conservative party. In respect of his question, were he to read further in *Hansard*, he would find that both the *The Western Mail* and *Hansard* were correct, because I said that I wanted

"to see all jobs preserved"—[*Official Report*, 4 December 2003; Vol. 415, c. 655.]

in Wales and that I will fight to continue to do that.

Mr. Wayne David (Caerphilly) (Lab): My right hon. Friend will have heard the announcement last week of 170 job losses at a garment factory in Aberbargoed in my constituency. I thank him for the support that he has given to those workers in that difficult situation, but will the Government reaffirm their commitment to long-term investment in quality jobs and quality training? That is the only way forward.

Mr. Hain: I very much agree with my hon. Friend that that is the only way forward. It is the way forward being driven by our Government in Westminster and by the Labour Welsh Assembly Government in Cardiff. I am sure that he will recall many details of coal communities in his and surrounding constituencies that were absolutely devastated under the Conservatives. I find it astonishing that, given our record of investment, to which he referred, the Leader of the Opposition on a visit to Wales last Saturday said that coal communities had

"revived very considerably under Margaret Thatcher".

What an extraordinary statement. Coal communities, including in my hon. Friend's constituency, were decimated under Margaret Thatcher. Under Labour, they are being rebuilt, with more jobs, more investment and higher standards of public services.

Mr. Simon Thomas (Ceredigion) (PC): The question asked the Secretary of State what plans he had. So far, the only plan that he has brought forward to stop jobs going out of Wales is to put tolls on the M4. Will he now look at one aspect of the Welsh economy—the 700 jobs lost in Welsh agriculture in the past year? To help prevent those jobs from being lost, I suggest a plan to help local authorities to buy local food to keep Welsh farmers in jobs. Will he do that?

Mr. Hain: I share the hon. Gentleman's desire and interest in seeing that local produce is used by the local public sector, schools and others. Since he raised the issue of the effect on jobs of the situation on the M4, may I explain to him the reality? The truth is that the M4 at the Brynglas tunnel is increasingly choked with traffic, which affects jobs and the economy of south-east Wales. That is why the Assembly would have the option, as I discussed when I was Minister with responsibilities for transport in Wales a few years ago, of building the M4 relief road around Newport to provide an alternative, which could be tolled and built by the private sector as has been achieved around Birmingham. In that way, drivers in Wales, whether lorries or cars, would have a choice: to travel at perhaps 40 mph through the Brynglas tunnel, or to go around the new relief road and pay a toll. In the end, however, that is a matter for the Assembly.

Higher Education

5. **Dr. Hywel Francis** (Aberavon) (Lab): What recent discussions he has had with (a) the First Secretary and (b) the Secretary of State for Education and Skills on the future of higher education in Wales. [142073]

The Secretary of State for Wales (Mr. Peter Hain): Regular ones—we and our officials have worked closely to agree our proposals to transfer to the National Assembly for Wales responsibility for the remaining elements of higher education funding, including responsibility for student support in Wales.

Dr. Francis: I thank the Secretary of State for that reply. He will be aware of the successful and excellent widening access strategies in Welsh higher education. For example, at the North East Wales institute of higher education, 50 per cent. of the students are over the age of 30. May I invite him to join me on a journey of hope whose destiny is to guarantee sustainable, fair and equitable opportunities for part-time and full-time adult students?

Mr. Hain: Indeed, we are increasing the grants for part-time and mature students, and this is part of a new package, under this Government, of raising and widening opportunities for students right across the income level. Since he referred to this matter, may I congratulate my hon. Friend on his work prior to becoming a Member of Parliament with the Community university of the valleys that he initiated—am I right in saying—in Banwen in my constituency? That work, together with the wider work that the Government are doing both here in Westminster and in Wales, is giving new hope to part-time students and to students who never thought that they would have a chance to go to university.

Mr. Bill Wiggin (Leominster) (Con): Does the right hon. Gentleman think that it is fair that the Assembly has suggested that it will pay the top-up fees for Welsh students studying at English universities or should it be using its money to support students at Welsh universities?

Mr. Hain: The longer that the hon. Gentleman is on the Front Bench—and I hope that it will be the Opposition Front Bench—he will understand that, if the higher education Bill goes through, this matter will be devolved to the National Assembly so that decisions can be made in Wales. I hope that he will speak up for Wales and encourage that devolution.

Compared to what we are offering to the students and families of Wales, the hon. Gentleman offers a prospectus for higher education funding that would see, on average, the number of students from each constituency in Wales cut by 400. There would be 400 fewer students from each constituency going to universities under the Conservatives when compared to our higher education proposals, which will increase the number of students getting the chance to go to university. In many cases, they will be from constituencies such as mine and they will be the first people to go to university in their families' history.

Mr. Wiggin: We think that students should go to university based on the size of their brain and not on the depths of their wallet. How many Welsh MPs does the right hon. Gentleman think agree with him that the Government's policy on top-up fees needs to be tweaked, or is this similar to his comments on the European constitution and is just a "tidying-up exercise"?

Mr. Hain: We are looking in detail at all the representations made to us in terms of the final proposals that come in the Bill. I remind the hon. Gentleman and the House what the choice is. The choice is between a Labour Government, who are increasing opportunities for students in Wales, who are removing the up-front fee and who are also offering more and more students the chance to go to university, and his policy, which will plunge Welsh universities back into the bankruptcy from which we have rescued them and deny thousands of students in Wales the chance of studying at university. That is the choice; we are confident that the people of Wales will back us in the choice that we are making.

Ian Lucas (Wrexham) (Lab): To see excellent examples of widening access, may I invite my right hon. Friend and other Members to visit the exhibition in the Upper Waiting Hall that is being held by the North East Wales institute of higher education in Wrexham? All Members will see what can be achieved and how lives can be changed by widening access to higher education. Is he aware, however, of the difficulties that a border university faces in dealing with students from England and Wales? Does he think that the Government's proposals will improve the position or make it more difficult?

Mr. Hain: May I first acknowledge the excellent job that the North East Wales institute of higher education does with my hon. Friend's support as its local Member of Parliament? I have visited that fine institute and hope that everyone will have the chance to see the exhibition. My hon. Friend will also agree that we are putting record investment into universities and creating record opportunities for students. I am sure that the specific issues that he wants to address will be solved by the new proposals that we are bringing forward—with his support, I hope.

Police Funding

6. **Mr. Elfyn Llwyd** (Meirionnydd Nant Conwy) (PC): What discussions he has held with (a) the Secretary of State for the Home Department and (b) the National Assembly for Wales Government on future policing funding. [142074]

The Parliamentary Under-Secretary of State for Wales (Mr. Don Touhig): My right hon. Friend the Secretary of State and I have regular discussions with colleagues about matters affecting Wales, including future police funding.

Mr. Llwyd: I thank the Minister for that very illuminating answer. May I draw his attention to the fact that the district auditor said recently that all police authorities are being—*[Interruption.]*

Mr. Speaker: Order. The House is far too noisy. It is unfair to the hon. Gentleman.

Mr. Llwyd: The district auditor recently reported that central Government are underfunding all police authorities drastically at this time. North Wales police authority is a responsible authority with an excellent work force and record, but it recently received a settlement that was £1.7 million down on last year. That means that it is in considerable difficulty given that it faces a £2 million increase in pension costs and a £3 million increase in staff costs. Will the Minister lend his support to increasing the authority's funding and also put right the misleading line given by the Home Office saying that Airwave would be paid for centrally because a further £330,000 needs to be brought forward for that?

Mr. Touhig: Funding in the police service remains a top priority for the Government—indeed, it has increased by 30 per cent. since 2000 and there will be a 3.25 per cent. increase in the general grant for police services in next year's settlement. It is important to recognise that the Government are committed to investment and reform in the police service. We are putting in a funding increase of 4.2 per cent.—£403 million in cash terms—for 2004–05.

I am aware of the problems with Airwave. My colleagues in the Home Office appreciate that there has already been a good deal of expenditure on Airwave and are reviewing the position.

Mr. Huw Edwards (Monmouth) (Lab): When my hon. Friend meets Home Office Ministers, will he draw their attention to the letter from the chief constable of Gwent about the need to maintain resources so that the high detection rate that Gwent has successfully achieved may be sustained and the fight against crime can continue? Will he also join me in paying tribute to the chief constable, Mr. Keith Turner, on his impending retirement?

Mr. Touhig: I echo the points that my hon. Friend makes about the retiring chief constable of Gwent. He has been a good and able officer who has had a considerable impact on policing in Gwent. Of course, the Government recognise that financial pressures exist and that they vary from one police authority to another. As I said in reply to the previous question, the Government are putting in resources and it is important for the police service to manage them effectively. I certainly urge all members of police authorities to scrutinise carefully the budget and spending proposals put forward by chief constables to ensure that we get value for money.

Mr. Roger Williams (Brecon and Radnorshire) (LD): In the Dyfed-Powys police area, the proportion of the cost of policing that falls on council tax payers has increased from 15 per cent. to 35 per cent. in the past five years due to inadequate police grants. Why do a Labour Government insist on funding local police services through the iniquitous and regressive council tax, which bears most heavily on the lowest paid in society while the rich pay only 1 per cent. of their income?

Mr. Touhig: In truth, the hon. Gentleman will recognise that there have been all sorts of pressures on the police service over recent years. As I said, the Government have put considerable extra funding into the police service throughout the United Kingdom. It is important that those resources are properly husbanded and managed, and I urge police authorities to ensure that they get value for money. When I chaired a local authority finance committee in a previous incarnation, I often had discussions with the police about various aspects of their budget and I was told that I could not question this or that because they were operational matters. I do not accept that. Such matters should be transparent and the public should know exactly what is going on with funding for the police service. The Government are putting in a great deal of extra resources, which should be welcomed. It is important for the police service to husband them and use them to the best of its ability.

Waiting Times

7. **Mr. Jon Owen Jones** (Cardiff, Central) (Lab): What discussions he has had with National Assembly for Wales Secretaries concerning progress in reducing waiting times. [142075]

The Secretary of State for Wales (Mr. Peter Hain): In the last fortnight, I have met both the First Minister and the Health Minister and discussed waiting times in Wales.

Mr. Jones: When my right hon. Friend next meets the Health Minister in Wales, will he bring to her attention the excellent chief executive's report on the health service in England, which speaks of increased new capacity, rapidly reducing waiting times and increased choice? Does he agree that one of the great benefits of devolution is that it allows the Governments in Cardiff, Edinburgh, Belfast and London to compare the success of their policies, and that the most successful should be adopted?

Mr. Hain: I agree that we can learn from each other. My hon. Friend will understand that, under the Labour Government, the health budget in Wales will have doubled by next year compared with what we inherited from the Tories. We are seeing nearly 200,000 more patients than when we took over from the Tories, recruiting more staff, including nurses, consultants and doctors, and building more hospitals—10 new hospitals are being built, compared with 70 closed under the Tories. In addition, waiting times in key areas are decreasing.

PRIME MINISTER

The Prime Minister was asked—

Engagements

Q1. [142869] **Norman Lamb** (North Norfolk) (LD): If he will list his official engagements for Wednesday 10th December.

The Prime Minister (Mr. Tony Blair): This morning I had meetings with ministerial colleagues and others. In addition to my duties in the House I will have further such meetings later today.

Norman Lamb: Does the Prime Minister agree with the conclusions of the Audit Commission that the council tax is "fundamentally flawed" and that this year's increases have a great impact on citizens,

> "particularly those on low and fixed incomes",

many of whom are pensioners?

The Prime Minister: I do agree that, as the Audit Commission said in the main part of its report, there are fundamental flaws in the council tax system—which was introduced after the poll tax, I think. However, we have put huge additional sums into local government this year, and it is important that councils understand that they have a measure of responsibility.

Mr. Andrew Dismore (Hendon) (Lab): May I bring to my right hon. Friend's attention the excellent work done in schools in my constituency? Perhaps he can find time to pay a visit to one of those schools. However, may I also bring to his attention the dismay felt by heads and parents in my constituency on learning that we were left out of the transitional funding for schools this year? Our schools face a serious financial crisis. Perhaps he can look into the matter—I know that in the past he has taken a personal interest in it—and see what he can do to ensure that our schools have the money that they need to continue to provide high-quality education.

The Prime Minister: My hon. Friend is right to say that schools in his constituency have had substantial additional investment, and that results in those schools at every level—primary, GCSE and A-level—have improved. However, he has written to me about the difficulties regarding transitional funding, and I assure him that I am looking into the matter.

Mr. Michael Howard (Folkestone and Hythe) (Con): Is the Prime Minister aware that his Government are spending taxpayers' money advertising his proposals for student funding, including top-up fees, even though, as we all know, there has not been a vote in the House of Commons?

The Prime Minister: It is important that we bring to people's attention exactly what is going to happen to our universities, but it is also important to recognise that, of course, that can only go through after there has been a debate in this House. I repeat that, every day, the alternatives become clearer: either an abolition of all up-front fees and a fair system of repayment under the Labour party; or, under the right hon. and learned Gentleman's proposals, a huge cut in the number of young people who are able to go to university. He was talking about this subject last week, so I say to him that the more the public look at it, the more they realise that his proposal is elitist, backward and reactionary.

Mr. Howard: No, no, I am afraid that will not do at all. Let me try again. This was a specific question arising from a radio advertisement—I have the text here, and it says:

> "You cough up zip 'til you're blingin'",

which, as the Prime Minister will know, means, "You pay nothing until you're in the money." The advertisement is promoting the Government's policy on student funding, which has yet to pass the House of Commons. Does the Prime Minister approve of that?

The Prime Minister: Surely, the issue is what is the right policy for the country—*[Interruption.]* Oh yes, it is.

Mr. Speaker: Order. Let the Prime Minister answer.

The Prime Minister: The issue is not some radio advertisement—it is what is the right policy for Britain. Let us look at the alternative, which the right hon. and learned Gentleman does not want to do. Either we abolish up-front fees, and all graduates then pay something back under a fair system of repayment, or we end up cutting by 100,000, possibly 250,000, the number of young people going to university. That is the choice that he wants to run away from.

Mr. Howard: There is a rather important question that the Prime Minister has to answer here. Does he not think that it is just a little presumptuous to start advertising the new student finance policy when 157 of his own Members of Parliament have signed a motion against it? As a result, the Bill has not even been published yet, and the Prime Minister, with his majority of 170, has had to put back the vote.

The Prime Minister: I will tell the right hon. and learned Gentleman what I think is presumptuous: it is presumptuous is for the Conservative party to say that it is going to cut taxes at the same time that it is going to cut the funding for universities. Let us be clear about this. The Conservatives' policy is not merely to starve the universities of money in future but to make an immediate cut of £500 million a year—he can put me right if I am wrong—which means 100,000 fewer people at university. Instead of debating radio advertisements, let us debate policy.

Mr. Howard: That is what the Prime Minister thinks about the proper use of taxpayers' money. Let me remind him of his Government's own rules:

> "Government publicity for proposals which are, or may become, the subject of legislation in Parliament remains a particularly sensitive area. Until such measures have become law, any Government publicity must neither assume nor anticipate Parliamentary approval."

Is not the advertisement a flagrant breach of the Government's own rules?

The Prime Minister: Let us indeed debate taxpayers' money. There is a very simple choice on student fees—*[Interruption.]* Oh yes, there is. Conservative Members can try to duck the choice, but they cannot duck it either now or until the next general election. The issue about taxpayers' money is this: either taxpayers pay for all student finance, irrespective of whether they have been to university, or they have our system. Will the right hon. and learned Gentleman come clean and accept that his provision means that there will be 100,000 fewer students, and in time a quarter of a million fewer? That is unfair, regressive and reactionary, and we will have nothing to do with it.

Mr. Howard *rose*—

Mr. Speaker: Order. Before the Leader of the Opposition starts, Mr. Fabricant is shouting louder than anyone else—

Michael Fabricant (Lichfield) (Con) *indicated assent.*

Mr. Speaker: Order. The hon. Gentleman is nodding in agreement, but he is out of order. I have told him not to shout—*[Interruption.]* Order. I am telling the hon. Gentleman not to shout. He is far too near me.

Mr. Howard: Is the Prime Minister so indifferent to the abuse of taxpayers' money in contravention of his own Government's rules that he is not even prepared to answer this question? If the Minister responsible for that abuse of taxpayers' money is found to have broken those rules, will he resign?

The Prime Minister: It is unbelievable. The right hon. and learned Gentleman has five questions on the issue of student finance, and not once is he prepared to debate the real choice. It is not about some advertisement but what is the right thing for the future of this country. In our view, it is right to allow young people to go to university if they have the ability, abolish up-front fees and say that there should be a balance between the taxpayer's contribution and a fair system of repayment after graduation. That is our choice. The right hon. and learned Gentleman has an additional question, so let him, just for once, confirm that under his policy the universities would lose £500 million immediately and hundreds of millions of pounds in future, which could be paid for only by cutting student numbers at university.

Mr. Howard: Does not the Prime Minister's refusal to answer the question show his arrogance, his indifference to the opinions of his own party and his utter contempt for the views of Parliament?

The Prime Minister: No, because Parliament will make its decision. The question is what is the right decision for the country. [Hon. Members: "No."] I should have thought that if we are debating university finance, the question is indeed what is the right policy for the country. The right hon. and learned Gentleman can sneer, jeer and make his jibes, but it becomes clearer day by day that when we get down to policy, he has nothing to say about the future of Britain.

Mr. James Plaskitt (Warwick and Leamington) (Lab): Does my right hon. Friend welcome the Joseph Rowntree report published this week, showing reduced poverty in the United Kingdom, but does he share my concern about even the reduced level of child poverty that still persists? How much more can we do to tackle that?

The Prime Minister: My hon. Friend is right to draw attention to the progress that the Joseph Rowntree report indicates. With about a million children being helped, there are half a million fewer children in poverty. There have been additional sums in the tax credit system and child benefit, and in the new deal, which has helped many people off benefit and into work. However, he is right to say that we still have more to do. For the first time in a long time, the reduction of poverty and unemployment has become a key Government priority. It is a priority under this Government, but not under the previous Government. My hon. Friend should wait for the announcements of my right hon. Friend the Chancellor shortly.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): Will the Prime Minister confirm his Government's parliamentary answers to the Liberal Democrats that if one were to levy a 50p top rate of tax for every pound above £100,000 of income, that would generate £4.7 billion? As he knows from my letter to him this week, we would use that money to stop tuition and top-up fees, introduce fair grants, deliver free personal care and lessen the impact of council tax rises—nothing more, nothing less. The Prime Minister may not agree, but will he confirm that those figures add up?

The Prime Minister: As I constantly try to say to the right hon. Gentleman, if I had to read out his spending commitments, we would need—[Hon. Members: "Go on."] I can, but not in half an hour of Prime Minister's questions. He has spending commitments that total well over £15 billion. Yes, it is correct that he could raise the money to pay for student finance from a top rate of tax of 50 per cent., but he could not do that and meet all his other spending commitments.

Mr. Kennedy: The Prime Minister says that he wants a serious conversation across the country, but he clearly does not want a serious conversation across the Floor of the House. That is why he continues seriously to misrepresent our policies. May I ask him about his policies? In reply to me last week, the Prime Minister said that raising the top rate of tax to 50p on every pound over £100,00 income would be "unfair"—his word—yet under his current proposals, a graduate who earns above £35,000 a year will pay a combined tax rate and loan repayment of 50 per cent. How can that be unfair for those with an income above £100,000, but fair for those earning above £35,000? Justify that, Prime Minister.

The Prime Minister: I will justify it. The plain fact is that the rate would not be 50 per cent. for those above £100,000, because the right hon. Gentleman's commitments total far more than any sum—[Hon. Members: "No."] Let me read some of his commitments. He cannot be saying that the only spending commitment he has is on student finance. He also has a commitment on the national health service, on the basic state pension—[Hon. Members: "No."] Well, he has. I have looked—

Mr. David Heath (Somerton and Frome) (LD): Answer the question.

Mr. Speaker: Order. Mr. Heath, I understand that the Prime Minister is answering the question in his own way.

The Prime Minister: At the moment, I am answering it in the Liberal Democrat way, because I am reading out spending commitments. There is a £2 billion extra commitment for railways. *[Interruption.]* They either have these spending commitments or they do not. *[Interruption.]* Apparently, they do not—so the alternative Budget that they have just produced, which contains more than 40 spending commitments, has now gone as well, has it? I have to say to the right hon. Gentleman that until he gets a serious economic policy, we will not take him seriously on this or anything else.

Ms Meg Munn (Sheffield, Heeley) (Lab/Co-op): The Gleadless Valley community in my constituency is very pleased to have a Sure Start scheme. However, there are difficulties in obtaining premises for the scheme, because of some of the regulations that must be met. Will my right hon. Friend ensure that regulations for Sure Start schemes do not prevent these valuable services from coming into communities such as Gleadless Valley?

The Prime Minister: I am very happy to look into the point that my hon. Friend makes. She will know that Sure Start is now helping 400,000 children in some of the most disadvantaged areas of the country. It has been an immensely successful programme and all the evidence is that it is a good long-term investment for the future of the country. I entirely understand the point that she makes, however, and I will look into it and get back to her with a reply.

Q2. [142870] **Mr. John Maples** (Stratford-on-Avon) (Con): According to figures from the House of Commons Library, by next year, and since the Prime Minister's Government came to power, the total tax burden will have risen by a staggering £172 billion. That means that every man, woman and child in this country is paying an average of £3,000 a year more in taxes. *[Interruption.]* I can give him the figures, but what I wanted to ask him was whether they are correct.

The Prime Minister: That takes no account of the fact that 1.5 million more people are in work, so of course the tax take goes up. It is like the Tories and their 60 tax rises: if the same computation is used for the Conservatives, the figure was 130 when they were in power. Let us take the £170 billion figure that the hon. Gentleman has just given: when the Conservatives were in power, the figure was £370 billion. Actually, it is all meaningless, because it depends on earnings and the tax take. The real issue is the tax burden, which is less today than in most of the years when his party was in government.

Q3. [142871] **Mr. David Stewart** (Inverness, East, Nairn and Lochaber) (Lab): Does my right hon. Friend share my concerns about the activities of loan sharks who exploit the poor and elderly and appear at the doors of the vulnerable bearing gifts on the never-never? Is it not the case that we must exploit these loan sharks and ensure that they do not rip off our poor and vulnerable?

The Prime Minister: The point that my hon. Friend makes is addressed by the White Paper on consumer credit, which was published earlier this week and amounts to the biggest shake-up in consumer credit for about 30 years. The point to which he draws particular attention has led to the new proposal for powers for the Office of Fair Trading to fine and raid the premises of some of these cowboy lenders, if we can put it that way. Loan sharks do enormous damage to some of the poorest people in the poorest communities in the country. He is right to raise the issue, but we are satisfied that the powers that we announced on Monday will make a significant difference.

Mr. Desmond Swayne (New Forest, West) (Con): Despite the challenging but achievable target of the timetable to which we are working to put an Iraqi face on Iraqi security, does the Prime Minister understand that such operations inevitably fix large numbers of our troops? Will he ensure that the armed forces can recruit to make up the numbers that they require?

The Prime Minister: First, in case I have not done so before, let me thank the hon. Gentleman for the service that he gave in Iraq, for which the House and the country should be grateful. Secondly, of course the armed forces have to be able to recruit properly. That is one of the reasons why we are increasing defence spending in real terms. If he will allow me, I would simply pay tribute once again to the magnificent work that is being done by British troops in Iraq. I am delighted to say that other countries such as Japan, notwithstanding the terrorist attacks, are also going to provide troops. He is right that the challenging timetable for handover to the Iraqis is difficult, but I remain confident that, in the end, what we will have in Iraq is a stable and prosperous country. That will be a huge boost to the whole middle east, and it will be due in no short measure to the bravery and courage of our armed forces.

Q4. [142872] **Kate Hoey** (Vauxhall) (Lab): The Prime Minister must know that the majority of the public, including the majority of Labour supporters, want a referendum on the outcome of any European constitution. As he is in listening mode at the moment, will he listen to those people?

The Prime Minister: I will of course listen to people carefully on that. It is, however, important to wait until we get the results of the intergovernmental conference, which, as everyone knows, we hope will be negotiated this weekend, if not in the coming months. I believe that the constitution will protect all the red lines that we have set out, and as I have said on many occasions, the best way to deal with this is through the House of Commons, just as the previous Government did.

Mr. Alex Salmond (Banff and Buchan) (SNP): In the course of the Prime Minister's big con . . . versation with the electorate, will he speak to people in the Scottish fishing industry, who see the European Convention strengthening the hold of the disastrous common fisheries policy, or to those in the oil and gas industry, who want the energy chapter to be made a red line issue? The Prime Minister cancelled a visit to Scotland tomorrow in order to deal with a crisis in the Convention. When is he going to start representing Scotland's vital interests in Europe?

The Prime Minister: The way to represent Scotland's vital interests is to go to the European Council properly to negotiate our positions on issues such as energy, not to peddle the complete deception that withdrawal from the common fisheries policy will somehow help the fisheries industry in Scotland or the UK: it will not, and to say that it will is a cruel deception—but that is not untypical of the hon. Gentleman.

Q5. [142873] **Mr. Michael Clapham** (Barnsley, West and Penistone) (Lab): May I tell my right hon. Friend that compensation payments for chronic obstructive pulmonary disease and vibration white finger are now reaching mining families and former miners? However, despite the fact that all the legal fees and disbursements in those cases are paid to solicitors by the Department of Trade and Industry, some—I must emphasise that it is a small number—are charging a success fee. Will he look into the matter and take advice on how we might compel those solicitors to repay miners and their families?

The Prime Minister: First, as my hon. Friend fairly and rightly says, £1.8 billion will soon have been paid out to former miners and their families under the coal health compensation schemes. I know that he would accept, and believe that many of the mining communities accept, that this would never have happened under any Government other than a Labour Government. It has made an enormous difference to those families. He is right, however, that—in a minority of cases, it is fair to say—there has been concern about difficulties with legal representation. I understand that the Law Society has said that it will investigate all cases of that type as a matter of urgency—and there is the power to refer complaints to the legal services ombudsman—but in the light of my hon. Friend's question, I will look further into the matter myself.

Sir Teddy Taylor (Rochford and Southend, East) (Con): Does the Prime Minister see any prospect of progress being made in Northern Ireland after the recent Stormont elections? Is he aware that in the meantime, taxpayers—and, no doubt, the Chancellor of the Exchequer—are concerned that those who were successful in those elections are being paid 70 per cent. of their parliamentary salary, although they have no parliamentary duties, and 100 per cent. of their office costs allowance, although they do not have offices? That is costing about £40 million, which seems to be a huge waste of money. How long will the Prime Minister let it go on?

The Prime Minister: I will let it go on for as long as we can try to get a deal together that saves the institutions and allows Northern Ireland to move forward. I am of course aware that it is an anomaly in the present situation. I hope, however, that the hon. Gentleman recognises the enormous boost that the peace process has given to Northern Ireland, and not least to its economy. When we came into office, Northern Ireland had easily the highest unemployment level of anywhere in the UK—now, it does not, and investment and jobs have poured in. Overall, the peace process has been immensely beneficial. Yes, it is true that the anomaly is there, and obviously it cannot go on for ever in these circumstances, but it is still worth maintaining the current situation to see whether we can find a way through, because in the end that is manifestly in the interests of the people of Northern Ireland and of the UK.

Q7. [142875] **Jim Sheridan** (West Renfrewshire) (Lab): Like many of my generation and background, I did not have the opportunity of going to university, and it therefore never ceases to amaze me that such excitement is generated in this House about university top-up fees. During my right hon. Friend's deliberations with the appropriate bodies, will he not forget the many youngsters in all our communities who may not have the necessary qualifications to get into university but are equally important to the long-term prosperity of this country, because they actually produce things that we need?

The Prime Minister: My hon. Friend makes a very valuable point. It is right that many people need the benefit of good vocational training and of modern apprenticeships, and this Government have implemented a modern apprenticeship programme with 200,000 people in it. It is also important to realise that many people—some from poor backgrounds who are trying to get better skills—will of course have to pay for a certain amount of that themselves. It is important that we have a system that is fair for university students and also fair for people who do not go to university. In the end, this is all about creating a modern, knowledge-based economy in which we have high levels of university education and high levels of vocational skills as well.

Q8. [142876] **Mr. Adrian Flook** (Taunton) (Con): If the Prime Minister gets his top-up fees through the House, will he consider the plight of A-level students who started their course this term? They will finish their exams in 2005, but because of the likely introduction of top-up fees in 2006, none of them will take a gap year. Many of them will therefore forgo doing valuable charity work. Worse, this will also create a logjam for university admissions in October 2005. Will the Prime Minister allow those particular students the chance to opt out of top-up fees?

The Prime Minister: Let me tell the hon. Gentleman two things. First, our proposal is to abolish up-front tuition fees altogether, so students will not be paying the money that they are paying now at all. Secondly, I suggest that he goes back to his constituency and tells his constituents how many of their children would not be able to go to university at all under his proposals.

Q9. [142877] **Mr. Gwyn Prosser** (Dover) (Lab): Does the Prime Minister share my confidence that the recent announcement of job losses by Hoverspeed and P&O Ferries in Dover is a reflection of a short-term downturn in passenger demand, and that there is every prospect of a return to growth? Does he also agree, however, that this only emphasises the urgent need to continue to regenerate the frail economies of east Kent, and that the best way to achieve that would be to extend the new high-speed channel tunnel rail link into Dover, thus connecting one of the busiest cities in Europe to the busiest ferry port in the world?

The Prime Minister: I know that my hon. Friend has campaigned hard on this issue, and he will know that we are still considering whether services to Dover could use the channel tunnel rail link. The Strategic Rail Authority is also consulting on improving services throughout Kent. His point about unemployment is right. As I have said to him before, I deeply regret the loss of jobs at P&O, but the most important thing is to help people to get new jobs when their jobs are at risk. I hope that the rapid response service is doing all that it can to help people to find alternative employment. He will know that one of the benefits of the sound economic management of the past few years has been that we now have 1.5 million extra jobs in the British economy.

Q10. [142878] **Mr. Ian Liddell-Grainger** (Bridgwater) (Con): I shall not make a habit of this, but I must say to the Prime Minister that I am very grateful for the settlement for Somerset. It is not adequate, but it will do.

Is he aware, however, that the Liberal Democrat-controlled county council is now morally blackmailing the taxpayers of Somerset into deciding what services we want to have cut over the next year? Does he not find it repugnant that a county council should resort to using the web to discuss what services people want cut?

The Prime Minister: I was not aware of that, but I am now. It will surprise the hon. Gentleman to know that I totally agree with him. It is important that people recognise that, when the Liberal Democrats get into power on any of these councils, the tune that they sing in here—which is "spend, spend, spend" without there ever being a price—is usually reversed into "cut, cut, cut" in the local authorities.

Q11. [142879] † **Andy King** (Rugby and Kenilworth) (Lab): I would like to thank my right hon. Friend for meeting me, my parliamentary colleagues and representatives of those who work with the poorest in our country, at a recent meeting in his office, and for his interest in and commitment to eradicating poverty, especially among children, by 2020. Does he agree that that is in contrast with the scandal of the Conservatives, who doubled child poverty? In Warwickshire, children's centres are now coming into being because of the hard work of the Labour-led Warwickshire county council in delivering the Government's agenda, which is to end this scandal once and for all.

The Prime Minister: My hon. Friend is absolutely right. I would like to make one additional point, which is to stress again the importance of the new deal in reducing poverty in this country. About 800,000 people have now been helped by the new deal: lone parents have been helped off benefit into work; long-term unemployment has been cut; and young people who were consigned to the scrap heap and the dole for years under the Conservatives have been able to get a job. That is why any party pledging to scrap the new deal does not have the interests of the poorest in our country at heart.

Q12. [142880] **Lembit Öpik** (Montgomeryshire) (LD): Returning to higher education, but not tuition fees, is the Prime Minister aware of an anomaly preventing federated universities from encompassing campuses that use a local name? For example, Cardiff must call itself university of Wales, Cardiff, not Cardiff university. Given the organisational and branding implications, will he support a simple amendment to remedy that, which I hope to achieve using my private Member's Bill, without charging him a fee?

The Prime Minister: The answer that I have to give the hon. Gentleman is not exactly earth-shattering, but here it is. We all want Cardiff to maintain its position as a world-class university. The Secretary of State for Wales will consider any proposals for changes to the constitutions of universities in Wales in his capacity as Privy Councillor.

Pre-Budget Report

12.31 pm

The Chancellor of the Exchequer (Mr. Gordon Brown): When in 1997 we made the Bank of England independent, we also froze spending for two years, cut the national debt and imposed the responsibilities of the new deal—hard choices made to restore, as the central objective of British economic policy, the goal of high and stable levels of growth and employment.

Today, I can report to the House that British inflation has been at its lowest for 30 years; interest rates are their lowest since 1955; this Christmas, there are more people in work in Britain than at any time in our history; and economic growth in this country is now strengthening. While America, Japan and half the euro area have suffered recessions, the British economy has—uniquely—grown uninterrupted, free of recession, in every single quarter in every single year since 1997. Now is the time for this stable and growing economy to seize the opportunities of the emerging world recovery.

So, with the same strength to take the right long-term decisions for Britain that have guided us through the world downturn, this pre-Budget report sets out the further tough choices that we have to make: first, decisions to lock in our hard-won stability and to fund our additional obligations to the war against terrorism and Iraq; secondly, long-term choices that step up the pace of economic reform to strengthen Britain's enterprise culture, British science and the flexibility of the British economy; and thirdly, even as we come through a world downturn and because we believe that enterprise and fairness can advance only if they advance together, an additional £1 billion a year investment in Britain's children to advance our goal that not just some but all Britain's children have the best possible start in life and that no child is left behind.

First, the world economy. While the USA and Japan have been recovering during 2003, growth in our biggest trading area—the eurozone—is expected to be just 0.5 per cent. In Italy, growth is 0.4 per cent.; in France, 0.2 per cent.; and in Germany, zero. But I can report that in Britain growth this year is now expected to be 2.1 per cent., meeting our Budget forecast.

When I made our Budget forecast, the Opposition said it was not just incautious and wrong but "a deliberate misrepresentation" of Britain's economic prospects and not to meet it destroyed credibility. I can report to the House that not only have we met our forecast, but cumulatively since 2000 Britain's economic growth has actually been stronger than Japan, the euro area and the USA.

I can tell the House now that Britain has enjoyed the longest period of peacetime growth since records first began in 1870—130 years ago. So, Mr. Speaker, let me share this with the House: my sleepless nights have not been due to the economy nor to the Opposition. I can also tell the House that, looking forward, we expect British growth next year to increase by between 3 to 3.5 per cent. and in 2005 to increase again by 3 to 3.5 per cent.

In a world downturn, Britain has achieved growth with low inflation and with high employment. I can report that since 1997 inflation in Britain has averaged 2.3 per cent., and that the number of jobs created in our economy now exceeds 1.7 million. Unemployment in America is 6 per cent.; in Germany, Italy and the euro area it is 9 per cent.; in France it is 10 per cent.; in Britain it is just 5 per cent. For the first time in 50 years, British unemployment is lower than that of every one of our major competitors—the euro area, Japan and America.

Even with long-term unemployment cut by 80 per cent. and youth unemployment by 75 per cent., I have read pre-Budget representations that this Government's new deal is said to be an expensive failure and should be abolished. Today, in the pre-Budget report we are setting out the evidence showing that without the new deal, youth unemployment would be twice as high; without the new deal, half the lone parents who have moved into work would not have done so; and without the new deal, unemployed men would be 20 per cent. less likely to get a job. So the challenge of this pre-Budget report is not to abolish the new deal—now, with 2 million people helped, the most successful employment programme in our history—but to strengthen its role in removing for ever the scourge of long-term unemployment in this country.

We remain vigilant in regard to both inflation and the continuing risks from global imbalances, an uneven world recovery and geopolitical uncertainties. I also understand the continuing concerns of manufacturers and exporters. It is therefore urgent that world trade talks be resumed.

As we achieve more balanced economic growth, fixed investment is growing this year by 2¼ per cent., with growth forecast at 6 to 6½ per cent. next year. Business investment, which was expected at Budget time to fall, is actually rising by three quarters of a per cent. this year, with 3 to 3½ per cent. growth forecast for 2004. The latest manufacturing and industrial production figures show a 1 per cent. growth in just one month, and manufacturing output—which has fallen in both North America and Europe—is expected to grow here by one quarter of a per cent. this year, and then by around 2 per cent. in both 2004 and 2005.

With the housing market and consumer spending growth now—as we forecast—moderating, we expect domestic demand and private consumption to grow by 2½ per cent. this year and in the following two years, building on six years from 1997 in which British households have averaged real rises in income above 3 per cent. a year. With—since 1997—1 million more home owners in Britain, rising household debt has been matched by rising household wealth and lower interest payments.

Because this Government will never take stability for granted, I have announcements designed to entrench that stability. First, the credibility that has come from Bank of England independence and the tough decisions to cut inflation have made possible a proactive, forward-looking approach to interest rates, cutting aggressively at the right time for the economy and, as the economy now strengthens, locking in long-term stability.

The symmetrical inflation target enables the Bank to be both pro-stability and pro-growth. The long-term credibility of our symmetrical target will be enhanced—as the independent Office for National Statistics reports in its paper published today—by adoption of the internationally recognised measure of inflation, the

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harmonised consumer prices index. It is more reliable because, taking account of spending by all consumers, this consumer prices index gives a better measure than the old RPIX measure of spending patterns. It is more precise because, as in America and the euro area, it takes better account of consumers substituting cheaper for more expensive goods. I have therefore written to the Governor of the Bank of England this morning confirming my announcement earlier this year, and confirming that from today the operational measure for inflation will be this consumer prices index, and I am setting the new inflation target at 2 per cent.

I can confirm that pensions, benefits and index-linked gilts will continue to be calculated on exactly the same basis as now. As before, the target will be symmetrical. Should the rate of inflation diverge from the 2 per cent. target by more than 1 per cent. on either side, our open letter system will be triggered. And because discipline in pay setting is essential in both private and public sectors, I have also written today to the public sector pay review bodies, informing them that our inflation target is 2 per cent.

When, in 1997, we also broke from the old annual spending rounds by setting fiscal rules over the cycle and fixed three-year spending settlements, and then paid off more debt in one year than all the debt paid off across all the 50 years since 1945, debt interest payments were reduced to just 2 per cent. of national income—lower than at any time since 1915. Those long-term decisions that we made for stability have enabled fiscal policy during this world downturn to support monetary policy, and therefore to maintain economic growth. This Government will ensure that for the long term, debt levels will remain low and sustainable. In each pre-Budget statement, we will report not just on the medium-term fiscal position, but on the long-term position. Today's report shows that while in Germany, France and the euro area state spending on pensions will rise towards 15 per cent. of GDP by 2050, Britain's figure of 5 per cent. means—I quote the report—that

> "the UK public finances are sustainable in the long term . . . the UK is in a strong position relative to other countries to face the challenges ahead".

I have to tell the House that to revert to the pre-1980 position—an earnings link with pensions—would, by the end of the period, raise deficits by 3 per cent. a year just to cover this one item, with the long-term sustainability of the public finances undermined. Instead, this Government will proceed on a prudent and sustainable basis.

Essential also for long-term stability is a flexible housing market, and I welcome the interim reports this week of the Miles review on the market for mortgages and of the Barker review into barriers to housing supply. Kate Barker highlights Britain's weak private rented sector, so I will now consult, before the Budget, on a new incentive to encourage the creation in Britain of real estate investment trusts.

With flexibility central to meeting the euro's five economic tests, I am today also publishing our first report on labour, capital and product markets; and as promised in June, the draft euro referendum Bill is published today.

Since 1997, Britain has created over 100,000 more businesses; there are 170,000 more self-employed. But more enterprising though we are, Britain still lags behind American rates of business creation and success. And just as we took hard decisions that led to a British consensus on stability, I want to build in Britain an even deeper-lasting British consensus: a shared national economic purpose that, building on our historic strengths—Britain's scientific genius, British creativity, Britain's global reach and Britain's stability—means that we become, in this era of globalisation, one of the world's most enterprising, flexible and successful economies.

I want Britain to be the best location for science and for research and development, so I can announce a widening of the successful R and D credit that will include the direct costs of software and power. As the Government examine the Lambert and Sainsbury reviews, and put forward our reforms in the structure and funding of higher education to promote excellence and opportunity for all, the Budget will consider even further improvements, including for research and technology organisations. We will, in addition, consider the right incentives to support one of our great British creative industries: British film. A flourishing British venture capital industry is vital to growth. I will also consult on raising the annual limit for venture capital trusts and enterprise investment schemes to £200,000, and on increasing for two years income tax relief for VCT investments to 40 per cent. We will extend tax relief for the cost of managing investments from investment companies to trading companies.

Small firms in Britain seeking investments of up to £2 million still face an equity gap, so following, again, the model of American small business investment companies, we will create a new framework of incentives for small business investment. We will therefore launch the first round of a new British fund for enterprise capital. To encourage new companies to enter the North sea, I will enhance the tax relief for their costs of exploration. Manufacturers and firms with turnovers up to £22 million will benefit from 40 per cent. capital allowances, which will be worth, over three years, nearly £400 million to manufacturing and industry.

So that British manufacturers and British workers do not lose out from European rules unfairly applied to British firms, the Secretary of State for Trade and Industry and I have asked Mr. Alan Wood of the Engineering Employers Federation and Siemens UK to review how procurement rules are practised in Europe and to make recommendations.

I can announce the following deregulations. Firms applying international accounting standards will not have to submit a second and separate set of accounts to the Inland Revenue. For firms with turnovers below £5.6 million, there will now be no independent audit requirement. I will extend the flat rate VAT scheme whereby firms simply pay a percentage of total turnover, lowering the VAT charged by up to 3 per cent., and for first year start-up businesses by up to 4 per cent. In total, the Government are announcing today 147 regulations for reform or removal. Because half of regulations emanate from Europe, the coming Irish, Dutch, British and Luxembourg presidencies are proposing a joint initiative to drive forward deregulation as we seek more flexible capital, product and labour markets—not just in Britain, but across Europe.

Our goal is full employment for every region and nation of the United Kingdom, and we are closer than ever to achieving it. While the first stage of Britain's new deal was to move people from welfare into jobs, the next stage is to help people move from low-skilled work into higher-skilled work. I want to announce today that the windfall tax reserve, which was previously allocated for job creation, will now be reallocated to a new deal for skills.

To extend employer training pilots to a third of the country—from 14,000 up to 80,000 employees, most of whom have left school early and have no qualifications—we will provide £190 million in the coming year for time off and for skills training. To further that new deal for skills, everyone on jobseeker's allowance will be assessed for their skills and, starting with pilots for the long-term unemployed, they will attend a mandatory skills course.

Overall, that provides a second chance for adults—either in or out of work and without basic skills—to learn, whether through further education, work-based learning, distance learning or trade union learning. Today, further to boost such skills training, we are publishing a paper on the tax treatment of subscriptions and fees for professional bodies.

Alongside the Allsopp report on regional statistics, which is published today, the Secretary of State for Work and Pensions and I are also publishing today for the first time the full employment plans for each region of the country. For 2,000 enterprise areas, which cover high unemployment communities in a total of 417 constituencies, I can announce that, in addition to fast-track planning and abolishing stamp duty, there will—subject to state aid approval—be first-year 100 per cent. investment allowances to renovate vacant commercial premises.

I can also confirm that, as a result of the Lyons review, we will relocate out of London and the south-east 20,000 civil service jobs—to the benefit of the regions and nations of the UK. Local authorities which successfully promote small business creation should be rewarded for doing so. The Deputy Prime Minister and I propose that any additional business rate income should be shared with local authorities. Although I will consult further before the Budget, we expect local authorities to be eligible, as a result, for an additional £150 million in 2005, £300 million in 2006, rising to £450 million a year for local authorities.

Budget 2002 announced reliefs on income and donations for local amateur sports clubs. The importance of sport to our communities and to our whole country has been demonstrated most powerfully as the England rugby world cup triumph is enthusiastically celebrated all across the United Kingdom. I know that the whole House will want to congratulate the team on their success and also encourage the next generation of sportsmen and women.

There are 100,000 amateur sports clubs in Britain, which deserve greater support. Under our proposals, becoming a community amateur sports club will now bring an entitlement to 80 per cent. rates relief, which is worth between £1,000 and £3,000 a year for a typical club. By doubling today the thresholds at which community clubs are exempt from corporation tax to a new rate of £50,000, the vast majority will be exempted from such tax altogether. In partnership with the sports governing bodies, we will now do more to ensure that all sports clubs—roughly, over 100 in each of our constituencies—can share in the considerable financial benefits as they promote sports throughout their communities.

The Home Secretary—who will announce tomorrow the details of our £125 million fund for voluntary and community organisations—the Secretary of State for Culture, Media and Sport and I will report in the Budget on what more we can do in Britain to encourage and help all those prepared to volunteer in school sports and local sports, as well as in community service and mentoring. At the same time, we will also review the Inland Revenue's treatment of football supporters' trusts.

I have two announcements on whisky and spirits. While tobacco fraud, VAT fraud and oils fraud are now in decline, recent trends suggest that despite the freeze in spirits duties for six Budgets, an estimated one bottle in every six of spirits sold in this country is evading duty, so I will now make provision to implement in the next Finance Bill the Roques report recommendation that we stamp spirits bottles. If, after discussion with the industry, there is still no workable alternative proposed, we will legislate. If we have to impose stamping, the Economic Secretary will discuss with the industry the most cost-effective scheme and I will then consider extending the freeze on the duty on whisky and all spirits, not just for one year but for every year of this Parliament—*[Laughter.]* And I drink water.

I propose also to consult on a new framework for the tax treatment of green fuels: that we make a commitment to prior announcements, three years ahead, of incentives to increase usage and thus promote investment in new fuel-efficient technologies. The Budget will announce the way forward on that measure and it will also introduce incentives for rebated low-sulphur fuel and gas oils. We will also consult on recycling revenues from landfill tax; extending eligibility for the 80 per cent. reduction from the climate change levy; and, subject to new industrywide commitments on the environment, extending in Northern Ireland until 2012 an 80 per cent. discount on the aggregates levy.

Also published today are measures extending our VAT compliance strategy and closing loopholes that involve trusts, seafarers foreign earnings deductions and tax paid on the personal income of owner-managers of small companies.

Our pension proposals, published also in detail today, include a single set of rules that set the tax-free lump sum at 25 per cent. of the value of an individual's pension fund; more flexible annuity rules; and provision for older workers to draw occupational pensions earlier. Because consultation on the proposed single lifetime tax allowance for pension savings has revealed contrasting interpretations of its impact, I am asking the National Audit Office to provide, by Budget time, an independent evaluation of the numbers affected. Our aim is to secure a broad-based national consensus on the way forward. If a decision is made to proceed, the measures will be introduced in April 2005; otherwise, the current regime will remain in place.

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I come to the coming spending round. In advance of the independent Gershon review of efficiency, the Chief Secretary has written today to all Departments asking them to bring forward their proposals for reform and cost savings in the areas of transaction services, back office services and procurement—where we propose a new Whitehall framework. With modernisation and reform the condition of future spending settlements, the Treasury will in return—for public service agreements—abolish the input and process targets, and we will abolish service delivery agreements entirely. And while local performance standards and local publication of performance data will progressively replace the national targets, the Deputy Prime Minister and I are agreed that, having already set aside for English local authorities next year an additional £3.3 billion, the Government will be prepared to use capping powers where appropriate and necessary to ensure next year reasonable levels of council tax.

I turn now to the public finances. I reported to the House last week on our resolve to ensure that our armed forces are properly supported in all they do. The whole House will wish to thank them for the service they give in peace and in war. I can also reaffirm that we will meet all our international development responsibilities in Iraq and for the war against poverty in Africa and around the world.

To date, the money spent or set aside for the war against ~~terror, including~~ in Afghanistan and for our action in Iraq, is £5.5 billion. I can tell the House that for Iraq £2 billion has been carried forward into the special reserve for 2003–04; and I believe it prudent and right today to set aside a further £500 million for this year, and an extra £300 million ~~for next year~~—raising our allocations for the war against terrorism and for action in Iraq to £6.3 billion in total.

So, having taken account of those new provisions for Iraq and elsewhere, and the cost of incentives that I have announced for enterprise and other measures to equip Britain to take advantage of the opportunities of the global upturn, our current budget figures for 2003–04, and for the years to 2008, are, in billions: minus 19, minus 8, minus 5, zero, plus 4 and plus 8.

Our first rule is the golden rule that over the cycle we balance the current budget. Having accumulated surpluses at the start of the economic cycle at 2.1 per cent. of national income in 1999, 2.1 per cent. in 2000 and 0.9 per cent. in 2001, we not only meet our first fiscal rule—the golden rule—that we balance the budget, but even on cautious assumptions we have an average annual surplus over the whole cycle of around 0.2 per cent. of gross domestic product, meeting our first rule in this cycle by a margin of £14 billion; and even on the cautious case, moving back to balance by the end of the forecast period.

Our second rule—the sustainable investment rule—is that net debt will be below 40 per cent. of national income. I can tell the House that debt this year is actually rising to 42 per cent. of national income in France, ~~50 per cent.~~ in Germany, just under 50 per cent. in America and 80 per cent. in Japan. But in Britain, debt in this year and future years will be ~~well below 40~~ per cent—at 32.8, 33.8, 34.6, 35.1, 35.4, and 35.5 per cent.—meeting our second rule by a margin of £60 billion, and doing so over the cycle and in every single year.

With both rules met, it is right and prudent that—as in America, Japan, France and Germany—we borrow at this, the right time of the economic cycle. Net borrowing adjusted for the economic cycle, which is forecast this year at 3.5 per cent. of national income in Germany, 3.9 per cent. in France, 4.5 per cent. in America and 6.9 per cent. in Japan, is in Britain 2.4 per cent. this year, and in future years it will be 2, 2.2, 2, 1.9 and 1.7 per cent. of national income.

Adjusted for the cycle, our deficit, as I state in our annual convergence report submitted today to the European Union, is and remains—unlike the deficits of those G7 colleagues—below 3 per cent. of GDP and below it in every single year. In each year, before adjusting for the cycle, British borrowing is also substantially below the G7 average and it is falling to just half the level of America.

Let me give the House, in detail, the comparative figures. This year, net borrowing is for France 4.2 per cent. of national income; in Germany it is 4.2; in the USA it is 4.9; and in Japan it is 7.4.—but for Britain it is 3.4 per cent. Next year, net borrowing in France is 3.8 per cent. of national income; in Germany 3.9; in America 5.1; and in Japan 6.8 per cent. In Britain, it is just 2.6 per cent. And in 2005, while for France borrowing is 3.6 per cent. of national income; in Germany 3.4; in America 4.9; and in Japan 6.9; in Britain it is just 2.4 per cent.

So compared with a British deficit reported by the Conservative party 10 years ago of 8 per cent., and an average of 6 per cent. over the early 1990s, net borrowing this year and future years to 2008–9, as a percentage of GDP, is 3.4, 2.6, 2.4, 2.1, 1.9, falling to 1.7 per cent.—with, for this and future years, the cash figures 37 billion, 31 billion, 30 billion, 27 billion, 27 billion and 24 billion—so we are able to meet all our commitments in Iraq and at home; maintain the lowest level of debt in the G7; still announce a deficit that, in each and every year, is substantially below that of America, Japan, Germany and France, meeting all our fiscal rules; and move forward with the spending plans we have set out: £15 billion pounds more a year for education, £59 billion more a year for public services and, by 2008, £41 billion more for health, allowing us to employ, in total, 25,000 more doctors, 20,000 more teachers, 80,000 more nurses and 90,000 classroom assistants, as we invest in and reform our public services.

It is sustained economic growth, built on the foundation of long-term stability and on low debt, that has underpinned our investment plans and makes them affordable for now and the future. And so I can now make two further announcements. The first is on children's benefits—and here I should declare an interest. Nothing is more important to the future of our whole country than the best schooling, services and financial support, ensuring for every child the chance to develop their potential to the full.

For mothers and fathers struggling to balance work and family responsibilities, help with child care costs—once available to just 47,000 parents in 1997—is now available to almost 300,000. But today it is time to begin to face up to a long-standing grievance: that financial help for approved child care be offered not just to some families but be available right up the income scale to working families facing child care costs.

So in advance of other decisions that I make in the spending review, I can announce as a first step that for every employee, whatever their income level, employers will be able—as long as the offer is made to every employee—to provide free of both employee national insurance and income tax and free of employer national insurance £50 a week for approved child care.

I can also announce that we will respond to two other long-standing concerns: help with child care costs will now be available when approved child care is provided in the child's own home; and, after consultation, we will widen the definition and therefore the number of approved child carers for whom the £50 a week or tax credits can be offered. We now expect child care places to double from 750,000 in 1997 to 1.5 million by 2006, helping over 2.2 million children in our country.

In April, for the first time our country will pass a milestone in opportunity for our children: a nursery place guaranteed to every three and four-year-old—six months ahead of our planned schedule. But we know also that the most formative years are from the cradle to the nursery school. So for 500 communities in Britain, the Minister for Children will fund school-parent links so that long before schooling begins infants are introduced to early learning and books, and support is on offer in this way to parents. Building from and including Sure Start, neighbourhood nurseries and early excellence centres, I can confirm that over the next five years there will be 1,000 children's centres—children's centres that can become, for parents as well as children, as much a focus of community life as the local school, the local place of worship and the local park. Our goal is a children's centre for every community: this generation meeting its obligations to the next.

We will be judged not just by what we do for services, but by what we do for child benefits. So building upon the new child tax credit—at a cost of £1 billion a year—we will increase, from April, the child element not just by inflation or earnings, but by 13 per cent: an extra payment to be paid to 7 million children of £180 a year, an extra £3.50 a week. And because every child should be born into a world of opportunity, not condemned to poverty, maximum help for the first child—worth just £27 a week in 1997—will rise in April to £58 and, for two children, from just £44 a week in 1997, to £100 a week.

Before housing costs, a two-child family on half average earnings will now be better off than in 1997 by £75 a week—£1 billion more a year to meet, on this basis, our goal for 2004 to reduce child poverty by a quarter, as step by step, we halve child poverty by 2010 and eradicate it in a generation.

I have one final announcement. I stated earlier that, starting in April 2005, local authorities promoting enterprise can receive from central Government £150 million a year extra, rising to £450 million a year. But from April 2004 also, I am now able to do more for local council tax payers: to allocate across the United Kingdom, free of ring-fencing, for local authorities as they set their budgets, an additional £406 million—in England, £340 million extra—making the total available to English local authorities £3.6 billion more next year than this year: cash to meet the needs and concerns of council tax payers.

Economic stability, enterprise and fairness and the strength to make the best long-term decisions for Britain—I commend this pre-Budget report to the House.

Mr. Oliver Letwin (West Dorset) (Con): I draw attention to the interests that are still listed under my name but are now outdated.

It is always a pleasure to listen to the Chancellor on these occasions, and it was genuinely interesting to hear what he had to say, for example, about the housing market and child care, which we shall all study in detail. But why is it that, so often, some of the most interesting bits of the Chancellor's pre-Budget reports never make it into his speeches? Why did he not tell us that table A5 on page 190 shows that the savings ratio has halved? Why, I wonder, did he not choose to tell us anything about the tax receipt figures or about the public spending figures in the report? Does he think that those figures are less important than stamping whisky bottles? We have learned that, with this Chancellor, one needs to look at the small print. I very much doubt, though, that even the small print will say that private sector employment fell last year, that we had a record trade deficit in the last three months or that household debt is now only slightly below our entire annual GDP.

The Chancellor has congratulated himself, with characteristic modesty, on the state of the economy and on meeting his growth forecast—it is indeed a remarkable event when the Chancellor meets one of his own forecasts—but the great question is, if the economy is doing so well, why is he borrowing so much? At the time of the last election, the Chancellor said that he would borrow £10 billion this year. Since then, in a series of reports, he has raised that projection to £15 billion, £24 billion and £27 billion. Today, he has finally admitted that he will have to borrow £37 billion this year. We will have to see whether that forecast proves any more accurate than its inaccurate predecessors.

The Chancellor will have been warned about families who borrow a huge amount on their credit cards, but he is doing the same on the nation's credit card. Why is he doing all this borrowing? Is it because, as the Chancellor is fond of saying, there has been a world economic downturn? No, it cannot be, because the borrowing of £120 billion, which he has just announced, between 2002 and 2006 is taking place after the worst of the downturn, against the background of world economy upturn.

The Chancellor cannot blame the rest of the world for his own borrowing, so what reason is there for the borrowing? Is it because he is not taxing enough? The pre-Budget report tells us that the Government are taking about 50 per cent. more in tax than in 1997. The Prime Minister's promise not to increase tax at all has not stopped the Chancellor raising the equivalent of £16,500 from every household in Britain. We have had 60 stealth taxes: taxes on jobs; taxes on families; taxes on homes; taxes on pensions; taxes on savings; taxes on drivers; taxes on businesses; and of course—the biggest stealth tax of them all—a huge rise in council tax. I grant that his tax revenues have not kept pace with his over-optimistic forecasts, but that is just about the only thing that they have not kept pace with.

The real explanation for the Chancellor's borrowing is not that he has been shy about raising taxes—it is the Chancellor's spending. The Chancellor is spending

[Mr. Oliver Letwin]

more than £50 million an hour. The saddest thing about the taxes that people are paying now, and the saddest thing about the taxes they will have to pay later to repay the Chancellor's borrowing, is that there is very little sign that all that spending is delivering improvements on the scale that everyone wants to see.

In the past seven years, the Chancellor has allowed spending on Whitehall bureaucracy to grow by almost 50 per cent. That is £6.7 billion a year of additional spending on administration. By the time of the next election, the right hon. Gentleman's open-wallet policy on bureaucracy will have cost the equivalent of about £1,500 in extra tax for each household in Britain. Even he knows that he has a problem. That is why he today, and his spin doctors all week, have been busy making noises about his so-called efficiency review, which is intended to cut back on the extra bureaucracy that he has created.

There is an even more serious problem, however. As my right hon. Friend the Leader of the Opposition has repeatedly told the House, the Chancellor is taxing and spending and failing. We have been promised reform of the public services for years but the reform simply has not happened. Why do the latest official figures show that since 1997 spending by the Government on goods and services has risen by 59 per cent. while outputs have risen by only 14 per cent? Why has 37 per cent. more spending on the NHS produced only 5 per cent. more hospital treatments? Why has the Chancellor been hiring managers in the NHS at three times the rate at which he has been hiring doctors and nurses? Why is inflation in the public sector running five times as fast as inflation in the household sector? Does the Chancellor really think that those figures represent value for money?

The Chancellor should have used this statement to announce a new direction for public services, with choice and responsibility transferred from bureaucrats in Whitehall to parents, patients and professionals. Instead, he has been proceeding on the basis that the only answer to failing public services is more bureaucracy, more targets, more plans, more performance monitoring and more taxes, and when that fails, borrowing today and more taxes tomorrow—except, of course, on amateur sports clubs.

The Chancellor's best defence against the accusation that he has taxed, spent and failed is that he has counterbalanced that with success in monetary policy. The Chancellor has built his reputation on the framework for monetary policy that he put in place in 1997. I have congratulated him on that in the past, and I do so again today. But I hope—*[Interruption.]*

Mr. Speaker: Order. Hon. Members must allow the right hon. Gentleman to be heard. The Chancellor was heard, and the right hon. Gentleman must be heard.

Mr. Letwin: I hope, however, that the Chancellor is not putting that well-deserved reputation at risk by the way in which, and the time at which, he is changing the inflation index, which is at the heart of that framework. He did not explain satisfactorily why he is changing the index now, when he knows that the harmonised index is likely to change in the near future to include housing costs. I hope that he is not doing that as part of his compromise deal with the Prime Minister on the euro—he needs that deal more than ever, now that he is breaching the Maastricht guidelines on borrowing. I hope that he is not doing it to make rises in council tax less visible. Council tax rises forced on councils by the Chancellor and by the manipulations of the Deputy Prime Minister are causing havoc. Council tax rises are the least acceptable face of the Chancellor's strategy for taxing Britain. What does the Chancellor do about it? He tells us today that he is proposing to use capping, which the Labour party derided when in opposition, and just in case that does not work he is imposing an index of inflation that includes no reference to council tax rises.

Can the Chancellor tell us what other implications the change in the index will have? He says that pensions, benefits and gilts will continue to be uprated in the same way as now. I suspect that those words were carefully chosen. What about tax allowances? What about indirect taxes? What about tax credits? I hope very much for all our sakes that the monetary framework will remain robust. It is not only the Chancellor's reputation that relies on that. Both the prosperity of the country and our own ambitious plans for public sector reform depend on a stable anti-inflationary environment.

But micro-economic policy—the policy that sets the framework for the economic decisions of individuals and businesses—matters, too. The Chancellor has talked today about savings and pensions. I note that he has not talked about his £5 billion a year raid on pension funds—or about the Prime Minister's explanation that that was fine because the stock market was in such good shape. I note that he has not talked either about the fact that his vast expansion of means-testing is making more than 50 per cent of pensioners—and will in due course make more than 75 per cent. of pensioners—dependent on means-tested benefits. I note that he did not mention that a newly retired couple in rented accommodation now need to have saved more than £180,000 to avoid losing between 40p and 85p in the pound in reduced benefits at some time during their retirement. I note that he did not link this misguided, means-tested approach to the fact that the savings ratio has halved. I note that he did not tell us why his forecasts about the number of people who will be affected by his new cap on pensions differ so markedly from independent forecasts. I note, in short, that he did not tell us very much at all about how he is going to make good the damage that he has done to the culture of individual and family saving in Britain. If we are to avoid more and more people becoming more and more dependent on Government handouts in retirement, that culture of saving needs to be rebuilt.

What about the Chancellor's policies announced today for British industry? When the Chancellor addressed the Labour party conference this autumn—in a speech that the Prime Minister will remember—the Chancellor said that he would be using the pre-Budget report to promote "modern manufacturing strength". We will certainly want to look carefully at the measures that the pre-Budget report contains for manufacturers. But the Chancellor has made that kind of promise before. He told another Labour conference in 1995 that he would

> "implement an industrial policy so that our manufacturing industries can grow again".

Since then—or more precisely since the Government came to power—700,000 manufacturing jobs have been lost. The present Chancellor is the longest-serving Chancellor since Lloyd George, and his policies have seen Britain lose 300 manufacturing jobs for every day that he has kept his job in the Treasury.

One of the keys to manufacturing strength is productivity, which the Chancellor used to call

> "a fundamental yardstick of economic performance".

So can the Chancellor tell us why it is that productivity has, on average, grown half as quickly in the six years for which he has been at the Treasury as it was growing in the six years immediately before? Has the Chancellor heard the British Chambers of Commerce say:

> "British business has a clear consensus on how the Government could improve productivity in the UK: simplify tax and regulation"?

Why does the director general of the CBI say:

> "It is clearly the case that the UK has become a more difficult place to do business than it was five years ago"?

The Chancellor uses set-piece occasions such as today's to tell us that he wants to simplify tax and regulation, but his actions contradict his words. If his announcements today were reality rather than rhetoric, why did he impose a fiendishly complex change in stamp duty land tax nine days ago? Why is he imposing 15 new regulations every working day? He has today announced that he will consider abolishing 147 regulations this year. Marvellous! At his present rate of regulating, it will take him 10 days to add that many back on to the burdens borne by business. As the Prime Minister would say, the Chancellor's ambitions are not ignoble. I believe the Chancellor when he says that he wants to improve public services, and I believe him when he says that he wants to improve the prospects for British business. But the sad truth is that his ambitions are not being fulfilled—at least so far as public policy is concerned. That is because, for all his talk of reform, he is—as his neighbour the Prime Minister knows—the biggest single obstacle to reform in Whitehall.

In this pre-Budget report, we should have had announcements on public service reform. Instead, we have unreformed public services from an unreformed Chancellor, who has taxed and spent and failed. The taxpayer is paying now for the Chancellor's spending and will pay more later for his borrowing—but the money is not buying anything like the services that it should be buying, because the Chancellor has placed his faith in a bureaucracy which, instead of exercising effective control, is itself out of control.

In this pre-Budget report we should have had serious measures to reduce the regulatory burden on British business. Instead, business is paying now and is set to continue paying in lost productivity and lost competitiveness as a result of the Chancellor's suffocating blanket of stealth taxes and red tape.

The people of Britain do not want the Government to borrow more on their behalf or to tax them more later to repay that borrowing. What the people of Britain want, and what our families, our pensioners and our businesses want is the prospect of some relief from the ever-increasing burden of tax and regulation. Instead, what this pre-Budget report offers them is the prospect of paying now and paying more later.

Mr. Brown: I have just found the answer to my sleepless nights. Just as I will not take advice from a shadow Chancellor who supported a Government during the last world downturn who ran 15 per cent. interest rates, 10 per cent. inflation, lost 2 million manufacturing jobs, and had 1.5 million people in negative equity, neither will I take advice from the shadow Chancellor and his party on levels of borrowing. For 16 of the 18 years of Conservative Government, they were in deficit; for 11 of those 18 years, the deficit was above 3 per cent; in the Conservative years under the Major Government, the deficit was 6 per cent.; and it rose to 8 per cent.—the equivalent of £80 billion at today's prices—for two years in 1992 and 1993. Yet the shadow Chancellor has the audacity to try to lecture Labour Members about borrowing.

When borrowing is actually lower than it is in Germany, in France, in Japan and in America, why is the right hon. Gentleman so obsessed about the borrowing figures? There is one reason and one reason only: it is because, as he said in *The Daily Telegraph* yesterday, his aim is to cut spending. He is on record—he will not be allowed to forget this, because this is something that is at the centre of the pre-Budget report—as calling for a cut in public spending to 35 per cent. of national income, which is an £80 billion cut. The leader of the Conservative party is on record as saying that he wants to cut public spending to 35 per cent. of GDP. Perhaps an even more significant figure—the chairman of the Conservative party, Lord Saatchi—is on record as wanting to go back to the 1950s and to cut public spending to 30 per cent. I have to ask the Conservatives how many hospitals and schools and how many nurses and teachers will be lost.

The shadow Chancellor is wrong on savings. The savings ratio was lower under the Conservative Government in the 1980s. He is wrong on central administration. The costs of central administration were 4.9 per cent. of national income when we came to power; they are now 4.3 per cent. and they are falling to 4.1 per cent. We will take no lectures about the cost of bureaucracy from the party that gave us the poll tax, BSE and many other bureaucratic nightmares that we had to deal with when we came into government.

When the records are looked at, it will be found that the shadow Chancellor and his party have been wrong on every issue of economic policy. Let us remember that they opposed Bank of England independence, they opposed the minimum wage, they opposed the new deal, they opposed our symmetrical inflation target and they opposed our fiscal rules. Today, they are opposing an economic policy that has given us the best growth for the past three years of all the G7 countries and a level of public investment in services that has been surpassed by no one in the last 50 years. At the same time, we are dealing with the problems of investment and reform, and he seems to have forgotten the announcements that I made about reforms in the spending review coming up. The Conservative party was 18 years in government; it is going to be 18 years in opposition.

Dr. Vincent Cable (Twickenham) (LD): I am happy to start by acknowledging that, in some key respects, the Chancellor has a very good story to tell. We have low inflation and low unemployment and we have had steady growth and a respectable level of public debt.

[Dr. Vincent Cable]

I am afraid, however, that in other respects the statement showed the Chancellor at his worst. He trailed a long stream of complex new tax gimmicks, adding to an already over-complicated tax system. I notice that he spoke even more rapidly than usual when he got to the very dodgy numbers on the Budget. The fact is that there are a lot of red faces in the Treasury about the red ink on the Budget. The number that he has come up with today—a £37 billion deficit for the current financial year—is £10 billion more than he expected a year ago.

How does the Chancellor reconcile his optimism on the golden rule with the assessment of the independent and highly respected national institute that estimated a few days ago that there is a 50:50 probability that he is going to break the golden rule over the cycle, to which he attached so much importance? Can he confirm the story in today's edition of *The Times* that he has already written a letter to the European Commission explaining that he will have to break the Maastricht rule for the current financial year?

Is not the problem that, whereas the Government have established—they should be given credit for this—a secure and stable framework for monetary policy, that credibility does not exist in fiscal policy? The reason for that is that the Chancellor decides what assumptions he wants the auditors, the National Audit Office, to investigate. Why will he not throw the Government books open to a completely independent outside assessment?

It is clear from what the Chancellor said that the main reason for the widening deficit is a shortfall in taxation. He made no attempt to explain that. Will he try to explain why the shortfall is so large?

On the spending side, the Chancellor is quite right that the main problem is the Iraq war. On the figures that he gave today, which I understood to be a revised figure of £3.8 billion, is it not the case that the money will run out next September if the cost continues at the current rate of £200 million a month? Is not the brutal truth about this war that the activity that the Government embarked upon with the full support of the Conservative party has resulted in a situation in which British taxpayers will continue to have to pay large sums? Is there not truth in the adage that there is no such thing as a free war?

I have accepted, and I do accept, that there are positive elements in Government economic policy, but will the Chancellor be equally candid in accepting some of the failings? One of the failings is a serious imbalance in the British economy. Why, for example, did the right hon. Gentleman not say a single word about the trade deficit and the balance of payments? Would he not acknowledge that there is potentially a serious problem as a result of spiralling consumer debt and the possibility that that may result in a sharp downturn in spending? Does he not accept the Bank of England's analysis that the housing market is over-valued and could well deflate? Has the Treasury done any serious risk analysis of what could happen if such scenarios evolve? Will he publish it if it has?

In conclusion, may I ask another question? The Chancellor has built a reputation not just for competent economic management but for a genuine concern for social justice—probably rather more so than his next-door neighbour. However, can he explain why he now presides over a tax system in which the poorest 20 per cent. of the population pay 42 per cent. of their income in tax but the richest 20 per cent. pay only 44 per cent. of their income in tax? That is why the Liberal Democrats are making proposals not to raise tax, but to create a fairer tax system by lifting the burden of tax, particularly council tax on pensioners, and by asking the best-off people in society to pay a little more.

Before the Chancellor recites the lists from the Prime Minister about Liberal Democrat spending commitments, which the Prime Minister seems to have raided from conference resolutions going back to the days of Campbell-Bannerman, may I ask the Chancellor to face a straightforward question? Why is it unfair and damaging to the economy to have a 50 per cent. tax rate on earnings of more than £100,000—on the earnings of the likes of Lord Sainsbury, Steve Norris and even the Prime Minister—when it is perfectly reasonable, according to the Government, to have a 50 per cent. marginal tax rate on a graduate teacher who, under the Government's proposals, would pay the top rate of tax and another 10 per cent. in top-up fees. It is precisely the Government's lack of sensitivity to injustices and unfairnesses of that kind that is leading to so many of their supporters deserting them.

Mr. Brown: I have great respect for the new shadow Chancellor representing the Liberal party, and especially for the policies on social justice and the other items that he took with him when he moved from the Labour party to the Liberal party and in which he still believes.

Let me deal with the hon. Gentleman's individual points. As I said in my statement, we have submitted our report to the Commission today with a letter to the commissioner saying that, in our view, we meet a prudent interpretation of the stability and growth pact. We believe that a prudent interpretation is one that takes into account a cyclical adjustment of the borrowing.

On Iraq, we have set aside £2.5 billion this year and that is a very considerable amount of public spending to make possible the action that is taken at both a humanitarian and military level in Iraq.

On balance of payments, the hon. Gentleman should look at the figures that were published this morning that show a position that is better than people had expected. We do not have the balance of payments deficit that the Conservatives had in the 1980s.

As far as debt is concerned, I have had this debate with the hon. Gentleman across the Floor of the House. Although it is true that house price debt is at a high level, mortgage interest payments as a share of income are at a far lower level than in the early 1990s. In fact, they are half what they were in the early 1990s

As far as poverty is concerned—I think that our parties share a common approach on social justice and we want to ensure that more children are taken out of poverty—the hon. Gentleman must examine the tax system that we have developed. Although the top rate is 40 per cent., the bottom rate is minus 200 per cent. because the system is based on tax and benefit integration. That is exactly the sort of tax credit system that the Conservative party used to support and it is not too dissimilar from the earned income tax credit system in the United States of America. It allows us to pay people money from the Inland Revenue, especially for children, if their incomes are very low. I put it to the hon. Gentleman that the number of families with marginal deductions above 70 per cent. has been reduced under this Government and, indeed, we ended the situation in which people had marginal deduction rates of more than 100 per cent., which applied when we came to power.

The problem that the Liberals have when advocating their tax policies is that whatever they do with their 50 per cent. rate, they would find a spending gap of about £10 billion to £14 billion. That is why the former Liberal Democrat shadow Chancellor, who was replaced only a few months ago—he was probably replaced for saying this—said that

> "simply proposing further spending and tax rises at this stage of the Parliament is unrealistic".

The Liberals then announced another 40 spending commitments and sacked their shadow Chancellor.

Mr. John McFall (Dumbarton) (Lab/Co-op): May I commend the Chancellor for his focus on a sound economic framework and especially on low inflation rates, low interest rates and high employment? I especially commend him for his vision of this country's future with the announcement of full employment strategies and children's centres for every community. Too many adults and children in this country are still left behind, so we must urgently undertake such initiatives. Will he assure me that the initiatives will become a reality in every community and that they will be up and running in a year?

May I address the Chancellor as the chairman of the all-party scotch whisky group and tell him that there is already dismay in the Scottish whisky industry about the stamping of bottles? It is a £2 billion industry that is crucial to manufacturing, so may I have an assurance that he will work with me and the industry to ensure the unanimous introduction of the initiative? As chairman of the all-party group, I could then ensure that, on his sleepless nights, the Chancellor can get his tipple.

Mr. Brown: There will be 1,000 children's centres by 2008, which will include Sure Start centres that will be converted into children's centres. I believe that most constituencies in the country will have a children's centre as a result of that. My hon. Friend will want to work with the Minister for Children, who is developing the proposals, to ensure that his constituencies and others may benefit.

I am pleased that my hon. Friend is here to speak up for the Scottish whisky industry because the former leader of the Scottish National party has now disappeared from the Chamber.

Mr. Michael Weir (Angus) (SNP): I am still here.

Mr. Brown: I look forward to the intervention.

I put it to the House that if one in six bottles of spirits are escaping duty, it is incumbent on a Government who have taken action on cigarette and other smuggling to take action on that. If the industry can come up with a better proposal to deal with the problem, we will consider it, but if it cannot come up with a better way to stop the erosion of duty we shall legislate for the stamping proposal in the next Finance Bill. If we have to do that, I shall work with the industry and the Economic Secretary will consult the industry on the most cost-effective scheme. At the same time, we would freeze duty on whisky and spirits for the whole Parliament. We understand the industry's difficulties, but it must work with us to eliminate such loss of revenue, which is completely unacceptable and based not on accident or avoidance, but simple fraud.

Sir Peter Tapsell (Louth and Horncastle) (Con): As someone who has denounced the growth and stability pact from the day that it was announced, may I congratulate the Chancellor on rather belatedly reaching the same conclusion, which permeated all his rather contemptuously worded comparisons of the international performance of other countries? May we take it from those statistics that France and Germany can be regarded as free to repudiate and break all their treaty obligations to other countries in the European Union from now on?

Mr. Brown: If the hon. Gentleman is saying that the stability pact should reflect the economic cycle, deal differently with countries with low debt than those with high debt, and take account of the needs of investment in our economy, I agree with him entirely—we have advanced that view to the European Union. If he is inviting me to take his advice on every possible occasion, I should remind him that he objected to Bank of England independence. He said that

> "it will make the efficient . . . management of"

the economy

> "more difficult, lead to higher levels of unemployment than are necessary and diminish the . . . prestige of the Bank of England".—[*Official Report*, 11 November 1997; Vol. 300, c. 763.]

I think that he was wrong.

Mr. Martin O'Neill (Ochil) (Lab): I congratulate my right hon. Friend on yet another successful report. I especially welcome what he proposes to do to help small businesses to bridge the investment gap at the same time as offering assistance for bridging the skills gap, which we know is vital for many of our businesses and people. How have circumstances changed on the stamping of whisky bottles? The Treasury rejected that proposal as irrelevant and an undue burden on the industry 18 months ago. Has there been a dramatic change of circumstances or is the measure the Treasury's last card in the pack?

Mr. Brown: New information on trends in the fraudulent evasion of duty on whisky and spirits shows that one in six bottles are evading duty. No Government can or should ignore that and I am sure that my hon. Friend agrees that we have to take action. We did not want to implement the measure when it was proposed in the Roques report because we did not want to create additional demand on the industry or Customs and Excise. However, evidence shows that one in six bottles are subject to such fraud and we propose that stamping is the best way to deal with the problem, although I am equally happy to listen to alternative proposals from the industry. I repeat that if the measure is introduced, it will

[Mr. Brown]

be our aim to introduce it cost-effectively. We would work with the industry to achieve that and consult on freezing whisky and spirit duty as well. We would not have wished to take such action, but if my hon. Friend looks at the evidence he will see that it will be necessary unless an alternative course to guarantee the end of such widespread evasion of duty is found.

Mr. Michael Fallon (Sevenoaks) (Con): Given that the rise in education spending that was announced last month was premised on a 2.3 per cent. rise in teachers' pay, will the Chancellor confirm that the new 2 per cent. pay guideline that he is giving to the teachers review body today means that teachers' pay rises will be cut to pay for the mismanagement of the public finances?

Mr. Brown: I thought that the hon. Gentleman was against pay policy working in such a way. I told the House that I was informing the pay review bodies for the first time that the new inflation target is 2 per cent., as he would expect me to do. It is for the bodies to make recommendations and negotiations will take place in other areas to resolve pay. One of the interesting features of the past few months has been the fact that expected rises in average earnings have not happened in the way that was perhaps forecast in the Budget, so average earnings in the economy remain generally low. With low inflation, there is no need for inflationary pay settlements.

Mr. Tam Dalyell (Linlithgow) (Lab): Has it occurred to the Treasury that with the £2.5 billion that the Chancellor has set aside for Iraq, it could get half a dozen Scottish Parliament buildings? What figure has been set aside for Iraq next year—2004?

Mr. Brown: The additional figure that I announced today is £300 million. There is money in the special reserve and I shall write to my hon. Friend about the full amounts involved.

Mrs. Gillian Shephard (South-West Norfolk) (Con): Will the Chancellor give further details of his proposals for green fuels? When he talks about green fuels, is he referring to biofuels, and does he think that his measures will enable the Government to meet their own targets on reducing CO_2 emissions and creating a sustainable energy policy for the UK?

Mr. Brown: Although I have not read the right hon. Lady's book, I appreciate her work on pursuing green fuels and a better environment. We intend to work towards those targets. The measure that I announced today is a new form of consultation and preparation for the industry, and we are talking about biofuels. The aim is to ensure that there is such advance notice of any change and any incentives for the use of a particular type of fuel that the industry is able to respond and the full benefit goes to both the environment and the consumer very soon after the introduction. I think that the right hon. Lady will agree that when such initiatives were taken in the past, insufficient time was given to prepare the industry so that it could make available the types of fuel that were being given the incentives, and consumers did not always get the deal that they expected. What I propose is a form of consultation, and I or my hon. Friend the Economic Secretary will be happy to talk to the right hon. Lady about the details.

Ms Sally Keeble (Northampton, North) (Lab): I welcome my right hon. Friend's statement, particularly the commitment to stability, which is the single most important benefit that the Government can provide to my constituents. I especially welcome the new deal for skills, because a skills shortage is the biggest barrier to growth in my constituency. Will he confirm, first, that there will be no glass ceilings—or, indeed, floors—in the new deal for skills, so that people can get access to skills training across the spectrum; and, secondly, that steps will be taken to ensure that everyone has access to skills training, particularly the large number of working women in my constituency?

Mr. Brown: My hon. Friend takes a huge interest in these matters. It is our intention to give people, whether they are in work or out of work, the opportunity to get the skills necessary for them to succeed and for us to succeed in the new global economy. The courses offered go right up the skills grades, but, equally, our priority is to reach the 5 million adults who do not have reading skills and the 7 million or 8 million adults who lack numeracy skills to ensure that they have the skills necessary in a modern economy. Although the employer training pilots extend to a number of different skills and the university for industry offers courses that go right up the skills ladder, we must deal with the big problem that too many of our citizens lack the skills necessary for them to get jobs. I hope that my hon. Friend agrees that the priority in money terms should be on the adult skills programme. However, a range of courses is now rapidly becoming available, including trade union learning courses—I applaud the trade unions for their efforts to improve skills learning in this country—and we wish to expand them in years to come.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): First, I congratulate the Chancellor on the child care provisions and help for small businesses that he has announced, and on the relocation of jobs from the south-east, for which we have been pressing for some time. In support of some of his arguments, the Chancellor referred to the Office for National Statistics report. The ONS forecast for Wales is that gross value added per capita will fall to 74.9 per cent. by 2010. It was 88 per cent. in 1998. The Government's target for Wales is 90 per cent. Which announcement today will help to close that gap?

Mr. Brown: The main feature of the Welsh economy on which I thought the hon. Gentleman would congratulate the Government is the big rise in employment that has occurred in the past few months. I believe that 100,000 more people are in employment in Wales than were when we came into power.

[Interruption.] The hon. Gentleman is saying that more employment is not relevant to a country's economic growth—

Mr. Llwyd: The right hon. Gentleman is not answering the question.

Mr. Brown: We get economic growth by creating employment and opportunities. If the Welsh nationalists do not realise that, they are not fit to go before the electorate.

Mr. George Mudie (Leeds, East) (Lab): One of most important and ambitious Government targets is to abolish child poverty. The Chancellor's announcements on child care are extremely important because they will allow families to take significant steps to increase their income, and his breathtaking increase in child benefits will significantly help us to meet our target. Those measures, combined with the child bonds that we are to debate on Monday, ask the House to congratulate the Chancellor on the steps that he has taken. At risk of being impertinent, does he feel that those steps will allow us to meet our target early?

Mr. Brown: The first target is for 2004, which is not far away. With the extra £1 billion that we are spending, we are determined to take thousands of people out of poverty, before housing costs are taken into account. The real tragedy of the past 20 years in our country is that for 18 of them—from 1979 to 1997—child and family poverty was allowed to increase, so little was done about it, and such an uncaring attitude towards it was taken. Our proposals are not only for wealth, through the Child Trust Funds Bill that my hon. Friend the Financial Secretary will introduce on Monday, but for child benefits, with an additional £3.50 a week from April for 7 million children—not all children—in low and middle-income households in this country. It was possible for us to argue that, during a world downturn, it was too difficult for us to make that additional investment, but I am pleased that there is support from all parties other than the Conservative party, and I hope that, in time, the Conservatives will come to support taking the action that is necessary to reduce child poverty. I hope also that 10,000 children in every constituency in this country will benefit from the change and that it will prove to be a means by which we reduce child poverty. I would like a consensus in the House and in the country on the fact that the best investment for the future that we can make is an investment in our children. I believe that that is what the country wants us to do.

Mr. Edward Leigh (Gainsborough) (Con): The Finance Act 1998 allows for the Treasury to invite the Comptroller and Auditor General to report on the assumptions underlying the fiscal projections. The trouble is that the Comptroller and Auditor General can report only on the specific assumptions, not on the projections that result from their application. Would not it be a fairer, more transparent and better system if the Chancellor gave the Comptroller and Auditor General full freedom and independence to specify which assumptions he should audit? When will the Chancellor give the Comptroller and Auditor General that freedom?

Mr. Brown: It is interesting that the hon. Gentleman proposes that new direction in both fiscal policy and the organisation of the public finances. Before Labour came to power in 1997, there was no transparency in the system. The assumptions that we are having audited include the unemployment assumption. When they were in power, the Conservatives put in any figure, which is one of the reasons why the public finances got out of control. In addition, they assumed indirect as well as direct cost savings from spend-to-save schemes and figures were put into the documents that had no basis in fact. We have introduced a series of audited assumptions—we have them audited by the National Audit Office—which include unemployment, revenues from VAT, and the trend rate of growth. I think that the hon. Gentleman should applaud us for having a far more open and transparent system of decision making. Perhaps it is time he got his party to get up to date with some of these things.

I applaud the Chairman of the Public Accounts Committee on one thing: he is a known supporter of the new deal and has said that it reduces youth unemployment. I hope that he will persuade his Front-Bench colleagues to abandon their policy of abolishing the new deal.

Mr. Barry Gardiner (Brent, North) (Lab): The Chancellor has rightly identified the scourge of child poverty and spoke in his report of the reliefs that he has extended for community amateur sports clubs. In the run-up to the Budget, will he investigate the possibility of giving employers incentives to run schemes similar to the ones that he has considered for children, so that the employers of workers who are able to benefit from gyms and exercise in the workplace, perhaps during the lunch break, can benefit from incentives? Obesity in adults as well as in children is also a scourge of this nation.

Mr. Brown: This is in danger of becoming a very expensive afternoon. It is difficult to calculate the cost of accepting my hon. Friend's representations. However, I agree that we must do more in respect of preventive health programmes. The lottery providing money for fitness centres was a good thing to do. As the discussion document on the next 10 years that the Government produced a few days ago said, we shall consider how to encourage and incentivise people to improve their personal health, because doing so results in less pressure on the national health service.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): As much oil and gas remains to be exploited under the North sea as we have extracted to date. If those oil and gas resources are exploited, they provide vital revenue to the Chancellor, but if they remain under the sea, that revenue is forgone. Many jobs in my constituency depend on investment in the North sea, as do 240,000 jobs throughout the country. How does the right hon. Gentleman plan in the Budget to encourage greater exploration and appraisal, to ensure that we maximise the benefit that we get from our North sea oil and gas?

Mr. Brown: I agree that the investment incentives in the North sea for all companies have increased as a result of the changes that we made only last year.

[Mr. Brown]

Equally, I think that the hon. Gentleman will applaud the fact that we have made new arrangements with the Norwegian Government so that gas from the Norwegian sector can be properly dealt with in the British sector and create jobs in Britain for the British economy. The hon. Gentleman is right that many fields in the North sea are not fully exploited. New companies must be attracted, perhaps with different technologies, to enable them to release oil resources for Britain's economy and the betterment, through tax revenues, of our society. That is why we propose to provide an incentive towards the costs of exploration for new companies that have not hitherto operated in the North sea, but which either have the technology or are developing it, enabling us to get at difficult reservoirs of oil in the North sea. The hon. Gentleman has a big constituency and economic interest in this issue, so I hope he will welcome the final detailed proposals in the Budget.

Alan Howarth (Newport, East) (Lab): My right hon. Friend fairly drew attention to the striking contrast between the healthy and sustainable growth of the UK economy and the torpor of the eurozone economies. When does he anticipate that the European economic affairs Commissioner will announce his conversion to my right hon. Friend's sensible interpretation of the stability and growth pact, and does he agree that the persistence of slow growth in the eurozone contributes significantly to structural imbalances in the global economy and the associated perils?

Mr. Brown: My right hon. Friend has always taken a big interest in these matters. Once Europe looks at what it needs to do to face up to the challenges of the global economy, not only will the stability and growth pact changes that we have proposed be more acceptable to people but, at the same time, economic reform in Europe will move further and faster. A new social dimension that takes into account the need to get people back to work—there are 14 million unemployed—will also be taken up, and we will not have proposals such as those introduced in the past few months on VAT and corporate tax harmonisation. I therefore agree that we need to do more in a European economic strategy to get growth, and I believe that many of my Finance Minister colleagues in Europe accept that. I believe that when the Irish presidency starts in January further proposals on economic reform will be introduced.

Mr. Andrew Mitchell (Sutton Coldfield) (Con): Will the Chancellor of the Exchequer help us all out by confirming, notwithstanding the more than 60 tax increases made during his time as Chancellor and rocketing levels of council tax, that he is still planning to borrow from the markets over the next three years nearly £100 billion?

Mr. Brown: The hon. Gentleman's opening remark is contentious. If he looked at what he called 60 tax rises, he would see that many of them are tax avoidance measures. Is he telling me that he would not support measures to deal with tax evasion and tax avoidance in this country? Are the Conservatives saying that they would never have introduced many of the measures among those 60 increases? As for borrowing, I am not going to take any lectures from the Conservative party about that. It borrowed the equivalent of £80 billion and raised the national debt to 44 per cent. of GDP. It took a Labour Government to come in and sort out the problem.

Lynne Jones (Birmingham, Selly Oak) (Lab): Given the historically low level of net public sector debt under my right hon. Friend's chancellorship, but also the congestion on our roads and the associated break in economic growth and the shortage of affordable housing and the misery that that causes, would it not be prudent for him to budget for substantial and sustained investment in our transport infrastructure and council housing, the most efficient form of affordable housing? Is not an increase in the supply of council housing, which could be made available to economically active families of modest means, the best way of combating the stigmatisation of council housing, which was referred to in Kate Barker's report?

Mr. Brown: If my hon. Friend looks at the detail of the pre-Budget report she will find that in the past few years, and until 2006, we have been doubling public investment, doubling investment in housing and doubling key transport investments. The Government are prepared to make the necessary investment and, in the case of the national health service, ask people to pay a higher rate of national insurance so that we can do so. Those are the right decisions for the future of the country. That is the difference between the Government, who will make those investments, and the Conservatives, who have a policy of cutting public expenditure to 35 per cent. of national income and would make an £80 billion cut in public expenditure. They should be ashamed of themselves.

Mr. Nick Gibb (Bognor Regis and Littlehampton) (Con): Table C4 of the Red Book shows net debt for 2003-04 of £27 billion. The Chancellor has now announced that that figure should read £37 billion—£10 billion higher. The rest of the five-year projections are £7 billion, £7 billion, £5 billion and £2 billion higher, making a total of £31 billion higher. Can the Chancellor explain why those figures have been revised upwards by so much in just nine months, and what would they be if they included all the private finance initiative liabilities?

Mr. Brown: First, on the PFI liabilities, we do exactly the same as the previous Conservative Government in assessing public-private partnerships and the responsibilities for off-balance sheet borrowing. If the Conservatives are now telling me that they regard every PFI project as an on-balance sheet project and that in their plan to cut public expenditure to 35 per cent. of GDP they want to cut out every PFI project as well, they are announcing a new policy today. As for the figures mentioned by the hon. Gentleman, I shall look at them. He mentioned net debt, but I think that he was talking about net borrowing. The figures for net borrowing are exactly as I announced in the pre-Budget report to the House this afternoon. There are detailed figures, both on the numbers and percentage of national income, and he should agree that while debt in other countries is rising to 50 per cent. and even to 80 per cent. in Japan, our debt is roughly a third of GDP, rising to, I think, 35.5 per cent. at the end of the cycle in 2008.

We have the best record on debt of the G7 countries, because we made difficult decisions, which the Conservative party would not have made, to reduce debt when we came to power and use the spectrum sale, which it would have used for other purposes, to cut debt further. That is why we have low debt interest payments, and why our record of economic management is very different from the failures of the Conservative years, for which the Opposition should still be apologising to the country.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): The Chancellor's measures for children will be welcomed as much by grandparents as by parents. However, will he confirm that all the measures, including the children's centres, apply as much to Scotland and Wales as to England? If not, will he have discussions with the devolved Administrations to ensure that they do?

Mr. Brown: All the measures on children's benefits apply to the whole United Kingdom, so the £3.50 rise is for 7 million of 12 million children in this country, and will mean £180 per child, whether in Scotland, Wales, Northern Ireland or England. As for the measures on children's centres, that is a matter for the devolved Administration in Scotland, but my right hon. Friend will notice that at the end of my statement I announced £400 million more for UK public spending and £340 million for England. There is an element for Scotland, Wales and Northern Ireland. The Scottish Executive will decide how Scotland's money will be spent, but I know that it wants to invest in children's services. As for tax relief on child care, national insurance and income tax would no longer be paid on that £50 by the employer or the employee, and the measure will be applicable to the whole United Kingdom.

Mr. Quentin Davies (Grantham and Stamford) (Con): The Chancellor congratulated himself this afternoon because, while the cost of pay-as-you-go national pension schemes on the continent have, in some cases, reached 15 per cent. of GDP, the equivalent figure here is 5 per cent. However, that 5 per cent. is another characteristically bogus Labour statistic, and the Chancellor must know—he certainly ought to—that it makes no provision at all for the cost of the pension credit, housing benefit and other benefits, the burden of which is growing a great deal, as more pensioners become increasingly dependent on means-tested benefits. Will he tell us what the real figure for the state's liability for pensions is? It certainly is not 5 per cent. Am I not right in thinking that it is about 10 per cent.?

Mr. Brown: The hon. Gentleman, not for the first time, is totally wrong. Pension expenditure and pension credit expenditure are included in the 5 per cent. figure that I announced. He is wrong to allege that we deliberately excluded pension credit expenditure from it and that we are misleading anybody about this. He should know that if one links pensions to earnings, one has a bill to pay not just in this Parliament or the next Parliament, but right across the board. That is why it is appropriate to count the exact cost of meeting that bill not just in one Parliament, but right across to 2050. If the hon. Gentleman looks at the figures—perhaps he has not done so—he will find that there are deficits that arise from that, which are of the order of 3 per cent. of national income for that one item alone.

That may be why the shadow Secretary of State for Work and Pensions said that "many campaigning pensioners would like to see the earnings link restored. . . it is not affordable and would not be well targeted. . . It is a wild and uncosted policy, so it is a dangerous intervention to support it." Those are the words of the shadow Secretary of State for Work and Pensions about the pensions policy of his party. It is interesting to note that the shadow Chancellor says that he does not have a clue how it can be funded. The Conservative party should go back to the drawing board.

Mr. Andy Reed (Loughborough) (Lab/Co-op): I am sure that many Labour Members, in particular, welcome the stability in the investment in public services. As my right hon. Friend knows, I have a keen interest in sport and as a rugby player still every Saturday afternoon, and it gave me almost as much pleasure hearing a Scot congratulating the England team as it did being in Trafalgar square on Monday.

On the extension of community amateur sports clubs, although it is important that that tax relief is included, will my right hon. Friend take representations between now and the Budget on increasing the amount of Exchequer funding for sport? We have seen the effect of improving sport at national level, but we need to do that at community level. By supporting community amateur sports clubs throughout the country, we can make a real difference to obesity and the nation's future.

Mr. Brown: I said that this was turning out to be an expensive afternoon. My hon. Friend should be praised for all the work that he has done. It is in no small measure due to his efforts and the efforts of his colleagues in the all-party group on sports, which considers these issues, that the 80 per cent. rate relief has now been given to community amateur sports clubs. I am able to announce today the corporate tax exemptions that will enable more sports clubs to have greater resources to devote to sports and to the community.

I was lucky enough to meet many members of the England team at No. 10 Downing street earlier this week. The Leader of the Opposition was there as well. He seemed to come in the front door, not the back door. From talking to Clive Woodward, the coach who deserves so much praise for his leadership and recognition for what he has done, it is clear that he wishes to see the rebuilding of sports at an amateur and community level. There is enormous good will in the country for what my hon. Friend is recommending. In the course of the spending review, we will look at what we can do for school sports and community sports. I hope he will agree that we have made a good start today by providing better help for 100,000 sports clubs. That, as I said, is probably 100 sports clubs in each of our constituencies.

Several hon. Members *rose*—

Madam Deputy Speaker (Sylvia Heal): Order. We must move on to the next statement.

Benefits Uprating and Welfare Reform

2.3 pm

The Secretary of State for Work and Pensions (Mr. Andrew Smith): With permission, Madam Deputy Speaker, I should like to make a statement on benefits uprating and the employment measures in the pre-Budget report.

On uprating, I can confirm that national insurance benefits will rise by the retail prices index—2.8 per cent. From next April, retirement pension will go up by £2.15 a week for single pensioners and £3.45 a week for couples. When we came to office, the pension was just £62 a week for a single person. From April it will be £79.60 and £127.25 for couples. In keeping with the Government's aim to provide extra help to poorer pensioners and those who have saved, the pension credit guarantee will rise in line with earnings by over £3 to £105.45 a week for singles and by over £5 to £160.95 for couples. The threshold for the savings element will rise in line with retirement pension. That means that a typical single pensioner will now gain from pension credit on income up to £144 a week, and £212 for a couple.

I am pleased to report that last month, an extra 106,000 pensioners received pension credit. By the end of November more than 2.4 million pensioners were benefiting, with an average household award of £46.40 per week. The application line continues to work well, with 96 per cent. of calls answered within 30 seconds. Each week more and more pensioners are getting this extra money. All of them will gain from the increases I have announced today.

As my right hon. Friend the Chancellor set out, the child element of the child tax credit will rise by £3.50, benefiting 7.2 million children. That means that, by September next year, a single-earner family on half average earnings with two young children will be £3,750 a year better off as a result of all our measures, compared with 1997.

For the fourth year running, non-dependent deductions in income-related benefits will be frozen, benefiting around 180,000 claimants. Most income-related benefits will rise by the Rossi index—1.8 per cent.—in the normal way. I shall place details of the uprating in the Vote Office and arrange for figures to be published in the *Official Report*.

As well as security for those who cannot work, we are continuing our drive to help into work all those who can. Despite the downturn in the world economy, employment in the UK has continued to grow. We now have more people in jobs than ever before, and for the first time in nearly half a century, the highest employment rate and lowest unemployment rate of the major industrialised countries. That has happened not by accident, but as a result of deliberate choices for economic stability and a new approach to welfare. As the paper entitled "Full Employment in Every Region" which is published today shows, our approach is working. The UK labour market is diverse and flexible. We are better placed than our European competitors to adapt quickly to changes in the global economy.

Through our investment in the new deal and Jobcentre Plus, we have tackled the legacy of mass unemployment. Long-term unemployment, particularly among young people, has been slashed. With 1.7 million more people in jobs, and nearly 700,000 fewer on unemployment benefits, we have saved £5 billion on the costs of economic and social failure. Some suggest that the new deals should be abolished, but those figures show that that would be the wrong thing to do. The new deals have helped over 900,000 people into work. Independent research shows that the programmes can pay for themselves. The new deal for lone parents alone is saving the Exchequer £40 million a year.

Even the strongest labour market will have some people who do not connect with the world of work and who will need extra support to move into jobs. Although the numbers moving on to incapacity benefits each year have been reduced by a quarter since 1997, there remain 2.7 million people largely excluded from the labour market, at huge human and economic cost. A large number of them want to work and could work, if given the right help and support to do so. Last year I announced new measures to help them re-engage with the labour market.

The pathways to work pilots, combining work support, rehabilitation and financial incentives, are already under way in Derbyshire, Bridgend and Renfrewshire. Further pilots start next April. I am regularly updating MPs in pilot areas on progress and have been encouraged by the keen interest shown by hon. Members in this groundbreaking initiative. As part of the pre-Budget report, we are announcing that some basic elements of this approach will be extended from next April. Everyone on incapacity benefits will have voluntary access to support from a personal adviser.

Although our programmes have helped 230,000 lone parents into work since 1997, we want to do more. Research shows most lone parents want the choice of combining paid work with the vital job of bringing up a child, but they face many barriers along the way. One of the biggest barriers is child care. That is why we have created places for more than 1.3 million children since 1997. From next April, we will be piloting better use of school facilities outside school hours and in the holidays to provide affordable child care targeted at lone parents.

Today's pre-Budget report goes even further, with new measures to encourage employers to provide affordable child care, which my right hon. Friend the Chancellor has just set out; free child care for all those on the new deal for lone parents in the week before they start work to help them to make that transition; and free child care for lone parents undertaking work search activity in 12 pilot areas. As we remove those barriers, we will do more to help lone parents find work. Today I can announce extra job search support for parents with older children to help them prepare for the labour market and compulsory action plans for all lone parents.

As well as making work possible, we need to make sure that it pays. From next October, lone parents in a number of pilot areas who move into work will have their wages topped up by £40 a week for a year. We know that workless families in London face especially high housing and child care costs, which mean they can often find themselves little better off in work than they were on benefits. So today I can announce that we will extend the £40 a week top-up across the capital both to lone parents and to couples with children who have been on benefit for more than a year, making sure that work pays.

As my right hon. Friend the Chancellor said, we will also offer extra support for all jobseeker's allowance claimants aged 25 or over by piloting a mandatory, intensive work-focused course at the six-month stage of unemployment, as well as by providing extra help for those on benefits to enter self-employment. To improve the choices available to older people, those in receipt of pension credit will be able, on a voluntary basis, to access the full range of our employment programmes.

Together, today's PBR measures build on our successful approach and help to continue our drive to full employment in every region. For all those excluded from the labour market, housing benefit reform has an important part to play. From April 2004, people on housing benefit who move into work will no longer be required to submit a full new claim. We have started pathfinders of the local housing allowance in the private rented sector to be introduced in nine areas, allowing people to know in advance what benefit support they will receive. As soon as we can, we will apply a similar approach in pilots in the social rented sector. That will promote greater choice and responsibility and bridge the gap between benefit and work by allowing tenants to budget for their own rent.

In conclusion, today's statements show that this Government are delivering on our pledge of work for those who can work and security for those who cannot. Our measures will ensure that we make further in-roads into child and pensioner poverty, extend the opportunities of disabled people and reform welfare so that rights, responsibility and opportunity go hand in hand.

The House and the country will have noticed how few Conservative Members considered the war against poverty to be an issue meriting their attendance in the Chamber, although the six who are present have now neatly grouped themselves on the Opposition Benches. By contrast, Labour Members are determined to win the war against poverty. Our reforms are creating a labour market that works for the many and not the few and which achieves our goal of full employment throughout the UK—social justice and economic strength together, which is a central purpose of Labour in government.

Mr. Nigel Waterson (Eastbourne) (Con): I thank the Secretary of State for his usual courtesy in providing an advance copy of his statement to me. I should perhaps also declare my interest, in that I have some private pension provision.

Of course, I noticed the Secretary of State's comment about how many Benches are filled, but I also notice that there is a considerable doughnutting of Government Members around him, and very few of them are out of camera shot. I should like to pass on the apologies of my hon. Friend the Member for Havant (Mr. Willetts); sadly, his flight was cancelled and he is therefore unable to be present. The House will have to make do with one brain, as opposed to two brains.

May I inquire of the Secretary of State why this statement has been made on the same day on which the Chancellor's report has been put before us? It is normal practice for the statement to be made a day or so later. Is this a good day for burying bad news or very little news?

The Secretary of State had little or nothing to say about the Child Support Agency. Will he please update the House about the implementation of the new model? How long will people have to wait for the new computer system to work properly and for old cases to be migrated to the new system? Does he share my alarm about the evidence on this subject recently given to the Select Committee on Work and Pensions?

Will the Secretary of State also advise the House what steps he is taking to increase the take-up of council tax benefit, which continues to have the lowest take-up of any benefit? The matter bears heavily on older pensioners in areas where council tax has risen sharply, and especially the south-east, in large measure due to Government policy.

I continue to be impressed by the Secretary of State's touching faith in the effect of the new deal, but he rightly conceded that there are still far too many economically inactive people in this country. Will he also advise the House whether he shares my disappointment and that of many disability groups about the continuing lack of success in helping people with disabilities back into work? We know that about 1 million disabled people would like to work, but they are too often deterred by the artificial barriers in the system. Will he please dispel the anxieties caused by recent press leaks suggesting that the Government are going to have a major crackdown on benefits for people with disabilities?

Of course, we welcome any uprating in benefits. We will certainly not follow the example of the Liberal Democrats, who memorably voted against any uprating a couple of years ago. I noted what the Secretary of State had to say about inflation, but will he please give a cast iron assurance that the changes to the inflation index about which we heard will have no detrimental effect on the uprating of the benefits and that the existing inflation measure will continue to be applied to upratings for the foreseeable future?

We will be very interested in the outcome of the housing benefit pilots to which the Secretary of State alluded. We welcome at least some of the measures to improve child care and access to employment advice for older people, although this Government's record on age discrimination has generally been pretty dismal.

We continue to be in the midst of a severe pensions crisis. A dreadful situation is faced by pensioners who have lost everything because their company has gone down and taken their pension fund with it. Will the Secretary of State tell the House how far the Government have got in trying to find ways of compensating those workers? When will we see the pensions Bill? Will it be this year or next year? Many anxious current and future pensioners will be hanging on his answer.

May I also ask the Secretary of State about the pension credit, about which he had a great deal to say? The latest figures on its roll-out have only just been published. They show that there are still only 106,000 new claimants. The total number benefiting is still less than half the number who are eligible. That is hardly surprising given the recent *Daily Express* poll showing that a third of all older people had not even heard of the pension credit. More than half had no idea how the system worked or how they should claim their money. Nor should anyone be surprised about that. We have

[Mr. Nigel Waterson]

tried to tell the Government that the new system is too complex and involves too much intrusive means-testing, and that many pensioners will be deterred from applying as a result. Indeed, the Government themselves have set a target—it was confirmed the other day by his junior Minister, the Under-Secretary of State for Work and Pensions, the hon. Member for Liverpool, Garston (Maria Eagle)—under which 1.4 million of the poorest pensioners will not claim at all. Can he please confirm that that is still his working assumption?

Of course, Opposition Members would encourage all our constituents who are entitled to apply for the credit to do so, but we fear that the Government will not hit even their own modest targets. It will be a lasting legacy of this Government that they will have raised the proportion of means-testing from 38 per cent. in 1997 to 60 per cent. and even more. The Secretary of State and his Ministers should be worried by the increasing level of anecdotal evidence about the practical difficulties of telling people about this complex new system.

The other day, people from the citizens advice bureaux told me that they are starting to hear stories about the 20-minute phone call that we have already heard about taking as long as an hour or an hour and a half. Those may be isolated cases—I would be the first to concede that we are at an early stage—but if not, it is deeply worrying.

Can the Secretary of State tell me whether he intends to raise the pension credit in line with earnings or with prices in the next Parliament, if this Government should survive? Incidentally, the Minister for Pensions, the hon. Member for Croydon, North (Mr. Wicks) sought to rubbish the independent actuarial advice that we received, which said that a couple would have to save £180,000 during their working lives in order not to be reliant on means-tested benefits. If the Secretary of State does not accept that estimate, will he give the House his figure? Surely, he must have one.

Would it not be a lot simpler and much better for poorer pensioners if the Government were to adopt the Conservative party's policy—which has considerable support among Labour Members—of restoring the link with earnings? They need to roll back means-testing, restore dignity to pensioners and, above all, ensure 100 per cent. take-up of pension credit.

Mr. Smith: Let me go through those points in order. The hon. Gentleman's point about the timing of the uprating statement is utterly trivial. If he had done even five minutes' research he would have noticed that last year it was made before the PBR and that in many previous years it took place on the same day because of the overlapping content of the two statements.

On the Child Support Agency, if the hon. Gentleman had studied the second quarterly report that we issued, he would have seen that the rate of case clearances of some 40,000 was three times that of the first quarter. Although the performance of the new computer system has been unsatisfactory, it is improving, but clearly needs to improve further. The hon. Gentleman referred to the Select Committee on Work and Pensions, with which we will of course work closely. It is important that it has a full report on what has gone wrong with the new system, whose fault it is, what is being done to put it right and when it will be working properly; and I will make it my business to ensure that it gets that report.

The hon. Gentleman mentioned take-up of council tax benefit just a few breaths before he derided the pension credit—yet the pension credit, and our promotion of it, is increasing eligibility to council tax benefit and housing benefit, because some 1.9 million pensioners are either getting more support or getting it for the first time.

The hon. Gentleman said that too many people are on inactive benefits. If the Conservatives really want to help those people, whether they be lone parents on income support or disabled people and those who have suffered ill health on incapacity benefit, they will not do it by abolishing the new deal—they will do it only by extending it. Whatever the hon. Gentleman says about the new deal for disabled people, it has helped 20,000 disabled people into work, thereby transforming lives. We need to build on that help, not abandon it, as the Conservatives would.

The hon. Gentleman queried the link between benefit increases and inflation in the future. To repeat clearly what the Chancellor said, pensions will continue to be uprated with the retail prices index and, during this Parliament, pension credit will be uprated with earnings. The introduction of the new measure for Bank of England inflation-targeting purposes makes no difference to that whatsoever.

The hon. Gentleman asked about the pensions Bill. That is a very important measure to boost occupational pension security, to help people to move more flexibly into retirement and generally to improve provision for people who are planning for their later years. The Bill will be brought before the House as soon as it is ready. The hon. Gentleman would not expect us to do so before it was ready—indeed, I suspect that he would be at the forefront of our critics were we to do so.

I was interested that the hon. Gentleman did not mention—perhaps he has not had time to see it—the important announcement made today by the Inland Revenue in association with my right hon. Friend the Chancellor's statement, whereby we are inviting the National Audit Office independently to scrutinise our assumptions on the 1.4 million cap. This whole package of radical simplifications—rolling eight tax regimes into one and more access to 25 per cent. lump sums—will lead to a terrific reduction in costs. I would have hoped that the hon. Gentleman and his colleagues might welcome that in the interests of building a consensus, but we heard nothing about it.

On pension credit, the hon. Gentleman was, unwisely, tempted to deride my figure of 106,000 extra recipients. Perhaps he had not noticed that that was just for the month of November. Take-up is accelerating and going very well, and I am confident that increasing numbers of pensioners will receive pension credit and that we will beat the 3 million figure that the shadow Secretary of State said that it would take us six or seven years to hit. We will do it much quicker than that.

The hon. Gentleman referred to his party's proposals. The whole country must know by now that his and his right hon. and hon. Friends' sums simply do not add up. Even on their own figures, they would have a £500 million black hole by year four and need £10 billion more within 10 years. No wonder the shadow Chancellor had to admit that they face what he called further painful decisions to show how on earth their half-baked policy, which the shadow Secretary of State himself described as wild and uncosted, can be made to appear sustainable. We will take no lectures from them, given their record. With Labour in government, the basic state pension has gone up in real terms by more than £5 for a single pensioner and by more than £8 for a couple—that is more than the Tories chose to put it up by in all their 18 years in office.

Mr. Steve Webb (Northavon) (LD): I thank the Secretary of State for his courtesy in providing a copy of the statement in advance.

Briefly donning my anorak, I thank the Secretary of State for freezing non-dependent deductions for the fourth year running. I welcome that, because growing numbers of young people, particularly those who are poorer, are unable to leave the family home until they are much older, and they are penalised quite harshly through the housing benefit system.

The increase in the child tax credit is welcome, but I wonder whether the Secretary of State could clarify something. He will be aware of the "Give us a fiver, Gordon" campaign that the Child Poverty Action Group and others have been running. That is the amount that they estimate is required to help the Government to achieve their initial target of taking 1 million children out of poverty. Given that the Chancellor has come up with £3.50 instead of £5, can the Secretary of State confirm that he believes that that increase is sufficient to hit the Government's first target on reducing child poverty?

In view of the problems with the family tax credit, can the Secretary of State confirm that 0.5 million families who are entitled to it are not receiving that credit and will therefore not get the money that the Chancellor announced? Given the computer shambles that still exists in the tax credit system, is he confident that even those who have made a claim will get that money seamlessly and painlessly?

For some reason, the Secretary of State did not mention the fact that the Chancellor has frozen the thresholds at which tax credits start to taper away. Can he confirm that that is the case?

The Secretary of State said that there will be compulsory action plans for all lone parents. What does that mean? For a lone parent who has just had their first child, presumably the only necessary action plan is to try to get some sleep. What are the Government going to require of all lone parents? What will one of those action plans look like? Will it say, "Take child to park, change nappies"? How will lone parents benefit? We heard nothing other than that oblique reference.

The Secretary of State mentioned the 1.4 million pension cap. In another place, my noble Friend Lord Oakeshott pointed out that that has a very different effect from that which the Chancellor claimed. I welcome the right hon. Gentleman's reference to allowing the National Audit Office to decide who is right—I think that we know who is right—but I am slightly confused by the Government's position. I have skimmed the Inland Revenue document. It appears to suggest that the solution will be all or nothing and that, if the NAO disagrees with the effect of the 1.4 million cap, it will be dropped. What is the status of that issue? I am slightly hazy as to where we are on the matter. Is it all or nothing? Could there be a different figure? Could the system work in a different way?

On the pension credit, will the Secretary of State confirm that today's figure of 2.4 million individual pensioners receiving it is less than half the number of people entitled to do so? While claims can be backdated to this October, will he confirm that anyone who has not been reached by next October—that could easily be 1 million or more people—will lose out permanently because the backdating will stop and they will not be able to get more than a year's pension credit from next October? Will he confirm that those people will lose out for ever?

The one aspect of the right hon. Gentleman's statement that we do not welcome is that of the local housing allowance scheme and its extension to the social rented sector. The idea of the scheme is that people should have shopping incentives and be able to pick and choose between different sorts of rented accommodation. Does the right hon. Gentleman accept that, for my constituents, the idea of a choice between different units of social rented accommodation is a joke, and that there is a massive shortage of such accommodation? The idea of a scheme based on shopping incentives is frankly insulting.

Mr. Smith: I thank the hon. Gentleman for his welcome for our decision on the non-dependent deductions, on the increase in the child tax credit and for our reference to the National Audit Office for independent scrutiny of the taxation of pensions and the cap. He asked about the thresholds for the credits. They are as set out in the documentation. We believe that that is the right thing to do this year, in the context of carrying forward the child tax credit framework as a whole.

The hon. Gentleman asked what the compulsory action plan would involve. Clearly, it will have to be tailored to the circumstances, needs and potential of the lone parent who is having the work focus interview. If they have very young children, for example, it will be important to encourage them in relation to how they work with them in terms of nurturing and development. It would be appropriate, for example, to encourage them to avail themselves of the support of the sure start programme, or for those with older children to liaise with the children's centres.

It would be appropriate for lone parents to take a long-term view of their own personal development and of how they see themselves supporting their child. When visiting the programmes in local communities, I have been struck by the fact that, if we can get lone parents and other young parents to work with their children on nurturing and development, it is not only the children who benefit—all the evidence shows that children progress better and are less likely to live a life of poverty if they have that kind of support—but the parents as well.

There should be more emphasis on training for lone parents with older children, on what they can do to get themselves job ready and on finding out what jobs they will be able to get into. The additional support that we

[Mr. Smith]

announced today—free child care for the week before people start a job and the availability of child care for lone parents looking for a job—should all help to ease what can otherwise be a difficult transition. We have done well to get more than half of lone parents into work, but when we compare the rate of employment among lone parents in this country with the typical rate in the rest of Europe, we still have some way to go. All the evidence shows that, in most cases, lone parents would like to avail themselves of the opportunities being offered because their living standards and their children's prospects would improve.

The hon. Gentleman asked about the take-up of pension credit, and whether I was confident that we would hit our target. I am confident of the progress that we are making. As I was saying to the hon. Member for Eastbourne (Mr. Waterson), it is encouraging to see the take-up rate accelerating and to see the application process working so smoothly. In our constituencies, each of us now has thousands of pensioners who are benefiting from the pension credit. Alongside my announcement today, I am publishing a constituency breakdown, so that all hon. Members will be able to see how people are benefiting in their constituencies.

The hon. Gentleman asked about the progress that is being made on child poverty, and whether we believed that the increases announced today would be sufficient to enable us to hit our target of reducing child poverty by a quarter by 2004–05, which is the first milestone that we have to reach. There are details of that in the pre-Budget report documentation, but the short answer to his question is yes, these are challenging targets, but it is right that they should be and we are confident that we shall progress to hitting them using the measures that we have announced.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): It is difficult to over-state the significance for lone parents and couples in London of the suggested regional wage top-up. I shall be interested to see the details of the proposal, but a number of colleagues and I have been campaigning for such a measure for many years, in recognition of the much higher costs of child care and housing in London and of the fact that we have much lower lone parent participation in the labour market and much higher incidence of child poverty here than in any other region.

Will my right hon. Friend tell us how that provision will be delivered? Will it be via a premium on the tax credit? Will it increase the entitlement to the child care tax credit? Will lone parents in London be expected to have been out of work for a year to qualify for the premium, as couples will be? Will the premium in London stop after a year, and, if so, how do the Government intend to deal with the risk of parents who have settled a child in child care as a consequence of the premium improving their access to employment finding themselves unable to sustain that child care place?

Mr. Smith: I thank my hon. Friend for her welcome for the proposal. Like her, I think that it is difficult to over-state its importance across London, where lone parents and other unemployed parents face particularly high child care and transport costs, especially when housing benefit is withdrawn when they enter work. That is why we have introduced the measure, and we believe that it will make a real difference.

I can confirm that it is intended for people who have been out of work for a year. The work search premium is also being introduced in a number of areas, which will give people £20 a week for actively seeking work, as well as the additional help with child care that I mentioned. If they get a job, they will then get the £40 for a year. We have found with previous programmes that, after a year, people have often made the transition into a job and progressed in their work. The premium helps them to meet their initial costs, they have a new social network and outlook and tend to stay in work. Obviously, we shall monitor the provision closely. I shall let my hon. Friend have a note on the details of the calculation and its administration.

Mr. John Redwood (Wokingham) (Con): Like all hon. Members, I hope that my private interests in pensions will keep me above means-tested benefits in my old age and away from financial worry. Can the Secretary of State explain to my constituents, whose pension funds have been gravely damaged by the £5 billion smash and grab raid each year by the Chancellor, why it makes sense to damage their pensions, often to the point where schemes are closed or benefits cut, only to give less money back to them in the form of means-tested benefits? Is that not an outrageous mugging of our pensioners? Would it not have been better to have left more tax relief in the funds so that those pensioners, like us, could look forward to less worry in old age?

Mr. Smith: I cannot resist pointing out that the right hon. Gentleman was a member of the Government who oversaw the most calamitous mis-selling of pensions as well as fraudulent abuse of the occupational pension system, which did much to undermine confidence in that system. On pension credit, the Conservatives go on about means-testing, but the truth is that this is a million miles away from the humiliating, intrusive weekly means test of old. What worries them is that we are getting more money to the pensioners who need it most, while at the same time acting to address occupational pension insecurity through the proposed pension protection fund, measures for simplification, measures to take out cost, the development of informed choice, better financial numeracy and all the other measures that form such an important part of our strategy.

On dividend tax relief, I would take more notice of Conservative Members if their party were committed to its reintroduction. It is not, so this is all crocodile tears.

Jim Knight (South Dorset) (Lab): If, before the 1997 general election, the Labour party had campaigned and pledged to increase employment by 1.5 million and virtually to obliterate youth unemployment, it would have been dismissed as dishonest and unbelievable. The Government's achievement in bringing down unemployment and putting more people in work through the new deal, which both Opposition parties voted against and which the main Opposition party says it would abolish, is an extraordinary tribute to my right hon. Friend the Secretary of State and his Department. However, has he considered a new deal for seaside communities, where seasonal unemployment is a particular issue? We need assistance to ensure not only that work pays, as my right hon. Friend says, but that it pays for 12 months a year.

Mr. Smith: I thank my hon. Friend for his praise for the new deal and its achievements. He is right, of course, that nothing could do more damage, setting back the hopes of those who would be assisted by those programmes, than the Conservative party getting the opportunity to end them. The idea that the Conservatives might save money from that to pay for pensions, or indeed to pay for anything else, is ridiculous when we take account of the fact that in cost-benefit terms the programmes are saving us money. The new deal for lone parents, as I mentioned, has been shown by research to save £40 million a year for the Exchequer. As well as the untold human damage that the Conservatives would inflict on many of the most vulnerable members of our community, they would face higher costs from abolishing the new deal, rather than saving money.

I listened closely to what my hon. Friend said about the need for action in seaside towns. My right hon. Friend the Chancellor referred to the document entitled, "Full Employment in Every Region", which we published today. If my hon. Friend studies it, he will see in its extensive analysis some interesting observations on the particular position of the labour market in seaside towns. Of course, action teams, local worklessness pilots and other intensive local programmes complement the new deal; many of them are appropriate to and applied in seaside towns. However, I will continue to listen to him and other colleagues from all parts of the House who represent seaside towns to consider what further needs to be done.

Hywel Williams (Caernarfon) (PC): On behalf of my party, may I also thank the Secretary of State for sight of his statement? He is a busy man, but I wonder whether he has looked at the New Policy Institute report on poverty and social exclusion. If he has, he will have noticed the statement:

> "Wales is noticeably worse than average for . . . indicators of poverty . . . children in workless households"

as well as young adult unemployment and concentrations of poverty. Poverty clusters around children in families without work. I wonder how such child poverty will be addressed by the 1.8 per cent. increase, following the Rossi index. To enlighten the House, for a young unemployed person who is under 25, that means a rise from £43.25 to £44.05—the princely sum of 80p.

How will such child poverty be addressed by the lack of any reference, so far as I can see, to the continuing disgrace of the social fund, which nobody seems to mention these days? Just in case the Secretary of State is tempted to refer to getting people into work, I refer to the New Policy Institute report:

> "The proportion of people in poverty in households where someone was doing paid work rose from 33 per cent . . . to 41 per cent"

between 1999 and 2002. Therefore, we have an increase in the proportion of people working but in poverty. As a matter of interest for Conservative Members, although I do not know whether they read these reports—

Madam Deputy Speaker (Sylvia Heal): Order. The hon. Gentleman has had more than enough time to put his thoughts to the Secretary of State.

Mr. Smith: The hon. Gentleman has made quite a lot of points, so I shall try to do them justice. The new deals of all kinds have been working well in Wales. It is another interesting feature of the analysis that we have published today that throughout the UK unemployment has fallen furthest where it was highest. That shows an evening out of opportunity, which is welcome, notwithstanding the concentrations of unemployment and other deprivation, which, as he points out, can occur in particular communities.

One of the pathways to work pilots, to which I have referred, is working in Bridgend and in the south Wales valleys, where there is a concentration of people who receive incapacity benefit. It is early days yet, but the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Liverpool, Garston (Maria Eagle), who is the Minister with responsibility for disabled people, and I make it our business closely to monitor the performance of those programmes. The early signs are very encouraging.

On the general point made by the hon. Gentleman about the increase in benefits, I point out that one of the great advantages of the Government's child tax credit approach is that there is seamless support for children, whether or not their parents are in work, so people out of work will benefit from that increase, just as people in work will. As I was telling the hon. Member for Northavon (Mr. Webb), who speaks for the Liberal party, that will be a big factor in helping us to hit our targets to reduce child poverty in Wales, as elsewhere.

Miss Anne Begg (Aberdeen, South) (Lab): I welcome the Secretary of State reiterating his commitment to the new deal. About three weeks ago in Aberdeen, I helped to launch a new deal called progress to work, which is for recovering and recovered drug addicts. It is crucial that those young people get that specialist and specific help, because without it there is no way that they would ever enter the employment market. I am concerned that those people are the very ones who could be threatened should the Conservative party ever come to power and scrap the programme of new deals.

One of the main routes out of unemployment or off benefit for hard-to-place groups is self-employment. I notice that the Secretary of State said that the Government are thinking of providing extra help for those on benefits to enter self-employment. Can he give an indication of what that extra help might be?

Mr. Smith: My hon. Friend is right. As well as the general benefit of the new deal, there are those specialist elements of the programme, such as the progress to work initiatives to help drug abusers to manage their condition and to get to a position from which they can move into work. It would be an utter tragedy if the Conservative party were able to scrap them.

[Mr. Smith]

As we examine the future of the new deals and our wider array of employment programmes, as well as wanting to simplify what has become, due to its incremental development, a complex structure in terms of eligibility and programme operation, I think that there will be scope—not least through the incentivised employment zone approach—to make more resources available where people with a particularly challenging history or condition are being helped. As a condition of that, however, there must be a rigorous focus on the outcome of those programmes to enable us to have sufficient flexibility in the system, so as better to reward the ones that genuinely help the hardest to help and successfully get them towards the labour market.

It has been a feature of the existing new deal programmes that self-employment is an option. That has already helped many people successfully to start their own business. We want to develop that further with the quality of advice and support that is available. Of course, it will also be helped by the measures for skills, which my right hon. Friend the Chancellor announced in his statement.

Several hon. Members *rose*—

Madam Deputy Speaker: Order. I must move on to the main business.

European Affairs

[Relevant document: Minutes of Evidence taken before the European Scrutiny Committee (HC 1078-ii).]

Motion made, and Question proposed, That this House do now adjourn.—*[Margaret Moran.]*

2.48 pm

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): The Italian presidency of the European Union will chair the European Council in Brussels this Friday and Saturday, 12 and 13 December. Today, the House has its customary opportunity to debate the Government's priorities. I also look forward to discussing them with members of the Foreign Affairs Committee when I give evidence to them tomorrow.

The main business of the Council will be negotiations in the intergovernmental conference—the IGC—for a constitutional treaty for the EU. The Italian presidency hopes to conclude those negotiations at this European Council. The Government support that aim. Equally, the Government's fundamental concerns, like those of other member states, will have to be dealt with in any final package that we can agree.

The concerns of the Government were well spelled out in the White Paper, which I published in September and which was debated in the House on 9 September. They include retaining unanimity for treaty change and other matters of vital national interest such as tax, social security, defence and foreign policy, key areas of criminal procedural law, satisfaction in regard to energy, and issues that have emerged as further priorities during our consultations.

Mr. Bob Blizzard (Waveney) (Lab): As my right hon. Friend knows, I have pressed him, the Minister for Europe and indeed the Prime Minister on the energy chapter—later to become the energy articles—because of the uncertainty that it has created in the United Kingdom offshore oil and gas industry. The revised wording that my right hon. Friend has secured through negotiation meets not only my concerns—the concerns, that is, of one who represents an oil and gas constituency—but the concerns of the industry. I can confirm that, having just left an industry event organised by the United Kingdom Offshore Operators Association, where industry representatives announced that they were very satisfied with the new wording.

Mr. Straw: I thank my hon. Friend for all his work on behalf of the industry. I am glad to hear its opinions. The result that we have achieved is a consequence of the way in which the two Houses have been involved in the negotiations. Without my hon. Friend's prompting and support, and without the involvement of members of all parties in the House of Commons, I should not have been able to deploy as much weight in the IGC and to secure what I consider a satisfactory result.

It is worth putting on record the amended proposal that arrived from the Italian presidency late yesterday evening, which amends article III-157 with an additional sub-clause stating:

> "such laws or framework laws shall not affect a member state's right to determine the conditions for exploiting its energy resources and the structure of its supply without prejudice to Article III-130(2) (c)".

That article also protects a nation state's use of its own resources.

We must be eagle-eyed to ensure that that text finds its way into any final treaty that we sign, and I promise the House that that will happen. I am extremely grateful to my hon. Friend the Member for Waveney (Mr. Blizzard) for what he has been able to achieve—with, perhaps, a little help from me.

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): The proposal obviously came from the Italian Government, but what matters is getting investment into the North sea, reducing the uncertainty and protecting jobs in our constituencies. As the Chancellor recognised in his statement earlier, when pointing out how vital this industry is, it is important for the words to appear in the final text, not just in the draft.

Mr. Straw: We will ensure that they do. I have no reason to think that they will not. They emanated from the Italian presidency because it is running the IGC, but it took a great deal of discussion in the room and privately with our friends in the presidency. We also worked closely with the Government of the Netherlands. I signed a letter to the presidency, jointly with my then counterpart, Jaap de Hoop Scheffer, who is about to take over as Secretary-General of NATO, emphasising that this was the shared concern of two of the largest oil and gas producers in the European Union.

Angus Robertson (Moray) (SNP): Members of the European Scrutiny Committee were provided with the text of the United Kingdom amendment, including the fourth part, which we have been asked not to release because it could damage the UK's negotiating position. I do not want to press the Foreign Secretary on the exact wording, but having looked at the Italian presidency's proposal—which some Members have said they wholeheartedly support—I am slightly worried about the lack of any mention of fiscal safeguards. Can he reassure us that other sections of the draft constitution will deal with that?

Mr. Straw: As the letter from the Dutch Foreign Minister and me made clear, what overwhelmingly concerned us was what had been in the original energy articles, and the possibility that the Commission would use qualified majority voting to take control of oil and gas energy policy issues that are properly a matter for the House of Commons or for unanimity in the Council. Any fiscal regime is a separate issue. At present we are broadly reassured, but as the hon. Gentleman knows we will continue to try to nail down any remaining ambiguities.

Mr. William Cash (Stone) (Con) *rose*—

Mr. Straw: I will give way to the hon. Gentleman, as I always do.

Mr. Cash: The Foreign Secretary announced the other day that there is to be a declaration about the primacy of Union law in the new arrangements, which no doubt he hopes will be settled this weekend. Even if he exercises a tentative veto, it could turn out to be a pyrrhic victory. Does he accept—here I refer to an answer given to me by the Minister for Europe on 8 December—that, when it comes to interpreting the constitution in the context of Union law, the issue should be decided in accordance with European Court of Justice rules rather than the rules of UK courts? Would he be good enough to explain which of the two should prevail in terms of the question of the constitution in principle?

Mr. Straw: I think that I can take that as a compliment to us on managing to secure something that the hon. Gentleman sought. I know that he may feel counter-suggestible about Ministers saying yes to some of his proposals.

Annexe 3 of the presidency's latest proposals includes a declaration for incorporation in the final Act concerning article I-5a. It states:

> "The conference notes that the provisions of article I-5a reflect existing Court of Justice case law."

I shall give the hon. Gentleman the short version of my seminar on the primacy of European law as part of a treaty that we have signed. As he will recall from the detailed wording of section 2 of the European Communities Act 1972, we are—and have been for 31 years—subject to European law as it is in treaties, directives and regulations, as interpreted by the Court of Justice. That has been the case ever since we joined the European Union. As the annexe 3 proposal from the presidency makes clear, it will continue to be the case if we have a new treaty.

If the treaty cannot be agreed at this European Council, we will continue to talk for as long as is necessary for us to obtain the right result. As the Italian Prime Minister and Council President, Silvio Berlusconi, said last weekend,

> "an agreement at any price would be a serious mistake".

Of course we want an agreement as soon as possible. Those of us who have spent not just many happy hours but many happy days, weeks and weekends in the IGC—much as I admire those around the table—would be delighted to see its conclusion. The overriding question, however, is whether it is in Britain's national interest. That comes before everything else.

Let me reinforce a point that I made a moment ago in responding to my hon. Friend the Member for Waveney. Parliament has never before been involved so fully in the negotiations for an EU treaty. Thanks to the work of our Government and parliamentary representatives in the Convention, Parliament was fully briefed on proceedings there. Since May, towards the end of the Convention process, there have been seven debates or statements on the IGC or the Convention in the House. In September, we published the White Paper. I have twice given evidence since then to the European Scrutiny Committee—the first time, I am told, that a Foreign Secretary has ever done so—and twice attended the IGC Standing Committee, most recently on 1 December. My hon. Friend the Minister for Europe has attended the IGC Standing Committee three times. There have been two reports on the Convention or the IGC by our European Scrutiny Committee, and 13 by

[Mr. Straw]

the House of Lords European Union Committee. All that parliamentary debate has been extremely helpful to the Government in the IGC negotiations, and as I have explained, it has helped to strengthen our negotiating position.

Mr. John Redwood (Wokingham) (Con): I pay tribute to the Foreign Secretary for making himself so available on these crucial matters; we are very grateful for the opportunity for such debate. Has he reflected further on the point that I recently raised with him about tabling a proposal to ensure that the European Court of Justice and other European institutions cannot interfere in British tax policy? I know that the Government wish to have a red line, but as he will know, the European Union is already crawling all over corporate tax, even without the draft constitution being in place.

Mr. Straw: The right hon. Gentleman will also be aware that other Governments share our concern in terms of pushing back the Commission's areas of activity in tax policy, and that will proceed. Separately, I can reassure him that ensuring that we get satisfaction in respect of tax being a matter for unanimity will be one of our overriding concerns this weekend, and for as long as the IGC takes.

It is in the nature of any negotiations that a consensus builds up from the relatively straightforward issues to the most difficult. That inevitably means that some of the issues that are key to the United Kingdom, including aspects of qualified majority voting or unanimity, cannot be settled—at least until this weekend—along with similar first-order issues for other countries. For example, Commission size and voting weights is not a first-order issue for us, but it is certainly an issue of profound importance to many member states.

The six meetings of the IGC that I have so happily attended have made considerable progress on many issues, and they have narrowed, but not eliminated, those issues of serious contention. We have been well served by the Italian presidency, and the meetings have been both well chaired and well managed by my colleague and friend Franco Frattini, the Italian Foreign Minister.

The presidency has responded to the six sets of discussions with two packages of proposals, the latest of which—an omnibus version—was tabled late yesterday afternoon in the French text. The English translation became available earlier today, a copy of which I have placed in the Library of the House. It includes the latest proposals, better language on the charter and on energy—we have already dealt with that—and on the so-called passerelle clauses, which are concerned with giving this or any other national Parliament a lock on any future extension of qualified majority voting. But there is still a lot of hard negotiating to be done on tax, foreign policy and other fundamental issues.

Mr. Graham Allen (Nottingham, North) (Lab): My right hon. Friend will be pleased to know that I am not going to bend his ear again about the visa application of my constituent Rachel Ringham. Rather, I want to pay generous tribute to him for the way in which he and his colleagues have put themselves out to enable this place to be fully informed of what is going on in the IGC. I pay that tribute as one who has raised that issue repeatedly in this Chamber. As my hon. Friend the Deputy Leader of the House is in his place, I should also point out that that is how legislation should be dealt with. Regardless of whether the outcome was the one that people wanted, no one could say that the Foreign Secretary did not do everything possible to keep the House informed.

Mr. Straw: I am extremely grateful to my hon. Friend. That part of the process, at least, I thoroughly enjoyed, and the House and the country are all the better for it. I very much hope that the matter of the visa, which he raised with me this morning, has been resolved or is well on the way to being so.

Keith Vaz (Leicester, East) (Lab): I do not want this debate to sound like a love-in, but I should like to endorse what my hon. Friend the Member for Nottingham, North (Mr. Allen) said: the Foreign Secretary and the Minister for Europe have indeed put themselves before the scrutiny of the House on this issue. But can the Foreign Secretary explain the Government's current position on the charter of fundamental rights?

Mr. Straw: The current position is as we set it out in the White Paper, and my hon. Friend will recall exactly what we said. On page 39, we recited the important safeguards that had already been achieved in the course of the Convention discussions—the so-called horizontal articles, such as article II-51, which states that the charter

> "does not extend the field of application of Union law beyond the powers of the Union or establish any new power or task for the Union, or modify powers and tasks defined in the other parts of the Constitution."

The additional language in annexe 4 of the latest version of the presidency's proposals includes a formal reference to the explanation relating to the charter of fundamental rights. Paragraph 5 of the preamble makes reference to the explanation, and includes the phrase

> "and updated, under the responsibility of the Praesidium of the European Convention".

There is also a declaration for incorporation in the final Act:

> "The Conference takes note of the explanations relating to the Charter ... prepared at the instigation of the Praesidium ... which drafted the Charter and updated under the responsibility of the Praesidium, as set out below."

Such text is then reproduced. That is an important development.

Mr. David Heathcoat-Amory (Wells) (Con): In listing the issues to which the Government still had objections, the Foreign Secretary did not mention economic policy, even though the White Paper makes it clear that they oppose article 14, which insists on the compulsory co-ordination of economic employment policies throughout the member states. Is that still a red line issue? The latest draft from the presidency makes no changes whatsoever, so can the Foreign Secretary assure us that this is still a veto issue?

Mr. Straw: The right hon. Gentleman should not be quite so suspicious in thinking that, just by elision and an attempt to be relatively brief, I was dismissing this issue. As I said, there is a lot of hard negotiating to be done on tax, foreign policy and other fundamental issues, and that includes articles I-11.3, I-14.3. We have been arguing that those should be brought into line with article III-70, in which economic competence is given to member states. That is an issue not only for us but for the Union. At the moment, in respect of the same dossier, in different parts of the draft treaty, either the Union or member states variously have responsibility for co-ordinating economic policy. However, I take the right hon. Gentleman's point.

This is a good moment to remind ourselves of why we are negotiating this IGC. It is because the prize—

Mr. Blizzard: Did my right hon. Friend notice that the right hon. Member for Wells (Mr. Heathcoat-Amory), who was a member of the Convention of the Future of Europe, did not mention fishing in his worthy intervention? Yet last night in this Chamber, Conservative Front Benchers made a major issue of fishing, and suggested that this Government should go to the barricades for the removal of the common fisheries policy from the draft treaty.

Mr. Straw: That is an entirely fair point. The right hon. Member for Wells (Mr. Heathcoat-Amory) is damned by his silence.

Mr. Heathcoat-Amory: Will the right hon. Gentleman give way?

Mr. Straw: No, it is too late.

Mr. Heathcoat-Amory *rose*—

Mr. Straw: That is a separate issue, and there is no question but that we have been round this track on many occasions. The draft constitutional treaty provides for a shared competence in respect of the CFP in article 13. Except for the conservation of marine biological resources under the CFP, in article 12, that accurately reflects the existing arrangements of competences, and does not add to them.

Several hon. Members *rose*—

Mr. Straw: I want to make some progress, and then I shall of course give way.

Mr. Heathcoat-Amory: On a point of order, Madam Deputy Speaker. When one hon. Member mentions another hon. Member in a debate and clearly misrepresents his position, should not that hon. Member be given an opportunity to respond if he is in his place at the time?

Madam Deputy Speaker (Sylvia Heal): It is not actually a rule of the House, but lies in the hands, and is at the discretion, of the Member, in this case the Foreign Secretary, who is on his feet.

Mr. Straw: I will give way to the right hon. Gentleman.

Mr. Heathcoat-Amory: I am most grateful. Will the Foreign Secretary accept my assurance that, in the Convention on the Future of Europe, I moved an amendment to exclude fisheries from the relevant exclusive competence article? To my great regret, I did not receive the support of the Government representative on the Convention at the time. I was battling for the British fishing industry, which was abandoned by the Government representative.

Mr. Straw: It is no wonder that the right hon. Gentleman's proposal failed, because he was obviously not forensic enough. The fact of the matter is that the fisheries are a shared competence, not an exclusive competence, such as the conservation of marine biological stocks. There are good arguments for that, and they have not changed. I accept the veracity of what he says, but I do not give him many marks for his effort.

Mr. Richard Spring (West Suffolk) (Con): Will the Foreign Secretary define for the House what exactly a shared competence is.

Mr. Straw: One that is shared between the EU and member states.

Now is a good moment to remind ourselves why we are negotiating in this IGC. As I said, the prize—a constitutional treaty that is right for Britain and for Europe—is very important.

On 1 May next year, eight of Europe's new democracies, along with Cyprus and Malta, will join the EU. Later, Romania and Bulgaria will follow, and the European Council should confirm the target of next year for the two countries to close negotiations, allowing them to join the EU in 2007. The Council will also discuss Turkey's progress towards meeting the criteria for opening EU membership negotiations. As the House knows, the Government strongly support Turkey's prompt accession to the EU once it meets those criteria.

The word "historic" is often overused, but I make no apologies for using it in the context of EU enlargement. Only 14 years ago, the iron curtain divided Europe, with central and eastern European countries trapped under communist dictatorship and sinking into economic and environmental neglect. Joining the EU will mark the culmination of those countries' transition to free and democratic societies and prosperous market economies. It is a tribute to their efforts and energy that they have made that transition so quickly.

Enlargement is overwhelmingly in Britain's interest, which is why successive British Governments have been its strongest supporters. Through enlargement, Britain will gain access to an expanded single market of 450 million people. New partners will help us better face the shared challenges of an uncertain and interdependent world. However, the problem is that the European Union of today has institutions essentially designed for six members, and it needs reform if it is to work effectively with 25. No reform is preferable to a bad reform, and, as I made clear in our White Paper on the constitutional treaty, the EU will carry on under its current arrangements if a new treaty cannot be agreed or ratified by every member state. However, if we can get the IGC right, the prize is a more efficient and effective

[Mr. Straw]

EU that can meet the challenges of enlargement and is focused not on institutional minutiae, but on delivering security and prosperity to its citizens.

Joyce Quin (Gateshead, East and Washington, West) (Lab): I greatly welcome what my right hon. Friend is saying. Will he join me in expressing pleasure in the fact that the accession countries have been involved in discussions on the constitution, so they already have a sense of ownership in respect of areas where there is strong agreement? Does he also agree that all the talk about a superstate is complete nonsense, because the last thing that the new accession countries want is to be subordinate to a superpower, based in Brussels or anywhere else?

Mr. Straw: I strongly agree with my right hon. Friend on her last point, and I shall return to that theme later in my speech. On the first point, it is extremely good—and thanks, not least, to our Prime Minister at Laeken—that the new states have been able fully to participate in the IGC. Their view, particularly their strategic view of foreign policy—based on a Europe of independent sovereign nation states—is similar to that of the UK, so I have been able to develop natural alliances with almost all of them.

In an article that I wrote for *The Economist* in October last year, I set out how the Government wanted a new constitutional treaty for the EU to look. I said then that it should explain

> "what the EU is—a union of sovereign states who have decided to pool some of that sovereignty, better to secure peace and prosperity in Europe and the wider world."

I continued:

> "It should confirm that the Union exercises only those powers which are explicitly and freely conferred on it by the member states, which remain the EU's primary source of democratic legitimacy."

I also said that the new treaty should

> "draw a clear distinction between supranational and national competences".

At the start of the debate on a new constitutional treaty, it was by no means clear that that was the sort of result that we were going to get, and there has long been a debate about how Europe should work. On the one hand, there was the federalist view, which was often the result of a different history from ours or a different political culture. On the other, there were more practical Europeans—similar, I believe, to the vast majority of the British people—who wanted and still want to enhance our prosperity and influence by working together with our neighbours. The sort of constitutional treaty that I described in *The Economist* last year was based on that practical view.

The Government were clear about what we wanted from the IGC negotiations, but we had a choice in how to get it. We could have accepted everything that the most committed integrationists want—the view of the Liberal Democrat representative on the IGC—or we could have tried to rubbish the whole thing, which, generally speaking, was the approach of the Conservatives. However, we rejected both approaches, making it clear exactly what we wanted and working constructively with our partners to get there, while standing firm against changes that we could not accept. As a result, we already have many of the elements of a treaty that endorses our vision of a Europe of nation states that will work efficiently in Britain's interest. The idea of a federalist superstate is yesterday's fantasy, not tomorrow's reality. The treaty that we sign will be not a federalist blueprint, but a framework for a Europe of sovereign nation states working together to achieve common aims and to combat shared challenges.

Let me cite what the House of Lords Select Committee on the EU said in a recent report. It said:

> "The draft Treaty expressly states that the Union can only act within the limits of the competences which the Member States have conferred on it . . . We support this approach because the draft Treaty makes plain the intention that the European Union remains a union of sovereign Member States".

Our European partners recognise that, too. The leading French commentator, Alain Duhamel, has said that the Convention's draft treaty set out a great British Europe

There is a myth put about by those who would take Britain out of Europe that paints the EU as a threat to British sovereignty. It is a profoundly defeatist view of what Britain can achieve, and it assumes that co-operation with our neighbours comes at the price of diluting our national character.

This is a moment to remind ourselves of what has been said in the past about various changes to the treaty base of our relationship with the EU. I understand fully why the right hon. and learned Member for Devizes (Mr. Ancram), the deputy leader of the Opposition and shadow Foreign Secretary, cannot be present. I am sorry that he cannot be here because it is worth recalling that, back in 1992, speaking from the Back Benches on the Government side, he shot down those who claimed that Maastricht would lead to a superstate. Indeed, he argued eloquently and persuaded most of the then Opposition, including myself, that we should vote against a referendum on Maastricht. On any analysis whatever, Maastricht represented a much more profound change in the nature of the relationship—setting out the single currency and common foreign and defence policy—than anything in the current treaty.

There were some people—I shall not mention their names, but they can identify themselves—at that time who ranted about the fact that the Maastricht treaty would lead to the creation of a superstate. If we wind forward to the modest set of changes in the Amsterdam treaty, the position of Conservative Front Benchers had changed. Only 27 days after their crushing defeat in the 1997 general election, the right hon. Member for Wokingham (Mr. Redwood)—who had survived, I am happy to say—gave a balanced judgment on the Amsterdam treaty in *The Times*, when he wrote:

> "If we sign the Amsterdam Treaty, we will abolish our country."

Other, slightly more nuanced statements—which would be easy in comparison with the dramatic and apocalyptic view expressed by the right hon. Gentleman—made similar points about the Amsterdam treaty. The country continued, after all, and was not abolished.

Then we came to the Nice treaty, and the right hon. Gentleman decided to ratchet up the hyperbole. On BBC Online, on 19 April 2000, he said:

> "The proposed Nice Treaty would do what Guy Fawkes failed to do—blow up parliamentary government in Britain."

The right hon. Gentleman is an intelligent and pleasant fellow, but he should think about what he predicted would happen after the Amsterdam treaty, which was signed more than six years ago, and what he predicted would happen after the Nice treaty three years ago. Far from our country being abolished or parliamentary democracy being blown up, our country has not only survived but prospered as never before, as was well illustrated by the silence and glum faces on the other side of the House when my right hon. Friend the Chancellor spelled out in every detail the brilliant record of this Labour Government on prosperity and our position in the world, especially compared with our predecessor.

Mr. Redwood: My point was clear: that more and more Government powers were being taken out of democratic hands and given to unelected hands. That has happened and continues to happen, and it does mean the abolition of a democratic Britain. That is why we want the Foreign Secretary to stand up for the rights of the House of Commons, instead of transferring yet more power. The Department of Trade and Industry is discussing 37 major items of policy at present, every one of which emanates from directives and policies from Brussels. It is one of many Departments that are simply doing the will of Brussels, not responding to the democratic wishes of this House.

Mr. Straw: The fundamental flaw in the right hon. Gentleman's remarks is the assumption that everything that is decided by the European Union is against our interests. If that is his view, he should confirm that he wants Britain to withdraw from the EU and that he resiles from the policy of the Thatcher Government—not of this Government—which was to accept, through the Single European Act, qualified majority voting. The Thatcher Government also accepted the fundamental principle of the single market that decisions on the operation of that market had to be agreed by QMV, otherwise what was in the interests of British people, jobs and businesses could be subverted and undermined by other countries that would not observe the law in the same way as we would.

Mr. Gerald Howarth (Aldershot) (Con): Will the Foreign Secretary give way?

Mr. Straw: In a moment. The truth is that for most of the time we get our way in the European Union.

Mr. Eric Forth (Bromley and Chislehurst) (Con): What a ridiculous thing to say.

Mr. Straw: What that remark illustrates is the profound lack of confidence that the right hon. Gentleman had in the ability of any Government of whom he was a member to ensure that Britain's national interests were properly represented. This Government have much more confidence in Britain and in ourselves than that. We have shown that, by engaging constructively, rather than sulking on the sidelines, we can mould the debate in Europe. We recognise that we can increase our influence, and the security and prosperity of the British people, by working together with our partners.

Let us take problems such as illegal immigration, drug smuggling or organised crime. We cannot just wait until they reach Dover: we need to act with our partners to tackle them before they get here. So we support measures that would cut out "asylum shopping", and we have already agreed that asylum seekers' claims have to be dealt with in the first EU country in which they claimed asylum. We have agreed common minimum penalties for the most serious cross-border crimes, including terrorism and human trafficking, to ensure that they cannot go unpunished. Our police forces can now run joint investigations into drug traffickers, for example, with colleagues across the channel.

Europe is not just about tackling shared problems: it is of huge importance to Britain's prosperity, too.

Angus Robertson: Will the Foreign Secretary give way?

Mr. Straw: No, I promised to give way to the hon. Member for Aldershot (Mr. Howarth).

Mr. Gerald Howarth: The Foreign Secretary repeats the popular myth that Baroness Thatcher anticipated all the consequences before she agreed to qualified majority voting. It was precisely because she did not anticipate all the consequences that she became disillusioned. The whole purpose of the Single European Act was to achieve a common market in goods and services, which is what most people in this country thought that the common market was about. It was because the European Court, through the acquis communautaire, acquired an extension of power beyond those areas that Baroness Thatcher had foreseen—and received assurances on—that she became disillusioned with the European Union and the direction that it was taking.

Mr. Straw: I was present in the House when the Single European Act was debated. I remember that Baroness Thatcher, in alliance with Geoffrey Howe and Nigel Lawson, her Foreign Secretary and Chancellor, knew full well what was involved in that Act. Although I had, and continued to have, several disagreements with Baroness Thatcher, I would never have suggested that she was not in full possession of her faculties in respect of every decision she made. She knew about the consequences of the Single European Act, just as she knew full well, when she made her fine speech at Fontainebleau in April 1984, about the importance of Europe developing a common foreign policy and defence. The hon. Gentleman can rewrite history as much as he likes, but that is the truth. It was Baroness Thatcher who laid the foundations for a common European foreign and defence policy, which the Conservatives brought into British law through the Maastricht treaty.

Looking ahead, Europe has an ambitious agenda of economic reform to deliver jobs and growth, in which Britain is playing a leading role. One example of that process is the European action for growth initiative, which the European Council will discuss this week. Its aim is to boost competitiveness and growth by encouraging investment in transport infrastructure, telecommunications, research and development and innovation.

[Mr. Straw]

Working with our European partners enhances Britain's security as well as our prosperity. Again, the agenda of the European Council is a good example. The Council will adopt High Representative Javier Solana's European security strategy, which should help us to tackle global security threats more coherently. The Council will also discuss strengthening the EU's relationship with the Arab world. Earlier this week, at the Foreign Ministers' meeting on Monday, we considered the middle east peace process, Iran and Iraq.

Acting together on foreign policy, when it is in our interests to do so, does not diminish Britain's sovereignty; it increases our influence. When I visited Iran in October with my counterparts from France and Germany, Dominique de Villepin and Joschka Fischer, I did so as the Foreign Minister of a sovereign nation state—as did they—working within a common EU position, and what the three of us achieved together, with the backing of the EU as a whole, was far more than ever we could have achieved alone.

It is also clearly in Britain's interests to work for stronger defence capabilities in Europe that complement NATO. The Atlantic alliance has been and continues to be the foundation of our security and we shall do nothing to undermine it, but it makes sense that Europe has the capacity to sort out problems on its own doorstep, such as peacekeeping in the Balkans, without always having to rely on the United States.

Hugh Robertson (Faversham and Mid-Kent) (Con): Will the right hon. Gentleman give way?

Mr. Straw: As I am just coming to the close of my remarks, I shall not.

Cutting across NATO would weaken our defences and we shall not let it happen, but better European capabilities, for which the US has long argued, will help to strengthen our defence. The new articles tabled by Britain, France and Germany make clear for the first time in the EU treaty that NATO is the basis for the collective defence of its allies. Those draft articles also ensure that so-called structured defence co-operation is handled inclusively within the EU, not exclusively.

By engaging constructively and arguing firmly for what we want, we are helping to shape the debate in the IGC, and in the EU as a whole, in Britain's direction. That is what we were able to achieve in the Convention, and it continues to be our approach in the IGC negotiations. We shall carry on talking and working until we get the right result in those negotiations—for Britain and for a more effective Europe, ready to meet the challenge of enlargement.

3.30 pm

Mr. Richard Spring (West Suffolk) (Con): I begin by paying tribute to the sometimes dangerous, often unrecognised, but highly professional work undertaken by our diplomats and consular staff throughout the world. Events such as the recent bombing in Istanbul remind us how dedicated our overseas public servants are, and I pay particular tribute to Roger Short, an exemplary diplomat, with whom I was in Istanbul very recently.

The Foreign Secretary is correct to say that we have had many opportunities to discuss EU matters and I thank him for making himself so freely available. However, it has been six months since we last debated what could broadly be described as "European affairs", and these bi-annual debates provide a useful opportunity to update ourselves—even more so in this debate in view of the importance of recent developments not only in the European Union but in the whole of Europe. Our relationship with all European nations—not only with our EU partners—is a key component of our country's foreign policy interests. We are inextricably bound together by ties of history and geography.

The Balkans are often considered a big potential flashpoint, the area of Europe where violence and conflict are most likely to break out, as has so often been the case in the past. Much has changed since the bloody conflicts in the Balkans in the 1990s, but their legacy remains with us, and even more with populations in parts of the Balkans and the peoples of the whole of that region.

It is right to remember and to pay tribute to the dedication and bravery of the British and other NATO troops who helped to end the inter-ethnic conflicts that killed so many people and displaced so many more. The peoples of former Yugoslavia demonstrated that they were anxious to have that assistance, and progress is being made in that area, although many people are still displaced, too fearful to return to their homes, and much remains to be done in respect of criminal prosecutions.

There is much that is positive and encouraging, however. The former Yugoslav states have made great strides. Such progress is certainly worthy of recognition and encourages me in the hope that one day they will join the EU, and that the prospect of membership will spur them on to further reforms.

A key player in the wings is Russia. The relationship that the UK and our European partners enjoy with Russia is of considerable and growing importance. It has recently assumed a greater role, not merely on the European stage but on the world stage. That development is positive and I hope that Russia will continue to play a part in promoting stability on its borders. In particular, I hope that Russia will exercise her influence as facilitator of a smooth transition to a new, popular, democratic regime in Georgia. I hope very much that President Putin will remain engaged with the EU, NATO and the accession countries in a constructive and positive framework and ensure that democratic values are fully upheld in his country.

The enlargement of the EU is a process that the Conservative party—and, indeed, every hon. Member, to my knowledge—supports and I personally have strongly supported it since its inception. The end of the cold war was the catalyst that brought about the accession process that made all that possible. Countries cut off from the rest of Europe for almost half a century emerged after the Berlin wall fell, and new opportunities and potential have opened to them.

The accession of Latvia, Lithuania, Estonia, Poland, the Czech Republic, Hungary, Slovenia, and Slovakia next May will be a moment to rejoice for us all and symbolic of Europe having finally removed the remnants of the cold-war legacy. Of course, we have special links with Malta and Cyprus, too. The accession countries have achieved much reform already in their quest for EU membership. The eastern European countries have transformed themselves into successful, functioning multi-party democracies, with an adherence to the rule of law and respect for human rights and personal freedoms.

Angus Robertson: I agree entirely with what the hon. Gentleman says about enlargement, but does he agree that there is a certain irony in the fact that, among the accession countries, nation states such as Slovakia—a country of 5 million people, without a single centimetre of coastline—will have more direct say over the Scottish fishing industry than the devolved Government of Scotland?

Mr. Spring: I will be happy to refer to the issue that the hon. Gentleman raises in a few minutes if he will bear with me.

Political liberalisation has been matched by economic liberalisation and the values that accompany both. That bodes well not just for the countries themselves, but for existing EU member states, as fresh investment and economic opportunities open up in what was previously the eastern bloc. On their accession, those eastern European countries bring with them not only fresh ideas and expectations, but new challenges for the EU. Those countries do not bring with them the old-fashioned ideas of some existing EU members; they have only recently thrown off the influence of a centralising power, and they aspire to a close relationship with their transatlantic friends, as well as the EU, rather than being forced to make a false choice between the two. Their voices deserve to be heard. Britain should be the champion of the smaller countries of the EU, seeking to protect and promote their interests and creating an EU institutional structure to reflect that.

There are very real question marks revolving around the EU's whole direction and outlook that require much greater flexibility and a willingness to look outwards, rather than inwards, but they also involve the need to modernise the existing structure of common agricultural policy subsidy payments and structural funds. Fundamentally, the EU faces problems associated with its demography. Europe's birth rate is falling, and the population of the EU is ageing and declining. Over the next 50 years, it is predicted that Europe's median age will rise by 11.8 years. The European social model is completely unsuited to address that because of the lack of competitiveness and the human resources of countries such as India and China, which do not have expensive welfare support structures.

A further issue is how we formulate relations with countries on the borders of the enlarged EU. It is important that we come to an accommodation not only with countries in the Balkans, but with countries such as Moldova, Belarus and Ukraine. Not only is that important from the viewpoint of securing the EU's external borders, but, although their possible accession to the EU is many years away, the prospect of membership in the future for such countries will act as a spur to economic and political reform. Furthermore, we very much look forward to the date—we hope, in 2007—when Bulgaria and Romania become EU members.

In October, I had the opportunity of visiting Turkey—a country to which we are greatly indebted because of its steadfast commitment to NATO during the cold war. Turkey is anxious to join the EU, and I hope that a formal accession process will begin at the end of next year. Turkey is making remarkable progress in its political and judicial reform process, in the latter case assisted by us. Turkey faces a number of obstacles to EU accession. First, there is opposition in France and in Germany, which has a substantial Turkish minority. Prime Minister Erdogan has indicated that he will not press for the free movement of Turkish citizens, which is an issue with Germany in particular. Let me be blunt: it is a matter of the most profound political misjudgment to deny a country a relationship with the EU simply because it is Muslim. Given the current tensions in the middle east and other parts of the Islamic world, what sort of message would be sent out if the EU rejected a Muslim country, not because of any breach of the Copenhagen criteria but because it is Muslim, albeit committedly secular? It would be offensive and would reflect a total and fundamental misreading of one of the most important current geopolitical challenges that we face. Turkey should be judged by entirely dispassionate criteria, and I expect the Government to tell our European partners that loud and clear, as we certainly do.

Elections are imminent in north Cyprus. Obviously, we cannot prejudge the result. Whatever it is, however, a massive effort must be made to establish the basis for a settlement in Cyprus before 1 May. We have the juxtaposition of a prosperous, outward-looking and legally recognised republic of Cyprus entering the EU, while north Cyprus remains relatively impoverished and diplomatically unrecognised by others. The Annan plan must be the basis for a solution. Those who counsel Turkey to wait for a formal acceptance of EU accession before substantial movement to agreement about the island do Turkey no favours. Of course there is pain and mistrust on either side. There are real ties, however, of history, kinship and affection between Britain and Cyprus. We hope that it will not be long before Turkey formally becomes part of the European family of democratic nations.

In addition, Turkey has important relationships in the region, not least among which are its friendly ties with Israel, which are a shining example of how a Muslim country can co-exist productively with the state of Israel. Those long-standing and trusted links will undoubtedly, over time, prove most valuable in that volatile and difficult part of the world.

Turning to the European Council this weekend, it is true that core elements agreed at Nice dealt with accession. At Laeken, however, issues relevant to enlargement and to the EU's future direction were raised. We welcomed the recognition at Laeken that change was required within the EU and that the citizens of its member states wanted the European institutions to be less unwieldy and rigid. The Laeken declaration was clear: within the Union, the European institutions must be brought closer to Europe's citizens, and the Union needs to be more democratic, transparent and efficient. That is the agenda that we have been championing for a long time: an agenda for a flexible, modern EU, not one stuck in a time warp of irrelevant thinking.

[Mr. Spring]

The Labour party, on its big conversation website, states:

> "Many citizens feel detached from its"—

the EU's"—

> "institutions. Too many of its priorities reflect the problems of the past not the challenges of the future".

Typically, the Government analyse the problem correctly but fail to come up with the right prescription. The Convention on the Future of Europe was a response to the Laeken diagnosis of the challenges facing the EU—to remedy the democratic deficit, to reconnect the EU to the citizens of its member states, and to create an EU capable of meeting the economic and demographic changes of the 21st century. At this point, may I pay a genuine tribute to all those from both Houses—and to those among our MEPs—who sat on the Convention and who, faced with such a daunting task, carried our their work with dedication and a genuine desire to analyse and debate the issues? I am sorry that, despite the best efforts of many of them, what has been achieved by the Convention falls far short of what was needed.

Alas, what has emerged from the Convention, specifically the draft constitution, does virtually nothing to address and respond to the main points that were identified at the Laeken summit as being of such pivotal importance. This weekend, in the "News Review" section of *The Sunday Times* newspaper, the hon. Member for Birmingham, Edgbaston (Ms Stuart) wrote:

> "I am not convinced the proposed constitution as it stands will meet the needs of a Europe of 25 countries. The government does not have to accept it. Enlargement will continue without it, and so will the EU".

The hon. Lady, as we know, is better placed than virtually anybody in the House to understand what really went on at the Convention and what the constitution is really for. In the same article, she said:

> "From my experience inside the convention, it is clear that the real reason for the constitution is the political deepening of the union".

Is that not proof, if any were needed, of what we have been saying about the constitution having nothing to do with enlargement but everything to do with the remorseless desire for closer political union?

The Government have failed to engage in the genuine debate about the EU—a debate for which this country is crying out—mendaciously saying that anybody who disagrees with them is in favour of withdrawal. Let us examine the proposed constitution.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I would not blame the Government for not engaging in a debate on Europe. We as politicians from all parties have failed over the past 30 years to engage in a debate with the public about Europe. This is our opportunity to engage in that debate.

Mr. Spring: I have some sympathy with the hon. Lady's point. Over time, there has been a sense of denial about what is going on in the EU and about the objectives of many of our European partners. Time and time again in the House, over many years, there has been a projection of reality that does not always accord exactly with the reality itself. I am afraid that we have reached, in this constitution and this Convention, new heights of disconnection between what is perceived among our European partners to be happening and the view projected by those on the Government Front Bench.

In May, the Foreign Secretary said:

> "No one should get obsessed about the fact that it will be called a constitution."—[*Official Report*, 21 May 2003; Vol. 405, c. 1030.]

He implied that it meant very little. Joschka Fischer did not seem to agree. He said:

> "We have a draft constitution that is worthy of the word historic".

Lamberto Dini said:

> "The constitution is not just an intellectual exercise. It will quickly change people's lives . . . Eventually the Union will . . . become an institution and organisation in its own right".

So which is it? I know what I believe. The Government are pathetically in denial of what is obvious to everybody else.

What those quotes illustrate are the Government's blatant attempts to create a false debate on this subject. I am sure that the Foreign Secretary will remember the Prime Minister saying after Nice:

> "As for the idea of a future intergovernmental conference, it will deal primarily with the issue of subsidiarity."—[*Official Report*, 11 December 2000; Vol. 359, c. 355.]

Well, that forecast turned out to be utterly untrue. The constitution deals with subsidiarity only as an aside. The Foreign Secretary has admitted that the current provisions on subsidiarity are inadequate. The only solution is for national parliaments to be able to enforce this principle to protect their rights. The current proposals for national parliaments are totally inadequate. The Government have boasted of how national parliaments can now "vet" proposed EU laws, but what use is this "vetting" given that the Commission can ignore it, when it really should be made to abandon a proposal if enough national Parliaments demand it?

As it stands, the Convention creates constitutional primacy over our unwritten constitution, a single legal personality for the EU and a legally binding charter of fundamental rights. It aspires to a new definition of a common foreign and defence policy and explicitly states and constitutionally enshrines the primacy of EU law, expanding its roles in criminal law, asylum and immigration, economic affairs and energy. How is that not a "fundamental change"? How on earth can anyone describe it as "tidying up"?

Although the Foreign Secretary and others may choose to ignore the cumulative effect of these changes, a ratchet mechanism is clearly at work. Once a power is granted away, rarely, if ever, is it returned. The ratchet turns in one direction only.

Mr. Cash: My hon. Friend may have noticed in today's edition of *The Times* an interview with my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard) in which he says:

> "We don't agree with the principle of a constitution that sets in stone the supremacy of a European law-making institution above parliaments . . . The effect of the constitution would be to make the source of that authority the EU constitution, not the UK Parliament."

Does my hon. Friend therefore agree that we are saying in express terms that we do not agree in principle with the constitution?

Mr. Spring: We have always made it plain, as the Government originally did, that there is absolutely no need for a written constitution for the European Union. The Government advanced that view, but because they move along in the slipstream of others, they have now adopted a different view.

The Belgian Prime Minister Guy Verhofstadt recently stated:

> "we observe that the European Union acquires all the instruments of a federal state . . . The capstone is the Constitutional Treaty, which must grow to become a genuine constitution"—

some tidying-up exercise! I am afraid that I have as little faith in the Government's red lines as I do in recent anonymous briefings saying that they might consider vetoing the treaty. Several red lines have been adjusted and redrawn in a different place, and the most blatant example of that is seen from the Government's original pledge that the charter of fundamental rights would not be legally binding even though that view was rejected at the time of Nice by the European Commission and others. We await the outcome of the IGC to find out which red lines will remain and in what form. Whatever one's point of view about the proposals, what is before us is undeniably of considerable constitutional importance. In that regard, we trust the people, so today I once again call on the British Government to do the same and hold a referendum, as so many of our European partners are doing.

The regrettable truth is that an outdated bloc mentality still permeates the European Union's policy-making and strategic mindset. That mindset carries with it resonances of the 1950s and a way of thinking that moved the founding fathers of the EU, but it is wholly irrelevant to the needs of the EU today. The Government's policy on the EU has been characterised by an almost total lack of influence or results. I invite one example—just one—of a specific component of the emerging structure of the EU that can be ascribed to British vision, focus and direction. The written constitution and the incorporation of the charter of fundamental rights are clear failures of British nerve and influence. The concepts were originally opposed but then accepted and we have always been carried along in the slipstream of others. By contrast, this Government would never have achieved the creation of the single market, the substantial rebate or the opt-out on the single currency.

On 26 November, the right hon. Member for Birmingham, Ladywood (Clare Short) wrote in *The Times*:

> "the European elite in their enthusiasm for ever-greater integration, which drives inexorably towards a superstate, is dividing itself from the people".

She went on to say:

> "The debate in Britain has been painted far too much as a battle between Little Englanders and the rest. But the reality is that pro-Europeans are driving a project that leads inevitably to a superstate, which most of us don't want."

I do not think I could have put it better myself.

It is also extraordinary that the Government have made absolutely no effort to return fisheries to national and local control at the IGC, because there was a golden opportunity to do so. It is absolutely clear that the common fisheries policy has failed and that British fishermen get an especially bad deal, and the fact that the British Government failed even to try to put the matter on the agenda is yet another example of their ineffectiveness in Europe. We, with a clearer idea of Britain's priorities in Europe, would have done so. We would have made the restoration of local and national control over our waters a red line, as we will in any future IGC when we are in government.

The Foreign Secretary dismissed the idea of shared competence in a way that did not accurately reflect reality. He knows that article 11 of the draft treaty says:

> "The Member States shall exercise their competence"—

we are talking about shared competence—

> "to the extent that the Union has not exercised, or has decided to cease exercising, its competence."

That is a very different message from the idea of a competence of equals. It is absolutely nothing of the sort.

Nowhere has failure been more marked than in defence. To enter into a defence agreement with France and Germany that has absolutely nothing to do with enhancing defence capability is monumental folly. The arrangements agreed within NATO at Washington and Berlin make the widest pan-European defence co-operation possible without duplicating NATO structures. The decision has absolutely nothing to do with defence, and everything to do with politics. It undermines the very principle on which NATO was founded and which has guaranteed our security for more than 50 years.

It is argued that the EU planning cell is very small. Does anyone think that those who favour an independent EU defence capability coupled to a common foreign and defence structure will rest content? Of course not. *The Times* on 1 December reported the comment of Belgian Foreign Minister Louis Michel that

> "We can say that the embryo of a European defence is under way and that it's an irreversible process".

I would prefer to believe the sentiments—*[Interruption.]* We will pass the Foreign Secretary's comment on to the Belgian Foreign Minister, whose record of accuracy on what goes on in the EU is infinitely better than the right hon. Gentleman's.

There are those who have long-held and freely expressed views of Europe being a counterweight to the United States, and who resent the US-British special relationship. There are those in the US who regard with alarm diminishing defence expenditures in Europe and the lack of political will to spend on defence capabilities. They see Europe beginning to create structures outside NATO for exclusively political purposes. Those who take a negative view of European motives and attitudes sense justification for their viewpoint. They find it incredible that our Prime Minister, of all people, should have gone along with it.

Regrettably, the British Government have played into the hands of those people on both sides of Atlantic who favour disconnection. Let us never forget that, whether European or American, we hold to the same democratic values. The world is simply a better place when we work together. The Government's commitment to the separate EU defence identity is an

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act of monumental folly and will yield nothing for our magnificent and rightly admired armed forces.

When the history of this Government is written, their failure to make any real impact on the architecture of the EU will be a defining feature. Just as they completely misunderstood how to react when Europe was divided by the Berlin wall, they have failed to argue for a flexible EU with overlapping and interconnecting relationships, co-operating closely and extensively without the centralisation and harmonisation that so obsess those who systematically and successfully are pushing political union. Throughout, Britain has been a bit-part player, never setting out its stall in the lead-up to enlargement in the way that other European leaders have done so clearly and unequivocally. The account is one of a typically lost opportunity, a failure of influence and abdication of their responsibility to the British people.

3.58 pm

Mr. Menzies Campbell (North-East Fife) (LD): I should begin by apologising to the House for having to leave early. I have a routine medical appointment early tomorrow in Edinburgh, and in order to keep it I have to make sure that I get to Edinburgh later this evening.

The Secretary of State has been accustomed on these occasions, but not today, to saying that

> "Nothing is agreed until everything is agreed."—[*Official Report*, 27 November 2003; Vol. 415, c. 150.]

In a sense, that theme has already started to run through this debate, because the final version of the document that will be put before the Heads of Government in Brussels this weekend is not available to us—indeed, it cannot be made available. I shall therefore stick to principles that on previous occasions I have enunciated to the House and which will guide my judgment and that of my right hon. and hon. Friends when we hear the outcome of the Brussels summit.

The first of those principles is that we, in common with the Prime Minister and his predecessor, believe that the United Kingdom should be at the heart of Europe. It is in the long-term interests of the United Kingdom to be a member of the single currency. One cannot escape a certain feeling of irony that the draft Bill on a referendum on the single currency should be published today, as nobody believes that it will be utilised before the next election. It is in the best interests of the European Union to have a treaty embodying a constitution that defines the respective powers of Brussels and the member states, and draws together the provisions of the treaty of Rome, the Single European Act, the treaty of Maastricht, the treaty of Amsterdam and the treaty of Nice.

If any Government propose to agree to a major shift in control or any transfer of significant powers from member states to European institutions, or to agree to any alteration in the existing balance between member states and those institutions, there should be a referendum of the British people. The draft treaty fulfils those criteria. As I have said on the four or five occasions when we have debated this matter in the past five or six months, there should be a referendum on the constitutional proposals that are likely to emerge from Brussels.

Angus Robertson: Will the right hon. and learned Gentleman give way?

Mr. Campbell: I should like to make a little progress before giving way in due course.

Our proposition on holding a referendum is entirely consistent with the support that my colleagues and I demonstrated for a referendum on the Maastricht treaty when Mr. Bryan Gould tabled an amendment. A number of Conservatives, some of whom are no longer MPs, also supported that amendment. Lord Ashdown was the first party leader to say that if a proposal were introduced to join the single currency, that would raise not just economic but political and constitutional issues, so it, too, should be put before the British people.

The Government have accepted the need for a referendum on a single currency. Indeed, why else would they publish the draft Bill today? The inference must be that they regard such a decision as having constitutional significance. In contradistinction, they do not make the same judgment about the Convention's proposals. I confess that I find it difficult to make that distinction, which appears to drive Government policy. A referendum of the kind that I have suggested would provide an opportunity to reconnect the people of the United Kingdom with Europe and make the case for Europe once again. In that regard, I share the sentiments expressed by the Foreign Secretary towards the end of his speech about the sense of vision that an enlarged European Union brings. If those brave Europeans who formed the European Coal and Steel Community in 1951 had been told that in 53 years' time there would be a European Union with 25 members, including those who, in 1951, were firmly behind the iron curtain and in thrall to communism, I doubt whether they would have believed that their sense of vision, however powerful, was capable of such implementation.

We need some stability in Europe, and there must be an end to the atmosphere of permanent cultural revolution in which Europe has existed for the past 10 years. A constitution would undoubtedly aid that objective. It is quite true, as others have argued—the hon. Member for West Suffolk (Mr. Spring), at least by implication, did so—that enlargement could take place without a constitution. However, I part company from the hon. Gentleman in my belief that that is not much of an enlargement. Indeed, a European Union so constituted and based on existing arrangements would be a recipe for sclerosis and ultimately instability. As I have said previously in the House, the Government are correct to seek to retain a veto on taxation, defence, foreign affairs, social security and own resources. There is common ground on both sides of the House about what the red lines should be. I also believe, as I have said on previous occasions in the House, that the Government are correct to seek to retain a veto on taxation, defence, foreign affairs, social security and own resources. In that regard, there is common ground in all parts of the House.

Angus Robertson: Is the right hon. and learned Gentleman aware of the consternation in the coastal communities of Argyll and Bute, Orkney and Shetland, Aberdeenshire and other parts of the country about the conservation of marine biological resources under the common fisheries policy being entrenched as an exclusive competence in the draft constitution? If it remains there, will it be the position of the Liberal Democrats to recommend a no vote in the referendum that he and I agree should take place?

Mr. Campbell: No, and I suspect it will not be the position of the Scottish national party, either. The Scottish National Party, I guess, like everyone else, will look at what comes out of Brussels in the round, consider what it regards as pluses and minuses and judge whether the final document justifies support. If the SNP takes the view that the hon. Gentleman has just expressed, it may find itself voting against a variety of proposals that it previously supported with some enthusiasm and which the people of Scotland might well regard as being substantially in their interest.

If I may say so, it is idle to speculate on how one would vote on a document that is not in final form and not before us. *[Interruption.]* The hon. Gentleman says from a sedentary position that the fisheries policy is one of his red lines. I do not remember him describing it as a red line on any of the previous occasions on which we have discussed the topic.

Angus Robertson: For the record—

Mr. Campbell: No. If the hon. Gentleman will allow me, I do not remember him using language to the effect that the fisheries policy was a red line and that the Scottish National party would urge the Government to adopt it as one of their red lines. If I am wrong about that, no doubt I will be corrected, but I have no clear recollection of him having made that point.

Mr. Ian Davidson (Glasgow, Pollok) (Lab/Co-op): Will the right hon. and learned Gentleman clarify how enthusiastic the Liberals are about a referendum on the constitution? Will he tell us whether, as well as speaking for his party in the Commons, he is committing his party in the Lords to support a referendum on the constitution?

Mr. Campbell: I cannot commit my party in the Lords because it is composed of individuals who take their responsibilities seriously and who will vote as they think proper. As regards my enthusiasm, the hon. Gentleman has been present on the four or five occasions that I previously described. He will have noted that my enthusiasm is unlimited and that I believe there are constitutional implications. Indeed, in the principles that I set out a moment ago, I went out of my way to say that it was entirely consistent with the view that the Liberal Democrats have taken on the matter in the past.

Without rehearsing what I said earlier, I believe that where there is a material alteration in the balance between Westminster and Brussels, there is an obligation to put that before the British people. There is a political imperative as much as a constitutional imperative. If we want people to be supportive and to be—if the House will forgive the colloquialism—signed up, they are much more likely to be signed up if they believe they have had a hand in the decision-making process.

Against that background, I shall deal briefly with a number of issues that may feature in the discussions in Brussels, starting with the European security and defence policy. Much of the discussion in recent weeks has turned on the issue of a headquarters, although that is not formally part of the constitution that will be under discussion. I have previously expressed reservations about the need for a separate operational headquarters, and I have yet to be persuaded that there is not scope for some form of double-hatting. It is not unknown in NATO and other institutions for individuals to have two sets of responsibilities, which they may be called upon at different times to discharge.

It is helpful and hopeful that the Tervuren option has been eliminated. It is also a relief that all sides publicly acknowledge the primacy of NATO. It also appears—no doubt I shall be corrected from the Treasury Bench if I am wrong—that the United States is satisfied by what is proposed, to the extent that it is no longer maintaining any objection. That has appeared to be Mr. Rumsfeld's position in the course of the past week. If that is so, it is an important indicator of the extent to which the proposals may be acceptable.

Mr. Straw: I do not presume to speak for the Government of the United States any more than I do for the Government of any other country, but I think it fair to observe that the United States Government appear to have been reassured by the discussions that took place in the North Atlantic Council and by the significant changes in the draft articles, which we led and which were agreed initially with France and Germany. They are now in the presidency proposals, and the right hon. and learned Gentleman referred to them.

Mr. Campbell: The Foreign Secretary spends more time with Mr. Rumsfeld than I do, and, although he does not speak on behalf of the American Government, I accept, as I think I am bound to do, the analysis, if I may put it that way, that he has given.

It is important to remember that we are talking about a hierarchy of operational control—first, NATO operations; secondly, Berlin-plus operations; thirdly, EU operations using a national headquarters; and, fourthly, EU operations from an EU headquarters. The last of those items seems the least likely. There is a sense in which the concentration on architecture obscures the fact that we should be concentrating on capability. From the characteristically trenchant interview that Lord Robertson gave yesterday morning on the BBC, it was pretty plain that the battle that he has fought over the period of his distinguished occupation of the position of Secretary-General has been about capability. I very much regret the fact that, when this topic is discussed, we spend more time on architecture than capability. If the position now is that there is no longer the same anxiety in the United States about what is proposed, it will be a substantial advance.

I believe that the expenditure of greater financial resources or the better spending of existing resources best secures an ESDP. One of the most interesting statistics to which Lord Robertson referred in

[Mr. Campbell]

yesterday's broadcast was that there are more than 1 million men and women under arms in Europe, but that at any one time a maximum of 55,000 can be put into the field. I have every reason to believe that that is a proper analysis, so a lot of time might usefully be spent on capability and, indeed, on embracing the principles of force specialisation, common procurement and interoperability, which are much more likely to give us an effective European defence capability than some of these occasionally arcane discussions about architecture.

I understand that it is expected that a security strategy will be adopted in Brussels. Those who have analysed Mr. Solana's proposals think that much more clarification is required of the circumstances in which Europe would be willing to use force. In some of the later drafts, the word "pre-emptive" has been taken out and the word "preventive" put in. Those are not simply questions of translation, as those words embody significantly different concepts. As far as Europe is concerned, by inclination, particularly since the second world war, and by economic necessity, we are tied to a rules-based approach to international affairs. It will be essential for the European Union to spell out what those rules are in order that a degree of predictability and confidence can be achieved in the strategy.

I understand that some discussion is going on about a mutual defence clause. I am agnostic on that, because I believe that it is unwise to embarrass countries with a tradition of neutrality, such as Austria, Finland, Ireland and Sweden, by insisting on a mutual defence provision that, as far as I can tell, almost exactly mirrors the provisions of article 5 of the north Atlantic treaty. Aside from the issue of legality, it is inconceivable, in the unlikely event that any member of the European Union were to be threatened or attacked, that other members of the EU would not give them military assistance if such assistance was requested. I understand that the neutrals have made the alternative proposal that instead of an obligation there should be a right to request assistance. That is entirely reasonable, because it reflects what would be the reality of the situation and has the consequence of not embarrassing those countries for which neutrality is a matter of considerable importance.

Talk of agnosticism leads me to my next point. I hope that the Government will resist any efforts to make the preamble to the constitution refer explicitly to one religious faith rather than another. There is a variety of religious faiths in Europe, as well as many people who, for their own legitimate reasons, have no faith at all. The comments of the hon. Member for West Suffolk have a particular resonance in that context, because Turkey's entry into the European Union is highly desirable not only for Turkey, but for the European Union. It is worth reminding ourselves that Turkey is a Muslim country with a secular constitution. It could easily find a commitment in the preamble to one form of religion to be an insuperable obstacle. Such a commitment is unnecessary, first, because there is a variety of traditions in Europe and we should not single out one and, secondly, because we should not have a preamble that might well prove to be an insuperable obstacle to a country whose ultimate membership of the European Union—on the assumption that it meets the Copenhagen criteria and makes the necessary economic reforms—is entirely in the interests of the European Union.

I would be interested to know what is the Government's position on voting rights. I hope—not piously, but wholeheartedly—that Britain's apparent support for Poland is not based on some narrow political interest. The Nice formula expires in 2009, and it would surely be sensible to review it now. When the review of the finances of the European Union takes place in 2007, it may not be easy to get a settlement if Germany, a net contributor whose attitude will be pivotal, still nurses a grievance that with twice as many citizens as Poland she has virtually the same number of votes. There has to be some effort to look ahead to try to anticipate possible difficulties. Of course, one understands the sensibilities of a proud nation such as Poland, but I would give two pieces of advice to the Polish Government, if I may be so presumptuous: first, they need to take a long view and, secondly, it is very important in these matters not to overplay one's hand.

On foreign policy, there is no doubt that where common positions can be agreed the European Union is greater than the sum of its parts. Assuming that trade is part of foreign policy, I am in no doubt that the European Union's position on the American steel tariffs was successful because EU retaliation, as permitted under the World Trade Organisation rules, constituted a much greater threat to the United States than anything that individual countries might have mustered. Accepting that fact is wholly consistent with the view that the Italian proposal for the extension of qualified majority voting to foreign policy is inappropriate. In my judgment, foreign policy should rest here, just as defence policy should rest here. Those who take a contrary view say that there is an inherent weakness in that position, because it means that Malta, for example, will have a veto. The argument is that the smallest country would be able to thwart the most powerful. That could well lead to frustration but, in my view, the principle of retaining national control over an issue of such importance clearly overrides any such disadvantage.

I have some sympathy with the Government in this debate, because it is necessary for them to fulfil their obligation to inform the House. Inevitably, however, they cannot reveal their hand, except on those issues on which they have already said that they will not give ground. They cannot conduct a public negotiation across the Floor of the House of Commons in advance of the weekend's deliberations. At the risk of over-straining a theatrical or musical metaphor, this debate is not really an overture to Brussels, but something between a dress rehearsal and a preview. We shall have a chance to assess the Government's performance when they report back next week to the critical audience of the British people.

It is true that, technically, we could do without this Convention. There have been reports—I have no doubt that they will be denied—of an apparent difference of emphasis between the Secretary of State and the Minister for Europe, but I would say to them that it is highly desirable that the Government should do all in their power to achieve a settlement that is in Britain's interests. A poor settlement would be worse than no settlement at all, but there is often a rhythm or a time for these issues, and if we were unable to reach an agreement this weekend it would leave the process open-ended. It would be a brave man or woman who would then predict when a settlement would ultimately be achieved.

I see that the hon. Member for Birmingham, Edgbaston (Ms Stuart) is in her place, so I shall make just one last point. I was a little surprised by her unexpected burst into print, but I suppose that we should congratulate her on overcoming her natural shyness and modesty in these matters. I feel that what has been attributed to her struck an unduly pessimistic note. I have not yet read the Fabian Society pamphlet, but I shall take an early opportunity to acquire a copy and to read it. It occurred to me that we did not hear the reservations that are now being attributed to her during the consideration of these matters by the House.

Mr. Gerald Howarth: She has seen the light.

Mr. Campbell: Perhaps that is entirely appropriate, as we approach the Christmas season.

I do not share the pessimism that is attributed to the hon. Lady, and neither do my right hon. and hon. colleagues. In proper terms, the constitution is in the interests of the European Union and the United Kingdom, and let us hope that that is what will emerge from Brussels this weekend.

4.22 pm

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): First, I should like to reply to the right hon. and learned Member for North-East Fife (Mr. Campbell). If he had been in some of the numerous committees at the intergovernmental conference and at the Convention itself, he would have heard many such comments over the past nine months—*[Interruption.]* And here as well.

While the Foreign Secretary is still in his place, I would like to remind him—if I may be so presumptuous—of some of the things that happened at the Convention, which he might find helpful. If he is told by Convention representatives that it was the Convention that had democratic legitimacy to arrive at compromises and conclusions, he will be justified in rebutting that presumption and saying, "No, it is Heads of Government who have democratic legitimacy to make those decisions." Those who were at the Convention could not bind the institutions that sent them, and the right and proper place for making such decisions is this weekend's meeting.

I would also like to put on record that, in many parts of Europe, the document is being described as a deeply British document. The reason for that is that one of the most significant institutional changes—the creation of the President of the Council—was strongly supported by the British to begin with, and accepted at a later stage with some reluctance, particularly by the smaller countries. I must offer a word of caution. Although that function significantly strengthens the institution that represents member states, it does not necessarily strengthen the representation of the individual member states. I simply point that out. There is a strengthening of that institution, which is undoubtedly recognised.

This weekend, the Secretary of State should keep in mind one thing about the document, which is that it contains three elements. One simplifies the procedures, whether those involve the new legal instruments or the decision making of the Council. All that is absolutely essential and it will be beneficial for enlargement. It is quite uncontentious and there would be a great danger if it were lost. The second element brings together various treaty provisions made over the past 50 years, which again I think is an achievement. It should not be lost.

What is contentious is the third element—the political one. If the Government do not feel at the end of the weekend that the political aspects are in Britain's and the Union's interest, they should not agree. It is perfectly possible to move away from the IGC and maintain the elements that are essential for enlargement. Here, I want to say something about the debate on a superstate. In an odd way, I am agnostic about it. If my children and grandchildren want to live in a United States of Europe, it is not up to me to say whether they can or cannot do so, if it is possible to create one.

I do not think that it is possible to create such a superstate, given our thousands of years of history and the commitment of the member states to the nation state but what would be damaging is an attempt to create a superstate that was contrary to a lot of traditions in Europe. It would be damaging for Europe if a small group of people tried to create something that, practically, would not work in the end. That is particularly so on the eve of enlargement, when it is so significant that those countries are coming in.

We must respect the Union's new motto, which is, "United in diversity". To respect that diversity, we need to pay far greater attention to principles of subsidiarity and proportionality. If I have one criticism of the constitution and the document as it stands, it is that I very much hope that the Government, either in the IGC or at a later stage, recognise that that aspect needs to be respected far more in practice.

That takes me to the role of the House. There is, undoubtedly, disengagement among the public in their support of the EU and the House needs to recognise that we have been guilty in respect of, or accomplices in, that disengagement. If half our domestic legislation derives from some Brussels initiative and we do not debate it, people will put all their worst fears and ignorance in one envelope and call it "Brussels", assuming that nothing good ever comes out of it. A lot of good comes out of it, but we need to start to debate it seriously here.

We spend five days discussing the Queen's Speech, which contains the Government's annual legislative programme, but we spend no time discussing the Commission's annual legislative programme. It is about time that we spent equal time on discussing the Commission's programme when the European Parliament discusses it. We had special sittings of the Standing Committee on the Convention and the Standing Committee on the Intergovernmental Conference, but even though this Parliament is the world's second-largest legislative body, with more than 1,000 Members, we struggled time and again in those sittings to be quorate—to find the 13 Members required to be present. Given that six of them had to be there and had no choice, we had to find only another seven.

Mr. Spring: The hon. Lady makes a good and interesting point on scrutiny of Commission proposals, but should this Parliament not like those proposals would she be satisfied as to the adequacy of the so-called

[Mr. Spring]

vetting mechanism, as opposed to some form of rejection mechanism? Does the principle of subsidiarity need to be reinforced by some collective veto for national Parliaments of unwelcome Commission proposals?

Ms Stuart: I would certainly have preferred a stronger mechanism, but the real danger is that of mistaking the little pocket of power represented by a veto for influence. We shall have a problem if we do not take note of Commission proposals early enough here, regardless of whether they are welcome or unwelcome. The use of a red card at the end of the six-week period would constitute a blunt and brutal tool. The threat is actually greater than any influence that it might carry in itself.

Let me give a practical example. Earlier this year, the Italian presidency presented proposals on hallmarking, and industry in Britain began to alert MPs and MEPs. There was a very effective campaign involving MPs and MEPs with assay offices in their constituencies, who told the Government that they would not support the proposals. Eventually, the proposal disappeared. During the last six weeks, no red card would have been as successful as a mechanism enabling early note to be taken of what was coming, and the subsequent forging of alliances at Westminster and with Brussels.

Angus Robertson: Does the hon. Lady agree that, because of the nature of shared sovereignty, in many contexts, it is shared between Brussels and Holyrood rather than the House of Commons? Should not the Government give careful consideration to an early-warning mechanism ensuring that those elected north of the border to deal with these issues can have their rightful say?

At a time when the Government are saying that they want more transparency in the EU and welcoming the opening up of Council of Ministers meetings, is it not time for concordats in the UK to end the confidentiality of relationships involving European matters between the UK Government and the devolved Governments?

Ms Stuart: I must confess that I do not know enough about the concordats to comment on the second question, but I recall attending a Council of Ministers meeting with Scottish and Welsh colleagues. The important part of the proceedings is not one's arrival at the table in the company of a Minister from a devolved Administration; the important part always happens six, nine or 12 months earlier.

The House of Commons needs to be much more strategic and involved much earlier when it comes to Commission proposals; otherwise, we shall see more of what the latest Euro-barometer figures have shown us—about 48 per cent. support for the EU. The problem is disengagement and ignorance rather than genuine concern.

Let me say something about the Commission as an institution. I assume—I rather fear—that, as a result of one of the compromises reached at the IGC, each country will end up with its own Commissioner, and we shall not succeed in reducing the size of the Commission. There is a logical incoherence in the fact that, while the Commission is supposed to be a single body representing the interests of the Union and Commissioners are forbidden by the treaty to take or to seek instructions from member states, that single body retains the vestiges of intergovernmentalism. A much smaller Commission would be far more effective. If we fail to reduce the Commission's size, as I believe we will, we should at least ensure that a duty of good governance is placed on it. It is massively disappointing that, for the ninth year running, the Commission has not signed off its accounts. If the Commission were a company, I know what would have happened to it by now.

I wish all who go to the IGC a short weekend, although I doubt that it will be short. I ask them not to be sidetracked by meaningless language such as, "If we do not agree to this, we will be in the slow lane of Europe". What does that mean, other than suggesting that it is desirable to be in the fast lane? None of that makes any sense. What does make sense, in the interests of the European Union and of Britain, is that that document be seen as a good one that provides a sustainable structure. If it is not seen as such, it is better not to sign up to it.

4.34 pm

Mr. David Heathcoat-Amory (Wells) (Con): I am very pleased to follow the hon. Member for Birmingham, Edgbaston (Ms Stuart). I often found myself on the same side of the argument as her in the Convention on the Future of Europe, on which we both served. The House would expect that, because we were both sent from here to defend and to promote the interests of parliamentary democracy, and more generally to advance the principle of self-government. So it was natural that we agreed more often than we disagreed, and such agreement has been reflected in her comments this afternoon, most of which I support.

As an ordinary member of the Convention, I was often exasperated to discover that the drafting and many of the ideas that we had to consider came from above—from the praesidium—rather than from the working parties and our deliberations in the plenary sessions. So the bottom-up model that we were promised was in fact replaced by a top-down, rather familiar European model of decision making. It is apparent from the hon. Lady's recent pamphlet and from her writings that she, too, suffered from this problem in the praesidium. Many of the ideas advanced did not arise from below, but were promoted and initiated by the presidency, or by the European bureaucracy. But the hon. Lady certainly did her best to protect the interests of national Parliaments generally, and it is a matter of regret to her—as well as to us—that she was unable to strengthen significantly the subsidiarity provisions that, after all, have been part of treaty law for more than a decade.

We were promised that the constitution would provide an opportunity to entrench those provisions more assertively, and to give national Parliaments a real right to prevent the adoption of measures that are clearly against our vital interests. However, none of that is apparent in the draft that we are considering. We have only the right to object and to request a review if the subsidiarity principle is broken, which is really nothing more than we have at the minute. Parliament is already entitled to make objections, and the Commission is entitled to reject them. That situation, I am afraid, will continue, and I greatly regret the fact that the British Government have not made this a red line issue by backing up their assurances to this House with real negotiating vigour.

It was exactly two years ago that heads of state published the Laeken declaration, which drew attention to severe defects in the European Union, to public disillusionment with it, to the secrecy, and to the lack of effectiveness and efficiency. It declared that Europe was at a crossroads, and I agree with that analysis. Those same heads of government are now faced with a choice—one that they may well be making this very weekend. It is a choice between an open and democratic Europe that is closer to its citizens, as mandated by the Laeken declaration, or accepting the European constitution in its current form. That constitution, I am afraid, has all the familiar hallmarks: it is technocratic, centralising and undemocratic. That is the stark choice now facing the states of Europe, and I do hope that the Government, even at this late stage, will have the courage to go back to the instructions given to us all when the declaration was first published.

Of course, originally the Government did not want a European constitution at all. That was their established position, and indeed, Laeken alluded only elliptically to the possibility of a European constitution.

It is perhaps amusing—in a death-rattle sort of way—to note that objections to a constitution are still being expressed by Ministers even this week. *The Guardian* featured an article about the Lord Chief Justice, who advanced the proposition for a written constitution in this country. However, the Lord Chancellor—Lord Falconer—was definite in his objection to the very concept of a constitution. I quote:

> "'This is not up for discussion,' a spokesman for the department said. 'If we had a written constitution it would be open to judges' interpretation and lead to a clash between judges and politicians.'"

I rather agree with that, but does the noble Lord take the same view about a written European constitution, which will have exactly the same in-built conflict between the expressed wishes of elected representatives and that of judges, particularly when the constitution that we are likely to adopt is longer, and certainly more obscure, than the treaties that it will replace?

One of the requirements at Laeken was to simplify, but the document that we have to deal with now is longer than the text that it replaces. So we are getting a written constitution, but, oddly, not one that we are writing ourselves. We are importing a written constitution, and I know of no other country in the world that has ever done that. We were told at the start to act like the founding fathers in Philadelphia in 1787, but they wrote their own constitution for their own country. We have participated in a written constitution, which we are going to adopt whether we like it or not.

Mr. Cash: Does my right hon. Friend agree that one of the worst aspects of the arrangement is that the European Court of Justice will be given such extensive power to interpret the constitution that it—the Court itself, let alone the judiciary—would become the pre-eminent force in driving European integration forward?

Mr. Heathcoat-Amory: Yes, I summarise the process under way here as powers being transferred from people we elect and can get rid of to people we do not elect and cannot get rid of. I notice that the British judiciary is complaining about Government plans for a supreme court, but the real supreme court will not be in this country: it will be the European Court of Justice. I agree with my hon. Friend about that.

When it became apparent that the Convention on the Future of Europe was drawing up a constitution, the Government then took fright and eventually—I would say rather belatedly—tabled more than 200 amendments. I have a copy of all the amendments here. Sadly, only a small number—about 11—were accepted in the Convention, and the rest have simply been quietly forgotten and dropped. That is a serious matter.

To take one example, asylum is a big issue, which featured prominently in the Prime Minister's party speech this year when he promised legislation and to take control of a system that had clearly broken down. The Queen's Speech promised legislation on asylum and immigration. However, it is the European constitution that will take over responsibility for that area of policy. It contains a long section on all the legislation that can be adopted by majority voting in the new Union under the terms of the constitution. The Government representative in the Convention tabled an amendment to delete those provisions and the right hon. Member for Neath (Mr. Hain), who was the Minister for Europe at the time, emphasised the importance of the issue by saying that it was a "fundamentally important" amendment. Why, then, does it not appear anywhere in the list of red lines in the White Paper? It has simply been abandoned.

The Government do not really understand that the very fact that asylum and immigration will be a shared competence of the new Union means that this House will have only a residual right to legislate in that area. My hon. Friend the Member for West Suffolk (Mr. Spring) asked the Foreign Secretary earlier in this debate what he understood by the term "shared competence". The Foreign Secretary did not know. He said flippantly that it meant a competence that was shared, but the informed answer with which he might have enlightened the House is that when the Union legislates in an area of shared competence, member state Parliaments cannot. It follows that because freedom, security and justice are listed as a shared competence, alongside almost every other policy area that the House addresses, when the Union starts to legislate, we cannot. The promises of the Prime Minister in the Queen's Speech to bring forward Bills are empty, because at the same time his Ministers are agreeing to a European constitution that will prevent him from doing so.

I challenged the Prime Minister on that point at Question Time a month or two ago. He did not appear to know the answer, so I wrote to him. He wrote back a semi-abusive reply, questioning my motives. I wrote to him again, and I understand that my query has now been forwarded to the Foreign Office. I am still waiting for a reply, but it is now very late in the day. We have

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only a few days before everything is signed. It will then be taken through the House on a whipped vote, and it will be too late.

Many of the issues that arose in the Convention on the Future of Europe that the Government complained about have been forgotten. They are no longer red line issues that the Government have promised to defend in the final days of the IGC. I was glad that the Foreign Secretary confirmed that he would still veto the red line issues on the compulsory co-ordination of economic and employment policy. I hope that the same is true for the budget rebate, which is clearly under threat. The draft constitution refers to the modalities of the Union's resources being subject to European laws by majority voting. We know that the Treasury does not like that, so I take it that that is still a red line issue, as is QMV, in any form, on tax and social security. However, those issues remain in the final draft as we enter the endgame.

At least the Government have dropped the absurd conceit that the constitution is only a tidying-up exercise. They have finally admitted that it deals with some big and important issues that they will insist on changing. I am still suspicious that we may be being softened up for a massive fudge at the end, because the Government have been so bad at defending their proposals in Committee. For example, on 20 October, we discussed article 10, the so-called primacy article. It establishes that the constitution, and all the laws flowing from it, shall have primacy over the laws of member states. That is a bald and unqualified assertion of the primacy of the constitution, and all its objectives and obligations. We know that the Government do not like the primacy clause because they tabled an extensive amendment to it in the Convention on the Future of Europe, but they seem to have forgotten that. In the Committee, we pressed the Minister for Europe on the point. He said, in reply to my hon. Friend the Member for Stone (Mr. Cash),

"the hon. Gentleman . . . invites me to become a Law Officer. Not having any legal qualification in or ministerial experience of that area, I am not sure that I should trespass on that territory."—[*Official Report, Standing Committee on the Intergovernmental Conference*, 20 October 2003; c. 20.]

He could not answer that point. So the European Scrutiny Committee asked the Attorney-General to come to the Committee to debate those matters, but he has just written to us saying that he will not do so. The Government are thus either unable to answer the points that we are making or do not want to answer them.

Mr. Spring: That is precisely the point. It is disgraceful that the Foreign Secretary had no idea what something as important as shared competences actually meant. We are constantly told that the primacy of EU law is already incorporated in the treaties and that its incorporation in the constitution is thus of no consequence. My right hon. Friend has shown how the Government fought against answering, but is not it extraordinary that the Minister for Europe is so ignorant of one of the cardinal elements of that constitutional arrangement? That is typical of the sloppiness with which the Government have approached the whole matter.

Mr. Heathcoat-Amory: My hon. Friend is right and there are many more such examples. The Minister for Energy, E-Commerce and Postal Services appeared before the Committee to discuss the articles relating to trade and industry. We asked him about competition policy, as all competition policy will become an exclusive competence of the Union, even domestic competition policy—the rules to promote competition in our own jurisdiction. Under the terms of the constitution, competition policy unambiguously becomes an exclusive competence of the Union. When we asked the Minister about that, he replied lamely that he would go back to his office and write to us later. Well, we are still waiting for that letter.

The Minister for Europe (Mr. Denis MacShane): As my comments have been prayed in aid, would the right hon. Gentleman also care to read into the record all my lengthy replies to the questions put on the primacy of the Union, rather than selecting the one sentence in which I announced that I was not a qualified lawyer? Perhaps he will read everything that I said so that *Hansard* can record my reply, otherwise the point he made is neither fair nor accurate and is really quite mendacious.

Mr. Heathcoat-Amory: That is a big word to use against a colleague and I certainly should not use it against the Minister in return. I would not say that he is my favourite living author, but I read what he writes. However, that is no substitute for debate. I shall not accept a mere letter from a Minister defending the position; we want to scrutinise it and subject it to debate. That is the point of Parliament and the object of the European Scrutiny Committee. It was that that the hon. Gentleman denied us when he lamely said that he was straying into legal matters and that he had no answer. Then, when we asked the Government's legal man to speak to the Committee, he said that he would not come. That is my objection.

Mr. MacShane *rose*—

Mr. Heathcoat-Amory: I will give way again.

Mr. MacShane: The right hon. Gentleman is very kind. I withdraw any adjective that is inappropriate for what has been a friendly and well-mannered debate.

I was actually asking the right hon. Gentleman to repeat not what I said on the issue in a letter but what I said in debate, in Committee, at very great length. We held a proper discussion and I am happy with the points I made. I am happy to repeat them all in my wind-up, although that may take much more time than I shall probably be allotted.

Mr. Heathcoat-Amory: Of course I have the account of the debate—I was there. I know what the hon. Gentleman said and I have read it subsequently, but it did not satisfy us. We wanted to probe and to get to the bottom of the matter. We tried again today when the Foreign Secretary gave us another unconvincing account of the primacy clause. We do not accept his view that the constitution merely establishes that the case law of the European Court of Justice should be entrenched in it. Apart from anything else, case law is, by definition, dynamic—it changes—so we are committing ourselves for ever to accept the case law of the ECJ. So much for the idea that the constitution will bring finality and certainty to the division of powers between member states and the Union.

Mr. Wayne David (Caerphilly) (Lab): Much of the right hon. Gentleman's argument is based on the premise that we are discussing a constitution, but does he accept what Sir John Kerr has said—that we are in fact discussing a constitutional treaty?

Mr. Heathcoat-Amory: I do not accept that. The document is called a constitution—*[Interruption.]* I know that the Government call it a constitutional treaty but if the hon. Gentleman consults the document, he will find that the people who drew it up call it a treaty

"establishing a constitution for Europe".

It is a constitution; it has always been called a constitution, so we are entitled to believe that it is a constitution.

Lady Hermon (North Down) (UUP) *rose*—

Mr. Heathcoat-Amory: I must press on because other hon. Members wish to contribute.

Lady Hermon: Will the right hon. Gentleman give way on that point?

Mr. Heathcoat-Amory: Very well, I will give way once again.

Lady Hermon: I am very grateful indeed to the right hon. Gentleman for giving way, and I apologise for not being present at the beginning of the debate. I had to take part in the Speaker's Committee on the Electoral Commission. May I gently remind the right hon. Gentleman that the principle of the supremacy of Community law was established by a very famous case, with which I am sure that he is familiar: Costa *v.* ENEL in 1962?

Mr. Cash: 1964.

Lady Hermon: I thank the hon. Gentleman. I stand corrected, the year was 1964—some years before the Conservative party acceded to the European Community, so the principle of supremacy was well known to the Conservative party and the then Prime Minister when the European Communities Act was passed in 1972.

Mr. Heathcoat-Amory: I am not going to engage in a long legal wrangle with the hon. Lady, but I ask her to glance at the article in question, which says that not just the law, to which it refers, but the constitution itself has primacy over the laws of member states. Even if one accepts that the treaty law has a kind of superiority, what we are debating now is whether that law can automatically have primacy over the domestic law that we make in the House.

Under our constitutional arrangements, Union law only has effect in domestic law by virtue of the European Communities Act 1972, and it has been always understood that we can repeal or amend that Act to disapply EU regulations, laws or directives. Will that still survive if we sign up to a constitution that contains an unqualified assertion that the constitution and all the laws that flow from it have primacy over the laws of member states? That conflict is unresolved. We were seeking to ask the Government about that, but they have refused to answer so far, and we are entitled to our suspicions about the fact that they are not coming clean about some of the fears that they may harbour about the future direction of court judgments, both in this country and in the European Court of Justice.

Mr. Cash: Will my right hon. Friend be kind enough to give way on that very point?

Mr. Heathcoat-Amory: I will give way once again to my hon. Friend.

Mr. Cash: On 8 December, I asked the Foreign Secretary for a precise answer to the very question that my right hon. Friend has just put to the House. In effect, I asked him which would prevail—the European Court of Justice, or the United Kingdom courts—in relation to an Act subsequent to the constitution Act but inconsistent with it? The answer that I received was not only that it would be

"existing European Court of Justice case law"—[*Official Report*, 8 December 2003; Vol. 415, c. 245W.]—

but that the constitution "should be interpreted accordingly." In other words, it would be up to the United Kingdom courts to interpret whatever emerged from the process and that they would be bound by the European Court of Justice. That is a constitutional revolution.

Mr. Heathcoat-Amory: My hon. Friend, with legal training, makes the point very well. A massive transfer of power and authority is taking place under the constitution. We have before us a revolutionary document, so we need to scrutinise its contents with the very greatest care. We have been unable to do that because Ministers have refused to give straight answers to what we consider to be straight questions.

I have no time now to go into foreign policy—particularly the establishment of a European Foreign Minister, to which the Government no longer object, and the fact that our United Nations Security Council seat must be given up to that Foreign Minister on request—but I want to squash a myth that has been circulating: the Commission will somehow lose relative power to the Council of Ministers under the constitution. It is true that a lot of squabbling is going on about the number of Commissioners. It is rather typical of those in the European elite that they appear to be more interested in who gets the jobs at the top and who becomes President and how many Commissioners there will be than in the other powers of the constitution.

The fact is, however, that under the constitution as it is drafted the Commission gets more and stronger powers. It will get explicit executive powers, powers of enforcement, a monopoly of initiative and the ability to

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negotiate and sign international agreements on behalf of member states across a wide range of policy areas. The Foreign Minister for Europe will be a member of the Commission, and the Commission will get new law-making powers in particular to make what will be called a non-legislative Act, which will be binding on everybody—all the people whom we represent—without the intervention of this House. It is an abomination that the least democratic institution in Europe, which sits in private—none of its members are elected—should be able to pass non-legislative Acts as if they were Acts of Parliament. That is a new power that has been put into the constitution. It is therefore a complete myth that the Commission is in any way to become a secretariat supporting and servicing a stronger Council of Ministers.

The truth is that the constitution represents a massive transfer of power upwards to the Union. There are more policy areas in which it will operate, of which I have mentioned some. There is more majority voting in around 37 new areas—I have asked the Government for a precise number, but they cannot give it to me. Majority voting becomes easier under the new formula. In addition, all the people at the top—all the existing EU institutions—become more powerful. The only people who do not become more powerful are the ordinary people of Europe. That democratic deficit—that disconnection between ordinary citizens and European Union institutions—will become worse not better. We have not brought Europe back to the people; we have taken more powers away from the people and the national Parliaments and given them to the new Union.

Nor does the constitution in any sense bring finality or certainty to the division of powers. On that I disagree with the Liberal Democrat spokesman, the right hon. and learned Member for North-East Fife (Mr. Campbell), who has had to leave the Chamber. The incorporation of the charter of fundamental rights opens up a whole new front on new powers to be decided for us. Those shared competences, which I and others have described, again open the way to huge new powers and competences being acquired by the Union at the expense of member states. Our instructions to create that democratic Europe have therefore been completely contradicted.

I end with a solution—I never want it thought that I simply criticise the Government or am in any sense solely negative. Let the Prime Minister give the final decision on all this to the people. After all, it is their rights that are affected. The constitution starts with the following words:

"Reflecting the will of the citizens and States of Europe".

Let us ask the people what they think. In practical terms, and in terms of hard-headed, negotiating tactics, declaring that he will have a referendum would enormously strengthen his bargaining position in the endgame at the intergovernmental conference. He would then not simply have to convince a supine Cabinet and whip the proposals through the House of Commons; he would have to convince his fellow citizens that he had done a good job for them. On those grounds, and on grounds of high principle, he must take that democratic road, however late in the day, and declare that there will be a national referendum.

5.3 pm

Tony Worthington (Clydebank and Milngavie) (Lab): The right hon. Member for Wells (Mr. Heathcoat-Amory) said that he did not have time to go into foreign policy. I want to do so, although I doubt that I will have the same concerns as him.

I want to talk about one aspect of the proposed constitution: the relationship between foreign policy and development policy—the world of international development. I do so as a supporter of the Department for International Development, which has been one of the great successes of this Government. What I fear is that some of DFID's achievements may be undermined, or put under some kind of threat, by the arrangements that are being made in Europe. Those arrangements do not have to lead to a step backwards, but I would like an assurance from the Minister that such points are being taken into account.

DFID has been a great success. That is the experience of members of the Select Committee. Every one of them, of whatever party, feels that DFID has been a major step forward. When we go to the countries to which we give assistance, they are lavish in their praise of DFID in comparison with other international development departments. When we go to the World Bank, the International Monetary Fund or any other international forum, we find that DFID is considered a great step forward. Within a very few years, it has become the pre-eminent international development department in the world.

It was right for the Overseas Development Administration to stop being a section of the Foreign and Commonwealth Office and for it no longer to be controlled by the FCO. However, under the EU, the development and co-operation remit will be moved back firmly to the control of the equivalent of the FCO. That remit would become part of the foreign policy area that is considered by the treaty. Activities in the common foreign policy other than development issues would become pre-eminent and those issues would be downgraded, which would be unfortunate.

EU development assistance and that provided by each of the EU's individual nations come to more than half the development assistance made available in the whole world. If development assistance becomes subservient to foreign policy considerations, I fear that development issues will take a step backwards.

Let me refer to some of the gains that we have obtained from the establishment of DFID. The first and most important is that aid and development have become principled and focused. Our statute now says that the purpose of development aid is to end poverty. We hold to the millennium development goals for ourselves and were influential in saying that they should become an enormous global commitment. It is DFID's ambition that 90 per cent. of our aid will go to the poorest countries by 2006.

British development money cannot be used for purposes other than the reduction of poverty. The International Development Act 2002 insists that development policy is maintained and operated on the basis of its developmental principles, institutions and instruments. That means the reduction of poverty, which is a very simple and powerful purpose.

We use development assistance for development. It is a long time since the Pergau dam, when aid money was used to provide sweeteners for trade or foreign policy goals. It was important that DFID broke free from the FCO and established its own mandate. I am not criticising the FCO, which has different goals and purposes, but it was important to give development its own pre-eminence and budget.

We banned tied aid so that it became clear to all concerned that the reason for development assistance was not the furthering of British industry, but the needs of the recipient country. That is in total contrast to the United States Agency for International Development, whose money is spent on American goods. It makes it clear that its purpose is to further American foreign policy goals. The principal recipient of the assistance provided by USAID is Israel. That would not happen under our policy, because our goal is the relief of poverty. For example, we would not write in provisions on assistance such as those introduced by the Americans when they consider giving AIDS money to an African country. They may say that it is a condition of the aid that the recipient country's Government buys American genetically modified food, but such an approach is anathema to us. We would not say that a country must embrace American goals before it may receive assistance.

DFID did more than just establish its independence, because the fact that it became independent brought other big players in the British Government along with it. The alliance between DFID and the Chancellor of the Exchequer has been enormously important in getting momentum behind debt relief. DFID does not go round the world as a small and marginal Department. It always has a key economic Minister involved, which is probably why its budget has increased more quickly than those of other Departments. The Chancellor's international finance initiative is the world's only show in town if we are seriously to increase aid, which needs to be done, and achieve the millennium development goals.

The situation in Britain is different from that faced by Development Ministers in other countries. The common position of European countries is similar to the one from which we moved because their senior Foreign Ministers are generally responsible for all external relationships, including development co-operation. European development policies frequently resemble foreign policies rather than development or aid policies.

During the Doha round, there could be no doubt that the Secretary of State for Trade and Industry was fully behind DFID in attempting to deliver fairness to the poorer nations of the world and against the sickening unfairness with which richer countries treat trade. The sustainable development goals of the Department for Environment, Food and Rural Affairs are based on the same principle. It would be interesting to hear about how the Minister for Europe is working actively with DFID to pursue the millennium development goals. Are the goals at the heart of British foreign policy? I shall not be critical of him if his answer is no or say that that is wrong, but if it is his answer, there is not a natural fit between foreign and development policy. I am worried that, as the European constitution develops, we will lose what we have gained.

I praise the European Development Commissioner Poul Nielson for his contribution over the past few years. He had to work extremely hard to improve the EU's performance on development, and it has improved modestly. He has had some success in asserting development priorities and his policy has been similar to DFID's policy of pursuing the millennium development goals. Who or what will succeed him? He inherited a situation in which development policy was subsumed by foreign policy and great patience was required before the pledge of European development money could be fulfilled. There were multiple Development Commissioners and the allocation of assistance reflected a requirement to keep the neighbours of Europe happy rather than a consideration of need.

The tying in of development and foreign policies could be a major step backwards. Although there is European commitment to the millennium development goals to end poverty, only just over 40 per cent. of European development assistance goes to the poorest countries and the situation remains unsatisfactory. The head of the Overseas Development Institute, Simon Maxwell, gave evidence to the House of Lords European Union Committee. He pointed out that, in 2002, India, which has one of the highest concentrations of poor people in the world, received €14 million in new commitments and that Bangladesh received €32 million. Incredibly, Morocco received €124 million and Romania received €696 million. How can it be justified that Mauritania—a small country—received 15 times more than India in new commitments from the European Union?

In Europe, where the development function has not been separated from the foreign policy function, aid money is not put to best use. My concern is that the gains made by Poul Nielson and those working with him will be lost by aid being returned to stand securely under the foreign policy heading—after all, international development is an alternative form of foreign policy, another means by which we interact with the world. DFID has been extremely successful in that respect, but there is a huge difference between the foreign policy pursued by the United States and that advocated by ex-President Havel of the Czech Republic. Havel said:

> "The time when Europe conquered the world is over. I hope the time is about to begin when Europe will stand as an inspiration to other parts of the world. As a source of effective assistance and as an example of how people and nations can live together in peace and co-operation using the world's resources with caution and mutual support."

That is what development assistance should be about: it is not the language of common foreign and security policy. There can be no doubt about the purpose of American foreign policy: it is to pursue the military, business and resource interests of the United States. It is as simple and as brutal as that. However, that form of foreign policy is incompatible with development policy and rests very uneasily under that heading.

Mr. MacShane: I draw my hon. Friend's attention to the White Paper "UK International Priorities: A Strategy for the FCO" which was presented to Parliament last week by my right hon. Friend the Foreign Secretary. I do not want to go into the details, but on page 39 my hon. Friend will find the language that he seeks in respect of progress towards poverty

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reduction, sustainable development, international finance facilities, and the New Partnership for Africa's Development. All that is at the heart of British foreign policy.

Tony Worthington: Perhaps the Minister can say where else in that lengthy document the issue is mentioned. The point is that it contains a token reference to overseas development, but the rest of the document is devoted to other purposes of foreign policy. Obviously a reference had to be made in the Foreign Office paper to matters such as sustainable development, the poorest countries, and the millennium development goals, but if the paper that I have in mind is the one that he cites, it contains little elsewhere about development goals.

Let us consider EU enlargement. That in itself is welcome, but it must be clear that the new 10 member states will come in with their own claims for assistance and for agricultural and military support. The focus of attention in the Community will swing inwards. As the new members join the EU, a new group of neighbours who want EU assistance will come closer. I do not oppose that, but we must not call the provision of such assistance international development.

Our aim in our Budget is to devote 0.7 per cent. of our income to development assistance. It must be made clear that that money is for the poorest in the world in pursuit of the millennium development goals. That funding must not be damaged by foreign policy expenditure robbing the development bank. If assistance is to be given—as it will need to be—to neighbours or those now inside the EU tent, it must not come from the British allocation that we intend to go towards helping the world's poorest people.

Lady Hermon: Great play has been made of the fact that the European constitution gives the European Community the capacity to enter into international treaties but, if my memory serves me well, it could do so before the constitution was drafted. In fact, it signed up to the Lomé convention to help poorer nations. Would the hon. Gentleman's concerns be answered if, following the introduction of the new constitution, the enlarged European community entered into more international treaties such as the Lomé convention to help the world's poor?

Tony Worthington: That is a different ball game. Funding for the Lome convention, which was replaced by the Cotonou agreement, was not included in the EU's general budget, and was not subject to scrutiny by the European Parliament. The Minister may wish to tell us whether, in the light of what the hon. Lady said about the Lomé convention, he favours the budgetisation of the Cotonou agreement. Those special agreements will lose value over time if the Doha rounds come to a successful conclusion because they provide a privileged position for some poor countries, but not others. Doha, if it is ever successful, would bring about an agreement on a principled basis rather than on the basis of previous association with European states. That is another interesting matter that deserves consideration.

There are concerns about humanitarian assistance under the constitution. I do not mean all development assistance, but the narrow area concerned with emergency relief because of hunger, flooding, war and so on. It is important that humanitarian relief is independent and not subservient to foreign policy. The EU has strengthened that priority over the years, having established ECHO, a distinctive and, to some extent, independent body. The 1996 regulation establishing its legal status says that humanitarian aid

> "is accorded to victims without discrimination on the grounds of race, ethnic group, religion, sex, age, nationality or political affiliation and must not be guided by, or subject to, political considerations".

Aid must therefore be given because of need, not because people are on the same side as us.

During the Iraq war, there was severe criticism of the US practice of providing humanitarian relief through the Pentagon. Hon. Members will remember the establishment of General Garner's operation, about which there was widespread apprehension. If humanitarian relief was seen to be associated with people on the side of the combatants, that would remove a precious principle. Bodies such as non-governmental organisations, the Red Cross and the United Nations were not on anyone's side. There have been tragic outcomes in Iraq, and the people responsible for the attacks on the United Nations and the Red Cross are reprehensible in their despicable behaviour. If we are to have satisfactory humanitarian relief operations, we must ensure that the independent approach to humanitarian affairs established by ECHO remains. Parts of the proposed constitutional treaty make it look as if humanitarian aid is part of the foreign policy remit of the European Union. I would welcome assurances from the Minister that the independence of ECHO and other humanitarian efforts will be maintained and not subsumed in foreign policy.

I hope to receive assurances that the huge gains brought about by the establishment of DFID will not be lost. A great deal of our assistance goes through the EU. It is important that the recent relatively modest improvement in European development assistance is maintained. What will replace the post currently held by Commissioner Poul Nielson? What guarantee can the Minister give me that development principles will determine the use of the money given for development policy? We must maintain the improvement that has taken place, which to some extent is taking money away from the neighbours on political grounds, and make sure that it goes towards the millennium development goals. I look forward to the Minister's response.

5.26 pm

Mr. William Cash (Stone): This morning we saw the Euro-barometer showing that only 48 per cent. of the people of Europe now support the European Union. Listening to the Foreign Secretary, as I have done on many occasions over the past few months, I do not think he would see an elephant in the room, even if it sat on him. It is crystal clear that there are numerous dangers inherent in what is proposed under the constitution, as I explained in a letter in *The Daily Telegraph* on 1 December and in a pamphlet entitled "The European Constitution—a Political Time-Bomb" published by the

European Foundation on 8 October. I shall not repeat those arguments, as they are on the record. I mentioned some other aspects of this matter in the debate on the Queen's Speech when we discussed economic affairs.

I shall briefly point to the big issues that need to be faced this weekend. The entire process has been characterised by mendacity. When people say one thing, they mean another. Shared competence was mentioned, for example. When EU supporters say shared competence, that is not what they mean at all. When they speak of subsidiarity, they mean hierarchy. When they refer to proportionality, they mean disproportionality. When they speak of variable geometry, it is an oxymoron. There is no such thing as variable geometry. Either it is geometry or it is not geometry.

The worst example is that relating to defence. Enhanced co-operation is not co-operation at all. It is the creation of a hard-core Europe dominated by France and Germany. In the words of Thomas Mann, who postulated either a European Germany or a German Europe, it will be a German Europe. The French will not be able to hold out. They are engaged in the modern version of the Maginot line, yet President Chirac is quoted in *The Irish Times* today as saying:

> "The chancellor and I will not accept an accord at any price. We want an accord that reflects our idea of a future Europe."

The article states that

> "President Jacques Chirac and Chancellor Gerhard Schröder said they were optimistic about reaching a deal but it must be on their terms."

That is not co-operation; that is an ultimatum. Against that background, it will be interesting to see how the Prime Minister handles the situation.

When those involved refer to structured co-operation, they mean destructive co-operation. When they refer to sustainable growth or a social market economy, they mean an economy with low growth or none, and high unemployment. When they speak of democracy, they mean bureaucracy. That is the problem: the bottom line is that the whole process is about as honest as the accounts of the European Union, which the European Court of Auditors has not discharged for nine years.

We have dealt at some length with the principle of the constitution. It is crystal clear that the words of article I-10, in relation to which I have previously asked the Minister an extensive series of questions, have now arrived at a certain point. The Minister has said that, whether or not there is an Act subsequent to the constitution Act, the wording will be interpreted in accordance with the rules of the European Court of Justice. I hope that the hon. Gentleman will say that that means that the European Court of Justice ruling in the 1964 case of Costa *v.* ENEL, to which the hon. Member for North Down (Lady Hermon) referred, will be displaced as far as the British courts are concerned. It would be very interesting to hear him say that, though, as in doing so he would be contradicting almost everything that the Government have said in the past couple of years.

On the fundamental questions, those of us who have generously been described as Europhobes, little Englanders or whatever can point to a number of modestly reasonable predictions that we have got right. We were right on the exchange rate mechanism and the growth and stability pact, and on the European constitution and where it was going. Anyone looking to strike a balance and see where the arguments have been proved right will find that it is among those of us who have consistently argued the case for a European Community that will work, rather than a European Community or European Union—which is what it has turned into—that will be dangerously unstable because of hard-core Europe and will have high unemployment and low growth. Furthermore, reports suggest that that Europe is now infected by a new tendency towards anti-Semitism that is developing in that unstable environment. Some of us—some of our forebears have fought and died for the democratic Europe that we would like to see—have rightly been disillusioned with the way things have been going. The fight will continue. We will face a political and constitutional revolution if the Prime Minister does not veto the treaty this weekend. I do not think he will—so where will that take us?

In conclusion, I return to a point that I made in a speech in Yeovil as long ago as 1995, in which I called for associated status. The argument about being in or out is not about withdrawal but about having a sensible European Union where we can co-operate but into which we will not be absorbed. I suggest that we must move to a new parallel treaty arrangement involving on the one hand a treaty of associated status with the European Union, allowing us to maintain all the best elements of what the European Community could offer, and on the other, a new treaty arrangement ensuring that there was associated status with the United States as well. That would be a true bridge that would depend on the notion of a proper and workable relationship in which we would maintain our sovereignty and independence in relation to the levers of government, but co-operate by treaty on a bilateral basis with the European Union and the United States.

5.34 pm

Mr. Tony Banks (West Ham): I agree with little of the analysis of the impact of likely developments in the European Union that was given by the hon. Member for Stone (Mr. Cash), but I will say this for him: he is remarkably consistent in what he says. I am only grateful that on this occasion he said it so briefly—I shall try to emulate him in that regard if no other.

I want to raise a couple of issues that are slightly tangential to the debate, but significant to large numbers of people outside, if not inside, this House. Before I do so, I must point out for the record that I speak as an enthusiastic supporter of the European Union and the draft constitution. Nevertheless, in terms of the subject that I want to discuss—sport—the constitution is remarkably inadequate, and a lot of work remains to be done. If we are trying to bring the European Union closer to the people, there is particular relevance in the context of sport, as we have seen in recent events in this country and this city.

I personally want to see a European superstate—it certainly does not frighten me—although we have to make it democratic and accountable. History does not show that political and social development has to stop at the borders of the nation state; and who says that it is the highest form of political, cultural and economic and human organisation that we can possibly aspire to?

[Mr. Tony Banks]

Politically and economically, the imperative has always been towards federations, larger groupings, alliances and single markets. Logically, therefore, the governance of such institutions must reflect that. No hon. Member, whatever their feelings about the European Union and the constitution, would seriously believe that in 50 or 100 years the structures of Europe and the EU will in any way resemble those that we are contemplating today. The trend towards a European unitary state is irresistible. That is not to say that we should simply sit down and let it happen—we have to shape the process to ensure that we maintain a high degree of regional decision making.

I want to leave those heady issues for the moment to consider how the EU affects football in this country and the way in which European football is developing. As hon. Members are well aware, I have been a Chelsea supporter for more than 50 years, despite the fact that I am the Member of Parliament for West Ham: that gives rise to some embarrassing moments from time to time, but I can live with those. I trust that several Members had a chance to see last night's match between Besiktas and Chelsea in the AufSchalke arena in Germany. It is unfortunate that the hon. Member for West Suffolk (Mr. Spring), who talked in glowing terms about Turkey, is no longer in his place. I do not disagree with him about the country and its people generally, but I hope that he would join me in condemning the behaviour of the Besiktas fans, which was utterly appalling.

If the scenes that we witnessed on our television screens had been replicated in any football arena in this country, UEFA, the European governing body led by Mr. Gerhard Aigner, would already be denouncing the club concerned, whether it be Chelsea, Manchester United or Arsenal, and demanding that we be struck out of European club competition. I detect more than a whiff of hypocrisy around the halls of UEFA in terms of the way in which it handles clubs and the national team in this country and clubs and national teams elsewhere in Europe. We are still suffering from a reputation as troublemakers in European football, largely derived from the so-called fans who follow the English national team. Club supporters whose clubs are playing in the UEFA Champions league or the UEFA cup behave very well indeed. I travel around Europe a lot with my club, and we certainly do not deserve the kind of treatment that we get from clubs and authorities when we visit the various cities of Europe.

We make European club supporters who come to this country very welcome. Yes, we segregate them, but we do not keep them back for more than an hour after the game has finished until all the transport links have gone, so that they cannot get back to their hotels or to the airport, as I found out had happened in Rome when I was there a couple of weeks ago. We treat them decently. Our police tactics are efficient, effective and sensitive. That is not the experience that we, as football supporters, have when we travel in Europe.

What we ask of our Ministers and our Government is that they stand up for the decent English club supporters and national team supporters when we travel. We do not leave our rights behind. We have dealt with the problems as we see them: our stadiums are well regulated, and in no circumstances would we allow the kind of scenes that we saw in Germany last night to be repeated here. Yet we know that if something like that—or even an incident of a far lesser nature—had happened here last night, UEFA would have condemned us. I believe that UEFA should take immediate steps to expel Besiktas from the UEFA cup; anything less would give rise to the justifiable accusation that UEFA was anti-English in its sentiments, its bias, and its hypocrisy. I look forward to hearing Mr. Aigner condemn Besiktas in the same way that I know he would condemn any English club, had its supporters behaved as the Besiktas supporters did last night.

The other subject that I wish to raise is summed up in early-day motion 242, which is tabled in my name and has been signed by 57 Members of all parties. It is entitled, "The effects of EU proposals on English football". It arises from the demands being made by the Commissioner responsible for the Competition Directorate, Mario Monti, who appears poised to issue a statement of objections to the Football Association premier league over the television deal with BskyB. If a prohibition notice is served, the premier league will have two months to respond before a full prohibition notice is served. At that point, the premier league would end up in the court of first instance, with the real possibility that its TV deals would be struck down. If that were to happen, league football in this country could face meltdown.

It appears that the Commissioner does not like the principle of collective selling of broadcasting rights within football. The premier league and the football league have done their very best to try to meet the Commissioner's demands half way; they even split the broadcasting rights into four live packages, which were put to a transparent and open tender policy. The Commissioner now appears to want to overturn a fair, free-market process and to break up the present deal between the premier league and BskyB.

If that happens, a number of dire consequences will follow, and that is not only my view but that of the premier league. If, for example, the premier league were forced to award a set of live matches to another broadcaster in an artificial process, it would achieve—at best—a marginal impact on UK broadcasting markets, but it would have a devastating impact on the premier league's rights, which would be reduced by 40 to 50 per cent. in value. If that were to happen, what would be the impact on the premier league—the most interesting, the most watched, and some would say the most exciting, if not the most technically proficient, football league in the world? If the deal were to be struck down, there would be no premier league matches broadcast on television from August 2004. A number of our premier league clubs—we know that Leeds are the most obvious example, but there are others—face a great many financial problems and some will clearly go straight into administration.

Clubs will be forced to sell off their top players, though God knows where or to whom they will sell them. Youth academies and youth development programmes will be threatened. The premier league's £20 million three-year funding programme for the football league to bail it out of the ITV Digital fiasco will of course go, which will leave a large number of football clubs in a precarious state. The Football Foundation, which receives £67 million from the premier league over four years, will itself be threatened and be in crisis, as will the Football Association, due to the loss of revenue. That will have a knock-on effect on the national stadium at Wembley.

Those are the problems that we face. I do not want the House to sleepwalk into such a crisis, which will be faced in football. It will all arise from the actions of the Commission and of Commissioner Monti himself, who appears not to understand that football needs to be organised in leagues. Those leagues need to sell their rights collectively if they are to spread that wealth among the various clubs and prosper.

To suggest, as the Commission is doing, that each club should negotiate individual rights is dangerous nonsense and if it is pushed through it will do enormous damage to football. That is happening in Italy, where the individual clubs are negotiating individual rights. The result of that was a delay to the current season as the small clubs were left with no one ready to take up the broadcasting of their matches. They could not sell their rights and therefore had insufficient revenue to pay either their players or the people who work for them or to make any further improvements to their grounds. Meanwhile, of course, the big Italian clubs were able to secure enormous and lucrative deals, but they did not have anybody to play. That is the nonsense.

Members should consider the conflict in the constitution between the competition sections and the woefully brief and inadequate item on sport. That conflict is obvious and it needs to be reconciled. I must say to my hon. Friend the Minister for Europe—I have spoken to him about this—that the matter is one of great significance to vast numbers of our citizens. If the consequences that I have described come about, I am afraid that, although that will not be the Government's responsibility, they will find themselves, as they inevitably do in such situations, very much in the frame.

We do not want clubs selling individual rights in this country, as our football would be changed absolutely, utterly and for the worst. We would end up seeing countless matches involving Manchester United playing Manchester United reserves or Arsenal playing Chelsea. That is not what people want. *[Interruption.]* My hon. Friend the Minister for Europe suggests that Chelsea could play Rotherham. Who would Rotherham sell their broadcasting rights to? With great respect to and due regard for Rotherham, I cannot see them being a big draw on terrestrial or satellite television, so Rotherham would likely go out of business. My hon. Friend should bear such issues in mind when he is talking about other issues: these events, which may take place at the lower levels, could have dire consequences for the organisation of our sport.

I pay tribute to the work of the premier league and to David Richards, Richard Scudamore and Philip French, who are doing their best to negotiate. The negotiations are ongoing. As you know, Mr. Deputy Speaker, usually I go straight for it—lashing out, boots and fists flying—but that would not be helpful in this case as the negotiations are poised at a delicate stage and I do not want to disrupt the situation. However, I want the Government to be fully aware of what is going on. I know that the Prime Minister is aware of this matter, because I have raised it with him directly, and apprised him of the significance—the potential implications—of these events.

I believe that the Government understand the situation. I know that they realise how significant premier league football is, what it means to the great majority of our population, and what a political and economic disaster would result if the current deal between the premier league and BSkyB were struck down by the Commission led by Mario Monti. I hope that the Minister will assure me not just that he is acutely aware of the problem, but that he is doing his very best to solve it.

5.50 pm

Andrew Selous (South-West Bedfordshire) (Con): It is always a pleasure to follow the hon. Member for West Ham (Mr. Banks), who is invariably a fluent and entertaining speaker. He was straightforward about his desire to see a European Union superstate. Although I profoundly disagree with his sentiments, I respect his honesty. He probably shares my view that the real difficulty involves those who share his agenda but pretend not to, and approach the objectives espoused by him in a less than straightforward way.

In a debate on European affairs, it is important to step back a little and look at the big picture. Unlike my father and grandfather, who left school to go straight into world wars, I—along with the rest of my generation—have not had to go through that. We should pay tribute to the European Union for playing some part in the preservation of peace on our continent during its creation. As we should all recognise, it is the first duty of any Government to preserve peace and security for their citizens.

It is right for us to welcome enlargement. The Foreign Secretary was right to describe it as historic. The fact that 10 countries that were behind the iron curtain until 1989 are about to join the European family of nations is indeed an historic event that we should all welcome. Let me point out for the record that every member of the Conservative party supported it in the House, and that it can proceed without ratification of the European constitution should that not come to pass.

I also welcome the results of the single market, which was pioneered by the British Conservatives under Lord Cockfield. I pay tribute to successive Governments who promoted that agenda: a common market without tariffs, in which we can sell our goods, is enormously valuable to us.

I have a small caveat, however. I refer to the European Union's behaviour at Cancun. I do not think that it behaved well, in a moral sense, by taking such a protectionist stance in relation to the developing countries. That was raised by the right hon. Member for Birmingham, Ladywood (Clare Short) in a recent article in *The Times*. The European Union should be careful to maintain a good record in this regard; otherwise, the World Trade Organisation could easily take over its function in ensuring free and fair trade between all nations.

I am a new Member of Parliament, elected only at the last general election. I am well aware of my close link with the 71,000 or so electors of South-West Bedfordshire who sent me here, and to whom I am

[Andrew Selous]

directly accountable. The relationship is very clear: they know who their MP is, and I have a duty to respond to their problems and to be their champion. That is very precious, but it does not happen so far as Members of the European Parliament are concerned, under the existing, regional-based system of proportional representation. When asked who their MEP is and who their MP is, most people are unable to answer the former question with anything like the confidence that they can answer the latter.

The European constitution contains a number of threats to our parliamentary democracy, and such concerns are shared by Members on both sides of the House, regardless of their political tradition. For example, my near neighbour, the hon. Member for Luton, North (Mr. Hopkins), who sits on the Labour Benches, shares many of those concerns. As has already been pointed out, until the possible signing of the constitution this weekend, this country has always had the right to repeal the European Communities Act 1972. With the prospect of that constitution looming before us, it appears that we will lose that right. As a result, for the first time ever, European law will be supreme in this country.

Ms Stuart: The debate about supremacy of law has continued for months, and there seems to be no answer to it. But for the first time, an explicit exit clause will be provided in the constitution, spelling out the ability to leave. How does the hon. Gentleman combine the two arguments?

Andrew Selous: I can answer that question very easily. Neither my party nor I wants to withdraw from the European Union; my point is that we have always had the theoretical right to repeal the 1972 Act. The intolerable tragedy of this debate is that we have not had a straight answer, despite the best efforts of my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory) and many others, to the question of what the position will be after we sign the European constitution this weekend, if indeed we do sign it. This is a hugely important issue, and the lack of clarity should worry us all, whatever our perspective on these matters.

We have already talked about the importance of national Parliaments continuing to have a vital and meaningful role in the affairs of the European Union. Reference has been made to the fact that meetings of the European Scrutiny Committee are not terribly well attended on occasion, and I wonder whether my hon. Friend the Member for Eddisbury (Mr. O'Brien) has the explanation for that. He says that when Members do attend those meetings and European Union documents are placed before them, the Chairman will often move at a fast pace, taking 100 pages at a time and asking whether there are any objections to them. On one occasion, my hon. Friend sat up virtually all night to examine such documents in detail. He raised objections to several of them on behalf of British business, and the meeting was duly adjourned. He is under the strong impression that subsequent meetings were set at times when he was unable to attend. Concerns certainly do arise as to how effectively we in this House are able to scrutinise European Union directives and regulations.

This debate has helped to clarify the question of shared competence. To many people, the phrase "shared competence" will suggest that a national Parliament has some role in the matters being debated by the country in question and the European Union. But it has been made clear during this debate what shared competence means: if and when the European Union decides to legislate in a particular area, at that point the United Kingdom and other EU members cannot. That should be a great worry to us, as should the charter of fundamental rights, which I and many others believe will simply lead to an increase in European Union, judge-led law.

The hon. Member for Birmingham, Edgbaston (Ms Stuart) said that she believes that the real reason behind the convention is furthering the political deepening of the Union. Given the 16 months that she spent as a member of the European Convention, she should know very well about that.

I think that we should look at the EU far more flexibly. If France and Germany wish to forge ahead and form a much closer relationship within the EU, neither we nor any other European country should stand up and stop them. By the same token, however, countries that want to go at a slower pace and retain more powers for their national Parliaments should not be forced to go further than they want.

Above all, we have to get rid of the absurd notion that Britain could be left behind in Europe—a point raised earlier in the debate. Europe is not a bunch of teenagers karting up the M1 to see who can get there first. It is very different from that, being about the relationship between the peoples of respective countries, how they are governed, democracy and accountability—all very important matters. The whole notion of being left behind has no real meaning in the debate. The duty of this Parliament and the British Government is always to secure in our relations with Europe the best possible deal for the British people.

What my constituents and I fail to understand is that if issues about the European constitution are—on the grounds that they are of significant constitutional importance—worthy of being put before the peoples of Denmark, Ireland, the Netherlands, Spain and other countries, why not here? I was in Denmark last week, so I know that the Danes take the issue very seriously indeed. How, then, can the British Government say that these are not constitutionally significant matters, when they clearly are to so many of our EU neighbours? If they are constitutionally important there, why are they not here?

The whole process that led to the creation of a European constitution began with the Laeken declaration, but it had explicit principles and purposes, which we seem to have moved away from rather than towards. The Laeken declaration said that the EU should move closer to its peoples; become more, not less, democratic; and be made more efficient and transparent. No one from either side of the argument seriously believes that the European constitution before us at the moment achieves any of those objectives whatever. It is also important that for the last nine years, the EU's accounts have been qualified. We know that the EU does not even use double-entry bookkeeping. Can any hon. Member name a single reputable or properly constituted organisation that does not use such bookkeeping? I find it astounding.

At the start of my speech, I spoke about the importance of defence, which I personally believe is the prime responsibility and duty of any Government. I am very concerned that the current position of the British Government is to reverse a policy that has always been clear about never disrupting the operational importance of NATO. I speak as a former Territorial soldier who has participated as part of the UK delegation in NATO congresses. I remember the briefings that we received from British diplomats, which always stressed that it was important to boost the European capacity within NATO; that the European pillar in NATO was tremendously important, but under-resourced; and that we should always act under the operational command system of NATO.

In respect of those matters, we can say that the establishment of an EU defence headquarters is, at best, wasteful duplication and, at worst, runs the risk of decoupling Europe from the defence support of the United States of America. It could also aid those in the United States who would like that to happen. When we consider that American blood has been shed twice in the last century to keep our continent free, we should reflect on the seriousness of what that could mean. I do not think that we should always follow the United States, or that it is always right in everything it does, but history has shown on many occasions that we were right to act alongside the Americans and that their friendship is precious.

A Labour Member raised the issue of international development aid and made many points that also concern me. The European Union gives five times more aid to countries within Europe and its immediate neighbours than it does to the developing world. That has to be a travesty of the proper principles of international development aid that aid should always go to those who are most in need. The European Union gives India €14 million and Bangladesh €32 million, but it gives Morocco €130 million and Romania €690 million. Romania hopes soon to join the European Union, and no one would seriously claim that it has as much significant poverty as India and Bangladesh. That aid distribution displays a warped sense of priorities.

We have also heard about the real problems of our fishing communities and I was present yesterday when those issues were debated at more length. I am pleased that my party is committed to coming out of the common fisheries policy, because that is the right approach. I wonder how many people realise that the CFP does not apply to the Mediterranean. It applies to all the waters around our own country, but it does not apply to the Mediterranean. That is fine for Spain, Portugal and other countries because the CFP does not apply to some of their offshore waters, but they are able to benefit from the CFP in UK waters.

Mr. Banks: Assuming that we had a Conservative Government who had come out of the CFP, what fishing policy would they implement? Surely the hon. Gentleman does not suggest that no controls on fishing or protection of fish stocks are necessary. Without such controls, fishermen would fish out stocks and there would be no fish left for anyone to eat.

Andrew Selous: I agree, and were we to repatriate fishing policy to the UK, as we should do—that is also the policy of the Scottish National party—it would continue to be important to take into account issues such as the sustainability of stocks. However, to give a specific example, haddock in Scottish waters is bracketed with other fish that are threatened to a much greater degree. The UK might be able to differentiate between species in a way that some of the rulings by the European Union have not done in recent months.

I am also greatly concerned that it appears that the UK Parliament is about to lose its authority over asylum policy. Originally, that was one of the Government's red lines, because they wished to retain control over it, but that is no longer the case. People on both sides of the political debate agree that our asylum system is far from perfect, but they agree that it is right that those who seek asylum in the European Union should do so in the first country they come to. Many people will remember the hijacked plane that overflew 12 EU countries before it landed in the UK at Stansted. That example makes my point powerfully. Imperfect as our current asylum policies and procedures are, the British people at least know that the ultimate responsibility and accountability for them lie with Ministers who can be questioned directly by the representatives of the British people in the House.

Those points may seem a little highbrow to many people, but I shall give the House a specific example of the effect of EU directives and regulations in my constituency. To the north of Leighton Buzzard the old Linslade road has a number of bridges, one of which has been strengthened, at a cost to Bedfordshire county council of £150,000 so that it can carry 40-tonnes lorries. That is all well and good and perfectly sensible; we need bridges to carry lorries to support trade and commerce. What could be wrong with that? A European directive required that the bridge be strengthened.

There is a problem, however. Not 100 yd down the road is a bridge owned by British Waterways. It has a weight limit of 7.5 tonnes and British Waterways has informed me that it has no requirement to strengthen the bridge and no intention of doing so. Furthermore, when the parish council of Heath and Reach, the adjacent village, found out that £150,000 of the county council's money had been spent strengthening a bridge, under the direct requirements of an EU directive, while the council had been trying to set up traffic-calming measures for years and years yet had been told by the county council that no money was available, local people were intensely irritated. I am sure that all hon. Members can understand that. Such incidents do the EU no favours.

I am not someone who brings up every example of European idiocies to muddy and blacken the name of the European Union, but where things go wrong and something is obviously not sensible, we need to give serious consideration to the wasting of British taxpayers' money at the insistence of the EU.

I want to conclude by proposing an alternative view to the remarks that we heard earlier about references to Christianity in the EU constitution. I very much hope

[Andrew Selous]

that Turkey, a Muslim country, will join the EU. As a Christian, I have no problem with that and would welcome Turkey to the European family of nations. Turkey would be a welcome and important addition to the European Union. However, reference to Christianity is not a matter of opinion; it is a matter of fact. I shall not back that up by turning to the words of a politician, but shall quote briefly from the poet, T.S. Eliot, who said that

> "the common tradition of Christianity . . . has made Europe what it is . . . It is in Christianity that our arts have developed; it is in Christianity that the laws of Europe . . . have been rooted. It is against a background of Christianity that all our thought has significance."

He makes the point more eloquently than any of us in the House could do.

I question the notion that secular humanism is the sensible, moderate, acceptable default position for all our institutions and public bodies. I want to make a small plea for tolerant, loving Christianity, as people of all faiths in this country would probably feel far more comfortable with that than with some type of secular humanist regime. I do not think that Muslims, Hindus, Sikhs or people of any other faith are worried by the fact that the established Church of this country is Christian, nor by the fact that there are Christian prayers before every sitting of Parliament. I hope that the Government will take up that matter and that they will not be offended. I do not believe that it will cause offence to people of any other faith or of no faith at all.

6.14 pm

Mr. Wayne David (Caerphilly) (Lab): For my sins, I have followed the process of drafting the European constitutional treaty for some time. I have read very carefully the 2001 Laeken declaration. I have followed the deliberations of the Convention on the Future of Europe. I have been closely following what has been discussed so far at the IGC, and the parliamentary scrutiny in the House has been very effective indeed so far. Credit has to be given to my hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) and the right hon. Member for Wells (Mr. Heathcoat-Amory) on their active participation in the Standing Committee that both Houses have established to scrutinise the whole deliberation process.

Thanks, too, should be given to my right hon. Friend the Foreign Secretary and my hon. Friend the Minister for Europe for their participation in the Standing Committee on the Intergovernmental Conference. That has certainly increased the knowledge of at least a minority of hon. Members about what on earth has been going on in those deliberations. However, it is sad that so few Members of both Houses have attended both those Standing Committees. Frankly, there is no excuse for that because their meetings have been open to all Members. We are constantly told that Opposition Members place such great emphasis on scrutinising things European, but they did not make the effort to play their part in those Committee's deliberations. Unfortunately, the rhetoric does not match the reality.

Andrew Selous: I wonder how the hon. Gentleman would respond to the point that I made in my own contribution: perhaps many hon. Members are not attending those scrutiny Committees because they feel that they will have no real opportunity to contribute to the debate, to get answers, which are not forthcoming—we heard about that earlier—and to influence and change the regulations before them. If hon. Members feel that their time will not be productively spent in that way, perhaps that is the reason why they are not turning up.

Mr. David: I was referring to the Standing Committees that have been following the deliberations of the bodies to which I have referred. The hon. Gentleman is referring to the work of the European Scrutiny Committee, of which I am a member. That Select Committee is not open to all hon. Members. Nevertheless, we are pursuing an active programme of work not only to contribute to the wider debate on the future of Europe, but to scrutinise the legislation that comes to the House from the EU.

Mr. Richard Bacon (South Norfolk) (Con): Does the hon. Gentleman agree that it would be better if the European Scrutiny Committee, of which I am also a member, were able to meet in public and that the Standing Orders should be changed to enable that to happen?

Mr. David: Speaking personally, I agree, but I want to address later in my contribution how the work of Committees needs to be considered very carefully if agreement is reached on the European constitutional treaty. I hope that that agreement will be reached, and it is important not to believe that we have somehow to put our national interest to one side to secure it. Our national interest has been protected and enhanced so far by the Government—I am sure that that will continue to happen in the deliberations this weekend—but reaching an agreement with our partners is also in Britain's national interest because Europe is at a crucial point in its development.

Next year, we will see the enlargement of the EU from 15 to 25 member states. Although enlargement has happened in the past—it is part of Europe's natural evolution—we have never seen an enlargement of such size and significance before. We would be extremely foolish if we believed that the current arrangements inside the EU could simply be transmuted into a situation where we would still work effectively with 10 more members. Such would not be the case. We need an agreement on the treaty, so that we can move forward to make the EU work more effectively, and those of us who are pro-Europeans certainly want that to happen.

Mr. Kelvin Hopkins (Luton, North) (Lab): Like my hon. Friend, I have attended many sittings of the IGC Standing Committee. At the last one, I drew attention to the fact that even the Foreign Secretary had said that it was possible that the constitution will not be approved. He seemed fairly relaxed about that, according to the quotation—I am afraid that I was not present when he made that comment. There is also the possibility that a number of states might vote down the constitution in their referendums. If that happens, cannot we carry on happily as we are?

Mr. David: I agree with my hon. Friend that it would not be the end of the world if agreement were not reached this weekend. I would still argue, however, that it would be in our national interest, and our best interests, if agreement were reached. The European Union will not suddenly collapse. Enlargement will still occur. If we get agreement on a good treaty, however, things will be better for everyone, and certainly better for the European Union. For that reason, I hope that it will happen.

On enlargement, I referred to the enlargement that will take place next year, but I hope that that will not be the end of the process. I hope that Romania and Bulgaria will join soon thereafter, and Turkey too. I am glad that something of a consensus is emerging in the House about the desirability of a Muslim country such as Turkey joining the European Union. I welcome that. As well as those three states, however, we should open our arms and ensure that there is a warm embrace for the Balkan countries, which are in the process of putting forward applications. If they meet the criteria, both economically and politically, they should be able to join the European Union too. If our vision is of a European Union of that size, it is therefore all the more important that we have a European Union that operates effectively, and that the issues that have been addressed so far are successfully addressed in the foreseeable future.

I want to refer briefly to one or two of those crucial issues. A strong intellectual case exists, if we are serious about making the EU work more effectively with an enlarged membership, to have an extension of qualified majority voting. On the one hand, it is possible to protect our national interest—red lines have been drawn where we will maintain the veto—but at the same time, generally, an extension of QMV is preferable. I am also well aware that this is a controversial area in terms of how votes are weighted in the Council. Perhaps I should declare a slight interest as chair of the all-party group on Poland. I have a great deal of sympathy with the Poles when they say that the formula agreed at Nice should be adhered to, because it is on that basis that the people of Poland cast their votes to join the European Union. I hope that the Government will bear that in mind over the weekend and during the delicate negotiations that will take place.

Andrew Selous: The hon. Gentleman will know well that the Poles are particularly concerned to have some reference to Europe's Christian heritage in the preamble. Does he also share their concerns on that point?

Mr. David: I understand the points that the Poles make, but I think that that is one of the areas on which they may be persuaded that it would be better to adopt a different course. I am therefore optimistic that agreement can be reached on a sensible way forward for all parties.

One of the most important issues to have emerged so far from the draft constitutional treaty is that an objective evaluation of where power will lie in the future will point us to the Council of Ministers as giving the future strategic direction of the European Union. There has been concern for many years that the European Commission in particular has been more proactive than it should have been and too assertive. The new treaty will make it absolutely clear that the ultimate power inside the European Union rests with the Council and with the member state Governments. I welcome that.

That is a big issue. One of the smaller issues, but one of considerable importance, is that of subsidiarity and proportionality—unfortunate terms that do not mean a great deal to many people. They are important, because subsidiarity is the principle that defines where decisions are taken. It means that decisions should be taken at the most appropriate level as close to the people as possible. Proportionality means that the EU should not do other than what is necessary for it to do.

There is a protocol at the end of the draft treaty on those two principles and one of the key proposals in it is that national Parliaments should have a new and key role in the EU's decision-making process. I shall be frank with the House. I would dearly have liked to see that protocol strengthened so that, instead of there being a so-called yellow-card proposal, there is a red-card mechanism. However, the distinction between them is more apparent than real. The protocol explains that if the European Commission, after consultation, comes forward with a set of proposals to national Parliaments and one third of those Parliaments object to the proposals on the basis of subsidiarity, the Commission is obliged to take the proposal back and to review it. Given that there is a close relationship between national Parliaments and national Governments, such a warning to the Commission would mean that its proposal would be dead in real political terms. The provision will add something that is new and innovative. It will give greater responsibilities to national Parliaments and this House in particular, which considers its European scrutiny role to be so important.

To return to a point I made earlier, if that important protocol is agreed, it will be incumbent on the House to consider carefully how we conduct our debates on European affairs and how we conduct European scrutiny. Although I have commended the work of the House, its Standing Committees and the European Scrutiny Committee, that will not be enough if the protocol is agreed. It will therefore be important that the House—in its Committees and on the Floor—devotes far more time and effort to European issues. Given that the United Kingdom now has a number of devolved institutions, it is important that a specific and clear relationship is worked out with them on how they can express their views on the European matters that they will be asked to implement.

It is also important that the House develops links with national Parliaments in other member states and with the European Parliament. I shall again be frank, and I speak as a former Member of the European Parliament. All too often, we are parochial and inward looking in our attitudes. We need to take a broader perspective and to be true internationalists. One of the surest ways to do that is to extend our hand of friendship to other national Parliaments and the European Parliament and to make sure that we have meaningful dialogue with them so that we can together develop the EU in the way that we want.

[Mr. David]

In September, the Government published a White Paper on their approach to the intergovernmental conference. If we study the White Paper and what has so far been agreed at the IGC, we will be able to see two things. First, we will see that the Government have been true to their words and have consistently argued with a great deal of success for the things that they announced in September. Secondly, we will see clearly that they have been successful in setting the agenda for Europe in a way that was not possible a few years ago. That is important not just in terms of our immediate considerations but in terms of Europe's future development as well.

Finally, I wish to refer to a comment made by Sir John Kerr in the *Financial Times* on 25 November. He was responding to a point that many Conservative Members have made. They say that we are talking about a constitution for Britain and not a constitutional treaty. There is a key difference, and Sir John Kerr said that the constitutional treaty

> "is not a real constitution . . . Valery Giscard d'Estaing's convention on the future on Europe had no mandate to lay the foundation of a state, and it did not. Instead it drafted a treaty—an agreement between sovereign states—to simplify and replace the current confusion of treaties."

He went on to say:

> "It makes no claim . . . to a grassroots legitimacy bypassing states and governments."

Sir John Kerr is not just any person or diplomat. He is probably one of our most distinguished diplomats and he was the secretary-general of the European Convention.

Mr. Bacon: First, does the hon. Gentleman accept that at the last COSAC meeting in Rome, the document that was circulated in English did not say constitutional treaty on the cover, as the cooked-up document that the Foreign Office has printed does, but constitution for Europe? Secondly, no matter what Sir John Kerr's views are, once the thing goes through—if it gets through—the adjective will get dropped and the document will start to be referred to using a noun.

Mr. David: I am not sure about the use of the English language. It is my understanding and that of Sir John Kerr that we are discussing a constitutional treaty. That is clearly recognised by the Government, which is why the words printed on the cover of the document that we are debating make that crystal clear. The important factor is not only the words that we happen to use, but their legal implications. If the treaty is to have force in Britain, it must be approved by Parliament because we are the sovereign body and that is what counts.

As we approach this important weekend, it is more important than ever for the House to make its collective position clear. We are Europeans and Britons at the same time—being both is not a contradiction. I am proud of being a member of the European Union, I am proud of being British and, incidentally, I am also proud of being Welsh. In the complex modern world in which we live, we need such a perspective on how we may all live and work together on the basis of mutual respect. As I said early, I hope that the treaty will be agreed so that we may co-operate on that basis in the future.

6.32 pm

Mr. Gerald Howarth (Aldershot) (Con): When I arrived at the House in the early hours of the morning, I saw a splendid-looking John Bull character carrying a placard—it made a great change from the other demonstration that is taking place outside—that said, "No surrender, stuff the Euro, rule Britannia". I would have said that those were entirely my own sentiments if my hon. Friend the Member for Mid-Sussex (Mr. Soames) had not been sitting within striking distance of me.

We have had a good debate, although it is a shame that there were not more Members in the Chamber to participate and listen. I salute the Foreign Secretary for setting a good example to his fellow Ministers on how to treat this place. As my hon. Friend the Member for West Suffolk (Mr. Spring) said, we appreciate the fact that the right hon. Gentleman attends the House assiduously and makes himself available to participate in debates rather than coming only to lecture us.

I also single out the two members of the Convention: the hon. Member for Birmingham, Edgbaston (Ms Stuart) and my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory). I am sure that the whole House is indebted to them for the extraordinarily hard work that they have put in over the past two years on such an important project. My right hon. Friend has been assiduous and incredibly well focused, and I salute him personally for expressing his arguments so clearly and forcefully.

At the risk of imperilling the political career of the hon. Member for Birmingham, Edgbaston, I think that she has been courageous enough to admit that she has seen the light. All of us will have been horrified, although not entirely surprised, to learn about her discovery that those on the Convention who did not support deeper integration were sidelined, because that speaks poorly of the Convention itself.

My hon. Friend the Member for Stone (Mr. Cash) has been a consistent critic of the accretion of power by the European institutions, and I believe that the whole House owes him a debt of gratitude for his constancy in that respect. The hon. Member for West Ham (Mr. Banks), who, I am sorry to see, is no longer in his place, was a brave man to refer in this week of all weeks to football played with a round ball. As one of those who was at Heathrow terminal 4 in the early hours of the morning when our victorious team returned home from Australia, I thought reference to the game with the round ball was particularly inappropriate. But he is a cheeky chappie and we all love him anyway.

This has been a broad-ranging debate. The right hon. and learned Member for North-East Fife (Mr. Campbell), who we know cannot be in his place because he has had to return to Edinburgh, made a typically gracious contribution. There was much in what he said with which I could agree, although I think that the whole House was interested to learn that Liberal Democrat Members of the other place are not expected to be bound by party policy. The hon. Member for Clydebank and Milngavie (Tony Worthington), whose interest is in development issues, spoke fluently and enthusiastically about the work of the Department for International Development.

My hon. Friend the Member for South-West Bedfordshire (Andrew Selous) made a significant point about the importance that we in this country attach to the connection between a Member of Parliament and his or her electorate, and the serious responsibility and accountability issues that flow therefrom. He drew the analogy with the European Union, where not only has such accountability already been lost to a large degree, but there is a great risk that even more will be lost. The hon. Member for Caerphilly (Mr. David) rounded off the debate by saying that, basically, he was in favour of everything—but he is a former Member of the European Parliament, so we might have expected that.

That brings me back to my hon. Friend the Member for West Suffolk, who, in opening the debate for the Opposition, entertained us as is his custom to a well-informed and thoughtful tour d'horizon of European issues.

Mr. MacShane: Was that French?

Mr. Howarth: It was indeed. I speak French and German, which slightly undermines those who have accused me of being a little Englander.

My hon. Friend the Member for West Suffolk drew attention to the Government's woeful failure to protect Britain's essential national interests in the European Union, and he touched on defence—a subject on which, the House will not be surprised to learn, I intend to concentrate, because we face a serious predicament in defence policy that has in large measure been caused by the Government's inability to placate both the US Administration and our EU partners.

As has been acknowledged throughout this afternoon's debate, it is NATO that, since its inception in 1948, has provided for European security. Throughout the cold war, it tied together European and north American security. It provided a counterweight to Soviet power in the east, and without NATO, history might have proved quite different. Today, NATO continues to be relevant to the security environment shaped by the events of 11 September 2001. It remains the only guarantor of European security and the best way to address the capabilities gap between Europe and the United States.

Developments within the EU threaten the primacy of NATO. The European security and defence policy began with unnecessary duplication, and is now beginning to threaten the future of the NATO alliance. We agree that Europe needs to assume a greater role in providing for its own security: currently, only Britain and France spend anything like the amount that needs to be spent on defence. We support the push to increase European defence spending from its current low base of 2 per cent. of GDP and to develop a greater European defence role, but we believe that that increased role for European countries in defence is best achieved through NATO.

NATO already has the planning and command structures in place. It already has the resources, capabilities and experience. European defence would best be achieved through NATO, which brings the advantage of involving north American allies and non-EU European countries. NATO has developed links deep into eastern Europe through the partnership for peace. It is therefore best placed to provide regional security in future. However, as I said earlier, it is under threat.

As we speak, there is a struggle between those who recognise that NATO should continue to be the cornerstone of European security and those who are obsessed with the creation of an autonomous EU defence capability which, in the words of the Anglo-French declaration at Le Touquet on 4 February this year, can match

> "the worldwide ambition of the EU's Common Foreign and Security Policy".

Some people on the continent want to challenge what they regard as the domination of the United States. Unable to do so on their own, they are trying desperately to drag other EU states with them to create an alternative pole to the United States. As Romano Prodi said at the end of March:

> "It is evident that the Iraq crisis has brought us to a new crossroads in transatlantic relations, we must choose a different path."

Jacques Chirac said as long ago as 1999 that the European Union

> "could not fully exist until it possessed autonomous capacity for action in the area of defence".

I emphasise the word "autonomous".

There is a serious danger that Britain's national interests will be betrayed if the Government try to assure the United States that we are four-square behind NATO and, at the same time, seek to assure our EU partners that we are at the heart of Europe. However, that is the typical stance of "Mr. Facing Both Ways", our Prime Minister. I remind the House that he famously told *The Sun* how much he loved the pound, but now tells us that in principle that he is favour of ditching the pound as soon as the five economic tests are met—meaning as soon as the opinion polls indicate that the Government might win a referendum. As long ago as February 2001, the US President said that the Prime Minister had assured him

> "that the European defense would no way undermine NATO."

The President said that the Prime Minister had also assured him

> "that there would be a joint command"

and

> "that planning would take place within NATO".

The Prime Minister repeated those assurances to the President earlier this year. Indeed, an agreement was hammered out under the Berlin-plus arrangements whereby NATO's extensive planning and force generation structures would be made available to the EU in the event of NATO declining to become involved in a military operation. By that means, the EU would have all the cost advantages of having existing structures available to it while avoiding duplication or the risk of establishing a competing institution. Yet, as we know, in September, the Prime Minister finally signed up to structured co-operation with France and Germany, agreeing to an EU planning cell outside NATO, thus flatly contradicting the assurances that he gave President Bush.

[Mr. Howarth]

It is hardly surprising that US Secretary of State Colin Powell has expressed his anger. Last Thursday, he said at NATO that the US cannot accept independent EU structures that duplicate existing NATO capabilities. He is not alone in that belief:

> "I have been as robust as anyone in my opposition to unnecessary duplication between NATO and the EU. We need more capabilities, not paper armies and wiring diagrams connected neither to soldiers nor to reality."

So said not a US neo-con but Lord Robertson, NATO Secretary-General, at a Royal United Services Institute conference in London last Monday. To remove all doubt, yesterday morning, he told listeners of the "Today" programme:

> "We cannot afford any sort of competition between the EU and NATO."

He is right, but it is significant that as he leaves his post, he thought it essential to emphasise the vital importance of not undermining NATO.

As my hon. Friend the Member for South-West Bedfordshire said, the Government risk decoupling the United States from NATO. We will be told that the change is simply a modest one, and does not have the significance that we attach to it. However, I draw the attention of the House to a succession of statements from European leaders that reveal the agenda behind the European security and defence policy. The German Foreign Affairs Minister, Joschka Fischer, described the Anglo-French St. Malo communiqué of 1998 as

> "an important step for the development of the European security and defence identity, another pillar of the process of European unification".

Romano Prodi said earlier this year that Europe should abandon the NATO alliance if it wants to have a meaningful say in world affairs.

We need to take note of those clear statements about how European leaders see the role of EU defence in building a greater united states of Europe. Why do we pretend that their motives are different, when they make no secret of their integrationist ambitions? There has been much mention in our debate of the European constitution. As we know, it would, for the first time, include key elements of defence policy in an EU treaty, thus incorporating them at a fundamental level in the new European structure. It is clear that one of the effects will be that the treaty is subject to the European Court of Justice. It creates a judicial identity for the EU.

Everything in the treaty is up for grabs, even though article I-40 speaks of

> "the progressive framing of a common Union defence policy"

and states:

> "This will lead to a common defence, when the European Council, acting unanimously, so decides."

Although the article goes on to state that the policy of the Union

> "shall respect the obligations of certain Member States, which see their common defence realised in the North Atlantic Treaty",

it is hard to see how the existing treaty commitments of member states will survive the progressive acquisition of the attributes of statehood by the EU.

The defence of the whole of Europe, including the UK, has been assured this past half-century by NATO. Those driving the development of an EU defence identity are concerned not with enhancing capabilities, but with investing the EU with the trappings of a nation state. They have a Parliament, a supreme court, an anthem, a flag and a currency. Add a common foreign and defence policy and a constitution, and the jigsaw is complete.

This weekend, the final drafting session on the proposed constitution takes place. Just a few weeks ago, Ministers dismissed our warnings by saying that the proposal was simply a tidying-up operation. Now the Government have been forced to accept our judgment and, as my right hon. Friend the Member for Wells said, they are threatening to withhold their consent, but I suspect that that is sabre-rattling rather than any realistic attempt to renegotiate, let alone to walk away from the constitution if they feel that it cannot be justified.

The constitution will result in energy policy, asylum policy, criminal procedure and a raft of other policy decisions being removed from Westminster. We are, as my right hon. Friend said, importing a written constitution into our laws, and importing non-legislative Acts issued by people who are not accountable.

It was reported yesterday that support for the EU project has fallen below 50 per cent. across Europe, even in France, and that it is down to 28 per cent. in the UK. We say that this sovereign Parliament has no right to surrender a vast range of powers that we hold in trust for the British people, without their express consent. In the name of the British people, we demand a referendum now.

6.47 pm

The Minister for Europe (Mr. Denis MacShane): We have had a good debate. I welcome the hon. Member for Aldershot (Mr. Howarth) to his new duties. He began with a bang of anti-Europeanism and finished with a cry of anti-Europeanism, but in the middle there were some solid points, to which I shall return. I see that he has removed the little pound sterling sign from his lapel, obviously under orders not to manifest his earlier crude anti-Europeanism.

The Government have tried to insert Parliament, as we did today, into the heart of our enduring debate on Europe. So far this year, we have had more than a dozen debates on the intergovernmental conference. I and other Ministers have responded to 16 separate Committee reports on the IGC. My right hon. Friend the Foreign Secretary and I have attended eight Committee sittings on the IGC this autumn alone.

We launched a constitutional innovation this autumn by setting up a Standing Committee on the IGC. I cannot find any precedent of a Government subjecting a treaty negotiation to full-scale interrogation by hon. Members while the negotiations were taking place. Important points were raised by hon. Members in that Committee, notably on energy policy. I pay tribute to my hon. Friend the Member for Waveney (Mr. Blizzard), the chairman of the all-party group on the offshore oil and gas industry, for raising those issues. I am happy to report to the House that we now have language on energy that meets his concerns and ours. As he told the House earlier, that has been welcomed by the North sea oil industry.

Andrew Selous *rose*—

Mr. MacShane: If the hon. Gentleman will forgive me, I must make progress.

That example shows how parliamentary scrutiny can work if hon. Members come along and take the issue seriously but, alas, the Opposition have not done so. Although both the Foreign Secretary and I were present at that important Standing Committee for its long sittings, no member of the Opposition Front-Bench team bothered to turn up. Of course, hon. Members read out their Rothermere press rants at the Dispatch Box, but leave to others the hard work of ensuring parliamentary scrutiny of the IGC.

At the first sitting of that important Standing Committee, only one Conservative Member was present: the hon. Member for Stone (Mr. Cash)—who else? At the second sitting, he was joined by the right hon. Member for Wells (Mr. Heathcoat-Amory). At the third sitting, that duo was joined by the right hon. Member for Wokingham (Mr. Redwood). That is a golden trio. Out of the 160-odd Conservative MPs, the three anti-Europeans of star quality who helped to destroy the last Conservative Government with their rabid anti-Europeanism were the only ones who bothered to turn up to subject the IGC to parliamentary scrutiny.

Mr. Bacon: Will the Minister give way?

Mr. MacShane: I will not do so, if the hon. Gentleman will forgive me.

The hon. Member for Stone and the right hon. Members for Wells and Wokingham can rest content that their new leader remains determined to uphold the Conservative party as the most extreme anti-European party of any of the major parties of the right in Europe. That is their affair. They are welcome to dwell in the dark recesses of anti-Europeanism for as long as they like, but the British people do not share that position. If I may make a personal statement, I see

> "the EU as a huge historical achievement compared to anything Europe has ever seen",

and

> "To our vigorous membership of the most hopeful organisation Europe has ever seen I feel a robust commitment which comes from both brain and heart."

Those are not actually my words, but those of Lord Hurd of Westwell. They show how far the Conservative party has travelled into the depths of anti-Europeanism.

My hon. Friend the Member for Birmingham, Edgbaston (Ms Stuart) made a particularly powerful contribution. When she was interviewed on "The World at One" about her new pamphlet—I have a copy with me and recommend that all hon. Members give it a careful reading—she told Mr. Nick Clarke that she had advanced many of her arguments in the House or in Standing Committees. I have certainly had useful conversations with her about the issues that she raises and I agree with much of what she says. She calls for a new Cabinet post for the Minister for Europe, but I am not quite sure how far that will go.

Mr. Straw: Not far.

Mr. MacShane: I hope that that will be recorded by *Hansard*.

My hon. Friend the Member for Birmingham, Edgbaston will be aware that almost any Question Time involving any Minister will deal with European issues. It is difficult to say "Here is a category called Europe", as Europe now touches transport, the environment and defence, as we have heard, as well as other matters. She referred in the pamphlet to one article in the constitutional treaty:

> "Article 24[4] allows for the move from unanimity to Quality Majority Voting",

and said that that was unacceptable in her view. I am glad to report to her that the new draft that we will be discussing in Brussels states:

> "If a national Parliament makes known its opposition within six months"

to any such passage,

> "the European decision . . . shall not be adopted."

In a sense, by arguing her case, she has helped in winning a lot of it.

The right hon. Member for Wells taxed me with the confession that I was not a qualified lawyer. I have looked at the *Hansard* of the Standing Committee on the Intergovernmental Conference, however, and I could read out at interminable length section 2(1) of the European Communities Act 1972, which underlines the primacy of EU law. He is quite clear in what he says about the issue, but treaties are international law. If we sign them, we have an obligation to honour and abide by them. Pacta sunt servanda is the old Latin term, and it is honoured and enforced by tribunals and courts. There is no other way in which we can have relationships with other countries in treaty form. When the constitutional treaty is signed, it will be another European treaty. However, we have a present for him, the right hon. Member for Wokingham and the hon. Member for Stone—article 59, which allows for withdrawal. They should be honest and make it clear that that is now Conservative party policy.

My hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) made an extremely important point about development aid.

Mr. Hopkins: Will the Minister give way?

Mr. MacShane: No, if my hon. Friend will forgive me.

I cannot read out all the references to millennium development goals, humanitarian aid and international development that are in the new Foreign Office White Paper entitled, "UK international priorities", but let me assure my hon. Friend the Member for Clydebank and Milngavie that I am proud, and every Labour Member is proud, of the work of the Department for International Development and the massive increase in international and humanitarian aid that it has achieved. We will never allow a return to the cuts in international aid and Pergau dam policies of the Conservative party.

[Mr. MacShane]

The European Union is itself a powerful poverty reduction mechanism—that is why so many poor nations are anxious to join it. The Government do not support budgetisation—a technical point to which my hon. Friend may want to return in due course.

The hon. Member for Stone, who is not here—he apologised in advance for his absence—managed in his first sentence to patronise Germany and France. I say to Conservative Members that this incessant Francophobia and Germanophobia—this rancid hostility to our European partners—does their party, and the House of Commons, no credit.

My hon. Friend the Member for West Ham (Mr. Banks) said that he was in favour of a European superstate. I cannot share that vision, because we are an association based on the nation state, one of the most important manifestations of which remains football. I hope that the behaviour of our football fans during Euro 2004 will finally lay to rest, for this new century, the lingering memories of bad behaviour. My hon. Friend discussed in considerable detail the issue of Commissioner Monti and television rights. That is being dealt with seriously by other Departments.

The hon. Member for South-West Bedfordshire (Andrew Selous) talked movingly about his relationship to his electorate, which we all share. I am therefore surprised that he wants to dissolve it by adopting the campaign by the isolationist Rothermere press for a plebiscite on whether we stay in Europe. Fewer and fewer countries in the EU of 25 are going down that road. The shadow Foreign Secretary, who has just returned from eastern Europe and the Baltic states, found no support there for his incessant clamour for such a plebiscite. He has not yet apologised, nor has any Conservative Front Bencher, for the dispatching of senior Conservative party members and elected representatives to campaign against accession countries deciding in their referendums to join the EU. That was shameful.

My hon. Friend the Member for Caerphilly (Mr. David) underlined the great importance that we attach to the need to strengthen the role of Parliament. I agree that we have a crisis in parliamentary scrutiny, but the system will not be effective unless hon. Members are prepared to turn up to do the work.

The hon. Member for Aldershot made some important points about defence and NATO, but let me quote to him a certain gentleman who said:

> "Let me make sure you understand our position. We believe that Europe needs to take"

on

> "more of a defence posture and should act independently of NATO—if NATO chooses not to take on the mission."

Those are the words of President George W. Bush; I am happy to quote the President of the United States in support of what the Prime Minister is seeking to achieve.

We finish where we began. Today, we had the first major statement on Europe by the Leader of the Opposition, who told *The Times* that he would seek to wreck the constitutional treaty. We have the promise that the Conservatives will spend the next year refusing to accept the new treaty—even, it appears, if it is approved by Parliament. The Conservative party will sing the same old anti-European tunes under its new leader. His former Cabinet colleague, the then Foreign Secretary, now Lord Hurd, writes in his memoirs that, if we failed to ratify such treaties—then, the Maastricht treaty, tomorrow, the new constitutional treaty—

> "we would by our foolishness have helped to bring about the nightmare which has always alarmed our predecessors: a continental union influencing British lives at almost every turn over which we had no control."

The Conservatives wish to live that nightmare. The Government will uphold British values and be strong in the European Union. We will support a strong Europe. We will be in Europe and help to run Europe. The Conservatives want us to get out of Europe and to run away from Europe. Their policy has got worse under their new leader. They have nothing to say to the House, to the nation or to Europe.

It being Seven o'clock, the motion for the Adjournment of the House lapsed, without Question put.

PETITIONS

Pension Books

7 pm

Mr. Roger Williams (Brecon and Radnorshire): The petition of residents of Brecon and Radnorshire declares:

> That the withdrawal of pension books would limit the degree of choice that pensioners are able to exercise in terms of how they receive their pensions, and that 1,283 people have supported the petition through newspaper campaigns.
>
> The petitioners therefore request that the House of Commons urge the Government not to abolish pension books.
>
> And the petitioners remain, etc.

To lie upon the Table.

Lembit Öpik (Montgomeryshire): The petition of residents of Montgomeryshire declares:

> That the withdrawal of pension books would limit the degree of choice that pensioners are able to exercise in terms of how they receive their pensions, and that 1,200 people have supported the petition through newspaper campaigns.
>
> The petitioners therefore request that the House of Commons urge the Government not to abolish pension books.
>
> And the petitioners remain, etc.

To lie upon the Table.

Meat Fraud

Motion made, and Question proposed, That this House do now adjourn.—*[Paul Clark.]*

7.1 pm

Judy Mallaber (Amber Valley) (Lab): I am pleased to have secured this debate on meat fraud, and it is appropriate that I should follow the Minister for Europe, my hon. Friend the Member for Rotherham (Mr. MacShane), who pursued exactly the same issue when he faced a case of meat fraud in Rotherham identical to the one that has recently arisen in my constituency.

We are facing a sophisticated meat mafia that peddles dangerous meat in a way that other criminals peddle dangerous drugs. Julie Barrett, the director of the Chartered Institute of Environmental Health in Wales, said at its conference three weeks ago on cracking down on meat crime:

> "Illegal meat is a multi-million pound trade that presents a major and growing risk to public health in the UK. The dangers are not widely understood, systems of detection are under-resourced and poorly coordinated, and the law lacks the necessary teeth to bring perpetrators to book."

In my constituency, the conspirators at Denby Poultry Products made hundreds of thousands of pounds processing and distributing more than 450 tonnes of rotten poultry to shops, supermarkets, schools, hospitals and pubs, undetected over a period of at least five years. Derbyshire police think that the meat even got into their own canteen. I invite the Minister to congratulate the Amber Valley officers, Sue Sonnex and Steve Haslam, whose salary was covered by the Food Standards Agency, and Derbyshire police, particularly Neil Perry, Darren Hunt, Nicholas Mathews, Colin Newton and Greg Dexter, on their surveillance and investigation, which led to five people being jailed for a total of 11 years for conspiracy to defraud, although the ringleader Peter Roberts is still on the run overseas.

A "Panorama" programme a few weeks ago showed footage of the raid. It described the stench of rotting flesh in the plant, rats running over people's feet, and overflowing sewage. It also showed pictures of the diseased meat. I do not welcome the fact that the police have given me their file of dirty photos, but I will happily pass it on to the Minister to have a look at. The meat was transported in unrefrigerated, maggot-ridden vehicles, and high-risk, contaminated poultry waste was taken from slaughterhouses to Denby, along with low-risk animal by-products, allegedly to be turned in to pet food, but in reality mixed and passed on to other processors and distributors and passed off as meat fit for human consumption. Anyone who looks at the video footage or the pictures in my police file would just feel sick. It is disgusting.

We do not know how many people became ill or even died as a result of this. It is all too easy for the issues involved to be given low priority, compared with more obvious and immediate dangers to human life, and for this to be reflected by a lack of urgency when serious cases such as Denby emerge. Ministers must not take this as an isolated crime. They must look at the lessons to be learned, and treat it as a serious public health and criminal issue.

Why did it take an anonymous informant to tip off Amber Valley's environmental health officers about what was going on, when we supposedly have a licensing and meat inspection system in place? How could a vet visit MK Poultry, the Northampton cutting plant that did much of the distribution, every week, yet not notice containers saying "Reject" and "Unfit for Human Consumption"? What if Amber Valley council officers and Derbyshire police had not been prepared to put in the resources for a massive operation involving more than £1 million of police resources to tackle a conspiracy that was a danger to public health way outside Derbyshire's borders? Why do we only now have an action plan under the waste food taskforce of the Food Standards Agency when an identical meat fraud had happened in Rotherham?

My particular interest arises from the Denby Poultry fraud case, but I want the Minister to consider a range of other serious meat crime issues, including the illegal importation of meat and, specifically, dangerous imports of bush meat through illegal air freight and the illegal killing of animals for delicacies such as smokies. We have had Operation Fox, Operation Aberdeen and Operation Lobster Pot as well as operations in Ceredigion and south Norfolk. We need a consistent campaign co-ordinated across those various illegalities to crack down on meat crime. I congratulate and support the Chartered Institute of Environmental Health and its *Environmental Health News* on their "Stamp It Out" campaign, which aims to stamp out the illegal trade in unfit meat, which puts the health of us all at risk.

Arising from that, I have a number of issues that I want to raise with my hon. Friend the Minister. I know that she will not be able to deal with them all tonight and some will need to be raised with other Departments, but, above all, I ask her to take meat crime and fraud seriously and to give it priority as a public health issue. I also ask her to meet Amber Valley council officers and the Derbyshire police involved in the Denby Poultry investigation to hear at first hand of the weaknesses in our regulatory and legal system as well as in co-ordination between agencies, preferably with a Minister from the Department for Environment, Food and Rural Affairs, because one of the issues is the way in which this matter crosses Departments.

I ask the Minister not just to leave the issue with the Food Standards Agency, but to keep a close watch on the progress of its work and to give it added impetus. Progress is being made through the waste food taskforce report, but I have heard and received a number of criticisms of omissions from it and of the speed with which recommendations are being implemented. I shall come back to some of those.

The FSA is only one of the agencies involved. It is essential that the FSA functions well—we need it to do so—but any criticism and weaknesses and gaps between agencies undermine confidence. I hope that my hon. Friend will ensure that both all those involved in food enforcement work and the public can have full confidence in that agency's work and the work of other agencies; she cannot just take a hands-off approach.

On the legal framework, I am calling for a new meat crime offence: to knowingly procure, process, sell, deliver or manufacture foodstuffs that are unfit for human consumption with an intent to defraud the

[Judy Mallaber]

consumer and place the public's health at risk. We need a separate criminal offence that will enable us to catch large-scale trading in unfit meat.

Conspiracy to defraud charges had to be used in the Denby Poultry case because offences under existing food safety regulations only carry low penalties—a maximum of two years in prison, even if the case can be taken from the magistrates court to the Crown court—but it is difficult to win conspiracy cases, and preparing them is complicated.

Also, I am told that the courts do not take seriously enough those powers that they do have in food crime cases. We need punitive and deterrent sentences. This is not a minor crime. Perhaps we could consider the criminal offences available to Customs and Excise. We need an offence that can be pursued more straightforwardly. We also need to consider the matter in the context of the police and who should be responsible for tracking down and dealing with meat crime. We need further training of enforcement agency staff on establishing evidence trails that stand up in court.

The next issue involves co-ordination between Departments and agencies. Major weaknesses were identified in the Denby Poultry case. Who has regulatory, licensing and inspection duties in slaughter processing and distribution of meat? Let us go through them: the FSA and the Meat Hygiene Service, DEFRA and the state veterinary service, environmental health and trading standards in local authorities, and now, apparently, the police when regulation fails. The Department of Health, DEFRA, the Office of the Deputy Prime Minister and the Home Office all have an interest.

I shall point out some flaws and gaps that need to be closed to prevent another Denby, but I note that it was primarily the local authority, with some FSA funding and support, and the police that investigated and pinned down the criminals. Things get worse when we add in the other areas of meat crime. On the scandal of illegal meat imports, Customs and Excise and other inspectorates become involved. Following suspicions on the origin of the foot and mouth epidemic, the Cabinet Office, as I understand it, has given the FSA a year to deliver a step change in delivery or lose control to a new centralised agency. In reply to a question that I tabled, the Prime Minister himself stressed the urgency of stamping out the practice.

I understand that a ministerial group chaired by DEFRA was to be established for co-ordination purposes. Has it met? Let me also ask the Minister to press for the establishment of a ministerial group covering all Departments with responsibility for meat crime to review such crime across the board, to look at arrangements for co-ordination to plug gaps and loopholes, and to give impetus and political commitment to the tackling of this threat.

May I ask the Minister to consider specific issues arising from the waste food taskforce report and the Denby Poultry case, or pass them to the relevant Departments? There has been concern about weaknesses and omissions in the recommendations, and in some instances action has seemed unduly slow.

There is a huge amount of money to be made from meat fraud. We will only be able to prevent the next Denby or Rotherham case if the potential criminal can no longer obtain contaminated meat intended for rendering dirt cheap, then package and sell it on illegally, at a vast mark-up, so that it goes into the human food chain. That will require a robust audit trail of where by-products go from the slaughterhouse and where they end up. Even if they had the time, meat hygiene inspectors would still only have powers to investigate at the slaughterhouse end; DEFRA and state vets have powers relating to the rendering and pet food plants.

We need an independent body or one of the agencies to follow the whole train. We should know now where each slaughterhouse sends its diseased meat so that checks can be carried out on what happens to it at the other end. To follow the audit trail, we need information sharing. DEFRA was first asked back in 2001, by my local police and local authority officers, to provide an electronic database showing all animal by-product premises. Enforcement agencies and those in the industry need such a database to verify disposal routes and methods. Apparently, however, no list will be published until 2005. Why must it take four years? DEFRA may wish to re-license its premises, but that is no excuse for it not to publish the current list now, perhaps on its website. Why is the Meat Hygiene Service not publishing its list of licensed plants until 2004? Why is it taking so long to produce recommendations?

According to "Panorama", supermarkets said that they would accept products that carried a meat hygiene standard stamp of approval, but they need to be able to check where the meat comes from. Without the necessary information, how can anyone check the trail of meat products? Food officers need it in order to establish the legitimacy and traceability of meat during routine inspections of the premises of, for instance, butchers and caterers, and the food trade needs it in order to establish where its meat has come from and where it is going.

I have raised the issue of co-ordination and information sharing in the context of meat fraud, but it covers the whole range of meat crime. It is a serious issue—a weakness that we need to tackle.

Meat Hygiene Service inspectors are at licensed poultry slaughterhouses every day, but at present the service level agreement between DEFRA and the MHS allocates only 15 minutes a month for them to supervise the segregation, storage and disposal of waste—of animal by-products. That is woefully inadequate, and would allow the Denby and Rotherham cases to occur again elsewhere. I understand that the Food Standards Agency says it has doubled NHS resources for this purpose, but is that really adequate to cover 1,400 licensed plants?

Denby Poultry was licensed by DEFRA, and the state veterinary service is meant to visit annually to check the position. I should like the Minister to look into suspicions about whether the failure to supervise animal by-product premises of that kind is due to the fact that the service looks primarily at animal health, rather than public health, issues.

Many issues arise from this case, and a number of the principles involved affect meat crime in general. I am thinking of co-ordination, information sharing and the need to establish an adequate and proper regulation system. That is not to say that lessons have not been learned or that recommendations are not being dealt with; but there are omissions from the system, it is too slow, and it needs to be looked at across the board. I hope that my hon. Friend the Minister will get to grips with the situation and take responsibility, but she will need to work with other Ministers.

In the light of the Denby Poultry scandal and the problems of co-ordination between those involved, I cannot for the life of me see how extending privatisation of meat inspection and the MHS can be justified. We clearly cannot trust meat plants to conduct their own private inspections; nor do we want to add to the number of groups involved in meat inspection. So I ask my hon. Friend please to oppose the European privatisation proposals.

I am aware that I have raised a whole range of issues, and I certainly do not expect the Minister to be on top of them all, particularly given that many do not fall within her sphere; indeed, that is precisely one of the problems. The main thing that I want to hear from her tonight is that she realises—as I am sure she does—that meat crime, specifically the meat fraud experienced in my constituency, is a very serious issue. Indeed, this is a massive issue in terms of crime, involving criminal conspiracy and the making of huge amounts of money from dirty meat. It does not get highlighted and we do not necessarily understand the dangers to public health, so I hope that my hon. Friend can give priority to it.

If my hon. Friend watches the "Panorama" film, of which I have a copy—I do not recommend that she watch it over dinner, as I did—she will hear some interesting "vox pops" from ordinary shoppers. They assumed that proper safety checks were being made throughout the food production and distribution chain, but how are consumers meant to know the dangers and what is going on? They cannot take responsibility for their own health in such circumstances. Much responsibility for their safety rests fairly and squarely with the food brokers—incidentally, a further information gap is that we do not know who the food brokers are—and with the meat industry itself. The industry must look at its own procedures, and it should be brought to book.

All the public agencies and Departments must adopt a more coherent and systematic approach to taking responsibility for tackling meat crime and meat fraud. I urge my hon. Friend to put this issue on the agenda in her meetings with her ministerial colleagues, so that we can indeed stamp out such crime. I want to be able to tell my constituents and friends and family—and, indeed, my hon. Friend's friends and family—that they can sit down and eat their dinner confident in the knowledge that they will not end up in hospital with food poisoning the next day. Let us stamp out this terrible crime. I urge my hon. Friend to take this issue on board.

7.16 pm

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I begin by congratulating my hon. Friend the Member for Amber Valley (Judy Mallaber) on her choice of subject for this Adjournment debate. Meat fraud is a serious issue, and I can reassure her that all those involved with it in government take it seriously. I am very happy to join her in congratulating those who brought the criminals to book.

My hon. Friend mentioned the exercise in Rotherham, codenamed Operation Fox. It was shortly after the conclusion of that case that the Operation Aberdeen investigations began into a serious meat fraud that centred in her constituency. It was those two cases in particular that prompted the Government and their agencies to respond with a series of tough measures to crack down on such crimes. It is important to point out that the Operation Aberdeen investigations revealed that, at that time, the enforcement agencies' performance had not been up to the task; indeed, nor had Government policy succeeded in staying ahead of the criminals' game. Things therefore had to change if enforcers and the Government were to make a serious effort to stamp out this criminal activity. In picking up on the points that my hon. Friend has raised, I can reassure her that substantial progress has now been made.

The Government's efforts started in September 2001, some six months after the first raids in the Operation Aberdeen case, with a seven-point action plan on unfit meat. The action plan was a big step forward in tackling meat scams of the type uncovered in Amber Valley. Its first, and perhaps most significant, action was to extend the staining requirements from red meat to poultry meat by-products. As my hon. Friend will know, many of the issues that arose related to poultry meat.

Judy Mallaber: Will my hon. Friend give way?

Miss Johnson: I will, but if I do so too many times I shall have very little chance to respond to the debate.

Judy Mallaber: One issue that I did not raise, and which my hon. Friend could perhaps look at, is the staining of low-risk, as well as high-risk, waste. Without such staining, it is very hard to know whether low-risk waste is also being used improperly and entering the food chain.

Miss Johnson: I am grateful to my hon. Friend for making that point. The question of low-risk meat gives rise to slightly different issues. Low-risk products have been passed as fit for human consumption, but are not intended for such consumption. That is different from high-risk meat, and the Food Standards Agency currently believes that the staining of low-risk products would not be proportionate to the public health risk in respect of fitness for human consumption.

So the first measure was the staining requirements for poultry, and the second and third measures were to extend the staining requirements from slaughterhouses to cutting plants and cold stores. That was important, because waste is not generated only at slaughterhouses: some is generated later. Those two actions cut off two more avenues for the meat criminal.

The fourth point in the action plan was to encourage the meat industry to adopt a voluntary code of practice on the handling and disposal of animal by-products. That is important because, if we are properly to crack down on meat scams, both Government and industry must each play their part. I am pleased to say that in

[Miss Johnson]

August this year the industry did indeed adopt a comprehensive code of practice, which is now being widely promoted across the industry.

The fifth point in the action plan was to improve enforcement in respect of poultry by-products. The Department for Environment, Food and Rural Affairs, which is responsible for the regulations on animal by-products, has done much to turn the enforcement ship around in the last two years. Completely new enforcement arrangements are now in place, and they have been rolled out with a comprehensive package of guidance and training in partnership with all the enforcement agencies involved. The arrangements are now backed up by revised audit arrangements to ensure that they deliver effective enforcement.

The sixth point in the action plan was to improve traceability within the meat supply chain. The FSA took that forward as part of its programme on traceability. It has been backed up by concrete measures, notably by improved record keeping and certification arrangements. Those were introduced as part of the Government's plans to implement the new EU animal by-products regulation, and include a requirement for movement certificates to be triplicated to ensure that all animal by-products are fully traceable.

The seventh point in the plan was to set up the independent waste food taskforce, which I shall deal with in a minute.

Judy Mallaber: May I ask my hon. Friend to examine more closely her previous point about the audit trail? As I understand it, we still do not have a proper independent auditor. I urge her to consider that point in more detail.

Miss Johnson: I shall come on to that in more detail later, when I clear up some of my hon. Friend's points.

To return to what was in the action plan, the independent waste food taskforce was set up. The aim was to examine not only issues covered in the rest of the action plan, but issues that emerged from the ongoing Operation Aberdeen investigations. To that end, it was important that officers from Amber Valley borough council were members of the taskforce. Indeed, they contributed much to the recommendations that the taskforce eventually made.

The waste food taskforce report was published on the day that it was received by the FSA, which immediately launched a full public consultation exercise on its recommendations. The consultation revealed that stakeholders supported the direction in which the report was pointing and also supported the measures that the Government had taken so far to crack down on meat scams. Following that, in September this year, the FSA adopted a second action plan, with the aim of taking the Government's efforts to combat meat crime several stages further. In that action plan, all 24 of the waste food taskforce's recommendations were to be acted on. Indeed, work has already started or been completed on 22 of the 24 recommendations. The work consists of 55 individual action points by the FSA and DEFRA, 27 of which have already been completed. The action points vary from the high profile to the esoteric, but together amount to a powerful suite of measures to make life more difficult for the meat criminal.

A key part of the plan is that the FSA and DEFRA are working on a new enforcement scheme for animal by-products in licensed meat plants. The aim here is to replace the old scheme with a new one based on risk. The approach will be one of blanket and blitz, whereby each plant will have a blanket of routine supervision, backed up by blitzes targeted according to risk to trace waste from source through to its destination, in co-operation with the other enforcers involved.

It may be appropriate to say here that many of the problems arose because the agencies and enforcement bodies had not worked together as they should. My hon. Friend is quite right to say that the trick to making it effective is to ensure that that works. Much effort has gone in to ensuring that that is working across the piece. The amount of Meat Hygiene Service resources devoted to animal by-products enforcement has increased more than threefold since the Rotherham and Amber Valley scams, and the aim of this new work is to make the most effective use of existing resources and thus improve the outcomes of enforcement effort.

Further measures include the setting up of a team of 30 trained and experienced local authority enforcers whose role will be to assist investigations of alleged meat scams and to provide intelligence on what is happening in the field. That is backed up by a fund to provide local authorities with extra financial resources to investigate alleged meat scams. The Food Standards Agency is also recruiting two more investigation officers in order to reinforce that effort.

That action will not be the final word. The Food Standards Agency brought the key stakeholders together on 26 November to review the lessons learned from the Operation Aberdeen investigations. Officers from Amber Valley borough council and Derbyshire constabulary took part in that review, and the Food Standards Agency board will now consider the lessons learned. The board will also monitor the progress of the new action plan, and will formally review the outcome when the last of the action points is due to be completed in early 2005. We do think that this is an important subject.

My hon. Friend raised other issues. On the question of co-ordination between Departments and agencies, she mentioned the co-ordination work to be headed by my right hon. Friend the Secretary of State for Environment, Food and Rural Affairs. The new Cabinet Committee will meet for the first time on 8 January 2004 and it will consider the issues that my hon. Friend has raised, among others.

Good progress has been made in liaison arrangements between Departments and agencies. A change of culture was necessary and is proceeding rapidly. The number of agencies is not necessarily the issue: what is important is whether the enforcers involved talk to each other. Now that we have changed the culture, liaison with other agencies is seen as part of the enforcers' day job, rather than as an optional extra. Routine and successful liaison is the reason why we have seen excellent enforcement operations recently, such as those in the Harrogate case.

On the waste food taskforce issues, the new rules in the EU animal by-products regulations tighten up the audit trail. I have already mentioned the triplication of movement certificates. I also mentioned the blanket and blitz regime. The Department for Environment, Food and Rural Affairs has set up a database of animal by-products premises, which is now available to all enforcement officers and will appear on the Department's website early next year. A database of licensed meat plants will appear on the FSA website shortly and the Meat Hygiene Service is devoting much more time to inspections and enforcement in plants. As I said, it has more than trebled that work. Action is occurring in all those areas.

My hon. Friend also raised the question of penalties. There are penalties greater than the maximum two years' imprisonment under the Food Safety Act 1990, because other charges—such as conspiracy to defraud, which was used in Operation Aberdeen—can be laid. In reality, proving such offences is more difficult than proving the food safety offences. As I mentioned, the EU general food law regulation 2002, which will come into force on 1 January 2005, will make it an offence to place food on the market if it is unsafe. The issue will then be subject to EU legislation, not just UK legislation. Therefore, the UK will not be able to act unilaterally to provide for offences distinct from those in the European regulation. However, the new EU legislation will clearly make a difference.

Judy Mallaber: I am aware that new EU legislation is pending, but we will still have flexibility on how we interpret and introduce it. The point that I raised about the new offences needed should not be pushed to one side on the grounds that everything will be done in Europe. I urge the Minister to see whether we can tackle those issues seriously when we argue for such legislation in Europe and when we implement and introduce it here.

Miss Johnson: I shall of course bear in mind the points that my hon. Friend has made. I am not familiar with the detailed requirements of the legislation; however, the point is that negotiations have been completed and we have an obligation to take it forward and implement it according to certain parameters. We shall obviously consider whether, within those parameters, there is scope for us to take up the points that my hon. Friend made. I shall be happy to write to her further about the opportunities for doing that, so that she is aware of the situation in more detail.

Meat fraud is a serious issue and we take it seriously. I must reassure my hon. Friend that there has been a step change in the way in which meat scams are dealt with since the Amber Valley fraud was unearthed. We constantly monitor progress to ensure that we stay ahead of the game.

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MR. DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at twenty-nine minutes to Eight o'clock.

House of Commons

Thursday 11 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TRADE AND INDUSTRY

The Secretary of State was asked—

Small Businesses

1. **Mr. Mark Prisk** (Hertford and Stortford) (Con): What representations she has received from small businesses about the effect of changes in the taxation of husband and wife enterprises. [143317]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): There have been no changes in the taxation of husband and wife enterprises.

Mr. Prisk: I think that the Minister is misinformed because the tax changes that small businesses have told me about mean that no one in a family firm now knows what their tax liability is, for this year or for the past six years. I refer, if the Minister is uncertain, to section 660A. This is creating uncertainty for hundreds of thousands of family firms. Will the Minister therefore agree to meet a delegation of small businesses to hear them express their concerns?

Nigel Griffiths: The hon. Gentleman refers to section 660A, but he is being a bit economical in his description. It is section 660A of the 1988 measure to counter tax avoidance. The treatment of businesses under that has been consistent. I understand that the maximum that a husband and wife can attempt to avoid is about £8,000. However, at the moment the Inland Revenue is dealing with fewer than 100 inquiries on this subject. As I meet small business representatives regularly, if they raise the matter with me they can be sure of a robust response.

David Taylor (North-West Leicestershire) (Lab/Co-op): The business sector clearly welcomes the generally benign and encouraging regimes that the Chancellor has introduced since 1997 and there have been great incentives to small businesses to incorporate, but does the Minister agree with the Federation of Small Businesses that an imbalance has grown up between incorporated businesses and the self-employed and partnerships, including husband and wife partnerships, to the extent that the future of some of those self-employed and partnership businesses is imperilled? Should not taxation exist to produce revenue, not to shape the form in which business takes place?

Nigel Griffiths: I greatly respect the Federation of Small Businesses and the campaign that it launched with its members some time ago, but I think that small businesses also appreciate that there are advantages to not being incorporated, as well as to incorporation. Whereas incorporation now allows them to benefit from, I think, the lowest starting rate of corporation tax in the advanced industrial economies and a level of corporation tax among the lowest anywhere, unincorporation does confer advantages on small firms and many choose to retain that status, which is why 100,000 viable small firms have started up in the last six years and continue to trade and prosper.

Mr. Jonathan Djanogly (Huntingdon) (Con): If a company pays dividends to its shareholders, why should it matter that they happen to be married? Is not this interpretation an attack on family businesses in this country?

Nigel Griffiths: The hon. Gentleman should address that question to Lord Lawson who, as Chancellor in 1988, was responsible for this piece of legislation. As I have said, I am informed that there have been fewer than 100 inquiries to the Inland Revenue on this subject. Such conduct may involve, in many cases, trying to ensure that a sleeping partner—a non-active director—can benefit from tax avoidance, which is why Nigel Lawson closed that loophole.

Manufacturing Industry

2. **Mr. John MacDougall** (Central Fife) (Lab): What measures she is taking to increase productivity in the UK's manufacturing industry sector; and if she will make a statement. [143318]

The Minister for Industry and the Regions (Jacqui Smith): We are taking action in all the areas identified in the Government's manufacturing strategy—the first for 30 years—to help the UK's manufacturing sector increase productivity in very difficult global conditions. For example, the manufacturing advisory service has been a real success as a major source of advice and support, adding nearly £30 million total value added benefit to firms helped by that service.

Mr. MacDougall: I am grateful for my right hon. Friend's response. Does she agree that manufacturing industry is still vital to the UK economy, especially to constituencies such as my own, Central Fife; that productivity is a key factor; that we are going to close the productivity gap with Europe and the United States; and that we will declare that intent?

Jacqui Smith: I wholeheartedly agree with my hon. Friend. Producing, as it does, a sixth of national output, employing more than 300,000 people—many of whom are dependent on manufacturing industry—and being a driver of productivity improvements and innovation in our economy gives manufacturing an absolutely crucial role. My hon. Friend in his constituency, and I in my west midlands constituency, understand that manufacturing has been a key part of our industrial heritage, and that it is also a key part of our successful economic future.

Mr. Stephen O'Brien (Eddisbury) (Con): Given that according to the Office for National Statistics, UK manufacturing growth has halved under Labour, does the right hon. Lady agree with her senior Government colleague, the Leader of the House, who acknowledged at the CBI conference on 17 November that the gold-plating of European regulations by this Labour Government is one of the major difficulties British firms face, thus depressing productivity and competitiveness? Will she give the House the percentage of all regulations that affect UK manufacturers that now emanate from the European Union?

Jacqui Smith: I welcome the hon. Gentleman to his new job, but I point him towards the ONS information that manufacturing output in this country grew by 1 per cent. between September and October. Nevertheless, he raises an important issue about European regulation and, because of our wish to ensure that we give the very best and most flexible regime to our manufacturers, we are working extremely hard in Europe, pushing forward the better regulation action plan.

My right hon. Friend the Secretary of State, along with representatives of the future presidencies of the EU, is setting in place action to ensure that what we do in Europe drives competitiveness throughout Europe and in the UK, that we improve the way in which European regulations are assessed for their impact on competitiveness and that we drive that forward to the benefit of our manufacturing industry in this country. But if this question is a Trojan horse for the hon. Gentleman's dislike of Europe, I simply remind him that two thirds of our exports go to Europe. We are in the right position—at the centre of Europe, arguing for reforms that will benefit our manufacturing industry.

Mr. O'Brien: The right hon. Lady gave no defence of her Cabinet colleague and no direct answer to the question, so perhaps I can help her, not least as I have been a manufacturer in many European countries, by saying that her accusation is not well founded. About 40 per cent. of regulations that are driving down UK businesses' productivity are derived from the EU. Under six and a half years of Labour government, as many major EU directives have been implemented in the UK as in the whole of the preceding quarter of a century of our EU membership. In an effort to reverse the relative decline in the UK's manufacturing productivity, will she now direct her Department, with its hugely expanded staff, to use its burgeoning £8 billion budget to promote British business, and not to carry on being the stifling regulator-in-chief against British business?

Jacqui Smith: I will excuse the hon. Gentleman, as this is his first time at the Dispatch Box in his new role, for not having listened to my response to his first question, in which I outlined the considerable action that is being taken by this country and the Department of Trade and Industry to ensure that we are at the forefront of better regulation across Europe. We will make a difference. We will ensure that the benefits that we derive from being in Europe, which many Opposition Members clearly do not recognise, come to our manufacturers and that we drive forward competitiveness using the active approach that we are taking with our partners across Europe.

Chris Ruane (Vale of Clwyd) (Lab): Does my right hon. Friend agree that one of the key ways to improve productivity in the manufacturing sector is to develop techniums—incubation and research centres—such as the Optic project on the St. Asaph business park in my constituency, which is about to open and which will be a world leader in the development of optoelectronic products? What measures can she take to expand techniums in the UK?

Jacqui Smith: My hon. Friend makes a very important point. Of course those innovative and fast-growing UK businesses are very much part of the future, particularly those that take advantage of the research produced by the Government's increased expenditure on the science budget. He is right: we need to set up that sort of incubation unit and ways in which we can translate scientific research into effective business products and processes. I commend the development of those incubation centres, as I do when I see them across the country during my regional visits.

Malcolm Bruce (Gordon) (LD): Does the Minister accept that the key to productivity is investment and that it has been falling? Is she aware, for example, of figures from the ONS today that show a collapse in inward investment in this country and a disinvestment from America and, in fact, that 63 per cent. of all investment in this country in 2002 came from Germany? In those circumstances, does she acknowledge that we are not getting the benefit of the special relationship and that we are in danger of undermining the benefit of the relationship with the EU? Will she comment on how the proposed £9.1 billion write-down of bad debt by the Export Credits Guarantee Department helps? Does that not give the impression that that money is being used for either international politics or backhanded subsidies, and not for increasing investment, which is the underlying key to productivity?

Jacqui Smith: I do not recognise the context of the hon. Gentleman's question. I hope that he is not talking down the success of our manufacturing industry at a time when, as we hear today, the CBI sees confidence in our manufacturing industry improving. I agree, however, that investment is one of the key pillars of our manufacturing success. That is why the type of macro-economic stability that we have delivered in this country, and some of the specific provisions outlined by my right hon. Friend the Chancellor yesterday, will help to build on the success that our manufacturers already have in investing in the sort of innovative products and skills that will enable them to be successful.

Loans

3. **Mrs. Betty Williams** (Conwy) (Lab): What action she has taken to protect vulnerable people from unscrupulous selling of loans. [143319]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): On Monday 8 December, my right hon. Friend the Secretary of State for Trade and Industry published the White Paper "Fair, Clear and Competitive: The Consumer Credit Market in the 21st Century", which tackles the problem of loan sharks.

Mrs. Williams: I thank my hon. Friend for that answer on a matter that causes great misery, particularly during the time leading up to Christmas and the new year, for people of all ages and their families. May I ask him to be more specific and tell the House what the Government are doing to protect people from illegal and extortionate door-to-door loan sharks, who prey on the most vulnerable group of people in our society?

Mr. Sutcliffe: I acknowledge the expertise that my hon. Friend has in this area—I believe that she was involved with citizens advice bureaux before coming into the House. Clearly, attacks by loan sharks on vulnerable people are important to this Government, which is why we have introduced a pilot scheme in Glasgow and Birmingham, whereby the police, local authority trading standards and a variety of other organisations come together to look at ways of tackling loan sharks, because people are always frightened to come forward. We hope that that will determine best practice, and that the scheme will be rolled out to the rest of the country.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): I am interested in what the Minister had to say. Does he agree that the unscrupulous selling of loans and various other "unbeatable" financial offers are now coming from all directions to our citizens? I get five letters a week at my London flat addressed to me or my husband, and we also now receive such offers by e-mail and from call centres abroad. Can he reassure me that even if he does not have the instant answer to this problem, he is planning and thinking about how we can stop this constant bombardment of our innocent citizens by people abroad who are no more than fraudsters?

Mr. Sutcliffe: I accept what the hon. Lady says. It is right that part of the White Paper focuses on responsible lending—making sure that lenders lend responsibly—and that a number of scams are operating from Canada and outside the European Union. We have signed a memorandum of understanding with the Canadian Government, the Australian Government and others to try to locate the perpetrators of those scams, and we are working together to try to resolve these issues.

Mr. Barry Gardiner (Brent, North) (Lab): Does my hon. Friend share the concern of many consumer organisations that door-to-door collection of loans should be separated from the selling of loans? Part of the problem is that the relationship built up by people who go to collect debts each week can lead quickly to an exploitative one in which they sell the next round of debt. Will he do something to separate that?

Mr. Sutcliffe: I acknowledge the expertise of my hon. Friend in this field. He is right that we are working closely with the industry and consumer groups to examine the detail of how to separate the problem. What is key is that consumers understand fully what they are letting themselves in for in terms of loans. That is why we are looking for transparency in making sure that a summary box in adverts tells people exactly what they are borrowing, how much they are paying back, and how long it will take them to pay it back.

Dr. Vincent Cable (Twickenham) (LD): Does the Minister accept that the unsolicited, aggressive promotion of debt comes not simply from scams in Canada but from our leading banks and credit card companies? Can he explain the logic by which, this morning, the Government are outlawing unsolicited spam on e-mail but are unwilling to act against unsolicited credit promotion by our leading financial institutions?

Mr. Sutcliffe: The hon. Gentleman is not correct that we are not prepared to act. He will read with interest, as I shall, the Treasury Committee's report on how lending operates in the UK, which I understand will be out next week. I am confident that UK consumers will be better off because of the White Paper and, I hope, the Treasury Committee's findings.

Miss Anne Begg (Aberdeen, South) (Lab): It is not only loan sharks who sell loans unscrupulously. I have a constituent who borrowed £4,000 to buy a car. The APR was 28.5 per cent. and by the time that my constituent included add-ons such as insurance and breakdown cover, he found that he was paying back about £8,000. What are the Government going to do about that?

Mr. Sutcliffe: Again, I acknowledge my hon. Friend's work on the matter in her constituency, and she is quite right. We are examining ways of calculating APR because there are two ways of doing that at the moment and we want to make the process simpler. We are also examining the problem for people who get small loans because, as she said, administrative and other charges can make the APR look outrageous. We do not want to put those who provide such loans out of the marketplace because they offer a useful service, but we want to ensure that people are protected and that they understand what they let themselves in for.

US Steel Tariffs

4. **Dr. Ashok Kumar** (Middlesbrough, South and Cleveland, East) (Lab): What action she has taken to protect British steel workers from the effects of US steel tariffs. [143320]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): As the House knows, we have strongly opposed the unlawful tariffs that the United States imposed on our steel exports. We worked extremely closely with our European partners in the successful challenge under the World Trade Organisation. I am delighted that President Bush has now announced the full removal of those tariffs.

Dr. Kumar: I thank my right hon. Friend for that reply and praise her hard work on behalf of the steel industry. Everyone welcomed her when she visited Teesside steel works, and she has lobbied President Bush hard on the illegal steel tariffs that he introduced—I am delighted that we have got such an outcome. Does she realise that the steel maker Corus recently admitted that its sales were down by 10 per cent. in America in the past six months, which will obviously have a knock-on effect on its profits? Is my right hon. Friend in a position to say whether the Government are willing to give any help or support to overcome the difficulties that the steel industry has faced?

Ms Hewitt: I thank my hon. Friend for what he said. We have been working closely with Corus and the Iron and Steel Trades Confederation—the trade union—and its members to help Corus and the wider steel industry. I am glad that we were able to get about 70 per cent. of UK steel exports exempted from the tariffs when they were in force. None the less, the tariffs have hit Corus hard. We all hope that with the growth that is taking place in the United States, steel exports will begin to pick up. I know that my hon. Friend welcomes, as I do, the success that the new management of Corus is beginning to have in putting a new financing package in place, working in much closer partnership with employees and their trade unions, and creating a positive relationship with the Dutch branch of the business to ensure that Corus and its work force will have a strong future.

Mr. James Arbuthnot (North-East Hampshire) (Con): Does the Secretary of State agree that it is welcome that the United States has recognised that steel tariffs have done real damage to its manufacturing industry, as tariffs usually do? What steps is she personally taking to ensure that with its proposed licensing system, the United States will not introduce steel tariffs by the back door?

Ms Hewitt: I welcome the right hon. Gentleman to his new place on the Front Bench, although I cannot help but observe that it appears to take two Conservative men to do the job of one Labour woman. We have looked closely at the small print of not only consumer credit agreements, but the announcement by the United States on steel tariffs. I do not believe that it intends to introduce new tariffs or import barriers through the back door, but we are examining closely what it means by "monitoring imports" because we want to ensure that what we have succeeded in defeating through our partnership with Europe and work in the WTO will not re-emerge. I will continue to work extremely closely with our steel industry on the issue, but at this point we have no evidence whatsoever to suggest that Washington might do what the right hon. Gentleman fears.

Mr. Martin O'Neill (Ochil) (Lab): I congratulate my right hon. Friend on her efforts in securing that outcome. It is a victory not only for common sense but for the WTO, as a rules-based trading organisation, in enforcing those rules to fulfil its responsibilities. Does she accept, however, that there is a sense of frustration about the fact that the appeals procedure takes so long, and that the rather cynical stroke that President Bush pulled in this instance got him the short-term political advantage that he wanted in those vital states that produce steel? If we could have dealt with the matter more quickly in the WTO, that political advantage, which had nothing to do with economics or industrial policy, would have been denied him.

Ms Hewitt: My hon. Friend is absolutely right, and as part of strengthening the WTO as we move forward in the development round it would be helpful if we could resolve disputes much more quickly. I return to the point made by the right hon. Member for North-East Hampshire (Mr. Arbuthnot) that the United States manufacturing sector, including its car-building industry, has become increasingly concerned about the impact of those steel tariffs on wider industry in the US. It was able to deploy that argument to good effect, as were we, and that reinforces the case that we consistently make for free and fair trade. Such trade has benefited us enormously in the European Union, and it needs now, within the WTO, to benefit the whole world.

Mr. Mark Field (Cities of London and Westminster) (Con): I appreciate the Secretary of State's hard work, and she is absolutely right to point out that the promotion of free and fair trade should be the cornerstone of Britain's policy. She will recognise, however, that this country, either as an individual nation or as part of the EU, still has tariffs in place, and they are a hindrance to ensuring that we are able to counter global poverty, particularly in developing countries. I should be interested to hear what she has to say about the efforts that she will be making to try to promote free and fair trade and to cut tariffs that affect the third world.

Ms Hewitt: I welcome the hon. Gentleman's support for the cause of free and fair trade. One of the most damaging aspects of the EU has been the impact of the common agricultural policy. It is through our commitment to EU membership, the alliances that we have built with other members—in striking contrast, let me say, to the isolation of the UK Government under the hon. Gentleman's party—and our positive approach that we were able to get such a good outcome on CAP reform in June. That will help us as we move forward with the Doha round, so that more developing countries can sell products to us, to their benefit and to the benefit of our consumers.

Doha Development Agenda

5. **Kali Mountford** (Colne Valley) (Lab): What action she has taken to make progress with the Doha development agenda. [143323]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): I have been working closely with colleagues across Government, in the rest of the European Union and in the rest of the World Trade

Organisation to get renewed momentum behind the Doha development round following the setback in Cancun. All countries stand to gain from a successful Doha round, but the poorest countries stand to gain the most.

Kali Mountford: I thank my right hon. Friend for that answer. Following on from the last question and my right hon. Friend's answer, is it not the case that sophisticated, developed western nations have a great deal to gain from good trading relationships that allow poorer nations to develop new wealth? To that end, Europe, being a sophisticated economy, has perhaps the most to gain. Will my right hon. Friend join me in urging Pascal Lamy to reconsider whether to hold talks following Doha, and show the flexibility and leadership that is needed to get the talks back on track?

Ms Hewitt: I strongly agree with my hon. Friend. Indeed, at the recent informal Council of European Trade Ministers, I strongly made the point that the EU needs to show real leadership if we are to get the Doha talks back on track. For various reasons, the other key members and groupings in the WTO are not in a position to do that. We need to do that in the EU, and I am glad to say that among both existing member states and accession states there was strong support for that position.

Mr. Andrew Mitchell (Sutton Coldfield) (Con): Does the Secretary of State accept that many of us believe that the Government deserve credit for their work in promoting free trade, which enriches nations? However, was not an opportunity missed at the Commonwealth Heads of Government meeting to help to revitalise the Doha development agenda? Will she look again at the Conservative proposal for an advocacy fund, which would help developing countries to secure access to quality legal and economic advice on those important issues?

Ms Hewitt: I welcome the hon. Gentleman to his new post on the Front Bench. No opportunity was missed at the Commonwealth Heads of Government meeting. Indeed, as my right hon. Friend the Prime Minister reported to the House a few days ago, the Commonwealth Heads of Government agreed in strong language on the need to reinject momentum into the Doha round. Given the range of countries and economies that the Commonwealth represents, that was hugely important. I do not agree with the hon. Gentleman, however, about the advocacy fund. The Government have invested very substantially indeed in building the capacity of developing countries to argue their position within the WTO. Indeed, we saw some of the fruits of that investment at the Cancun conference. An advocacy fund would undermine the process of capacity building, which developing countries have made it clear they want.

Sellafield

6. **Mr. David Chaytor** (Bury, North) (Lab): If she will make a statement on the discovery of contaminated discharge pipes from Sellafield on beaches in Ulster. [143324]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): I am informed that the report is not accurate, and no such items have been found in Northern Ireland.

Mr. Chaytor: I am grateful to my hon. Friend for his reply. Regardless of the accuracy of the report, is it not the case that politicians in Northern Ireland, both Irish Governments and the Governments of Iceland, Denmark and Norway continue to complain about the impact of radioactive emissions in the Irish sea and the North sea? Is there any possible argument for continuing with the reprocessing of spent nuclear fuel, and should we not separate the issue of reprocessing from the wider debate about the role of nuclear power in our future energy supply?

Nigel Griffiths: There certainly is such a case. Our generation has an obligation to ensure the safe disposal of contaminated nuclear material produced by a previous generation. However, my hon. Friend makes a serious point, and as a member of the Environmental Audit Committee he takes a keen and informed interest in the matter. I have no wish to do anything that would spoil good relationships with our neighbours, but reports such as this, which are not founded on a shred of fact about anything reaching the beaches of Northern Ireland, can only fuel distrust between us as they are complete fiction. We take such reports seriously—it is important that perceptions of the treatment of any materials, whether contaminated or not, at Sellafield or elsewhere, are taken with the utmost seriousness and dealt with accordingly. I believe that we are doing so, but we must be ever vigilant.

Mr. Michael Weir (Angus) (SNP): Notwithstanding the Minister's answer, he will know that emissions from Sellafield are a long-standing worry in Scotland, Ireland and the north of Wales. He will also know that the nuclear industry has recently spent a great deal of money on slick advertising campaigns and lobbying on a future energy mix with the aim of assuring us that it is all safe. Will he tell the nuclear industry that that effort and money would be better spent cleaning up the mess at Sellafield?

Nigel Griffiths: I visited Sellafield a short time ago, and I can tell the House that there is an impressive amount of work on the site and that responsibilities are taken seriously. Doubtless, BNFL will read the hon. Gentleman's comments in *Hansard*.

Small Businesses (Banking Services)

7. **Mr. David Chidgey** (Eastleigh) (LD): What recent assessment she has made of banking facilities for small businesses. [143325]

The Parliamentary Under-Secretary of State for Trade and Industry (Nigel Griffiths): The Government have accepted in full the findings and recommendations of the Competition Commission, following its investigation into the supply of banking services to small and medium-sized enterprises.

Mr. Chidgey: Have not the Government abandoned their promise to establish an independent payments regulator in the banking industry? It is now more than three years since the Cruickshank report revealed that the banks were making excessive profits out of small business. When will the Government keep their word and crack down on the length of time that it takes banks to clear cheques and electronic payments while they line their pockets at the expense of our small businesses?

Nigel Griffiths: That is a serious matter and the Government have indeed cracked down following the identification of 10 practices that were restrictive or against proper competition. We have ensured that SMEs are entitled to interest on their current accounts or free money transfers, and that money transfers are made more speedily. We now ensure that SMEs have clear advance information on all possible charges, and from 31 December we will make it much easier for SMEs to switch between banks.

Mr. George Stevenson (Stoke-on-Trent, South) (Lab): My hon. Friend will no doubt accept that banking facilities for small and medium-sized enterprises are important, but are one element of the wider package of support that we give small businesses. Is he satisfied with the package of support that the Department is giving to small businesses, particularly such projects as the Mustard programme in areas like north Staffordshire, where the start-up of small businesses is way below the national average? Will my hon. Friend look into the situation to see what improvements can be made?

Nigel Griffiths: As my hon. Friend knows, I have personally examined and investigated with my officials the provision of support for small businesses in his area, and I found that that contract was awarded quite legitimately. On the lack of start-ups in any part of the country, including his constituency, by comparison with the national average, the Small Business Service is determined to ensure that more people do start businesses. Yes, I am satisfied that steps have been taken by the Small Business Service and others—the regional development agencies—to ensure that we have an enterprise culture where people are able to start and grow their businesses, and where there are more businesses growing for the prosperity of communities in every part of the country.

Chris Grayling (Epsom and Ewell) (Con): Does the Minister accept that more and more smaller businesses are being forced to look to banks and other professional bodies for support in dealing with the routine management of their payroll, entirely as a result of the Government's ill-judged imposition of regulation and changes to the tax credit system that make it impossible for a small business man or woman to manage the payroll themselves? Is that not madness, and does it not impose unwanted and unnecessary extra cost upon them?

Nigel Griffiths: No.

Mr. Dennis Skinner (Bolsover) (Lab): If the banks are cheating small businesses, as suggested by that Liberal, the hon. Member for Eastleigh (Mr. Chidgey), and others, is there not an easier way of putting a stop to that in a decent world—that is, to call upon all Members of Parliament on the Tory Benches who are directors of banks and other companies to stop the cheating?

Nigel Griffiths: My hon. Friend has mellowed in his time in the House. I was anticipating another more drastic remedy, which I did not think the banks would approve of, but as he did not mention public ownership, I warmly endorse his comments. I know that all Members, on behalf of their constituents, will raise with the heads of the banks any grievance they have about the treatment of small business or constituents, and I am sure those matters will be attended to.

Ofgem/Oftel

8. **Mr. Edward Leigh** (Gainsborough) (Con): What steps (a) Ofgem and (b) Oftel are taking in response to the 50th report of the Committee of Public Accounts in Session 2001–02 on pipes and wires (i) to simplify the information requirements they place on companies and (ii) to change the period over which price reviews are conducted. [143326]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Both regulators have taken steps to minimise the information requests that they make, consistent with the need to regulate effectively. Both regulators need to allow time for the conducting of price reviews, so that they can get the necessary information and allow for adequate public consultation and for the possibility of appeal.

Mr. Leigh: Is the Secretary of State satisfied that Ofgem pays sufficient regard to companies' investment needs when it sets price controls in order to maintain electricity supplies at all times?

Ms Hewitt: Yes, I am. Indeed, as the hon. Gentleman will be aware, investment in the electricity network has gone up significantly since privatisation, contrary to the allegations that were made on last night's BBC programme. Ensuring that price controls allow for adequate investment is a matter that my hon. Friend the Minister for Energy, E-Commerce and Postal Services and I regularly discuss with Ofgem.

Trading Bodies (Self-regulation)

10. **Mr. Mark Hoban** (Fareham) (Con): If she will make a statement on steps she has taken to encourage trade bodies to regulate their members. [143328]

The Minister for Industry and the Regions (Jacqui Smith): We have given the Office of Fair Trading new powers in the Enterprise Act 2002 to approve for trade bodies and others codes of practice that aim to safeguard and promote the interests of consumers.

Mr. Hoban: A business in my constituency is more stringently regulated by a trade body than by the statutory regulators, and suffers from two lots of inspection and monitoring. Is it possible to cut the cost of regulation by allowing the trade body to take the lead, thus reducing the burden on small businesses?

Jacqui Smith: The hon. Gentleman raises an interesting point. It is difficult for me to respond today without the details of the particular trade body and regulations. What is important, however, is that through the changes in the Enterprise Act 2002 we are attempting to ensure that trade bodies regulate their members in a way that businesses and consumers can feel confident about. That is the reason for the new two-stage approach to determining the codes introduced in the 2002 Act.

I agree that we need to deregulate—that is why the raft of regulations introduced during the years of Tory Government are being seriously reconsidered. For example, in the regulatory reform action plan that was published yesterday alongside the Chancellor's pre-Budget report, the Department of Trade and Industry alone identified 60 areas for regulatory reform, many of which will bring considerable benefits to small business.

Lawrie Quinn (Scarborough and Whitby) (Lab): As my right hon. Friend will know from cases in her own constituency work load, constituents who are not satisfied with a particular service often, in their frustration, have recourse to the local trading standards organisation. Will my right hon. Friend give a message to the Office of Fair Trading to the effect that it should take note of the problems that trading standards officers regularly have to deal with, ensure that cowboy operators and people who hide behind trade organisations do not get away with it, and help our constituents to get the service that they want and pay for?

Jacqui Smith: My hon. Friend is absolutely right. We need to ensure that consumers have confidence in the whole regulatory framework by improving the process of codes underlying regulation by the Office of Fair Trading and ensuring that trading standards organisations discuss with the OFT, as they frequently do, how to secure certainty not only for businesses, but, importantly, for consumers about the regulatory process that protects their interests.

Foreign Languages

11. **Mr. Nick Gibb** (Bognor Regis and Littlehampton) (Con): What assessment she has made of the economic effects of second language capability among employees. [143329]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): Although the DTI has not commissioned any specific research on the issue, we continue to monitor the situation—for example, by making a point of asking established inward investors about the issues that concern them.

Mr. Gibb: I am grateful to the Minister for that answer. He may recall that although nowadays most pupils study for a GCSE in a foreign language, only 30 per cent. did so before it was made compulsory in 1991. Given the CBI's concern about a shortage of employees with a second language, does he accept that the Government's decision to end compulsory language study after the age of 14 will have a seriously damaging effect on Britain's economic prospects?

Mr. Sutcliffe: I always listen to what the hon. Gentleman says, because he has taken principled positions on many issues in this House. We are considering the study of second languages in earlier years and working with the Department for Education and Skills. Although such training is not compulsory at key stage 4, we are saying that if people want it, they are entitled to it. The hon. Gentleman will have noted the announcement of the Chancellor's new deal for skills in yesterday's pre-Budget report: that creates opportunities for languages in re-skilling the work force.

Retail Workers (Christmas Day)

12. **Mr. Ken Purchase** (Wolverhampton, North-East) (Lab): What action she is taking to ensure that retail workers in large stores are not forced to work on Christmas day. [143330]

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): The Government are considering legislation and it is hoped that it can be introduced as soon as parliamentary time permits.

Mr. Purchase: But does the Under-Secretary understand that the pressures to which workers are subject are often not perceived because they are different from a direct threat? There is an implied threat, especially to junior managers and supervisory staff, that their promotion chances may be diminished unless they continue to supervise and manage at Christmas. When we defended workers from having to work every Sunday, we would say, "Aren't workers entitled to one day a week?" We have now retreated so far on workers' rights that we ask, "Aren't they entitled to one day a year?"

Mr. Sutcliffe: If my hon. Friend considers the employment rights measures that the Government have introduced since 1997—it would take too long to go through every one—he will recognise the benefits to working people of a Labour Government. For example, there is an entitlement to four weeks paid holiday a year.

Mr. Purchase: What about Sundays and Christmas day?

Mr. Sutcliffe: My hon. Friend chides me from a sedentary position and wants me to do all sorts of things. I shall ensure that we work with the industry and trade unions to make sure that a measure is passed as quickly as possible to give people the opportunity to have Christmas day off.

Electricity Supply

13. **Mr. Russell Brown** (Dumfries) (Lab): If she will make a statement on the prospects for reliable electricity supplies this winter. [143331]

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): We are working closely with Ofgem and the industry to ensure reliable electricity supplies. Indeed, security of supply was one of the four key goals of energy policy that we specified in the energy White Paper, which was published earlier this year.

Generation plant margin for this winter is now projected at just over 20 per cent. That is enough to meet predicted demand in all but the most exceptional circumstances, thereby reflecting that energy markets are working effectively.

Mr. Brown: I thank my right hon. Friend for that answer. The issue is important and we all appreciate that weather conditions and engineering or technical difficulties can cause reductions in power and black-outs. However, when looking to the future, I am deeply concerned because although I support renewables, I am worried that the gap or the targets that we have set cannot meet baseload power supply. I encourage my right hon. Friend to think further and more deeply about nuclear energy and the direction of future development.

Ms Hewitt: My hon. Friend makes an important point about the need to ensure long-term investment in a range of electricity generation sources, including renewables. We clearly spelt out the position on nuclear energy in the White Paper: we will keep the nuclear option open. However, at this stage, the emphasis needs to be on renewables and energy efficiency, which undoubtedly represent the cheaper and the better way of fulfilling all our energy policy goals.

Bob Spink (Castle Point) (Con): To keep the nuclear option open, the Government must accept that they need to recommit to the nuclear industry's longer-term future. Will they do that?

Ms Hewitt: I have just spelt out our policy conclusions. Electricity generation from the nuclear power sector will continue to play an important role in our country for a long time. However, I hope that the hon. Gentleman accepts that, for the reasons that we set out in the White Paper, had we decided to encourage building a new generation of nuclear power stations, we might as well have given up on energy efficiency and on renewables, for which we need a step change in investment and effort. I am glad to say that our Government will deliver that.

Mr. Roy Beggs (East Antrim) (UUP): I welcome the commitment to secure electricity supplies in the years ahead. However, there is a feeling that the Government are paying only lip service to renewables, especially when small and medium-sized companies that try to develop hydro electric projects wait for years for a planning decision. Is there joined-up government and will it address the serious problem, which now affects jobs in my constituency?

Ms Hewitt: The hon. Gentleman raises an extremely important point. It is precisely because of the need to get planning decisions made much faster on renewable energy projects, and on a range of other investment projects, that my right hon. Friend the Deputy Prime Minister has introduced a new planning Bill to ensure that, even as we balance environmental and economic considerations, we do so without the absurd delays that currently plague the planning system. Let me also remind the hon. Gentleman that the renewables obligation that we have put in place will deliver support for renewables investment worth some £1 billion a year by 2010. We have also recently extended the life of that renewables obligation and the amount of money that will be generated by it, to the great welcome of the renewables industry.

MINISTER FOR WOMEN

The Minister for Women was asked—

Public Appointments

19. **Sue Doughty** (Guildford) (LD): What steps she is taking to encourage more women to apply for public appointments. [143336]

The Deputy Minister for Women and Equality (Jacqui Smith): We have set a target for every Government Department to increase the numbers of women sitting on the boards of their public bodies. The aim is that by 2005 women should hold 45 to 50 per cent. of all appointments in most Departments. We have also commissioned research to look at the barriers that women face, following a national outreach campaign that we ran in 2002.

Sue Doughty: I thank the Minister for her reply, but I am rather concerned about this issue. In 2002–03, there were 1,357 female appointments, representing 39 per cent. of the appointments made. That is the same percentage as in the preceding year. Only 3 per cent. of major appointments attracting more than £50,000 a year go to women. Most women take on very low-level appointments. Can the Minister offer me any more optimism than the Government's record gives me?

Jacqui Smith: The hon. Lady rightly pushes us to take action, but it is precisely because we have identified this problem and are keen to make progress that we have set out the action that I outlined in my previous answer. Only 20 per cent. of jobs come up for replacement each year, so progress will not perhaps be as quick as the hon. Lady and I would like. For the first time, however, there is a significant programme of action, information, training and monitoring within government to ensure that we make progress on getting more women on to national public bodies, not just because that is right but because it will mean that those bodies are better governed and more representative of the people that they serve.

Julie Morgan (Cardiff, North) (Lab): Is my hon. Friend aware of the recommendation of the Wales Women's National Coalition that there should be shadowing, pre-application training, mentoring, and provision for the payment of expenses relating to child care and the care of the elderly? Does she agree that we need to tackle this issue from every angle, and does she agree with any of those recommendations?

Jacqui Smith: The recommendations that my hon. Friend has outlined involve extremely sensible and practical ways in which we can ensure not only that women get appointed on to public bodies but that they are in a position to be able to put themselves forward for appointment and take up the positions. The proposals are similar to those put forward by the Select Committee on Public Administration report on public appointments, to which the Government will shortly publish their response. Recommendations such as those involving apprenticeships and shadowing and mentoring schemes are very welcome and will ensure that we increase the representation of women on our public bodies.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): The 300 Group has an excellent website that lets women know about the latest public appointments that are coming up, and the dates by which they should apply for them. I was sad to read on that website, however, that the public appointments target set by each of the Departments falls far short of the 50 per cent. target that the Government set in 1999. This includes Departments such as Department for Environment, Food and Rural Affairs and the Ministry of Defence, whose targets are only 20 per cent. and 15 per cent. respectively. Will the Minister reassure me that she will look at those targets, that they will be revised, and that this is not a case of the Government saying one thing and the Departments doing another?

Jacqui Smith: I hope I can reassure the hon. Lady that it certainly is not. We expect transparency from Departments, and each one has produced an action plan, which can be found in the Library, supporting the targets that I have outlined.

It is not only the 300 Group that has a website; the Government have one, and in March launched a public appointments site making information about current opportunities available to all. I understand that it is currently registering some 9,000 visits a day. That is another element of our practical action to provide access to both information and opportunities.

National Minimum Wage

20. **Hugh Bayley** (City of York) (Lab): What contribution the national minimum wage has made to reducing the gap between male and female earnings for low-paid workers. [143337]

The Minister for Women and Equality (Ms Patricia Hewitt): Around 70 per cent. of those who will benefit from the latest uprating of the national minimum wage are women. There is no doubt that the national minimum wage has contributed significantly to the closing of the pay gap for part-time workers, the vast majority of whom are of course women.

Hugh Bayley: Given the important role played by the minimum wage in closing that pay gap, especially for lower-paid and part-time female workers, would the Minister consider instructing the Low Pay Commission to consider specifically the impact of its recommendations on future minimum wage rates and on the gap between men's and women's pay?

Ms Hewitt: My hon. Friend makes an interesting and important point. The Low Pay Commission is well aware of the extent of the problem of the gender pay gap. When advising on upratings, it pays particular attention to the balance that must be struck between helping the low paid by increasing the minimum wage and ensuring that employment levels are maintained. I will, however, reflect further on what my hon. Friend has said, and discuss it with Adair Turner, chair of the commission.

Mrs. Caroline Spelman (Meriden) (Con): When women take leave to care for their children, the issue of pay on re-entry to the workplace becomes a real problem. According to figures from the British household panel survey, a woman rejoining the work force after taking time off to serve as a full-time carer is paid, on average, 16 per cent. less than her previous wage. Does the Minister agree that such discrimination against female returners must be tackled if we are to see a significant reduction in the pay gap?

Ms Hewitt: The hon. Lady is absolutely right. The longer women stay out of employment to care for children or elderly relatives, the worse will be the difficulties that they are likely to encounter on their return. We need to think carefully about what we do to strengthen their rights. The extended maternity leave package that we introduced in April—maternity leave of up to 12 months is now possible—ensured that more women would benefit from the right to return to the same job, or a job at the same level. I look forward to receiving help and support from the Conservatives, rather than their usual whingeing about red tape when we discuss proper standards for people at work.

Sandra Gidley (Romsey) (Lib Dem): The national minimum wage has been welcomed and has improved the lot of many women, but 4.7 million women—43 per cent. of female employees—still earn less than £5 an hour. Many work in the care industry, in jobs that are traditionally low-paid. What is the Minister doing to bring about fairer pay levels in industries in which women employees predominate?

Ms Hewitt: My memory may be faulty, but I do not recall our having the enthusiastic support of Liberal Democrats when it came to legislating for the national minimum wage. Nevertheless, I welcome the hon.

Lady's belated conversion.

On low-paid occupations, the hon. Lady is quite right: 60 per cent. of women work in just 10 occupations, and those are typically much lower paid and account for the bulk of the pay gap. Of course, we are not only ensuring fairer pay for women in public service occupations through our investment in public services; through our skills strategy, we are also making it much easier for women to get better skills, and therefore to get better and higher paid jobs. The hon. Lady should not forget the very important role of the child tax credit and the working tax credit in helping to ensure that, even for people in low-paid jobs, work pays and enables people to support themselves and their families.

Business of the House

12.30 pm

Mr. Speaker: I must inform the House that I am of a mind to protect the business of the Select Committees, which is due for debate. The business statement will therefore be shorter, and I ask Back Benchers—and, of course, Front Benchers—to be very brief in their questions.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Will the Leader of the House please give us the business for next week?

The Leader of the House of Commons (Mr. Peter Hain): The business for next week will be as follows:

MONDAY 15 DECEMBER—Proceedings on the Consolidated Fund Bill followed by Second Reading of the Child Trust Funds Bill.

TUESDAY 16 DECEMBER—Remaining stages of the European Parliamentary and Local Elections (Pilots) Bill.

WEDNESDAY 17 DECEMBER—Second Reading of the Asylum and Immigration (Treatment of Claimants Etc) Bill.

THURSDAY 18 DECEMBER—Motion on the Christmas recess Adjournment.

The provisional business for the week after the Christmas recess will be:

MONDAY 5 JANUARY—Second Reading of the Traffic Management Bill.

TUESDAY 6 JANUARY—Second Reading of the National Insurance Contributions and Statutory Payments Bill.

WEDNESDAY 7 JANUARY—Opposition Day [1st allotted day]. There will be a debate on an Opposition motion, subject to be announced.

THURSDAY 8 JANUARY—Second reading of the Horserace Betting and Olympic Lottery Bill.

Mr. Heald: First, Mr. Speaker, you will recall ruling earlier this week that there should have been a statement on the Government's policy on hospital-acquired infection. Is there to be such a statement? Secondly, can the Leader of the House tell us any more about arrangements for publication of the Hutton inquiry report, following my questions to him last week? Thirdly, on the subject of two-day debates, may we please have two: one on the defence White Paper, and another on Second Reading of the higher education funding Bill?

Finally, does the Leader of the House share the widespread concern about cases such as that of Mrs. Cannings, who was released by the Court of Appeal yesterday? It is tragic that she and her family have had this dreadful ordeal, in addition to the loss of two babies. I understand that the Attorney-General has ordered a review of 50 murder or manslaughter convictions involving evidence from particular expert witnesses. Is that correct? If so, may we have statements to the House from the Solicitor-General about the review, and about the prosecution procedures that will be followed in future? Is it not time that the Department of Health launched a proper scientific review of the evidence in this area, and told the House about it?

Mr. Hain: I shall draw the issue of a statement on infections in hospitals to the attention of the Secretary of State for Health. On the Hutton inquiry, perhaps I might repeat for the hon. Gentleman's benefit what I told the House on 16 October. He was not a Front Bencher then, so he may not be aware of my comments. I said:

> "I thought it would assist the House if I outlined the Government's intentions in relation to Lord Hutton's report. When the Government receive the report, we shall publish it to Parliament, and ministerial statements will be made by the Prime Minister and the Secretary of State for Constitutional Affairs. The Government will also ensure that both Houses have an opportunity to debate the report once Members have considered its content."—[*Official Report*, 16 October 2003; Vol. 411, c. 259.]

So that deals with the Hutton issue.

On the defence White Paper, the Defence Secretary will make a statement on defence immediately after business questions. The higher education Bill will be dealt with in the normal way, which is by having a Second Reading debate on a single day.

I share the concern expressed by the hon. Gentleman about the appalling case involving Angela Cannings, and I am sure that the whole House is concerned about it. The Attorney-General has established a group to consider whether any cases in which the doctor involved gave evidence require a more in-depth review. Obviously, we want to make sure that justice is done, and done properly. I am sure that the hon. Gentleman will accept that concern about the case is widespread across the House. We must ensure that there are no other cases like it and that there is none in future.

Mr. Paul Tyler (North Cornwall) (LD): Will the Leader of the House say when he proposes to convene the all-party round table discussion of options for the legislative timetable for this Session? He will recall that the recommendation in the Modernisation Committee's second report of 1999–2000 was put to the House, and accepted. It was then implemented last year, most successfully, by his predecessor, the right hon. Member for Livingston (Mr. Cook). The Leader of the House will acknowledge that such discussions are very useful in establishing a degree of consensus as to which legislative proposals are candidates for pre-legislative scrutiny, which should go to Joint Committees, and which might be candidates for carry-over. The discussions also help to determine the sequence of consideration of legislation.

The need for that degree of consensus is illustrated by the inadequacy of the present take-it-or-leave-it attitude to those matters in the Government Whips Office. For example, the Second Reading of the Asylum and Immigration (Treatment of Claimants Etc) Bill is due to be held next Wednesday. There is a special meeting of the Select Committee on Selection that evening, at which the membership of the Standing Committee considering the Bill will be appointed. The result will be that that Committee will meet for the first time on the second day after our return in January. That leaves very

[Mr. Paul Tyler]

little time for anyone—that means Labour Back Benchers as much as members of the Opposition parties—to table amendments. That sort of approach is not helpful to the good conduct of business in the House.

Mr. Hain: We are adopting absolutely normal procedure in respect of that Bill, as I am sure that the hon. Gentleman will accept. As for the all-party discussions, I shall look at his proposal and see what needs to be done. However, in respect of consultation across the House, I remind him that I wrote only recently to the Chairman of the Liaison Committee, detailing all the draft Bills that will be involved in pre-legislative scrutiny, and the likely timetables. Twelve or more draft Bills will be published in the coming legislative Session. I know that the hon. Gentleman welcomes that, as does the whole House. The degree of open consultation and transparency shown by the Government is unprecedented. We should build on that, and not go down the route that the hon. Gentleman is inviting us to go down.

Mr. Paul Truswell (Pudsey) (Lab): Does my right hon. Friend accept that there is escalating concern in this House and elsewhere about cold calling by criminals and high-pressure salesmen? I refer him to early-day motion 219.

[That this House is appalled by crimes committed particularly against older people by doorstep callers offering property maintenance and improvement services; condemns high pressure sales tactics employed by some doorstep callers, resulting in vulnerable people parting with extortionate sums of money for unnecessary, shoddy or grossly overpriced work; and calls for legislation to prohibit unsolicited doorstep calls for the purpose of offering property maintenance and improvement and for a national campaign to raise awareness of the dangers.]

The Office of Fair Trading is due to report at any time on the matter of cold calling. Will my right hon. Friend therefore arrange for an early statement to the House, so that we can debate the measures needed to tackle that increasingly nefarious activity?

Mr. Hain: I understand and sympathise with the point raised by my hon. Friend. Indeed, there is an Adjournment debate today on cold calling and, if he catches the Deputy Speaker's eye, he will have an opportunity to make his points even more eloquently. However, I am with him in spirit when it comes to trying to clamp down on that problem.

Mr. Robert Key (Salisbury) (Con): The Second Reading of the Asylum and Immigration (Treatment of Claimants Etc) Bill is scheduled for next Wednesday. The explanatory notes state that the regulatory impact assessments have been completed for many of the issues covered by the Bill, and that they will be published. However, they have not been published. That is a crucial matter, and I urge the Leader of the House to use his best endeavours to get the assessments published before Second Reading, as the fees levied under clause 20 could be excessive. The Bill provides that they could exceed the amount incurred in administrative costs when an application is determined. That could be a killer blow for language schools in this country. The details of the regulatory assessments have been leaked, and it has been suggested that every language pupil coming to this country might face a visa fee—a surcharge—of up to £600. That is not good enough, and we need to know the facts before we debate the matter.

Mr. Hain: I understand the point that the hon. Gentleman makes, and that language schools are very important in his constituency. I know that my right hon. Friend the Home Secretary will take a close interest in the point that he has raised. Certainly, it is our intention to make regulatory impact assessments available as early as possible, and we will seek to do what the hon. Gentleman asks.

Mr. Andrew Love (Edmonton) (Lab): My right hon. Friend will be aware of the publication yesterday of the interim report of the Barker review on the supply of housing. That important report addresses the combination of planning constraints on house building and accusations of market manipulation by house builders. Those are critical issues for all those who wish to enter the owner-occupied sector, or indeed to find any sort of housing, and for the future growth and stability of the economy. Will he make time available in the new year for a full and adequate debate on those important issues?

Mr. Hain: I agree with my hon. Friend that Kate Barker's report raises important issues of concern to him and his constituents, as well as to most hon. Members. It is for that reason that the Government initiated and published the report, and we will obviously wish to address the issues that it raises. My hon. Friend has the opportunity to apply for a debate in the normal way, but we will give serious consideration to his point.

Pete Wishart (North Tayside) (SNP): As the Leader of the House will be aware, the West Lothian question is the one question that will not go away, and it now deserves to be addressed and answered. Will he find Commons time to debate our sensible suggestion that you, Mr. Speaker, should use your good offices to assess legislation that is put before the House? If it is assessed as affecting England only, with no consequences for Scotland, it should be referred to the English Grand Committee. That would be fair to Scotland and to England.

Hon. Members: Hear, hear.

Mr. Hain: I can understand why it would be fair to the hon. Gentleman, because he wants Scotland to break away from the United Kingdom. He wants this to be an English-only Parliament, but that is not the view of Parliament or of the Government. As long as the Labour party remains in power, this Parliament will continue to operate with every Member, whatever part of the United Kingdom they represent, being equal. That is the basis on which we are elected and sent here. Perhaps some of the Conservative Members who approved of his question think that, for example, members of the Ulster Unionist party should not be able to vote on legislation that would not directly affect them.

I do not think that they would agree, and that is certainly an odd position for the Conservative and Unionist party to take. However, it is not an odd position for the Scottish National party, whose members do not want to be here in the first place.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): My right hon. Friend will be aware that, in the context of the discussion of the modernisation of the House, we have recently had a heated debate about the impact on catering services. I understand that catering income has increased, not decreased, since the new hours were introduced, so will he ensure that we have an opportunity to discuss that point and set the record straight?

Mr. Hain: I am happy to set the record straight for my hon. Friend. Although business in various sectors of the catering provision has fallen in the evenings, demand is up overall, showing that more and more use is being made of the excellent catering facilities that are provided for Members and staff. The issue of our hours is entirely separate, and I know that she is concerned to maintain the existing position, although others wish to change it. Either way, it has nothing to do with catering.

Mrs. Cheryl Gillan (Chesham and Amersham) (Con): Will the Leader of the House give us an opportunity to debate delegated legislation and, in particular, the complete debacle of the Horse Passports (England) Regulations 2003 this morning? Is he aware that we could create thousands of potential criminals among the horse-owning fraternity—the crime being punishable by up to two years imprisonment—without those regulations ever having been discussed on the Floor of the House? When we discuss the West Lothian question, perhaps we could also discuss why six Welsh Members were responsible for voting down our prayer against that statutory instrument, thus imposing the regulations on English horse and pony owners.

Mr. Hain: I understand that we have already produced draft replacement regulations. The hon. Lady's general point is the same as that made by the hon. Member for North Tayside (Pete Wishart), but we are all equal in this House and we should remain so. I acknowledge that she is highly respected in the House, but she should think through the implications of what she says. Should Welsh Members vote only on certain items of legislation, and Ulster Unionists and Members representing other parties in Northern Ireland vote only on others? That is a very slippery slope which, if followed, would break up this Parliament and deny the fact that we are all sovereign Members who represent our constituencies on an equal basis.

Mr. Gordon Prentice (Pendle) (Lab): My local authority in Pendle is unhappy about the revenue support grant settlement, which will bear down adversely on the council. Yesterday, the Chancellor of the Exchequer generously told us that an additional £340 million would be allocated to councils in England. When will we be given details of how that money is to be distributed, so that we can find out whether Pendle council will benefit, as I hope it will?

Mr. Hain: The Deputy Prime Minister has that matter closely in mind. I am glad that my hon. Friend welcomes the extra £340 million for English local authorities—the total for local authorities across Britain is £400 million—which will bring in extra resources to ensure that the level of council tax rises is limited and is brought down to a reasonable figure, rather than what it has been in some cases.

In previous business questions, we have heard right hon. and hon. Members on both sides of the House complaining about the council tax situation. The Chancellor has acted, the Government are acting and I should have thought that everybody would welcome that.

Mr. Peter Lilley (Hitchin and Harpenden) (Con): I support the call made by my hon. Friend the Member for North-East Hertfordshire (Mr. Heald) that Health Ministers should clarify whether they have new policies to cope with the scourge of superbugs in our hospitals, which kill between 5,000 and 20,000 people a year. On Tuesday, when, with your support, Mr. Speaker, I asked for a statement about the policy proposals that had been announced on Friday, the Minister of State, Department of Health, the hon. Member for Doncaster, Central (Ms Winterton), replied that

> "if this were new policy it would have been brought to the House. It is not new policy".—[*Official Report*, 9 December 2003, Vol. 415, c. 910.]

However, the press release published by the Department of Health last Friday stated that the Secretary of State

> "today published plans for a crackdown on . . . so-called 'superbugs'."

It referred to

> "wide-ranging proposals . . . which seek to revolutionise the way potential infections are handled".

It also referred to "new rules", a "new system", a "new drive" and "new plans".

Normally when Ministers say outside the House the exact opposite of what they say inside the House to avoid being held accountable to the House, it is a serious matter and raises fears that they may be deceiving the House. However, my fear is that they are telling the House the truth and that in fact they have no plans to tackle that growing scourge. The UK's record is worse than that of any other country in Europe, and is getting worse faster than anywhere else in Europe.

Mr. Hain: I understand the points that the right hon. Gentleman is making and I am sure that the Secretary of State for Health will listen closely to them. However, the right hon. Gentleman will acknowledge that, as I think my hon. Friend the Minister for Health said the other day, the problem arises from the bodged way in which the Conservative Government introduced compulsory competitive tendering. That is where the problem comes from. However, I agree with the right hon. Gentleman that the issue of superbugs, hospital infections and inadequate cleaning in hospitals has to be addressed. We intend to address it and the Secretary of State for Health will take forward certain measures. He will obviously be accountable to the House for what he is doing and how the matter is developing.

Jim Sheridan (West Renfrewshire) (Lab): Will my right hon. Friend use his good offices to reinforce the genuine concerns of British workers—I stress the word "British"—such as former employees of Hewlett-Packard in my constituency, who were presented with a fait accompli when their jobs were transferred to an agency with no effective or proper consultation? Is that the way things should be in a modern, progressive Britain? Should modern, progressive British workers be treated in such a way?

Mr. Hain: I very much agree with my hon. Friend's statements about the Hewlett-Packard workers in his constituency and others who may be similarly affected. He knows that we are introducing employment legislation to widen the provision of information and consultation for all employees in such a predicament, but the Secretary of State for Trade and Industry will certainly want to monitor the situation closely and reflect closely on the points that my hon. Friend made about his constituency.

Richard Younger-Ross (Teignbridge) (LD): Can the Leader of the House get the Home Secretary to make a statement about presumption of death certificates? The son of Nev Pope, my constituent, disappeared in Angola in 1999 but, under Angolan law, no death certificate will be issued for 10 years. We wrote to the Home Office on 28 October to ask whether British laws on presumption of death certificates could be changed. The reply was that the matter had nothing to do with the Home Office and that the letter had been forwarded to the Foreign Office. The Foreign Office replied that it had nothing to do with the Foreign Office and that we needed to go back to the Home Office; so will the Leader of the House ensure either that the Home Secretary makes a statement about the matter or that I receive a reply to my letter?

Mr. Hain: The hon. Gentleman is entitled to a full reply to his letter and I will ensure that he receives one. I remember that case from when I was in the Foreign Office. It is an appalling case and the family have been left in limbo and in anguish about what happened to their son. I know that both the Foreign Secretary and the Home Secretary will want to give the family every assistance in order to find out what happened as soon as it is possible to do so. The hon. Gentleman will also appreciate that it occurred in the middle of a civil war raging in Angola, which now mercifully is ended, and that it was very difficult to determine the true situation and what Neville Pope's predicament was. I am sorry about that, but the hon. Gentleman will appreciate that the circumstances were incredibly difficult.

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): Is my right hon. Friend aware that, among the very large number of welcome initiatives yesterday, there was no provision for people such as my constituent, Mr. Humphrey, who has been contributing to a pension for 38 years and was expecting a pension of £18,000 a year, but who, because of the inadequacies of the Pensions Act 1995, is going to end up with £4,000 a year? It is a bleak Christmas for people who were employed by organisations such as Allied Steel and Wire and Dexion, and there is currently no provision in the legislative programme for people in that position. Will my right hon. Friend ask the Minister for Pensions to come to the House to explain to pensioners what is happening, preferably before Christmas, so that they can have a less worrying time over the festive season?

Mr. Hain: I know from my experience as Secretary of State for Wales that the plight of the ASW workers in Cardiff has been appalling—people are scandalously and disgracefully being robbed of pensions that they contributed to, as in the case that my hon. Friend cited, for up to 30 years. Therefore, the Government are bringing forward new pensions legislation to introduce a proper pension protection fund to ensure that that never happens again. The Secretary of State and Ministers at the Department for Work and Pensions are looking at all the claims and looking at these issues very closely to see what can be done.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): The Leader of the House will have heard of the report from Amnesty International today to the effect that there are perhaps 14 persons held in British prisons under the terrorist legislation and in respect of whom there has been no trial or conviction. May we have an early statement or debate, so that we may address that matter? The Leader of the House will keep in mind the fact that the House has always protested against the holding of people without trial, whether in the Bastille in pre-revolutionary France, in the gulags, in South Africa, in Zimbabwe, or more recently in Guantanamo Bay. Surely the House should address the matter when it arises in our own country.

Mr. Hain: My own parents were detained without trial in the early 1960s in apartheid South Africa, but I am sure that the right hon. and learned Gentleman is not suggesting that the situation in Britain now is in any way or form comparable to a police state where the rule of law did not apply. The rule of law does apply here. However, the Home Secretary will obviously want to take close account of the points that he has made.

Mr. David Chaytor (Bury, North) (Lab): My right hon. Friend will know that in this morning's press there is published a form of university league table, which describes among other things the balance of intake to universities of students from state and private schools. Although there is some progress to report among some of our leading universities, and notwithstanding his earlier remarks about the higher education Bill having a Second Reading debate on one day, does he not think that the complexity of the issue and the controversy surrounding the Government's proposal, which I fully support, in respect of higher education funding and the widening of access to universities, justifies the argument for a separate debate on the issue? I endorse the comments that were made by the hon. Member for North-East Hertfordshire (Mr. Heald). Will my right hon. Friend look again at the question of a separate debate, specifically on all aspects of widening participation in our universities?

Mr. Hain: I acknowledge the effort that my hon. Friend has put into taking forward policies that improve secondary schools, which improve the chances of students from working-class backgrounds and low-income families of getting into university—something that I know he is very concerned about, as we all are on the Labour Benches. That is why the higher education Bill is intended to be brought forward to widen access, increase social justice and give a chance to university students who would never have dreamed of going, and whose families and ancestors have never been before. On the question of the timing and debate surrounding that issue, I will of course consider my hon. Friend's request, but at present the intention is to have the Bill brought through on one day.

Mr. Andrew Mackay (Bracknell) (Con): May I take the Leader of the House back to the Hutton inquiry, because his earlier response did not adequately settle matters? The House needs to know, first, whether all the Opposition parties will receive the report well in advance of publication? Secondly, will there be adequate time, preferably a week, between the making of a statement on Hutton and the actual debate? Finally, can the right hon. Gentleman confirm that the Prime Minister will not only, obviously, make a statement on Hutton but lead from that Dispatch Box when the debate takes place?

Mr. Hain: I have already made it clear that the Prime Minister will make a statement on Hutton. The way in which the report is handled is primarily a matter for Lord Hutton, obviously, as are the circumstances surrounding it, but the right hon. Gentleman will equally understand that the Government, having set up the Hutton inquiry and explicitly asked for the report, with its wide-ranging implications for everybody concerned, not least Ministers, will want to handle this in the proper way, with the House properly involved and everybody satisfied that it has been done in the proper way, so obviously his questions will be taken closely into account.

Mr. Harry Barnes (North-East Derbyshire) (Lab): Has my right hon. Friend seen early-day motion 250.

[That this House notes with alarm the raid by the US occupying forces, using armoured cars and soldiers, on the temporary headquarters of the Iraqi Federation of Trade Unions in Baghdad on the morning of Saturday 6th December in which eight leading trade union officials were arrested; is further disturbed to hear that US soldiers ransacked and destroyed the federation's possessions, including banners and posters condemning acts of terror, and smashed windows, without reason or explanation; notes that the new independent trade union movement in Iraq opposed Saddam Hussein's regime, and opposes terrorism by remnants of that regime and others; and calls upon the British Government to make urgent representations to the US Administration to discover why this raid took place and seek a swift apology and compensation for this appalling incident.]?

The Foreign Office has always taken a progressive line on trade unions and has encouraged and facilitated their development in Iraq. On 27 November in the House, the Foreign Secretary promised to encourage the Americans to take a similar line, yet on 6 December, United States forces smashed into the offices of the trade unions and arrested eight of their officials—an act that has been condemned by bodies such as the Congress of South African Trade Unions. May we have a statement from the Foreign Secretary, saying what responses he got to representations that he made about trade unionism, and what his response is to what the Americans have done?

Mr. Hain: I agree with my hon. Friend that the Foreign and Commonwealth Office always, under a Labour Government, takes a progressive line on trade unions. We have no information about an incident at the temporary headquarters of the Iraqi Federation of Trade Unions, although we understand that United States forces conducted a raid on the morning of 6 December in Baghdad, which resulted in the recovery of a significant quantity of arms and ammunition and the arrest of eight suspected fedayeen, two of whom now face murder charges.

Mr. Patrick McLoughlin (West Derbyshire) (Con): Two weeks ago, I asked the Leader of the House to provide time for a debate on the Post Office, bearing it in mind that, under the Government's reinvention, four out of the five post offices in Belper are due to close early next year. Bearing it in mind that today's debate is important and is being squeezed, inevitably, by a very important statement, to which I do not object, will he consider in future protecting the time when there are Back-Bench debates, so that instead of finishing at 6 o'clock we finish five-and-a-half hours after we start them?

Mr. Hain: I will certainly consider the hon. Gentleman's request. I have just announced that there is an Opposition day early in January and the Opposition are free to choose that subject for debate, but we have responded in exactly the way the hon. Gentleman asked, by bringing forward a debate on post offices, as there is widespread concern among hon. Members on both sides of the House about local post office closures. I should have thought that he was encouraged by that.

Mr. Barry Gardiner (Brent, North) (Lab): The Leader of the House was a very keen supporter of the Ottawa land mines treaty, whose effects we all commend. He has also a history of opposing the trade in small arms around the world and is no doubt aware of the call that Mary Robinson, the former President of Ireland and United Nations High Commissioner for Refugees, made in the House yesterday at a meeting with Oxfam and Amnesty International, for a treaty on small arms. Will he ensure that the House can debate the need for such a treaty at an early opportunity, to ensure that its benefits, like those of the land mines treaty, are felt throughout the world?

Mr. Hain: I will certainly consider my hon. Friend's point about making time for such a debate. He obviously has the chance to initiate such a debate himself. I certainly agree with him that the land mines treaty, which our Labour Government initiated very soon after winning power in 1997, was a major breakthrough. I have had experience of how small arms can completely devastate whole communities and regions of Africa. We need to get that under control, and the Foreign Secretary and the Secretaries of State for Trade and Industry and for Defence will certainly want

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to consider very carefully Mary Robinson's call and that of Amnesty International. This is an international matter, and we have to tackle it. The unscrupulous flow and spread of small arms is killing whole communities, and it needs to be brought under control.

David Burnside (South Antrim) (UUP): Once again, the Leader of the House confessed his support for the fact that we are all equal in the House, and as an Ulster Unionist I must support that 100 per cent. Is he aware that one of Republican Sinn Fein's demands is that hon. Members should not have to swear or affirm the Oath of loyalty to Her Majesty the Queen, so that members of that party can take their seats in the House? Will he give a commitment that the Government will hold a full debate on that, and that they will not go down the route of ending up with second-class Members of Parliament, that we will retain the same equality and that we will all be obliged to affirm or swear the Oath of loyalty to the Queen when we first enter the House?

Mr. Hain: There was a vote that clearly established the current position, which I am sure the hon. Gentleman welcomed, in the last Parliament. This is ultimately a matter for Members, but I do not feel inclined to give way to a demand from members of Sinn Fein who are not even prepared to take their place in the House.

Mr. Colin Challen (Morley and Rothwell) (Lab): Although I am aware that a debate on post offices will take place this afternoon, I understand that it will be answered by Department of Trade and Industry Ministers. May I draw my right hon. Friend's attention to a recent question that I asked the Secretary of State for Work and Pensions? I asked whether he would withdraw guidance circulating in his Department that is designed to discourage people from taking up Post Office card accounts. Clearly, that is a very important matter, deterring a lot of people from using those services. Will he ask the Secretary of State for Work and Pensions to come to the House to make a statement about that, so that the DWP is not seen to be undermining the work of the DTI?

Mr. Hain: Without knowing the detail of the circular, I am sure that there is no intention, nor could there be, on the part of the DWP or its Secretary of State to undermine the work of the DTI. My hon. Friend obviously has an opportunity to raise that issue very shortly. From my own point of view as a Member of Parliament, I believe that people, especially vulnerable pensioners who depend on their local post offices, must not be intimidated into choosing a course that is against their own choice and free will. They have the right to continue to draw their pensions and other benefits in cash. Obviously, successive Governments have tried to encourage more people to use bank accounts—we all want that to happen—and modern life has been evolving in that direction for many decades, but no vulnerable pensioner or anyone else should be forced to do anything. A free choice is involved.

Bob Spink (Castle Point) (Con): May we have a debate on hospices? Adult hospices are 32 per cent. publicly funded, whereas children's hospices are only 4 per cent. publicly funded, which is indefensible. The remainder is raised by private fundraising. The proportion should be raised to 40 per cent. for both children's and adult hospices. We could then acknowledge the tireless work and dedication of all staff and volunteers in hospices and those people who do the fundraising.

Mr. Hain: I certainly agree that there is a fantastic voluntary spirit in the hospice movement and that the work done is in the best traditions of volunteerism and of this country, but the hon. Gentleman ought to have been a little fairer in acknowledging that, as has been said publicly in the Help the Hospices conference, the hospice movement welcomes the extra money that has come from the Government on an unprecedented scale. No Government have ever provided the level of funds for hospices that we are providing. On whether there is time for such a debate, he has the opportunity to apply for one.

Mr. Nigel Evans (Ribble Valley) (Con): Would it be possible to hold an urgent debate on the meltdown of manufacturing industry in this country? In the north-west of England, we are losing manufacturing jobs at the rate of 700 a month. Sadly, there is news that LG Philips at Simonstone in my constituency will close with the loss of 400 manufacturing jobs. There was a time when this country was a world leader in the export of manufactured goods. Increasingly, under this Government, we are world leaders in the export of manufacturing jobs.

Mr. Hain: Obviously, I am concerned about any loss of jobs in the hon. Gentleman's constituency and for the employees involved—I am sure that he will do his best to assist them—but we knew all about the meltdown of manufacturing in the 1980s, under the last Conservative Government. Of course we did. Manufacturing, mining and heavy industry were virtually wiped out in Wales, which he was the Conservatives spokesman for until recently, but the difference is that, instead of finding themselves on the scrap heap, often for the rest of lives, people now have the opportunity to find new jobs, because of the near full employment that we have generated across Wales through our employment policies.

I also remind the hon. Gentleman that he ought to look at the facts. Manufacturing output is now up. The mood of optimism in the manufacturing sector is now greater than it has been for some time. We are part of a phenomenon that is affecting other European and advanced industrial countries, whereby manufacturing is increasingly under pressure from far more labour cost-competitive countries such as China, India and others in the far east and even eastern Europe. Maintaining the existing manufacturing sector is much tougher, but manufacturing is getting a lot of support from the Government, and it will continue to increase its output, compared with the dismal and miserable record of the Tories in their period of government.

Defence White Paper/Operations in Iraq

Mr. Speaker: I remind the House that, as I have said before, I am keen to protect the time for Back Benchers in Select Committee debates, so I hope to cut the statement in 45 minutes, but I also tell hon. Members that they should ask the Secretary of State only one supplementary question.

1.7 pm

The Secretary of State for Defence (Mr. Geoffrey Hoon): With permission, Mr. Speaker, I should like to make a statement about the defence White Paper, "Delivering Security in a Changing World", and a report entitled "Operations in Iraq: Lessons for the Future".

It has been five years since the strategic defence review was published by my predecessor, Lord Robertson, who steps down at the end of this year as NATO Secretary-General. I am sure that the House will join me in paying tribute to his determined contribution to modernising the alliance at a time of unprecedented challenges.

The strategic defence review concluded that we needed to move our armed forces into an expeditionary era and build greater flexibility to face increasingly diverse threats in both war-fighting and peace-support operations. Its conclusions have served us well in those five years, although it could not have anticipated the appalling events of 11 September 2001, or their strategic impact. That is why we published the new chapter last year.

The ability of our armed forces to conduct the full spectrum of operations has been well demonstrated since 1998. We have conducted operations, often concurrently, across three continents: in Kosovo, Macedonia, Sierra Leone, East Timor, Afghanistan and the Democratic Republic of the Congo. Our armed forces have been successfully engaged in combat operations in Iraq this year and are still heavily engaged in large-scale post-conflict activities.

The Ministry of Defence is today publishing its full report on operations in Iraq: "Operations in Iraq: Lessons for the Future". Hon. Members will recall that an initial report was published in July, which provided an authoritative account of the campaign and reflected on the early conclusions that we could draw from combat operations. Since then, a detailed and comprehensive analysis of the operation has been undertaken within the Ministry of Defence. Evidence has been taken from those involved in the operation at all levels, assessing the effectiveness of the equipment that we used and identifying from that work the lessons that we can draw from the campaign.

> "The operation was a significant military success, achieving almost all of its military objectives within only four weeks."

Those are not my words, but the conclusion of the National Audit Office report on the operation, whose publication today I also welcome. Our people performed magnificently, the equipment was highly effective, the logistic support most impressive, and the revolution in strategy and doctrine that we set out in 1998 has again been vindicated.

If we want to maintain the battle-winning capabilities of our armed forces, however, we must learn from the difficulties as well as the successes. There is no benefit in a lessons process that is bland or uncritical. I have encouraged an honest, unflinching report that focuses rightly on the future and outlines the area in which we want to continue to improve. Some changes have already been implemented. Other lessons have no quick solution but will form the basis of work in the Ministry of Defence over the coming months.

It is important to emphasise, however, that we have been successful in recent military operations because we have always looked ahead at the capabilities that we need for future challenges. It is therefore appropriate that the detailed analysis of the Iraq operation is published on the same day as the White Paper, whose title captures what it is about: "Delivering Security in a Changing World". It sets out how we expect to adapt to keep ahead of the challenges. It sets out a policy baseline against which we will make decisions to provide the armed forces with the structures and capabilities that they require to carry out the operations that they can expect to undertake in the future.

The shadow of the cold war, which has shaped our armed forces for two generations, may have receded, and the threat of a large-scale conventional military attack on Europe may seem remote as a result. New threats are emerging, however. We must respond to today's strategic environment and prepare for tomorrow's. The proliferation of weapons of mass destruction and the threat posed by international terrorism, coupled with the consequences of failed or failing states, present us with a real and immediate challenge. Our experience of the recent pattern of military operations demonstrates the increasing frequency of the United Kingdom's involvement in small and medium-scale operations. The need for multiple, concurrent small to medium-sized operations will therefore be the most significant factor in force planning. Counter-terrorism and counter-proliferation operations in particular will require rapidly deployable forces that are able to respond swiftly to intelligence and achieve precise effects in a range of environments across the world.

Regional tensions and potential conflicts are likely to create a sustained high demand for enduring peace support commitments, such as the extended deployments that we have seen in the Balkans, but we must also retain the capacity to reconfigure our forces at longer notice to undertake the less frequent but more demanding large-scale operations of the type that we saw in Iraq earlier this year.

Expeditionary operations on that scale can be conducted effectively only if United States forces are engaged. When the United Kingdom chooses to be involved, we would want to be in a position to influence their political and military decision making. That will involve sharing the military risk, and will require an ability for our armed forces to play an effective role alongside those of the United States. We were able to do that in Iraq, for example, by procuring additional communications equipment for our aircraft. More generally, the key to retaining interoperability with the United States, for our European allies as well as for the United Kingdom, is likely to rest in the successful operation of NATO's new Allied Command Transformation.

[Mr. Geoffrey Hoon]

Whatever the strategic planning and equipment, it is ultimately people who deliver success. Our people will need to possess exceptional skills to deal with the complexity of modern operations. We must continue to invest in their recruitment and training and reward them properly for the difficult tasks that we ask them to undertake. The excellent contribution of our reserve forces in Iraq shows that they are an essential part of our defence capability and will remain so.

Resources must be directed at those capabilities that are best able to deliver the range of military effects required, while dispensing with those elements that are less flexible. It has historically been the fashion to measure military capability in terms of the weight of numbers of units or platforms—of ships, tanks and aircraft. That might have been appropriate for the attritional warfare of the past, but in today's environment success will be achieved through an ability to act quickly, accurately and decisively, so as to deliver military effect at the right time.

What are the critical elements, however, in delivering this military effect? The answer is threefold: sensors to gather information; an effective network to consolidate, communicate and exploit that information; and strike assets to deliver the decisive action. Technology will be a key driver for change and will present us with new opportunities: for example, the means by which to link "sensor to shooter" through network-enabled capabilities. By thinking about capability jointly rather than as a collection of separate platforms, the effects that can be delivered can far exceed the sum of the individual parts. That will provide significant opportunities when we consider the requirements for future force structures and will place a premium on flexible and adaptable network-enabled capabilities.

It follows that we no longer need to retain a redundancy of capability against the re-emergence of a direct, conventional strategic threat to the United Kingdom. Our priority must now be to provide the capabilities to meet a much wider range of expeditionary tasks, at a greater distance from the UK, and at an ever increasing tempo. The heaviest burden in those circumstances will fall on those key enablers and force multipliers that deliver more rapid deployment, better intelligence and target acquisition, with ever greater accuracy.

The structure of each of the services will also need to evolve to optimise joint operations and provide greater flexibility and capability to project power to counter the threats that we face. In the maritime environment, our emphasis is increasingly on delivering effect from sea on to land, supporting forces ashore and securing access to the theatre of operation. The new amphibious ships coming into service over the next two years, together with our existing aircraft carriers, offer a versatile capability for projecting land and air power ashore. The introduction of the two new aircraft carriers and the joint strike fighter early in the next decade will offer a step change in our ability to project air power from the sea, while the Type 45 destroyer will enhance protection of joint and maritime forces and assist force projection. Some of the older ships can contribute less well to the pattern of operations that we envisage, and some adjustments will therefore be necessary.

In the case of the Army, experience shows that the current mix of heavy and light capabilities was relevant to the battles of the past rather than the battles of the future. We need to move to a more appropriately balanced structure of light, medium and heavy forces, and place a greater emphasis on enabling capabilities such as logistics, engineers and intelligence. The future rapid effects system family of vehicles that we are currently developing will help meet the much-needed requirement for medium-weight forces. Over time, that will inevitably reduce our requirement for heavy armoured fighting vehicles and heavy artillery.

The work in this area is continuing, but we judge that we can start this rebalancing by reducing the size of our heavy armoured forces. We therefore intend to establish a new light brigade, reducing the number of armoured brigades from three to two. This will be achieved by re-roling 4 Armoured Brigade in Germany as a mechanised brigade, and 19 Mechanised Brigade in Catterick as a light brigade. We will announce further plans for future Army force structures next year.

We want to be able to project more air power from both land and sea, offering enhanced capabilities across the range of air operations. Storm Shadow missiles will provide a long-range precision-strike capability, and the increasing availability of "smart" bombs, such as Paveway IV, will ensure a higher degree of accuracy in our offensive capability than ever before. Around 85 per cent. of RAF munitions used in Iraq in 2003 were precision-guided, compared with only 25 per cent. in Kosovo as recently as 1999. Additionally, Typhoon and the joint strike fighter will offer much greater flexibility and balance in the air component of the future, reducing the need for single-role fast jets. Multi-role capability will also allow us to deploy fewer aircraft than previously thought necessary. We are therefore considering what those developments mean for the number of combat aircraft that we require.

The rapid deployment of land and air combat power is, of course, dependent on having a sufficient strategic lift capability. The core of the airlift capability will continue to centre on the C130 fleet, and the A400M when it replaces older C130s from 2011. We are considering the options for retaining a small force of C-17s after A400M enters service, to carry the largest air deployable items. We now also have a fleet of six roll-on/roll-off vessels that proved their worth in moving our forces to the Gulf and are crucial in achieving a rapid build-up for medium-scale operations.

When military action is required, it will be most effective when it comes in the form of partnerships, alliances and coalitions. For the United Kingdom, the key organisations through which we act will be NATO and the European Union.

NATO remains the basis for the collective defence of its members, and continues to play a vital role in crisis management. It is the transatlantic organisation through which the US engages with its allies in planning and conducting military operations. The European Union's European security and defence policy is complementary and provides a means to act where

NATO as a whole is not engaged. The forthcoming intergovernmental conference will be an opportunity to strengthen the European security and defence policy and European military capabilities. As a result we will strengthen NATO, without any unnecessary duplication.

The security and stability of Europe and the maintenance of the transatlantic relationship are fundamental to our defence. More widely, our security and national prosperity depend on global stability, freedom and economic development. Our armed forces will continue to act as a force for good in the international community. We know that, ultimately, security cannot be delivered by military might alone. It is a matter of changing attitudes and bringing security to those regions where there is a risk of instability. That is a challenge for not only those of us in defence but all of us in Government. The White Paper should therefore be read in conjunction with the White Paper on UK international priorities that my right hon. Friend the Foreign Secretary published last week.

Everything that I have set out involves change. The White Paper, by dealing with the policy context, will ultimately determine the shape of our armed forces. Within that overall shape, we will need to develop the details of individual systems and structures. However, before we can do that, we need to be certain that we have the right procurement and development projects, which is why the Ministry of Defence is undertaking a significant examination of our capabilities and overheads. This is not a new defence review, nor does it need to be, but it is a final check on our planning, to ensure that we have the right capabilities that are needed for the challenges ahead and that we are spending our finite funds in the most effective way. I shall make further announcements on the results of that work next year.

This is a changing world, and we must adapt if our armed forces are to stay ahead of potential adversaries. We must exploit new and emerging technologies and be prepared to make tough decisions to ensure that our armed forces are able to carry out the difficult tasks that we ask of them. It is only through the process of continuous change and improvement that we can ensure that our armed forces are equipped and structured to meet the challenges of the future.

Mr. Nicholas Soames (Mid-Sussex) (Con): First, I thank the Secretary of State for his courtesy in allowing us sight of the White Paper earlier. I join him in the tribute that he paid to the remarkable and distinguished work of Lord Robertson at NATO. Together with Lord Robertson, Conservative Members remain extremely anxious about the Government's plans for European defence and look forward, after the conclusion of the negotiations this weekend, to hearing a rational and sensible plan that will continue to anchor America to Europe.

Despite the lack of detail, we agree with the fundamental thrust of the White Paper. It does, indeed, foretell considerable change for the conduct of the armed forces business across the board. The House must not forget that the strategic defence review—its predecessor—was never properly costed or funded, and the same must not be allowed to happen this time. For our part, we generally accept the Secretary of State's assessment of the strategic environment and the difficulties that flow from it. Indeed, it is clear that we have come to a decisive moment in history when a new and diverse constellation of threats have appeared that are not nearly as obvious as were their relatively certain predecessors. We assert that since the end of the cold war, the world has never been as dangerous and unpredictable, nor the threats so serious. An era of invulnerability is over and our adversary has changed.

Terrorism is not a technique, an ideology or a political philosophy, let alone an enemy state, but a fiendishly difficult threat with which to deal. The proliferation of weapons of mass destruction and the means to deliver them represents a major threat. We welcome the Government's decision to continue to examine missile defence. We are in a position, as the Secretary of State rightly said, in which we must be prepared for the wholly unexpected as well as being able to deal with conventional military tasks.

We have learned, and continue to learn, from the recent experiences of our forces in Afghanistan and Iraq. There are most profound lessons for us on preparedness, logistics, deployability, jointness, precision, speed and agility, but there are also clearly situations in which light forces are not the best solution. We look forward to studying in more detail today's Ministry of Defence publication, "Operations in Iraq: Lessons for the Future". While we welcome the National Audit Office report on Operation Telic, it rightly makes the point that although it is clear that British troops performed quite brilliantly, there were some serious shortcomings in the supply of nuclear, biological and chemical protection and other vital lifesaving kit, as well as more mundane yet important kit such as combat clothing. That cannot be allowed to happen again, and we look forward to hearing a detailed response to that from the Secretary of State and the Ministry.

Unlike the Secretary of State and what is said in the White Paper, we believe that measuring the capability of our armed forces by the number of units and platforms and the extent of manpower remains significant, because the same unit or platform obviously cannot be in two places at the same time. A combination of capabilities and numbers will thus continue to be critical in any assessment of the potential effectiveness of our armed forces. Infantry and armour on the ground can be augmented by technological wizardry but cannot be replaced by it. The peace in Basra today is being kept by some 10,000 soldiers on the ground. We underestimate at our peril the importance of the foot soldier and all that he can do in both combat and, equally importantly, humanitarian terms.

We welcome the intention to enhance the strategic enablers of communication, logistics and intelligence, but as a former Chief of the Defence Staff, Lord Guthrie, pointed out last week,

> "it is important that we do not concentrate our efforts to too great an extent on one emerging threat—a knee jerk reaction—forgetting that there are other threats which have not gone away for which we should still be prepared."

We believe that such principles are of the first importance. Indeed, the histories furnish the most

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excellent lessons in that respect and we should, and must, learn from them.

We welcome the acknowledgement of the absolute need to continue robust and collective military training at all levels. We consider that it is vital to underpin the new doctrines with the single-service ethos and the remarkable fighting spirit that have done our forces so well over the years, to move to improve arrangements for families and general harmony, and to rebalance key support elements toward brigades from the divisional level.

Current events provide a sombre background to this important White Paper, for today there is a crisis in the Government's Defence budget. Frankly, Conservative Members and many serving and retired military have the gravest reservations about the Government's ability to sustain their current ambitions and equipment programmes. It is reported that the Defence budget is deeply in the red. Is it not a fact that the equipment budget is overspent in excess of £1 billion per annum and that this year's personnel budget is overspent by £600 million? Is it true that the Secretary of State has ordered cuts of £1 billion a year for four years? An internal MOD memo on the White Paper and departmental finances has warned that much of the so-called new money from last year's spending review—£3.5 billion—has already been earmarked for the new weapons programmes.

The reality is that even to balance today's books, let alone fund the new equipment, the MOD will have to defer or cancel elements of major equipment programmes and possibly even freeze recruiting. Is it correct that the programmes earmarked for cuts include Eurofighter, Nimrod, nuclear submarines, Type 42 frigates and heavy armour, in addition to existing assets? Given that there are so few hard facts in the White Paper, however, we are concerned that a whole raft of decisions on cuts in both manpower and equipment will start to leach out later, and we look to the Secretary of State to report back to the House in detail on the substance of his proposals.

May I ask the Secretary of State to answer the following questions? First, the new battlefield technologies will have to be paid for. Where is the funding for that to come from? Secondly, is he aware that the defence research budget has been cut by 10 per cent.? How can the Government be serious about the digitised battlespace and all the other associated technologies, and yet continue with defence research cuts? Indeed, it seems astonishing that, at a time of extraordinary pace in technological advance, military research and development has been so drastically reduced.

While paying the warmest tribute to the remarkable achievements of our Territorial Army and other reserve forces in Iraq and elsewhere, we welcome the chapter on developing the reserves and the acknowledgement in the White Paper of the urgent need to improve support for reservists and their families and employers. Will the Secretary of State give the House some idea of the future manning levels of the TA and other reserves?

In the light of the reference to home capability, will the Secretary of State comment on his thinking on the present timing in respect of future force levels in Northern Ireland, and the possible consequences for manpower of the rumoured peace dividend?

Although Conservative Members recognise the demands for the new technologies and the need wholeheartedly to embrace them, we remain deeply concerned about the consequences that flow from the financial crisis in the Ministry of Defence at a time of severe overstretch. We look forward to the Secretary of State announcing his detailed intentions to the House and thus, we hope, removing the understandable anxieties of many of our loyal servicemen and women and their families.

The British armed forces have a reputation for excellence and skill at arms that is unrivalled throughout the world; indeed, they are the benchmark by which all other armed forces are judged. I am not in the least bit afraid for their ability to cope with change. Indeed, of all the great institutions in this country they have proved time and again at all levels to be the most adaptable and flexible, and certainly the most successful. But it is of the first importance that the Government and Parliament recognise, when addressing these profound changes, that whatever the technological advances, the fundamental character and nature of war will remain unchanged.

For the soldier of today and tomorrow, as it was for his ancestors, warfare will continue to represent the ultimate physical and moral challenge, where these young men and women will encounter extreme danger in rapidly changing circumstances amid conditions of chaos and great uncertainty. They have never let us down, and the Secretary of State must see to it that nothing is done that compromises the astonishing success of our armed forces. The fact is that they are too small for the tasks already laid on them. There is a great deal of work to be done, and the greatest possible thought and care needs to be taken in implementing these future programmes and the profound changes that they foretell if we are not to unbalance something that is truly excellent.

Mr. Hoon: I thank the hon. Member for Mid-Sussex (Mr. Soames) for the general tone of his observations and congratulate him on his rapid reabsorption of some of the more difficult issues that he faces when coming to grips with the profound changes that have happened since he served with such distinction as Minister of State for the Armed Forces. His observations today demonstrate that he has already reached a long way round that steep learning curve. I am particularly grateful to him for recognising the importance of the need for change.

If I can echo the hon. Gentleman's observations about the armed forces, I cannot imagine that there is a single organisation in the country that has had to face so much change in recent times. The profound point that we all need to recognise is that unless those changes continue, our armed forces will not be equipped to deal, or be capable of dealing, with the threats that they face in a modern world. Since we cannot anticipate each and every one of those threats and the crises that they may produce, the key to those changes will be flexibility—a flexibility that, as I indicated, requires us to be able to conduct not only large-scale operations of the kind that we have seen this year in Iraq but a number of smaller operations.

That is the answer that I would give to Lord Guthrie. I read his observations carefully. We are not concentrating our efforts in one particular area; we are not making the mistake of fighting the last conflict, albeit one against terrorism. We are ensuring that we have the flexibility to be able to take on a number of different kinds of operations whenever they present themselves, as inevitably they must.

There is no crisis in the defence budget. What we have is more than £3 billion of extra resources to spend over and above what was previously available. That is the largest sustained increase in defence spending in more than 20 years—not something that, with the greatest respect to the hon. Member for Mid-Sussex, he was ever able to say when he occupied a position in the Ministry of Defence. That money will have to be spent on ensuring that our armed forces have the right capabilities and equipment for the future.

I shall attempt to deal with the specific points that the hon. Gentleman raised. Certainly, new technology will have to be paid for, but right hon. and hon. Members need to recognise that it will deliver ever greater effect. I cited a statistic drawn from the "lessons learned" report about the number of smart weapons used. The more our weapons are smart—the more accurate those weapons—the fewer we require. That is a simple statement of fact. If we can deliver, as was done in Iraq, 85 per cent. smart weapons, all hitting their targets, as far as I am aware, that obviously means that the effect is far more dramatic and significant, in military terms, than 25 per cent. smart weapons, which we had as recently as 1999. That is a huge change in our ability to be successful in high-intensity warfare.

I accept the comment about the defence research budget. We certainly need to consider improvements in that area, but we also need to ensure that we maintain our existing equipment programme and our running costs from month to month and year to year. Inevitably, I have to take some difficult decisions, and unfortunately that is one of them.

Turning to reserves, who, like our regular forces, are volunteers, I anticipate and hope that we will maintain the present numbers. If there are more willing to volunteer, I am confident that we can absorb them into our existing organisations.

There has been a good deal of misplaced speculation about the consequences of a peace settlement in Northern Ireland. We all look forward to a peace settlement and to the prospect of reducing the presence of our armed forces back to the level that existed before 1969—to a normal peacetime situation for the Province. I look forward to that as a means of using those soldiers currently engaged in operations in Northern Ireland elsewhere in the tasks undertaken by Britain's armed forces. I want to make that clear. I want to emphasise the opportunity that that will give to relieve some of the current pressures on the men and women of the Britain's armed services.

That probably deals with all the points that have been raised. I am grateful to the hon. Gentleman for his remarks, and I look forward to responding to other questions.

Mr. Paul Keetch (Hereford) (LD): I, too, thank the Secretary of State for advance sight of the statement. I join him and the hon. Member for Mid-Sussex (Mr. Soames) in congratulating the members of our armed forces, who continue to perform their work in Iraq and elsewhere with great distinction. The House also pays tribute to their families.

Liberal Democrat Members welcome the strategic rebalancing that the Government have announced today. However, that investment must never come at the expense of the number of regular and reservist personnel. Yes, our forces need to be able to fight high-intensity wars, but they also need to have the troop numbers to keep peacekeeping operations going and to give support at home. The message today from the Government appears to be that they can manage both—that they can maintain that balance—and we sincerely hope that they are right. However, the evidence so far does not always suggest that that is the case.

Today's National Audit Office report on Operation Telic highlights significant difficulties with supplying large numbers of troops in the desert, all of which were identified as problems after Saif Sareea 2. We warned of those difficulties at the time; indeed, members of one unit even returned to the UK to try to find NBC—nuclear, biological and chemical—equipment, without success. Either in Iraq there was no threat from chemical or biological weapons, or the MOD sent troops into theatre without proper protection. Will the Secretary of State tell us which it is?

Then there is overstretch. This morning, the Secretary of State said on the "Today" programme that the average tour interval is now 10 months, but the MOD's target is 24 months. Is that interval still 10 months, and how many troops would be required to meet the 24-month target? If he cannot tell us now, perhaps he will write to me. He said that reservist numbers will not be cut, but can he assure us that the overall establishment strength of all three armed forces will not be reduced further as a result of today's announcement?

The right hon. Gentleman rightly paid tribute to his predecessor, Lord Robertson, and mentioned the strategic defence review. One benefit of the SDR was that there was the widest possible consultation across the House and, indeed, the armed forces—in effect, the SDR belonged to Parliament, not just the Government. Does he agree that that consultation was helpful to the SDR, and will his future plans include a similar level of consultation? If they do, in the end our troops will be the winners.

Mr. Hoon: I am grateful to the hon. Gentleman for his observations. It is important to look at the NAO report in context. It highlights the remarkable success achieved by our armed forces and the personnel who supported and equipped them while they were engaged in high-intensity warfare. At the same time, it recognises, as the Ministry of Defence and I have always done, that that was not perfect and that there were difficulties. I have made that point on a number of occasions to him and

[Mr. Hoon]

other right hon. and hon. Members in the House, so it is not new to say that there were difficulties. Overall, however, there was a remarkably successful operation to deliver in a short period large numbers of people and large amounts of matériel into theatre in time to conduct very effective military operations.

There are certainly lessons that we can learn. The "lessons learned" report that I have published today is a tough document. I did not want to put before the House a bland assertion that everything would be resolved. We have to learn the lessons and make improvements, but I am confident that, with the contribution of the armed forces and civil servants in the Ministry of Defence, we will be able to do so.

Rachel Squire (Dunfermline, West) (Lab): Does my right hon. Friend agree that a key reason why the United Kingdom Government can act as an influential global player is the high standards and professionalism of our armed forces? What assurances can he give us that the proposals in the White Paper and the detailed proposals that will follow will not in any way lead to a decline in the ability of our armed forces to maintain those high standards and their international reputation?

Mr. Hoon: I agree with my hon. Friend that we need to maintain those high standards, and we have to do so in the face of the changing strategic environment. I have come to envy my predecessors who were in office during the stability of the cold war, when force structures essentially remained constant from year to year. That has not been the case during the time in which I have had the privilege of holding this position, nor indeed was it the case for my predecessor. Consequently, we have to face up to the difficult decisions required to achieve precisely what my hon. Friend set out.

Mr. Peter Viggers (Gosport) (Con): Service personnel at all levels carry a heavy burden of responsibility, and their conditions of service should reflect that. If under the pensions review large new categories of dependants, including unmarried partners, are given rights, and if the Treasury has insisted that the pensions review is carried out on a cost-neutral basis, does it not follow as night follows day that there will be significant reductions in pension entitlement? Is that fair?

Mr. Hoon: In fact, that is not the case. Obviously, in the course of considering both pensions and compensation arrangements, adjustments will be made to reflect the modern world in which we live. I gathered from the tone of the hon. Gentleman's observations that he is concerned about providing benefits for unmarried partners. The Ministry of Defence could be criticised for the fact that members of the armed forces have been rather tardy in recognising such relationships. Nevertheless, I anticipate that the change will be broadly welcomed, given the society in which we all now live.

Jim Knight (South Dorset) (Lab): I welcome my right hon. Friend's statement, particularly the commitment to sustaining interoperability with the United States and the commitment to Europe and NATO. However, will he give my constituents and me some reassurance about Bovington and Lulworth, which are based on tank training, given his comments about reducing the number of heavy brigades? Will the Ministry of Defence maintain its commitment to that important part of our armed forces' training?

Mr. Hoon: Training will continue to be essential as, indeed, will our reliance on heavy armour, which, as the hon. Member for Mid-Sussex implied, performed magnificently in operations in Iraq. It is important, however, to emphasise the need for flexibility. We need to develop, as the Army has recommended, not only light and heavyweight forces but medium-weight forces that can be deployed with greater protection than light forces currently enjoy. I will set out in more detail the precise implications of the proposals, and I apologise for not saying so to the House before. For my hon. Friend and other right hon. and hon. Members who believe that there may be implications for their constituencies, I should be delighted to discuss those implications with them.

Mr. Desmond Swayne (New Forest, West) (Con): I draw the attention of the House to my entry in the Register of Members' Interests. I should like to ask the Secretary of State about supporting essay No. 3, which anticipates a policy of reserves being mobilised on any type or scale of operation. Does the Secretary of State accept that if reserves are repeatedly mobilised on low-intensity, medium-sized operations there will not be any reserves, because employers will not run the risk of engaging them—and I include in that my own constituents?

Mr. Hoon: I am delighted to welcome the hon. Gentleman back. If he will forgive me for making a personal observation, his period of volunteering in Iraq seems to have been good for him, given his general demeanour, colour, health and, dare I say, weight. I apologise for the fact that I was unable to see him during my visits to Iraq. I saw his colleague, the hon. Member for Westbury (Dr. Murrison), and I know that he was conducting valuable liaison work with the Italian forces, which was particularly important in the light of the losses recently sustained by Italy.

I do not entirely agree with the hon. Gentleman's observations about reservists. There have been efforts across the country to discuss with employers the way in which reservists were deployed, and we need to learn lessons about that. I participated in a number of those meetings and heard nothing but praise from employers for the role of reservists. They certainly want more information and want to be consulted earlier, and I have taken that on board. However, they are proud of their employees and the fact that they went into action as reservists. I saw no sign at all that they want to prevent that in future, although I cannot say the same about the hon. Gentleman's constituents.

Mrs. Alice Mahon (Halifax) (Lab): I should like to ask about the future of our armed forces in Iraq. My right hon. Friend will be aware that the CIA has conceded that Iraqi resistance is getting stronger every day. Because the Iraqi governing council has proved useless, the United States has changed its policy and said that it would speed up the handover to the Iraqis. If that happens and an Islamic government is elected, will our troops come home? Will that be acceptable to the coalition?

Mr. Hoon: The number of incidents has been reducing recently. I am not certain whether that trend will continue or whether it denotes a reorganisation of those who continue to support Saddam Hussein. In any event, we will remain vigilant. The number of incidents in the south, Britain's area of operation, is low. Most of the incidents still involve part of Iraq to the north and west of Baghdad, where the regime had its heartland and was at its strongest. It is vital—I agree with my hon. Friend to this extent—that before there is any kind of transition we must tackle the security situation so that a new government can take responsibility and, ultimately, so that there can be free and fair elections. Obviously, that can only occur once the security situation is resolved. As for the future Government of Iraq, that is entirely a matter for the Iraqis themselves. Our job is to create the conditions in which such a Government can be chosen.

Mr. A. J. Beith (Berwick-upon-Tweed) (LD): Is the Secretary of State aware that he would not achieve his objective of spending money in the most effective way if he were to accept a proposal to throw away the multimillion pound investment that has just been completed at RAF Boulmer in order to move it all to Coningsby and provide it all over again? Will he note also that in Berwick and the borders, we feel strongly that the King's Own Scottish Borderers should have a role in the strategy that he describes?

Mr. Hoon: I indicated only a few moments ago that I would be happy to see the right hon. Gentleman. I emphasise to all hon. Members that such specific decisions have not been taken. I accept that there will need to be further consultation with right hon. and hon. Members, but I do not want to alarm anyone. None of these decisions has been taken.

Mike Gapes (Ilford, South) (Lab/Co-op): The Secretary of State rightly referred to the importance of intelligence. He also mentioned the reserve forces. Is he aware that there are a great number of British Asians who could play an important role because of their linguistic skills and understanding of some of the societies from which terrorism is coming? Can he make a renewed effort to increase the number of ethnic minority members in our armed forces?

Mr. Hoon: My hon. Friend is right. There have been steady successes in our recruiting, but he is right that we need to redouble our efforts, partly for the reason that he mentioned, and also to ensure that our armed forces reflect the ethnic diversity of our society—a society that must be properly reflected in the composition of our armed forces. I agree that there are certain advantages in having a range of linguistic skills. He may be aware that Gurkha soldiers deployed in Afghanistan, for example, have been able to understand and communicate with a number of the local people, which has added enormously to their ability to help improve the situation there.

Patrick Mercer (Newark) (Con): I am grateful to the Secretary of State for outlining new and clear thinking about how our armed forces will be used. I was particularly interested to hear him speaking about expeditionary warfare and dealing with threats at a distance. What about the threats at home? Where is the clear, innovative thinking about how our regular and reserve forces, beyond the rapidly failing civil contingencies reaction force, will be adapted for the new style of warfare?

Mr. Hoon: I realise the difficulties that the hon. Gentleman faces in his particular position. As he well knows, the Minister for homeland security in the United Kingdom is my right hon. Friend the Home Secretary. Having set out in the new chapter a detailed response to the kind of threats that we witnessed so tragically in the United States on 11 September 2001, I have not specifically dealt with the homeland implications today. However, I emphasise that they are constantly under review as far as the Ministry of Defence is concerned, and I believe that we make an effective contribution to the efforts made across Government, but specifically by my right hon. Friend the Home Secretary, to deal with those threats and challenges.

Harry Cohen (Leyton and Wanstead) (Lab): Should not the emphasis be on unmanned aerial vehicles, better situational awareness, forces-wide communications, asset tracking to improve logistics, and more appropriate armoured wheeled vehicles with suitable protection to back up foot patrols? Would not the money be better spent on those things than on cluster bombs or the unwanted occupation of Iraq?

Mr. Hoon: I was about to congratulate my hon. Friend on his excellent command of the jargon, which I confess still sometimes eludes me. I agree with nine tenths of what he said and reiterate what I have said to him on previous occasions about the use of cluster bombs.

Miss Anne McIntosh (Vale of York) (Con): I warmly welcome the Secretary of State's reference to the Eurofighter. Will he give a commitment that the use and deployment of the Eurofighter to RAF Leeming will be on the target date and in the same numbers that he confirmed? The Ministry of Defence is aware that there is a problem at RAF Linton. I pay tribute to the flying school at RAF Linton and the tremendous contribution that it makes, but the reduction of the number of flying schools used by the RAF and the Navy puts enormous pressure on the remaining schools. Can he give some indication of how that can be resolved?

Mr. Hoon: I am as keen as the hon. Lady to get what I think that we had better call Typhoon nowadays into service. I recognise that her experience in the European Parliament means that she likes to call things Euro-something or other. I hope, by the way, that that does not interfere with her well-deserved promotion. It is important that we concentrate on getting Typhoon into service, working with the RAF, and as I said, ensuring that it has a multi-role capability to deal with the kinds of operations that we currently conduct. I am as keen as anyone to achieve that.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): Will my right hon. Friend take this opportunity to scotch the myth being put around by Opposition scaremongers in Scotland that the review represents some threat to the Scottish infantry regiments? Does he agree that the real threat to our defence installations and personnel in Scotland is from those who would break up the United Kingdom?

Mr. Hoon: My right hon. Friend is right. As I have made clear, it is important that we see through the implications of the policy baseline that I set out today in more specific decisions. None of those decisions has been taken in relation to Scotland or any other part of the United Kingdom.

Hugh Robertson (Faversham and Mid-Kent) (Con): The Secretary of State rightly drew attention to the fact that a National Audit Office report praised the speed of deployment of heavy armoured forces to the Gulf, and also picked up the fact that many commanders feel that our heavy assets—the Challenger 2, the Warrior, the AS 90—were the battle-winning assets. Bearing it in mind that the right hon. Gentleman is proposing a move to lighter forces, and that the threats that we face are rarely the ones for which we are configured, is there not a serious danger that the review may leave us less ready to face the unexpected?

Mr. Hoon: It is vital that that does not happen. I am grateful to the hon. Gentleman for his observation. Challenger was used extremely effectively in and around Basra, for example, and I expect that tacticians would suggest that that was in a way not originally thought likely. That is why I place so much emphasis on flexibility. If ingenious commanders can use their equipment in a way that achieves the desired effect, and undoubtedly that was the case with the way in which Challenger was used, I for one will be delighted.

Mr. Michael Clapham (Barnsley, West and Penistone) (Lab): Did my right hon. Friend see the report in *The Guardian* yesterday that the second largest contingent in Iraq is made up of employees of large corporations? Does he share my concern that that illustrates the growing power of the military industrial complex? What steps will he take to ensure that Britain's defence programme is based on the needs of the country, not the wants of the corporations?

Mr. Hoon: My hon. Friend used jargon that I have not heard in some time. It was never a phrase that tripped lightly from my tongue, but I congratulate him on his sophisticated vocabulary. I do not really agree with him. Clearly, we must ensure that the civilians who support our deployed operations are properly protected and capable of doing their job effectively. Those civilians have done a tremendous job in providing timely assistance to the armed forces and relieving highly trained members of those armed forces from tasks that we do not want them to engage in. That is the point. If we recruit people into our armed forces, we want them to be trained to a level that means that they are no longer engaged on the kind of tasks that civilian contractors can fulfil extremely effectively.

Sir Patrick Cormack (South Staffordshire) (Con): If the Secretary of State follows the policy outlined in the White Paper—which is very short on detail, I might say—is he confident that, in 10 years, this country would be able to cope with a crisis in the Falkland Islands or mount another Iraq-style operation?

Mr. Hoon: I am confident. I know that the hon. Gentleman is far too sophisticated an observer of military matters to suggest that, if there were a new Falklands crisis, we would conduct the campaign in precisely the same way. The point of the developments and changes is to allow us to conduct the campaign in quite a different way and, I would argue, a more effective way. I would be more concerned about the implied criticism that he makes if we had had real reverses in military campaigns in recent times. That is not true. It is important that we go on developing such flexibility, both to conduct the kinds of campaigns that have been conducted so successfully in the past, and to give us the ability to conduct the kinds of campaigns, as the hon. Member for Mid-Sussex said, of which we do not know and which we cannot imagine today.

Miss Anne Begg (Aberdeen, South) (Lab): The best museum in my constituency—in fact, it is the only museum there—is that of the Gordon Highlanders, a regiment that no longer exists, not because they were called the Gay Gordons, but because they were the victims of a previous reorganisation. There is obviously concern in north and north-east Scotland that the Highlanders and Black Watch may suffer a similar fate. Will the Secretary of State assure us that he will listen to all representations from that area, because it is very important that the locality features in any recruitment and to ensure that the kilted regiments will not be consigned to the museum of history?

Mr. Hoon: I know that the Gordon Highlanders ceased to exist as a fighting force on 17 September 1994. That is still a cause of great concern to those who are strong supporters of the regiment, but it is an indication of the sort of changes that have occurred over the long history of Britain's armed forces. I cannot rule out such changes in the future, but I can tell my hon. Friend that no decisions whatever have been taken about such matters. I shall certainly consult her and any other hon. Member who is interested.

Points of Order

2.1 pm

Mr. Paul Tyler (North Cornwall) (LD): On a point of order, Madam Deputy Speaker. We very much appreciate the efforts of the Chair to try to protect the interests of Back Benchers, and we understand the rationale for what Mr. Speaker mentioned earlier, but a large number of hon. Members are still seeking to question the Secretary of State. The exchanges between him and the Conservative Front-Bench spokesman took more than 30 minutes of the time available. In such circumstances, surely it is possible for the Chair to extend the time a little so as to include Members from all parts of the House in the discussions.

Mr. Nick Hawkins (Surrey Heath) (Con): Further to that point of order, Madam Deputy Speaker. In considering the remarks of the hon. Member for North Cornwall (Mr. Tyler), will you bear it in mind that many of us represent substantial military constituencies and have many thousands of constituents who are directly employed by the armed forces or by defence contractors? Those of us who sat through all the exchanges and wish to question the Secretary of State will not be reassured by his invitation to discuss those matters with him directly. These are matters that should be raised in the Chamber of the House of Commons on behalf of our constituents.

Sir Patrick Cormack (South Staffordshire) (Con): Further to that point of order, Madam Deputy Speaker. Could consideration be given to ensuring that when a statement of such importance is made on a Thursday in future, a further hour is allowed so that we can sit until 7 o'clock? Had that been done, all of my colleagues—I am conscious that you kindly called me to speak—could have got in.

Madam Deputy Speaker (Sylvia Heal): Order. I call Mr. Barnes on a point of order.

Mr. Harry Barnes (North-East Derbyshire) (Lab): On a point of order, Madam Deputy Speaker. During business questions, I raised the matter of the attack by the United States—

Madam Deputy Speaker: Order. If I may respond to the three related points of order that have been made, I shall come back to the hon. Gentleman.

I am aware that there is a great deal of interest in the House on defence matters. That was evident today among the hon. Members who were present to hear the statement. Mr. Speaker has a great responsibility, as he has indicated, to preserve time for the work of the Select Committees. I have noted what has been said, and Mr. Speaker himself will be aware of it. Of course, there will be other opportunities for hon. Members to discuss the content of the White Paper later in the parliamentary calendar. As to the point made about the timing for debates on Thursdays, that is a matter for the Leader of the House.

Mr. Barnes: On a point of order, Madam Deputy Speaker. During business questions, I raised the issue of the attack by United States forces on the offices of the Iraqi Federation of Trade Unions. In response, the Leader of the House, making use of information that has come from the Americans, indicated that that body might have been hiding fedayeen and arms. That is an incredible response, given the nature of the free trade union movement in Iraq, which stood up against those activities and operated in a clandestine way in order to establish a free Iraq. What opportunities can be given to the Leader of the House so that he can correct his statement if he receives further information from the Americans saying that the situation is different or to check out that the claim does not relate to the military-industrial complex that was mentioned earlier?

Madam Deputy Speaker: The Leader of the House is not present, but he will have heard or will read the hon. Gentleman's comments and may well choose to respond directly. Indeed, the hon. Gentleman himself may decide to pursue the matter through other parliamentary means.

BILL PRESENTED

Traffic Management

Mr. Secretary Darling, supported by the Prime Minister, Mr. Secretary Prescott, Mr. Chancellor of the Exchequer, Mr. Secretary Blunkett, Secretary Margaret Beckett, Ms Secretary Hewitt, Secretary Tessa Jowell, Mr. Peter Hain, Mr. David Jamieson and Mr. Tony McNulty, presented a Bill to make provision for and in connection with the designation of traffic officers and their duties; to make provision in relation to the management of road networks; to make new provision for regulating the carrying out of works and other activities in the street; to amend Part 3 of the New Roads and Street Works Act 1991 and Parts 9 and 14 of the Highways Act 1980; to make new provision in relation to the civil enforcement of traffic contraventions; to amend section 55 of the Road Traffic Regulation Act 1984; and for connected purposes: And the same was read the First time; and ordered to be read a Second time on Monday 15 December, and to be printed. Explanatory notes to be printed. [Bill 13].

ESTIMATES DAY

[1st Allotted Day, 1st Part]

Department for Work and Pensions

Child Care for Working Parents

[Relevant documents: The Fifth Report from the Work and Pensions Committee, Session 2002–03, on Childcare for Working Parents, HC 564-I, and the Government's response thereto, HC 1184; and the Department for Work and Pensions Departmental Report 2003, Cm 5921.]

Motion made, and Question proposed,

That resources, not exceeding £22,505,326,000, be authorised, on account, for use during the year ending on 31st March 2005, and that a sum, not exceeding £22,418,785,000, be granted to Her Majesty out of the Consolidated Fund, on account, for the year ending on 31st March 2005, for expenditure by the Department for Work and Pensions.—*[Ms Bridget Prentice.]*

[This Vote on Account is to be considered in so far as it relates to childcare for working parents (Resolution of 2 December).]

2.5 pm

Sir Archy Kirkwood (Roxburgh and Berwickshire): It is a very great pleasure to have the opportunity open this short debate. I perfectly well understand that there are pressures on time, as has just been demonstrated, and that an important debate on people, pensions and post offices will follow this debate, so I shall seek to make a few brief introductory remarks, after which I shall allow colleagues to make some comments on this important subject.

Estimates days are big parliamentary occasions. The vote on account that we are discussing allows the Minister a mere £22.5 billion on account. I hope that he spends it wisely and that he might think of spending some more of it on child care to allow parents to get into education. I am pleased that my hon. Friend—if I may so call the Under-Secretary of State for Work and Pensions, the hon. Member for Gravesham (Mr. Pond)—is manning the Treasury Bench. He is a friend in many senses, but in particular he was a distinguished member of the Select Committee in his time and has an important professional track record on this subject. We are pleased to see him in his place.

I should like to say a brief word of thanks to all those who contributed to the Select Committee report, and not only the Committee members themselves, who were assiduous as always. I like to think that the valuable work that we did had at least something to do with the little Christmas bonus that the Chancellor of the Exchequer gave us yesterday, for which I give much thanks. I shall return to that point later. Perhaps he should have more children more often, because it concentrates his mind. It is almost Christmas, and all these things help.

The Committee had a very interesting time in the course of its inquiry. We received 44 high-quality written submissions and had four very good oral sessions. In particular, I pay tribute to Baroness Ashton of Upholland, who was kind enough to come before us and help us to understand the departmental view of things. We always get very good help from the Department and the ministerial team.

I should like to describe the report, in terms of the totality of the work of the Select Committee on Work and Pensions, as a clear and earnest declaration of interest in what we believe to be a very important subject. In the fifth report of this year, that subject is limited to the part of child care that relates directly to employment, as that aspect is closely tied to our departmental duties and responsibilities as a Committee monitoring the work of the Department for Work and Pensions.

If we had had time to do so, we would have explored some of the more philosophical and far-reaching elements of child care as a policy, which I think is an intrinsically important part of Government policy, and not only in the sphere of employment and work. Indeed, the evidence that Professor Peter Moss gave us in seeking to establish child care almost as a public good and a human right, and therefore something that should be made available on a universal basis, was compelling. It was not directly in tune with the more restricted remit of the Committee, but I would like to explore it in further detail at a later stage. In particular, the hon. Member for South-West Bedfordshire (Andrew Selous), if I may refer to him as a member of the Committee, argued a very cogent case, which I found illuminating, about the need to focus on how child care affects families and on whether we should ensure that parents who want to stay at home and foster and nurture people are not left out of the Government's drive—I do not use that word pejoratively—to get people back into the labour market. It was an interesting and useful inquiry and report that demonstrated the fact that since the last election, when the Committee acquired the world of employment—we used to be the Social Security Committee; we are now the Work and Pensions Committee—it has been clear that the subject of work has had a whole new dimension. Wherever one looks in considering the pursuit of employment policy and how better to refine the facilities and provisions offered by central Government, the issue of child care is not far round the corner as an integral and essential part of Government policy in terms of meeting people's problems in their everyday lives.

I do not read newspapers much at the weekend, but last weekend I stumbled across an article in the weekend supplement of *The Guardian* that told the heart-rending story of a lady called Charlotte Armstrong, who lives in Basildon. She is doing everything right by trying to study for a university degree, but everywhere she turns she fails against a barrier of child care or housing benefit. The tragedy is that that is not unusual. No matter how much support Governments try to give, it is difficult to get all the bits of the jigsaw right. People try to help themselves, as we all want them to, but they still manage to fail. The lady I mentioned is not a constituent of mine, but I would like to try to find her and send her a note, because I was captured by her dilemma. It is not unusual—we see similar examples in our constituencies nearly every week. For me, her story sums up the difficulties of people who are trying their hardest to help their families: we need to do everything that we can to make life easier for her and for people like her.

Before I turn to the report's specific recommendations, I want to remind the House of the background against which this debate takes place. In

1997, when we really began to tackle the problem, the United Kingdom started from a very low base—we were a long way behind our sister European nations—and there is still a long way to go. The debate is timely because it allows us to review progress to date and to see where we stand in the Government's scheme of things. The provenance of the policy dates back to the May 1998 national child care strategy—the Green Paper. That was a worthwhile and sensible document in its day, but it was not until the pre-Budget review of October 2001, which included the significant announcement of the child care review, that practical things started to happen on the ground. In July 2002, that was followed by the comprehensive spending review that directed the first significant resources—£1.5 billion—into the policy area. Yesterday, of course, we had this year's pre-Budget review.

We began to see the policy build up, followed by resources—a welcome recognition of the high priority attached to the policy at a high level of Government. I am sure that the Minister was clever enough to contrive the PBR announcement being made the day before this debate to make matters easy for him. We all know that his decision really made the difference, but it was good to hear from the lips of the Chancellor of the Exchequer that the issue is a priority for him, too. He did not say much in the way of new announcements, apart from on the increased element of the child tax credit, but his comments were welcome as a kind of payment on account.

We have in prospect the Treasury interdepartmental review of the subject—an essential piece of work that will, I hope, inform the comprehensive spending review programme for the three years following July 2004. I hope that the Committee's report and this debate will strengthen the hand of Ministers at the Treasury and the Department for Work and Pensions—indeed, the Government as a whole, as it is an interdepartmental problem—in making the difficult choices required in finding the resources to maintain momentum.

Having been a Member in a rural area for 20 years, I encounter pressures that are difficult when they bear down on individual families, but I do not have the volume and weight of casework of some of my colleagues—especially London Members such as the hon. Member for Regent's Park and Kensington, North (Ms Buck). I admire and acknowledge her work—she is an expert on the subject and was largely responsible for the Committee's inquiry. She persuaded me that child care is far from being a second-order issue, but is in fact a core issue. Until 1997, I thought that dealing with poverty was about getting more benefits to families, but it is not as simple as that. She, more than anyone else, led me to conclude that the Government cannot abide by their own targets—I accept that they are ambitious, as is right and proper—unless they deal seriously and meaningfully with child care. That is axiomatic and central to the Government's anti-poverty programme. The targets on child poverty—to cut it by a quarter by 2004, to cut it further by 2010 and, most ambitiously of all, to abolish it by 2020—cannot be achieved without more extensive child care provision. Indeed, to abolish child poverty, provision would need to be almost universal.

The Government also have ambitious targets on reducing children in workless households as a percentage of the population and getting 70 per cent. of lone parents back into the labour market. Those are all important aims that cannot be properly achieved without child care being central to everything that the Government do across Departments.

The debate is not just about targets, however. Ambitious and welcome as they are, and I hope that the Government meet them, the more intractable and indefinable problems of persistent long-term poverty—chronic, grinding, deep-seated poverty—can be addressed only if families have access to quality, affordable child care. I know the Chancellor of the Exchequer well enough to be aware that he is focused on dealing with intergenerational poverty, which will not be eradicated by a target or an objective alone, but which requires a consistent, long-term policy.

Chronic health problems can be addressed by children's centres that provide a package of support for families. Obesity is becoming a much bigger problem in all our constituencies. Consistent, accessible, timely child care, with back-up support, is essential. That also applies to illiteracy.

I attend international social security conferences where experts say that we should be encouraging more people—not only the Chancellor of the Exchequer—to have children. I had better be careful—a safer way of putting it might be to say that the country needs a population policy. People of child-bearing age should be encouraged to become involved in parenthood, because the demographic trends are against us as a nation. If we do not have enough high-skilled, well-educated members of the population in 2050 and beyond, the country will have all sorts of other problems.

We need to move to a position whereby children are healthy and confident and go to school ready to learn. The frightening fact is that children learn to be poor by the time they are raised, so early years education and the child care provision that supports it is quintessentially important to a successful Government policy in future. The remedy is at hand, and we quote it in our report. It is a piece of evidence from the Department for Education and Skills, which found that 63 per cent., or two in three, of non-working mothers and 78 per cent., or three in four, of non-working lone mothers said that they would prefer to go to work or to study if they had access to good-quality, convenient, reliable and affordable child care.

So there is a willingness to liberate a cohort of the work force not only to work but to study. Work is important but so is studying. In the article in *The Guardian*, which I shall send to the Minister, the young woman wanted a university degree, not just any job. That caught my imagination. One could perhaps accuse the Government of wanting to get people into work, but being indifferent about their doing anything beyond that. Some American states are much more ambitious and talk of "A B C—any job, better job, career." There are young women who wish to get university degrees, which will enhance their labour market value, but whose attempts founder on the obstacle of absence of access to proper child care.

Hywel Williams (Caernarfon) (PC): Does the hon. Gentleman agree that there are specific structural problems in providing child care in rural areas? As a rural Member of Parliament, can he suggest some remedies?

Sir Archy Kirkwood: That is absolutely right. There is a problem, and the Government's response to that aspect of the report was a little weak. They mentioned trying to give local authorities a little more flexibility but I agree with the hon. Gentleman. In rural areas, there is often no critical mass to get child-care providers or run groups such as pre-school playgroups or after-school clubs. There are often not enough children in a geographically discrete area to make that easy.

It is hard to fault the Government on their overall application. However, as part of the inquiry and report, we visited a couple of nurseries in north Kensington on the recommendation of my hon. Friend the Member for Regent's Park and Kensington, North. I remember that clearly because, although we knew about the policy and the Government's direction, which we supported, we found much confusion about funding operations. The difficulties and uncertainty that the nurseries encountered about the security of the funding were worrying. Above all, an acute shortage of places remains. The Daycare Trust estimates that there is only one place for every five children who are under eight. That is a genuine supply problem.

During the visit, it was also driven home to us that families in the United Kingdom pay a much higher proportion of the cost of places than our European counterparts do. The Daycare Trust estimates that UK parents pay 75 per cent. of costs whereas parents on the continent pay some 30 per cent. That information was reinforced last week when the Committee visited Denmark and France, where we were told about the importance of the provision and its extent in sister European countries.

Let me briefly consider targeting resources. Focusing 20 per cent. on the most disadvantaged postcode areas is probably inevitable because one cannot do everything at once. However, I hope that, between now and the next comprehensive spending review next July, the Government will consider expanding the provision not only from 20 per cent. to the 30 per cent. that the Committee recommended, but to deal with the point that the hon. Member for Caernarfon (Hywel Williams) made about rural areas. More flexibility is needed so that people in rural areas can tackle the issues more thoroughly.

I want to underscore the question of pay for child minders. It is a worrying trend that they are not being paid enough and that there is insufficient career development to keep them in the service of the families for whom they provide child care.

The Government's record is hard to criticise but many problems remain. The Committee made some guarded comments about using employers in the way in which the Chancellor implied yesterday. I hope that the Government will reconsider the matter carefully. If I had the money for tax breaks for employers, I should put it into child centres. I would not have chosen an open-ended commitment for employers because that entails problems, which the report tackles in more depth. As I said earlier, other Ministers mentioned the pledge of 1,000 centres by 2008, but it was useful to hear the Chancellor put it on the record.

I hope that the report and the debate will support and encourage the work of the Treasury interdepartmental review. We need approximately another £1 billion or £2 billion. That sounds an enormous sum, but it would be for three years. The Daycare Trust estimates that £2.5 billion over 10 years would yield almost universal child centre provision, although some problems in rural areas would probably remain. There is much work to do but the Government's direction is generally right. Opposition parties, Select Committees and those outside the Treasury will always want to move further faster, and I recommend that we do that.

I hope that hon. Members understand that the subject is important and that the Committee has made the best fist of what is for us a short report. We reserve the right to return to the subject, but we want to leave Treasury Ministers with the message that, by their own lights, they cannot succeed unless they do more to develop child care provision in the middle to long term. It is in their interests to put in more resources and establish more child care centres as soon as they can.

Madam Deputy Speaker (Sylvia Heal): I remind hon. Members that Mr. Speaker has imposed a 10-minute limit on contributions from Back Benchers.

2.26 pm

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): I am delighted that we are conducting a debate on child care. I thank the Chairman of the Select Committee on Work and Pensions, the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood) for his warm words. I congratulate him on his leadership and his commitment to the subject, which, as he rightly says, is a passion of mine.

Let me begin by citing two figures that provide some context for our debate. According to the Department's research, 1.3 million households are currently looking for child care that they cannot provide. That gives a human aspect to the Daycare Trust's figures of a place for only one in five children. PricewaterhouseCoopers conducted an analysis of the economic benefits of child care. It found that, in the long term—admittedly, in the long term, we are all dead and figures are subject to all sorts of different pressures—provision of comprehensive, affordable child care would lead to a £40 billion benefit to the economy. There is therefore a lot to play for.

Although the report rightly deals with child care for working parents, it can be viewed only in the larger context of child poverty. The provision of high quality child care for young children is essential to any effort to create a fairer and more equitable society and to close the appalling gap in all sorts of achievements between economically disadvantaged families and others. The chief inspector of schools, David Bell, recently flagged that up when he drew attention to growing inequalities in primary school children's abilities. He said:

> "The gap between children arriving at school who do well, and those who do badly, is increasing, and that is very worrying".

Economic and social disadvantage and the variations in access to a quality early-years experience is part of that problem.

As the Chairman of the Select Committee said, from a standing start in 1997, the achievement has been awesome. The Chancellor added to that yesterday, especially for London, where costs are particularly high. I welcome the achievements and my comments must be viewed in that context. They constitute not criticism, but a desire to close some of the gaps and drive forward.

Our report considered the fact that the emphasis so far has been on the significant and welcome investment in increasing early-years education placements and part-time provision. Again, this is not a criticism; we have to start somewhere, and there are supply-side constraints, particularly in relation to carers and teachers. We are talking here about part-time places, mainly for three and four-year-olds and provision through the Sure Start programmes and the neighbourhood nurseries initiative—NNI—for people living in the 20 per cent. of wards that are the most deprived. Our report makes it clear that, even in the most disadvantaged areas, the Sure Start programmes and NNI do not add up to comprehensive, affordable child care. The provision is, however, concentrated on those areas; we have to start somewhere.

That means that the gap between what is required and what is available is still very large. One point that flows from the Chancellor's statement yesterday is that we must remember the importance of assisting low-income working parents who are not among the most acutely disadvantaged or living in the most acutely disadvantaged areas, because of the phenomenal cost of providing care. A family with an income of between £20,000 and £25,000 who are outside the range of financial support for child care and outside the 20 per cent. of areas that are the most disadvantaged could easily find themselves paying £200 a week for one child-care place. It is right and proper that something should be done to assist them with those costs, both to allow the lone parent or two-parent family to participate in the labour market—part time or full time—and to give the child some experience of early-years education, assuming that the quality is good, as that is usually a positive experience for them.

In driving forward the expansion of child care, to which there is a commitment, and in tackling the huge task of eliminating child poverty by 2020, we must recognise the fundamental limitation in the approach that has so far served us well, which is to use the market mechanism of providing individual subsidies to parents to purchase child care. I believe that this method has several weaknesses. First, it has not been able to drive forward the supply of child care, particularly in isolated rural communities and high-cost urban communities. We can place subsidies in parents' hands, but if the child care is not available, they will not serve their purpose. Although there is a logical argument that the subsidy itself will make the care available, in practice that is extremely hard to achieve when dealing with the very high capital costs involved in developing nurseries, for example.

Similarly, the financial support given through the child care tax credit does not meet the whole cost of child care, particularly in high-cost areas, wherever they might be. Child care costs in London regularly exceed £11,000 a year, for example. Because of the relatively low threshold for families to qualify for the child care tax credit, it reaches only a relatively small number of parents. According to the most recent figures, only 285,000 households in the UK, and only 30,000 families in the whole of London, receive the tax credit, involving an average of £63 a week, and an average cost of £7,000 a year. This is not a churlish criticism. That help was not there before, and it is very welcome. It is helping some people a great deal, but in terms of what has to be achieved, it is severely constrained.

When the provision of child care is so dependent on individual purchasing, whether subsidised by the tax credit or not, it becomes very vulnerable to changes in economic circumstances. Speaking as a parent, I must tell the House that I would not want my child to be in child care in a way that was vulnerable to changes in my working circumstances. That is the big weakness of too much dependence on a labour-market-related subsidy or of being too closely connected to employer-based child care.

This brings us back to the evidence of Professor Moss and to the case for children's centres. There will continue to be a case for individual subsidy, because the child minder service needs to be provided for and some people need financial assistance for their home-based care. There is not a case for doing away with the child care tax credit, for precisely that reason, but the next big steps that have to be taken must involve investment in the supply side. We must provide services that will allow non-working parents access to crèches and drop-in facilities as well as early-years education and child care, and that cannot be achieved through the tax credit system. That is the next move forward. I hope that the comprehensive spending review and the manifesto process will pick it up, because I see it as the big idea to help not only working parents, but those on very low incomes and the most disadvantaged, along with middle-income Britain. We must bring children together so as to provide an opportunity for people to enter the workplace and, possibly more importantly, to provide a high-quality early-years experience for our children.

2.35 pm

Andrew Selous (South-West Bedfordshire): It is a pleasure to follow the hon. Member for Regent's Park and Kensington, North (Ms Buck). I acknowledge her great interest in and knowledge of these issues, and it has been a pleasure to serve with her on the Select Committee.

My party and I support the principle that work is the best way for people to come out and stay out of poverty, and the best route to ending child poverty, on which the Government are particularly focused. There is no disagreement on that. I approach this subject with the belief that we should provide working parents—indeed, all parents—with a real choice when it comes to looking after their children. We know from several polls undertaken by a popular magazine, *Top Santé*, that when young parents are asked what they would ideally like in their children's very early years, large numbers of them say that they would like to be able to afford to look after them themselves, at least up to the age of three. We should try to provide that choice.

High-quality child care has been mentioned several times in this debate, and no one would disagree with the need for that. We all want the very best child care for our

[Andrew Selous]

children. I am particularly interested in recent research from a number of different groups of researchers in north America, the United Kingdom, Denmark and Finland—the Select Committee visited Denmark only last week—which clearly suggests that certain types of group child care, especially for children under two, but sometimes up to the age of three, if not established in the right setting, is not in the best interests of the children and can have detrimental effects. That is not my research; as I have said, it comes from a number of organisations. Indeed, the Government's own study into the subject, the effective provision of pre-school education—EPPE—research project, refers to those findings.

I drafted an amendment—it was not accepted—which can be found on page 48 of the Select Committee report, asking that, before the Government provide large amounts of public money for early years child care, they take note of the findings of the EPPE report in this regard. I was surprised that the amendment was not passed, as I felt that it was quite mild in nature and merely asked the Government to take note of that matter. However, for those who are interested, it can be found in the Select Committee report.

When we were in Denmark last week, we spoke to the chairman of our sister committee. I learned from her that an important study had just been undertaken, analysing the performances of Danish and Finnish schoolchildren. In Finland, as in Norway, a Government scheme has allowed parents—mainly women—receiving 40 per cent. of the average national wage to look after their own children until they are three years old, if they wish to do so. Women did not have to take advantage of the experiment—they could have gone straight into the labour market if they wished—but 75 per cent. of Finnish women have done so, and the scheme has proved similarly popular in Norway.

The study also found that Finnish schoolchildren scored better than their Danish counterparts in a number of respects. The researchers concluded that that was because Finnish children were involved with just one adult—a parent or a child minder—in their early years, whereas in Denmark the emphasis was on group nursery provision rather than one-to-one contact. When we asked about the ratio of staff to children in Danish nurseries, we learned that they were worsening—that just one adult might be dealing with eight or 10 children. There is evidence that that is not the best kind of care for very young children, aged 18 months or so.

Ms Buck: There are a number of variables in comparisons such as this. In a country where parents with very young children do not participate much in the labour market, they are likely to be providing one-to-one care for their children at home. Why does that not happen here?

Andrew Selous: I agree that more child-care options should be available, but I also think that all this research should be made available to parents. They should be able to choose whether to send their children to nurseries, to employ child minders or, if they can afford it, to look after the children themselves.

The study also told us that after 18 months or so many working parents who had initially chosen a nursery setting for their children decided to employ child minders instead. As the hon. Lady knows, the problem in this country is that the supply of child minders has fallen considerably.

I recently received a letter from a constituent, which I thought so significant that I drew it to the attention of the Under Secretary of State for Education and Skills, Lady Ashton, who appeared before the Select Committee—as can be seen on page 132 of volume 2 of the report. My constituent wrote out of extreme frustration: she was about to lose her job because she was about to lose her child minder. She was an intelligent, educated woman, working at a further education centre near my constituency. The thrust of her letter was that "quality" child care did not necessarily mean "qualified" child care. After all, the state does not prevent us from having children because we do not have certain qualifications, but most children are looked after by their parents. Surely it is a parent's right to choose who looks after his or her child, and surely it is acceptable for any state subsidies that are available to be spent on those whom parents consider most suitable to perform that task.

My constituent wrote:

> "It is interesting to note that both my child and I were happier with the service provided by the unregistered child minder . . . Unregistered minders have more time to actually give to the children as compared to registered, who have to devote copious amounts of time building an NVQ portfolio, running around the house to check no toys are lying about"

and so on. Much of her frustration arose from the fact that those who had been doing the child minding in her village did not want to devote the necessary time and effort to the courses that were required for them to gain the qualifications that would lead to registration.

I realise that the Government often adopt a cautious approach because of alarming things that sometimes happen, but they should be aware of the problem when the supply of child minders is being adversely affected.

2.46 pm

Mr. John Battle (Leeds, West) (Lab): As one who is not a member of the Select Committee, I thank its Chairman and members for their excellent report, which focuses on a vital issue. I also support the Government's spending of public funds on child care.

I want to make two points. First, child care provision makes a positive contribution to the establishment of a dynamic economy. The hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood) said that it should be seen as a public good, and I agree, but it should also be seen as an economic good.

Secondly, while local initiatives are welcome, they will bed down better at local level if there is a better relationship between top-down and base-up developments. Investment in child care constitutes investment in the future, and that means that we must have a long-term, sustainable structure.

I am delighted to see the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Gravesham (Mr. Pond), who is a friend of mine, on the Front Bench. We go back a number of years, to when he was the champion of the Low Pay Unit and I worked for

Church Action on Poverty. At that time, our shared aim was to tackle poverty generated by lack of work, low pay and grossly inadequate benefits for the poor and their families. I am proud to have been, since 1997, a member of a governing party that has introduced a minimum wage and improved supportive benefits, and has made real inroads in the reduction of child poverty. Given that 3.1 million children are still in poverty, much remains to be done, but I welcome the Government's commitment of resources to child care in particular.

Yesterday, the Chancellor announced an increase in resources dedicated to helping mothers and low earners. That will go a long way. The £50 a week tax incentive for employers to provide back-up child care will help many mothers who are in work, and many others too. It will mean more dynamism and more opportunities, rather than a contraction of the economy. The provision of help with approved child care at home is another useful innovation.

In 1997, only 47,000 parents received help with child care costs; the figure is now more than 300,000. The report spells out what we are up against if we are to provide child care for the 1.3 million people who currently want it. There is massive need in that regard. Helping parents to balance work and family life, rather than leaving them alone to struggle, is key to supporting their role in the work force, and to ensuring that they enjoy work and are productive. It is also key to ensuring that they can enhance their training and skills, and their capacity to contribute throughout their lives.

It is sometimes said that this is the age of globalisation. Such globalisation is characterised by increasing urbanisation, and by the increasing reality of personal mobility, which in turn stretches extended family back-up systems well beyond the clusters of local communities. In other words, in practice, grandparents, aunts, uncles, brothers and sisters do not now live alongside each other in local neighbourhoods; they are not there to provide personal family back-up. That is why care of the young, sick and elderly at home ought now to be regarded as part of a positive economic shift on the part of a progressive society that blends social justice and economic efficiency.

The provision of personal services—the often unacknowledged and unpaid work that is usually done by mothers, grandmothers and daughters—ought now to be recognised as part of the growth of our overall economy. It is an economic function, and we should emphasise it more. Such care contributes jobs in new and expanding services. Moreover, serving each other will be the source of new jobs, new training, new income and economic growth. In other words, providing child care contributes to economic growth, and we should see it in that context.

Let me cite the example of a young mother who grew up in and went to school in an area in my constituency that had more than 8,000 unemployed people in the 1980s; thankfully, that figure is now down to 1,500. She left school and, through the Government's new deal, got a place at the council-supported West Leeds Family Learning Centre, which specialises in training adults for work. She trained in basic qualifications, and then took a course in specialist child care training. She passed the test, got the qualifications, applied for a job with our new local Sure Start nursery project, and got it. She now works as a trained nursery nurse, providing child care back-up for other young mothers who are themselves on training courses or already in work. That is a tremendous success story, which should not be denigrated or sneered at. Some commentators suggest that such jobs are just public sector jobs that are not really worth while, yet they themselves are often paid directly from public funds. The opposite is true: such jobs contribute to the growth of the economy, and that shift to services provision should be recognised as an economic asset.

Andrew Selous: I accept the economic point that the hon. Gentleman is making, but does he agree that it is important that we have some form of dialogue about the effect on children and the differences between various settings, so that, in terms of the environment in which they are cared for, we can ensure that they have the best start?

Mr. Battle: Yes, and I hope to say a word or two about Sure Start, which is precisely the context in which some of that work can be done.

At the moment, 14 people are participating in this term's child care course at the West Leeds Family Learning Centre, eight of whom have already got job places. Anyone who wants to work in nursery child care and is prepared to train will get a job; indeed, that is an indication of the level of demand. The Economic Secretary visited the centre last year, and he discovered that when we say to employers such as the Elite Group, "These women are training to work in your company. Will you look at your shift patterns to see whether they fit their child care needs and school hours?", the answer is yes. Therefore, we can achieve a better, more progressive and practical working arrangement. That is exactly the template that other employers could use.

Currently, some 750 people are enrolled on 50 courses at the centre. Some go on to get university degrees, but we need to provide proper child care back-up. There is a nursery with reserved places, but it is over-subscribed and needs to be expanded.

Another beacon project is the Sure Start programme. The programme in Bramley, which was one of the first in the country, employs 16 people, including qualified midwives, nursery nurses and speech therapists. They provide one-on-one family support, and the kind of context in the locality that the hon. Member for South-West Bedfordshire (Andrew Selous) referred to in his intervention. Such support helps to rebuild communities and neighbourhoods, and the networks that extended families can no longer provide.

I must stress that such work needs to be long term. The excellent work of the Bramley Sure Start—and, indeed, of the new project in Burley—needs to be put on a long-term footing to ensure that it is consistent, and that people can have confidence in it. A brand new nursery and children's centre, run by the early years service, provides 52 new nursery places. That is welcome, but we need much more, and I hope that we can get assistance through the Chancellor's initiatives to extend provision nationally, as well as locally.

I want to make one practical point about health. The Bramley Sure Start organised a birthday party for all local two-year-olds, but they used that occasion discreetly and sensitively as a means to check for early

[Mr. Battle]

signs of delayed development in those children. Such an approach enables it to give practical support, and to intervene during the early years—the kind of idea that the hon. Member for South-West Bedfordshire referred to. Similarly, the Burley Sure Start has begun home visiting. Improving family support, and providing early health and learning checks and good quality child care will be absolutely vital in tackling poverty. That is what we have learned in the past few years, and it is the route to go down.

I hope that the Government learn from the experience on the ground, in order to make sure that the local experience can be knitted in with the top-down money and initiatives. There are new ideas and experiences in the localities that can be shared and exchanged, and which the Government can also learn from. Doing so will enable us thoroughly to eradicate poverty, in ways that we perhaps had not thought of when the Minister and I were campaigning in the 1970s and 1980s.

2.56 pm

Mr. Peter Luff (Mid-Worcestershire) (Con): Like the hon. Member for Leeds, West (Mr. Battle), I am not a member of the Committee. I congratulate it on this report, and I congratulate its Chairman on the way in which he opened today's debate.

I agree with a great deal of what the hon. Member for Leeds, West has just said, but I was slightly uncomfortable with his emphasis on the economic impact of child care. For me, raising children is more about love, nurture and education than about crude economics. I felt that that aspect was rather lacking from his contribution; it was also perhaps lacking from the debate in general.

Mr. Battle: Will the hon. Gentleman give way?

Mr. Luff: If the hon. Gentleman wishes to intervene, I shall happily allow him to correct the record.

Mr. Battle: I do not want to diminish the role of nurture. However, I should point out that, although current commentary often says that all new jobs created are public sector jobs, some of them are damn good quality jobs in precisely the right areas, such as child care. Consideration of the economic impact ought therefore to be taken more seriously, not least by some of the hon. Gentleman's Front-Bench colleagues.

Mr. Luff: I rather regret having given way, as the hon. Gentleman seems to have compounded my concern, rather than seizing the opportunity to say that mothers who work full-time caring for their children are performing a very valuable service, even if it does not feature in the nation's gross national product. But never mind—I do not want to get too confrontational in a debate that has been characterised by its good nature so far.

Like the hon. Gentleman, I am an amateur in this debate, as I am not a member of the Committee. However, I am a father with a working wife, and I was brought up in a one-parent family, because my father died when I was only eight. I therefore have some experience of the issues relating to child care, and of the challenges posed to children.

In addition to the need for love and nurture to which I have just referred, I want to inject three elements into this debate: the need for choice for parents, the need for opportunity for children, and the need for play. Technically speaking, the issue of play is not closely related to the work of the Work and Pensions Committee, but I am concerned that much pre-school provision is being driven in an increasingly academic direction. As a result, it is providing a different kind of environment for children from the one that they enjoy at home. Children do need to play before they go to school. My concern is that child care provision for the children of working parents should enable such play to develop. It is through play that children learn. *[Interruption.]* I sense that the House is with me on this point, and I am glad to see nods around the Chamber; indeed, this is not the first time that we have agreed today. Such support is welcome, because Ofsted in particular is pursuing a rather worrying agenda through the creation of an increasingly academic pre-school experience.

I am delighted that my own constituents are to get more choice. In paragraph 46 of the report, the Committee expressed its concern that

> "pockets of deprivation in towns and cities outside the 20 per cent. most deprived wards are not benefiting sufficiently from expanded child care provision."

I am sure that it is right to express that concern. Tomorrow, I shall open a Pre-School Learning Alliance neighbourhood nursery in a very deprived ward in my constituency. I am privileged and delighted to do so. It will give children a chance to learn through play, on which the alliance puts great value. Also, it will provide a facility where parents can get to know each other and drop in for advice and social opportunities. That is hugely important, as it provides the network to which the hon. Member for Leeds, West referred.

The ward about which I am speaking suffers from severe economic and social need. The new neighbourhood nursery will provide a safe, warm place where parents can meet, and where children—from six weeks to school age—can be cared for. It is an ambitious new programme.

The Pre-School Learning Alliance is seeking to involve parents very much in the care of their children. It is running a campaign called "Changing Lives, Changing Life". The alliance has stated:

> "The Campaign is seeking, via its Charter for Parents and the Early Years, to obtain a childcare or nursery place for every child that needs one. The Campaign is also calling for the involvement and full consultation of parents in their child's early education; continuation of care for children; and a commitment to ensure a better deal for the voluntary sector as a major contributor to universal childcare."

Two expressions in that quotation are worth picking out—

> "every child that needs one"

and "voluntary". It is really important that we fully embrace the voluntary sector in the provision of child care. We want diversity of choice, and that means having a wide range of different facilities on offer. The voluntary sector has a big contribution to make. I hope that we do not over-professionalise the sector, and allow local education authorities, in particular, to take over too much responsibility. Voluntary organisations such as the Pre-School Learning Alliance have a huge role to play.

My other point refers to the phrase

"every child that needs one".

Not every child needs child care. Neither women nor men should be defined by their working existence. Sometimes, I get a sense that the Government think that full-time mothers are bad and not to be encouraged. I am sure that that is not what they mean, but that is the sense that one gets from the Chancellor's pronouncements on the matter. Strangely, however, the impression is that the Government consider that working mothers who look after other people's children are good.

That worries me. Parents should be free to decide, on the basis of well-informed choice, how to raise their children, but that is not the impression that I get. I get a sense of compelling urgency on the Government's part to force every woman out to work. I do not share that agenda. The amendments that were tabled to the report—all of them sadly rejected—reflect some of those concerns. I recommend that people read the amendments, as well as the report itself.

The 2001 Rowntree report found evidence that children of full-time working mothers do less well academically. That is a difficult and worrying finding, but it has to be taken into account. We must not sweep what is a rather awkward thought under the carpet.

The hon. Member for Leeds, West seemed to celebrate the world of work, and I agree that work can be very fulfilling. However, the House should celebrate those mothers—and fathers—who choose to make a full-time commitment to their children.

For many children, though, child care is not only inevitable but the best option. It is crucial that children have access to the appropriate level of care. Children need to learn to learn. They also need to learn to respect others, such as their teachers and peers, and to communicate. Those skills can be learned in appropriate child care, before children go to school. I welcome the great success of many nurseries and pre-school experiences in my constituency.

My hon. Friend the Member for South-West Bedfordshire (Andrew Selous) highlighted the problem of the decline in the number of child minders. That is a matter of great concern. Child minders provide very valuable and useful experience, but their numbers have fallen by about 20,000 over the past three years. Like my hon. Friend, I suspect that it is the red tape and bureaucracy with which they are confronted that has led to that decline. However, I do not think that we should be complacent about that. We need to find ways to boost the numbers of child minders; we must not force everyone into nurseries or formal institutions. A home is often the best place to care for a child.

I worry very much that we are moving towards a cult of the professional in child care. Amateurs and natural parents are being squeezed out of the process. It is right that alarm bells should be sounded. There is room for diversity in this sector, as opposed to uniformity of state provision of nursery facilities.

In addition, I sometimes think that we get wrong the balance of risks in relation to child care. It is true that there have been instances in which children have been abused or have suffered, but how many more children are suffering from the decline in child minder numbers? The work of the Criminal Records Bureau has posed many challenges to voluntary organisations in my constituency. Resolving the small problems that they encounter has imposed huge costs and burdens on them.

I return to my basic theme, which is that there are three crucial propositions that we need to think about: choice for the parent, opportunity for the children, and play.

3.4 pm

Sandra Gidley (Romsey): I welcome the opportunity to debate this subject. My only regret is that the Chamber is not fuller today, as I think that the Select Committee has chosen a very important subject.

As someone who has had to wrestle with the problems of securing child care when I wanted to return to work—part-time at first, then full-time—I am all too aware of the hurdles that can be encountered. However, I want to say right at the outset that this is not an easy problem to solve, as no single solution will fit all working women's lives. Although I do not feel quite as strongly about this matter as the previous speaker, the hon. Member for Mid-Worcestershire (Mr. Luff), I also wonder whether the Government are just a little too keen to encourage women to work.

Not so long ago, child care was incredibly difficult to come by, and it was difficult for women to work outside the home. However, I think that we are now in danger of allowing the pendulum to swing too far in the other direction. We must not make women feel guilty if they make a positive decision to stay at home and raise their children. Many women choose to make that very positive contribution to society, and we belittle it at our peril.

I hesitate to disagree with my hon. Friend the Member for Roxburgh and Berwickshire (Sir Archy Kirkwood), but he welcomed the target of having 70 per cent. of lone parents in work by 2010, which I have some reservations about. The target appears to take no consideration of whether those parents want to be in work. It sends the damaging signal that only paid work is important. Choice does not appear to enter the equation.

We have heard some statistics about women who want to go back to work, but a couple of recent surveys are worth noting. The first was compiled in May 2002 by the magazine *Pregnancy and Birth*. It found that 75 per cent. of mothers-to-be would not return to employment if finances allowed. In October 2002, the national birth and motherhood survey found that 85 per cent. of women would choose to be stay-at-home mothers.

I suspect that the difference between the figures arises from the fact that some relate to new mothers, who very much want to be with their babies. They may feel almost forced back into the workplace by financial considerations. As families get older, women feel more able to return to the workplace.

However, I have already fallen into the first elephant trap in this debate, as I keep referring to "parents" as "women". To get real for a moment, it may be politically correct to refer to "parents", but the reality is that it is predominantly the women who take over responsibility

[Sandra Gidley]

for arranging child care. There are many exceptions to that, and once the arrangements are in place, couples very often work as a team and co-ordinate child care arrangements. Therefore, it is right that we should regard child care as the responsibility of a couple. Although for many of us females it may go slightly against the grain to be lumped in with a spouse for taxation purposes, I suggest that there are great advantages in treating the family as a unit when it comes to children.

The most obvious reason for that is the simple fact that child care is hard to come by, especially work-based child care. We should not assume that the child will be placed in a nursery at the mother's workplace. The reality may be that there is no provision there, while there may be at the father's place of work. However, the most likely scenario is that neither workplace will have a nursery, as only 5 per cent. of employers offer such facilities. Child care is especially difficult to find for people who live in rural areas. It may be that a work-based option is the most convenient solution, but it simply is not available.

In many rural areas, the planning system actively blocks new provision. There are often very strong countryside policies on change of use. Also, neighbours in more urban areas will vehemently oppose the provision of nurseries. Those are matters to which the Office of the Deputy Prime Minister should pay greater attention.

The Minister for Women has stated previously that child care provision in the workplace is not the favoured option. However, we need a variety of provision, as for some people the workplace option is the best.

When I first started work, it was very difficult to find a nursery that was open outside the hours of 9 am to 5.30 pm, and it was impossible to find nannies willing to work a part-time week, so I had to use a child minder. She was absolutely great, and it is worrying that the number of child minders should be falling.

Making and rearranging such arrangements is always a nightmare. A whole new set of problems emerges when children start school, as different arrangements have to be made for term time and the holidays. It was then that I nearly gave up work completely, as the whole thing had become a logistical nightmare. I thought that I was alone in that, but I was struck by the Department for Work and Pensions report that found that

> "in the majority of two parent families one or both parents frequently worked before 8.30 am, after 5.30 pm or at weekends. Just over half of employed lone parents also fell into this category. The issue of the school holidays is also a thorny issue for working parents who may also be juggling several sources of childcare."

Things are a little better now, with nurseries being available for longer hours, but much child care provision does not reflect working lives. Many people have to rely on a combination of formal and informal child care.

I mentioned the fall in the number of child minders, which may be a feature of regulation, but we should not forget that many of the women who used to be child minders were probably professional women in their own right who did not seek to go back to work 10, 15 or 20 years ago, because it was not as acceptable. Those women have now returned to work and diminished the pool of women who are willing to become child minders.

When people find child care provision, it has to be affordable. Too many women carry on working only to find that practically all their wages are eaten up in child care costs. The Daycare Trust has shown that for a child under two the typical cost of a nursery place is now £128 a week, or £118 for a child minder. More worryingly, the trust has also highlighted the fact that British parents pay three quarters of the cost of child care, compared with 30 per cent. for parents in most other European countries. We need a fairy godmother, and I thought that one had arrived yesterday in the unlikely shape of the Chancellor of the Exchequer. I do not know whether the number of Labour women Members have had an effect or the motivation was pure self-interest, but the pre-Budget report contained a very welcome announcement.

However, the picture is not entirely clear and I seek some clarification. The Chancellor said:

> "I can announce as a first step that for every employee, whatever their income level, employers will be able—as long as the offer is made to every employee—to provide free of both employee national insurance and income tax and free of employer national insurance £50 a week for approved childcare.
>
> I can also announce that we will respond to two other long-standing concerns: help with child care costs will now be available when approved child care is provided in the child's own home, and, after consultation, we will widen the definition and therefore the number of approved child carers for whom the £50 a week or tax credits can be offered."—[*Official Report*, 10 December 2003; Vol. 415, c. 1069.]

That sounds like good news, and I congratulate the Chancellor, but there is a tiny cloud hanging over those proposals in the form of the word "approved".

I am in favour of a certain amount of regulation in the child care industry, but the House needs a definition of the word "approved". It is important to know whether some child care arrangements will instantly fall into that category or whether some bureaucratic assault course will have to be tackled prior to the doling out of the £50 per week. Will existing child minders be covered? Nannies are currently not registered, so will they be covered? How will more informal family arrangements be covered, if at all? It is also not clear whether the £50 is an amount from existing wages that will effectively become tax-free or whether employers will have to effectively make a top-up offer to all employees that will mean that employees with children are £50 a week better off. Neither is it clear whether there is an age cut-off. Child minding costs do not stop when children go to school, but child care for the under-fives is more expensive. Support may be needed for over-fives and during school holidays, and perhaps we will receive further enlightenment when the Minister winds up.

I welcome the Government's ambition to create more child care places, but the demand for provision continues to outstrip supply. The study for the Department for Education and Skills, carried out by Woodland, showed that a quarter of all families—some 1.3 million—had reported not being able to find a child care place when they needed it. That was a particular problem for lone parents

One of the adverse effects of that problem is that an increasing number of families are turning to the au pair sector for help with child care. That sector was completely ignored by the report, much to my surprise. Strictly speaking, the au pair scheme is aimed at young people, male or female, who are single and aged between 17 and 27. They can stay for a maximum of two years and should expect to help in the home for five hours a day with at least two full days off a week. That is in return for a reasonable allowance—the suggested amount is £45—and their own room. However, the term "au pair plus" is now often used and that sets out a different range of working conditions for the au pair, which merge with those of a mother's help. The allowance for an au pair plus is expected to be in the range of £65, but the individual is likely to have full-time care of the children throughout the day in addition to other duties.

Currently, beyond visa requirements, no regulations govern the checks and training requirements for a potential au pair who will have child care responsibilities. The au pair does not even have to sign a contract because the arrangement is an informal one. The au pair is supposed to be treated as a family member and not an employee, which is increasingly not the case. Of course, there are no police checks either.

The au pair industry in the UK is virtually unregulated, despite the fact that families increasingly rely on that child care option. There has been an increase in the number of rogue agencies that exist simply to cash in on the system. In most cases, the agencies are not members of any professional body, have little or no knowledge of the rules that govern the industry and demonstrate no interest in the au pair when they arrive in this country. Often, there is no further contact.

I contend that a disaster is waiting to happen, and the challenge that faces us is to ensure that the host family, the au pair and the agency are protected by mechanisms that prevent unmet expectations and demands and minimise the likelihood, for both the au pair and the family, of any potentially damaging situations. The Home Office is strict about which countries participate in the scheme but, alarmingly, Britain refused to sign a European agreement on au pairs placements that was drawn up in 1979. So the current situation remains and unknown young people can arrive in a family home, without police checks, relevant child care training or knowledge of legislation governing care of children and be given sole responsibility of care for young children while parents work.

Perhaps we should consider the example of the United States, which developed an au pair programme under the control of the US Information Agency. Unlike the system here, their system allows young men and women, with child care experience and who are proficient in English, to stay and work with an American family for a year. The system is not cheap but it is regulated. In the US, an au pair can work for up to 45 hours a week, with no more than 10 hours in any one day, and they must take accredited educational classes and also attend monthly meetings with a co-ordinator so that any problems can be ironed out. The au pairs are not allowed to take care of children under the age of two unless they have 200 hours of documented infant experience, and must not take care of a child under the age of three months unless a parent or other responsible adult is present. Before being allowed to enter the family home, au pairs must also receive at least eight hours of child safety instruction and 24 hours of child development instruction. Sadly, it took a high-profile tragedy before the Americans decided on that system and we must ensure that it will not take a similar event to prompt action in the UK.

The report contains some excellent recommendations. I endorse the recommendations on flexibility of early years education places, expanding out-of-school care and tackling the huge regional variations in provision, which are a real problem. I especially welcome recommendation 7, that sub-ward data be analysed to target pockets of deprivation within wards. I represent an affluent and leafy area, but it contains pockets that, if they were part of a larger similar area, would qualify for all sorts of benefits. Those areas are deprived of those benefits because they are not part of a Sure Start area or any sort of action zone, and it is time that we started to tackle those problems.

Much has been said about the benefit to families and the workplace, but we must not lose sight of the most important question—whether children are benefiting from the system. We must increase the number of places, but not through a low-cost option, provided by women in low-paid jobs. It cannot be done on the cheap. It must be properly funded and properly respected..

3.19 pm

Mr. Paul Goodman (Wycombe): I signed the report that we are debating wearing my hat as a member of the Select Committee. If I may wear that hat for a moment longer, I congratulate the Chairman of the Committee, the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood), on his skilled chairmanship. Like him, I found the subject more and more intriguing as the Committee proceedings continued.

I speak today from the Front Bench, wearing another hat. I am sure that all hon. Members will agree that this has been a good debate and I want to pick up some points. I congratulate the Under-Secretary of State for Work and Pensions, the hon. Member for Gravesham (Mr. Pond), who has recently taken over some new ministerial responsibilities for child care. As the Chairman of the Select Committee said, the Minister, as a former member of the Select Committee, knows the territory well and I am sure that he will find child care as challenging and enthralling as we all did when we undertook our inquiry.

I am sure that the Minister agrees that, as the report emphasised, decisions about child care are deeply emotionally charged for any working parent of young children. The hon. Member for Regent's Park and Kensington, North (Ms Buck) was keen to emphasise that point in her strong contribution to the compilation of the report. There are few more emotionally charged decisions for any parent—especially perhaps for lone mothers, who are, by definition, without a partner—than the decision to trust their child to someone else, particularly a stranger or strangers. That emotional charge is intensified by the pressure of modern life on the work-life balance of women and families. In that

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context. I shall quote the evidence of a nurse, which the GMB quoted to the Committee. The nurse said:

> "Child care is a hideous stressful nightmare. My daughter is exhausted as she is up at 5.30 some days. She is woken early (I have no transport), walked to a childminder which takes half an hour. She's been up for 3 hours before she's at school. Some days it is awful, it really is."

I cite that evidence to remind the House, if it needed reminding, of the stressful nature of the decisions that parents have to make about child care.

In a very fine speech, my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) picked up the key point: the degree to which parents love and care for their children and to which they have to make some difficult decisions. Those pressures on parents are exacerbated by the inevitable debate about the effects on the development of children of child care outside the home. In a very good speech, my hon. Friend the Member for South-West Bedfordshire (Andrew Selous) developed, as I expected him to do, some of the points that he made to the Select Committee. Those points were also made by other Members during the debate.

Members of the Committee will remember that there was some discussion about the degree to which our report should flag up the debate about the effects of formal child care on very young children. I have no intention of revisiting that discussion in depth today, not least because of the time constraints, but the report is extremely circumspect about those effects. It says of pre-school children that

> "there is strong evidence that pre-school provision . . . between 3 and 5 years results in higher educational attainment, both at primary school and long-term."

However, the report comes to no conclusion about the effects of formal child care on the development of children younger than three and the House may care to take note of that.

I must confess that I believe that the debate about the effects of child care on very young children, although important, may be beside the main point: given the emotionally charged nature of child care and despite the extremely complex ways in which it is provided, the key principle for working and non-working parents should surely be choice. The Select Committee report broadly reflects that view. Perhaps inevitably, the Committee found that there were different views about the choices that working parents want to make. Although working parents may sometimes disagree about the choices that they want, the House will agree that child care choice is what they want. That choice may be to stay at home when their children are very young—a point made by some of my hon. Friends. It may be informal care by relatives, friends or neighbours, more formal care, such as a child minder or high-quality formal care outside the home at a day nursery or children's centre. The key question raised by the report and the Government's response is whether the Government's child care strategy is firmly based on the principle of choice.

The official Opposition want to study with care the announcements made yesterday, because we have learned from experience that when spending announcements are made it is vital to study not just the big headlines but also the small print. For example, the Chancellor said that

> "over the next five years there will be 1,000 children's centres."—[*Official Report*, 10 December 2003; Vol. 415, c. 1069.]

When the Minister replies to the debate, will he confirm whether that figure represents an increase compared with the number that has already been announced? Will he also tell us what estimate, if any, has been made of the number of employers who will no longer provide child care vouchers as a result of the capping announced yesterday both of the present national insurance contribution exemption for vouchers and of the new tax exemption? He might also care to comment on the assessment made by Deloitte Touche:

> "The introduction of a NIC charge of amounts above the proposed limit . . . may not encourage employers to provide vouchers".

I shall comment later on some of the other announcements made yesterday, but first I pay tribute to the commitment of Ministers in general and the Chancellor in particular to child care. There can be no doubt of the Government's commitment—

Mr. George Osborne (Tatton) (Con): Steady on.

Mr. Goodman: I am sure that my hon. Friend agrees that it does politicians no good to be too adversarial, even if we necessarily have to be adversarial sometimes. He will also share my fear that despite yesterday's announcements, the evident good will of Ministers and the ever-rolling stream of initiatives and announcements, the answer to the question, "Do the Government have a coherent child care strategy based on choice?" is, sadly, "No". I shall explain why.

As the Select Committee's report makes clear, the Government's child care policy for working parents is inextricably linked to their anti-poverty strategy. There was some discussion in Committee about whether the anti-poverty strategy was the foundation of their policy. The Government have set themselves two main targets and the hon. Member for Romsey (Sandra Gidley), in a very good speech, picked up one: reducing the number of children in workless households by 2006. The second target is that 70 per cent. of lone parents should be in paid work by 2010.

Like the Chairman of the Select Committee, I was extremely impressed by the oral evidence that we heard from Professor Moss, on which I shall read out part of the Committee's conclusions. The report states:

> "Childcare should not just be about freeing parents so that they are able to work. In his view"—

that is, Professor Moss—

> "childcare is a public good which is the right of all children, regardless of whether their parents work or not."

That point was alluded to by other speakers in the debate. The report continued:

> "The questions raised by Professor Moss suggested that the Government may be placing too much emphasis on a labour market-driven strategy as the basis for childcare policy. His evidence opened up an alternative vision of childcare, based upon the choices made by parents and families themselves."

It seems that not only Government Back Benchers, but Front Benchers and indeed Cabinet Ministers agree. Let me cite the comments of one of them:

> "If I look back over the last six years I do think that we have given the impression that we think all mothers should be out to work, preferably full-time as soon as their children are a few months old . . . It's not our job to preach to people one way or the other, it's about providing choices."

Those are the words of no less a person than the Minister for Women, published in *The Daily Telegraph* under the lurid headline,

> "We've failed mothers who stay at home admits Hewitt".

The Opposition agree. However, as the hon. Member for Romsey acutely observed, it is hard for the Government to say that they want to provide choice for all parents while setting targets that would put 70 per cent. of a group of those parents in the labour market. There is certainly a tension, if not a contradiction, between those aims. That is why the report is critical of the main instrument of that labour market-driven strategy: the child care tax credit. It makes a series of suggestions for improving the credit, but it also says that the credit, though valuable to many parents,

> "poses complex and interlocking problems about take-up, eligibility, qualifying hours, the proportion of costs which should be covered, regional disparities and the funding of informal as well as formal care . . . The CCTC is certainly not consistent . . . with a childcare vision based on the choices made by parents and families themselves, since it is only available to some of them."

It concludes:

> "We therefore believe that in the longer term, the CCTC may have a less central role"

It is significant that most, although I grant not all, of yesterday's child care announcements will assist parents who work in the labour market only. A parent who does not work in the labour market will not be able, obviously, to take advantage of the new tax exemption for workplace nurseries announced yesterday. That point was picked up by the Chairman of the Committee and the hon. Member for Regent's Park and Kensington, North. Nor can it be claimed that this announcement was a response to the Select Committee recommending an enhanced role for employers—which is, in the words of the report, "small but useful". Moreover, a parent who does not work in the labour market would not, I think, be able to take advantage of any extension of the CCTC to cover informal carers—a possible consequence of the consultation announced yesterday to

> "streamline this process and widen home caring".

It cannot be claimed that this announcement was a response to the Select Committee recommending such an extension, because the report fairly bluntly said:

> "We do not believe that funding informal care through the CCTC is the best way forward".

The Government may want to take note of that. A lone parent who is not about to work in the labour market will not be able to take advantage of the help with child care costs for lone parents announced yesterday in the week before starting work.

The House may now begin to appreciate why the Government do not seem to have a clear and coherent strategy for child care based on parental choice. That lack of clarity, combined with the bewildering proliferation of funding streams and the administrative burdens that some providers report—my hon. Friend the Member for Mid-Worcestershire mentioned this in the context of playgroups, in his reference to the difference between quality and qualified staff—may help to explain why demand for child care continues to outstrip supply. The number of day nurseries is certainly up. But the number of child minders is, as the report puts it, "decreasing in number". In 1997, there were almost 100,000. By this year, that figure had fallen to almost 72,000 and the number of places in playgroups—my hon. Friend will have noticed this in his perusal of the report—has fallen from more than 350,000 in 1997 to roughly 300,000.

Ms Buck: On that point, perhaps the hon. Gentleman would like to comment on the fact that the principal driver for the closure of playgroups across Britain from 1996 onwards was the introduction of the nursery voucher.

Mr. Goodman: I am extremely concerned, in picking up the hon. Lady's point, to point to the administrative burden that my hon. Friend the Member for Mid-Worcestershire mentioned. As the hon. Lady raised the point, I note that it is a weakness of the Committee's report—I blame no one but myself, in retrospect—that it does not concentrate more on precisely those burdens, not all of which by any means came about before 1997.

On the proliferation of the funding streams, I want to quote Anne Longfield of Kids' Clubs Network, who complained to the Committee:

> "At the moment you have got crime prevention strategies running up against regeneration strategies running up against child care strategies and the like . . . locally, too, but frankly, there are so many different initiatives that it is a full-time job for people in partnerships to even know those things exist . . . never mind join them up."

If someone trying to make sense of the system stood back from what the report calls the funding jigsaw, he or she might also find a ministerial jigsaw, because there is, by my count: the Minister; the Minister for Children, who is in charge of the national child care strategy; the Minister for Women, who does not seem to have full confidence in the Government's strategy to date; the Minister for Social Exclusion; and a Minister for tax credits, as well as the Chancellor. All of them presumably have some claim to ownership of the Government's policy on child care for working parents. I will not inquire how often the Minister has bilateral meetings about child care with the Minister for Children, or how often they both have trilateral meetings with the Minister for Women, or how often they all meet with the Minister for Social Exclusion and the Minister for tax credits—

Mr. George Osborne: And the Chancellor.

Mr. Goodman: Not forgetting the Chancellor. I am not sure that we can have complete confidence that this is joined-up government. The key word here is mainstreaming. We need a child care strategy that mainstreams child care for working parents with child care for all, based on choice for all, as the Secretary of State for Trade and Industry has said. On the supply side, that involves combining services directly provided by the state or by the state in partnership with the private and voluntary sectors, such as children's centres and Sure Start, with reviewing the administrative

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burdens on playgroups and child minders. On the demand side, it involves a less central role for the CCTC and a more central role for benefits and tax credits that permit choice for parents, such as child benefit and the child tax credit.

I visited France and Denmark with the Select Committee on Work and Pensions last week, and I was struck, as every other member of the Committee will have been, by the thought that one reason why child poverty may be lower in France and Denmark is that families may be stronger there. That may be because for some 50 years those countries have put more money into families than we have. That is why the hon. Member for Leeds, West (Mr. Battle) was correct in saying that he wanted to consider all this in the context of child poverty.

In summary, the key word is choice. All parents—including, of course, working parents—must be allowed to make the child care choices that they want for their children, who are our future.

3.35 pm

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I congratulate the hon. Member for Roxburgh and Berwickshire (Sir Archy Kirkwood) on securing this debate on the Select Committee on Work and Pensions report, "Childcare for Working Parents". I thank him for the kind comments that he made in his opening remarks. It was an honour to serve as a member of the Committee under his chairmanship some years ago, and I am pleased to have the opportunity to respond to the report and the issues raised in the debate. This has been perhaps an unusually good and good-natured debate on an important subject, and the debate has done justice to an important report.

The Select Committee is right in emphasising the importance of child care to the Government's anti-poverty strategy. Ensuring that people of working age who want to work can do so is key to our meeting our targets of reducing child poverty by a quarter by 2004, reducing the number of children in workless households by 2006, and getting 70 per cent. of lone parents into paid work by 2010.

The hon. Members for Romsey (Sandra Gidley) and for Wycombe (Mr. Goodman) suggested that the 70 per cent. target for lone parents was established irrespective of whether lone parents wanted to work. The target is based on the aspirations of lone parents themselves, 70 per cent. of whom say that they would like to work if they had the opportunity and support to do so, as well as on the needs of the whole economy.

Andrew Selous: In the inquiry to which the Minister refers, was any reference made to what age children should be when lone parents would like to start work? That could make quite a big difference.

Mr. Pond: I thank the hon. Gentleman for that intervention because he makes an important point about choice to which I shall return because it runs throughout the contributions made by a number of hon. Members.

For the reasons that I have outlined, the Chancellor highlighted in presenting the pre-Budget report yesterday the Government's belief that

> "Nothing is more important to the future of our whole country than the best schooling, services and financial support, ensuring for every child the chance to develop their potential to the full."—[*Official Report*, 10 December 2003; Vol. 415, c. 1068.]

That is why he announced the package of measures to provide increased support for children and families to which many hon. Members have referred: the tax and national insurance incentives to employers to provide extra support with employees' child care—I confirm to the hon. Member for Romsey that that is available for all registered child care, including out-of-school child care—and the target of new child care places for 2.2 million children by 2006, as well as free child care for all those on the new deal for lone parents in the week before they start work and for those lone parents who undertake work-search activity in 12 pilot areas. Perhaps most importantly, the extra £3.50 a week for each of 7 million children through increased child tax credits is a major contribution to meeting our targets on child poverty.

The Government's commitment to do everything that we can to improve the quality and quantity of child care for working parents was underlined forcefully in the statements by my right hon. Friends the Chancellor and the Secretary of State for Work and Pensions yesterday, which was generously acknowledged by the hon. Member for Wycombe, who has spoken in two roles this afternoon. He has spoken from the Front Bench—if I have not already congratulated him on that position, I do so happily now—and as a member of the Select Committee. I noted from the body language of his colleagues on the Front Bench, many of whom have now left him, that the Opposition Whips may speak to him later about that generous acknowledgement of our commitment, and we trust that his shaky voice in his presentation was no indication of a previous attempt to stop him saying such things.

The Government considered the 21 recommendations in the Select Committee's report carefully, and responded to them on 12 September. I am pleased that the report acknowledged the substantial growth in child care provision since we introduced the national child care strategy in 1998, and that the report welcomed our commitment to further child care expansion even before yesterday's announcements. It is also encouraging that the Committee agreed that the Government were heading in the right direction with children's centres. Members have this afternoon welcomed the commitment to 1,000 children's centres by 2008 announced by the Chancellor yesterday, with the long-term aim of a children's centre in every community. I confirm to the hon. Member for Wycombe that that figure has not been announced previously—it is a new figure.

We readily accept, as many Members rightly pointed out, that we have not yet reached the position that we want: accessible, affordable, good-quality child care in every locality. We understand fully the Committee's desire, and that of Members who have contributed to this afternoon's debate, to see us go further and more quickly. Our response to the report sets out some of the steps that we are taking towards making a reality of our vision. It is worth spending a few moments reviewing how far we have come in the past five years.

By April next year, every three and four-year-old child will have access to a free part-time place in an early years setting, thanks to our investment of £2.6 billion a year in free universal nursery education. By 2004, we will have created new child care places for 1.6 million children. By 2006, that will have risen to 2.2 million children. When we came into government, there was one child care place for every nine children. Now we have one place for every five children. All but two of our 524 Sure Start local programmes are up and running, including, I am pleased to say, one in my community in Gravesham. I know from working with that programme the impact that it can have on children and families, in my constituency as around the country. That new Sure Start service is now touching the lives of 400,000 children under the age of four, and reaching about a third of the children under four living in poverty. By the end of this spending review period we will be investing around £1.5 billion a year in the services that we provide under the Sure Start umbrella.

From April 2004, we will also introduce an extended school child care pilot in Bradford and the London boroughs of Haringey and Lewisham. The pilot is designed to maximise the use of existing local child care vacancies to identify quickly any areas where child care supply does not meet demand, and to create new school-based child care where that is necessary. The object is to ensure that lack of appropriate child care is not a barrier to the return to work of those within workless households. That will entail close working in particular between local authorities and Jobcentre Plus, which will be facilitated by the recently introduced Jobcentre Plus child care partnership managers.

The Government have taken a number of steps to help working parents with their child care. My hon. Friend the Member for Regent's Park and Kensington, North (Ms Buck), who has long been an energetic campaigner on child care issues, reminded us that the costs of child care can be a barrier to work for lower and middle-income parents. That is why we have provided substantial financial help towards the costs of approved child care through tax credits. She will be pleased that yesterday the Chancellor announced extra help with child care costs for those parents receiving both housing benefit and working tax credit. She will also be pleased with the announcement made by my right hon. Friend the Secretary of State for Work and Pensions that acknowledged the additional costs that parents in London face for such things as child care and gave a commitment to try to address the issue.

More than 286,000 families receive help with child care costs through the working tax credit, and we are spending 90 per cent. more on child care through tax credits than before—almost £2 million a day. Since April, we have extended the tax credit to cover approved child care in the home, which is intended especially to help parents with child care needs who work unsocial hours or shifts and those with disabled children. The credit is now paid to the main carer. I can tell the hon. Member for Romsey that we are consulting on the proposed extension of such care early in 2004, and we would welcome her comments and those of other hon. Members on the appropriate form for that. Her point about au pairs is principally a matter for the Home Office, but I am sure that my colleagues in the Home Office are listening to the debate—[*Laughter.*] As, indeed, is much of the rest of the nation. I am sure that my colleagues in the Home Office will respond to the hon. Lady's point.

I must emphasise that working tax credit is a targeted work-incentive measure that is intended to help to make work pay for low and middle-income parents. The child care element is designed to help to remove the child care barrier that often prevents people from taking up, or returning to, work. It is not designed to be a universal child care subsidy for all families. However, some universal support is provided by means of free nursery education, and Government funding for child care places. In addition to the undoubted direct benefit to children of free nursery education, its provision has the effect of substantially reducing the cost of full-time day care for the parents of three and four-year-olds. Since August, young parents aged 16 to 19 have been able to receive free child care up to the value of £5,000 per child per year so that they may continue their education or take part in work-based learning through our care to learn scheme.

Since April, we have provided a network of child care partnership managers in Jobcentre Plus districts to help advisers to assist parents seeking work. We have introduced support child-minding pathfinders in six key inner-city areas where child care is most needed to enable unemployed people to work. The aim is to engage existing child minders to attract new people into the profession and help them to set up in business. Funding will be provided to all local authorities for similar schemes from next April.

The hon. Members for Wycombe and for South-West Bedfordshire (Andrew Selous) referred to the decline in the number of child minders, which shows the importance of the scheme. I reassure them that we have managed to stem that decline and I am advised that since last April the number has increased by 9,000, so we are going in the right direction. We need to ensure that we continue to encourage more people to enter child care as a professional and, hopefully, well rewarded form of employment. I take on board the point made by the hon. Member for Roxburgh and Berwickshire about the need to ensure that such people are properly rewarded. He might remember that when I was at the Low Pay Unit, it published a report entitled "Who Minds About the Minders?", which pointed out that child minders need to be properly rewarded.

As was announced in the 2003 Budget, pilots of child care taster sessions will be available in specific locations for up to one week to help people on the new deal for lone parents to find out whether formal child care suits their needs. I know that the Select Committee was especially anxious for that to happen, so I hope that it welcomes the fact that we are moving forward with the scheme. Our intention is to establish the feasibility of the mechanism of taster sessions and to get a qualitative sense of their impact on parents' movement into work. The pilots will operate in the six metropolitan areas of London, Birmingham, Glasgow, Leeds, Liverpool and Manchester until March 2006 and will start in the first areas by April next year.

[Mr. Pond]

We have also taken account of the needs of parents who are already in work through new laws that were introduced in April to provide them with more choice about how to balance child care with work. Those include the new duty on employers to consider seriously requests to work flexibly from parents of young and disabled children. The Government believe that there is more that employers can do to help people to balance their home and work responsibilities. Not only is that the right thing for employers to do; it also makes business sense, bringing benefits through improved recruitment and retention, staff morale and organisational performance.

We consulted earlier in the year on proposals to encourage more employers to help their staff with the cost of good, safe child care. Yesterday, as hon. Members know, the Chancellor announced proposals to widen the tax and national insurance contribution exemptions for employer-supported child care.

My hon. Friend the Member for Regent's Park and Kensington, North expressed her anxiety about whether we were doing enough about the supply of child care. She will acknowledge, I think, that we are doing a considerable amount, particularly on children's centres and on the support, which I mentioned, to encourage more people to enter the child-minding profession. We have also made a substantial investment in the creation of new child care places.

We provide start-up funding for a wide range of child care settings: day-care nurseries, child minders and out-of-school child care clubs. In areas of disadvantage, that support can extend to up to three years, acknowledging that businesses can take longer to establish themselves at viable levels in such areas. We also plan next year to introduce short-term sustainability funding to protect good child care in disadvantaged areas, where those child care businesses are experiencing temporary viability problems.

A number of hon. Members have spoken about quality. I have referred to our vision of having good, affordable child care in every area and community. We need to be clear about what we are trying to achieve for the quality of child care provision. We have introduced a new national framework of standards for child care for children under eight, which will be regulated by Ofsted, because we know that children's behaviour, socialisation and later life are crucially influenced by their early experiences. Those standards allow parents to work, train or study, confident that their children are in a safe and stimulating environment.

The hon. Member for South-West Bedfordshire expressed concern about quality. The Government are clear that we are not in the business of saying that child care needs to be just "good enough" so that the parent can work. We know from our research that it is the quality of the early years experience that makes the difference to the child's outcomes. We know from much American research that poor child care for parents in low-paid jobs can damage the child's outcomes. That means that although we want to expand child care provision as fast as possible, we will not sacrifice standards to numbers. It means investing in creating a strong and well-qualified work force that is rigorously inspected. We are committed to the concept of registration, which is important as a foundation not only for quality but for child safety.

The Select Committee welcomed the fact that we were targeting resources, which are inevitably limited, to achieve the greatest impact. We understand the point made by a number of hon. Members that they would like us to extend provision further, especially, as the hon. Member for Caernarfon (Hywel Williams) said, into rural areas. I point out to hon. Members, however, that there is considerable flexibility for local authorities to seek to extend provision in that way. We note the slight scepticism of the Select Committee and its Chairman about whether that goes far enough, and the child care review will consider that and a number of other issues.

The review will consider whether the long-term projection for child care and early years education is sufficient to meet the Government's aim for employment and educational attainment; whether the expansion is proceeding quickly enough; and whether there are areas where more remains to be done. The review will also look in detail at how we can ensure better integration between early years education and child care for pre-school children, because we know that, while working parents welcome the nursery education entitlement, they also need child care that wraps around it.

We also recognise that working parents need to know that their children are safe and cared for during non-school hours, so the review will look at child care provision both before and after normal school hours. We want to see more extended schools providing more services to their local communities. In conclusion, the child care review findings will inform the next spending review settlement for the Sure Start unit, as well as the allocation of resources for child care for the three years from 2005–06. I cannot, of course, anticipate the results, but it is fair to say that child care and children's issues generally are at the centre of the political agenda to an extent that would have seemed impossible 10 years ago. I can reassure the hon. Member for Wycombe that we have a structure in place to ensure that child care initiatives that emanate from different Departments are properly joined up. The child care review is led by a ministerial team representing my own Department—the Department for Work and Pensions—as well as the Department for Education and Skills, the Office of the Deputy Prime Minister, the Department of Trade and Industry, the Treasury and the Department of Health. The Sure Start unit, as Members will know, is jointly responsible to the Department for Work and Pensions and the Department for Education and Skills. The Minister with day-to-day responsibility for the work of the unit, Baroness Ashton of Upholland, is a Minister in both Departments. I am sure that she will be pleased to read about the well-deserved recognition of its work in the opening remarks of the Chairman of the Select Committee.

We have had a valuable debate, a theme of which has been the question of choice. The hon. Member for Roxburgh and Berwickshire made a point that was reiterated by the hon. Members for South-West Bedfordshire, for Mid-Worcestershire (Mr. Luff), for Romsey and for Wycombe: that choice for parents is an essential ingredient of child care. They should have choice about the type of child care that they use and the balance between work and family. They should have choice about whether their child is cared for in a voluntary, private or public setting. Some parents, especially those with very young children, may choose to care for them without using other forms of child care provision that are available. To provide that choice, we have given a great deal of extra support for families with children. The amount of support for the first child in child benefit and child tax credit has increased from £27 a week in 1997 to £58 following the Chancellor's announcements yesterday.

We want to give genuine choices to parents who want to work so that they have the opportunity to build on their achievements and fulfil their ambitions. As my hon. Friend the Member for Leeds, West (Mr. Battle) made clear, the issue is about not just social justice but economic prosperity. Investment in child care makes good sense—not only do we want to ensure that we give choices to parents and children that enhance children's life chances but we want to make sure that we build on the strong economic foundations that the Chancellor of the Exchequer outlined yesterday. I thank the Committee for its report and hon. Members for their contributions to a good and, indeed, good-natured debate, which I am sure will enhance our determination that parents continue to have choice and that we continue to build a nation based on social justice and economic prosperity.

Debate concluded, pursuant to Resolution [2 December].

Question deferred, pursuant to Standing Order No. 54(4) and (5) and Order [29 October 2002] until 6 pm.

ESTIMATES DAY

[1ST ALLOTED DAY, 2ND PART]

Department of Trade and Industry

People, Post Offices and Pensions

[Relevant documents: Eleventh Report from the Trade and Industry Committee, Session 2002–03, on People, Pensions and Post Offices, HC 718, and the Government's response thereto, HC 1102; and the Department for Trade and Industry Departmental Report 2003, Cm 5916.]

Motion made, and Question proposed,

That resources, not exceeding £2,101,186,000, be authorised, on account, for use during the year ending on 31st March 2005, and that a sum, not exceeding £3,749,956,000, be granted to Her Majesty out of the Consolidated Fund, on account, for the year ending on 31st March 2005, for expenditure by the Department of Trade and Industry.—*[Mr. Heppell.]*

[This Vote on Account is to be considered in so far as it relates to the modernisation of the post office network, with particular reference to the impact on post offices of the direct payment of pensions (Resolution of 2 December).]

Mr. Deputy Speaker (Sir Alan Haselhurst): Before I call the hon. Member for Ochil (Mr. O'Neill), may I say that a great many hon. Members are seeking to catch my eye in a limited time? The 10-minute rule does not apply to the hon. Gentleman whom I am about to call and Front Bench spokesmen. Hon. Members will understand what a difficult situation that creates, so I hope that they will be tolerant and sympathetic to their colleagues' needs.

3.58 pm

Mr. Martin O'Neill (Ochil) (Lab): I hope that I shall speak for less than 23 minutes, Mr. Deputy Speaker.

When preparing for our debate, I went through my files and discovered that the Trade and Industry Committee, which I have chaired for eight years, has been looking at this issue since the mid-1990s. On about seven occasions we have taken evidence and reports have been produced, and we shall doubtless revisit the issue in the coming weeks and months. Our 11th report for the Session 2002–03, HC 718, was published on 17 July and the response from the Secretary of State appeared on 23 September. That response identified our two main areas of concern. For the purposes of debate, it may be better to focus on the concerns that the Government identified rather than on those that we identified, but I am sure that other Members will seek to widen our discussion.

The Government identified two main areas of concern—the unnecessarily complicated procedure for opening a post office account, and the character of the customer information provided by the Department for Work and Pensions, which was considered insufficient for people who were applying for a card account.

I recognise that in some respects, therefore, the responsibility for answering these charges lies at the door of the Department for Work and Pensions, as much as with the Department of Trade and Industry. I entirely understand the reason for the absence abroad of my hon. Friend the Minister for Energy, E-Commerce and Postal Services, and I welcome the Under-Secretary

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of State for Trade and Industry, my hon. Friend the Member for Bradford, South (Mr. Sutcliffe), to the minefield that is this topic.

There is a degree of consensus about offering the option of direct payment of welfare benefits. It is technically possible to pay salaries and private pensions into people's bank accounts, so why not extend that to state pensions and a range of social security benefits? Since the proposal was first mooted in the past decade, the practice has become more common as more recipients have come to recognise the advantages of automatic teller machines and the like.

The Government have long felt that the cost of providing benefit books is excessive, and as theft, forgery and general fraud have increased, the need to counter them has become ever more expensive. It has been suggested that that represents a cost to the taxpayer of some £80 million. It should be stressed, however, that there is no ministerial statement, and no consensus, on how much will be saved by the introduction of swipe cards, direct payments and so on.

A sizeable number of people find it convenient to take their books to the post office and receive their benefit in cash over the counter. They include mothers who receive child benefit and who, although they may have a bank account of their own or have joint arrangements with their spouse or partner, may prefer to have access—for example, on a Saturday morning—to money that they have earmarked for specific purposes, such as children's clothing.

The late Barbara Castle, as the Minister introducing the measure in the 1970s, stressed that the nature of the payment was important, as it would go exclusively to the mum, and would be spent independently of the rest of the family income. As I know from experience in my constituency, there are still men who do not tell their wives how much they earn, and who have a bank account of their own and hand out the money with a teaspoon at irregular intervals. Child benefit is important because it gives young mothers financial independence.

There are others who just like going to the post office. It is an outing. Pensioners meet their friends and contemporaries there, and they can buy post office goods, such as stamps for their TV licence, and make utility payments.

Mr. Nigel Waterson (Eastbourne) (Con) *rose*—

Mr. O'Neill: I do not have much time, but I shall take the hon. Gentleman's intervention.

Mr. Waterson: Does the hon. Gentleman agree that it is a matter not just of wanting to go to the post office but of finding one that is still open? Five post offices have closed in my constituency. Does he agree that we should examine the consultation process involved in such closures, which in my experience has been wholly inadequate?

Mr. O'Neill: The hon. Gentleman may have the chance to catch the Deputy Speaker's eye. Such interventions are helpful, but their helpfulness is limited.

There is a more important group covering the entire range of benefit recipients, including pensioners and mothers, who are dependent on the post office as the source of their family or individual income. Anyone who passes a post office at 8.30 on a Monday morning will see those who need their benefits to buy the day's food, to heat their home, to pay their debt collectors or to get money to get to work. I have no problem with the Government's programmes to end child poverty, which we discussed in the previous debate, or to improve social inclusion. A number of people still live on the economic margins, however, and have no cushion of savings. Such people do not have money in an envelope behind the clock and do not have bank accounts or credit cards. For them, a hole in the wall is merely a hole in the wall, and they do not have access to ATMs and the like. I make that point because we contend that, for many people, the processes of securing alternative means of payment are at best daunting and at worst unhelpful. The agenda of the DWP-instructed call centre staff is unduly biased towards securing maximum take-up of direct payment.

Ms Joan Walley (Stoke-on-Trent, North) (Lab): Will my hon. Friend give way?

Mr. O'Neill: I am sorry, but I want to make progress.

Internal memos provided to me by the National Federation of Sub-Postmasters and the Communication Workers Union make it clear that the attitude is hardening. In respect of a Jobcentre Plus pay modernisation project, I have a document from a Mr. Alan Linton dated 7 October in which he states:

> "This letter is to inform you how we are aiming to issue robust and consistent messages on the importance of Direct Payment as due to commercial and political constraints, previous material issued has contained many 'soft' messages."

I do not think that one has to be a textual expert or some sort of Noam Chomsky to get the feeling that there has been a step change in attitude. The document in question was issued in October, after the Secretary of State had given us his response, and it was produced within the confines of the DWP. There is a change in attitude, and it serves to underline the malign motives of the DWP in this matter. Some issues repeatedly arise:

> "Paying by order book costs 30 times as much as paying into standard or basic bank accounts. Paying into a Post Office card account costs even more and was designed to meet the needs of those who cannot gain access to standard or basic accounts."

The last bit of information is:

> "Order books will start to be phased out from October 2004."

The tone of those instructions does not suggest that they are an attempt to instruct people about how to help the disadvantaged. That serves to underline the fact that, in the seven months or so since we took evidence, things have not become better but have got worse—a view that is reinforced by the sub-postmasters and postal workers themselves. The objective is not to give an informed choice so much as to direct people to use existing bank accounts where appropriate, to say that they should acquire Post Office cards through a complicated procedure, or, last and least, to seek to discourage refuseniks by saying "It's going to go through anyway, so you had better get your act together and sharpen up."

The Post Office card account is probably the best compromise, and I think that the DTI and Post Office Counters have sought to introduce it with reasonably good intentions. The DWP, however, has made applying for the account more difficult and complicated and has been able to load the choice system with active discouragement. Postwatch, the postal consumer watchdog, put it succinctly, saying that

> "the POCA application process requires the customer to retain and assimilate documents they receive at different stages in the process. Duration between receiving these different documents is often quite long. It can be confusing and is potentially off putting."

Postwatch makes several suggestions. People can apply to the Post Office, avoiding any contact with the call centre, or they can take the migration letter from the DWP agency and go to their post office with identification such as a benefit book, which seems as good a means of identification as any, after which the form would be completed at the post office and sent on by post. Another option is to issue the Post Office card account instead of a new order book, so that once the customer tells—I had better get the name right—the customer conversion centre that they want a card, it can be issued at a nominated post office. Alternatively, it would be possible simply to use the existing bureaucracy, so that once the customer receives the POCA information she has to give the relevant DWP agency her details, and the Post Office can inform the DWP agency of the account details. That would streamline the existing application process by removing one stage.

The DWP's response to those suggestions by the consumer watchdog for postal services has been somewhat slow, or tardy—the vulgar among us might suggest other expressions—but suffice to say that it was, simply, "Get lost." A proposal by the body that is charged with protecting consumers at post offices is dismissed because it would probably result in too many people taking it up and undermine the cost-effectiveness of the grand design.

Mr. Nick Hawkins (Surrey Heath) (Con): Will the hon. Gentleman give way?

Mr. O'Neill: I am sorry, but I am under time constraints. I do not want to be awkward, but I have a wee bit more to get through.

The statistics suggest that a lot of people are making applications—some get to the first stage and drop out, while others carry on. If the situation continues, the findings of Postwatch suggest that by the appropriate time next year several million people will be in considerable difficulty: without an exceptions arrangement, a card or a bank account, they will be left in a distressing limbo. The Minister must deal with that problem, because it is becoming more evident as time goes on.

I have to say, however, that progress has been made on exceptions. Some of those who cannot get to post offices, do not have accounts, or simply cannot cope will get something along the lines of the old giro cheque. We must give credit for the fact that there has been movement there, but I wish that there was more movement on the non-exceptionals—those who are doing it for other purposes.

We must recognise that many people are dependent on the post office network as a source of income and employment. A great deal of disquiet has been expressed about the programme of network reinvention and the medium to long-term protection of rural post offices. Other hon. Members will want to raise those issues: all I will say is that anecdotal evidence provided by Members on both sides of the House questions the approach taken by Post Office Counters—the pursuit of soft options involving voluntarism, whereby taxpayers' money is available for closure, rather than the more attractive option of a clearly defined programme of reorganisation where customer need is pre-eminent.

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. O'Neill: I am sorry, but I do not have time.

There is suspicion that several closures could be announced just before the forthcoming holiday period, thus reducing the time available for consultation, disquiet that insufficient consultation is being carried out with local authorities to ascertain further development, especially in areas of urban regeneration where social housing programmes are to be carried out on brownfield sites, and great worry about the future of Post Office Counters—the Crown post office network itself.

My colleagues on the Select Committee and I have stuck with this issue for the best part of a decade—through three Parliaments under Tory and Labour Governments, but the anxieties that we have repeatedly expressed have not all been addressed. There are better ways of paying benefits than using a book—that is not in dispute—but we have moved on from the days when social security benefit distribution could be regarded as a privilege for which the recipient is answerable to the terms laid down by a generous donor. In a modern welfare state run by what I would like to think is a modern, social democratic Government, the poor and disadvantaged—and, frankly, the cussed and determined—are entitled to have their views heard on how their benefits should be paid and how they can be advised on their rights. Sadly, on the issue of direct payment the Government are paying attention neither to the many nor the few.

4.14 pm

Mr. Patrick McLoughlin (West Derbyshire) (Con): I am grateful to the hon. Member for Ochil (Mr. O'Neill) for the way in which he introduced the debate. I say to hon. Members who have not yet been afflicted by the reinvention programme that "reinvention" would qualify as the most misused word from a Government to whose misuse of words we have become accustomed.

In my constituency, several post offices have closed in the past few years. Indeed, since 1997, those at Cubley, Longford, Roston, Flagg, Lea Bridge, Kniveton, Fenny Bentley, Clifton and Taddington have closed. Some closed because people wanted to retire and no one could be found to replace them. I accept that there will always be some post office closures. It was almost inevitable when nearly 20,000 post offices covered the United Kingdom.

However, I was shocked and horrified to receive a letter from the Post Office a few weeks ago to inform me that in Belper, which has five post offices, four are set to

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close. That is a reduction of some 80 per cent. in the service. Belper is a large town with a population that exceeds 20,000. Even the Post Office's consultation document describes the terrain as hilly. That is a good description; we are not considering a flat part of the United Kingdom. It is just to the south of the start of the Peak district.

The Chairman of the Select Committee on Trade and Industry commented on the brevity of the timetable for consultation and for people to make representations. That is felt strongly in Belper. The consultation period ends on 23 December. Most people would accept that other things are on people's minds in December.

Mr. Harry Barnes (North-East Derbyshire) (Lab): Has the hon. Gentleman experienced the specific problems with consultation that I shall describe? When he and his constituents make their objections, they receive a reply from the Post Office, 80 per cent. of which argues the general case for the closure programme. That happens in the middle of the consultation. When a post office's closure is confirmed, it is found that a document to that effect has been published months previously, even before the consultation. In a case in my constituency, the document was published in March but the decision was made on 28 September.

Mr. McLoughlin: I do not know the exact case to which the hon. Gentleman refers, but I say to the Under-Secretary that he must get a grip on the issue because it affects many constituents. He should note, from the attendance at the debate and the fact that the Speaker has had to impose a time limit on speeches, the growing anxiety in all parties.

The position is unacceptable. Earlier, the Leader of the House assured us that if people still want to collect benefits from post offices, they should be able to do that and obstacles should not be put in their way. It is all very well making that point from the Dispatch Box, but if, as is suggested in Belper, four out of five post offices close, the Government are forcing people not to take the option of going to the post office.

Mr. Hawkins: Will my hon. Friend give way?

Mr. McLoughlin: I would rather not because many hon. Members want to speak and I shall not take 10 minutes. I want to be short and specific.

The Government must reconsider the matter. Recommendation 20 of the Select Committee report states that is far too early to reach a view on the reinvention programme. I suggest that the Committee conduct an urgent review of it. When the reinvention programme—what a name—hits other constituencies, other hon. Members will experience the same anxiety about it as me.

Ms Walley: Does the hon. Gentleman agree that the urban reinvention programme is flawed because it does not provide the kind of safeguards that we need in deprived urban areas?

Mr. McLoughlin: The hon. Lady is absolutely right. I know that many people wish to participate in this debate, so I shall attempt by other means in the House to secure another debate, in which I can talk at greater length about the problems that I face in my constituency. I must warn the Minister that he will find himself answering a lot of Adjournment debates unless he changes this policy, because one thing that we are not seeing is reinvention. I see none at all; I see a closure programme. That is what it is, and the British people are now seeing that. They are not seeing a reinvention programme or a saving of the post office network; they are seeing its closure. I do not believe that that is what the Government intended, but that is what the Post Office is achieving for them. The Government need to be aware of the dangers that they face in this regard.

4.20 pm

Rachel Squire (Dunfermline, West) (Lab): I welcome the Select Committee report and the speech made by my hon. Friend the Member for Ochil (Mr. O'Neill). I would particularly like to express my opposition and that of many of my constituents to the closure of three sub-post offices in the Dunfermline area as part of the so-called reinvention and modernisation proposals. They are at Baldridgeburn, Townhill road and Netherton.

Dunfermline is a town with many hills, some of which are very steep. It is clear from a letter from Post Office Ltd. that, during its survey, its representatives failed to walk along those hills or to go along the routes that it was suggesting that people should take if those sub-post offices closed. Given the difficulty that I have in walking up those hills without pushing a wheelchair or a buggy or carrying heavy shopping, I dread to think what the impact will be on many of my constituents if the closures go ahead. To pick up on a point made by the hon. Member for West Derbyshire (Mr. McLoughlin), the Post Office's survey says in respect of the alternative post offices that it proposes people use in the event of the closures:

> "This office is on a hill.
>
> There is a continuous and steep hill.
>
> The route is hilly.
>
> There is a steep climb up the New Row."

While the sub-post office at Townhill road is itself on a hill, it is very well located to reduce the climb that people have to make to reach it.

I should also like to mention the timing of these proposals. I find it unacceptable that the consultation period includes both Christmas week and the week of the new year, when almost no community organisations meet and when many people have other things on their mind, especially their own families. I shall urge Post Office Ltd. to show that there is some meaning to its commitment to consult by extending the consultation period by at least two weeks.

Mr. Hawkins: The hon. Lady is clearly facing the same kind of issues that I face in my constituency. I am battling to save Mytchett post office. The alternative post office is situated beyond a bridge that floods regularly. The consultation period was so short that there was no time, following the recent heavy rain, to take photographs showing the flooding on the road under the bridge, which elderly people and mothers with children could not have got through. I got a letter yesterday, within a week of the consultation period finishing, saying that Mytchett post office was to close. It was quite apparent that the consultation had been a sham. Does the hon. Lady agree that in her constituency, as in mine, it is a sham?

Rachel Squire: I suppose I live with a glimmer of hope that it is not a sham, but I fear that the hon. Gentleman may be right.

I worry about just what pressure has been put on sub-postmasters and sub-postmistresses to agree to closures. There may have been at least the implied threat that if they did not co-operate, they might forfeit the compensation that was being offered.

Judging by what Post Office Ltd. says about the community role and urban regeneration, it takes little account of the fact that Dunfermline is one of the fastest-growing areas in the country—in Scotland, certainly—with hundreds of new homes and with existing businesses expanding or relocating. While it notes that Netherton sub-post office is near a large office development housing a work force of 600, it seems to consider that irrelevant.

Finally, let me echo what my hon. Friend the Member for Ochil said about pensions. Evidence from my constituents suggests that they were never really encouraged to open Post Office card accounts, as opposed to being pushed in the direction of bank accounts.

When debating a subject connected with a Select Committee report and under the overall heading of "Estimates", we should bear in mind not just the financial but the human costs of policies. I hope that, along with other Members, I shall be able to campaign effectively against proposals that demand such a heavy price from the communities that will be affected by them.

4.26 pm

Mr. Roger Gale (North Thanet) (Con): I want, briefly, to raise three issues. I want to return to the issue of card accounts, to say something about the way in which the Post Office defines the difference between rural and urban sub-post offices, and to discuss the way in which the Post Office measures distances between the old offices and those to which business will be transferred. I make no apology for being parochial, as the parochial examples illustrate the wider problem.

We all have evidence from the National Federation of Sub-Postmasters to suggest that while the Government say, "We will be even-handed, open and honest, and will promote all kinds of account", the Department for Work and Pensions is making it as difficult as possible for elderly people in particular to obtain Post Office card accounts. It is sending the message that that is not the best kind of account, and should not be encouraged. Postwatch resents its interference, as do the National Federation of Sub-Postmasters and individual sub-postmasters who, as private business people, are trying to promote what they regard as their product rather than anyone else's.

As it is so difficult to obtain a Post Office card account, many people are being driven away from post offices and into banks, as the Department wishes them to be. That is damaging the business of sub-post offices, and making it easier for the Post Office to say "These outlets are not viable, so we must close them". It is hardly surprising that, faced with such a situation, sub-postmasters are taking the money—a lot, in some cases—and running. They have no business left, and when they see a financial way out, they go for it. When we say to the Post Office "If you want to shut that outlet, there is another just down the road that is prepared to take on the business", the answer is "No. We are not looking for alternatives in the vicinity; we are looking for closure". That is what letters from the Post Office now say. Forget reinvention; that is out of the window. This is about closure and nothing else. It is a sham, and the Post Office card account is a charade. The Minister must take that on board, and do something about it.

Let me now deal with the definitions of rural and urban post offices. Let me cite Greenhill post office in Herne bay, in my constituency. Greenhill is a village in its own right. It is separated from the rest of Herne bay by a very major road, the same road that separates the oldest part of the area—the original village of Herne—from the rest of the town. The two communities are almost identical in terms of demographics. Each has a church, pubs, schools, shops and roughly the same population. Herne is regarded, quite properly, as rural; Greenhill, the Post Office says, is urban. I asked the Post Office to take a look at Greenhill, and it sent a senior manager. Greenhill post office has been shut. I wanted it to be reopened, and to be offered to another outlet that wanted it.

To give the Post Office its due, it confronted me face to face. It said, "We understand why you feel, and why the people of Greenhill feel, that this is a village community, but our book—the Ordnance Survey book—says that Greenhill is part of the town. So that's all right then: the post office stays shut." It is not all right: it is all wrong, bad and doctrinaire. I said to the Post Office, "Aren't you prepared to apply common sense?" The answer, in effect, was, "No, because if we do that in one case, we will open the floodgates." As a result, Members on both sides of this House would say, "Me too!" The Post Office knows that it cannot afford that. There is also the small matter of managers being paid bonuses for shutting post offices.

Another issue is distance. Studd hill, in my constituency, is another community that is almost a village in its own right. The distance to Sea street post office, the nearest suitable post office, is measured—miraculously—as just under a mile. That mile is post office to post office in a straight line: as the crow flies. The pensioners in my constituency do not travel by crow; they travel on foot. They will have to travel—as the hon. Member for Dunfermline, West (Rachel Squire) said of her constituency—literally up hill and down dale. The hills in question are very steep, and the real distance is well over a mile. It is quite dishonest of the Post Office to behave in this way—to pretend that the straightest route on a map between A and B is the relevant route.

The Ramsgate road post office—which is at the other end of my constituency, in Margate—serves a very large area on one side of a major road, on one side of the town. The distance measured to the main town post office is under a mile, but again the journey is up hill and down dale. What we are dealing with is not the real world in which our constituents live—the elderly,

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mothers with prams, people who actually want to get to a post office but a bureaucratic world that understands straight lines on a map, bonuses for closure, and reinvention, which actually means closure.

I finish with an aside. So cavalier is this process that I am told that, in the case of Margate's Ramsgate road post office, alternative methods of transport include a train and an underground. Although I have represented North Thanet for 20 years and would agree that I may have missed certain things, I have yet to travel on a Margate metro. This policy is nonsense. I ask the Minister, on behalf of all those whom we represent, to rethink this issue. I ask him to get the Department for Work and Pensions to rethink its own attitude, and to compel the Post Office to understand that we have to maintain a service that meets the needs of the elderly, the sick, young mothers and single parents—the most disadvantaged in our society. Those are the people in my constituency who are missing out as a result of this policy.

4.33 pm

Mr. Mark Todd (South Derbyshire) (Lab): I do not want to dwell for the most part on the closure programme. In my area, much of which is rural, some post offices—at Egginton and Walton-on-Trent, for example—have actually re-opened through the efforts of villagers. That is commendable, although I hold my breath in respect of how the urban programme may work in the small part of my constituency that is urban; however, I shall not comment on that now.

Although the Select Committee report is excellent, I want to begin by touching on a point that it missed; having done so, I shall discuss some of the points that it did touch on. It missed the fact that the Government are participating with the banks in the promotion of financial products that, admittedly, all of us in this Chamber have taken for granted throughout our lives. Nevertheless, those products are being promoted to people who—through choice or denial—have not had them before. They are often pensioners, and elderly ones at that.

I do not believe that the banks are entirely benevolent in this respect. It is clear that they see some business advantage in widening access to their products. I looked at the Select Committee's questioning of the Minister on the matter, and that showed that he believes that, too.

The products are basic, by and large, but they carry some risks. I asked the Department for Work and Pensions about the advice available to people to ensure that they knew about the products that they were buying into, and I was told that people with concerns should go to the citizens advice bureau. There is only one CAB office in my constituency, and getting there can involve a long journey. People seeking help have to queue for a long time to get it, despite the best endeavours of the people who work there.

The large-scale promotion of financial products to people who are unfamiliar with them carries some risks. We need to provide access to advice, so that people can know exactly what they are signing up to. That is especially important, given that some more advanced banking products are being promoted as part of the range of available options.

My next point has to do with the promotion of the Post Office card account. The promotion is not equivalent to that available for the banking options. One has to read the literature very carefully to understand that it is possible to continue to receive money through the post office. In addition, the timings are out of synchronisation. A constituent who wanted to make use of the Post Office card account was told that it was not available and that the choice was either to sign up to one of the options, or to stick with the existing arrangement. However, many people do not understand that it is possible to stick with the existing arrangement until the card account becomes available. The clear inequity there was not accidental but entirely preconceived.

The process is also woefully complex. I was startled when one of my sub-postmasters showed me the form that had to be filled in if one wanted even an absolutely basic financial product. It required a lot of effort, and that is wrong.

Mr. Paul Truswell (Pudsey) (Lab): The position is even worse than my hon. Friend describes. A constituent of mine had to fill in four application forms before receiving the card, and another, who completed all the procedures punctiliously, was then subjected to the usual catechism of hard sell about the alternatives.

Mr. Todd: My hon. Friend is right. That seems to be many people's experience.

The Select Committee report touches on another matter, although it does not bring out all the relevant aspects. The problem has to do with the collection by a nominated person of another person's pension. At the moment, people can obtain an extra card, which can be given to a trustee of some kind who can collect the benefit on their behalf.

The difficulty is that pension or benefits recipients cannot rely on only one person in those circumstances. For instance, the nominated person involved may not always be available to obtain the money when the recipient cannot do it personally. That is a real risk for any such arrangement.

I have already debated the development of an exceptions service in correspondence with the Under-Secretary of State for Work and Pensions, my hon. Friend the Member for Gravesham (Mr. Pond), who has left the Front-Bench firing line for a moment. My hon. Friend the Member for Ochil (Mr. O'Neill), the Chairman of the Select Committee, has given that service a hesitant commendation for the progress that has been made, but I think that the Government response on the matter has been poor. They have said that they did not want to design an exceptions service before seeing the whole system in operation, but that they would set something up based on that experience. Of course, I would expect some flexibility, based on experience, in any service, but I would not expect no design to be in place to deal with entirely predictable exceptions before the scheme was launched. That stems from an attempt to introduce the scheme without dealing with, as my hon. Friend put it, the cussed and those in genuine difficulty, of whom there are many. I am indebted to one of my constituents, Mrs. Smedley from Aston-on-Trent, who described the experience of someone who collects pensions on behalf of other people and the difficulties that might arise.

I also wish to comment on the change programme for the Post Office, and on that point I am indebted to Mrs. Mason, the sub-postmistress in Hilton. As an enterprising lady, she wishes to develop the service she provides further, but she was appalled by the standard of training offered to sub-postmasters and mistresses on the introduction of the programme. She wanted some training on how to offer the full range of financial services available through the alliances that the Post Office has with various banks, but that was not on offer in the training programme that her husband attended. That is appalling. If we are not training the key participants properly to take full advantage of the freedoms that will be available, we will be making a big mistake.

It is also unacceptable that sub-postmasters and mistresses are unable to take up the option of setting up a PayPoint in their post offices. It is obvious to most of us that paying bills through the post office has become harder and harder as organisations claim that it costs too much to accept that means of payment. PayPoint provides an alternative method, but the Post Office — by contract — says that no sub-post office may set one up. That restriction of business enterprise and opportunity is unacceptable. The Minister has many points to respond to, from my contribution and others, and I shall listen with interest when he winds up.

4.42 pm

Pete Wishart (North Tayside) (SNP): I congratulate the Select Committee on an excellent report. As for the Government's response to it, I have rarely read such self-congratulatory, irrelevant nonsense. Like other hon. Members, I have spent an inordinate amount of time in post offices in the past few months in pursuit of my save the pension book campaign. In the process, I have spoken to many people who use post offices regularly and several sub-postmasters who run them. I have not found overwhelming support for the plans, as the Government's response suggests, but overwhelming hostility.

People do not like the plans. They do not like the fact that the pension book will no longer be an option for pensioners. They do not like the fact that pensioners have been corralled into opening bank accounts at the expense of the Post Office card account, which is what is happening — regardless of what the response says. The most compelling evidence was given by Postwatch, which told the Committee that

> "it is appearing to be much more difficult to open a card account at the post office than to open a basic bank account. Consumers have to go through eight steps".

The Government's response contests the number of steps, but it concedes that customers have to go through three steps for a Post Office card account, as opposed to two steps for an ordinary bank account. That is a slight concession by the Government that it is more difficult to open a Post Office card account, and I hope that the Minister will confirm that when he winds up the debate.

Direct payment suits many people; it may suit most people; it may even suit the vast majority of people, but it does not suit everybody. Even those who now receive their pension through direct payment acknowledge that, and agree that those who do not want a bank account should still have the option of receiving their pension through their pension book.

Mr. Hawkins: In the hon. Gentleman's experience of this issue, has he come across pensioners who believe that they have been conned by the system? Pensioners using post offices such as Mytchett in my constituency have discovered that the minute that they fill in a form that gives their bank details, it is treated as a request to have their pension paid into a bank account, even though the form did not say that that would be the result. Pensioners are asked to give their details and, when they do so, it is treated as a request. It is then impossible to return to using the traditional system that they prefer. That procedure, and the way in which the leaflets are written, is dishonest and is another aspect of what is making pensioners in my constituency — and, doubtless, in his — very angry.

Pete Wishart: I am grateful to the hon. Gentleman for that intervention; he makes the point very well and I agree with him on that issue.

After the debate, I shall, on behalf of my constituents, be presenting a petition of thousands of names. The petition insists that the pension book remain an option and asks the Government to think again about their plans.

Many of the pensioners who signed the petition probably have their pension paid directly to their bank, but they believe that pensioners without a bank account and who do not want a bank account should be left with the option of receiving their pension through a pension book as they have always done. Many pensioners simply do not understand why they can no longer use their pension book. For them, if it ain't broke, why bother trying to fix it? Many pensioners have an attachment to their pension book that the Government have either failed to understand or have chosen wilfully to ignore. That attachment goes back to post-war times when the old age pension was introduced.

Of course the Government will call their plans modernisation. They are determined to foist that modernisation on the group in our society who are the most resistant to it. Pensioners want to be left alone; they do not want to be modernised — if they want to be anything-ised, it is to be traditionalised.

For many pensioners, collecting their pension at the post office in the normal way is a social activity, as the hon. Member for Ochil (Mr. O'Neill) mentioned. For many, it is an opportunity to meet friends and to organise social engagements, but it is more than that. The post office can act as an early warning system for some of the most frail and vulnerable members of our society. I have observed sub-postmasters acting in an almost pastoral way. They look out for their frail and vulnerable customers. If those pensioners fail to turn up at their usual time, the postmaster raises the alarm. A lot happens in the post office and it is central to much of the life of our communities.

I do not believe that the Government really know about the role that post offices play, especially in our rural communities where the post office is so often the

[Pete Wishart]

centre of community life. We are witnessing the erosion and degradation of community infrastructure in rural villages and settings, and that threatens the viability of the Post Office card account.

I represent the fifth-largest constituency in the United Kingdom, an area of small towns and villages with no obvious urban centre. We are witnessing the disappearance of banks and post offices throughout the constituency. In Scotland, most people bank with one of the three big banks—the Royal Bank of Scotland, the Bank of Scotland or the Clydesdale—none of which has an arrangement with the Post Office, so people in my constituency are denied access to the Post Office card account. That means that 90 per cent. of the people of Scotland will no longer have that option.

There are big problems in Scotland, not only in our rural areas but in our urban areas where there are also serious threats to post offices because of the Government's plans to have benefits paid directly into bank accounts. Sub-postmasters do not deserve that. I have spoken to many of them and find them a modest bunch. Sub-postmasters take their community responsibilities and social obligations very seriously. Most of them went into the business thinking it would be their own pension book—their little nest egg. However, the nest egg will not take care of their future; they have found a cuckoo in the nest and it is devouring their whole livelihood.

Postmasters are being encouraged to diversify and to take on "extras". Indeed, any hon. Member visiting a marginal post office in their constituency would hardly be able to move for greeting cards or ready-made meals, but if sub-postmasters lose their core trade from pensioners and benefit claimants they will lose that extra business, too.

Many post offices have been put up for sale recently. In my constituency, there are post offices that have been on the market for three years, and they can no longer be sold as a going concern. To buy a post office nowadays would be financial suicide.

Under the Government's plans, more closures are inevitable. This is no reinvention: we are witnessing a closure programme. I hope that the Government will think again about what they are doing and that perhaps they will put the interests of our post offices and those who operate them closer to the top of their agenda.

4.49 pm

Linda Perham (Ilford, North) (Lab): My starting point in this debate is that there is a threat to four of the 13 post offices in my constituency—plus one just along the road from my home, which was closed a few months ago, because of a dispute between the postmaster and the council over the lease, which means that five out of 13 may go. However, I am working with Postwatch to see what support there is for keeping those post offices open—Claybury Broadway, Great Gearies, Tring Close and Woodford Bridge.

On 29 November, I met large numbers of residents at each of those post offices—mainly elderly or disabled people or young parents, all concerned about the alternative facilities available. Some of these alternative branches are more than a mile from the closing post offices—this in Greater London, in a London borough with nearly a quarter of a million residents. One of the main alternative post offices, in Barkingside high street, already has queues stretching out of the door, so that is not really much of an alternative. Many residents have now signed petitions and flooded my office with responses and reasons why they want to retain their local branch.

Of course no one wants to see the loss of a community resource. I prefer to call local post offices "shops in a social setting", because that is what they have become. However, it is all too easy to blame the Government of the day for failing to prevent post office closures and in particular at present to point the finger at the introduction of the direct payment of benefits. The debate on the Committee report is therefore timely; as a member of the Committee, I have taken a great interest in this issue.

One conclusion of our report commended the assurances of Post Office Ltd. that it would make decisions about the future of individual post offices by reference to strategies for communities and areas, rather than in isolation; but I am not convinced that the programme of closures can be termed strategic if the postmasters or mistresses are volunteering to go, because it could lead to under-used post offices staying open while well sited, better-supported post offices are shut—such as Woodford Bridge in my constituency, which is in quite a large shopping parade.

The Committee voiced concern at the reduction in customer choice with the phasing out of order books, which my hon. Friend the Member for Ochil (Mr. O'Neill) mentioned. It questioned the savings expected for using the increase of direct payment to combat fraud. It questioned the failure to have in place "exceptions" procedures for blind or other disabled people, and—the point that my hon. Friend emphasised at the beginning of his remarks—criticised the accuracy of information on the options and the unnecessary complications involved in opening a Post Office card account.

A couple of days ago I received a letter from a constituent about the fact that he had filled in no fewer than six forms for such an account, only to be rejected by the Post Office. He wrote that

> "the post office say they can't fill in the form for me, despite my being poor sighted. I have today filled in yet another form and await the reply . . . Please can you help?"

Our report was very well received, especially by the Communication Workers Union and the National Federation of Sub-Postmasters. My constituent, Iain Stanford, the counters sectional secretary of the CWU in Romford, wrote to me on 21 November, saying that

> "the main conclusions and recommendations of the report have provided a strong platform to support and save our Post Offices".

However, both organisations expressed their disappointment in the Government's response to the report, published on 16 September, and both are critical of the DWP's approach on direct payments. The CWU claims that the DWP intends to move nine out of 10 new claimants to direct payment as quickly as possible. Indeed, in a written answer to the hon. Member for Vale of York (Miss McIntosh) on 8 December 2003, at column 321–22W, the Minister, my hon. Friend the Member for Gravesham (Chris Pond), said that the

DWP had published a public service agreement that by 2005, 85 per cent. of customers would have their benefits paid by direct payment.

There is no doubt that in recent years the Post Office, even though it is a monopoly, has managed to lose millions of pounds, including £194 million last year. It has had and is having considerable problems. There is equally no dispute that hundreds of post office branches have closed in each of the past 20 years, the worst so far being 1991–92, when 478 shut. Since DP was introduced in the early 1980s, increasing numbers of people are opting for it.

I should like hon. Members to take note of something that the Select Committee said in the summary at the beginning of the report:

> "The change in policy on benefits payment presents Post Office Ltd with a serious challenge as it tries to bring its business back into profit, but it cannot be seen as a root cause of the problems faced by the business. The trend away from the use of the post office network for benefit collection started a long time before the introduction of Direct Payment."

We as a country must face up to the consequences of changes in lifestyle and habits, which have led to those with the best transport options expressing their choice to range further afield to gain access to consumer goods and services, so that we make the best provision that we can for those with restricted transport availability.

I welcome the Government's assistance to the Post Office, including investment grants to improve post offices and other substantial financial support running into hundreds of millions of pounds, as the Prime Minister pointed out a couple of weeks ago. I strongly reinforce the Select Committee's recommendation that urges the Post Office to make progress on introducing new business activities and flexible working to open new possibilities to maintain a healthy local post office network. I note that when the Minister replied to the debate on post office closures in Wales on 9 December, he said the company had been slow to develop new income streams and offices had become over-dependent on making benefit payments.

As has been requested, the Select Committee promised to return to the impact of DP on the post office network's income and on individual sub-postmasters and mistresses, and to monitor the progress of the urban reinvention programme and the effect of Government support for rural post offices in the near future. On those extremely important matters, which have caused so much interest in the House and throughout the country, our constituents—certainly mine—would expect no less of us.

4.57 pm

Sir Robert Smith (West Aberdeenshire and Kincardine) (LD): This debate is welcome as we are trying to focus the Government's mind on some of the key issues that the Chairman of the Select Committee on Trade and Industry raised in opening the debate. This is about a fair choice for the customers. Forty-four rural post offices are left in my constituency, and I am pleased to say that I have been able to attend the reopening of some that had closed. I recognise how vital they are to many communities, but the people who want to use those post offices have grown up with different lifestyles, different ways of working and different ways of operating their money. It is arrogant of the Government to assume that they know best about how people should operate and that they must have bank accounts and run their weekly budgets using them. It is the Government's desire to force people down the road faster than they wish to move.

The move to direct payment was an option; it was part of the fair choice. No one can deny people the right to use their banks to manage their benefits, but if they wish to separate their savings in a bank account from their weekly cash budget by taking that through post offices, they should be entitled to do so as easily and simply as though they were doing so through a bank, and they should not have to go through hoops to open a Post Office card account. The submission from Postwatch suggests three ways to make that simpler, so the Government need to reconsider the current options and recognise that, even if they have written to people with an invitation to migrate to direct payment, that should be the only trigger that they need to go to the post office and start the process, as though they were opening a bank account. Why do people have to go through hoops if it is not to put barriers in their way? There is no explanation from the Government.

As the hon. Member for South Derbyshire (Mr. Todd) made clear, the Government need to recognise the danger of the kind of advice that they are giving to people, given the pace at which they want them to transfer their way of operating. If people move their weekly traditional cash budgeting even to a basic bank account they may be told that they cannot go overdrawn, but there is a great danger that they will lose control of their budgeting if they switch to systems that allow automated payments to come out of their accounts. If people are living on the basic minimum that the Government provide to protect them from poverty, the last thing that they want is a £30 letter from the bank saying that they are overdrawn.

Clearly, the Government are in danger of going too fast down that road and, by accelerating the process, they have accelerated the challenge for the Post Office. If they had allowed things to move at the pace at which customers were adapting naturally, the Post Office could have adapted its services to the way in which the market was moving. Because the Government have accelerated the pressure on our sub-post offices, the Department of Trade and Industry must now pick up the pieces at the other end of the scale and try to sort out the mess facing post offices to keep them open. The Government have promised people that they will still be able to collect their benefit at the post office, but that is a hollow promise if there is no post office from which to collect it. I hope that the Government, who promised on page 6 of their reply to send the Committee follow-up research on the cost-benefit analysis in October, will deliver that research eventually. It would be helpful to know when they plan to do so.

If the Government are so confident about the way in which they are handling this matter, they should also respond more positively to Postwatch's request to send out research material, the production and postage cost of which Postwatch will pay for. The Government's excuse for not allowing Postwatch direct access to consumers is data protection, but they could do more to work with Postwatch to facilitate its research, which

[Sir Robert Smith]

could reassure us and the wider public about how the system is being processed.

I repeat that the key is to operate a fair choice. The National Federation of Sub-Postmasters has pointed out that, in reality, there are eight steps to opening a Post Office card account. That is a long-drawn-out process, and the Government need to look at that again if their reassurance is genuine that people who are entitled to a Post Office card account, and who want one, should have an easy option.

The final point that the wider public need to understand from this debate and the information provided by the Government is that if they want to stick with their pension book, for the moment, they can do so, and they are entitled to do so. They are entitled to say, "Don't rush me, I want to carry on using my pension book." We need to reassure people that the pension book is still there for the moment. I welcome the movements being made on the exceptions service, and reassurance is also necessary in that regard. Above all, a fair, level playing field is required—for those people who want to stick with their post office and the card account, opening a card account should be as easy as if it were a bank account.

5.2 pm

Mr. Brian Jenkins (Tamworth) (Lab): I am grateful for the opportunity to join this interesting debate. It is always a pleasure to follow the hon. Member for West Aberdeenshire and Kincardine (Sir Robert Smith). I welcome the opening comments of the Chairman of the Select Committee and was pleased that he restricted the area of debate this afternoon in so far as he did not want to talk about the past failures of the Post Office and its management.

There is no doubt that we all recognise that post offices have been suffering from falling business, with many more people using bank accounts. We recognised that, so we went out promoting the Post Office card account system, using the local media to try to attract as many people as possible to take it up. We promised them that they could go to their post office and draw out cash. We said that they did not have to draw it out all at once—they could draw it out on a daily basis if they wanted, which would leave them less open to the difficulties in our society, such as being mugged on their way back home.

Members can therefore imagine my surprise when last Thursday a pamphlet from the Post Office dropped on my desk that said that it was investigating the 24 post offices in the town of Tamworth, and that, by the time that it had finished, the investigation could lead to the closure of one or more branches. The one or more turned out to be nine out of the 24. But that is the not the best part of the Post Office plan. That plan is a very cunning plan—the only very cunning plan that I have seen to match it was Baldrick's in "Blackadder".

I doubt whether any Member can beat my record today—please try—because it is either the worst or the best option imaginable. Let us imagine a town of 77,000 people, which, around the periphery, has a river on one side and a bypass on the other, which forms a wedge. Within that wedge are nearly 20,000 people, and at present six sub-post offices. How many of those is the Post Office going to close? Surprise, surprise, it is going to close six. It will open one in a petrol station shop. The consultation document says that people will be able to get to the petrol station by public transport but, unfortunately, no buses go across there from one part of town because the bus routes go into the centre of town rather than around it—as happens in any town with a radial pattern.

Let us consider the situation for a disabled person with his account card who used to go to Hockley post office. He will trundle down there only to find it shut. He will think, "I know, I'll go to Wilnecote post office", so he will trundle down the road for nearly three quarters a mile to find it shut. He will think, "I know, I'll go to Belgrave post office", but he will go down the road to find it shut. He will think, "I'll go to Kettlebrook post office", only to find it shut. He would have to travel 2.5 miles into the centre of town to access a Post Office outlet.

The Post Office says that the alternative option is to use Dosthill post office, but there is no public transport between Hockley and Dosthill. Dosthill has got one thing: a big hill. People might be able to come down the hill but I am certain that a less able pensioner will be unable to walk up it. A person would have to be built like Arnold Schwarzenegger to get a pushchair up the hill—it is a difficult and hard route.

When I received the consultation document, I thought that I would telephone the Post Office because a report about it appeared in my local paper on the very morning I received it—my local paper had got the information before me. I asked it what it was playing at and why it had not told me about the plan upfront so that I could have made preparations and got my act together. I got a surprising answer: "Who are you?" I was told, "We don't even recognise MPs. We just treat them the same as everyone else. We talk to the press first." I was treated with total disdain by Post Office management.

When I think about the set-up with 20,000 people being served by one outlet, I start to ask myself questions. Has Postwatch been consulted on the document? It told me that when it asked to hold discussions and consultation, the Post Office said, "Go away. We're not interested." However, the documents that the Post Office sent out recommend that people get in touch with Postwatch, despite the fact that it will not hold local meetings with that body.

I now know that the sub-postmasters have taken the money. The generous handout that the Government have given has not been to maintain the post office system but to shut it down. I do not blame the sub-postmasters for taking the money because life is tough out there and if they have been read the riot act by the Post Office itself, they should probably cut and run. However, we have been offered no extra outlets, so how does the Secretary of State for Work and Pensions intend to get benefits to pensioners and others who have a right to receive them? Does he intend to send Securicor round with money every Thursday? How will he make arrangements for individuals to go to a post office?

People have to pay a bus fare to go to the post office, and if there are no buses they must pay for a taxi. Do we intend to reimburse those people for the cost of picking up their benefit? One can imagine a different situation. My town contains dozens of people who ride around on little electric buggies. Every Tuesday, they should collect together at a starting point in Hockley with policemen at the front and back of the group. They could then trundle down the town for 2.5 miles picking up new passengers as they went along while other buggies could continue to join what would become a modern wagon train. People would be able to get to the post office, pick up their cash and trundle all the way back.

Did the Office of the Deputy Prime Minister consider what would happen as a result of the proposal? If six outlets are shut, meaning that 20,000 people must use one post office that is not served by public transport, they will all have to drive there. Hundreds of extra car journeys will be generated in a town in which I am trying to encourage fewer car journeys. I am trying to encourage parents to walk their children to school by using school walking buses. The Post Office is undermining such activities.

David Taylor (North-West Leicestershire) (Lab/Co-op): A town that will be very familiar to my hon. Friend, Ashby-de-la-Zouch, about 12 miles east of Tamworth, may have a similar problem now that Westfield post office has closed. There is now just one post office serving a population of about 13,000, and the capacity of that post office was inadequate before Westfield was flagged up for closure. Is that similar to the position in Tamworth?

Mr. Jenkins: Very similar. My hon. Friend reinforces my point. The Post Office is not providing a service.

The Post Office has enjoyed a unique relationship with the Government. It delivered benefits through its network; it provided a service; and it enjoyed a monopoly position. It now sees itself as a business, not a service provider. Unfortunately, regulators have forced the Post Office to become more and more competitive. I have seen regulators operating in different service areas, and I would like to tell the Secretary of State and the Minister—I feel sorry for my hon. Friend; I realise that everyone has run away and left him to be the whipping boy—that we may now have a regulator who knows the price of everything and the value of nothing. Will the Minister assure the House that the golden shareholder does not hold that principle?

5.10 pm

Mr. Owen Paterson (North Shropshire) (Con): It is a great pleasure to follow the hon. Member for Tamworth (Mr. Jenkins), who described the difficulties of getting about his constituency. I have direct knowledge of mine because, with huge incompetence, I chose the hottest day of the year, 6 August, to drive 150 miles around it, visiting 28 post offices. I apologise to the four that I did not get to.

The consistent message that I got on that journey was striking. First, I would like to stress the clear link between the village post office and the village shop, and the way in which they hold the community together. Apart from providing postal products, almost every post office that I went to doubled as a supplier of fresh and frozen food and stationery and household goods, and many were off-licences. The two services are inextricably linked.

Colin Doyle, of Knockin post office, has worked seven days a week as a postmaster for 22 years. He said bluntly, "If the post office goes, the shop goes, and if the shop goes, the village goes." It is critical that the Government understand that post offices are the centre of village life; they have the village notice board, and everything revolves around them.

Last week, I went to see the Minister for Energy, E-Commerce and Postal Services, the hon. Member for East Ham (Mr. Timms). Perhaps it was after that meeting that he decided to go to an urgent meeting today and leave the wretched junior Minister to face the flak from all sides. I took Colin Doyle along to that meeting, but, sadly, other postmasters could not attend because of travel problems. I was pleased that the hon. Member for East Ham agreed that post offices are vital in rural areas, and he confirmed that it is the Government's intention to place a requirement on the Post Office to make "no avoidable closures".

We agreed on that, but the hon. Gentleman did not agree on the root problem, which is of the Government's making and which numerous hon. Members on both sides of the House have mentioned—that of brutally forcing customers to take their benefits direct. I was struck by the number of post offices that take a high proportion of their turnover from benefits payments. In my constituency the figures are as follows: Gobowen, 60 per cent.; Willow street, Oswestry, 75 per cent.; Treflach, 80 per cent.; Pant, 70 per cent.; West Felton, 60 per cent.; Baschurch, 50 per cent.; Wem, 75 per cent.; Prees, 50 per cent.; and Cheswardine, 40 per cent. Even one postmaster with only 30 per cent. of his turnover from benefits said:

> "We cannot afford to stay if we lose the benefits."

Nearly all those post offices have already lost child benefits, but time and again I was told that the Department for Work and Pensions has made it as difficult as possible to acquire a card. We have heard that numerous times this afternoon. That is despite the fact that, as one postmaster said

> "the majority of those taking cash do not want a change."

Another said:

> "The Benefits Agency is bullying people to change. The Government has not been fair."

Another said:

> "The Benefits Agency has been very difficult. The forms are designed not to help."

Yet another said:

> "The initial letters give a clear idea that customers must go direct. They are misleading. The bank section is deliberately put before the card section."

To give an idea of the anger that I encountered, I have one final quote from my tour:

> "The Government have no idea of what they are doing. They are totally clueless. They are destroying the infrastructure of country life. The procedure for applying for cards is deliberately hugely complex."

The National Federation of Sub-Postmasters has described 22 steps to acquire a card, yet the Government claim that there are only three. Last week, Mr. Doyle explained to the Energy Minister that people who struggle through the system and finally acquire a card do so with a huge amount of help from the local postmaster. Benefits represent £400 million of income

[Mr. Owen Paterson]

for post offices, which will close in ever increasing numbers if a substantial proportion of that income is removed.

Having created a hideous problem for themselves, the Government have put their hand in the taxpayer's pocket and promised £450 million to tide rural post offices over until banking services are in place. Last week, the Energy Minister stressed time and again that everyday banking should eventually replace benefits. I hope that he is right, because I want post offices to prosper. A senior analyst, however, dismissed the card as the

"amoeba of banking—the most basic form of banking life available in the UK."

That is not a great start. Three major banking groups—HSBC, Halifax and Bank of Scotland, and the Royal Bank of Scotland—do not offer access to their accounts through the post office network, and 80 per cent. of basic bank accounts are not accessible at post offices. As Mr. Doyle told the Energy Minister, banking would only be the "icing on the cake". I am afraid that I share my postmasters' scepticism about the chances of banking replacing benefits income.

The £450 million intended to tide rural post offices over until 2006 is vital, and I am grateful for the letter that the Energy Minister sent me, as promised, on 8 December, in which he outlined the totals available for Post Office Ltd. I should be grateful if the Under-Secretary of State for Trade and Industry, the hon. Member for Bradford, South (Mr. Sutcliffe) provided a follow-up letter that I could send to my postmasters telling them what steps they have to take and what hoops they have to jump through to get their hands on some of that money before 2006. Not one of the postmasters whom I have talked to knows anything about that money.

I am afraid that we are on the brink of a rural catastrophe. In the past two years, 80 per cent. of all closures have been in rural areas. The Government have got it badly wrong. The benefits changes are extraordinarily unpopular and penalise many of the oldest and most vulnerable people in isolated rural communities. The Government should suspend the current programme, redesign the forms and make it easier for my constituents to receive benefits through their local post offices as they have done for years, and as they wish to continue doing.

5.17 pm

Richard Burden (Birmingham, Northfield) (Lab): I, too, should like to make a few remarks about the consultation associated with the urban reinvention programme. In particular, I draw hon. Members' attention to early-day motion 236, which I tabled on that very issue.

We were assured by Post Office Ltd., both in the Select Committee and elsewhere, that the urban reinvention programme was not simply a closure programme. We were told that it was aimed at creating a sustainable urban post office network. Some post offices would close, but others would remain open and new business opportunities would be explored. The needs and circumstances of different areas would be taken into account. However, that was not what was happening on the ground. In my own area, the Shenley lane post office was slated for closure. It was having difficulties and the sub-postmistress wanted to get out. However, when the Post Office was looking at the area's needs and assessing the viability of that sub-post office, it either missed or did not take into account the fact that there was a multi-million pound regeneration programme for the community. I pay tribute to the Bournville Village trust, which is involved in that programme, and to Postwatch, local councillors, the local church and, most of all, the local community, for banding together and winning a reprieve for that post office.

I was pleased when I learned that Post Office Ltd. was adopting a new approach. We were told that instead of looking at post offices branch by branch, it would develop area plans at constituency level so that everybody would be aware of what was happening. A letter to MPs from Royal Mail dated 14 August said that

"this will bring greater certainty for everyone, should improve the consultation process, making it more meaningful for our customers and MPs, and will settle the future shape of our urban sub-post office network much more quickly".

That is all very well, but, reading on, I found that the only people whom the Post Office was going to consult about that plan were itself and sub-postmasters and mistresses. Only after the plan is drawn up will local communities, MPs and other people be consulted. Where in that is there any attempt to identify the opportunities, not just the threats, or to engage local communities? If I read that letter right, we will all, as hon. Members have said, simultaneously be trying to shut a number of stable doors after the horses have bolted.

I have been trying to get some straight answers from the Post Office, and it has taken a while. I did, however, get a straight answer from my hon. Friend the Minister for Energy, E-Commerce and Postal Services on 18 September when I put the matter to him. I was encouraged by his reply. He said that he agreed with me

"both about the benefits of the changed arrangements and about the importance of thorough and careful consultation throughout"—

I emphasise "throughout"—

"particularly involving local communities, on the plans for an area. I will certainly ensure that the points that he makes"—

that is a reference to me—

"are passed on to Post Office Ltd."—[*Official Report*, 18 September 2003; Vol. 410, c. 1060.]

I hope my hon. Friend did so.

This week I received a definitive response to my letter from Post Office Ltd., which says that it is not practical to consult people at the strategic stage, as that would take too long. However, Post Office Ltd. reassures me by stating that Postwatch is involved in drawing up the plans. Let me tell the House how Postwatch is involved: it is given two weeks to comment before publication, on condition that it does not tell anyone else about the plans. Postwatch must make its comments in confidence. We are told not to worry—Post Office Ltd. will take everything into account. That reassurance comes from the people who did not notice the regeneration programme at the Shenley lane post office.

We are told that there is a sophisticated modelling system for the needs and opportunities in an area. That is good news. The Select Committee was encouraged by that. One of the things our report requested was to allow us to see the sophisticated modelling system. The answer contained in the Government's response is no. We cannot see the sophisticated modelling procedure because it is commercially confidential, so we do not even know how the Post Office is going about its activities.

That is not good enough. If the urban reinvention programme is to command confidence, people need to have a say in it — not just a say in the closure of post offices, but a say in the strategy for those closure programmes. Consultation will not take longer, because the programmes are being prepared anyway. Consultation will take place as they go along. But if it does take a little longer and the plans are improved as a result of the expertise of local people, what is the Post Office scared of?

In conclusion, I again draw the attention of my hon. Friend to the assurance that I received in the Chamber from my hon. Friend the Minister for Energy, E-Commerce and Postal Services on 18 September and ask him to ensure that Post Office Ltd. abides by the assurances that he gave me about that consultation, and that it changes course and agrees to consult hon. Members and the local community on the strategy for the area plans, not just on their effects. If Post Office Ltd. fails to do that, we must draw a simple conclusion: the Post Office may be interested in stamps, but if this is the way it goes about its affairs, the only stamps it is interested in are rubber ones.

5.22 pm

Mr. Mark Francois (Rayleigh) (Con): I am pleased to have been called to contribute to this important debate. It is a pleasure to follow the hon. Member for Birmingham, Northfield (Richard Burden). We may not agree on much, but, curiously, this evening he and I are largely in agreement. I shall focus my remarks on the unfortunate effects of Government policy on the closure of post offices, particularly as it affects people in my constituency.

There are some 17,500 local post offices across the United Kingdom, 97 per cent. of which are operated by sub-postmasters, under contract to Post Office Ltd. Collectively, those offices comprise the largest retail network in the whole of Europe, receiving some 45 million visits a week. Despite that, the so-called urban post office reinvention programme is scheduled to close about one third of the current 9,000 offices designated as being in urban areas.

We have faced several closures in my constituency in recent years. For example, two years ago the Post Office announced the closure of the village post office in Rettendon, which was then part of the rural network. A few months ago, it went on to close the urban network post office at Eastwood road in the town of Rayleigh. Now two further urban network closures are proposed, at Golden Cross in Ashingdon and at Apex corner at Plumberow avenue in Hockley. The two latest proposed closures, particularly the last one, have led to considerable anxiety in my constituency, which I take the opportunity to highlight directly to the Minister this evening.

I am concerned about the way in which the Post Office has gone about announcing the programme of closures. The pattern appears to be one of trickling them out over a period of time, which only creates further uncertainty about what further closures, if any, may be in the pipeline. Frankly, it is also difficult for the associated consultation system to retain much credibility. A closure will often already have been agreed with the sub-postmaster in question before it is even announced to the general public, and, crucially, little emphasis is then placed on attempting to find a replacement. There is an understandable degree of cynicism and a perception that the Post Office is merely going through the motions in many instances when it initiates a consultation exercise on a proposed closure. Even the highly standardised consultation letters that are sent out to MPs tend to lend themselves to that conclusion.

Those are my criticisms of the way in which the process is being carried out, but I should like now to consider the two individual cases to which I have referred. The proposed closure at Golden Cross in Ashingdon worries me. The alternative office proposed in the consultation document is at Ashingdon road and is 0.8 miles away — only slightly less than the Post Office's recommended maximum distance for an alternative office, which is one mile. Ashingdon road itself, with which I do not expect the Minister is personally familiar, is very busy. That could be a hazard to pedestrians, and especially those such as women with young children, who will have to keep their children under close supervision if they are attempting to walk as much as a mile to use the proposed alternative office.

I am also very concerned about the proposed closure of the post office at Apex corner, Plumberow avenue, in Hockley. Again, the alternative post office, this time in the centre of Hockley, is cited as being 0.8 miles away from the office earmarked for closure. However, I reiterate a point that has been made by a number of hon. Members: that is the distance as measured on the map, but the ground in question is undulating, which means that the journey travelled is much nearer to the full mile in practice.

The Plumberow avenue office is located in an area that has a high proportion of senior citizens. A range of bungalows is situated nearby, and there are several local care homes. That happens to be an unfortunate coincidence in the context of the proposed closure. Most of those people will now have to walk to a busy main road, under a railway bridge and into the centre of Hockley to go to the post office. That could be a hazardous journey, especially in the wet, because of the nature of the ground, and especially for someone whose mobility is impaired, perhaps by their age. Moreover, the nearest bus stop to Apex corner is half a mile away. Even if people get to that bus stop, there is no direct bus link to the proposed alternative office in the centre of Hockley. For a range of reasons, the proposed closure is particularly unsuitable. If it goes ahead, it will cause considerable anxiety and inconvenience to my constituents, and not only senior citizens, although it will affect them in particular.

What has upset my constituents is the feeling that nobody is listening to them. They have been denied even a little conversation, let alone a big one. They believe that the matter is effectively a fait accompli and that a large organisation, which is ultimately owned by the Government and over which they have little or no influence, is taking decisions in its interests without

[Mr. Mark Francois]

regard for their interests. I seek sincerely to drive that point home to the Minister this evening.

I shall summarise, as I am conscious that other hon. Members wish to speak, and I want to facilitate that. It must be apparent to the Minister from this debate that we are not discussing a purely partisan issue. He has been in his bunker taking artillery fire from all parts of the House, and I think that some artillery fire is yet to come. I genuinely ask him to appreciate that there is serious concern in all quarters. The programme has obviously started to go seriously wrong, and this should be exactly the point at which Ministers, if they are listening, should step in to take a grip on the situation and try to do something to put it right.

I am responding to the consultation exercise, so I hope that my points will be taken seriously. Is there anything that the Minister can do, or any advice that he can offer, that would be of benefit to my constituents in Ashingdon and Hockley and to those of other hon. Members who are in the same boat?

The important social role that post offices play was stressed by many Members, from the Chairman of the Trade and Industry Committee downwards. For the sake of brevity, I do not intend to rehearse the argument, but it would be a great shame if the Minister did not take that particularly important point on board.

5.30 pm

Malcolm Bruce (Gordon) (LD): The Minister should be aware that destroying the post office network and the services that people rely on is unlikely to prove a vote winner, either in this House or outside it. Indeed, he has been under attack from all sides. He needs to recognise that our network of dedicated, but extremely demoralised sub-postmasters and sub-postmistresses, as well as millions of customers, are confused and angry about what is happening in their local post office, which they thought was there to provide a service to them and which is a Government agency in their own community that is behaving inconsistently and incomprehensibly.

On a personal basis, I may have been an early victim of urban reinvention in my constituency when a member of the Post Office's national management sidled up to me and said, "I have just written a letter to you to designate Inverurie as an urban area", to which I replied, "How is it up to the Post Office to decide whether it is an urban area?" He said, "We have decided that it is an urban area because we have to close one of the post offices." I asked, "What is the purpose of all this?" He replied, "To close the post office." The phrase "urban reinvention" had not been touted around at that stage, but I can assure the Minister that no reinvention took place: I simply have one fewer post office.

People are worried that these products were developed not to meet the needs of customers and claimants, but to buy off the anger and confusion that they feel about not being able to carry on using the products that they want. I entirely accept that the move towards bank transfer has been carrying on and will continue to carry on, and that the Post Office would have to respond to that. However, the reality is that many people knowingly rejected that option for the purpose of their benefit, even if they wanted to make other transactions through their banks, and others did not want it because they preferred, for good reasons, to do their business in cash. Not only is it difficult to get a card, but it is such a basic product that many people ask why they could not have kept using the book, because the only difference seems to be that the card is a plastic version, but one that involves a great deal of difficulty.

Mr. Alan Reid (Argyll and Bute) (LD): My hon. Friend makes an important point. I have received many phone calls from elderly people, some of whom are disabled or blind, and who are very frightened by the letters that they get from the DWP because they think that if they do not move to a bank, they will lose their pension. Their freedom of choice is vital, and the Government should make that clear.

Malcolm Bruce: That is right. It is particularly true in the case of elderly people who feel confused and uncertain about the future, but it even applies to people who collect child benefit, many of whom believed after the first round of letters that they had to transfer the payment to the bank, only to discover afterwards that that was not necessarily so. Moreover, they were not told—because sub-postmasters and sub-postmistresses were not allowed to intervene to explain it to them—that the probable consequence of their making that transfer was that the post office would close within the foreseeable future, particularly if it was in a rural area. Several people have told me that if they had appreciated that the consequences would be that severe, and that there was no real guarantee of a long-term future for those post offices, they would not have taken the decision that they did.

I turn to the consequences for the network. It has been stated that when the transfer programme is complete, it will result in a loss of about £435 million to £440 million a year in revenue to the Post Office, and that that gap has to be filled by people using the post office for bank transfers and bank transactions. I am not at all sure that the effect will be as major as the Post Office and the Government argue.

I make the next point not just because I represent a Scottish constituency, although that makes the position more acute. The Scottish banks' refusal to sign up is bad for the United Kingdom because they are UK banks and it diminishes the choice in every branch. However, in Scotland, it means that the option of using cash does not exist for the majority of customers because the banks on which they most depend have not been prepared to co-operate with the Post Office. Bank transactions and the new proposal for financial services, welcome as it may be, are unlikely even to approach making up sub-post offices' income deficit.

If there were a genuine programme of rural and urban reinvention, one would like to believe that one of its actions would be a review of the services that post offices can provide over and above benefit transactions. It is a constant source of frustration to many hon. Members, who are often asked why different branches cannot provide passport forms or issue vehicle excise duty licences. One is passed from pillar to post. First, one is told that one has to approach the appropriate vehicle licensing agency or the Passport and Records Agency. Those agencies say that they have contracted with the Post Office and it has told them that "x" number of branches deal with licences and passports but that they do not know which ones; they simply pay them. We thus get passed backwards and forwards. However, we cannot get a single review of a post office that states that there is willingness to extend the service.

Let me give a specific constituency example. Keith, a town of 4,000 people, has a post office that provides an excellent service and is run by the owner of another post office in a different part of the county that has a passport service. The person who runs the Keith post office is therefore fully trained and capable of providing a passport service. There are many demands for such a service in Keith. However, for the reasons that I have described, the sub-postmaster has been told that there is no possibility of that. The nearest post office with such a service is in Banff, 14 miles away. That is absurd and unrealistic. Reinvention should mean that if we change circumstances, we meet people's needs, give them the products that they want and recognise that they want services.

I should like the Under-Secretary to comment on the updated information from Postwatch about uptake and the gaps that appear. As of 14 November, the uptake of card accounts was 33.8 per cent. That constitutes just over half the people who were contacted. There may be 5 million or 6 million cardholders at the end of the process. However, in spite of all the frustrations, 2.5 million people have put up two fingers to the process and not responded. Perhaps that is wise, given the frustrations, and many more people should have done that.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): Let me emphasise that, so far, 1.5 million people have taken up card accounts and the business target was 3 million.

Malcolm Bruce: If people do not respond, how will the process conclude? What will happen if millions of people say, "I haven't talked to you about a card account or a transfer. I'm still a benefit claimant and I've still got a book." I presume that at some point, they will be told that their book is not valid. We could have a huge crisis, whereby millions of people suddenly need to take up card accounts or opt for banked transfers. How will that be tackled?

If the result is that those people, for whatever reason, do not wish to opt for a banked transfer or a card account, what is the solution? Millions currently say that they cannot or will not go for that. Let us consider those who cannot—those who are blind or confused, those who cannot use PINs and those who do not find a new system appropriate—as opposed to those who will not. The Chairman of the Select Committee suggested that people might get something like a giro at the end of the process. Could it be a book of giros? Will it resemble the book that people currently get? If, at the end of the long drawn-out process people get a benefit book to enable them to claim, millions of people, who wanted to keep the book in the first place, will be furious because they had been denied that right and forced to accept a second-best option.

What is happening is the exact opposite of what a public service from a public agency should achieve in recognising consumers' rights to deliver a service in a way that is appropriate to them. It has been echoed on all sides of this debate that nobody wants us to be where we are at the moment. There has been much valid criticism of the management of the Post Office, particularly on the closure issue, but on the issue of payments and of the survival of the post office network, the Post Office has been presented with a fait accompli by the Department for Work and Pensions and forced to come up with solutions, many of which are less than adequate to meet the needs of its customers.

5.40 pm

Michael Fabricant (Lichfield) (Con): There was considerable cross-party agreement in the debate on child care, and there seems to be agreement in this debate, too, on the question of choice. We debated choice in regard to child care, and we are now debating choice with regard to post offices. That involves choices about how benefits might be paid, and about which post office it is convenient to visit. As we have heard, those choices have been stripped away.

I should like to take this opportunity to congratulate the Trade and Industry Committee on its excellent report. The hon. Member for Ochil (Mr. O'Neill) said to me a few days ago that he suspected that I might agree with its conclusions, and he was right: I do agree with the conclusions of his very hard-working Select Committee. In the few minutes allotted to me, I want to talk about direct payment and the future of urban and rural post offices. Those issues have all been raised by hon. Members today, and they all affect people and pensioners.

The hon. Member for Ochil opened the debate, and quite rightly said that there had been no consensus or ministerial statement on how much would be saved by direct payment. Perhaps the Minister will take this opportunity to outline to us what is being saved by this rather unpopular measure. The hon. Member for Ochil also rightly said—as did other hon. Members; this has been echoed on both sides of the Chamber—that people like going to the post office, and that it was an outing for them, a part of village life. That should not be taken away from them.

My hon. Friend the Member for West Derbyshire (Mr. McLoughlin) spoke of the closure of four fifths of the post offices in Belper in his constituency, and pointed out quite rightly that the measure of one mile can be quite arbitrary. We hear time and again from our constituents—as we heard from my near-neighbour, the hon. Member for Tamworth (Mr. Jenkins) today—how one mile is an arbitrary figure, in that it might be measured as the crow flies, but people do not fly like crows. Indeed, they do not fly at all. If only they did, perhaps the Post Office's mysterious model might make sense. However, it does not, and it is of course a great secret as to what the model is, because the Post Office will not show it to us.

Mr. Andrew Turner (Isle of Wight) (Con): Will my hon. Friend give way?

Michael Fabricant: I will not give way, because I have only a short time to speak.

The hon. Member for Dunfermline, West (Rachel Squire) talked about how impractical it was that the consultation was being carried out over Christmas and

[Michael Fabricant]

the new year. My hon. Friend the Member for North Thanet (Mr. Gale) said that it was dishonest of the Post Office to maintain that the shortest route between two points was the distance that people actually had to travel, because that is not the case. The hon. Member for South Derbyshire (Mr. Todd) made some interesting points about the woefully complex process required to get a card account. He pointed out that a card account is a very basic financial product, so why does it require seven steps to obtain one, when it is far simpler to obtain more complex products from a bank?

I could go through the long list of other hon. Members who have spoken, including my hon. Friend the Member for North Shropshire (Mr. Paterson), who talked about the link between the village post office and the shop. He said that if the post office goes, the shop goes, and that if the shop goes, the village goes. He is absolutely right; the post office is an intrinsic part of village life and it needs to be protected.

The Trade and Industry Committee report on the impact of direct payment highlights the many concerns expressed by people who are in receipt of benefits. It referred to complicated bank accounts, complicated application forms for Post Office card accounts, and a lack of information on other ways to collect benefits. It also referred to closures in the post office network. The Government have justified the change to direct payment as necessary, maintaining that it is more modern, efficient and reliable. However, 83 per cent. of claimants who collect benefit from post offices already have bank accounts and 79 per cent. of them said they wanted to keep their benefits separate from those accounts. How can the Government say that by removing payment books they are increasing consumer choice? They are not. It appears to me, and to the Committee, that however modern direct payment is some customers simply do not want it. Their choice is being reduced rather than increased.

The performance and innovation unit supported the creation of a universal bank, and the National Federation of Sub-Postmasters has found little evidence that the claimants have an unmet need for a simple, trusted, secure means of gaining access to their benefit income. The Government have made it very difficult for a claimant to opt for a Post Office account, as we have already heard. Postwatch discovered that the DWP stopped the Post Office advertising the fact that cash would still be available after the introduction of direct payments. Again, how does that increase customer choice?

The hon. Member for Ochil cited much evidence provided by the National Federation of Sub-Postmasters. I have here a memorandum issued by Jobcentre Plus, which makes it clear that paying into a Post Office current account costs even more than paying into a bank account, and that the system

> "was designed to meet the needs of those who cannot gain access to standard or basic bank accounts".

Time and again, Jobcentre Plus tries to discourage people from opening Post Office accounts. That must be wrong.

Postwatch wanted to undertake a survey of public awareness of direct payment, but the Government objected, hiding behind customer confidentiality legislation. It is clear that they do not want to encourage any independent regulatory bodies. We have already seen the abolition of independent community health councils. We now have a Government quango for them, and if it were possible we would have one to control post offices.

If it were allowed to do so, Postwatch could regulate levels of awareness and produce a response free of any kind of party-political interference. Why are the Government so keen to obstruct that? Will the Minister tell us in his reply?

What of the difficult process of acquiring a Post Office card account? The Government say that they do not accept that it is a "particularly onerous process". The National Federation of Sub-Postmasters disagrees, along with—as we have heard today—many other bodies. There are seven steps involved in getting a card account running. Even the National Consumer Council thinks that far too much bureaucracy and complexity are involved in opening one.

Why should that be so? Could it be because the DWP originally anticipated that only 2 million card accounts would be needed? We now know that 5 million will eventually be needed. Where will the Government's much-heralded choice be then? Where will the money come from? Will it come from the prudent Chancellor? I think not. That is another question that the Minister must answer.

As we have heard, the Post Office is closing 3,000 of the 9,000 urban post offices. As we have heard, its decisions are arbitrary. Many people have described the closure programme as a complete sham. Let me give an example of that. The Post Office announced on 26 August that it proposed to close the City Way branch in Rochester, Kent: it was, it said, "considering closing this branch". When the branch was eventually closed, a leaflet entitled "Getting the most from the Post Office" was made available. It was dated March 2003, six or seven months before the sham consultation process had even begun.

What of rural post offices? They are supposed to be protected. There are some 9,000 of them, yet we do not know whether funds will be available after 2006 to protect them. I hope that the Minister can reveal today whether there will be a rural postal network after 2006. To be somewhat cynical for a moment, I should point out that the next general election might well occur before 2006. Perhaps that is why that date was chosen for the provision of such a service.

I have asked the Minister a whole series of questions about direct payment, the closure of urban post offices and the future of rural post offices. But in reality, these are questions about the future of our community and our nation's duty of care to the vulnerable. The question is: has the Minister got any answers? As my hon. Friend the Member for West Derbyshire said, in respect of post offices choice is being diminished. It has now become clear that the urban reinvention programme is in fact a closure programme.

Today, we have had the big conversation that the Prime Minister boasted about. That conversation has given rise to a very clear message from both sides of this House. I hope that the Minister will listen.

5.50 pm

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I welcome the opportunity to respond to the issues raised today. An incredible level of interest has been shown in the Select Committee's report, and I congratulate the Committee's Chairman, my hon. Friend the Member for Ochil (Mr. O'Neill). I will not be able to respond to all the issues raised in the nine minutes available to me, but I will try to respond to the common themes. I shall write to Members to ensure that the other issues raised are dealt with.

Mr. Andrew Turner: The Minister for Energy, E-Commerce and Postal Services told the right hon. Member for Edinburgh, East and Musselburgh (Dr. Strang):

> "Other than in exceptional circumstances",

the network reinvention programme

> "will not extend to post offices in the 10 per cent. most deprived urban wards".—[*Official Report, Westminster Hall*, 21 May 2003; Vol. 405, c. 312WH.]

When the Minister writes to us, perhaps he could say who defines "exceptional circumstances".

Mr. Anthony D. Wright (Great Yarmouth) (Lab) *rose—*

Mr. Sutcliffe: I shall try to respond to that point, but first I shall give to my hon. Friend the Member for Great Yarmouth (Mr. Wright), who was unable to speak in the debate.

Mr. Wright: Two of the post offices that closed in my constituency were in wards that number among the 50 most deprived wards. The consultation process certainly took into account many issues, but they were never dealt with. Will my hon. Friend assure us that he will look into the way in which the Post Office has consulted, and has acted on that consultation process?

Mr. Sutcliffe: I will respond in a manner in keeping with the genuine spirit of constituency involvement that Members on both sides of the House have shown. I am grateful to the House and to the Chairman for accepting the reasons why the Minister for Pensions has been unable to attend today; I am really pleased to be here in his place. *[Laughter.]*

Some serious issues have been raised, and I refer Members to the Government's response to the Select Committee report. It is in no way arrogant, and it genuinely addresses the question of direct payments. However, today's debate was about the urban reinvention programme, rather than direct payments, so I shall concentrate my remarks on that issue.

Kate Hoey (Vauxhall) (Lab): I am grateful to my hon. Friend for giving way, as I, too, was not called to speak. In the light of the document leaked by the Department for Work and Pensions, it is a pity that the relevant Minister cannot respond. Can the Minister confirm that that document actually reflects Government policy?

Mr. Sutcliffe: Governments of all persuasions do not respond to leaked documents, but I will refer to the general issues raised—if I have time left in the seven minutes now available to me.

I want to show my hon. Friend, the Chairman of the Select Committee, the appropriate courtesy by pointing out that we value the Committee's work, the evidence it has taken and the views that it has expressed. I recognise that Members have deeply held views about the problems in their constituencies. When I attended a recent debate in Westminster Hall on post office closures in Wales, I experienced at first hand some of the concerns about the consultation process—a point to which I shall perhaps return. I accept the individual constituency cases that hon. Members have described, but I do not accept the partisan political points that have been made. It is rather sad that that happened, given what the Government have tried to achieve with the Post Office. A viable post office network is important to all hon. Members.

The performance and innovation unit report of June 2000 on the post office network concluded that the business had not kept pace with change and was not exploiting its very highly trusted status as a provider of financial services. It was losing business. As the hon. Member for North Thanet (Mr. Gale) said, sub-postmasters are business people. They have found it increasingly difficult to make a living and have left the network in increasing numbers. Doing nothing was not an option; that would have led, simply, to the uncontrolled collapse of the network, and left deeply damaging gaps in it.

The problems date back more than 20 years. Under-investment has been a factor, but the real drivers have been greater mobility, changes in shopping habits and increased choice—including through new technology. People have simply decided not to use the Post Office. The business must face up to the challenge and make itself more relevant to modern customer needs, or it will not survive.

The Government accepted all 24 recommendations in the PIU report. The change has to be managed properly. As many as 3,500 post offices closed before 1997. Opposition Members champion the post offices' cause, but they should remember the lack of investment in that period. However, important matters must be taken into consideration as we move to direct payment.

In the past, Post Office income was heavily dependent on benefit payments, but that business has been dwindling. As the hon. Member for Gordon (Malcolm Bruce) said, direct payment is not new: it is something that increasing numbers of benefit recipients have been choosing.

Ahead of the Government's decision to switch to making all payments by direct payment, it should be noted that more than 43 per cent. of benefit recipients already received their cash paid directly into their bank accounts. In addition, 62 per cent. of all new child benefit recipients and 68 per cent. of all new pensioners already get their benefit money paid directly into their bank accounts.

The current order book system is outdated. It is inefficient, open to fraud and abuse and costly to administer. It needs to be modernised to keep in step with changing customer needs, and to reflect the fact that owning and using a bank account is now the norm. More than 87 per cent. of benefit recipients and around 90 per cent. of pensioners have access to a bank account.

[Mr. Sutcliffe]

However, given that there has been some scaremongering, I want to make it clear that people can still get their pensions across the counter at the post office. The development of any future system will be based, as in the past, on work with the full range of representative groups. As Minister with responsibility for consumer affairs, I can tell the House that I am deeply involved in making sure that consumers are protected, and that I will make sure that I have that input. I hope that that will put an end to the scaremongering that has been noted, and which has been aimed especially at vulnerable elderly people.

The Government remain absolutely committed to ensuring that those who wish to can continue to collect their benefits at post offices, in full and free of charge. That will remain the case even after the move to direct payment. The launch of universal banking services on 1 April this year is delivering that promise. We have provided £480 million to automate every post office branch. That investment has enabled the establishment of the technical infrastructure to support electronic banking services. That not only provides the means for the Post Office to continue to make benefits and pensions payments in cash, but it also gives the Post Office the vital opportunity to widen its customer base by increasing its offering of banking products.

Under the new arrangements for benefits payments, customers have three account choices when deciding how they want to be paid. They can use a standard bank or building society account, some of which can be accessed at post offices; they can use a bank or building society basic account, many of which can be accessed at post offices; and, finally, they can opt for the Post Office card account.

Customers choose the account that they want. If post office access is important to them, I do not doubt that they will choose accordingly. We want people to use post offices because they want to, not because they are forced to do so.

There is some concern that the Government are steering people away from opening Post Office card accounts, or making it difficult for them to do so. Such concerns are misplaced.

The Department for Work and Pensions is running a national and comprehensive information campaign to give customers the facts that they need to choose which account option is most appropriate for them. The campaign, which is costing £25 million, has been produced in consultation with the Post Office, with the aim of ensuring an unbiased and balanced message.

The Government do not accept that the process for opening a Post Office card account is particularly onerous, and there is no evidence that it is putting off customers from applying for card accounts. The Post Office card account is proving popular with customers. More than 1.6 million people have chosen this account to have their benefits paid into. Take-up to date means that the eventual number of card accounts is now expected to exceed significantly the operating assumption of 3 million, but there remains no cap on numbers or eligibility criteria. It is clear that we will have to return to the subject, and I look forward to the many Adjournment debates that we will have. Consultation is vital and it has to be meaningful—

It being Six o'clock, MR. DEPUTY SPEAKER *proceeded to put forthwith the deferred Questions relating to Estimates which he was directed to put at that hour, pursuant to Standing Order No. 54(4) and (5) (Consideration of estimates etc.) and Order [29 October 2002].*

ESTIMATES

Department for Work and Pensions

Resolved,

That resources, not exceeding £22,505,326,000, be authorised, on account, for use during the year ending on 31st March 2005, and that a sum, not exceeding £22,418,785,000, be granted to Her Majesty out of the Consolidated Fund, on account, for the year ending on 31st March 2005, for expenditure by the Department for Work and Pensions.

Department of Trade and Industry

Resolved,

That resources, not exceeding £2,101,186,000, be authorised, on account, for use during the year ending on 31st March 2005, and that a sum, not exceeding £3,749,956,000, be granted to Her Majesty out of the Consolidated Fund, on account, for the year ending on 31st March 2005, for expenditure by the Department of Trade and Industry.

SUPPLEMENTARY ESTIMATES, 2003–04

Resolved,

That further resources, not exceeding £6,616,861,000, be authorised for use for defence and civil services for the year ending on 31st March 2004, and that a further sum, not exceeding £7,324,511,000, be granted to Her Majesty out of the Consolidated Fund to meet the costs of defence and civil services for the year ending on 31st March 2004, as set out in HC 15.

ESTIMATES, 2004–05 (VOTE ON ACCOUNT)

Resolved,

That resources, not exceeding £122,627,365,000, be authorised, on account, for use for defence and civil services for the year ending on 31st March 2005, and that a sum, not exceeding £117,444,070,000, be granted to Her Majesty out of the Consolidated Fund, on account, to meet the costs of defence and civil services for the year ending on 31st March 2005, as set out in HC 16, 17, 18 and 19.

Ordered,

That a Bill be brought in on the foregoing resolutions: And that the Chairman of Ways and Means, Mr. Chancellor of the Exchequer, Mr. Paul Boateng, Dawn Primarolo, Ruth Kelly and John Healey do prepare and bring it in.

CONSOLIDATED FUND BILL

Mr. John Healey accordingly presented a Bill to authorise the use of resources for the service of the years ending with 31st March 2004 and 2005 and to apply certain sums out of the Consolidated Fund to the service of the years ending with 31st March 2004 and 2005: And the same was read the First time; and ordered to be read a second time on Monday next, and to be printed [Bill 12].

DELEGATED LEGISLATION

Mr. Deputy Speaker (Sir Michael Lord): With permission, I will put together the Questions on the three motions.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

ELECTRONIC COMMUNICATIONS

That the draft Telephone Number Exclusion (Domain Names and Internet Addresses) Order 2003, which was laid before this House on 3rd November, in the last Session of Parliament, be approved.

LOCAL GOVERNMENT

That the draft Local Government Best Value (Exemption) (England) Order 2003, which was laid before this House on 17th November, in the last Session of Parliament, be approved.

ENVIRONMENTAL PROTECTION

That the draft Producer Responsibility Obligations (Packaging Waste) (Amendment) (England) Regulations 2003, which were laid before this House on 1st December, be approved.—*[Charlotte Atkins.]*

Question agreed to.

STANDARDS AND PRIVILEGES

Ordered,

That Mr Simon Thomas be added to the Committee on Standards and Privileges.—*[Charlotte Atkins.]*

REGULATORY REFORM

Ordered,

That Mr Paul Goodman be discharged from the Regulatory Reform Committee and Mr Archie Norman be added.—*[Charlotte Atkins.]*

PUBLIC ACCOUNTS

Ordered,

That Mr Nick Gibb be discharged from the Committee of Public Accounts and Mrs Cheryl Gillan be added.—*[Charlotte Atkins.]*

PETITION

Pensioners

6.2 pm

Pete Wishart (North Tayside) (SNP): I am grateful for the opportunity to introduce my petition this evening. It reads:

> The petition of the concerned citizens of North Tayside,
>
> Declares that we believe that pensioners have the right to choose how they receive their pension.
>
> The petitioners therefore request that the House of Commons passes legislation to ensure the survival of the Pension Book as a means of collecting pensions from local post offices.
>
> And the Petitioners remain, etc.

To lie upon the Table.

Cold Calling (Elderly People)

Motion made, and Question proposed, That this House do now adjourn.—*[Charlotte Atkins.]*

6.3 pm

Dr. Julian Lewis (New Forest, East) (Con): When it first became known that I had been fortunate enough to secure this short debate on cold calling and vulnerable elderly people, I began to realise that I was addressing only the tip of an iceberg of cruelty that is happening in our society today. I am pleased to have the support of the hon. Member for Pudsey (Mr. Truswell) from the Government Back Benches, who has done important work on the issue. I hope to finish my contribution in time to give him the opportunity to explain the wider context of the debate.

I could not have been more delighted to find that the Minister who will reply to the debate is the Minister for Crime Reduction, Policing and Community Safety, for whom my admiration has been undimmed since the days when we served together as officers of the all-party group on motorcycling. To see the hon. Lady bowling along on a motorcycle, in the full knowledge that if ever she came to a halt her feet would barely reach the ground on either side, is an object lesson in fortitude, courage and bravery. I hope that she will be equally robust in her response to the debate.

Since the subject of the debate became known, I have received information on concerns about cold calling from Hampshire county council, CORGI—the arrangement whereby British Gas attempts to prevent bogus callers masquerading as gas representatives—and from BBC South, which is carrying out important investigative work on cold calling. What struck me most was the number of individual cases that were brought to my attention. I shall refer briefly to four, two of which came to my attention by indirect means and two of which I have extensive direct knowledge about, and I shall make a declaration of interest at the appropriate point in my remarks.

The first case is that of Muriel, an 80-year-old artist living in SW14. She was persuaded to give £900 in cash to three cold callers who had tidied her garden. Only timely action by her friends, the police and the bank, in turn, prevented her from being defrauded of even more money.

Then there is the case of Stephen, an 84-year-old retired civil servant living in Blackheath, who made as many as nine cashback withdrawals in a single day for cold callers and who is believed to have withdrawn more than £20,000 in cash from his bank for them over a three-month period.

Those two cases were brought to my attention by immediate friends in my close circle. I am sure that other hon. Members could replicate those stories indefinitely. However, the two stories that I shall address in detail relate to Pat, an 80-year-old retired railway worker, and Sam, a 90-year-old retired tailor. Both lived alone in Swansea, south Wales, and both had the misfortune to be targeted by a man called Paul Grey. In that connection, I record my personal thanks for the support that I have received—as will become clear—from several sources. The first is the right hon. Member for Swansea, West (Mr. Williams), my old adversary in the

[Dr. Julian Lewis]

1983 general election. The right hon. Gentleman would have been in the Chamber this evening, but he is attending the funeral of his predecessor, Hugh Rees, who served as Conservative Member of Parliament for that constituency between periods of—let us say—rather intense Labour representation in Swansea. The second is Detective Constable Ian Griffiths of Swansea CID. The third is Mr. Ray Potter of Swansea trading standards department, and the fourth is the investigative reporter, Mr. Chris Segar, and his team on the programme, "The Ferret". I have been most impressed by the way in which they addressed those cases.

The first case is that of Pat Meehan who, as I said, is 80. He lives on a state pension and a small railway pension. Paul Grey knocked at his door one day and offered to replace his hedge with a wall. The idea was that the job would cost £600 and Mr. Grey was given £200 for materials. Before the job was not even nearly complete, Pat was cajoled into parting with the other £400 and Mr. Grey never went back to finish the job.

Pat Meehan is no ordinary retired railwayman. Like so many of his generation he is a tough character. He may be a bit deaf, a bit shaky and quite elderly, but he landed on the beaches on D-day plus 6. He went to Paul Grey's home and tried to confront him. Mr. Grey saw Pat coming, wound down the window of his van, called out to him, made a V-sign and drove off. As Pat's sister-in-law, Christine Meehan, said to me only this afternoon, "It's disgusting, isn't it?"

We now come to the question of Sam. Sam is Sam Lewis. Sam is 90. Sam is my father. He was Mr. Grey's other recent victim. He is now safely in a residential home in London, which is why I can share this story with the House.

Back in November 2002, I was due to send in some builders to Sam's home to deal with an outbreak of dry rot. I rang my father the week before 25 November, which was the date they were due to start. To my surprise he told me, "Oh, but the builders are already here, Julian." He said he was unhappy about what was happening—it was turning into a very big job and they were making a terrible mess. I asked him whether he had paid them any money. The problem with Sam was and is that, although he is perfectly lucid, and although he is perfectly intelligent and not confused, he has virtually no short-term memory. So he went and recovered his cheque book and he looked up what he had paid, because he is also very meticulous. He told me that he had given Paul Grey a cheque for £800 on 14 November and one for £1,000 on 18 November. I was not very happy about that but eventually I managed to speak to Mr. Grey, who assured me that the £1,800 would be for the total job. I also spoke to Lloyds bank in the Uplands in Swansea, two doors from where my father lived at the time and where he had his account, and I asked it please to alert me if anything suspicious happened with regard to withdrawals of money from my father's account.

In the second part of December 2002, I heard again from Mr. Grey, after the other builders—the ones I had put into the premises to do a much bigger job than Mr. Grey was supposed to be doing—had finished their work and departed. Mr. Grey said that he had almost finished his work but asked whether I would like to have some guttering and pipework renewed while he was doing it. He indicated that that needed to be done, so I agreed to pay him £400 for what should have been two to three days' work. That cheque was cashed on Christmas eve.

When I went back to the house—this is the problem with dealing with elderly relatives a couple of hundred miles away—on 26 January, I found that the work was nowhere near completed. On 27 January, in the morning, I managed to speak to Mr. Grey. He was terribly sorry; he would give it his personal attention. His roofer, a man called Joe Edwards, had assured him that the work had been finished. One of Mr. Grey's techniques is that he gets other people to do what passes for the work that he inflicts on his victims.

However, later that Monday morning, just before we were about to come in for Defence questions, I received a call from Lloyds bank. An alert cashier, Hazel Matthews, had become concerned that my father was withdrawing large sums of cash. She then looked into it further, saw that I had asked to be informed, and duly contacted me.

Unfortunately, this was rather late in the day. That evening, I rang my father, and I found that as well as the £800 cheque on 14 November and the £1,000 cheque on 18 November, to Paul Grey, the following cash withdrawals had been made: £500 on 4 December, £400 on 6 December, £1,200 on 16 December, £1,000 on 20 December, £800 on 7 January, £1,000 on 9 January, £1,200 on 24 January and £1,400 on 27 January. Interestingly, when I finally managed to obtain my father's cheque book, I was able to see that after the two cheques to Mr. Grey, where all these cash withdrawals started, the first of those withdrawals, for £500, had originally been made out to P. Grey, crossed out and altered to "self"—that is, cash.

I decided to see whether I could get some evidence together to nail this man, and I decided to do something that I was not entirely happy about, which was to ring up my own father, ask him to go over the story again and tape record what he said. I tried to do this on 29 January but found that Mr. Grey was in the house. I obviously did not want to let on that I was suspicious about what was going on, because my father was quite frail and I did not like the idea of a confrontation while my father was still in the house, but I succeeded the next day in talking to my father again, and tape recorded his answers, which were identical in every respect to what he had told me on the Monday. He spoke with total lucidity. He explained again and again that every bit of this money had been given by him to Paul Grey.

At the end of the conversation, my father collapsed and I had to dial the emergency services. He went to hospital. After a week of 24-hour care, he went into an assessment unit on 7 February, and the happy ending to this story is that, as I said at the outset, he is now safely resident in a good residential home in London.

On 14 February, I visited the house and found that Mr. Paul Grey's work was still incomplete. On 23 February, I managed to confront Grey over the telephone. He denied that he had taken any of that money, but he refused to give me any detail that would enable me to track down the only other person who had been regularly on the site: his alleged roofer, Mr. Joe Edwards, allegedly of Manselton. When I insisted on having those details, he concluded the conversation with the words, "You effing find him"—he did not actually say "effing"—and slammed down the phone.

Subsequently, with the help of "The Ferret"—the programme that I mentioned earlier—I discovered that there was no roofer of the name of Joe Edwards in Manselton; only a milkman, a well-known character in the community, who died recently. Mr. Grey refused to respond to letters, to list the people on the site and to name a solicitor with whom I could correspond. I later discovered that he has 10 criminal convictions, dating back over 25 years until 1999. Those convictions included theft, deception, criminal damage and shoplifting. I discovered that he had a habit of calling on my father every November. In November 2000, he was trading as Enterprise Roofing and Building; in November 2001, as St. James's Building Services; and, in November 2002, Paul Grey Building Services. He has been interviewed by the police, and the Crown Prosecution Service has yet to decide what to do, but I am the first to concede that it is not easy for them. The only way in which they might be able to proceed would be to put my elderly father through the ordeal of giving evidence and facing cross-examination, and at his age I doubt whether that is something that ought to be inflicted upon him.

I have no doubt that Paul Grey spun out a two-to-three-day job over two months, during which he ruthlessly exploited Sam's frailty fraudulently to obtain thousands of pounds in cash. What is to be done about people like Grey? Before I hand over to the hon. Member for Pudsey (Mr. Truswell), who has great experience of this problem—I thank the Minister for allowing me to make that arrangement—I should like to give my single idea: it may be too draconian to ban cold calling altogether, although I would have sympathy with that view, but, as a first step, may I suggest that it ought to be made a criminal offence for anyone with a criminal record to engage in cold calling? That would nail the likes of the lowest of the low, like Mr. Paul Grey.

6.17 pm

Mr. Paul Truswell (Pudsey) (Lab): It is a pleasure to follow the hon. Member for New Forest, East (Dr. Lewis), and I thank him for the opportunity to contribute to the debate. Similarly, I thank you, Mr. Deputy Speaker, and the Minister. The hon. Gentleman describes classic cases of abusing cold calling. They are bad, but they are far from being the worst. I came to the issue of doorstep crime and unscrupulous selling five years ago, when a number of my constituents were stung by a home improvement outfit called Midland Coatings. Thanks to an excellent campaign by the *Yorkshire Evening Post*, in which I was closely involved, we drove that cowboy outfit out of town. Unfortunately, it is only one of many.

That campaign brought me into contact with a phenomenal individual called Brian Steele. Brian is a retired detective chief superintendent, who has made combating doorstep crime his life's work ever since he investigated a particularly harrowing case. A lady in her 80s, Isabel Grey, was murdered by burglars who tortured her and broke her back. It was later discovered that she had been a serial victim of bogus builders of the type that the hon. Gentleman describes, and that they had carried out a series of botched jobs on her property.

Brian subsequently studied the activities of distraction burglars. His interviews with them in prison revealed a picture of cynical leeches who said that they could smell the money in an old person's home, who bought and sold the names of their victims and who showed not the slightest contrition about their crimes. I helped Brian to lobby the Home Office for a £500,000 grant to set up the Leeds distraction burglary initiative, which has proved highly successful in tackling a range of doorstep crime and pressure selling. Brian acted as co-ordinator for the first three years, and now works for trading standards authorities in the north of England. It is my privilege to work with him, with colleagues such as Stuart Pudney, head of trading standards for North Yorkshire, and with numerous organisations, in campaigning for a law to prohibit cold calling at someone's home for the purpose of offering property improvement, maintenance or repair. It is a measure that those experienced people, who include police officers, have decided is perhaps the only way forward in combating such activity. It is not a panacea but it will help to paint those villains further into a corner and to restrict their areas of operation. My hon. Friend the Minister may be aware of early-day motion 219, which refers to that campaign.

The campaign is targeted specifically at those who call for the purpose of offering property maintenance, repair and improvement services. There are two reasons for that. First, that is the principal modus operandi of criminals and the sort of character who fleeced the father of the hon. Member for New Forest, East (Dr. Lewis). Such people are criminal in every respect apart from, unfortunately, sometimes, the narrow legal sense. Secondly, although we may not like it, many people have a legitimate and sometimes altruistic reason for knocking on our doors, and it would be a pity to have a blanket ban and rule them all out.

My hon. Friend will be aware that the Office of Fair Trading will report shortly to my right hon. Friend the Secretary of State for Trade and Industry regarding cold calling. I hope that one of the recommendations will be on the need for such legislation as well as other measures. In the interests of joined-up government, I trust that my hon. Friend's Department will have some input into the discussion on this matter. It is crucial that it does not fall between the two stools of crime prevention and consumer protection. There is often a fine line—even a grey area—between those two aspects. Prohibiting cold calling for property repair, improvement and maintenance would help to tackle that range of crime and sharp practice.

I also urge my hon. Friend to ensure that her Department takes more effective steps to record such doorstep crime, which, as I say, falls between two stools, which makes it more difficult to demonstrate the incidence of such crime even though experience shows that it is widespread.

6.21 pm

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): I am delighted to have the opportunity to respond to the hon. Member for New Forest, East (Dr. Lewis) in what is an extremely important debate. I also welcome the comments of my hon. Friend the Member for Pudsey (Mr. Truswell). It is fair to say that the cases that both have highlighted this

[Ms Hazel Blears]

evening are shocking, and illustrate the despicable behaviour of some people in these circumstances. It is excellent that these issues have been raised in the House.

I am responding as a Home Office Minister, but both Members have made the point that bogus callers, distraction burglary and people being deceived into parting with their money cross over the boundaries between the Home Office, in terms of crime reduction and crime prevention and, inextricably, the Department of Trade and Industry, in terms of consumer protection and the important role played by trading standards officers in seeking to regulate this area. I will do my best to reply across the piece, because I accept entirely the point of my hon. Friend the Member for Pudsey that we must ensure that these issues do not fall through the gap, whether in terms of regulation, the OFT's response to the National Association of Citizens Advice Bureaux super-complaint, or gathering intelligence, which is absolutely key in such matters.

I am delighted to tell the hon. Member for New Forest, East that a very good operation in the south-west, Operation Litotes, now brings together all the agencies and the five forces across the south-west to share intelligence about the kind of people who conduct the terrible acts highlighted this evening, whether bogus callers, people seeking to extort money for the kind of home improvements that have been highlighted, or those attempting distraction burglary. It is important that once we share that information, we can track such people across a wide geographic area, as it is clear that they are prepared in a cynical way to travel hundreds of miles to find their victims.

As I said, both distraction burglary and cold calling are covered, but I would not want elderly people to be unduly alarmed—distraction burglary represents a small proportion of burglary as a whole, and elderly people are only a quarter as likely to be victims as young people. I would not want this matter to be taken out of perspective. It should also be taken in the context of burglary being reduced by about 39 per cent. over the past few years. In relation to relatively small numbers of burglaries, therefore, bogus calling is difficult to record. I acknowledge that a huge amount of work is already going on.

The issue is especially important to me because I recently had cause to knock on people's doors during the Brent by-election. I knocked on the door of an elderly lady aged 82 four minutes after she had been burgled and deceived. A man had come along purporting to want to get into her bathroom because repairs were being carried out three doors down the road. She opened her door perfectly innocently, but he pushed past her to break into her home. He stole not only her money, but money that she had been collecting for her church. I have no doubt that she was traumatised by the event and that it affected her independent way of living. The incident showed me the depths to which people are prepared to sink in such circumstances.

A great deal of work has been done on distraction-burglary, such as establishing projects and a taskforce. The taskforce has been extremely successful in the area of my hon. Friend the Member for Pudsey. However, I shall talk about consumer protection, because that was the main issue that was raised in the debate.

Hon. Members will know that the National Association of Citizens Advice Bureaux published its report on doorstep selling in September 2002. The report was based on 1,500 case studies that were submitted by citizens advice bureaux over two years. The case studies were analysed and recommendations for improvements were made. During national consumer week last year, the Office of Fair Trading announced that it would accept the details from NACAB as a super-complaint under the Enterprise Act 2002. The OFT has been considering the issue since then and I understand that it is due to report early in the new year. Legislation on the matter exists in the form of the Consumer Protection (Cancellation of Contracts Concluded away from Business Premises) Regulations 1987, which are commonly known as the doorstep selling regulations.

Additionally, the Supply of Goods and Services Act 1982 contains provisions on cooling-off periods so that people who have bought goods from people selling door-to-door have a chance to get out of onerous contracts into which they have entered. Although legislation is in place, it is right for the OFT to consider whether further legislation is required and whether there should be closer work with the police service to tackle the problems.

Dr. Lewis: I appreciate the Minister's comments. What is her view of the specific idea of criminalising cold calling by people with criminal records?

Ms Blears: That issue was raised by the Trading Standards Institute, which produced a report on cold calling this year that especially examined property repair and maintenance, which the hon. Gentleman mentioned. The institute said that the statutory control of such cold calling was long overdue, and recommended criminalising people in such circumstances, and the OFT is considering those recommendations and taking them fully into account. I should tell the hon. Gentleman that it might be difficult to define the offences that would lead to a person being prohibited from doorstep selling. For example, offences such as a driving offence might not be relevant to a person's subsequent activities. However, it is legitimate for the OFT to consider the matter.

The hon. Member for New Forest, East said that outlawing the whole business of doorstep selling would be perhaps a step too far. Doorstep selling represents a substantial business and there is only a small proportion of rogue traders, but the OFT will consider whether such action would be appropriate.

Mr. Truswell: Does the Minister accept, nevertheless, that no reputable tradesperson really needs to use cold calling? I am heartened by the fact that the Federation of Master Builders takes no exception to the idea of outlawing cold calling for the specific purpose of property repair, maintenance and improvement.

Ms Blears: I am sure that my hon. Friend will forgive me if I do not trespass on the domain of the Department of Trade and Industry in that respect. He has made his representations extremely robustly for a long time, and I am sure that the DTI will take on board his extensive personal experience, knowledge and expertise on the matter, as will the OFT when it considers its final report.

I want quickly to make a point about action being taken to protect the bank accounts of vulnerable people. The hon. Member for New Forest, East made a compelling point about significant, high-value transactions taking place in a short period, and I am delighted to be able to tell him that representatives of the Trading Standards Institute and the British Bankers Association, who are on the distraction burglary taskforce, are working together on that very issue. They have a pilot scheme in Kent that asks bank and building society staff to be on the lookout for requests for unusually large cash withdrawals for building work, and to take action to safeguard their clients.

The institute is producing videos and other training materials for use with banking, call centre and enforcement staff—everybody who deals with victims of such crime. That is an important pilot project, and we will be learning lessons from that about how we might implement it across the piece. Increasingly, banks and financial institutions are carrying out fraud checks when significant numbers of payments are made in a short period. That is an excellent way to help to protect elderly people who are particularly vulnerable.

I want to say a little about how Departments are working together to try to tackle distraction burglary and bogus callers. It is increasingly obvious that many elderly people are in touch with social services, and they can get valuable information from their carers, home helps and other people with whom they are in contact. Many elderly people are influenced by their family, so we must get the message out to families that much of this burglary and deception can be prevented if people take simple precautions, such as checking callers and asking for proof of their identity.

There is now a national crime protocol, which has been signed by many energy companies and those who have traditionally needed access. It requires callers to submit their identity and to provide a telephone number so that the resident can confirm it. Simple, practical steps such as those can help to reduce distraction burglary, which causes people huge distress and trauma. Through crime and disorder reduction partnerships we are trying to engage everybody in these issues as part of their mainstream business. Then, when people are going about their daily work, they are thinking about how they can help to protect elderly people.

This is a difficult issue, because we are asking many elderly people to change the habits of a lifetime. They grew up in times when it was, perhaps, safer to be more open, friendly and welcoming and to keep the door open. These days, sadly, that is not the case, so we have to ask people to put the chain on the door, stop and check the identity of callers, and think very carefully about what is happening. It is not about being unfriendly; it is about being in control. We want to empower people so that they can rebuff approaches from rogue traders.

I am delighted that this issue has been highlighted in the House. There is a great deal of work going on throughout the country to ensure that we protect people from such despicable activity. The more we can do to work together on crime prevention in the Home Office and the Department of Trade and Industry, the better for everybody. I certainly undertake to ensure that we have an input and work closely with the DTI before the OFT report comes out early next year.

Question put and agreed to.

Adjourned accordingly at twenty-seven minutes to Seven o'clock.

House of Commons

Monday 15 December 2003

The House met at half-past Two o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

DEFENCE

The Secretary of State was asked—

Future Strategic Tanker Aircraft

1. **Mr. David Amess** (Southend, West) (Con): When he expects to make an announcement on the awarding of the contract for the future strategic tanker. [143767]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Department is currently considering bids from two consortiums for the future strategic tanker aircraft project. We plan to make a decision on that complex and important private finance initiative competition as soon as possible in the new year.

Mr. Amess: Following reports in *The Independent on Sunday* yesterday that the RAF may be forced to share its aircraft for the future strategic tanker requirements with air forces from other nations, may I ask the Minister what effects that will have on the RAF's requirements? Will he now admit that his own Department's defence is in a terrible crisis as a result of the mismanagement of the British economy, and that the RAF is suffering as a result?

Mr. Ingram: I am sometimes surprised at the tone of questions based on press speculation. A major procurement process is under way for the RAF, involving not just the FSTA but Typhoon and the joint strike fighter. The FSTA could be the MOD's largest and most complex PFI contract, and I should have thought that he would have welcomed that, as it is not only undoubtedly good news for the RAF but potentially good news for British industry as well.

Mr. Lindsay Hoyle (Chorley) (Lab): It is welcome news to hear that we expect the announcement in the new year, but can we ensure that it is made very early in the new year, as so many jobs in the north-west depend on it, whichever way the contract goes? I hope that the Treasury will not become involved. Let us get on with deciding who will get the job, and let us get the jobs to the north-west.

Mr. Ingram: People across the Government have to be involved in such major procurement programmes, as I am sure my hon. Friend will understand. Indeed, he has probably precipitated some engagement from other Departments by the type of lobbying in which he so assiduously involves himself—usually campaigning for one side of a project. It is right that the Government consider this across the board. We have to ensure that the policy is right—not just financially but in terms of quality jobs—and, ultimately, in this case, that it is right for the RAF as well.

Iraq

3. **Mr. David Heath** (Somerton and Frome) (LD): If he will make a statement on the security situation in southern Iraq. [143770]

The Secretary of State for Defence (Mr. Geoffrey Hoon): I hold regular discussions on a range of issues related to operations in Iraq with military commanders and Government officials from the United Kingdom and, indeed, other countries. The protection of Iraqi and international military and security forces and, indeed, civilians is of paramount importance. Although in recent weeks there has been a decline in the number of security incidents in Iraq, following a peak of incidents in November, the security situation remains challenging. The vast majority of attacks occur in a certain area to the north and west of Baghdad. We obviously hope that particular events there over the weekend will lead to a reduction in the number of those attacks.

A crucial component of our efforts in Iraq is the training of Iraqi security forces. That has been given added impetus by the acceleration of the political timetable agreed by the Iraqi governing council on 15 November. To accelerate the rate of training, there is a requirement for an additional infantry battalion and a contingent of Royal Military Police. The House will recall that I have previously announced the earmarking of a ready battalion for deployment on surge operations for that reason. I have decided that that battalion, the 1st Battalion the Argyll and Sutherland Highlanders, and two platoons of Royal Military Police, drawn from 101 and 156 provost companies, should deploy in January for six months.

Mr. Heath: We must all hope that the arrest of Saddam Hussein improves the security situation and does not make matters worse. May I return the Secretary of State to the National Audit Office report on equipment, because he rather glossed over it on Thursday? Yes, our troops are doing a superb job and a massive logistics exercise took place to equip our troops, but the fact remains that essential kit to keep our troops safe was not, and perhaps is not, available to them when they need it. Can he assure me that troops stationed in Iraq have all the kit that they need to be safe and that he is learning lessons and bringing forward plans to improve the situation?

Mr. Hoon: That is precisely what I have told the House. It is precisely what I told the Defence Committee. It is precisely what the Government reported to the House last Thursday, when we published our own lessons learned paper and it is precisely what the NAO report also says.

David Cairns (Greenock and Inverclyde) (Lab): My right hon. Friend referred in his initial answer to the political timetable. I appreciate that, in such a fast-moving situation, it is difficult to predict a week in advance, let alone six months in advance, but if we are to see a transition to democracy as quickly as possible in Iraq, which we all desire, a great deal of preparation will have to be done in advance of any election in compiling the equivalent of electoral registers and so on. Has my right hon. Friend given any specific consideration to the kind of protection that can be afforded to observers and those people who will be the agents of democracy who will go out now and in the six months ahead to make all the preparation necessary for a smooth—and I hope peaceful—transition to democracy?

Mr. Hoon: I am grateful to my hon. Friend for his observations. He is right that the reason why we judge it necessary to continue our security presence is to ensure that the transition can be as smooth as possible. I made it clear that we do not want British or other coalition forces to remain in Iraq for a day longer than necessary but, equally, we will not abandon the Iraqi people. We have obligations to ensure that they can take responsibility for their affairs, and the sooner they are able to do that safely and securely, the better.

Mr. Nicholas Soames (Mid-Sussex) (Con): Will the right hon. Gentleman join me in congratulating the fourth infantry division on its brilliant coup in the capture of Saddam Hussein? Will he confirm to the House Saddam Hussein's exact status? As Saddam Hussein has been categorised as a prisoner of war, is the right hon. Gentleman satisfied that, under the terms of the Geneva convention, he can be properly interrogated?

Mr. Hoon: I certainly add my congratulations on what was a brilliant coalition effort by both military and intelligence forces on the ground in Iraq. As far as Saddam Hussein's present status is concerned, he is held under terms that are consistent with the Geneva conventions and international law.

Mr. Soames: May I press the right hon. Gentleman further on the NAO report? He gave robust and confident assurances on the Floor of the House and to the Defence Committee on the adequacy of combat supplies, which turned out in some cases not to be correct. In the light of the NAO report, which praises the brilliant triumph of British forces in Iraq, yet highlights several wholly unacceptable and grievous failings in the supply of vital equipment—including the supply of insufficient quantities of body armour—does he think that he might inadvertently have misled the House on those matters? If so, should he not reflect on his position?

Mr. Hoon: No, and no, and I have just given the answer to a previous question about the NAO report. Everything that I said was absolutely consistent with its conclusions. I am disappointed that right hon. and hon. Members have simply dealt with the detail rather than the overwhelming success. *[Interruption.]* Well, I think this is an important point. The NAO reports to the House and it reported a balanced conclusion. I made it clear to the House and the Select Committee that there were difficulties. However, it is important to look at the report's conclusions, not least on the logistic point. One of its key conclusions is:

> "The logistic effort for the Operation was huge and key to success."

I have never pretended to the House or the Select Committee that there were not particular difficulties, but dwelling on those difficulties and making out that they were somehow a cause of failure is utterly wrong. There are certain hon. Members in the House who frankly should know better.

Mr. Bill Olner (Nuneaton) (Lab): Given the outstanding success of the capture of Saddam Hussein at the weekend, will my right hon. Friend tell me whether that will make the security situation in southern Iraq better or worse?

Mr. Hoon: All that I can say is what I said earlier. Obviously we hope that those who have supported Saddam so far will end their support and recognise that we are all engaged in a determined effort to rebuild Iraq. The scenes of celebration by Iraqi people once they had learned the news of Saddam Hussein's capture is testament to that, but we must recognise that there will still be elements—not only those in Iraq but others who enter the country—who will continue the campaign against coalition forces. They have to be defeated.

Mr. Paul Keetch (Hereford) (LD): Is the Secretary of State saying to the House that it is a matter of detail that although part of the Government's premise for sending British forces into the war was that this country was at threat from nuclear, chemical or biological attack, troops were sent into theatre without protection from that?

Mr. Hoon: That is precisely the kind of detail that I was complaining about a few moments ago. If the hon. Gentleman had taken the trouble to find the answer to his questions before raising them in such a spurious way, he would know that British forces were properly protected and that every British soldier had a chemical protection suit available to him. If the hon. Gentleman checked his facts rather than issuing press releases, it might be better for him and, indeed, the party that he tries to represent.

David Winnick (Walsall, North) (Lab): Whatever happens now, is not the capture of such a notorious mass murderer, Saddam, a victory for humanity? Is it not the case that had he been captured by some Iraqis rather than the Americans, his life might well have been ended immediately, which is what happened to Mussolini in 1945?

Mr. Hoon: I am sure that the Iraqis would also have respected the principles of international law.

Mr. Crispin Blunt (Reigate) (Con): Perhaps I can ask a general question. As the Secretary of State has just announced that he is sending another battalion—the Argyll and Sutherland Highlanders—and two platoons of police to train Iraqi security forces, does he accept that it was a mistake to disband the Iraqi army when the coalition forces took power in Iraq, as evidenced not only by this additional deployment of troops, but by the fact that the troops already there have to deal with demonstrations by those very soldiers about their pensions and the administration of them?

Mr. Hoon: I do not accept that. Not disbanding the army might have produced a very short-term benefit, but the reality is that no one had confidence in the army, especially in relation to the extent to which it was still loyal to Saddam Hussein. Beginning again, with accelerated retraining—the purpose of deploying the additional forces—will give us a set of security forces across Iraq in which everyone has confidence. When the hon. Gentleman thinks about it, I am sure he will agree with that.

RAF Support Units

4. **Mr. David Kidney** (Stafford) (Lab): What progress he has made in his review of the RAF active combat service support units. [143771]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The review is progressing well and is expected to conclude in the new year.

Mr. Kidney: Does my right hon. Friend accept that an early conclusion of the review might be that the value of the communications and logistics units under review has not been appreciated as fully as it should have been by those at the highest levels of the RAF? Will he accept from me that the emerging conclusion is that instead of shuffling units around from camp to camp, we might do better to invest in their training, their equipment and—as I have suggested in other questions over the past two years—their living accommodation? Does he understand how strongly people in Stafford feel about the future of RAF Stafford? Would it be possible for me to bring a delegation from all parties in Stafford borough to see the Minister to discuss the matter while the review is taking place?

Mr. Ingram: The answer to the latter question is yes. My hon. Friend knows that I am only too willing to meet people to discuss those key important matters, but clearly the same invitation would have to be extended to all other bases covered by the review. My understanding is that all MPs who have an immediate interest have been fully consulted either in writing or by being given access to station commanders so that they are brought up to speed on the evolving review as it develops. It is important to do that. There are big issues involved. My hon. Friend touched on the importance of support units, which are vital to what the RAF does. That is why we need to consider the basing strategy to ensure that we are utilising what is undoubtedly a key resource to the best effect.

On accommodation, my hon. Friend was advised at one stage that the single living accommodation was up to scratch. A subsequent review showed that the RAF was not happy with the standard of the accommodation. That shows the concerns on that subject. All of that is tied up in the ongoing review. We must ensure that we get it right, primarily for the reasons that he gave: for the good of the RAF and the way in which the particular units support it overall.

Mr. Gerald Howarth (Aldershot) (Con): Does the Minister agree that bases such as Royal Air Force Stafford not only contribute to the local economy, but provide an important contribution to the national military footprint? On the wider issue of logistics—if I may trouble him with a matter of detail—is he not embarrassed by the NAO report's findings that

> "Existing operational stock levels were, in many instances, not sufficient for readiness and sustainability"?

Will he accept that just-in-time industrial practices suitable for Rover motor cars were not appropriate for our servicemen and women who put their lives on the line for our country?

Mr. Ingram *rose*—

Mr. John Bercow (Buckingham) (Con): Hand it over.

Mr. Ingram: I was going to hand it over. It is clear that the hon. Member for Aldershot (Mr. Howarth) has not read some very specific comments, both detailed and overall. The report said that, overall, UK equipment performed impressively. It said that

> "the Department's major equipments ... contributed significantly to overall military capability and the success of the Operation",

and that they were also supported effectively. That is the overall general assessment of an extremely detailed examination of a huge logistical effort. I sometimes wonder what is in hon. Members' minds when they raise these questions. Are they trying to talk success into failure? *[Interruption.]* That is good to know. The National Audit Office report also says:

> "For any required level of readiness, a balance has to be struck between having people and equipment ready to go immediately and make good shortfalls in the time available."

The balance has to be struck at all times. My first quote is one that pays genuine plaudits to all the work that was done.

Of course we recognise the importance of RAF Stafford to the local economy. That is why these issues are taken into account when we undertake basing reviews. The hon. Gentleman has probably forgotten, but his party was once in Government. That Government conducted a massive cutback in the UK's defence footprint. I am sure that the people of this country will welcome the way in which we go about our business, because we take account of the local economy.

Suez Medal

5. **Huw Irranca-Davies** (Ogmore) (Lab): How he will ensure that all Suez veterans are awarded their medals. [143772]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I said to the House on 8 September that I expected some Suez medals to be with veterans for Remembrance Sunday. Nine hundred such medals were sent to veterans directly—as are all medals following their application and approval. I can now further update the House. As at 12 December, the medal offices had received 27,192 applications, and 2,011 Suez medals have so far been dispatched to veterans or their next of kin.

Huw Irranca-Davies: I thank my hon. Friend for that full answer. The steady uptake in the collection of the awards is testimony to the fact that no longer can Suez veterans be referred to as the forgotten army. Has he any estimate of how many people may be entitled to claim a medal for their work and for the ultimate sacrifice that many made in the campaign?

Mr. Caplin: I thank my hon. Friend for his comments. The estimate of the possible number of veterans who can qualify is about 200,000 consisting of 25,000 from the Royal Navy and Royal Marines, 55,000 from the RAF and 120,000 from the Army. In reality, it is unlikely that anywhere near that number of applications will be made, and certainly not in the short term. However, to cope with the applications that are expected, we have set up a special medal office at the Army medal office at Droitwich to deal with the applications.

Defence Fire Service

6. **Mr. John Grogan** (Selby) (Lab): If he will make a statement on the future of the defence fire service.

[143773]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Options for the modernisation of the defence fire services were examined in "Fire Study 2000". The results of that study informed the airfield support services project, which will identify the most cost-effective way of providing a range of services, including fire cover. Bids are being evaluated against the public sector comparator and I intend to decide the way forward in the first half of next year.

Mr. Grogan: Does my hon. Friend agree with those senior officers in our armed forces who argue to me and others that they regard the defence fire service as part of a core military function that should not be privatised but kept in the public sector, particularly given that its members are currently risking their lives serving in Iraq?

Mr. Ingram: My hon. Friend has raised these points before. It has been explained to him that the in-house option has been given much support and much encouragement because we want to ensure that there is a level playing field. The importance of the points that he raises about the capabilities of the defence fire service and other matters that could be affected by the review must be taken into account. We must then consider whether we use sponsored reserves or the current process. That is why the process has taken so long. We want to make sure that we get things right because of the critical nature of the services that are supplied both through the defence fire service and all the supply services on airfields.

Angus Robertson (Moray) (SNP): Does the Minister agree with the Transport and General Workers Union that cost savings sought by privatisation could be achieved while keeping the defence fire service as a truly accountable public body in the public sector? He mentioned "Fire Study 2000", so will he confirm that it identified room for 20 per cent. efficiencies? How much taxpayers' money would have been saved to date if "Fire Study 2000" had been implemented?

Mr. Ingram: I hesitate to disagree with the Transport and General Workers Union, as I have been a member for the past 28 years or so, and proudly remain one. However, that does not mean that its analysis is always correct. The TGWU, along with other unions, was fully consulted on that project and review and is helping to develop the public sector comparator. As I mentioned earlier, it has been given full support to achieve that. It would be wrong not to express the thought that always goes through my head when the hon. Gentleman asks questions. Would we have an air force under an independent Scotland? Indeed, would we have a defence fire service under an independent Scotland? He wants to rip out and destroy the success, quality and strength of the British armed forces and go into an unknown future.

Far East Prisoners

7. **Mr. Andrew Dismore** (Hendon) (Lab): If he will make a statement on compensation for civilian prisoners of the Japanese in the second world war.

[143774]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): In November 2000, the Government instituted a scheme to make ex gratia payments of £10,000 each to members of certain groups held captive by the Japanese during the second world war. Among those covered by the scheme are British civilian internees who had a close connection with the United Kingdom at the time of their captivity. So far, 1,876 payments have been made to former civilian internees, and a considerable number to the surviving spouses of those who died before 7 November 2000.

Mr. Dismore: While I acknowledge the generous scheme that my hon. Friend outlined, a small number of people have been excluded because their grandparents or parents were not born in the UK. They were British enough to be interned by the Japanese, but it seems that they are not British enough to receive the compensation to which they are morally, if not legally, entitled. Two of my constituents, Mr. Abraham and Mrs. Sopher, are among the 32[illegible] such people resident in the UK. Will my hon. Friend meet Mr. Ron Bridge of ABCIFER—the Association of British Civilian Internees Far East Region—which lobbies on behalf of those people to discuss a way forward and see if anything can be done to help those who have been left out of that generous scheme?

Mr. Caplin: May I congratulate my hon. Friend on his campaigning on this issue? He, like me, knows that the legal process undertaken by ABCIFER has come to an end. I have seen his letter to my right hon. Friend the Secretary of State of 3 December, and I can assure him that a detailed reply will be on its way very shortly.

Mr. Roger Gale (North Thanet) (Con): Sadly, Members on both sides of the House have to write to the widows of that dwindling number of the old and bold or attend their funerals. Those widows feel after many years that they have been let down, in all honesty by Governments of all political persuasions. Would the Minister consider at the very least meeting his hon. Friend the Member for Hendon (Mr. Dismore), me and others who are seeking to represent the interests of that small band of people so that we can discuss a proper way forward?

Mr. Caplin: I have told my hon. Friend the Member for Hendon (Mr. Dismore) that I would be happy to meet him if there are outstanding issues or new matters that he or other Members want to discuss. That offer still stands.

Iraq

8. **Mr Dave Watts** (St. Helens, North) (Lab): What discussions he has had with NATO partners on allied support for the future security of Iraq. [143775]

The Secretary of State for Defence (Mr. Geoffrey Hoon): NATO support for Iraq's future security was raised at the NATO defence ministerial meeting on 1 December. The alliance continues to support Poland in its leadership of a multi-national division in Iraq and will review NATO's contribution to the stabilisation efforts on a regular basis.

In addition, the NATO Foreign Ministers meeting on 4 December confirmed the alliance's commitment to the full implementation of UN Security Council resolution 1511 to restore conditions of stability and security in the country and return governing responsibilities and authorities to the people of Iraq.

Mr. Watts: Many Labour Members were very reluctant to support military action without the full support of the United Nations. That was not possible, but will my right hon. Friend assure me now that he will do all he can to secure maximum support for the peacekeeping process from the UN and from NATO members?

Mr. Hoon: As I have said, UN Security Council resolution 1511, adopted unanimously on 16 October, gives UN authorisation to a multinational force and a unified command. Some 30 countries are already contributing military forces, and it is entirely right for the coalition to explore all the options for broadening the overall force. As was stated in the United States-United Kingdom declaration of 20 November, we hope that international partners will participate increasingly in the multinational force, regardless of earlier differences.

Dr. Julian Lewis (New Forest, East) (Con): When the Secretary of State briefs his opposite numbers among our NATO allies, will he explain to them something of the contradiction between the supplies of equipment furnished to British troops in Iraq and the assurances he has given to the House and the Select Committee on Defence? In particular, will he explain why the NAO found that 200,000 sets of body armour had gone missing, having been issued during the years since 1999? Will he also explain why it is not enough to say—

Mr. Speaker: Order. The hon. Gentleman is well out of order.

Type 45 Destroyer

10. **John Robertson** (Glasgow, Anniesland) (Lab): If he will make a statement on the Type 45 destroyer orders. [143777]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Type 45 will be the biggest and most capable class of air defence destroyers ever built for the Royal Navy, and will be equipped to carry out a range of other tasks. Six ships are on order with the prime contractor BAE Systems, providing stability for the shipbuilding work force on the Clyde and at the new Vosper Thornycroft facility at Portsmouth for the remainder of the decade. The programme is in full production against a mature design—a first for a United Kingdom warship project at this stage of its development.

John Robertson: I thank my right hon. Friend, but that is not quite the full answer that I wanted. Another six type 45 destroyers will be coming along following a second order, but rumours abound on the Clyde—especially in my local yard, Scotstoun—that there is to be a cut of a further six, down to only two. Could my right hon. Friend comment on that? The ships that are, we hope, to be built will mean an awful lot to people on the Clyde.

Mr. Ingram: My hon. Friend should encourage the Clyde work force. I am prepared to meet the trade unions if necessary, to dissuade them from listening to rumours and urge them to concentrate on what the project holds for them.

This is a major shipbuilding programme for the Clyde, involving not just the Type 45 but the aircraft carrier and, perhaps, other ships at a later stage. The workers should look to what they must do now, and not listen to those who are trying to destabilise things. I repeat that the programme is in full production against a mature design, and that this is a first for a UK warship project at such a stage of its development. That is due to the good quality of the workmanship on the Clyde. The workers should keep their eye on the ball and go on building the ships, for that is where their future lies.

Mr. Peter Viggers (Gosport) (Con): One problem with a defence White Paper that is virtually a fact-free zone is that speculation can flourish. There is speculation that the number of Type 45 orders will be well below the original concept of 12, and that the Government are actively considering phasing out several surface ships in the near future. Can the Minister quell that speculation now?

Mr. Ingram: There are two speculations there. The decommissioning of ships is always part of the ongoing process of any re-examination of future needs; the hon. Gentleman, and the House, will have to wait for our conclusions.

As the White Paper points out, and as my right hon. Friend the Secretary of State pointed out last Thursday, all this is happening against a background of change. The ocean war-fighting capability of the Royal Navy is being replaced by a different role. It is necessary to budget for that. We are looking at long-term horizons, as it were, although some are more immediate than others. All plans must take into account new issues and threats, and how they can best be dealt with. We cannot hold on to the old for ever while we are building the new. I hope that, given his background, the hon. Gentleman understands that.

Mr. Speaker: I call Bob Russell. He is not here. I call Chris Grayling.

Army Strength

12. **Chris Grayling** (Epsom and Ewell) (Con): What targets he has set for personnel levels in the Army in each of the next five years. [143779]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The current requirement for the Army is 106,730 personnel. The Department's target is to achieve manning balance by the end of 2005 and to maintain it thereafter.

Chris Grayling: I am grateful for that response. Can the Minister tell us whether any recruitment freezes are operating in the armed forces?

Mr. Ingram: Yes, I can. There are none.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): Does my right hon. Friend agree that the targets will be easier to achieve if we avoid the sort of false rumour that spread in the run-up to the White Paper's publication? Does he agree that such rumours about the future of the Army, especially our regiments, damage recruitment and morale?

Mr. Ingram: I could not agree more. Recruitment is proving difficult in some areas of the country. That is not because of lack of determination by Army recruiters or the recruitment teams in other parts of the armed forces. We are keen to build our strength in all areas. That is why I answered the earlier question about recruitment by saying that there was no freeze.

We are determined to build our strengths because we have to maintain our manning balance and the required strength that I outlined. My hon. Friend is right—every time someone mentions that a regiment is under threat, that could affect its recruitment. I ask hon. Members who wish to participate in the debate to bear that in mind. We are trying to maintain regiments' strengths, not undermine them.

Mr. Desmond Swayne (New Forest, West) (Con): Does the Minister agree that the public would not understand how one could possibly afford to have fewer regular soldiers while regularly having to call up reservists?

Mr. Ingram: Is the hon. Gentleman looking for a compliment? I thought that he would have prefaced his question with "Sir" because I am used to being called that by members of our armed forces. It is a mark of respect, but I acknowledge that that is not forthcoming from him today.

As someone who recently returned from the Gulf, the hon. Gentleman is well aware of the quality of the work and effort that the Territorial Army and the reserves put in. I have probably met more reserves than any hon. Member, perhaps with the exception of my right hon. Friend the Secretary of State. I have spoken to them and seen them in theatre. I have been impressed by their integration into the overall effort and the way in which they play their specific role. We need the reserves and the TA, and we therefore want to encourage them and to ensure that recruitment continues. They are part of the same effort as the Regular Army. Its scale means that we have to call upon the reserves to a greater extent. They have been called up not only in Iraq but in previous conflicts, when they performed magnificently.

Mr. John Smith (Vale of Glamorgan) (Lab): In the light of the Minister's reply and the statement by my right hon. Friend the Secretary of State for Defence, does the Minister anticipate a further broadening of the military footprint, especially as regards the Army? That would almost certainly help with recruitment and maintaining personnel targets. In the light of the highly successful relocation of the 1st Battalion the Welsh Guards to RAF St. Athan, will he shortly make an announcement on further units coming to that site?

Mr. Ingram: If my hon. Friend is not fighting for the future of the Defence Aviation Repair Agency, he is fighting for more of the British Army to be based at St. Athan.

If we consider the future of Northern Ireland and we reach a position whereby the numbers that are deployed there have to decline sharply, what will happen? Clearly, we have to develop an approach to the basing of troops, and the relevant issues are being considered. I cannot give the answer that my hon. Friend seeks today, but I am sure that he will continue to campaign fiercely for the basing of additional troops not only at St. Athan, but elsewhere in south Wales—perhaps even in north Wales, too.

Mr. Keith Simpson (Mid-Norfolk) (Con): The whole House will wish to commiserate with the 3rd Battalion the Liberal Democrats, commanded by the hon. Member for Colchester (Bob Russell), who arrived just too late to ask his question. In military matters, that can be disastrous.

Last Thursday, in his statement to this House on the defence White Paper, the Secretary of State emphasised the need for change and the opportunities that are offered to increase capability through technology. Several hon. Members—and, in another place, Lords Inge, Guthrie and Boyce—mentioned the importance of our forces personnel both in the war against terrorism and in peace support operations, graphically described by Lord Inge as "boots on the ground". As hon. Members know, the reality is that the Army is short of 4,700 personnel. No amount of spin, fiddled figures or warm words will alter that fact. How will the Minister man today's commitments, let alone those of the defence White Paper? Will he cut regiments and the overall size of the Army to fit the available manpower?

Mr. Speaker: Order.

Mr. Ingram: I was expecting the hon. Gentleman to go on a bit, so that he would be ruled out of order, as the hon. Member for New Forest, East (Dr. Lewis) was.

The question of "boots on the ground", as the hon. Gentleman and Lord Inge put it, is mentioned in the White Paper and is clearly understood. As I said, we plan to continue to grow to meet the figure of 106,730 personnel: that is what we are seeking to achieve. I am sure that the hon. Gentleman heard my comments about people who are speculating, thereby perhaps creating unrest and affecting morale unnecessarily. The armed forces will not be used as a political football by Labour Members, because that diminishes those who do it.

Iraq

13. **Mr. Kevan Jones** (North Durham) (Lab): What measures his Department has introduced to promote security in the UK area of operations in Iraq. [143780]

The Secretary of State for Defence (Mr. Geoffrey Hoon): United Kingdom forces continue to provide an effective security capability in Iraq. Recent operations against smuggling, for example, have been a considerable success and were widely welcomed by the Iraqi people. Our forces are also closely engaged in developing Iraq's own security capabilities, so that Iraqis can increasingly take responsibility for their own security. Already, more than 10,500 Iraqi police are on patrol in the multinational division, south-east, and more are being trained. Other Iraqi security personnel are guarding vital infrastructure, key facilities and the coastline.

Mr. Jones: Although yesterday's announcement of the capture of Saddam Hussein was widely welcomed, it is recognised that attacks on coalition forces will continue. Many of those attacks will be organised by groups and individuals from outside Iraq. Can my right hon. Friend assure us that the utmost is being done to prevent those individuals from entering Iraq, and that British personnel in southern Iraq have the equipment that they need to protect themselves against such attacks?

Mr. Hoon: I am grateful to my hon. Friend for his observations. Certainly, a vital part of the training for Iraqi security forces is the development of a dedicated border police force—some 5,500 are now trained for that purpose. Their job is vital, as my right hon. Friend the Minister said. It is also important that we receive effective co-operation from the countries that neighbour Iraq—indeed, we are continuing to press them for assistance.

As far as equipment is concerned, I assure my hon. Friend that our forces are given the right equipment.

Hugh Bayley (City of York) (Lab): What impact has the withdrawal from Iraq of UN agencies and other humanitarian organisations had on the post-war reconstruction and development of the country? What conversations has my right hon. Friend had with the UN and other organisations about the security situation and when it will allow them to return?

Mr. Hoon: Not all non-governmental organisations have completely withdrawn from Iraq. Indeed, we continue to have conversations with the organisations and their representatives on the ground to try to ensure their safety and security sufficiently to allow them to return to Iraq to do the valuable work necessary for the rebuilding of the country. We have always regarded this as a partnership involving, first and foremost, the Iraqi people, the coalition forces who provide security, and, crucially, the non-governmental organisations, which play a vital role in reconstruction in any peacekeeping operation. Therefore, we want to see them back in Iraq and working flat out to create the conditions in which the Iraqis can assume responsibility for their own affairs.

14. **Mr. Dai Havard** (Merthyr Tydfil and Rhymney) (Lab): What impact operations in Iraq have had on the future requirement for equipment. [143781]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Operation Telic reinforced the requirement to be able to deploy and to sustain armed forces equipped and trained for both war fighting and peace support operations. Operations in Iraq have also demonstrated the importance of integrated joint capability. Those trends are reflected in the White Paper published last week.

Mr. Havard: I would like to ask my right hon. Friend two questions about future technology and proven technology. First, stand-off weapons, particularly precision guided munitions, seem to have been successful in Operation Telic. What is being done to build them into future programmes for development? Secondly, in relation to force protection, I was surprised to learn that there were no dedicated medical evacuation helicopters at work in Iraq. I would like such proven technologies to be available to protect troops, particularly in the golden hour following any injuries, and to be built into any future requirements.

Mr. Ingram: My hon. Friend raises two important points. While we look to the future, however, we must remember the impact of the present. We have recognised the importance of precision guided munitions for some time, and the planning and assessment relating to them were reflected in last week's White Paper. He rightly pointed to the successful use of weapons such as Paveway and Storm Shadow in the Iraq campaign, and we shall continue to make the acquisition of weapons of that capability a priority in our equipment programme.

In terms of force protection, we have consistently said—not just during the present conflict but in a number of recent ones—that we are increasingly working in coalition with our allies. The issue applies across a range of equipment capability. Some countries have a specialist ability to put into areas of conflict, as well as into peacekeeping operations, a range of capabilities, including field hospitals, nuclear, biological and chemical regiments, and explosive ordnance disposal regiments. Increasingly, our relationship is developing in that way. Doing things on our own is unlikely to be the way of the future. We shall always do things on a combined basis, probably with the Americans but with other nations as well. Iraq shows just how closely we are working with nations other than the United States.

Patrick Mercer (Newark) (Con): I am grateful to the Minister for outlining the future equipment requirement.

Anyone who has been in a war understands that the logistics will always have hiccups and that the details will not always be right, but will he assure us that there will not be a repeat of the experience of my constituent who told me the other day that he went into battle without ammunition for his rifle? Will the Minister assure me that that will never happen again?

Mr. Ingram: I am grateful to the hon. Gentleman for his general point. He correctly recognises that the logistics even of small-scale conflicts can sometimes go wrong, for a variety of reasons. We have to put in place a comprehensive and intensive analysis of the lessons learned, so that we can avoid those difficulties recurring. I would be grateful if he wrote to me on the specific issue that he raised, and I shall try to get him a more specific answer on it. I am concerned, as he is, about the nature of that matter, but I need to know more about it before I can answer his question.

Afghanistan

15. **Joan Ruddock** (Lewisham, Deptford) (Lab): What progress has been made on increasing security in Afghanistan. [143782]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): We have been working with the international community to extend the international security assistance force beyond Kabul and to widen the provincial reconstruction team programme. Our own team in Mazar-e-Sharif has been actively supporting United Nations and Afghan transitional authority initiatives to improve security, such as negotiating ceasefires between rival militia forces and placing their heavy weaponry under the control of the Afghan national army. Our contribution to ISAF continues to promote a safe and secure environment in Kabul. Finally, we remain active in our support for security sector reform.

Joan Ruddock: I congratulate my right hon. Friend on the activities of the British, especially in connection with the programme that he has just outlined. However, does he accept that, overall, there is a deteriorating security situation in Afghanistan, with the targeted killings of 15 aid workers and attacks on the United Nations, which have rendered one third of that country out of bounds to both? In that context, what assistance in security is being given to the electoral registration office of the United Nations, which has to accomplish in just eight months an electoral registration process that took it eight years to achieve in Cambodia?

Mr. Ingram: I do not pretend that the security situation in Afghanistan is ideal, but we are making progress. That is why we have put in place the provincial reconstruction teams, why the UK has been so heavily engaged, and why we have encouraged the maturation of that process and encouraged other countries to take such initiatives. We must move beyond Kabul and try to extend the areas of relative calm, recognising at all times that there are clear threats out there. My hon. Friend asked about protection for a specific programme. I do not have that information to hand, but I will obtain it and write to her. If it is an area where we have direct responsibility, I am sure that we are doing all we can. It is crucial to the democratic process, and it is where the future of Afghanistan lies, as is clear to anyone who has listened to President Karzai in the past few days talking about the future of his country. We must make sure that that programme and that process move forward unfettered, as far as that can be achieved. I will get more details about that for my hon. Friend and write to her.

Service Personnel (Education)

16. **Mr. David Cameron** (Witney) (Con): What discussions he has had with the Secretary of State for Education and Skills on the provision of good schools for forces families; and if he will make a statement. [143783]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): There is frequent contact between officials from the Department for Education and Skills and the Ministry of Defence in order to discuss the issues faced by schools with children from the service population, and to ensure that the provision meets their educational requirements. I draw the hon. Gentleman's attention to the supporting essay on people published in support of the White Paper last Thursday, which includes further comment on the ongoing discussions between the Departments at all levels of Government.

Mr. Cameron: Does the Minister agree that schools with a high proportion of children from forces families face particular pressures? Is he aware that, at the Gateway school in Carterton in my constituency, next to RAF Brize Norton, where about 80 per cent. of the children are from forces families, about 45 per cent. of those turned over to different schools last year? As the number of missions has increased and the number of personnel remains static, the position is likely to get worse. Will the Minister speak to the Department for Education and Skills about special funding for those schools? Surely that is the least our armed forces deserve.

Mr. Caplin: The Ministry of Defence has established a schools liaison policy in the area to which the hon. Gentleman refers. That is to ensure regular contact between the services, schools, parents and the local education authority. I expect that that would be the most appropriate forum for those discussions. I am, of course, aware of the changes coming to Brize Norton. They were the subject of an Adjournment debate initiated by the hon. Member for North Wiltshire (Mr. Gray) on 15 July, when we laid out the Government's policy on the matter.

Bob Russell (Colchester) (LD): I agree with the hon. Member for Witney (Mr. Cameron). Is the Minister aware that discussions are one thing, and delivery is another? Earlier this year, the Secretary of State for Education and Skills visited Colchester and promised the head teachers of schools with a large component of children from military families that more money would be forthcoming. When will that be delivered?

Mr. Caplin: I was tempted to say, "Better late than never" to the hon. Gentleman. Following the visit of my right hon. Friend the Secretary of State for Education and Skills, there have been more discussions about the matter in relation to the Colchester garrison.

Veterans' Affairs

17. **Dr. Rudi Vis** (Finchley and Golders Green) (Lab): If he will make a statement on joint working with the US Administration on veterans' affairs. [143784]

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I visited the United States last month where I met the Secretary of Veterans' Affairs in the American Administration, Secretary Principi. We agreed that there should be greater co-operation between Governments on the issues.

Dr. Vis: I congratulate my hon. Friend on the initiative. Will he go into more detail about the discussions and tell us whether further meetings are planned?

Mr. Caplin: The discussions between the US and the UK centre on increasing co-operation to involve Veterans Affairs Ministers of Australia, New Zealand and Canada in a ministerial-level meeting. That will be an important opportunity to develop veterans' affairs with the United States and across the Commonwealth.

Main Battle Tanks

20. **Hugh Robertson** (Faversham and Mid-Kent) (Con): If he will make a statement on the number of operational main battle tanks. [143787]

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Challenger 2 performed excellently in operations in Iraq earlier this year and continues to play a valuable role there. Sufficient Challenger 2 tanks are available to meet our operational and high-readiness requirements. Force recuperation continues according to plan.

Hugh Robertson: Given that the National Audit Office report praised the speed with which the MOD and British forces deployed Challenger 2 tanks to the Gulf and that many commanders have praised the tank as a battle-winning asset in Iraq and Afghanistan, is not the change to light scales the wrong decision, taken at the wrong time?

Mr. Ingram: Challenger 2 is not disappearing, and it is not a question of converting all heavy tanks to medium and light; there will be a mixture. The hon. Gentleman is right about the NAO's analysis of how the tanks performed, how they were maintained in the field and how the tank commanders and all who worked alongside them delivered such a key element in that military campaign. There will still be a need for the heavy component, so I do not accept the premise of his question—that the decision we are envisaging, as set out in the White Paper, is wrong. I believe it to be fundamentally correct and a view that is held within the tank regiments and elsewhere. They recognise that the threat is changing and that we must have a better balance and provision to be able to meet emerging threats as well as existing ones.

Eurofighter Typhoon

21. **Miss Anne McIntosh** (Vale of York) (Con): What the implications of the Defence White Paper are for the Eurofighter. [143788]

The Secretary of State for Defence (Mr. Geoffrey Hoon): The defence White Paper sets out our intention to deploy capabilities right across the range of air operations. Typhoon can be employed in multiple roles and will have the built-in flexibility to adapt its role in an environment where the threat is developing and changing.

Miss McIntosh: I invite the Secretary of State to answer the question that I put to him on Thursday. How many Typhoons can we expect at RAF Leeming? Will they come in on the date that we announced and in the same numbers as originally ordered?

Mr. Hoon: As I made clear in the White Paper, we are considering the numbers of combat aircraft, such as Typhoon and the joint strike fighter, to meet anticipated future capability requirements. The UK is party to international arrangements, under which we are set to order 232 Typhoons. Fifty-five aircraft are already on order and we are working towards an order for the second tranche of 89. The third and final order is not due to be placed before 2007 and we will keep our requirements under continual review during that time. On current planning, RAF Leeming will be the second base for Typhoon, after RAF Coningsby and before RAF Leuchars. On current plans, I anticipate the aircraft arriving at the station around 2007.

Western European Union

23. **Mr. George Foulkes** (Carrick, Cumnock and Doon Valley) (Lab): If he will make a statement on the future of the Western European Union. [143791]

The Secretary of State for Defence (Mr. Geoffrey Hoon): In November 2000, the Council of the Western European Union at Marseilles agreed a number of measures designed to address the consequences for the WEU of the changes under way, particularly the evolution of European security and defence policy.

Mr. Foulkes: Is the Secretary of State aware that I used to wonder about the role of the Western European Union? Now that I am a member of the Parliamentary Assembly of the WEU, I do see that it has a potential role, but the matter does need more debate and discussion. Will he or one of his Ministers agree to meet the British delegation to the WEU to discuss further a greater and expanding role for that important institution?

Mr. Hoon: I emphasise that the Government share my right hon. Friend's determination to travel widely and extensively throughout Europe, so we entirely accept the need to consider further how to improve the arrangements for collective oversight of areas of EU activity, including ESDP. We are very grateful for his contribution, on behalf of the European taxpayer.

European Council

3.31 pm

The Prime Minister (Mr. Tony Blair): Mr. Speaker, with permission, before I make a statement on the details of the intergovernmental conference, I should say that the European Council also discussed Iraq. The presidency conclusions reaffirm the importance of the reconstruction of Iraq and condemn the recent terrorist attacks. These conclusions have been placed in the Library of the House. Perhaps this gives me the opportunity to update the House briefly on the events of the past 24 hours.

The celebrations on the streets of Baghdad, Basra and all over Iraq show once and for all how delighted the Iraqi people are that Saddam's rule is now history. The Iraqi people want their freedom, and support the principles of justice, democracy and the rule of law, just as people do everywhere, given half the chance to do so. I would like to pay tribute to the American coalition forces and the intelligence services, who brought about Saddam's capture. They have proved their professionalism, bravery and commitment. But let us also pay tribute to the Iraqi people themselves, who helped to capture Saddam. Thousands of Iraqis are now working in the new Iraq police and defence forces, and they are working to build a new Iraq. We will work with them to do so.

There is still a massive amount to do, but we have achieved a great deal in a short time. A political timetable is taking us through to a democratic, elected Government in Iraq—an Iraq where the public enjoy freedom of speech and religion for the first time in decades. Over 17,000 reconstruction projects have been launched. Oil production has risen by 320,000 barrels per day, with the proceeds used for the benefit of the Iraqi people, rather than stolen or squandered, as they were under Saddam's rule. Iraqis now have a new currency to spend in the increasingly well-stocked markets. Electricity has surpassed pre-conflict levels, and clean water supplies are improving daily.

But as we have seen yet again today, the terrorists and Saddam's sympathisers will continue, and although small in number and in support, their terrorist tactics will still require vigilance, dedication and determination. But the hope of a new Iraq is now clear and evident to all, and the final victory will be the Iraqi people's.

I now turn to the details of the European Council and the intergovernmental conference, which took place in Brussels on 12 and 13 December. The negotiations, which have been going on over the past 22 months, have been about the effective management of the European Union after its enlargement to 25 countries next year. That enlargement is a hugely important event, not just for the countries concerned, but for the whole of Europe. The stability and prosperity of our continent stand to gain enormously from enlargement. That is why we negotiated the Nice treaty three years ago to make enlargement possible. It is why we have been negotiating in the Convention, and now the IGC, on a draft constitutional treaty.

A negotiation among 25 sovereign countries was bound to be complicated, particularly on the issue on which the Nice negotiation itself almost foundered: the relative weight in voting terms that each country would have after enlargement. In the end, it was on that issue that agreement at the weekend proved impossible.

However, a great deal of progress has been made, and I pay an unqualified tribute to the Italian presidency whose skill and tenacity made that progress possible. Prime Minister Berlusconi was able to sum up at the end of the meeting that while, of course—*[Interruption.]*

Mr. Speaker: Order. Let the Prime Minister make his statement.

The Prime Minister: Prime Minister Berlusconi was able to sum up that, while, of course, in formal terms, nothing is agreed until everything is agreed, there were some 82 points where consensus was close. Those included key changes on very important issues for the United Kingdom—*[Interruption.]* The truth is that the Opposition do not believe these things to be important at all.

If it proceeds on the basis outlined by Prime Minister Berlusconi, tax, EU finance, social security and criminal law will all remain the province of the nation-state—namely, subject to decision-making by unanimity—and any further treaty change will be subject to the approval of national parliaments.

I should also highlight the fact that the European Council welcomed the proposals put forward by the United Kingdom, France and Germany on the future of European defence, which is limited of course to peacekeeping and humanitarian issues. Those will strengthen the European Union's collective planning capacity while in no way duplicating, or conflicting with NATO, which remains the basis of Europe's territorial defence.

The draft constitutional treaty is also close to an agreement in other ways that are important for this country. It contains a clear statement that the European Union has only the powers that the nations give it. The Union acts only when objectives cannot be achieved by individual countries acting alone. There will be new powers for national parliaments to be involved in EU legislation. It will be for the Union's national leaders in the European Council to set the strategy of the European Union and there will be a full-time chairman of the European Council to drive forward that work. The European Commission will have all its necessary independent authority within that system.

As I said earlier, Mr. Speaker, the outstanding point of difference was over the relative weight of the votes that member states have within the EU. The Government made it clear in our White Paper published in September that we were content with the Nice system, but were equally prepared to move to a new one, if there were a consensus for that. However, it has been a particularly difficult question for Spain and Poland and I believe that it was right to take time to find a workable solution, rather than to plough on in the hope of an unsatisfactory compromise. That is particularly so since the voting provisions of the Nice treaty take effect only in a year's time and—something often not fully understood—under the Convention proposal those Nice voting arrangements would anyway last until 2009. So we have time to resolve the issue.

Above all, the negotiation was living proof that the European Union is and will remain an organisation of sovereign member states. We could not agree at the weekend precisely because agreement required unanimity. In time an agreement will, however, be necessary to allow enlargement to work effectively, but we now have a chance to reflect and consider before proceeding.

In the meantime, the business of the European Union will continue under the existing treaty framework. We are in contact with the incoming Irish presidency to take forward the Lisbon economic reform agenda at the spring summit next March. Eight central European countries, and Malta and Cyprus, will accede to the European Union on 1 May.

We shall turn our minds to the next financing framework for the European Union, to cover the period from 2007. I have today, with the President of France, the Chancellors of Germany and Austria, and the Prime Ministers of the Netherlands and Sweden, written to the President of the Commission to emphasise the need for budgetary discipline over the coming financing period.

Ultimately, these negotiations are about the stability, security and prosperity of a Europe of nearly 500 million people, living in countries that are our principal allies and our major trading partners. It would be a serious mistake for any British Government to absent themselves from those negotiations and to allow decisions vital to our security and prosperity to be made by others. We should therefore continue to shape the future of Europe in ways that reflect our national interest. We can either be on the touchline shouting our criticism, or on the field as an active and successful player. I have no doubt—and Government Members have no doubt—that we should remain fully engaged. That is why I commend these outcomes to the House.

Mr. Michael Howard (Folkestone and Hythe) (Con): We join the Prime Minister in welcoming the capture of Saddam Hussein. I congratulate fourth infantry division and others involved in that achievement. Those in the House who have always believed that the war was right in principle recognise that this momentous event is likely to hasten the day when we see a free and democratic Iraq.

Secretary Rumsfeld said this weekend that Saddam is being held by the Americans as a prisoner of war. Can the Prime Minister confirm that that is the case, and what restrictions does that place on such issues as the questioning of Saddam Hussein and his exposure to the media. Will the Prime Minister assure us that Saddam's trial will be fair, open and transparent? Will he take this opportunity to explain exactly how he expects that to be achieved? Will he also give assurances regarding the independence of any judicial process? Will he confirm that any trial is likely to take place in Iraq? Does he envisage its coming before or after the handover of sovereignty to the Iraqi people? What is the Government's view on the possibility that Saddam Hussein might, if convicted, face the death penalty?

The Prime Minister also reported on the weekend's other developments. He was said this morning to have looked far from grief-stricken at the way in which the European Union summit turned out. We are not grief-stricken either. However, this lack of grief owes nothing to the Prime Minister: it was the courage of the Polish Prime Minister, alongside Spain, in standing up for their principles that stopped the Prime Minister returning with an EU constitution.

From the beginning of this debate, the Government's position has been characterised by dissembling. Just three years ago, the Prime Minister informed us, in his Warsaw speech, that the British way for Europe was not for a

> "single, legally binding document called a Constitution".

When did he change his mind about that? Then he said that a constitution was essential for enlargement; now it has collapsed, and he says that it is not. When did he change his mind about that? The Leader of the House said the process was all "a tidying-up exercise", but the Prime Minister told a Cabinet Committee that the outcome of the convention would be absolutely fundamental and would last for generations. Despite the Foreign Secretary's boasting to the *Today* programme on Friday that the phrase "ever-closer union" had been dropped from the draft constitution, has it not been replaced by the phrase "united ever more closely"? Can the Prime Minister tell the House precisely what the difference is between those two phrases?

In 1999, the then Foreign Secretary told the House:

> "For the record, we are not proposing a constitution of Europe."—[*Official Report*, 25 May 1999; Vol. 332, c. 184.]

When did the Prime Minister change his mind about that? Three years ago, he said that there was

> "no proposal, no desire or decision for a separate European military planning capability".

Now, there will be. When did he change his mind?

Three years ago, the Prime Minister told the House:

> "Our case is that"

the charter of fundamental human rights

> "should not have legal status, and we do not intend it to. We will have to fight that case."—[*Official Report*, 11 December 2000; Vol. 359, c. 354.]

When did he change his mind about that? When did he stop fighting that case?

In the convention, Government representatives proposed 200 amendments, of which just 11 were accepted. Will the Prime Minister tell us what happened to the rest? Did he fight and lose, or did he just give up? His representative, the Leader of the House, tried to delete seven sub-clauses on asylum and immigration that would enable policy on those matters to be decided by a majority of other states. His amendment failed; did he fight and lose, or did he just give up? He tried to remove the title "Foreign Minister", saying that the proposal was unacceptable as it stood. He failed. Did he fight and lose, or did he just give up? He tried to remove the EU Foreign Minister's right to take our seat on the Security Council. He failed. Did he fight and lose, or did he just give up? So much for his claim three years ago that the intergovernmental conference would deal primarily with issues of subsidiarity. Indeed, the Belgian Prime Minister describes the constitution as the "capstone" of a "federal state."

Why has the Prime Minister not listened to his own representative on the EU Convention, who said:

> "Not once in the 16 months I spent on the convention did representatives question whether deeper integration is what the people of Europe want, whether it serves their best interests or whether it provides the best basis for a sustainable structure for an expanding Union."

[Mr. Michael Howard]

Will the Prime Minister take advantage of this weekend's failure to look again at the whole question of a constitution for the European Union? Will he admit that a constitution takes Europe in the wrong direction? Will he now use this opportunity to put the case for a modern Europe, for a flexible Europe, for a Europe whose nation states have room to breathe? If some wish to integrate more closely, why should we stop them? Why cannot we say to our partners in Europe, "We do not want to stop you doing what you want to do, so long as you do not make us do what we do not want to do."? Is there not a precedent for a flexible Europe in the single currency and the Schengen agreement and, indeed, in the social chapter, before he abandoned our opt-out?

Above all else, if he refuses to listen and the constitution is agreed, will he at least listen to the views of the people and call a referendum? Even the former Minister for Europe has now called for a referendum. After all, it is not as though the Government are hostile to the principle of referendums: we have already had 34 of them. Why is the Prime Minister so determined to stop the people of our country having a say on this vital issue? Is it not time for a Government who are willing to listen to people's views, who will stand up for what is right for Britain and for Europe, and who will end the years of dissembling and trust people enough to tell them the truth?

The Prime Minister: We all remember exactly what happened the last time that the right hon. and learned Gentleman was in charge of European matters. He put through the Maastricht treaty without a referendum, and he voted for it. I shall come back to that in a moment.

On Iraq, the US Secretary of State is correct: Saddam Hussein will be treated with all the rights of a prisoner of war. The trial process should be determined by the Iraqi Government and the Iraqi people. It should be left to them. Of course we must ensure that the process is proper, independent and fair, but I am sure that the Iraqis have the capability to achieve that. We and other countries will work with them to ensure that that is correct.

As for what the right hon. and learned Gentleman said about Europe, the extraordinary thing is that he thought that it was a terrible humiliation to go there and get an agreement. Now there is no agreement, he thinks that it is a terrible humiliation not to have got one. Does he not understand that there is something increasingly absurd about his opportunism and opposition for opposition's sake? He is the person who said that there should not be an agreement. We come back without an agreement, and he attacks us for it.

Let us deal with some of the facts, not the myths. In respect of tax, social security, defence and foreign policy, we have made it clear—and there is now a consensus for this in Europe—that all those issues should remain by unanimity the province of the nation state. I shall quote to the right hon. and learned Gentleman from a member of his shadow Cabinet—*[Interruption.]* I think that that is fair enough. The right hon. Member for Skipton and Ripon (Mr. Curry), who is in his place, said a few months ago:

> "The danger for us is not from a closer relationship from our neighbours but from those who would isolate us from Britain's largest market."

That is exactly the Leader of the Opposition's policy. Or, as the right hon. and learned Gentleman has appointed as one of his key advisers the right hon. and learned Member for Rushcliffe (Mr. Clarke), here is what he said just a few weeks ago:

> "What is being proposed will not herald the 'end of a thousand years of history', nor does it justify any other of the hyperbolic claims that are currently being made".

That is an answer to the question from the Opposition's own side.

As for the charter of rights, we have made it clear that that should not have binding legal authority and that is precisely what we shall achieve in the course of the negotiation. National Parliaments are to be involved for the first time. That is subsidiarity in action.

As for Poland, the latest myth of the Eurosceptics is that somehow Poland is against the whole European constitution. It is not.

Mr. Howard: No.

The Prime Minister: The right hon. and learned Gentleman says no. Poland is against one aspect—on voting weights. That does not touch significantly—as between Nice and what is proposed in the Convention—the interests of this country. But Poland, were it not for that point, would be voting in favour of the constitution. That is why the absurdity of his position is this: he has said recently in interviews that he would seek to renegotiate the whole of the constitution even if it was ratified. Right. Let me put to him the point that I put to his predecessor and to the predecessor before that: name me one other country in favour of renegotiating the very principle of a European constitution. There is none—*[Interruption.]*

Mr. Speaker: Order. Mr. MacShane should calm down.

The Prime Minister: The truth is that there is none, so what would be the policy of the Leader of the Opposition? Supposing that we can, as no doubt in time we will, overcome the difference between Poland and Spain on one hand and France and Germany on the other and that we actually have a European constitution, the right hon. and learned Gentleman says that he would renegotiate the whole of it—not one other country supports that position. What would that leave us with? He quoted to me what my representative on the Convention said. Let me quote to him what his representative on the Convention said, which is that in those circumstances, we should renegotiate our membership and retire to an "associate membership" of the European Union.

That is the worst that would happen, but what is the best? The Leader of the Opposition mentioned Maastricht and the European social chapter. Does he still think that it was of great benefit to Britain to have an opt-out from the social chapter? Well, now that we have signed up to the social chapter, what has it meant? For the first time, British workers had the right to paid holidays. That is what he is against. He is the person who told us that if we signed up to the social chapter—how many jobs would leave the country?—500,000 to 1 million jobs would leave the country. We signed the social chapter and we got 1.5 million extra jobs in the British economy.

The truth is that Britain should carry on playing a leading role in Europe in areas such as defence. It is important that Britain is part of European defence. Britain is blessed with two great alliances: one is our transatlantic alliance with America; the other, as a result of our membership of the European Union, is a European alliance—part of the most powerful union in the world. I say that we should give up neither; we should carry on working, as we have in the last year, for the transatlantic alliance, and we should continue to be a leading constructive, engaged member of the EU. To return to the margins, which is where we were six years ago when the right hon. and learned Gentleman was in charge, would not be to the satisfaction of our national interest; it would be a betrayal of that national interest.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): I thank the Prime Minister for his statement.

On Iraq, I begin by expressing unqualified congratulations on the skill, professionalism and bravery of those forces who apprehended Saddam Hussein. That is a most welcome development. Does the Prime Minister agree that it could send an important signal, both inside Iraq and globally, to those misguided enough to be adherents to Saddam's particular form of brutalised fanaticism that their time is over and that the emphasis must now be on the internationalisation of the position in Iraq and hastening that country towards stability and democracy?

Does the Prime Minister agree, given that Saddam's captivity has been achieved, that he must be tried according to internationally reputable standards of justice and in public, and that the process itself must be rooted in legitimacy in the eyes of those who will be judging, not least in Iraq and the rest of the middle east? Does he agree therefore that a significant international presence in the shape of the United Nations is required for a tribunal, or whatever method of legal procedure is arrived at, to have sufficient legitimacy?

If we want to internationalise the situation, does the Prime Minister agree that the best way to establish credibility for any war crimes trial would be for the Iraqi governing council to suggest setting up an international tribunal, perhaps along the lines of the one that was pursued in the context of Sierra Leone? If that IGC requested the setting up of such a tribunal, would the British Government give their support?

Yesterday, Sir Jeremy Greenstock ruled out British participation in any process that results in administering the death penalty. The statute of the existing special tribunal that was agreed last week, of course, includes the death penalty, so if the special tribunal that has been established for Iraq by the coalition forces tries Saddam Hussein as presently proposed, will the UK participate?

I shall now turn to the extremely disappointing events of the weekend in respect of the intergovernmental conference—it was disappointing for all of us across the political spectrum with a broadly pro-European mindset in the national discussions that are taking place. May I at least welcome the progress that was achieved on defence matters and draw attention to the fact—the Prime Minister has referred to this—that that has involved a compromise with the American Government and that that understanding between our country, the rest of the European Union and the Americans is to be broadly welcomed and built upon?

May I stress to the Prime Minister that the Liberal Democrats remain firmly of the view that there remains the need for a constitution—a codification of European operating procedures—not least because of the welcome enlargement that is now in front of us and that those who seek some comfort from the difficulties of the weekend overlook the much bigger picture? Those of us who were Members of Parliament at the time remember the Monday after the weekend when the Berlin wall came down and all those countries of central and eastern Europe that had been under the tyranny of the communist regime in the Soviet Union suddenly began to experience liberation. That was the big picture and the big prize for Europe, and we must not lose sight of the fact that, despite the political difficulties that were encountered at the weekend, the constitution will give effect to an enlarged Europe. That is a pivotal point, which those of us who are of a pro-European slant are correct to emphasise.

Does the Prime Minister agree that the spectre that has been raised during the weekend of a two-speed Europe—a two-tier Europe—is not in Europe's interests and is certainly not in British interests? That being the case, will the Prime Minister tell us how that sense of two-tierism will prejudice his ambitions on behalf of the Government for our country to remain at the heart of Europe? Finally, will he confirm that it remains the Government's intention to secure a decent and deliberative outcome to the Convention process, arriving at a workable constitution for an enlarged EU? That is in British interests, and it is profoundly in European interests as well.

The Prime Minister: On Iraq, I can do no more than repeat what I have said. I think that any trial of Saddam should be for the Iraqi Government and people and that it is for them to determine the penalties that might arise from that. It is important to recognise that it is only in circumstances where a country is incapable of mounting a proper tribunal that we have recourse to international tribunals. If Iraq has that capability, it would be wrong to mount such a tribunal. The governing council has already indicated that it wants a special tribunal to try those who are guilty of serious war crimes, so it is important to allow it to do that because it is part of Iraq's prerogative as a country. Of course, that would be done on the basis that such a special tribunal could be constituted.

On Europe, the truth is that we need to make changes if we are to have an effective Europe of 25. There is no way in which it will work as effectively as it should unless we make changes, which is why it is perfectly sensible to have the debate on the constitution and to try to resolve it. I do not believe that anyone wants a two-tier Europe, although there will no doubt be issues on which people will move ahead and enhance co-operation—that is already provided for by what was agreed at Nice. For example, we would want to be part of any movement forward on defence, but perhaps we would not on other

[The Prime Minister]

matters, so we can deal with that case by case. I remain absolutely of the view that it is important to conclude the negotiations successfully, but there is obviously an impasse at the moment because of differences over the Nice voting system. I return to the point that I made: on the vast bulk of the stuff in the constitution, there is now agreement among the 25.

Mr. Doug Henderson (Newcastle upon Tyne, North) (Lab): I totally support the stance that my right hon. Friend has taken at the European Council, which is realistic in difficult circumstances and will carry the full support of the British people. Does he agree that although the capture of Saddam Hussein is welcome, it will not necessarily lead to stability in Iraq, and that the crucial factor in establishing stability is building bridges with the whole of the Iraqi community to prevent degeneration into three separate countries? In that context, does he agree that it would be desirable to broaden the basis of the Iraqi governing council?

The Prime Minister: I agree with both points made by my hon. Friend. I thank him for his support on the European negotiations. On Iraq, he is absolutely right; the capture of Saddam is a momentous and important event, but it will still be necessary to defeat Saddam's supporters and the assorted foreign terrorists who are trying to prevent the progress that is being made. It is important that we give every power and strength to the Iraqi governing council and keep to the political timetable set out. In the end, the situation must be seen for what it is: the coalition forces and the Iraqi people against those who want to hold back the process.

Mr. David Heathcoat-Amory (Wells) (Con): It was a great day for Europe when the Poles did what the British Government should have done—block the wretched document. Since this may be only a reprieve rather than the end of the constitution, will the Prime Minister elaborate on his claim that he secured all his objectives, even though most were not fully discussed? Will he assure us that if the text is retabled next year, it will not include any of the red line objections that the Government have announced so far? Will he therefore assure us that any future constitution will not contain any of the matters to which the British Government object?

The Prime Minister: Of course, because we have made it clear that those things that are red lines for us cannot be breached, which is precisely why we negotiated on that basis. Negotiations on such issues as tax, social security, foreign affairs and defence have been going on for many weeks. The truth of the matter is that there is nearly a consensus on those issues in favour of the British position, although we obviously must await the final negotiations.

Let me point out the complete irrationality of the position of the right hon. Gentleman and Conservative Members. He says that Poland did what Britain failed to do, but Britain would have refused to sign a treaty that said, for example, that there should be no unanimity on tax matters. The Polish objection was to one part of the treaty, but the whole negotiating position of the Conservative party is the belief that lots of countries are saying that they want nothing to do with the constitution. If the right hon. Gentleman took his position and negotiated on behalf of this country, he would be alone in arguing that point. What is more, he would end up doing precisely what the Conservatives did at Maastricht, when everyone else determined how the single currency would work, the date it would take place and all the machinations that went towards it. All that the Leader of the Opposition got was his opt-out on the social chapter, which simply meant that British workers did not get the same rights as European workers.

I do not know when Conservative Members will learn from their experience. The last time they were in power, they did not stand up for this country's interests. Britain became a laughing stock in the European Union—*[Interruption.]* I am afraid it did. When we got to the table in 1997, we had no influence. Why? Because as a result of divisions in the Conservative party, we took the same positions as the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) wants to take today. The idea that Poland or anywhere else will block the whole of the treaty over the years to come is a complete myth. That is why there are two alternatives: we either get on the pitch and play or shout from the stands: I know which I prefer.

Ms Gisela Stuart (Birmingham, Edgbaston) (Lab): I do not regard this weekend as a failure. We have an opportunity to address some of the imperfections of the Convention process in which, despite extremely hard work by the Government's representatives, we did not fully achieve what we wanted to achieve. Subsequent achievements, especially in relation to the passerelle clause, have not only removed the major reason for Conservative party opposition but introduced changes to give individual Parliaments the power of opposition that I could not have dreamt of achieving before. On that basis, I would have thought that the Conservatives would sign up to what is on the table. When the Prime Minister goes into the process of reconsideration and reflection over the next few months, he has a valuable opportunity to consider whether the mechanisms to enforce subsidiarity are strong enough or whether they should be improved.

The Prime Minister: My hon. Friend is right. It was necessary to improve the original Convention text, on which we have been negotiating for the past few months. She rightly referred to the passerelle clause, for which the shadow Foreign Secretary laid down the test of whether we were we going to rid of it. He said just a few weeks ago:

> "Are they going to get rid of the so-called escalator clause?"

Well, we have got rid of it. What do the Conservatives then do? They move on to the next thing. Let us be clear why: it does not matter what we get out of the negotiations, they will say no.

Peter Bottomley (Worthing, West) (Con): There was obvious pleasure in Iraq and elsewhere when Paul Bremer announced the apprehending of Saddam Hussein. Will the Prime Minister take a bit of advice? It is better to refer to those who are suspected or accused of war crimes rather than to those who are guilty of war crimes. That would make a trial seem fairer and, probably, be fairer.

On the referendum on Europe, if people want a referendum, why can they not have one? Will the Prime Minister kindly arrange for a written statement to be made to answer the questions asked by my right hon. and learned Friend the Leader of the Opposition? There were specific questions, but there were not specific answers.

The Prime Minister: The problem is that Conservative Members do not like the answers—*[Interruption.]* Yes, that is absolutely correct. As for a referendum, as I have said repeatedly, if the draft constitution altered the fundamental nature of the relationship between the member state and the European Union, there would be a case for a referendum, but it does not and it will not. If we meet all the positions that we have set out, and I am confident we will, there will be even less of an argument for a referendum. I refer the hon. Gentleman to the House of Lords Select Committee, a cross-party Committee, that reported a few weeks ago and then reaffirmed its position, which is that, if anything, the draft treaty tilts the power towards member states. It makes it clear that the European Union, from then on, will have only the competencies that are conferred on it by the member state. The truth of the matter is that the Conservatives want a referendum not in order to have a "debate" on the European Union, but in order to say no, to get a no vote and to bring Europe to a halt so that they can pursue their real agenda, which is out not in.

Mr. George Foulkes (Carrick, Cumnock and Doon Valley) (Lab/Co-op): May I, as a long-standing pro-European, tell the Prime Minister that I do not share the Liberal leader's disappointment in the outcome? We can move forward in Europe only by agreement, not by bullying. Will my right hon. Friend explain to the Leader of the Opposition that discussions in Europe proceed by negotiation—by give and take? Is it not far better that we are in there, with a Prime Minister and a Foreign Secretary arguing our case, rather than standing on the sidelines like Switzerland or Norway, complaining about decisions over which we have no control?

The Prime Minister: That is precisely why this country has always been at its best when playing its full part in Europe, which we must continue to do. Pretence patriotism says that the best way to defend this country's national interest is to retreat to the margins of Europe. It is not. It is perfectly obvious that we must be on the pitch playing. The classic example is European defence. Of course we could opt out of European defence, but it would not mean that European defence did not happen; it would simply mean that it happened without us. That would not be in the interests of Britain, Europe or NATO.

Mr. Roger Gale (North Thanet) (Con): The Prime Minister referred fleetingly in his statement to the accession of the island of Cyprus. Does he agree that the elections held in the occupied northern part of the island over the weekend demonstrated extremely clearly that the puppet regime has no mandate whatsoever? If he does, what steps will the United Kingdom take as a guarantor power to ensure that Turkish Cypriots have a proper say in the accession of Cyprus as a united island to the European Union next spring?

The Prime Minister: It is important that we try to use the elections to move forward on the terms set out by the United Nations Secretary-General. I think that those form the proper basis on which we can find a solution for a united Cyprus, and they make the entire process much easier. That is what we will be working for. If we can achieve that, it is in no sense a barrier to accession, but undoubtedly it makes life much easier if we can have that unity. I hope very much, on the basis of the elections that took place at the weekend, that we are able to make progress.

Mr. Gerald Kaufman (Manchester, Gorton) (Lab): As a member of the Labour party who, with Neil Kinnock, formulated the Labour policy that supported the removal of Saddam Hussein from Kuwait, who opposed Saddam Hussein long before he seized Kuwait, who has opposed Saddam Hussein since he was removed from Kuwait and who supported the means whereby he was captured over the weekend rather than opposing the means but snivellingly praising the end, may I ask my right hon. Friend, with that background, whether he will accept from me, and people like me, our utter opposition to the use of capital punishment against Saddam? I hope that he will be able to state the position of our Government on that.

The Prime Minister: I thank my right hon. Friend for his long and principled opposition to what Saddam Hussein stood for and did in Iraq. Of course this country remains opposed to the death penalty, but its use must be decided by the Iraqi Government and the Iraqi people. Whatever our own tradition and position here and the position that we lobbied for at an international level, there is an important point of principle, which is that the special tribunal, correctly constituted, should be in the hands of the Iraqi people.

Sir Teddy Taylor (Rochford and Southend, East) (Con): Is the Prime Minister aware of the growing view among all the parties in Britain that the basic reason he is opposed to holding a referendum on the new constitution is simply because he would be hammered? Is it not right and proper in a democracy that, before imposing a written constitution, he should seek the opinion of the people? Would it not help to remove much of the anxiety and depression about the whole affair if he said that we will have a referendum and let the people decide whether they want a written constitution?

The Prime Minister: As a result of what happened at the weekend, we do not have an agreement. Surely it is better to see whether I am right in saying, when the agreement is finally promulgated, that it does not alter the basic constitutional relationship between member states of the European Union, or whether the hon. Gentleman is right in saying that it does. It is surely on the basis of the agreement that we should make the judgment.

Ann Clwyd (Cynon Valley) (Lab): Will my right hon. Friend confirm that Saddam Hussein will at last face the

[Ann Clwyd]

justice that he denied tens of thousands of Iraqi people and of many other nationalities as well, including British hostages taken in Kuwait? I remind anyone in this House or anywhere else who has any lingering sympathy for Saddam Hussein or his regime of just one witness statement taken by Indict:

> "One of the President's bodyguards brought 30 prisoners out. They were Kurds. The President himself shot them one after another with a Browning pistol. Another 30 prisoners were brought and the process was repeated. Saddam Hussein was laughing and obviously enjoying himself. There was blood everywhere—it was like an abattoir".

That is the regime that we have brought to an end.

The Prime Minister: I entirely agree with my hon. Friend, and thank her again for her brave and courageous stand for many years against Saddam Hussein and all that he stood for.

Mr. William Cash (Stone) (Con): The Prime Minister will know that the Germans and the French said that they would go ahead with the constitution only on their own terms. The Prime Minister said, and he repeated it today, that he agrees with the constitution in principle. Together, that would betray not only Poland's democratic sovereignty but the United Kingdom. Delaying a decision on the voting system until 2009 does nothing for the situation and is mere camouflage. By failing to veto the constitution, the Prime Minister, far from being a peacemaker, will have to meet his own Munich.

The Prime Minister: I am afraid that that sums up the sentiment in today's Conservative party. Let me repeat the position, and the hon. Gentleman can go and look at what the Poles said. The President and Prime Minister of Poland oppose not the constitution but one aspect of it that affects their country's interests.

Mr. Cash: In a referendum.

The Prime Minister: No, they are not having a referendum on the constitution in Poland.

Mr. Cash: They had a referendum.

The Prime Minister: They had a referendum on whether Poland should become part of the European Union. We, too, had a referendum, and it was offered by Labour, not the Conservatives. I point out to the hon. Gentleman once again that there is no way in which Britain will gain from the process of what is happening in Europe if it absents itself from those negotiations. Yes, France and Germany will argue their corner, and we should argue our corner. For goodness' sake, we do not have to worry about being beaten by the French and the Germans every time. We have shown in many negotiations in the past few years that when we fight to get our own way we can get our own way. We can do so without the Eurosceptic nonsense that too often emanates from the Opposition.

Mr. Frank Field (Birkenhead) (Lab): Will the Prime Minister speculate on why fewer Members turned up to hear this European statement? Does he think that that may be because views in the House reflect views in the country and that an increasing number of people feel that the agenda set in the immediate post-war years to deal with the situation then has now largely run its course? May I make a plea to him not to apply the usual European technique when issues have been rejected of grinding down opposition? Will he pick up the ball and run with it, take the issues that people in this country believe are crucial to our well-being and that of Europe—trade and the environment—and make sure that we are at the centre of Europe in dealing with those two key areas?

The Prime Minister: I agree with the last part of what my right hon. Friend said and think that it is important. An issue such as trade is a classic example of where we should be driving through the single market and so on, but obviously we can do so only as part of the European Union. In many areas of trade and commerce, we need qualified majority voting to make sure that, in a Union of 25, small states do not block change. When one looks back at the history—I know that my right hon. Friend was not doing this—one can see that part of the Eurosceptic myth is that these things are never going to happen and that somehow it is never going to arrive, so we do not lose by staying at the side. However, that is not the way in which it has ever worked.

Maastricht was a classic example of that. When the Leader of the Opposition and his colleagues were in power they went to Maastricht and let everyone else determine the terms, then got their opt-out from the social chapter and the single currency. Sweden never had an opt-out from the single currency, but had a referendum on it. We, of course, have said that we would have such a referendum here if we recommended joining. The truth of the matter is that what happened at Maastricht is a classic example of everything that was wrong with the Conservative party and its former leadership in Europe. We were utterly marginalised. We got an opt-out from the social chapter—a fat lot of good that did anyone, frankly—and the rest of Europe went ahead, and we should have been there determining how it was shaped right from the beginning.

If we did what the Leader of the Opposition wants us to do, we would make exactly the same mistake on European defence. If Britain does not play its full part in European defence and shape it in a way that is consistent with NATO, it will be taken forward by others, perhaps in a way that is inconsistent with NATO. That is why we must remain at the centre of Europe, not on the sidelines.

Mr. Edward Leigh (Gainsborough) (Con): Up to now, many of the attacks on coalition troops in Iraq have been blamed on former regime loyalists. Is there not now a danger to the coalition case in Iraq? What will happen if the terrorist attacks continue, perhaps unabated? Will that not lend credence to those who argue that despite the undoubted merits of getting rid of a gangster regime, when it comes to the big issue—the issue of dealing with international terrorism—an attack on a sovereign Arab nation has made the threat from international terrorism worse, not better?

The Prime Minister: I am afraid I do not accept that at all. Let us consider some of the terrorist acts that are happening around the world today. Attacks by extremists are happening in countries of which some supported the action in Iraq and many opposed it. These people will carry on fighting their war until we defeat them—and Iraq is merely the latest battleground.

Why do they want to stop us making progress in Iraq? It is because if we make progress in Iraq, their entire argument—their lie that somehow this was about oppressing Muslims or defeating the Arab world—is exposed for what it is. If Iraq gets on its feet as a stable, independent, sovereign state, democratic and prosperous, that will be the best political argument against the extremists. That is why they are in there trying to bomb and kill innocent people—most of whom, incidentally, are Iraqis—and to stop us.

I must tell the hon. Gentleman that the only way in which we will defeat this menace is, wherever it may be in the world, to go after it, and to take the security and political measures that will allow us to defeat it at every single level—in terms of intelligence, in terms of military capability, in terms of security, but also in terms of the political vision for the world.

Mr. Dennis Skinner (Bolsover) (Lab): It has not been a bad weekend really, has it? First they drag Saddam out of his rabbit hole, then they knock this European constitution into the long grass—longer than Saddam's beard. Do not send a search party to look for it. We have had two Christmas presents; should we not take them and be thankful?

The Prime Minister: I wish my hon. Friend a happy Christmas as well.

Mr. Eric Forth (Bromley and Chislehurst) (Con): Will the Prime Minister please convey our best wishes and congratulations to the Polish Prime Minister? Will he please tell him that we all wish our Prime Minister had the courage that he showed last weekend?

The Prime Minister: It is amazing—I make a point to the Conservatives, and they simply do not listen or take it on board. Let me repeat this again. If the right hon. Gentleman wishes, he can go and look at what the Polish Prime Minister said. The Polish Prime Minister said that he supports the constitution for Europe and disagrees with this one aspect—just as there are points with which we disagree. The idea that somehow the Poles were saying no to the whole constitution is a myth, and I am afraid that if we based our foreign policy on that myth it would be a foreign policy based on sand.

Mrs. Alice Mahon (Halifax) (Lab): The Prime Minister will be aware that the senior Shi'a cleric Ayatollah Sistani is calling for early elections instead of an appointed Government in Iraq. Many supporters of early elections believe that the World Food Programme could be used to organise such elections. The Prime Minister said this afternoon that he thought the best thing for the Iraqi people was democracy and freedom. Will he therefore give them the right to those early elections?

The Prime Minister: It is important for us to make progress as quickly as possible. I think people understand that after years of Saddam there is a process that must be gone through—but yes, of course we want democratic elections as swiftly as possible: I echo my hon. Friend's call for them. I cannot forbear to point out, though, that if Saddam were still in power there would be no question of any elections.

Mr. John Redwood (Wokingham) (Con): Will the Prime Minister explain why he is prepared to give away more powers over foreign affairs, economic policy, asylum and immigration and many other important issues when it is crystal clear that none of those things is needed for enlargement, contrary to his original opinion?

The Prime Minister: For enlargement to work effectively, it will be necessary to make changes. For example, I believe that qualified majority voting would be in the interests of the country for a series of subjects. However, we are not giving up the power to set our asylum laws—that is simply not true. As a result of our negotiations at the time of the Amsterdam treaty, we are not giving up the right to independent foreign and defence policies. Of course we shall not give up any such rights.

It is right to work with others in the European Union because a Europe of 25 needs a different way of working. Let me give one example. We currently have rotating six-monthly presidencies, which make it difficult to achieve continuity in the agenda that the member states adopt in the European Councils. If we do not have a full-time chairmanship, a series of states—possibly small states, one after another—will preside and it will not be possible to make the European Union work effectively. That is why it is ultimately important to make changes. However, we have said before, and I say again, that we shall not yield any of Britain's essential attributes as a nation state.

Tom Levitt (High Peak) (Lab): My right hon. Friend is right to draw attention to the commitment to Europe of not only the Polish Government but the Polish people. Poland does not regard itself as the heart of Europe for nothing.

However, is my right hon. Friend aware that since the largest accession country fought a referendum campaign in May based on a specific voting strength, it is dismayed to find that it has to accept a lesser voting strength the following May? How does he believe that that could be resolved?

Will my right hon. Friend also take the opportunity to pay tribute to Polish troops who played such an important part in the coalition in recent months?

The Prime Minister: Let me pay several tributes. First, I pay tribute to the Polish troops for their magnificent work in Iraq, where we work closely with Poland's immensely fine soldiers. Secondly, I pay tribute to the courage of the Polish Prime Minister for attending the summit after a serious accident. He showed enormous stoicism.

Thirdly, my hon. Friend is right. Poland's difficulty was not with the vast bulk of the constitution, with which the Polish Prime Minister agreed, but with the specific element that Poland had secured as an agreement at Nice. What was on offer for Poland in the

[The Prime Minister]

Convention appeared less good to the Prime Minister and that was obviously difficult for him to accept. We must therefore pause and reflect on a possible way forward. As was implicit in my hon. Friend's remarks, if we base British negotiating strategy on blanket opposition to the constitution by other countries, we base it on a serious misapprehension.

Angus Robertson (Moray) (SNP): There is genuine relief in our coastal communities that we will not have a constitution that entrenches the conservation of marine biological resources under the common fisheries policy as an exclusive European Union competence. The Prime Minister spoke repeatedly of national interest, but he and the leaders of the Conservative and Liberal Democrat parties did not mention the fishing industry once. Is that because it is not a matter of national interest for the UK or the UK parties?

The Prime Minister: It is important to ensure that we secure the right fisheries deal for all parts of the UK. Important negotiations are taking place this week. However, as I have said to the hon. Member for Banff and Buchan (Mr. Salmond), the hon. Gentleman's party leader at Westminster, it would not be wise for us to withdraw from the common fisheries policy because that would mean a free-for-all.

Mr. Stuart Bell (Middlesbrough) (Lab): The Prime Minister consistently referred to the defence issues that were discussed at the conference, and the transatlantic and European alliances. Will he confirm that the military planning centre that has been set up for a limited goal of humanitarian and peacekeeping aims does not need to be covered by the treaty, will be up and running and will form an appropriate bridge between the two alliances?

The Prime Minister: Yes. Moreover, as my hon. Friend rightly implies, there is no standing operational capability. That was one of our agreements. However, it is important that, in circumstances in which America does not want to be engaged and NATO assets are not used, Europe has the capability to act. We have only to consider events in Macedonia to realise how sensible it is for Europe to have such capability in limited circumstances and when NATO is not engaged. European defence is therefore sensible, provided that it proceeds only when it is strictly complementary and does not duplicate NATO's actions.

Mr. John Wilkinson (Ruislip-Northwood) (Con): Why did the British Government not oppose the proposal by the French and German Governments that the EU should lift its embargo on arms sales to the People's Republic of China? That proposal was encouraged by Mr. Prodi, who welcomed such a review. What military threat do the Chinese face that could be seen off with weapons from Europe? Is it perhaps the possibility of a referendum on Taiwanese independence?

The Prime Minister: I think that it is perfectly sensible to review the embargo. The situation in China today is different and changing: the suggestion that we should reconsider it is sensible, and was not put forward for the reasons that the hon. Gentleman states.

Jane Griffiths (Reading, East) (Lab): The capture of Saddam Hussein is welcome for Iraq, for the middle east and for the whole world, but is the Prime Minister in a position clearly to tell the House whether he believes that Saddam Hussein should be indicted for war crimes or on other charges?

The Prime Minister: The precise nature of the indictment that is made against him should, as I say, be left to the Iraqis. I emphasise that Iraq has a governing council, whose members said just a few days ago, before the capture of Saddam, that they wanted to set up a special tribunal to try people who were accused of various crimes against the Iraqi people: they should be allowed to get on with that process. We should give whatever support we can in ensuring, for example, that the judiciary is properly independent and properly staffed. The terms of the indictment and the way in which any charges are framed are for the Iraqis themselves—that is part of the whole process of saying that Iraq is run by the Iraqis.

Orders of the Day

CONSOLIDATED FUND BILL

Order for Second Reading read.

Question, That the Bill be now read a Second time, *put forthwith, pursuant to Standing Order No. 56 (Consolidated Fund Bills), and agreed to.*

Bill accordingly read a Second time.

Question, That the Bill be now read the Third time, *put forthwith, and agreed to.*

Bill accordingly read the Third time, and passed.

Child Trust Funds Bill

[Relevant document: The Second Report from the Treasury Committee, Session 2003–04, on Child Trust Funds, (House of Commons Paper No. 86).]

Order for Second Reading read.

4.31 pm

The Financial Secretary to the Treasury (Ruth Kelly): I beg to move, That the Bill be now read a Second Time.

I am delighted to bring this Bill before the House. In doing so, the Government are fulfilling a manifesto commitment. The child trust fund represents a new and imaginative way of encouraging children and their parents to save for the future. We will ensure that, in future, all children will have the opportunities that are currently taken for granted by only a few.

There are four key objectives for the child trust fund: to help people to understand the benefits of saving and investing; to encourage parents and children to develop the savings habit and to engage with financial institutions; to ensure that in future all children have a financial asset at the start of adult life; and to build on financial education. This is an ambitious and long-term project. Nothing on this scale has been tried anywhere else in the world. Britain is leading the way in asset-based welfare, and we are convinced that that is the right thing to do.

The Government have already taken important steps towards ending child poverty. Only last week, the Chancellor announced an additional £1 billion a year of investment in Britain's children to advance our goal that not some, but all of them should have the best possible start in life, and that no child is left behind.

Welfare policy cannot however be seen merely as the meeting of immediate needs. It is time to take a longer-term view and to consider the wider factors that make a difference to young people's future opportunities. Evidence from the national child development survey suggests that the backing of a financial asset can have a significant impact on changing people's attitudes and broadening their horizons.

We want all families to have the opportunity to save for their children. Surveys show that only one third of the population saves regularly. Moreover, there is no tradition of people saving money for their children over the long term. We hope that the child trust fund will kick-start saving among families, and we believe, for two reasons, that that will be achieved—first, as a response to the initial Government payments and later age-related payments; and secondly, as a result of financial education.

We are particularly concerned about families on low incomes. The American experience with individual development accounts shows that incentives encourage people on lower incomes to save money, and our own pilots of the savings gateway—the interim report on which was published last week—show that people on very low incomes can make regular savings. That, too, was the conclusion of the financial services industry and of consumer groups. Recent research conducted by the Association of British Insurers found that 75 per cent. of parents who do not normally save for their children said that they intended to contribute to their child's trust fund. The National Consumer Council's research into the attitudes to saving of people on modest incomes in the 21-to-35 age group suggested that spontaneous references were made to the new fund by the participants.

We recognise, however, that it will be harder for families on low incomes to make contributions, and that is why the Government have decided to make an additional contribution to the accounts of those children whose parents are in receipt of the full child tax credit and whose income is below £13,230. The child trust fund is a good example of progressive universalism. It is a universal policy reaching out to all children, no matter what their financial circumstances, but it will target more resources on those children who need it most.

I welcome the conclusion of the Treasury Committee report published today, which says:

> "The Child Trust Fund is an ambitious, pioneering programme which seeks, through a significant long term investment by the Government, to provide a financial asset to all children when they reach the age of 18, and to change people's behaviour towards saving. Whilst those with higher income may make most use of the opportunity, we feel that this gives less well off families an unprecedented chance to build up a tax-free sum for their children."

Dr. Jenny Tonge (Richmond Park) (LD): I thank the hon. Lady for giving way, and I apologise for missing the beginning of her speech. As a mother and grandmother, I am very interested in this issue. Can the Minister tell us the amount of money that will have accumulated by the time a child is 18? At the minimum level, having received £250 at birth and a few additions along the way, it will not amount to very much. Also, is she not worried that an 18-year-old might spend the money incorrectly?

Ruth Kelly: I shall answer the first part of the hon. Lady's question first. Table 3.1 of the proposals document that we published recently illustrates the impact of endowments at the age of 18, given growth in the fund. For example, if there were no additional savings, a child with an initial sum of £250 would, on a very cautious assumption, have accumulated £456 by the age of 18. However, a child from a poorer background who had received the full £500 endowment would, assuming that they had had no further

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Government top-ups or additional contributions, have accumulated £911 at the age of 18. I suggest that such a sum could have a significant impact.

Dr. Tonge: What exactly does the Minister think that £900 is going to fund in 18 years' time?

Ruth Kelly: I suggest that the hon. Lady look at the research based on the national child development survey, which suggests that a sum as low as £300 could have a significant impact on someone's future behaviour. At the moment, the average young person between the age of 18 and 25 has zero financial assets, and that is something that we intend to change.

David Hamilton (Midlothian) (Lab): As a grandparent of five grandchildren, I believe that this will be a very good way for grandparents to contribute to their grandchildren's future.

Ruth Kelly: I congratulate my hon. Friend on his good fortune, and I certainly suggest that he make contributions on behalf of his grandchildren. He is right to say that contributions can be made by a wider group of people, and not just by the child and the child's immediate family. Grandparents are perhaps the key people to the development of this policy.

Mr. Andrew Robathan (Blaby) (Con): I congratulate the Minister on having four children under the age of six. No doubt she will be hoping to help them to save, and we should all encourage our children to do so. Regarding the amounts involved, however, what does she think average university fees will be in 18 years' time?

Ruth Kelly: The hon. Gentleman's question ties in with the point made by the hon. Member for Richmond Park (Dr. Tonge), who asked whether we would restrict a young person's use of the money at the age of 18. It is my judgment and that of the Government that the person best placed to make that decision is the child at the age of 18. It is right that the child should have the full chance to use that money in whichever way they think is in their own best interest. That may be to pay for further education. It may be to put down a deposit on a tenancy or a home. They may want to buy a van, for example, to start up a small business. It is not right for us to try and restrict people's opportunities, and at present they are restricted.

Several hon. Members *rose—*

Ruth Kelly: I give way to the hon. Member for Buckingham (Mr. Bercow), whom I have come across several times in previous capacities.

Mr. John Bercow (Buckingham) (Con): As a proud father of nine days, 14 hours and 32 minutes, I have a close personal interest in the matter, as the hon. Lady will understand. Given that on the most cursory examination of the Bill, it appears that no fewer than 16 of the 31 clauses allow for secondary legislation and order-making powers, will the hon. Lady, first, guarantee that we will have a draft of all those regulations before Report stage? Secondly, can she advise me whether the procedure in respect of those regulations will be the negative procedure of the House, or its affirmative counterpart?

Ruth Kelly: I can advise the hon. Gentleman that the regulations will be laid in draft for full consideration during the passage of the Bill. I cannot advise him on the detail of every regulation, as I have not considered the regulations in draft. I refer him to the comments made by the Association of British Insurers in its memorandum to the Treasury Committee, which stated:

> "The manner in which HM Treasury has developed the framework for the child trust fund has been exemplary. Consultation has been held at each stage of the policy's development and the industry has been pleased that its comments have been taken on board".

We are determined to get that right, and we have made significant progress.

Several hon. Members *rose—*

Ruth Kelly: I give way to my hon. Friend the Member for Hastings and Rye (Mr. Foster), but this must be the last time before I make more progress.

Mr. Michael Jabez Foster (Hastings and Rye) (Lab): Every hon. Member will probably claim parenthood or grandparenthood. In my case, my grandchildren, Billy, Thomas, Ashleigh and Ellie, are all aged five or under, but are too old to gain the benefit of the trust fund. There must be a starting point, but can my hon. Friend assure me that they will be able to benefit from the trust fund in terms of tax relief, if not in terms of bounty?

Ruth Kelly: We have considered the matter closely. It could well be that parents of children with siblings older than the child who benefits from the endowment will wish to take out a policy that mirrors that of the child trust fund. I suspect that if the demand exists, the industry will react to that and develop products that are almost identical. Under the current legislation, it is possible for children to benefit substantially from tax relief, and I imagine that any new accounts would use the existing reliefs in the system.

I turn to financial education. There is a real challenge for us as a Government to improve people's financial awareness. For some people, the child trust fund will be their first exposure to saving and investment. We have commissioned research to find out the best way to help such people make these quite complex decisions, and we will work closely with the Department for Education and Skills, the Financial Services Authority and other organisations that can help us design and deliver the financial support and information that people will need to manage their accounts.

I welcome the evidence from the National Consumer Council, which stated:

> "This product actually presents an excellent opportunity to communicate risk issues to a whole generation of parents, in a very tangible way."

Mr. James Plaskitt (Warwick and Leamington) (Lab): My hon. Friend mentions the importance of financial education, and the child trust fund will be the first time that many people encounter risk. Will she take on board the Select Committee's recommendation that there should be an easily understandable risk evaluation attached to all the wrap-around products that may head up the child trust fund once it is up and running?

Ruth Kelly: My hon. Friend will be pleased to hear that I have been studying the conclusions of the Treasury Committee report in great detail this morning. We want to communicate the issues to the best effect. That is why we will commission research, and of course that research will take account of the conclusions of the Select Committee report.

The Bill places a duty on the Government to make child trust fund payments to eligible children. It sets out the framework for operating the child trust fund and includes powers to make regulations covering some of the more detailed issues. In developing the child trust fund, our aim has been to keep the processes as simple as possible for all concerned; families, providers and the children themselves.

All children born since 1 September 2002 who live in the UK and for whom child benefit is claimed will be eligible for the child trust fund. Entitlement to a child trust fund will be linked to an award of child benefit, which nearly every parent in the country claims. That removes the need for a separate claim form and process for the child trust fund.

Child benefit cannot be claimed for children in local authority care, but the Bill ensures that these children will not miss out. Children in care include some of the most disadvantaged children in our society and the Inland Revenue is working with representatives of local authorities and central Government to ensure that appropriate arrangements are put in place for those children.

Bob Spink (Castle Point) (Con): I am grateful for what the Financial Secretary has said about children in care, on which the Government are making progress. However, these children—unlike others—will not benefit from additional contributions and will be disadvantaged. Is there anything we can do to correct that problem?

Ruth Kelly: The hon. Gentleman makes an important point. We are working closely with children's charities and local authorities to think about the way in which the role of local authorities might develop in future. Certain local authorities are enthusiastic about the potential the policy offers them, for example, to make contributions on behalf of the children in their care. That will evolve after the policy has been put in place.

When the award for child benefit is made, the parent or guardian will be sent a child trust fund voucher and an information pack. The pack will include details of all providers, a step-by-step guide to the opening of an account and a clear and objective explanation of the stakeholder child trust fund account, which all providers are required to offer. Parents, or someone else with parental responsibility, can take the voucher to the provider of their choice to open an account.

Mr. Michael Weir (Angus) (SNP): I came across recent cases involving the Child Support Agency where the parents were splitting the child benefit entitlement. Would both be entitled to a voucher? Might that lead to two small funds, rather than one large one, which might be disadvantageous to the child? How would that be dealt with?

Ruth Kelly: It is not the intention of the policy to have two separate child trust funds running concurrently for the same child. In fact, that will be prohibited; there will be a unique reference number for each child. The parent with responsibility will be provided with a voucher and can take that voucher to the provider of their choice.

The financial institutions that want to offer child trust fund accounts will need to be approved by the Inland Revenue. The details will be set out in regulations, but this is a straightforward process and one with which providers are familiar, as it will be based on the approval process for individual savings accounts. I am pleased to say that many providers have expressed enthusiastic support for the child trust fund and a number of organisations have expressed themselves delighted with the proposals.

Providers will be able to offer a variety of different accounts to suit the different preferences of parents. Their child's trust fund will be a wrapper, in the same way as an ISA can be wrapped around a variety of products such as cash, unit trusts or life insurance products. That will give parents choice and allow providers to offer a full range of accounts to suit the market.

The child trust fund is a long-term savings and investment policy. Historically, investments in equities have been shown to provide a better return than cash deposits. Over the last 18 years, for instance, £100 invested in the stock market would have yielded £321, whereas the same £100 deposited in a building society account would have produced £171. We want all children to have the opportunity to benefit from the generally higher returns on equities over the longer term. That is why offering the stakeholder child trust fund account will be a prerequisite for all financial providers that want to offer accounts.

The stakeholder account will follow the principles outlined by Ron Sandler in his July 2002 report, "Medium and long-term retail savings in the UK." He proposed that stakeholder investment products should be simple, low cost, accessible and risk-controlled. Stakeholder accounts will be equity based. To balance risk and return, providers who offer stakeholder accounts will be required to diversify investments so that investors are not unduly exposed to a narrow range of equities. Providers will be required also to apply lifestyling to the accounts, moving investments to less risky assets as the account nears maturity. Further details will be set out in the regulations.

Once the account has been opened, the financial provider will claim the amount and the initial Government payment—£250—from the Inland Revenue. Children in families on new tax credits whose income is below the income threshold will have a second payment of £250 paid directly into their account as soon as the tax credit claim for the year in question has been finalised. A further payment will be made when the child reaches seven. Again, a second payment will be made to families on low incomes. By making a payment when the

[Ruth Kelly]

child is seven, we can demonstrate the benefit of saving, as children and parents will be able to see accounts growing more quickly after receiving this Government contribution.

Mr. David Cameron (Witney) (Con): In effect, the Financial Secretary is saying that if a family are earning £13,230, they will get £500 for a child, but if they are earning £13,231, they will get only £250 for a child. Does that not send the message that saving is bad for people?

Ruth Kelly: I do not follow the logic of the hon. Gentleman's position. The fact is that there has to be a cut-off point if payment is to be split into two elements. We have chosen full entitlement to the child trust fund and the income threshold of £13,230 to ensure that up to 40 per cent. of children will be in receipt of the £500 entitlement, and of the means-tested top-up at the age of seven.

Inevitably, some people will not get round to opening accounts for their children. There could be a number of reasons why, but we do not want those children to miss out, so if an account has not been opened 12 months after the voucher has been issued, the Inland Revenue will open one on their behalf and tell the parent or guardian that that has been done, and that they can now take over managing it. These accounts will always be risk-controlled, child trust fund stakeholder accounts, as those are likely to give the best return; and of course, they will be with an approved provider. The Inland Revenue will not be responsible for managing such accounts once they are opened. Parents will be told that they are free to move the account to a different provider, or to move to a different type of account, if they wish. We hope that the Inland Revenue will need to open only a small number of accounts, and that the number will diminish over time. We will monitor the situation carefully.

The Inland Revenue will also open stakeholder accounts for children in care. As such children will be in care when the account is opened, they will not be able to qualify for the additional Government payment by virtue of living in a family in receipt of full child tax credit. Nevertheless, they will automatically receive an amount equal to the initial and additional Government payments.

The child trust fund is not, however, just about Government payments. We hope that such payments will kick-start a savings habit, and that parents and other family members will also make their own savings. We want to see a change in attitude to saving for the long term, and we have decided that child trust fund accounts should have certain advantages to encourage this.

Mr. David Laws (Yeovil) (LD): Can the Financial Secretary tell us what research the Treasury has done into how much additional saving the child trust fund will generate? What is her latest estimate?

Ruth Kelly: As I said at the beginning of my speech, the child trust fund has a number of objectives, one of which is encouraging the saving habit. Increasing the long-term level of savings in the economy through this vehicle is not one of those objectives. In fact, small additional contributions, from time to time, from a family member on a lower income could be a remarkably good result. On the other hand, if, on receiving the information in the child trust fund package, someone decides—because they have greater financial understanding and awareness—that they would be better off paying off a credit card debt with that money, that would also be a result. But the hon. Gentleman will see that in such scenarios, it is not possible to set meaningful targets for increasing the level of savings through this vehicle.

We would like to see a change in attitude to saving for the long term, so we have awarded certain tax advantages to these accounts. Parents, grandparents, friends and other relatives will be able to add up to £1,200 to the accounts each year, and all the proceeds will be free of tax. As a further incentive, income tax settlements legislation will not apply to child trust fund accounts. Given that such an account will run for 18 years, the settlements legislation could have caught large numbers of people in the later years of the account. Furthermore, the Government acknowledge that people on low and moderate incomes may be concerned that any saving may affect their entitlement to benefits.

The Government will keep under review the treatment of capital in income-related benefits, so that a sensible balance is struck between providing targeted state support and not unfairly penalising those who have acted responsibly by saving. I can announce to the House that from 6 April 2006, as a first step, we will increase the £3,000 threshold above which savings reduces eligibility to income support, jobseeker's allowance, housing benefit and council tax benefit to £6,000, in line with pension credit.

Before closing, I would like to say something about the charge account, which interests many Members. The Government want to ensure that charges are set at levels that are good value for savers, while also allowing efficient providers to make adequate returns. The independent research that we commissioned Deloitte to undertake, and the evidence that we received from the industry and consumer groups, will enable us to take a final decision on the charge cap early next year. Further details will be set out in regulations.

In conclusion, the child trust fund is a bold and ambitious policy. We hope that it will fundamentally change attitudes to savings, improve financial capability and extend opportunities across income groups by providing all children with an asset when they reach the age of 18. We all have an interest in creating a society that understands the benefits of saving. The child trust fund will help us to achieve that, so I commend the Bill to the House.

4.56 pm

Mr. George Osborne (Tatton) (Con): I suppose I should begin by taking part in this Dutch auction of interests. In common with the Financial Secretary, I have a daughter who will qualify for the child trust fund. I hope that I am not betraying any confidences in saying that my hon. Friend the Member for Wycombe (Mr. Goodman), who will be winding up for the Opposition, is hoping to receive a voucher next year, as is my hon. Friend the Member for Witney (Mr. Cameron). Indeed, it is a strange quirk of fate that the Minister who is introducing the Bill, the two Opposition spokesmen shadowing it, the Chancellor who dreamt it up, and apparently half the hon. Members in their places today, will benefit from it. The Parliamentary Commissioner for Standards would probably have a fit if he knew.

Mr. Robathan: May I say, for the benefit of the whole House, that the fact that my children are too old to qualify—albeit by only two years—is not the reason why I oppose the measure?

Mr. Osborne: Later in my speech, I shall come on to what can be done for children who, because they were not born after 1 September last year, do not qualify.

Let me make it clear from the outset that we greatly support the principle that the Bill is designed to promote. Conservative Members believe in the virtue of savings. We think that having savings, like owning one's home, gives people a stake in society, gives them independence, encourages self-reliance and bolsters the freedom of the individual against the overbearing state. In that sense, it is the most practical manifestation of liberty. That, of course, is why, when the Conservatives were in government, they encouraged wider share ownership and gave council tenants the right to buy. It is also why, when in opposition, we have been alarmed at the halving of the savings ratio and the spread of the means test.

Conservative Members did not stumble across a belief in savings through some focus group or seminar. It is rooted in a Tory tradition that stretches from John Locke and Edmund Burke to the present day. Any policy that has the prospect of increasing savings and the freedom that they bring is something to which we should give a fair wind.

Whether the child trust fund works in practice is another matter. For a start, we do not know many of the key details. Indeed, we are none the wiser after the Financial Secretary's speech on aspects such as the level of the charge cap or the form of the sales regime. Given that the Treasury started talking about child trust funds almost three years ago, it is astonishing that so much is still so unclear at so late a stage. It is particularly astonishing that the Financial Secretary admitted in her speech that she had not yet considered some of the regulations, even in draft. I welcome at least her promise that they will be available during the passage of the Bill. I hope that she meant the passage of the Bill through this House and not through the other place.

From what we know, it is clear that, despite their good intentions, the Government have fallen prey to their characteristic habits of over-complexity and means-testing—ironically, the very factors that have caused such a mess in the welfare system to date, and have contributed to the savings crisis that the Bill seeks to address. We have serious concerns about the detail, but it would be churlish to oppose the principle behind the Bill. As I said, Conservatives believe in the virtue of savings.

The Financial Secretary comes to the subject by a different route—the Institute for Public Policy Research. When the Government were desperately scratching around for something new to say before the last election, the IPPR did what it is supposed to do by helpfully supplying the child trust funds, dressing them up in a new-fangled theory called asset-based welfare. The IPPR is, of course, the king of the Blairite think tanks—not for it obscure meetings in shabby offices on the fringes of Westminster; when it held a seminar last year on the child trust fund proposals, it took place at No. 10 Downing street, no less.

What was said at that seminar? That may give us a clue about the thinking behind the Bill. The Financial Secretary knows, because she was there and said much of what was said. I know, too, because I have got hold of a copy of the minutes. *[Interruption.]* I can hear that my hon. Friends are excited about that. They will be interested to know that child trust funds are known in new Labour circles as a

> "third way within the Third Way".

I did not even know what the third way was, let alone that there were three different versions of it. By my calculation, if each way has three separate ways, there may be as many as nine ways in total: the House can see why I am on the Treasury team.

It is good to discover that someone is still talking about the third way. It is a bit like discovering a group of Esperanto speakers, or a Rubik's cube convention. The phrase "the third way" certainly has not passed the Prime Minister's lips for at least two years, and the Financial Secretary reminds me of one of those Japanese soldiers discovered on remote Pacific islands long after the war was over: she is still fighting a cause that her political masters gave up on long ago.

The minutes are full of other fascinating insights into the thinking behind the Bill. For example, a Mr. Kevin Rudd, apparently a leading light in the Australian Labour party, told the seminar:

> "The left has begun to realise that assets and wealth are important to people who want to 'get on'. It taps into deeply felt aspirations and should be harnessed to progressive ends rather than left to the clutches of the right."

I suppose that we are the "clutches of the right".

The minutes go on:

> "Kevin finished his presentation with a potential problem. The long-term nature of the Child Trust Fund could mean that it does not fit well with the electoral cycle."

Oh dear! Thankfully, the Government have been able to solve Kevin's problem. They announced their child trust funds just two months before the last general election, and they plan to send child trust fund vouchers out to the parents of 1.8 million children just a month before the likely date of the next one. Gosh! There I was naively thinking that this was all about helping other people.

Ignoring the third way clap-trap and setting aside the cynical electioneering, I still, despite provocation, believe that the Chancellor has produced a policy whose ambition is not ignoble. We all want the savings habit to be encouraged in all parts of our society. However, I must raise four questions, here and in Committee: first, will they work and encourage saving; secondly, will they reach the right people; thirdly, will they be ready on time; and fourthly, will they help develop a lifelong savings habit?

[Mr. Osborne]

The honest answer to the first question—whether they will work and get people saving—is that the Government simply do not know. As the Financial Secretary said before the Treasury Committee, the child trust fund approach is

"not one that has been tried . . . anywhere else in the world".

She quoted Association of British Insurers surveys and examples from the United States about individual development accounts, but those are no substitute for proper research into whether the policy will achieve the objectives hoped for. All she could say was that she hoped that it would kick-start a savings habit.

Hope rather than research is a dangerous thing when expensive new legislation is being introduced. In the words of the Chairman of the Treasury Committee's Sub-Committee on the matter, it is a "leap in the dark". I take this opportunity to thank the Chairman of the Treasury Committee, the hon. Member for Dumbarton (Mr. McFall), who is here, and my hon. Friend the Member for Sevenoaks (Mr. Fallon) and his Sub-Committee for producing an excellent report to inform the Second Reading debate.

From my reading of the evidence in the report, and from having attended a session myself, I note that the Financial Secretary was strangely reluctant, when questioned by my hon. Friend the Member for Bury St. Edmunds (Mr. Ruffley)—I thought that they struck up some rapport at the time—to set any kind of target for how many people she wants to see saving under the child trust funds scheme, or even to hazard a guess. It is hardly a sign of confidence in her own policy that she refuses to predict how successful it will be.

The Financial Secretary must acknowledge that the policy will be regarded as a success only if most parents, other relatives and children themselves top up the funds with additional savings, however modest those top-ups might be. The policy will have failed on the Government's terms if it soon becomes clear that many trust funds become dormant, with the only content the Government's initial deposit and the money earned on it. Each dormant account will signal a failure of the policy to encourage the savings habit, but only time will tell how many such failures there will be.

If the Government cannot answer the first question about child trust funds—whether they will work—perhaps they can answer the second, which is whether they will reach the right people: lower-income families who do not use other vehicles to save for their children? The Financial Secretary was strangely reluctant to be drawn on that issue when she appeared before the Select Committee and was questioned on that point by the hon. Member for North Norfolk (Norman Lamb). Encouraging low-income families to save is clearly the principal purpose of the whole policy, but the Financial Secretary seems to have a grander purpose. She told the famous IPPR summit that one of her concerns was the current unequal distribution of wealth. She continued:

"What is more, there are signs that wealth inequality is increasing."

She added that child trust funds are

"part of the response to that situation."

I do not want to disappoint her, but I fear that the Bill may have an effect exactly opposite to that which she intends. The unequal distribution of wealth—as she puts it—could be exacerbated by the policy. Middle-class parents who put in the maximum amount of £1,200 a year will give their child a nest egg that could be worth £34,000 by the time they reach 18, but children from lower-income families whose parents make no contribution will have only one thirty-fourth of that—around £1,000—in their trust fund.

Mr. Cameron: Will my hon. Friend consider the specific case of children in care? The Financial Secretary has confirmed that they will receive child trust funds, but they will not have anyone to put in contributions on their behalf. Given that the state is effectively in loco parentis and that those children do not receive child benefit, is not there a case for at least a portion of the child benefit that they do not receive going into their trust fund, so that they will benefit from the policy like everyone else?

Mr. Osborne: My hon. Friend has anticipated how I intended to spend a couple of hours in Committee. That possibility is worth exploring. In response to the good point made by my hon. Friend the Member for Castle Point (Bob Spink), the Financial Secretary said that local authorities might contribute, but no one receives child benefit on behalf of children in care, and we should at least consider whether some of the money saved in that respect by the Treasury could be paid into the child trust funds of children in care.

Mr. Weir: I am interested in the hon. Gentleman's argument and the figures that he has cited. However, the position is worse than he suggests. His figures assume that only one child in a family obtains a trust fund. A low-income family with three or four children will find it much more difficult to put extra funds in and the situation will be much worse in such circumstances.

Mr. Osborne: The hon. Gentleman makes a good point. I do not suggest that the objective of the policy should be to reduce the current unequal distribution of wealth, but that is the Financial Secretary's objective. It is difficult to see how the policy will do that. I understand that she will wind up the debate, so she can address some of those points then.

The great disparity in the potential value of the trust funds is one of the great concerns of the Child Poverty Action Group, and I am sure that it has made its points forcefully to the Financial Secretary. To address those fears—at least in part—will require a big effort from the Government and from the financial providers themselves to encourage low-income families to save. It will not be enough for the Government simply to open a child trust fund account for every baby, give them a voucher and hope that a thousand savers will bloom. People will have to be marketed to, targeted, coaxed and enticed by the financial institutions, and that will cost money. Putting it bluntly, those institutions will spend that money only if there is something in it for them.

That brings me to the charge cap, which is the single most important unresolved issue in the Bill. In other words, how much will the financial provider be allowed to take out of a trust fund? Clause 3, which deals with that point, could not be more vague. Like so much of the rest of the Bill, it will be left to regulations to determine.

Given the amount of time that the Treasury has had to prepare the policy, it is extraordinary that we still have not been told what the charge will be.

In the Government's consultation paper, published two months ago, they said that there

> "is a high threshold of persuasion for any move from a 1 per cent. charge cap".

For many accounts, that will mean a return of only £2.50 or £5 a year for a financial provider in the early stages, and I am sure that the Financial Secretary is aware that financial providers claim that it is not economic to provide child trust funds at that rate of return. Those that do so will inevitably focus their marketing on middle-class families, who are likely to top up their children's funds, and not bother with the more expensive and less lucrative marketing to lower-income families.

That is not just my judgment; it is also that of the Association of British Insurers, the Association of Friendly Societies, the PEP and ISA Managers Association, the Building Societies Association and the British Bankers Association—I have been busily engaged in the Pugin Room during the past couple of weeks giving tea to all those people. It is also the judgment of Norwich Union, the biggest long-term savings provider in the country and one of the biggest in the stakeholder pension market. The company said that if the charge cap is set at 1 per cent. it will not offer child trust funds. It is also the judgment of David White, chief executive of the Children's Mutual—someone whom the Financial Secretary knows well, as he has been intimately involved with the Treasury from the start in helping to draw up the policy. He told the Select Committee:

> "If the charge cap on the Child Trust Funds were reduced as low as 1 per cent . . . I am not sure, in our view, that there would be any providers in the market at all. I think the danger would be, at best, that you would force people to cherry pick at the rich end of the market . . . and the lower income groups would be left out."

The level of the charge cap is important.

The consultation paper stated that

> "the Government will issue a report detailing the charge cap for the CTF . . . later this year."

We could hardly be much later in the year; there are only two weeks left, so I should be interested to hear—perhaps in the winding-up speech—what has happened to the report that we were promised only two months ago.

Dr. Tonge: I was interested to hear how many teas the hon. Gentleman had had to give for the providers of trust funds. Does he agree that if the Government had not allowed most of our post offices to close, they could have undertaken functions under the Bill, which would have been much more convenient for people who wanted to invest?

Mr. Osborne: The hon. Lady makes a good point: many of the people to be targeted by the policy have no experience of dealing with companies such as Norwich Union or the Children's Mutual, or indeed with high street banks. Probably, their only contact with a financial institution—if we can call it that—is the post office counter.

On the charge cap, I suggest that it is time for the Financial Secretary to swallow her pride and back off the 1 per cent. charge that the Government announced at the time of the Sandler report. Alternatively, she should radically simplify the way in which child trust funds are operated and sold, so that financial providers can make a return and it is worth their entering the market and trying to sell those products to low-income households.

That brings me to my third question, whether the child trust funds will be ready on time. Everyone in the industry agrees that the timetable is getting very tight indeed. The Government hope to start sending out the initial letters to parents later this year, and the first 1.8 million vouchers and information packs will go out in 12 months' time. Furthermore, the Inland Revenue must have ready a system for redeeming the vouchers, opening the accounts where parents fail to do so and policing the annual limits. That is a major administrative task. We all remember the hash that the Inland Revenue made earlier this year when the new tax credits were launched. The task is made much greater by the news that the Revenue has just sacked its IT provider, EDS. We must all hope that lessons have been learned from that fiasco earlier this year and that the Inland Revenue can cope, but that is not a hope born of experience.

The timetable is an even greater challenge for the financial industry. It is no good sending parents a voucher if there is no company around for them to open a child trust fund with. The financial institutions have only 12 months to design their products, set up their administrative systems, prepare their marketing strategy, train their work force and check that the whole thing works, yet they cannot even start that process until the Government decide what the charge cap will be and what the sales regime will look like, which may not be until early spring.

Again, every financial organisation and company that I have spoken to says that the Government are leaving it dangerously late. The Financial Secretary could make things a lot easier for the companies at a stroke: she could set the charge cap now, set out the simple sales regime now and abandon the ludicrously bureaucratic and outdated voucher system, which is set out in clause 5.

By all means, send parents—such as the Financial Secretary and myself—a nice certificate telling them that they can open a child trust fund, but why not let them do so by telephone or the internet? Why require parents physically to take or send the voucher to their chosen provider and then require that provider to store the voucher in its vaults for ever? This is not the 19th century; many financial transactions take place over the phone or online these days. The Government refer to fraud, but we are dealing with low-risk products, as their own money-laundering regulations make clear. No one in the industry understands why the Financial Secretary insists on this costly, complicated, bureaucratic and prehistoric paper trail that will make it even more difficult to get the systems ready on time—so much for e-Government.

By the way, while we are on the subject—I address the point made by my hon. Friend the Member for Blaby (Mr. Robathan)—why not let parents open child trust funds for children born before 1 September 2002,

[Mr. Osborne]

without the initial Treasury voucher, of course? Treasury officials have already confirmed to the Select Committee that the cost, in terms of extra tax relief, would be negligible, and it would help encourage savings for all children, not just newborn babies. Like the Financial Secretary, I have a child who will qualify and a child who will not, and explaining why one will get a huge lump sum at 18 and the other will not is going to be tricky.

The fourth and final question was whether child trust funds will help develop a lifelong savings habit. That is what we all want to happen, but we would have a far greater chance of developing that savings habit if child trust funds sat alongside other policies that encouraged lifetime savings. Sadly, they do not. What might 18-year-olds do when they have been given the keys to their trust fund? Of course some, perhaps many—we will not know for 18 years—will blow the whole lot on a trip to Ibiza or a new hi-fi.

As the Financial Secretary said, and as the Select Committee accepts, it would be impossible to legislate to try to stop that happening, but the Government could make it a lot less likely by removing the positive disincentives to keep the savings—disincentives that have caused the savings ratio to halve in the past six years. Of course those disincentives have been created by the spread of the Chancellor's means test. The political debate in the House has tended to focus on the way that the pension credit discourages people from saving for their retirement, but the means test ensnares younger people too.

What is the Financial Secretary's advice to young people who qualify for income support or jobseeker's allowance? What are they to do with their child trust fund? If they keep it and it is above the modest £3,000 disregard allowed, their fund will quickly vanish as their benefits are reduced. The best thing those young people could do in those circumstances is to spend the trust fund immediately. What sort of message does that send about saving? Treasury officials told the Select Committee:

> "We are aware of the implication and we cannot say at the moment what exactly we plan to do about it".

That hardly inspires confidence that they have thought through the whole policy. The Select Committee is right when it says that the Government need to clarify how those different bits of the Chancellor's—

Ruth Kelly: The hon. Gentleman misses the fact that I reported to the House that we have increased the £3,000 threshold above which savings reduce eligibility for means-tested benefits.

Mr. Osborne: To what?

Ruth Kelly: To £6,000, in line with pension credit.

Mr. Osborne: Of course, simply increasing the disregard does not solve the problems. The Government hope that people will put more than that sum into trust funds, so that they can use the money when they turn 18, but the problems will remain, and I have quoted what the Treasury officials said.

What about a young student thinking about going to university? The Government's top-up fees will be means-tested, as far as we are aware, so hanging on to a child trust fund might involve paying the full whack of top-up fees the moment that students leave college. We will not know about that until the top-up fees Bill is published, whenever that may be, but we could find that the smartest thing that young students could do is spend the trust fund on drinks in the college bar. What sort of message would that send about saving?

My hon. Friend the Member for Witney highlighted the ultimate irony that although child trust funds are supposed to encourage saving, they are themselves an extension of the means test. All children will be means-tested at birth to determine whether they qualify for the £500 voucher, so the Chancellor will achieve his ambition of a cradle to grave means-tested welfare system.

We have many questions about the Bill. We want to know about means-testing and the scheme's key details, which remain a mystery. We have questions about whether trust funds will encourage people to save and how they will reach low-income families. We have questions about the tight timetable that the Government have imposed on themselves and the industry, and above all, questions about how the scheme fits in with an overall approach from the Chancellor that discourages saving. It is a shame that the scheme is over-complex and that it will extend means-testing because it is precisely those vices that have caused the current crisis in savings, which the Bill cannot address by itself. A far more radical lifetime approach to savings is required to deal with that crisis, but that will have to wait until the next Conservative Government are in power—owing to recent developments, that might be just around the corner.

The Bill demonstrates the Labour party's recognition—at last—that promoting savings is important. It is long overdue, and although it might be a third way within the third way, it is none the less welcome. On the basis of the Government's important change of heart, and despite our many reservations about the specifics of the scheme, we shall not oppose the principle underlying child trust funds or vote against the Bill tonight.

5.21 pm

Mr. John McFall (Dumbarton) (Lab/Co-op): I am grateful for the opportunity to speak to the Child Trust Funds Bill. I am delighted to note that there is already one enthusiastic supporter of child trust funds in the form of the hon. Member for Tatton (Mr. Osborne). He said that one of his two children will receive a trust fund while the other will not. It will be his job to explain to them why one will receive a huge amount and the other will not, so the fact that he is signed up to, and enthusiastic about, child trust funds must warm the cockles of the Minister's heart. The hon. Gentleman came to a sitting of the Treasury Committee for a tutorial. I was going to give him a bare pass, but given the way in which his speech went on and descended into ideology and partisanship, I shall have to reappraise that. However, at least he came along to listen.

The Treasury Committee has undertaken an examination of this important Bill and I commend the work of my colleague, the hon. Member for Sevenoaks

(Mr. Fallon), and other Committee members to ensure that we got the report out in time for Second Reading. That is an example of Parliament working at its best.

I am pleased to note that under the proposals, all children born from 1 September 2002 will be eligible for a child trust fund. The Government will provide children with an endowment of £250 and the children of families who receive full child tax credit will receive a further £250. It is good to note that the Government will make further payments when children are aged seven, and that they will encourage families to provide £1,200 every year with a tax break. The objectives of the trust funds are those to which the Treasury Committee has signed up: first, to help people to understand the benefits of saving and investment; secondly, to encourage parents and children to develop the savings habit and engage with financial institutions; thirdly, to ensure that in future all children will have a financial asset at the start of their adult lives to invest in the future; and fourthly, to build on financial education to help people to make better financial choices throughout their lives.

Hon. Members have asked whether the Bill will promote a savings culture. The Treasury Committee asked for submissions from many potential providers and took evidence from them. The Association of British Insurers viewed the Bill

"as offering the possibility of creating a savings culture among the next generation and, in so doing, building a mass market for financial services."

The Association of Investment Trust Companies said that it

"wholeheartedly supports the creation of the Child Trust Fund",

which

"offers the prospect of a new 'asset-based' approach to welfare that could be extremely beneficial to many young people who might otherwise start adult life without any assets and consequently suffer from poorer life chances."

The Building Societies Association said that it is

"a strong supporter of the Child Trust Fund",

as is the Association of Friendly Societies. The National Consumer Council also welcomed the Government's proposal, noting:

"it is an excellent far-sighted policy, of particular benefit to low-income families

that

"will eventually extend access to an accumulated asset to all young adults

and

"may trigger additional individual private savings by parents."

The Minister must be reassured by the fact that those potential providers give the proposal a fair wind.

The point was made in the evidence sessions that a small amount of assets can have a big impact. Research by Mintel has shown that 35 per cent. of parents with children under 15 are not saving anything for their children's future, and that 26 per cent. of parents save only rarely or occasionally—so more than 50 per cent. of parents in this country do not save at all or save only a small amount intermittently. We need to ensure that young people develop a savings culture. Given the problems that the Treasury Committee has considered with pensions, long-term savings, split capital investments and endowment mortgages, good consumer education and a savings culture has emerged as the important theme if we are to expand financial education. There is no better opportunity than the Bill to ensure that young people have that education.

Mr. Robathan: We all agree about the savings culture, but what does the Bill do to encourage the more than 50 per cent. of parents who do not save substantial amounts for their children to do that? Nothing in the Bill will achieve that.

Mr. McFall: I have a quote on that subject, which I shall come to later.

The Financial Secretary told the Treasury Committee:

"if you look at figures on savings of young people under the age of 25 which is the best proxy we have for 18-year-olds, the British Household Panel survey suggests that the average young person has zero financial assets. Now that is across income groups."

Only when we get to the 75th centile—the person three quarters of the way up the income distribution—are their financial assets a mere £400. The policy could make quite a difference to income distribution and a significant difference to the vast majority of young people's lives.

Research based on the national child development survey 2001 suggested that holding assets has a positive impact on health, the labour market and educational attainment. The amount of assets needed to achieve those outcomes was low, in the region of £300 to £600. The experience of individual development accounts in the United States, where about 20,000 people have the opportunity to benefit from matching schemes, is that assets accumulate over a certain period. The evidence is that incentives are beneficial in encouraging even poor people to put money away. That research makes it clear that even a small amount can induce a savings culture.

The middle-class subsidy has been mentioned. What amazes me is that such criticism largely comes from the official Opposition, who on this subject argue against the middle class.

Mr. George Osborne: Perhaps I did not make myself clear. If the objective is to reduce wealth inequality in our society, which is what the Minister claims, I cannot understand how the policy will achieve that. I am not against the policy or against the middle class, or any other class, receiving savings tax breaks, but the child trust fund will not achieve what the Minister sets out to achieve.

Mr. McFall: So I can take it from the hon. Gentleman that he is in favour of middle-class people getting child trust funds, and he is also in favour of low-income families getting them. What is the problem? There is no problem. He agrees that everybody should enjoy the provisions of the Bill. If there is evidence to show that even small sums generate and inculcate a savings habit, that can only augur well for the future.

We took evidence in our inquiry from Caroline Rookes, the business director of the pension and share schemes at the Treasury. She referred to the research that was being undertaken at the savings gateway. It was only at an early stage, but it was found that two thirds of those involved claimed that they would continue saving. Those are people on low incomes. Surely everyone on

[Mr. McFall]

both sides of the Chamber should encourage those on low incomes to participate in such schemes to ensure that they develop a savings habit. That can only be good.

Mr. Hilton Dawson (Lancaster and Wyre) (Lab): In welcoming the Bill, which I think my hon. Friend has deduced is supported by right hon. and hon. Members on both sides of the House, does he agree that the most disadvantaged group of children and young people in the United Kingdom are those in local authority care? While the White Paper makes some positive references and expresses good intentions towards those children and young people, we need to see something that is more positive in the Bill about the Government's intention to include this group in the overall group of people who benefit from child trust funds.

Mr. McFall: I agree entirely with my hon. Friend, but not everyone in the House agrees with child trust funds. It is a centrepiece of the Liberal Democrat programme that they do not agree with them. There was not room, given the 2,556 commitments that the Liberal Democrats made, to include child trust funds. Given their flexibility in response to Queen's Speeches, perhaps they will include something about the trusts next year. Then, we will welcome everyone on board.

Dr. Tonge: I shall ignore that rather idiotic approach to debate.

The hon. Gentleman was talking earlier about child development and the evidence that he is producing that the idea set out in the Bill is a good one. Does he agree that in terms of child development, whether children are lower class, middle class, upper class, or whatever, all the evidence shows that early intervention in a child's life in the form of child care and good nursery education is what matters? It outweighs any other consideration. Therefore, should we not be spending the money that the Government intend to expend on baby bonds on expanding much more rapidly the early years centres and children's centres?

Mr. McFall: I do not follow the hon. Lady's logic. She talks about early intervention, and this is the earliest intervention that we can make. The Government are saying that they are expanding provision for health and education. I would not like—

Dr. Tonge *rose*—

Mr. McFall: I shall examine the hon. Lady's logic.

I would not like to recommend a child trust fund if the Government were cutting expenditure on health and education, and intervention in those areas. That is the key. I have personal professional experience as a teacher. I taught in areas that were very much middle class, and in other areas that have been described as ones of urban development. I know from that experience that if we inculcate a habit in children in poorer areas, it lives on. I taught in the south side of Glasgow, an area which is extremely poor. A gifted music teacher ensured that an orchestra was developed at the school. It was a joy to travel to the school each day and see the kids going to the school with their drums, guitars or whatever. Why did they do that? The answer is that it was inculcated in them at an early stage. I am at one with that philosophy.

The Children's Mutual is one of the possible providers. The result of its survey in 2003 was that 79 per cent. of parents with children eligible for child trust funds are likely to top-up Government moneys. It says that if there is a small amount they will top it up and they will save. I suggest that 79 per cent. is a good start.

Mr. Weir: I am interested in what the hon. Gentleman is saying, but how realistic is that prospect? The research in the Treasury White Paper that he cited also reports that a large number of parents, when asked why they do not save for their children's future, simply said that they could not afford to do so. That will not change. The fund relies on a top-up to be effective, so I wonder how many families on low incomes or benefits will be able to give any amount of money to bring the fund up to a realistic level.

Mr. McFall: When the Government introduced their proposals, the Financial Secretary said that it was an ambitious programme. The hon. Member for Tatton said that it had not been tried elsewhere. I agree that it is an ambitious programme, and it is difficult to ask parents to save. However, the Children's Mutual, a possible provider, says that 79 per cent. of parents surveyed said that they would top up the fund, which suggests that there is an opportunity to make a good start. It is extremely important to introduce a savings culture.

The Financial Secretary answered a number of questions on financial education when she appeared before the Select Committee. Caroline Rookes of the Treasury said:

> "We are going to work with and have started talking to voluntary and community organisations. We are going to be looking at resources in schools. There is a whole effort going into creating a financial education initiative to run alongside the account so that, at the end, it is probably true that children from poorer families will have less money but we hope that they will be provided with financial education and a better understanding of how to interact with financial services".

A savings culture is therefore being developed, and I commend the Government on ensuring that financial education starts in schools. One theme that has emerged in the Treasury Committee in the past is that there is not enough consumer education in adult life, never mind for young people. It is therefore important to ensure that financial education is available in schools, which is why the Treasury Committee concluded:

> "The child trust fund is an ambitious, pioneering programme which seeks, through a significant long term investment . . . to provide a financial asset . . . and to change people's behaviour towards saving."

The Treasury Committee therefore gave the recommendation a fair hearing.

I mentioned that I had five points to make, the second of which concerns the extension of the scheme, not with Government endowments, but by making tax breaks available. I should like the Minister to look at that again, because in our evidence sessions I put it to Treasury officials that it would be invidious for a parent to establish a child trust fund for one child, but not another. The Government should keep open the opportunity to open a child trust fund for children born before 1 September 2002. They should not give endowments, but offer the same tax breaks for such funds. The Minister told the Committee that the extra tax relief afforded by the child trust fund is negligible. If that is the case, why cannot the Government consider extending the provisions of the Bill to children born before 1 September 2002? That is a relevant point, and I urge the Financial Secretary to give it consideration.

Thirdly, advice to parents is crucial, particularly for those with no previous financial experience. The Committee strongly endorsed the hierarchy of savings that the Minister elucidated when she appeared before us. In other words, any moneys must be used first, to pay off debt, and secondly, to provide for a rainy day. Only after such provision should they be used to make contributions to the child trust fund. We agree entirely with that hierarchy, but the information and advice for parents must be clear and unambiguous. The Treasury is sending an information pack to all parents, but that message must be loud and clear.

My fourth point relates to what the hon. Member for Tatton said about the interaction between welfare and the Government's needs. An 18-year-old receiving jobseeker's allowance or income support will be in an invidious position if his benefit is disregarded because of the extra income provided by the allowance. The Financial Secretary has come up with one or two surprises already, and I hope that that point may be clarified today, but if that is not possible it must be clarified in Committee.

Pension credit has been mentioned. I am delighted to hear from the Financial Secretary that the disregard has been increased from £3,000 to £6,000, but it was pointed out that there is a barrier somewhere along the line. This scheme has the potential to have profound effects, but if the wrong message is given to those who will be adding to the savings—parents, grandparents and friends—that will do it no good.

The Financial Secretary told the Select Committee

> "I do not think it would be appropriate for me outside the ordinary PBR/Budget timetable to make any further comment."

She needs to have a word with our right hon. Friend the Chancellor. I should be interested to know the result of that conversation.

The fifth issue that exercised the Committee was the achieving of a balance between the costs that can be charged by the providers and the regulatory regime—in other words, the effect of regulation on the cost. I know the Government are very determined. The Financial Secretary told the Committee that

> "there is a high threshold of persuasion for any move from a 1 per cent. charge cap for stakeholder products."

I agree.

Like other Members, I have been lobbied on the 1 per cent. cap over the past year. In my capacity as Chairman of the Committee, I have taken a lot of evidence and spoken to a good many people. Moreover, as I said earlier, we have conducted inquiries about pensions mis-selling, split capital investment trusts and endowment mortgages. Here we have an industry that has not been doing too well in consumer terms, which is why the Treasury Committee has been considering how confidence in long-term savings can be restored. I think that the onus is on the industry to work with the 1 per cent. cap, and, if it cannot do so, to be entirely transparent about the reason. I have heard generalities so far, and it would take much more specific information to convince me that we should abandon the cap immediately—although I realise that some companies could experience problems.

The Association of British Insurers saw the possibility of the creation of a savings culture among the next generation, and hence the building of a mass market for financial services. That mass market is important in the context of the 1 per cent. cap. If the Government get it right and produce a Sandler-type product—a simple product—it will not require a huge amount of selling. Each year more than 700,000 vouchers worth £230 million will be made available to parents so that they can choose a child trust fund. This is a tremendous opening for the financial services industry.

As we stated in our evidence, given the low cost of demand generation and the certainty of high persistency rates, a cost-based price cap might be set at a lower level than for other stakeholder products. The Homeowners Friendly Society told us that it would be happy to meet the 1 per cent. price challenge, although it accepted that it could be difficult or impossible for some other providers. Some in the market are therefore already happy to accept that challenge.

I want to consider fortnightly reporting. The British Bankers Association noted that the fortnightly reporting requirements would

> "place additional burdens and require changes to internal systems capable of accommodating both fortnightly and current quarterly returns for ISAs."

Fortnightly reporting appears a wee bit over the top. Perhaps the Financial Secretary could explain why the Treasury persists with it. If we want simpler products and to ensure that the price cap is sufficiently low, perhaps such regular reporting adds to administration. I hope that my hon. Friend will deal with that in her summing up.

The Treasury Committee considered the subject constructively. We applaud the Government for their ambitious initiative. We realise that by the time the young people who were born on 1 September 2002 are 18, the Government will have spent £4 billion on them. That is a great deal of public money, which has to be spent wisely and well. I am sure that the Government will do that, but they must provide the details of their scheme as the Bill progresses. Even more important, they must ensure that the implementation is right. With those cautionary words, I welcome the measure.

5.47 pm

Mr. David Laws (Yeovil) (LD): I hate to break up the emerging cross-party consensus on the Bill. However, Liberal Democrat Members believe that it is yet another of the Chancellor's well meaning but flawed initiatives. It represents more of the serial micro-meddling that he has introduced since 1997 and is not good value for money for scarce public funds. We shall therefore vote against the proposals.

[Mr. David Laws]

I agree with the comments of a right hon. Member after this year's Budget statement:

> "We have more overcomplicated proposals that will do little to help future long-term saving, but they will extend means-testing to even more people. There is only one thing to say about this little scheme of the Chancellor's . . . all the money that the Chancellor is offering to those children will have to go towards paying their tuition fees".—[*Official Report*, 9 April 2003; Vol. 403, c. 291.]

Those were the words of the then Leader of the Opposition. Conservative Front-Bench Members appear to have changed their position somewhat. Their former leader described the proposals as overcomplicated and said that they would achieve little, but the hon. Member for Tatton (Mr. Osborne) said today that the Bill was welcome and long overdue. I refer him to the former Conservative Chancellor, Lord Lawson, who represented Blaby. He had a good principle for his tax policy: simplicity. It has never been high on the current Chancellor's list of priorities.

The child trust fund is an ill-considered and under-evaluated initiative in the tradition of the film industry tax relief, which was established several years ago as a modest measure but now costs hundreds of millions of pounds. It is in the tradition of the many loopholes that the Chancellor has introduced in every Budget and pre-Budget report. All those tax loopholes seem to have only one thing in common—they cost a great deal of money and nobody, certainly not the Treasury, has the slightest idea of what they do, in practice, that is of value to the economy.

Mr. Cameron: Conservative Members are enjoying a lecture on consistency from the Liberal Democrats—that is always worth while. Has the hon. Gentleman analysed the incentive to save in relation to introducing a local income tax? Does he think that that would have an impact on savings?

Mr. Laws: No, I do not. I will not be detained by the hon. Gentleman, who is trying—most improperly, Mr. Deputy Speaker, as I am sure you agree—to encourage us to make a detour.

Several hon. Members referred to the Treasury Committee's report on the child trust fund. When the hon. Member for Dumbarton (Mr. McFall) talked about what was said by people who were consulted on that report, he cited favourable comments from certain bodies that appeared to be financial institutions. As someone who has worked in a financial institution, I suggest that we must not regard advice from that quarter as necessarily wholly impartial, because those institutions have an interest in seeing this product, like other financial market products, take off.

In order to persuade the House that our objections to the Bill are not simply party political, I refer hon. Members to one of the more independent memorandums submitted to the Treasury Committee—the memorandum from the Institute for Fiscal Studies.

Mr. George Osborne: The hon. Gentleman tried to pick me up on what other Conservatives have said. I am right, am I not, that there is a Liberal Democrat member of the Treasury Committee, who, I am told privately, might serve on the Standing Committee with us? That would be interesting, given that that Committee supports the principle of the child trust fund. I wonder how he will vote tonight.

Mr. Laws: The hon. Gentleman should not read too much into the Treasury Committee's report, given that one of its members, the hon. Member for Wallasey (Angela Eagle), said during its hearings:

> "It appears . . . I am the only one that is enormously enthusiastic about this"

proposal. Instead, I refer the hon. Gentleman—I am sure that as an assiduous reader he has already looked at it—to the memorandum submitted by the Institute for Fiscal Studies. That body is almost certainly the most independent and authoritative voice in relation to much of the UK's tax and economic and social policy, and cannot be considered to be speaking from any particular self-interest, yet it concluded in its memorandum that the child trust fund policy has not been satisfactorily justified. It went on to say:

> "It is far from clear that many families would be well advised to contribute additional funds to their Child Trust Fund account."

It continued:

> "It is difficult to find a convincing explanation for why the Government has chosen to support young people using this policy."

I should like to cover three issues. First, this is, as my hon. Friend the Member for Richmond Park (Dr. Tonge) said, a question of priorities. At this particular time, does this measure represent the best use of what is, as the hon. Member for Dumbarton acknowledged, a very large amount of public money? Secondly, does the substance of the proposals add up, and are they likely in practice to achieve the objectives that, according to the Bill, the Government desire? That is the specific matter that was commented on by the Institute for Fiscal Studies. Thirdly, I want to look briefly at some of the Bill's details. Although we oppose it in principle, we will do our best in Committee to take part in debates constructively and to suggest amendments that may move the Government's proposals in a more sensible direction.

We should start by considering how much the Government plan to spend on the proposals and whether that expenditure is justified. The context of today's debate was established last week by the Chancellor's pre-Budget report, in which he unveiled a public borrowing figure of £37 billion for the current fiscal year—a figure that is significantly above the 3 per cent. that the Government previously regarded as a commitment on public borrowing. In addition to that very high figure, the Chancellor unveiled future forecasts for public borrowing that indicate that he will need to borrow some £150 billion over the five years from 2003 to 2008. Against that background, it cannot be anything but obvious to every hon. Member that next year we are in for an extremely tight and difficult public sector spending review when the Chancellor sets the spending figures for the three years starting in 2005–06. It is therefore incumbent on us all to consider not only whether there may be some merit in each individual scheme brought forward by the Government, but whether the merit of a particular scheme is greater than the alternative uses to which the money could be put.

The Financial Secretary will perhaps confirm that the cost of the scheme over the next 10 years is likely to be some £3 billion, which consists of the £235 million up-front costs of issuing the vouchers to each child who qualifies; the introduction in 2009 of a top-up—the cost of which is yet to be quantified, but is likely to be at least £100 million—to children who have reached the age of seven; further administrative costs that the Government have yet to detail, but which will have to be incurred each year; and set-up costs in relation to information and communications technology. The explanatory notes to the Bill tell us that implementing the child trust fund will involve significant new one-off setting-up costs, mainly because of the need for IT support. I should be grateful if the Financial Secretary clarified the order of magnitude of those costs and whether they are still in line with the figure that was given to the Treasury Committee—that is, some £90 million a year.

At least two other costs will fall on the taxpayer: first, the tax relief on savings that will be triggered as a consequence of the measure—the Financial Secretary's evidence to the Committee suggests that she considers that that cost will be very small—and, secondly, the significant advertising campaign that will, as ever, be undertaken by the Government. Will the Financial Secretary give some idea of how much that will cost?

All those costs and all the money that flows from them will not make an iota of difference to child poverty. The Prime Minister said when he appeared at the launch of the child trust fund policy in April 2001:

> "We are committed to extending opportunity to all. All our children—especially the most disadvantaged—should have the chance for a proper start in life".

However, the investment that is going into the child trust fund will not make any difference to children's opportunities. It will not affect children at school or by directing additional money to their parents. It will be a barren investment that is locked away until they reach the age of 18.

Mr. Andrew Love (Edmonton) (Lab/Co-op): The hon. Gentleman will be aware that, in his pre-Budget statement, the Chancellor announced other measures that will have a direct and immediate effect on child poverty. Is it not sensible that he should plan for the future, so that we can deal with child poverty in several different ways?

Mr. Laws: I am grateful to the hon. Gentleman for his sensible intervention—he makes a fair point. In some respects, the Government are seeking to push ahead with reforms that we very much welcome: for example, the children's centres that were announced—or perhaps re-announced—in the pre-Budget report. However, the point at issue for Liberal Democrat Members, and the reason why we do not believe that the expenditure on the child trust fund is justified in comparison with potential alternatives, is the slowness of the roll-out of some of the other measures that the Chancellor and the Government are promoting—specifically, children's centres. One of the best things that the Government have done over the past few years is to establish the Sure Start scheme, because intervention in the very earliest years is the only way in which we will really be able to challenge the enormous inequalities of opportunity in society.

My criticism of the Government is that, although they rightly start by targeting the areas of greatest deprivation, all too often, they make the mistake of thinking that the type of deprivation that they are seeking to tackle through the children's centres and the Sure Start schemes is restricted to the most deprived wards in the country. I represent a constituency whose deprivation levels would be considered average. None of its wards appears among the 20 per cent. most deprived in the country. However, there is a crying need in the most deprived wards in towns such as Yeovil and Chard for initiatives such as children's centres and Sure Start schemes, which are being rolled out in some parts of the country but not in others.

Dr. Tonge: I am glad that my hon. Friend is addressing this issue, and that he has congratulated the Government on what they have done on Sure Start, on nurseries and on early years education. That work is admirable and it is to be supported. He is right, however, in what he says about the children's centres. By 2006, they are expected to be serving about 650,000 children, which represents only 20 per cent. of the children in the most deprived wards. Would it not be much better to spend the money that the Government expect to spend on baby bonds on expanding those children's centres much more quickly, thus benefiting children here and now, rather than in 18 years' time?

Mr. Laws: My hon. Friend is right. I seem to recall that the Minister's own Parliamentary Private Secretary made a similar point in an article in the *Financial Times* only a few months ago, implicitly criticising the Government for their slowness in rolling out children's centres and Sure Start schemes to all the population. I was in a primary school in Yeovil on Friday, and the crying need for early years intervention was only too apparent. We need to tackle problems that arise when young people start at infant and primary schools without adequate educational support and other problems in society in terms of child poverty and poor parenting.

It was notable in that school that, in a cohort of seven-year-olds, about 60 per cent. came from single parent families or from families in which one of the two adults was not the original parent. That shows the extent of the problems of inequality that need to be challenged in society today. I give great credit to the Government for taking on the challenge of addressing inequality, but it is far more important to finish that job before rolling out a large amount of expenditure into a project whose social and economic returns are extremely dubious, as I shall go on to demonstrate.

Mr. Dawson: The hon. Gentleman is dramatically understating the significance of the Government's approach to children's centres, and he would benefit from looking again at the Green Paper on children. Crucially, he is missing the fact that young adults, including those from socially deprived backgrounds, have enormous energy, vitality and purpose, which would be greatly assisted if they had their own assets behind them. Is this not an exciting opportunity that entirely complements the rest of the Government's programme?

Mr. Laws: I agree with the hon. Gentleman's first point, but not with his second. The issue that we are trying to address is that there is a widespread need for

[Mr. Laws]

children's centres and Sure Start schemes throughout the country, and that they are probably the single most important thing that the Government are doing to challenge inequality of opportunity and to give children a real chance in life. That is far more important than giving money to people when they are born and locking it away in an account, creating a barren investment that can do nothing to tackle the sources of inequality.

Mr. McFall *rose—*

Mr. Laws: I shall give way to my previous boss on the Select Committee, then I must make some progress.

Mr. McFall: I am grateful to the hon. Gentleman for giving way. I would like to examine the Liberal Democrats' policy on this issue. Is he against the principle of the child trust fund, or against the fact that the Government are spending money on it now, when he thinks that they should spend it where it can have an immediate effect, such as in children's centres?

Mr. Laws: We believe that the overwhelming priority should be children's centres and Sure Start programmes, not child trust funds. I want to go on to explain our serious concerns about the detail of the child trust fund proposals. We share the view of the Institute for Fiscal Studies, which does not believe that the evidence behind the proposals so far supports the amount of money that the Government are going to put into the scheme. We do not believe that the amount of money going in will create an adequate return.

I want to consider briefly the four points that the Government have made in justifying the rolling out of the child trust fund. They state that the fund should

> "ensure that in future all children have a financial asset at the start of adult life".

However, it is not clear from the background documents why it is so important to give people a financial asset at the age of 18—as the hon. Member for Tatton pointed out, the Government are about to persuade about 50 per cent. of our young people that, at that time, they should not only have a financial asset but take on a very large financial liability. The Government seem to be sending out a muddled message, saying that it is tremendously important for young people to have a significant financial asset while telling them that they should be extremely relaxed about getting into serious amounts of debt that they can pay back from their income in later life. That raises a fundamental question about whether savings at particular points in people's lives or careers make any economic sense, and whether the Government have any business interfering with the decisions that people make about their own priorities.

What will the students do with this financial asset when they get it at the age of 18? It will be obvious to many of them that they should use it to help to fund their university careers and to offset the debts that the Government are happy to encourage them to incur. Some students will no doubt use the money to fund leisure activities—a party, perhaps, on their 18th birthday, or a holiday—which seems to be of dubious value in terms of public policy rationale. The Minister said that some young people may choose to use the money to establish a small business, but, as the Institute for Fiscal Studies has pointed out, if that is the primary policy aim, we should consider what alternatives are available. Most assuredly, a tiny minority of young people will use the money for that purpose.

I shall fold the next two points together to make sure that I do not eat up too much of other hon. Members' time. They are the first two points that the Government make in justifying their policy. Their objectives are

> "to build on financial education to help people make better financial choices throughout their lives"

and, linked to that,

> "to help people understand the benefits of saving and investing".

The Institute for Fiscal Studies has made the point not only in the initial consultation but in its paper to the Treasury Committee that it is not at all obvious that the best way to educate young people on financial literacy is to set up an account and pay Government money into it—indeed, it is not obvious why the young people who do not operate their account would achieve greater financial literacy.

That takes us back to the point about priorities that my hon. Friends and I have made. It is far more important to ensure that every individual in society has the basic numeracy and literacy skills to manage their own career and to make their way in the world, than to establish accounts such as these and to deliver financial education in a dubious way—it could be delivered far more effectively through the education system.

It is also unclear what kind of signal the Government are trying to send on what they call the benefits of saving and investing. One of the issues that the Select Committee dealt with was the fact that, for many families, particularly those in lower income groups, it will not make any sense to put money in a child trust fund and to lock it up for 18 years. Many of those people end up having to borrow large sums, often for short-term purposes, at extortionate rates of interest. It is not at all obvious why it would be sensible for those people to pick up the savings habit through the child trust fund, rather than through one of the other vehicles for savings.

That brings us to the most serious argument that the Government have advanced in relation to the child trust fund—that it should encourage parents and children to develop the savings habit and engage with financial institutions. The key question, which the Government seem unable to answer, is whether, as a consequence of being encouraged to develop the savings habit, parents and children will save more.

That was a point that several members of the Select Committee explored robustly with the Minister, perhaps wrongly, on the issue of targets, which the Financial Secretary shied away from. Perhaps I can direct her instead towards estimates, as I tried to do in my intervention, and encourage her to let us know whether there is any assessment of the effect that the measures could have on total saving. It is possible that all we will succeed in doing is make the Government save for people, rather than people themselves saving. That will hardly encourage people into the savings habit.

In addition—the point was made effectively by the Institute for Fiscal Studies—it is unclear why many people, particularly those in lower income groups, should save in a child trust fund, when they can enjoy the same tax breaks through an individual savings account, with all the flexibility that that implies.

Norman Lamb (North Norfolk) (LD): Is my hon. Friend aware that the Treasury official's evidence to the Select Committee was that, unless habits change, it is likely that middle income families, rather than low income families, would take advantage of the tax-free savings vehicle? The advice to low income families is, first, to pay off debt and, secondly, if they have money to spare, to save it in such a way that it would be available for a rainy day, and only after that to put money into a vehicle such as the child trust fund. Every indication is that low income families will not use it.

Mr. Laws: My hon. Friend is right. He has clearly read the submission from the Institute for Fiscal Studies, in particular paragraph 12, which states that the issue in relation to the child trust fund

> "becomes even more fraught since it is quite possible that the immediate beneficiaries of the child trust fund will be richer families who can substitute the endowment payment for saving that they would have made for their children, and so increase their current consumption."

Mr. Weir: Will the hon. Gentleman give way?

Mr. Laws: I must make a little progress. I shall give way later.

In her evidence to the Select Committee on 3 December, the Financial Secretary shed some interesting light on the question whether individuals are likely to save more. She said:

> "It is a fact that each child has a tax free allowance each year of, I think, £4,600 that very few people currently take advantage of, and they could in children's savings accounts, so quite why, if they do not take advantage of it at the moment, they would choose to take advantage of it through the Child Trust Fund, I do not know."

That makes the point effectively. It suggests that even the Financial Secretary is sceptical about whether many people, especially those in low income groups, who are currently not saving and not taking up opportunities, will do so.

On the specific question whether there should be additional Government contributions while the child is aged between 0 and 18, the Financial Secretary went on to comment that

> "when you ask parents, the largest group of parents who come back with an answer say that they like the idea of there being additional top-ups rather than there being a one-off lump sum at the beginning, and that the account may not be reactivated, as it were, by the Government for 18 years."

In other words, many of the people making representations on the matter to the Government fear that, if the Government do not reactivate the account by paying money into it, nobody else will.

The general conclusion that we will end up with little additional saving is underpinned by the Financial Secretary's estimate to the Select Committee that the extra tax relief on the child trust fund would have a negligible cost. The IFS pointed out, as my hon. Friend the Member for North Norfolk (Norman Lamb) made clear, that

> "Families looking for tax efficient savings vehicles would be well advised to exhaust their ISA contribution limits before using Child Trust Fund Contributions. . . ISA funds can be accessed at a time of unforeseen need."

There is serious concern that the Government's proposal, however well intentioned, will advantage some higher income groups, not the groups that many Labour Members have in mind. Those upper income groups will be the only people who gain anything in terms of tax advantage from the child trust fund. Nobody else in society—none of the low income groups—will get a bean from the Government in terms of tax advantage to encourage them to save. The Government are relying not only on the savings that people will make in the child trust fund, but on the fact that, once people open such an account, they will be inclined to save—even though they will have no more financial incentive to do so than they had before.

Mr. Love: The House will understand the importance of inculcating the savings habit and the need to make up the £27 billion lacking in savings for our retirement, as well as the importance of financial education. All the studies show that that would do most to inculcate the savings habit. If the hon. Gentleman does not accept the Government's proposal as a way forward, does not he consider the matter important enough to propose some alternative?

Mr. Laws: I shall deal in a moment with the Government's role in encouraging saving. I hope that the hon. Gentleman will have picked up from my comments that encouraging savings is not always a good thing for low income groups, who could end up having to borrow at high interest rates and save at low interest rates. For all those reasons, we share the scepticism of the Institute for Fiscal Studies about whether a great deal of Government expenditure in this area will result in a tangible return, when an expenditure of £3 billion in other areas could result in a real return. That may be why the IFS stated, in relation to the Government's consultation:

> "Prior to considering design issues, it would have been useful to have had a stage of the consultation process that invited comments on whether the new policy direction that is asset-based welfare is a good one to take."

The Government have many questions to answer with regard to these proposals. They must decide to what extent they should be nannying citizens in relation to savings. On the subject of how the money should be spent at the end of the period of 18 years, the Chairman of the Treasury Sub-Committee asked the Financial Secretary whether children should be free at the age of 18 to spend the proceeds of the fund in any way they wished. The hon. Lady answered robustly:

> "I think the question for the Government is who is best placed to make those choices. Is it really up to us to decide what is in the best interests of a young adult at the age of 18? . . . Far be it . . . from me to tell a young person that they should not use this asset to buy, for example, a computer . . . or perhaps to invest in a van".

In that respect, the Financial Secretary is making herself the enemy of the nanny state, but I ask her to consider other aspects of the child trust fund, such as the

[Mr. Laws]

limitation on the way in which the money can be used. Perhaps it could be far better used by parents making decisions for their own families, rather than the money being locked up by the Government. Is that nanny state attitude justified? I ask the hon. Lady to consider whether it makes sense to encourage some families to have very small financial assets to invest in equities—assets that are essentially risky. I understand the arguments for that, but that is not the behaviour that lower income groups would normally demonstrate with their own money. I ask her to consider also whether it makes sense that some parents aged 17 in England, Wales and Northern Ireland will not be able to take many decisions themselves—they will be able to do so in Scotland—because the Government will insist on managing their fund and that of their child.

Those are some of the fundamental objections to the scheme. It is clear that a series of amendments will need to be tabled in Committee, not least on whether there should be an allowance for draw-down either before 16 or, at least, for 16-year-olds who are going into the labour market. There seems no obvious reason why they should have to wait two more years before getting their hands on a financial asset that might help them in their job.

Another issue is whether the Government's insistence on the managed accounts being invested in equities, at least in part, makes sense. Some hon. Members have alluded to the interaction between the child trust fund and the benefits system, not only in relation to jobseeker's allowance but in relation to the issue, raised by the Select Committee, of the deprivation of capital for family members, a question that was not fully answered by the Financial Secretary at the time.

There are many reasons to object to the Bill and there are many better uses for the money that the Government will spend. There is inadequate justification that this expenditure of money will lead to the results that the Government claim it will. Even at this late stage, I hope that the Government will think again about using the money for a purpose that is so unclear.

6.21 pm

Mr. Michael Jabez Foster (Hastings and Rye): It is unusual for the Liberal Democrats to be against some kind of public spending; their usual position is to demand a doubling of the contribution. More important than that is the mean-spiritedness shown by the hon. Member for Yeovil (Mr. Laws)—who represents a town that is not one of the poorest in Britain—to my constituents in Hastings and Rye, the 27th poorest town in Britain. We have the highest levels of child poverty in the country, although we have benefited from children's centres and other measures introduced by the Government. I find it difficult to understand the idea that it is not beneficial for an individual to be a stakeholder from the very beginning. I suspect that the length of the hon. Gentleman's speech was indicative of the difficulty of his task of opposing something that is so obviously sensible and right for people on low incomes.

Mr. Laws: If the hon. Gentleman had the choice in his constituency, as I might have in mine, between having a children's centre or the expenditure on the trust fund, which would be choose?

Mr. Foster: That is an unreal choice, because the Government are investing in children's services at a level way beyond anything for which the Liberal Democrats have ever asked. It is not a real choice to say that a children's centre—important as it is—should be "instead" of this once-in-a-lifetime opportunity for young people from modest backgrounds or poverty to receive something that is theirs and to which they can look forward for the future.

Middle-class families will provide for their children anyway, and I do not begrudge them the opportunity of doing so in a tax-efficient way. That is the proper thing to do, but the scheme will give poorer children an opportunity that the Liberal Democrats would deny them.

Bob Spink: Although I can, on balance, support the measure, it will increase the gap between rich and poor. The poorest people will end up with around £911 at the age of 18, whereas those from families with disposable incomes who can invest £100 a month will end up with a fund of between £35,000 and £40,000 at 18, thereby increasing relative poverty.

Mr. Foster: The hon. Gentleman is wrong, for this reason. The poorest will receive a higher contribution from the Government, which will push them above where they would have been otherwise. The middle classes will always look after their own and would make those contributions in any event. We are giving the poorest groups an opportunity to have something, whereas the better off will always act to achieve their own objectives. The gap will not grow and the scheme will enable everyone to save more towards whatever is needed at 18. This innovative scheme, making everyone a stakeholder, is to be welcomed.

I have three other points to make. First, I encourage my hon. Friend the Financial Secretary to hold firm to the 1 per cent. cost. The scheme is very cheap to operate. It is cheaper than the average stakeholder pension scheme as there is no possibility of withdrawal for at least 18 years; it is only a matter of collecting contributions. If the Portcullis pension scheme can offer 0.4 per cent.—I agree that it has a captive audience—it ought to be entirely possible for providers to offer 1 per cent or thereabouts.

Secondly, although the scheme will be good in itself—its purpose must be to encourage parents to contribute in a tax-efficient way to their offspring—children themselves must be encouraged to save, which has not happened for a long time. I remember that, in the dark ages of the 1950s—under a Conservative Government—I was encouraged to contribute sixpence for a Princess Anne stamp and 2/6, or half a crown, for a Prince Charles stamp. That Conservative Government gave me no interest on the investment, so I was contributing to the repayment of the national debt without any help at all. None the less, that was an aid to saving, and I paid my sixpence each week, saving up a total of £18 by the age of 12.

Such a measure is required now, giving young people collectively an encouragement to save. The scheme itself will do that, because every child, in due course, will have a savings fund. I do not know if they will check in the pink pages to see how their shares are doing, but they will know that they have an asset for the future. If we could encourage youngsters to put cash aside in some form of savings scheme, it would be helpful.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): Does the hon. Gentleman agree that the ethos of saving has changed totally? When we were younger, saving was part of our pride in this country. Does he think that we might have to re-educate an entire generation of youngsters to save for the future, as they have not been encouraged to do so?

Mr. Foster: I entirely agree that the "me now" society, which developed some time ago and which we hope to dissuade people from continuing, changed the saving habit among ordinary people, who thought that they could borrow all the time to get what they wanted. There is a difficult cultural issue. I do not want to be over-political, but today's parents are Thatcher's children, which may be part of the problem. I agree that the objective is to try to get people into a different culture and to understand that there has to be a payment day. The scheme is a move in that direction.

Thirdly, I want to impress upon my hon. Friend the Financial Secretary the fears of my hon. Friend the Member for Dumbarton (Mr. McFall) and his Committee about the extension of the scheme to other children. I do not want to plead a special case for my four grandchildren, but they are aged five and below and none of them will qualify. The Financial Secretary said in her opening remarks that the scheme is for all children, but it is not for all children if 80 or 90 per cent. will not be included. The cost of extending the scheme to pay the cash would be unaffordable, but that is not my plea. I hope that, in Committee, she can deal with the problem of allowing certain young people, but not others, to enjoy tax benefits.

Extending the scheme to all would be a popular choice and an important one, for three reasons. First, it would be important for equity, as it is unfair that some young people should be treated differently from others. Secondly, it would be important for simplicity. Despite what the Financial Secretary said earlier, the existing schemes—I wonder whether she has investigated them—are rather complex. Thirdly, and perhaps most importantly, they are jolly expensive, often taking some 4 to 5 per cent. of children's funds. So it would be much more sensible to have one scheme—the child trust fund—that is clearly worked out, and to allow all children to benefit from it.

Given the excellence of these proposals, I very much hope that, in Committee, the Financial Secretary will feel able to extend them to all children.

6.31 pm

Mr. Andrew Robathan (Blaby) (Con): The hon. Member for Hastings and Rye (Mr. Foster) spoke about the Bill with great enthusiasm. I have to say that I share neither his enthusiasm nor his view that, although the middle classes will look after their own, we will have to look after "these poor people". I found that somewhat condescending, to put it mildly. I am afraid that his enthusiasm will not save him at the next general election, but never mind—I am sure that we will miss him.

I was rather more in agreement with the hon. Member for Yeovil (Mr. Laws). I hasten to add that I did not agree with everything that he said, and nor did he need to take 35 minutes to say it; nevertheless, many of the issues that he discussed needed to be raised. In a debate such as this, it is difficult to come out and say that one does not want to give a boost to the 1.6 million beautiful, bouncing, bonny babies; however, this scheme looks to me like a gimmick. The Financial Secretary spoke winningly—indeed, I almost wanted to believe that she was right—but notwithstanding her comments, at the end of her speech she seemed not to believe herself what she was saying. That was rather worrying.

The scheme will cost £4 billion over 18 years, but is it really a good way to spend our money? After all, this is a Government who are very capable of spending money rather than very good at spending it. They have raised taxes 60 times, and through the abolition of advance corporation tax they have raised £30 billion to £35 billion from people's pension fund savings. Now they want to take away money by taxing parents such as me, and to give a gift to new babies. I do not see the logic of that. How does that encourage prudence, saving and self-reliance?

This gimmick was first announced in 2000, before the last general election. In fact, the figure of £1,000 was then gaily bandied about, but now we learn that it will be only £250. Perhaps that is one reason why the Home Secretary is disappointed with the scheme. I question the principle of a gift that is unrelated to the actions of the individual. After all, it is not intended to help those in dire straits; it has no relation to what they—or, if they are babies, their parents—do. The Financial Secretary said that the scheme will kick-start a savings habit, but why should it? Why should giving back to taxpayers' children part of their own parents' money lead to—as she described it—a change in attitude to saving? Nothing in her speech led me to believe that it will.

My hon. Friend the Member for Tatton (Mr. Osborne) made a fine first speech in his new role. He rightly pointed out that members of the middle class—of course, most of us in this place are members of the middle class—such as himself, the Financial Secretary, the hon. Member for Yeovil and I all received a private, Oxbridge education. We understand about saving. I already have savings accounts for my two small children, who are aged seven and four, and I suspect that the Financial Secretary has such accounts for hers.

Ruth Kelly *indicated dissent.*

Mr. Robathan: Perhaps she is introducing this Bill, at the enormous cost of £4 billion, just in order to have them. But we know that most middle-class parents save for their children, which is very sensible. Furthermore,

[Mr. Robathan]

people in my position will certainly take up this savings account, because it is a good deal for us. Of course, from a personal point of view I applaud the Government's assisting me and my children, but is this the best way to spend Government money?

The hon. Member for Dumbarton (Mr. McFall) spoke of the 50 per cent. or more of parents who save nothing, or next to nothing, for their children, but nothing in the Bill will encourage them to save more. They probably do not have the money, as the hon. Member for Angus (Mr. Weir) pointed out; if so, how will they save for their children? As has been pointed out, the money will be locked up in an account to which they will have no access.

Returning to my point about the middle classes, this is a very patronising measure. It takes the view that poor people must save, and that the nanny state will make it easier for them. Yes, of course we want it to be easy for them, but we should encourage all members of society to save. We should not patronise them; we should give them opportunities, not handouts.

What will happen at the age of 18, long after the current Blair Government are just a distant, unhappy memory, lamented by none? The Financial Secretary was 18 more recently than I was, but I should point out that I know quite a few 18-year-olds. Many are leaving school and going on to university—of course, the Government want 50 per cent. of young people to go to university—and some are going on to work. What will these 18-year-olds do? The Financial Secretary will perhaps correct me if I am wrong, but according to some, if only the initial £250 has been invested, they will have some £400; at a growth rate of 5 per cent., they would have some £602. She said that at the age of 18, the children themselves should decide what to do with the money. They obviously will not be able to pay a year's tuition fees. With top-up fees, the figure might be anywhere between £2,000 to £10,000 a year. With a mere £400, £600 or £900 in their account, they will not be able to repay the student debt, which may be £10,000 or even £20,000.

The Financial Secretary suggested, rather sweetly, that one could use the money to buy a van and set up a business. As it happens, I have a business, which is included in the Register of Members' Interests. I am a farmer, and last year I bought a Land Rover, which cost me a grand. Since then, I have spent about £2,000 repairing it, so it was not necessarily a good buy, but my point is that although £400, £600 or £1,000 will perhaps help, it is not much when it comes to starting a business. It is a nice idea, and perhaps some people will be able to use it for that purpose; but not many will be able to do so.

Most of the 18-year-olds whom I know like to go to Ibiza. I do not know why—I have never been—but something goes on in the bars and on the beaches that 18-year-olds seem to like. Even those who are not rich want to go on holiday. According to today's copy of the *Evening Standard*, the last few seats are available for flights to Madeira. A Christmas holiday there costs £499; my own taste, however, runs more to Auckland for £539 return. But this is what 18-year-olds—

Madam Deputy Speaker (Sylvia Heal): Order. I wonder whether the hon. Gentleman might return a little more to the subject of debate.

Mr. Robathan: Of course, Madam Deputy Speaker. I am trying to establish what young people of 18 want to do with their money, and I do not blame them for wanting to do such things. When I was 18, I wanted to travel, and I suspect that the same is true of the Financial Secretary and others. It is travelling to exotic parts with other young people that makes being young fun. We see that in the culture of gap-year students and of backpackers, and I do not blame them.

Mr. Michael Jabez Foster: Would it not be a good idea to give young people a choice? At the moment, if they have no cash they have no choice.

Mr. Robathan: We are all in favour of choice, but is the hon. Gentleman suggesting that young people should be able to say, "Can you give me some money, as I want to go on holiday?" If so, I doubt whether the Minister would back it. In a funny sort of way, however, that is effectively what the Bill proposes.

I applaud the intention of giving small amounts, but I do not believe that it will work to encourage savings. I suggest that matching funds are what really encourage savings. If a young person—or their parents—puts aside £100 and the Government match it with a further £100, that is truly rewarding actions and encouraging people to take a prudent look at life. We could encourage savings by not taxing pensions in the way that the Government have taxed them. What message does that send to people who have put some money aside?

We could also encourage savings by not having so many means-tested benefits. I am sure that I am not the only Member of Parliament whose constituents include pensioners who complain at surgeries that their savings count against them. They might say that they have a small pension or have saved £5,000—soon the threshold is to be £6,001—so they cannot get the minimum income guarantee or the benefits that they would otherwise receive. Many people rightly complain about that. The Government have discouraged people from making small savings.

What message does the Bill send out about savings? I suggest that it will turn people against the savings culture. The Government have discouraged savings and I understand that the savings ratio has halved under the Government and is now only 4.5 per cent. compared with 9 per cent. in 1997—*[Interruption.]* I am advised that it was 10 per cent.

The Bill will not address the problem of low savings, which is why it amounts to just a gimmick or stunt—albeit perhaps a not very expensive one. My hon. Friend the Member for Tatton suggested that it could have something to do with the fact that the vouchers will arrive shortly before the next general election. It seems to me to be an expensive way of giving back to some taxpayers a little of what the Government took from them in the first place.

6.41 pm

Mr. David Cameron (Witney) (Con): I am grateful for the opportunity to contribute to the debate and pleased to follow my hon. Friend the Member for Blaby (Mr. Robathan). I thought that he was perhaps a little tough on the Government. He is in favour of saving and I am in favour of encouraging it. He is probably looking more towards the lifetime savings product. Perhaps that could be done better than through the Bill, but if the Government come up with a simple and neat way of encouraging saving for young people, we should support it tonight.

I draw attention to my entry in the Register of Members' Interests. As my hon. Friend the Member for Tatton (Mr. Osborne) implied, it is important to declare that my wife has a baby on the way in February, so if the vote goes the right way tonight, I shall obviously be a beneficiary. I hope, in passing, that my paternity leave will last a little longer that that of my hon. Friend the Member for Buckingham (Mr. Bercow). He was in his place earlier today, just nine days after the great event, and made one of his very good interventions. We also have a son, Ivan, who was born in April 2002, so sadly he is going to miss the cut—though I shall return to him later.

Bob Spink: No, he will receive it.

Mr. Cameron: No. September 2002 is, I believe, the cut-off date.

My hon. Friend the Member for Tatton introduced our position clearly. We believe that saving is a good thing and that encouraging saving—if done simply—is a proper aim for the Government, as the Minister set out. Vitally, we believe that encouraging people to build up assets gives them independence, freedom and the ability to make choices for themselves rather than being too reliant on the state. As my hon. Friend said, the privatisations, council house sales and many other policies of the last Conservative Government did spread the ownership of assets, which is to be encouraged.

I do not want to be churlish—indeed, I want to avoid some of the churlishness that we heard from Liberal Back Benchers—but the Government have to examine the backdrop to the Bill. As my hon. Friend the Member for Blaby said, the Government did much to discourage savings. We have had 60 tax increases and advance corporation tax changes that sucked money out of people's pension funds. We have seen an enormous increase in means-testing. If they do not own their own home, a couple now have to save £180,000 to avoid a means test on becoming a pensioner. There are still anti-saving taxes such as inheritance tax, which bites far too early on, and the capital gains tax regime, though reduced and reformed, is hideously complex. That too discourages saving.

Instead of a broader, more sweeping approach, we have a range of small initiatives. I agreed with the hon. Member for Yeovil (Mr. Laws) that, in general, we should be promoting simplification, tax reduction and encouragement of independence. Again, in general, I fear that the Government are moving in the opposite direction. Nevertheless, it would be churlish not to welcome a relatively simple scheme that provides people with an opportunity to build up savings. As the hon. Member for Dumbarton (Mr. McFall) said, the need is quite clear when 35 per cent. of parents with children under 15 save nothing and a further 26 per cent. save only occasionally.

I have four small suggestions and one bigger one about how to improve the Bill. The first, as I mentioned in an intervention, is about children in care. They do not receive child benefit, but they will get child trust funds. As the Bill stands, however, no one is going to contribute on their behalf. Such children have the toughest start in life, with 18 years in care. The state acts in loco parentis, so it could contribute by using the child benefit that would otherwise be paid. The money could be put into the child trust fund so that when the children came out of care at 18, they would have some money to give them a decent start. If not, these children will be greatly disadvantaged by comparison with others. I hope that the Minister will reflect seriously on that point, which my hon. Friend the Member for Tatton promised to debate further in Committee.

Mr. Dawson: I commend the hon. Gentleman for that first-class suggestion. Does he agree that we often denigrate and overlook the potential and abilities of young people on leaving care? In fact, there could be no more important group to encourage into an entrepreneurial future.

Mr. Cameron: Absolutely. It is good that we have secured agreement on both sides of the House. The more hon. Members we can encourage to agree, the more pressure we can exert on the Minister to carry out this reform, which would not be too expensive and would give some of the most disadvantaged people in our society a better start in life.

My second point is means-testing. I know that it is a simple idea, but it is worth saying again that means-testing discourages saving. The Minister should have that stencilled on her desk. In my earlier intervention, I pointed out that a family on £13,230 would get the £500 voucher for their child while one on £13, 231 would get only £250. The Minister said that she could see the logic behind my argument that that might discourage saving. The logic is simple: someone who puts money aside and has some income from savings could well be placed beyond the threshold. The Chancellor now goes over more thresholds than Zsa-Zsa Gabor: there are thresholds all over the place. If people save a bit to have a little more money, they could be denied a benefit. That does put people off saving.

Means-testing applies to the child trust fund in two ways. The first is, as I have already mentioned, on the way in, where either £250 or £500 is to be provided. What do we say to families who are just above the threshold? What message does it send to them? There is also a concern, which was expressed to the Treasury Committee by the National Consumer Council, that companies selling these products might use the means-tested additional endowment as a signal and decide that it is better to market to the family with the £250 rather than the £500 vouchers.

Ruth Kelly *indicated dissent.*

Mr. Cameron: The Minister shakes her head, but the National Consumer Council, which is a serious

[Mr. Cameron]

organisation, was concerned about that point, which provides another reason why means-testing is unwelcome.

Norman Lamb: Will the hon. Gentleman say what he views as the solution to the means-testing problem that he identifies?

Mr. Cameron: We have to deal with the Bill as it is. If it were my Bill and my idea, I would opt for a flat rate. It is simpler to say that all children will receive the same sort of account and start with the same sum of money. As soon as means-testing is introduced, it creates unfairness and sends out a signal that saving is bad.

The second type of means-testing—on the way out rather than in—is perhaps the more serious. The Government's proposals are not wholly clear. When asked in the Treasury Committee about the problem of losing jobseeker's allowance because of the savings in an 18-year-old's account, Mr. Holgate said:

> "We are aware of the implication and we cannot say at the moment what exactly we plan to do about it".

I know that, theoretically, they have 17 years in which to make up their minds, and the Minister said that she would keep the point under review, but it would be better to say now what the intention is. If we want to encourage people to save, we have to send clear signals.

I am not entirely certain about my third point; perhaps the Minister will put me right if I am wrong. I understand that subscriptions to the funds can be only monetary, and that equities or gilts can then be bought or the money kept in cash. Donations cannot be made in shares, for example. The Minister could look at that point. In some cases, godparents, parents or relations might want to transfer some shares to a child, and if we want a share-owning democracy, which the Conservatives definitely do, we should encourage the movement of shares into the new funds.

Fourthly, I agree with my hon. Friend the Member for Tatton and the hon. Member for Hastings and Rye (Mr. Foster) that parents of children born before September 2002 should be able to open these accounts. By all means, do not give them the £250 or the £500, but let them open the accounts and save for their children. It will be difficult, as many hon. Members have said, to explain to one child why they have this nice little baby bond building up and to another why they do not. The Minister should be generous about that.

Those are my small suggestions. I have one big one. I must, again, admit an interest, in that Ivan, my son, who is 20 months old, was born severely disabled. I have learned a lot from looking after him and coping with having a disabled child. I have learned as much again from parents of other disabled children coming to my surgeries to explain all the difficulties that they have in accessing funding, getting services and getting equipment. The Minister probably knows that in this country we do not support families who have disabled children very well. More children are surviving and living longer. The national health service has made huge advances in helping those children to survive birth, often with complex and difficult disabilities. But social services have not kept up. If the Minister has not read the Audit Commission report on services for families with disabled children, I recommend it to her. It is a superb piece of work, discussing patchy services and the lottery of provision depending on whom one knows, where one lives and how hard one pushes. It talks about equipment provision, saying how incredibly uneven it is and how often, for example—as I know from my own child—a wheelchair takes so long to arrive that by the time it does, the child has grown out of it.

Having disabled children means massive extra costs. As I said in an Adjournment debate, one problem is that many things are done outside the national health service by social services, and those families who do the most to try to help look after their child at home often receive the least. If a family packs it in all together, the state has to look after the child. If a family struggles to try to cope, there is not a lot of help.

Why do we not do something for those families—I say this selfishly, but I know that it will benefit others—through child trust funds? Disabled children with complex needs are living a lot longer now. Children, like my own child, who have cerebral palsy and epilepsy are living into their teens and twenties, and I hope that my son will. At 18 there is a real question about what to do and who is to look after those adults. Who is going to pay? My big idea is, therefore, to ask why we do not de-limit the amount of money that can be put into the baby bond for families with disabled children. Let the contributions go as high as we like. Anyone who knows someone with a disabled child will know that everyone wants to help—families, charities and friends. If we could allow extra money to go in, many families would have an ability to help their child to live a much more independent life in adulthood after the age of 18.

The other change that the Government could make for those families would be to allow some dipping into the fund before the child reached 18. Families with disabled children have to make major purchases—equipment such as prams, chairs, stair lifts and bath hoists. There are huge costs, and some sort of trust fund that could be dipped into—topped up without the £1,200 limit that the Minister mentioned for the general trust funds—could work very well.

I think that there is something in those ideas, and I hope that the Minister will take them away. They go with the grain of both the Government and the Conservative policy of giving people more independence in their lives. They go with the Government approach of saying that with disabled children there should be more freedom about spending benefits, often in a lump sum—the individual payment concept under which the money is given and the person decides what support or equipment to purchase. They would help some of the most vulnerable people in society, people who are disadvantaged through no fault of their own. I do not think that all that would be complicated to do: we know a lot about who looks after disabled children because of disability living allowance, and it could be done in conjunction with that.

I hope that the Government will look at my ideas; I hope that my Front-Bench colleagues will, too. I offer the idea freely to all. The Government have been accused of promoting child trust funds as a gimmick. I think that that is a bit unfair, but if they want to make them more real, my ideas would be worth pursuing.

6.55 pm

Mr. Michael Weir (Angus) (SNP): I am probably one of the few speakers in the debate who is not claiming some benefit from it since both my children are far too old and I am, I hope, many years yet from being a grandfather.

The proposal has been a long time coming, since it was first announced back in 2001. The funds themselves will not be available until 2005. In principle, the idea of providing a capital sum for a young person reaching 18 has merit, but I am not convinced by the Prime Minister's argument that it is a way to tackle child poverty. The sad fact is that, despite the Government's claims, very many children in Scotland still grow up in poverty. Since 1999, there has been a 2 per cent. increase in child poverty, and since 1968, the rate of child poverty in Scotland has trebled, with the proportion of children living in poor households rising from one in 10 to one in three. Those figures come from the latest report of the Joseph Rowntree Foundation.

Against that background, I must ask how the measure will help those who grow up in poverty. The plain fact is, as many hon. Members have said, that the proposal will be of great benefit to those who are already well off. The chances are that their parents, rather than those of children who live in poverty, are already making some contributions for their future. The scheme allows families and friends to contribute up to £1,200 a year—£100 a month—to the fund. Few families who exist on low wages or benefits will be able to contribute that or anything like it, particularly if they have more than one child.

The hon. Member for Dumbarton (Mr. McFall) quoted from his Select Committee on the Treasury report the number of parents who are interested in the funds. The report, however, went on to note research on why parents do not currently save for their children's future, which came up with the completely unsurprising observation:

> "The survey shows that one of the main reasons for not putting aside money for their children is that some parents just cannot afford to."

The report also noted the views of the Child Poverty Action Group:

> "Despite higher initial payments for children from low income families, the reality is that many families are too poor to contribute. The tax relief provisions will be of greater benefit to the better off, since they are most likely to be able to top up the fund."

The hon. Member for Dumbarton and the Minister mentioned that 75 per cent. of parents surveyed were interested in the funds and would seek to contribute to them. I must ask how realistic that figure is. Many families simply do not have the funds. The way in which the funds are being structured will dissuade many families from attempting to contribute, because it seems that they are to be equity-based investments. I do not pretend to be an expert in equity funds—in any funds for that matter—but my experience is that such funds seek fairly substantial regular payments, not small weekly or monthly payments. Excluding many smaller building societies from being able to offer the funds—the Building Societies Association called that a "perverse" decision—will mean that many poorer families are excluded from the chance of taking out a traditional building society account into which small sums can be regularly paid in. It might not provide the returns that an equity-based investment would—in theory, at least, although many have not in the recent past—but it would give poorer families the opportunity to contribute to the trust funds. Almost every hon. Member who has spoken has noted that, if the funds are to be a success, families will need to contribute to them. Even a small contribution would make a big difference, but that would require allowing the use of traditional investment vehicles through building societies.

It all comes down to child psychology. I have two children, who are not so small any more, but I remember that seeing the money in their piggy banks or building society accounts grow meant something to them. The hon. Member for Hastings and Rye (Mr. Foster) mentioned reading the pink pages, but I cannot see many youngsters running out to buy the *Financial Times*. If they can see the amount in a building society book, it makes a difference.

The proposed structure of the funds will mean that many poorer families will not be able to contribute. I ask the Government to look again at that aspect of the trust funds, because broadening the base of the investment would be a good way to bring more poorer families into the scheme. As the trust funds are structured in the Bill, it would be the middle classes who will benefit most. That is not necessarily a bad thing—especially for the middle classes—but it is wrong to claim that the proposals will tackle poverty.

When I spoke to representatives of the National Union of Students last week, I was given a postcard that is part of its latest campaign against tuition fees. It is addressed to the Minister's ultimate boss, the Prime Minister, and it states:

> "Students already facing decades of loan repayments in this post-grant era will, according to you, graduate with a total of up to £21,000 of debt."

I did a quick, back-of-the-envelope calculation; to end up with a trust fund containing that sum at age 18, a family would have to put the best part of £100 into the fund every month for each child. The trust fund would be swallowed up by tuition fees and student debt for those who go on to university. I can see how the fund would be very attractive for parents and grandparents who wish to ensure that youngsters from relatively prosperous backgrounds have the money to go into higher education, but again it will not do much for those from less well-off backgrounds.

I fully accept that it is impossible to guess what a person will need at 18 when they are born. It would therefore be difficult, if not impossible, to design a fund that set out exactly how it was to be used. However, I was interested to note that the Select Committee Report said:

> "People feel strongly that proceeds of the fund should be spent on a worthwhile purpose. Education is by far the most mentioned use for the fund, whether this be higher education or of a more vocational nature."

When asked by the Committee whether the Government had considered an incentive for using the funds for educational purposes, the Minister said that they had not ruled out some sort of benign encouragement. That is an interesting phrase and perhaps the Minister could tell us when she winds up what is meant by it and what is being considered.

[Mr. Michael Weir]

I was very interested in the point made by the hon. Member for Witney (Mr. Cameron) about disabled children. I, too, have a disabled child and fully understand the points that he was making. Unfortunately, a trust fund set up on the basis he suggests would face exactly the same problems as those proposed by the Government—it would disproportionately benefit those who can put more money in, not those in the greatest need, who find it difficult to obtain the extra help that they need.

Mr. Cameron: The point that I was trying to make is that a trust fund would make it easier for other people to help a family with a disabled child. Often, friends, families and charities want to help, and a trust for the child, which could go on to be their trust after age 18, would provide an easy and neat way for people to contribute. Of course it would not help everyone straight away, but it would help many people and that must be a good thing.

Mr. Weir: I do not dispute that point, but I repeat that it is those with the family and friends who have the money to contribute who would benefit most. I have been involved with a trust in a professional capacity which was set up to help people with disabilities, and we were able to help the poorest, who needed that help, not those who were able to set up their own trust funds. The idea has merit and I do not write it off, but it faces the same problem as all trust funds. How do we ensure that those most in need are the ones who are helped most? There is no easy answer.

The interaction of the child trust fund with the welfare system could also cause a problem. If no further funds are contributed other than the initial payments, that will not be a great problem when the person reaches 18. Similarly if the person goes on to full time education after 18, there will not be a great problem. However, a problem will arise—as the Minister admitted—if someone has had money paid into their fund but unfortunately has to claim benefits when they reach 18. The Treasury anticipates that a payment of £10 a month could build up a fund just short of £4,000. That is more than the disregard figure for benefits at present, although I appreciate that the Minister has said that the disregard will rise to £6,000. That is welcome, but I do not know what it will mean over an 18-year period. Will it be uprated with inflation every year to ensure that the full value of the uprating still applies when a child with a trust fund begun in 2005 receives the benefit of it 18 years later? Otherwise, payments made to the fund could reduce or wipe out any benefit entitlement. It may be impossible to get round that problem entirely, because the trust funds are bound to create some unfairness in the benefit system and the Government will have to address that fact.

Many of the other points that I would have made have been covered by other hon. Members. I may have given the impression of being completely negative about the Bill, but that was not my intention. The idea has merit but it needs to be tweaked. More thought needs to be given to how we can help the poorer sections of society more. The fight against poverty should be the principle behind this. In their present form, the trust funds will not help, but there may be a way to start making progress.

7.7pm

Bob Spink (Castle Point): The hon. Member for Angus (Mr. Weir) spoke well and made some good points. It is always a pleasure to follow him, but I wish to refer in particular to the speech made by my hon. Friend the Member for Witney (Mr. Cameron), who made an interesting and original contribution to the debate. I am sure that his cry from the heart for disabled children will have been heard by the House and will be considered carefully.

I approach the Bill with four key points in mind. The first is the principle; the second is the objectives; the third is the detail, including how the fund will work throughout its life and how we can help those born before the start date of 1 September 2002; and the fourth is the outcome, if the measure passes into law. The principle is good, but only in part. The objectives are sound and I congratulate the Government on them. The details are well thought out, as far as they go, but it will still take a lot of effort to make the system work and to ensure that the objectives are secured and the money not wasted. The outcome, of course, remains to be seen. I hope for the best, but I fear the worst, given the Government's track record on delivery. At this stage of the Bill's life, therefore, I would award the Government two out of four on those key considerations. Fortunately, that enables me to support the Bill, but I want to improve it, to ensure that the objectives are secured and that the outcomes are positive.

The child trust fund may help to encourage people to adopt a savings habit. As the savings ratio has fallen to disastrous levels we certainly need to do something to encourage people to rediscover Britain's savings culture and to make provision for a rainy day. Indeed, the Government's disastrous performance on the savings ratio is storing up a major problem for our future. The proportion of household resources in savings has fallen from 10 per cent. in the second quarter of 1997, when Labour formed their Government, to less than 5 per cent. in the second quarter of this year. As the Government claim that everyone is now much better off, how could they have got savings so badly wrong? They are driving down the savings of ordinary households to less than half what they were when the Conservatives handed over to Labour in 1997.

The principle behind the Bill is questionable, at least in part. It is a typical nanny-state, patronising, Government-knows-best measure, as the Liberal Democrats have rightly pointed out. It takes some people's hard-earned money and gives it to others, with no control over how that money will eventually be spent. The Government may of course have their eye on the election, another point on which we might question the principle. That may also be one of the reasons why they want to rush the Bill through.

The objectives of the Bill are not ignoble, however, so I shall make some positive points. The measure will help people to understand the benefits of saving and investing and building up funds for their future. Starting from the cradle, it gives encouragement to children and a mechanism to parents and grandparents to invest in their children's future. That is entirely helpful and laudable. In essence, the Bill is designed to change people's saving behaviour—it is social engineering, and I accept it. It will also help to engage more families and younger people with our great financial institutions. We hope that those institutions will not go the same way as blue-chip organisations such as Equitable Life; nevertheless, encouraging such engagement is probably a good thing.

The measure will ensure that all children have a financial asset at the start of their adult life. I cannot fault that, although I hope that, as there will be no control whatever over how the money is spent, it will be spent wisely. That will not always be the case of course, but the objectives are praiseworthy and I welcome them.

The Bill will help to develop financial awareness so that people make better financial choices throughout their lives. It will create habits and understanding that will be helpful for the long-term stability of society, and I welcome that, too. However, will the detailed scheme actually deliver those objectives? As always, the devil is in the detail.

The proposals are extremely complicated and extend the socialist principle of means-testing. Those factors may act as a major disincentive to save, thereby frustrating the Bill's objectives. I seriously question whether we need more means-testing, especially bearing it in mind that, as a result of Government policy, it will be extended to about 75 per cent. of retired people.

Labour's 1997 manifesto promised tax reform to promote savings—very laudable; yet the Chancellor, in his first Budget, levied a £5 billion a year stealth tax on pensions by abolishing the dividend tax credit payable to pension funds. At a stroke, the Government made a major tax reform, not to promote saving but to discourage it, hence the disastrous fall in the savings ratio.

Much work will need to be undertaken to ensure that CTF accounts will be available on time, in 2005. The Government need to ensure that the various products are safe and that the money will be underwritten so that people are not robbed of their assets, which is exactly what has happened to many of my constituents—and probably to many of yours, Madam Deputy Speaker—who took Government advice and put their savings into pension funds. They have been deserted by the Government.

Hon. Members may call me cynical, but I remain deeply sceptical about the fact that £250 per child is to be paid out only two months before the likely date of the next general election. As borrowing is rising to £37 billion, way above the 3 per cent. good governance rate that the Government told us about, and as the overall cost of the CTF will be about £4 billion, and there will be a significant advertising campaign, one must be cynical about the Government's motives, especially as they are rushing the measure through.

We do not yet have clear details about how the child trust funds can be held. Much work needs to be done on administrative matters. We have insufficient information about the impact of those resources on people's entitlement to means-tested benefits. Will 18-year-olds be encouraged to blow their windfall? I realise that the disregard will be increased to £6,000, but I agree with the hon. Member for Angus that the figure must be watched carefully and indexed.

The scheme adds to the complications relating to various savings products. If the Government really want to promote a savings culture and improve the savings ratio—as they should—they should simplify the range of savings products available, rather than making the system more complicated. A simple system with a single tax relief on an indexed amount invested each year would be far better than the multi-level ISA and other systems that currently exist—but I digress.

I am deeply concerned about the flexibility of the scheme. What will happen to funds if, tragically, a child does not live until the age of 18? Such points need careful consideration.

I agree with the line taken by the Liberal Democrats: they say that the scheme is painfully thin on details and that its benefits to children are unclear. They make a lot of sense when they say that the Government should be using any available cash to help children get the best start in life. It is undeniable that getting a child's early development right is the best way to use the money that is available. They make a sound point, but we should implement both that early years investment and the Bill, to encourage a savings culture. The Liberal Democrat view does not address the difficulty of encouraging a savings culture and restoring the savings ratio to what it was in 1997 when the Conservatives handed over the economy to Labour. I hope that the Liberals will continue to push for more spending on early years, as that is certainly the more important of the two factors, but I believe that we can have both.

The outcomes of the Bill remain to be seen, and although I hope for the best, I fear for the worst. As the Government cannot even organise a simple system to distribute passports on time, and given their record on tax credits earlier this year, I am deeply concerned about their ability to deliver the long-running and complicated CTF system, especially as there is such a tight time scale.

In any event, young men and women of the future will need the endowment to pay for their education, if the Government get their way on tuition fees—although I hope that they do not. The bottom line is that the Government will give those young people someone else's hard-earned money and then take it back again through tuition fees.

Given that the pot of cash will be available to youngsters at 18, and given the scare stories that we will undoubtedly read about in years to come, with some youngsters blowing their money on holidays, fast cars or even drugs and booze, I can envisage the Government seeking in future to control the way in which the money is spent, perhaps indirectly by forcing up education fees or some other mechanism, so that the choice over the use of funds will be removed or constrained by this control-freakish Labour Government.

Like the majority of people in this country, I simply do not trust the Government. I remain deeply sceptical about the two-level payments. The initial endowment will be £250 for most children, but children from low-income families who also qualify for the full child tax credit will receive the higher payment of £500. The Treasury states that around a third of children will be entitled to the higher sum, although, again, I do not

[Bob Spink]

trust the Treasury forecast on that. Family fortunes can go up and down—year to year, decade to decade—so youngsters who receive the higher level of public money, when they are born or when they are seven, may end up being better off than those who receive the lower amount of public money. That will not be perceived as fair or appropriate by anyone.

Of course, many issues need to be ironed out in Committee. For example, can we ensure that children born before 1 September 2002 will be able to benefit from the tax exemptions in a parallel fund, even though they will miss out on the lump sum payments? Other issues include children in care, and I am very grateful to the Financial Secretary for her earlier comments, so I will not pursue that issue. Of course, children who live overseas will need to be dealt with. We must consider the charging levels for administration—the charge cap—and the fact that marketing strategies may well be focused on the middle classes and higher income groups, rather than lower income groups. We will have to ensure that that is tightly controlled. We must also consider the scheme's impact on the take-up of child tax credit, since any household on an income below CTC threshold—currently, £13,230—will need to claim CTC before becoming eligible for the additional £250 CTF. The operation of the age-related endowments—the further payments into the CTF on the seventh birthday—also needs to be carefully designed.

Again, additional payments will be made to children in families with lower incomes, presumably at or before the seventh birthday. I should very much like the Treasury to provide evidence about how many children whose households fall into certain wealth categories when they are born or when they are seven years old will still fall into those wealth categories, rather than moving into a higher wealth category, by the time they are 18—and, of course, vice versa. There will be a very weak correlation between household wealth category at birth and the wealth category at 18—that is certainly my experience in my family and in my community—so the benefit received at 18 may be unrelated to financial circumstances when the benefit is paid. That would be seen as an inequitable use of public funds.

There is also an additional election bribe—I am sorry, rather than election bribe, I intended to say problem. Although accounts will not be available until 2005, children born from 1 September 2002 will be eligible for CTF accounts. Since CTC was not available before 6 April 2003, it cannot be used to identify entitlement to the additional endowment. Clearly, some fancy footwork will be needed during the Bill's detailed consideration in Committee.

Moving on to the accounts themselves, there are many questions. Providers will need to make a profit on the accounts, and the 1 per cent. charge cap should be very carefully considered. I am not convinced that that is the right level. Various types of account will be available, and some will be more successful than others. The CTF will be a wrapper in a similar way to ISAs, but we all know that the complication of the multi-layered ISA—with cash, equities and insurance—has led to a fall in the savings ratio.

Some of my constituents are not familiar with the financial wrapper philosophies. Of course the Treasury Committee has reviewed that matter, and it was told that a low-income family investing £500 in a safe account but making no extra contributions might see their bond increase to only £911 in 18 years. A more financially aware family could invest only £250 in a more sophisticated way, contribute £40 a month and see their investment increase to £14,000 in 18 years. However, a family with sufficient disposable income and financial nous could invest the maximum of £100 a month in the stock market and in bonds and build up a fund worth about £35,000 to £40,000 in 18 years. That will not narrow but widen the unequal distribution of wealth in the country. Of course, many of the investment funds will involve displacement, rather than additional investment—as the hon. Member for Hastings and Rye (Mr. Foster) confirmed in his reply to my earlier intervention—so the savings ratio will not be improved.

Moreover, some of my constituents do not trust financial products, following the Equitable Life debacle and many of the problems in pension schemes whereby people could lose much of their life savings, especially given the Government's refusal to address those problems and rescue those people who have already suffered from the collapse of some private pension schemes. Clearly, as with any financial product invested over a long time, there will be an exposure to risk. We all thought that risk was very low in the major blue-chip companies, such as Equitable Life—the House has probably got my drift.

My bottom line is that the Bill has some merit but needs detailed work to make it sound. In any case, the principle of taking someone's hard-earned money, giving it to someone else in a lump sum when they reach 18 years of age to spend as they wish, with the Government adjusting education fees to ensure that they take back the money where they possibly can, represents yet another nanny-state, patronising, socialist intervention that may end in tears, so very careful work needs to be done in Committee.

We have had three such consultation exercises in the past two years. We have had announcements and re-announcements, and I suspect that the Government are proceeding with the scheme because it is superficially attractive, and they hope that it will help to secure the middle England socialist vote that they have destroyed by introducing tuition fees. The proposals are over-complicated and therefore may be a net disincentive, rather than an incentive, to saving.

Mr. Love: I rise only because, for the third time, it has been suggested that the Bill is an electoral ploy. May I remind the hon. Gentleman that the young people concerned need to reach the age of 18 before they get access to their accounts?

Bob Spink: The hon. Gentleman is absolutely right, but the Bill is designed to influence parents and grandparents. That may be a good thing, because parents and grandparents will be able to invest in their children's future, and there can be no greater or better investment. That is one of the reasons why I shall support the Bill tonight. On balance, it is a good Bill, but I hope that we can find ways to improve it, and in particular to widen its provisions so that those people who were born before 1 September 2002 can contribute to parallel funds.

One of the ways in which the Bill is not good is that it extends means-testing, which is quite wrong. I am also disappointed that the Chancellor has not sought to focus on other more appropriate areas of welfare reform. At the very least, if he wishes genuinely to promote a savings culture and improve the savings ratio, he should simplify savings products rather than complicating them further.

I have made several negative points, but I acknowledge that if we can get the initiative right it may be worthy and something that we can all support. I shall try my best to make the scheme work for my constituents and their children, and on balance I shall support the Bill.

7.29 pm

Mr. Ian Liddell-Grainger (Bridgwater) (Con): Just for the record, I should mention for the fourth time that the Bill is an election ploy.

Unlike my hon. Friend the Member for Castle Point (Bob Spink), I do not think that I can praise the Liberal Democrats, because it would not be in my nature to do so. However, the hon. Member for Yeovil (Mr. Laws) gave us a pretty balanced view, on the face of it.

Norman Lamb: The hon. Gentleman agreed with him?

Mr. Liddell-Grainger: I would not go as far as that.

The Bill is interesting because it addresses the whole ethos of saving, which I suspect changed in this country during the late 1950s and the early 1960s. There used to be an idea that saving for the future represented pride in one's family and oneself. One of the Bill's biggest problems is that, regardless of the amount given to children, the extent to which it will be topped up, and the amount with which they end up at 18, the ethos of saving no longer exists among families. I am not suggesting that the Government can do anything about that, because they cannot, but they could help people to save in the longer term. I remember Post Office savings accounts from when I was a boy, but sadly, they will disappear in the near future, although again that is not the Government's fault. Surely it must be up to the Government to require people to save for the future. An enormous amount goes out for health and education from central Government. Surely the Bill could, and should, push down to people—normal people like us, with parents, children, grandchildren and great-grandchildren—the principle of saving for their future.

All Members of Parliament hold surgeries several times a month at which many people come to see us. We have all met families who we know will be unable to cope with the money that their children will receive when they turn 18. Such people might be on benefits or have enormous problems such as being single parents or having a disabled child. We know that children in such families will not be able to cope with their £900—perhaps more if money has been put aside—when they turn 18, and that they will face the biggest problems.

The Financial Secretary should consider carefully the Inland Revenue's role in the scheme. Perhaps the most powerful organisation in the country will be responsible for setting up accounts for people who cannot, or perhaps will not, cope with the money. The Inland Revenue will administer the scheme, because although the Government say that that will not happen, it will administer it indirectly. Additionally, it will know the background to children's upbringing and development when they turn 18. Surely it could encourage a situation in which the Government could get a child to invest the money rather than blowing it on fast women and booze, as many hon. Members ably put it. The success of the scheme will boil down to the fact that an 18-year-old who is given money will have the inclination to spend it.

Why should children save? Let us consider the problems that will be faced by people who will turn 18 in 10 years. They will face problems with pensions, the stock exchange, individual savings accounts, long-term investments and interest rates. Interest rates are not rising, so although there is less inflation, which is good, they are investment is not worth while. What possible reason would children have to invest rather than spending the money that they received when they turned 18? That will be true of people from all parts of society. Will 18-year-olds who receive £35,000 because their parents have put money aside for them invest that money in the stock exchange or a long-term scheme? The answer is probably not.

That takes me on to capping. Any person with financial savings knows that it is important to watch charges on savings carefully. The Government are right to want to cap charges, but that creates a problem because people in financial institutions must be persuaded to come up with policies and a reason to save money on behalf of their clients—the children. It is interesting to note that there has been an enormous amount of feedback from people who are worried about the suggested level of capping. One of the people who gave such feedback was, rather pithily, a representative of Virgin Money—that is probably the one thing that people will not get. He said:

> "How much will providers be allowed to charge? If the industry is allowed to raise charges substantially above the current 1 per cent. stakeholder level, the £250 the government is offering could soon be eaten up in charges."

Surely that is the crux of the matter. Will the Government consider using the Inland Revenue not only to cap charges but to pay part of them? Given that the money will go round in a circle, surely it would be beneficial to the country for the Government to pick up the charges. Alternatively, a fund could be set up to pay for the charges that could use the same principle as the terrorism fund into which everyone pays to look after buildings in case of an incident.

The long-term ethos behind the Bill is to give children a start at the age of 18. Many hon. Members—some are in the Chamber but others are not—talked about children in care. As children in care do not receive child benefit, they will not be able to look forward to having more than £900 when they turn 18, but that represents a missed opportunity. Surely it would be better to pay

[Mr. Liddell-Grainger]

child benefit for children in care into the child trust fund to build up an amount that they could use when they turned 18. Such children face the problem of leaving care with virtually nothing behind them. Although we hope that they will have a good education and be able to stand on their own two feet, they do not, as was said early, have the seed capital to buy a Land Rover for the farm.

The Bill could have addressed that problem, because the most vulnerable in society are those who could be most affected by such a measure—children in care are the most obvious category. Given the number of parents who have still not taken up tax credits—I am told that the figure is between 650,000 and 700,000 people—how do we know that people will take up the fund that they are given by the Inland Revenue? If children are not financially astute and aware and have not taken note of 18 years of statements about the investment, how will they know what to do in the future?

I shall move on to my final point, because I promised the Whip that I would not detain the House for too long. Let us consider how we could develop the scheme to secure people's futures. If children want to continue with their investment, who will advise them about the best route to take—the stock exchange, long-term investment, a bond or whatever? Children who want to continue to save and those whose parents continue to give them money will require advice. Given the Inland Revenue's unique ability to look into people's lives—I am not suggesting that there is a Big Brother syndrome—surely it could help people to invest in their long-term future and that of their families, which is important, because many people have children and indeed grandchildren. We have discovered today that the same is true of hon. Members.

The Bill has a lot going for it, such as encouraging long-term saving. However, it falls down because the Government have not thought through the ramifications of putting money in the pockets of people who will probably not have the financial ability to look after it themselves. What is the point of giving children money if they end up blowing it when they reach 18? The scheme should encourage people to save for the future so that they have a secure future.

7.38 pm

Mr. Paul Goodman (Wycombe) (Con): It is usual for any Member of the House with an interest in a Bill to declare that at the start of his or her speech. Although I have an interest in the Bill, I have difficulty declaring it at the start of my speech because it has already been declared for me. My hon. Friend the Member for Tatton (Mr. Osborne) made it clear that he, I, the Financial Secretary and the Chancellor—and, indeed, my hon. Friend the Member for Witney (Mr. Cameron)—have, or are expecting to have, children who will qualify for a child trust fund. *[Interruption.]* I hear rumblings from the far corner of the Chamber, so hon. Members might think that a cosy little club that favours the Bill outright is gathered around the Dispatch Box. My hon. Friend the Member for Tatton made it clear that we support the aim behind child trust funds to encourage a savings culture and the freedom, independence and dignity that go with that. That is why we will not divide the House and will try to improve the Bill in Committee.

Although we are discussing one of the Government's flagship Bills and main measures, Opposition Members have made more speeches with four Back Benchers, than Labour Members, of whom only two have spoken.

Bob Spink: My hon. Friend makes a good point. Is he aware that only one Labour Back Bencher is in his seat?

Mr. Goodman: I have not cast my eyes that widely. Rather than explore this avenue further, however, I urge all those who read the debate—I say this as the Financial Secretary's Parliamentary Private Secretary, the hon. Member for Stalybridge and Hyde (James Purnell), scurries back to his seat—to take note of my hon. Friends' contributions.

Many hon. Members followed the lead of my hon. Friend the Member for Tatton in suggesting that child trust funds should be open to all. The hon. Members for Dumbarton (Mr. McFall) and for Hastings and Rye (Mr. Foster) did so, as did my hon. Friend the Member for Witney. He made an extraordinarily creative contribution, in which he gave four small suggestions and one large one. In fact, he made so many small suggestions that I am not sure that I can remember them all. His large suggestion, which he also raised in an Adjournment debate a while ago, is something that we will want to consider in Committee, and I urge the Minister to do the same. Indeed, I hope that she refers to it when she winds up. In that Adjournment debate, my hon. Friend showed an accomplished understanding of the needs of parents who have to buy equipment and make difficult decisions when they are not always sure how to negotiate their way through the maze that confronts them. However, support for an aim and support for a Bill are not one and the same thing, which brings me to my main points.

I am sure that the Chancellor and Financial Secretary want us all to view the Bill as a Christmas present to a suitably grateful nation. The right hon. Gentleman, with the recent assistance of the Financial Secretary, has been preparing, packaging and gift-wrapping child trust funds for more than three years. First, there were the press reports; then there was a consultation document, followed by a second consultation document proclaiming the success of the first; then there was an announcement from the Chancellor proclaiming the success of the second consultation document; and finally, we have the Bill. It has taken three years for the Chancellor to get ready to give us the detail.

How many answers do we find when the gift-wrapping, the glitter and the tinsel are torn aside? The blunt truth is, not enough. Without clear answers, we cannot be sure whether the Bill is a Christmas present for anyone. It has four main flaws as it stands. My hon. Friend the Member for Castle Point (Bob Spink) was right to say that the devil is in the detail. The first flaw is that the Government have offered no convincing evidence that it will help the less well off to develop a savings habit, a concern that was widely raised. After all, the Bill does not tell us whether payments into child trust fund accounts will reduce a child's benefit entitlement when he or she becomes an adult. Imagine the reaction of a single mum on a low income, as mentioned by the hon. Member for Dumbarton, who finds that by topping up the fund she could reduce her child's eventual benefit entitlement or that if her child is in need before he or she is 18, as the hon. Member for Yeovil (Mr. Laws) mentioned in detail, she will not be able to draw on the fund to help that child. That is not much of an incentive to save. The Government have offered us no convincing evidence that they will be able to help the less well off to develop a savings habit.

The second flaw is that the Government have no convincing evidence that the Bill will help anyone to develop a savings habit except those who will probably save anyway. Labour Members need to understand that we have no problem with the middle classes saving. Indeed, we have no problem whatsoever with any income group saving. The problem is not ours but Labour's. The express purpose of the Bill is to help poorer people to pick up a savings habit. As we heard, a single mum on a low income who is worried that her child may one day need benefits or that she will not be able to tap into the fund on her child's behalf if in real need may not add a penny to the Chancellor's original £500. A middle-class dad on a higher income, however, who is unlikely to be in similar need—I pause in case any of my hon. Friends wish to suggest an example—may add the maximum amount of £1,200 each year, leaving that child with a nest egg worth £34,000 when the child reaches 18. As the Government have published no research, set no targets and drawn up no estimates, we have no reason to think that the Bill will help people to save unless they are likely to save in the first place.

The third flaw is that if the Bill is to help those on lower incomes, it must offer some certainty to the financial institutions that the Chancellor hopes will market child trust funds. We have no reason to think that it will make that happen because of the ambiguity and uncertainty that surrounds the charge cap, details of which are not in the Bill despite the White Paper saying two months ago:

> "The Government will issue a report detailing the charge cap . . . later this year."

If the Financial Secretary does not come clean about the charge cap, which we urge her to do, that leaves the Chancellor only three more days on which the House is sitting to make an announcement, unless he plans to slip out an announcement when the House is not sitting—but he would not do that, would he?

Norman Lamb: I am slightly confused about the Conservative party's position. Does the hon. Gentleman support or oppose the measure? He presents a good case against it. Will the Conservatives join the Liberal Democrats in opposing it?

Mr. Goodman: If the hon. Gentleman had been in the Chamber for the opening speech of my hon. Friend the Member for Tatton, he would have heard him make it clear, as I have, that we support the Bill in principle, but that we wish to examine the detail. I understand that the Select Committee report that the hon. Gentleman signed, although critical in detail, supports the Bill in principle. How will he vote?

If the charge cap is to be 1 per cent. and the institutions are permitted to make only £2.50 from each £250 fund, they will surely market their products not to those who do not save, but to those who do. Child trust funds will go the same way as stakeholder pensions.

The fourth flaw is that the Government have offered no convincing evidence that the Bill will deliver trust funds on time. The financial institutions have just 12 months to haul their products, marketing, work force and systems to the starting line. They do not know what the charge cap will be, which worries them. They do know that the delivery mechanism will be the voucher system, which worries them no less. The initial letters to parents are due to go out later this year, which does not leave much time. The first vouchers and information packs are due to go out in just a year's time.

Mr. Love: I want to press the hon. Gentleman on the charge cap. A brief provided by the Nationwide building society, one of the major providers of such accounts, states:

> "Nationwide believe that providing CTF within a tight price cap will be challenging but not impossible for efficient providers."

Does that not undermine what he says about the charge cap?

Mr. Goodman: I do not think so. If the hon. Gentleman had been in the Chamber for the opening speeches, he would have heard my hon. Friend the Member for Tatton refer to the large number of teas that he has recently had in the Pugin Room with people from financial institutions who are dubious about the charge cap. I am not sure that the hon. Gentleman's example is representative.

Mr. Love: Will the hon. Gentleman give way?

Mr. Goodman: No. I have let the hon. Gentleman intervene once and I want to make some progress.

The financial institutions, parents and, ultimately, children will all depend on the Inland Revenue to get the child trust funds off the ground on time. The Revenue is still groaning beneath the burden heaped on it by the Chancellor of running not just the tax system but, increasingly, the social security system through tax credits. The Revenue is expected simultaneously to deliver child trust funds and, according to the Paymaster General,

> "a major review of our organisations dealing with tax policy and administration."—[*Official Report*, 2 July 2003; Vol. 408, c. 270W.]

The Chancellor could ease the pressures on the institutions, the Inland Revenue and, not least, parents simply by delaying the launch. A few months' delay would make no real difference to anyone.

That brings us to one of the few things about the Bill that we do know. We do not know whether it will help the less well off to save, or offer certainty to financial institutions, or be ready on time. However, we do know that even if the funds are not delivered on time, the timetable must be delivered on time. The timetable dictates that 1.8 million vouchers must go through the letterboxes of the houses of a suitably grateful nation in the autumn of 2005.

What could be happening around about then, I wonder? I do not believe that this is a timetable for parents who are planning to save. Instead, it is a timetable for a Government who are gearing up for an election. There are two years until the autumn of 2005, yet the Chancellor of the Exchequer has had three years to get ready to give us details and answers about child trust funds in the Bill that is before us. The Bill was preceded by lots of third-way glitter and glitz, but

[Mr. Goodman]

though right in principle it gives the House few details and few answers. We shall try to help the Minister to find those answers in Committee. As they are not in the Bill, we cannot support the measure tonight.

7.51 pm

Ruth Kelly: With the leave of the House, I shall reply to the debate.

I shall start with an apology. I should have welcomed the hon. Members for Wycombe (Mr. Goodman) and for Tatton (Mr. Osborne) to the Opposition Dispatch Box. I look forward to working with them during the passage of the Bill. I am sure that they will both make great contributions to our future proceedings. I was delighted that at the start of the debate they said that they would welcome it. I am slightly confused because the tune seems to have changed between the opening remarks of the hon. Member for Tatton and the closing remarks of the hon. Member for Wycombe.

David Taylor: Does my hon. Friend find it surprising, as I do, that the speeches I have heard in the Chamber and on the monitors from Conservative Members—*[Interruption.]* The monitors were invented in about 1932. Their speeches have consisted of carping and criticism, which seems inconsistent with their planned intention of studied indifference if there is a Division. Is not that surprising?

Ruth Kelly: I agree with my hon. Friend. I find it totally surprising. The only message that I gleaned from the winding-up speech of the hon. Member for Wycombe was that the Opposition are confused. Perhaps I can clarify a few points for them during my reply. Before doing so, perhaps I should say to the hon. Member for Yeovil (Mr. Laws) that I am delighted that the Liberal Democrats have forcefully started to welcome the idea of intervention in the early years to promote opportunity in later life. I am delighted also that they think that money should be earmarked for that purpose. Given their conversion to investment in the early years, perhaps that might be signalling also their conversion to top-up fees. I find it extraordinary that they say that the priority for taxpayers' money should be in the early years and yet they propose to raise taxes to fund higher education for those in their later years.

Mr. Laws: We find it extraordinary that the Financial Secretary is saying that it is vital that 18-year-olds should have an asset at that period in their lives when the Government are bringing in a huge liability in the form of top-up fees. How does that add up?

Ruth Kelly: I shall examine the objectives of the Bill as I progress.

There have been some excellent contributions to the debate from both sides of the Chamber. My hon. Friend the Member for Dumbarton (Mr. McFall), the Chairman of the Treasury Committee, made a powerful speech, as did my hon. Friend the Member for Hastings and Rye (Mr. Foster). I enjoyed several other contributions, and particularly that of the hon. Member for Witney (Mr. Cameron), who made a most thoughtful intervention.

I shall turn to the specific points that have been raised. The hon. Member for Tatton asked whether this policy will work. He continues to test just one of the policy's objectives, which is increasing the level of savings. The policy has four objectives: increasing the savings habit of parents as well as that of children; building assets so that every child at the age of 18 has the opportunities that only a few children now take for granted; encouraging the making of responsible choices; and increasing financial understanding and awareness, which applies to parents as well as children. The hon. Gentleman seems to recognise only the first point.

As my hon. Friend the Member for Dumbarton has said, evidence from the national child development survey suggests that an asset in the range of merely £300 to £600 could have a significant impact on future outcomes. Perhaps the policy could be justified merely by reference to only one of the objectives. If someone adds just £10 a month, he or she could accumulate, without any further Government endowments, £4,500. That is a significant asset at the age of 18.

There is the objective of promoting responsibility. Again, that is a difficult objective to judge. I would argue that if children, at the age of 18, have to deal with a sum of money that they, their parents and their grandparents have contributed to, it is much less likely that they would abuse that money than if they had not contributed to it. Research by Children's Mutual gathered over 2001–02 on its savings products suggests that most young adults have responsible plans for their savings. Indeed, 47 per cent. of young adults said that they would spend the money on education. Another 27 per cent. said that they would roll over the money into another savings account.

There must be a huge opportunity with this policy to increase understanding of the financial system, to build on financial education and to promote financial awareness. I was recently made a member of the Financial Services Authority steering group that examines financial capability. One of the issues raised several times at the group's first meeting was the opportunities afforded by child trust funds, a once-in-a-generation opportunity to increase financial education and awareness among children and, indeed, their parents. I cite evidence from the National Consumer Council that child trust funds provide an excellent opportunity to communicate risk issues to a whole generation of parents.

I return to the issue of savings. Let us consider the evidence that low income families will contribute to the fund. We have some direct evidence in the UK. Last week, the Treasury published an interim evaluation of the savings gateway, which afforded a Government match of £1 for every pound that was invested by a low income family. The earnings cap was set at £11,000. That would not be a wealthy person by any standards. The report's author, an independent researcher from Bristol university, concludes:

> "One of the key aims of the savings gateway is to encourage more people on low incomes to save money. From the evidence to date it is certainly achieving this aim."

She also points to further evidence from in-depth interviews, which showed that two thirds of people with incomes below £11,000 intended to continue saving regularly after the end of the Government match scheme now that they had developed the habit.

Mr. Laws: Does the Financial Secretary agree that there is a significant difference between the savings gateway, which she has just cited, and the child trust fund in terms of savings incentives? First, in the savings gateway there are matched savings for making savings. Secondly, it is possible to take the money out when someone wants to do so. Surely the child trust fund does not have those advantages.

Ruth Kelly: I shall come on to those points.

Survey evidence in the UK—for example, by the Homeowners Friendly Society—found that 62 per cent. of parents in the D and E socio-economic groups intended to make further contributions to the child trust fund. I shall cite again the National Consumer Council, which states:

> "It appears that the prospect of a voucher with the child's name on it, provided by the Government, helps people feel they are being given a helping hand in meeting their personal financial needs. The child trust fund is regarded as providing a framework for giving their family a financial start in a way that they can see as beneficial to them."

I shall cite further evidence about the development of a savings habit. Research carried out by McKay and Kempson on the impact of a windfall receipt among young teachers found evidence that such a receipt could kick-start savings behaviour. A finding directly relevant to the child trust fund showed that young windfall recipients, especially in their teens, were much more likely to be saving than peers who had not received such a windfall. Indeed, McKay and Kempson found that even very small windfalls were sufficient to cause them to start saving, with the median amount being only £57.

Mr. Weir: I am interested in what the Minister is saying, but does she accept that there is vast difference between the intention to put money into a fund and the reality? Will she address the point that I made earlier about the structure of the funds, and whether that will deter poorer sections of the community from investing in them?

Ruth Kelly: I intend to move on to the charge cap, as it has been raised by several hon. Members. We have yet to make an announcement on the level of the charge cap. The hon. Member for Wycombe rightly pointed to the fact that in recent proposals we said that there was a high threshold of persuasion for moving from 1 per cent. for stakeholder products. However, the fact of the matter is that we will base our decision on evidence. It would not be right for me, following anecdote, lobbying and numerous cups of tea in the Pugin Room, as I know the hon. Gentleman has been enjoying, to make an announcement now about the level of the charge cap. It is important that we should set it on the basis of independent evidence, which is why we commissioned Deloitte and Touche to produce research.

Mr. George Osborne: The Minister said that it would be inappropriate to set a cap now. However, the White Paper to which she has referred said that the Government would issue a report detailing the charge cap for the child trust fund later this year. It is mid-December and there are two weeks to go before the year ends, so when will the Minister make the announcement?

Ruth Kelly: The hon. Gentleman may be aware that we commissioned a range of research on stakeholder products and the level at which the charge cap should be set. When we made those comments, the Financial Services Authority told us that it would be ready to make an announcement about the appropriate sales regime in December, although it now appears that that date has slipped to the new year. However, to benefit the Bill's parliamentary passage and ensure that Parliament is kept fully informed, I intend to make the announcement on the charge cap for the child trust fund during the passage of the Bill. It is important that Parliament is kept fully informed.

Mr. Osborne: Will the announcement be made to the House?

Ruth Kelly: Absolutely.

The hon. Member for Tatton and other Members raised the way in which older siblings are treated, and whether they could be given the same child trust fund vehicle as children who will benefit from Government endowments. We have looked at that extremely carefully, and I am disappointed to tell the House that the administrative burden on providers of allowing all children from previous cohorts to benefit from an identical tax-free vehicle is disproportionate to the benefits that would be offered. Providers would have to monitor and track the accounts of all children. We would require returns on all accounts, and the Inland Revenue would need much larger IT systems. There could be 10 million extra accounts, and it would certainly not be possible to deliver such a change in time for the launch of the child trust fund.

Mr. Michael Jabez Foster: Is that not a problem anyway? As time goes on, greater numbers will apply, so in 18 years' time people would have to deal with that volume of applications in any event.

Ruth Kelly: My hon. Friend is right—a greater number of children will have such accounts over time, but providers have made it quite clear that the scheme needs to be phased in. That does not preclude re-examination of the issue in future, but we would not be able to deliver the policy according to the present time scale if accounts were open to all previous cohorts.

I shall deal in more detail with the issue of fortnightly returns raised by my hon. Friend the Member for Dumbarton. We judged that a fortnightly turnaround was necessary to ensure that money is paid into the accounts as quickly as possible once they are open. We were particularly mindful of the fact that growth and interest should be maximised for all account holders. I did not want people to miss out because financial services providers were not making a return quickly enough to the Inland Revenue.

In conclusion, the Government are committed to an active welfare strategy founded on the principles of security, opportunity and responsibility. That

[Ruth Kelly]

framework underpins the proposals of the child trust fund. In future, all children will have the security of the backing of a financial asset at the start of their adult life. Having a financial asset will encourage a positive outlook on life and enable more young people to take advantage of opportunities. As for responsibility, developing the savings habit early in life will promote greater independence and self-reliance in adulthood. The child trust fund is a foundation on which we can build. There is a genuine challenge to meet in delivering financial education that will achieve greater understanding about saving and investment, what it involves and how to go about it. In future years, I am sure that the policy will evolve, not just so that local authority providers can use it to look after looked-after children to a greater extent, but, to take on board the point made by the hon. Member for Witney, so that we can assist in more creative ways the most vulnerable people in our society.

The child trust fund is the key to achieving a genuine change in people's ability and willingness to save for the future so that they can make the most of opportunities as they arise. It will go further and help to equip children to make better financial choices, not just about savings and investment but throughout their lives. The child trust fund is a leading example of progressive universalism, creating a policy that will benefit all children, while also making sure that greater resources go to those who need most help. I am proud that the Government are introducing this radical and far-sighted policy, and I commend the Bill to the House.

Question put, That the Bill be now read a Second time:—

The House divided: Ayes 297, Noes 39.

Division No. 8] **[8:06 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Beggs, Roy *(E Antrim)*
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Bradley, rh Keith *(Withington)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Cohen, Harry
Coleman, Iain
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McNamara, Kevin
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris

Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, rh John
Spink, Bob *(Castle Point)*
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr. Rudi
Wareing, Robert N.
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and
Vernon Coaker

NOES

Allan, Richard
Beith, rh A. J.
Bottomley, Peter *(Worthing W)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Moore, Michael
Oaten, Mark *(Winchester)*
Öpik, Lembit
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Wilkinson, John
Williams, Roger *(Brecon)*
Willis, Phil

Tellers for the Noes:
Bob Russell and
Richard Younger-Ross

Question accordingly agreed to.

Bill read a Second time.

CHILD TRUST FUNDS BILL (PROGRAMME)

Motion made, and Question put, pursuant to Orders [28 June and 6 November],

That the following provisions shall apply to the Child Trust Funds Bill:

Committal

1. The Bill shall be committed to a Standing Committee.

Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 15th January 2004.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the day on which proceedings on consideration are commenced.

6. Sessional Order B (programming committees) made by the House on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further message from the Lords) may be programmed.—*[Mr. Jim Murphy.]*

Question agreed to.

CHILD TRUST FUNDS BILL *[MONEY]*

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1) (a) (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the Child Trust Funds Bill, it is expedient to authorise the payment out of money provided by Parliament of any expenditure incurred by the Commissioners of Inland Revenue under or by virtue of the Act.—*[Mr. Jim Murphy.]*

Question agreed to.

CHILD TRUST FUNDS BILL *[WAYS AND MEANS]*

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1) (a) (Money resolutions and ways and means resolutions in connection with bills),

That, for the purposes of any Act resulting from the Child Trust Funds Bill, it is expedient to authorise—

(1) the making of provision for securing that losses accruing on the disposal of investments under child trust funds are to be disregarded for the purposes of capital gains tax, and

(2) the making of payments into the Consolidated Fund.—*[Mr. Jim Murphy.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation) and Order [27 November].

SECTION 5 OF THE EUROPEAN COMMUNITIES (AMENDMENT) ACT 1993

That this House takes note with approval of the Government's assessment as set out in the Pre-Budget Report 2003 for the purposes of section 5 of the European Communities (Amendment) Act 1993.—*[Mr. Jim Murphy.]*

The House divided: Ayes 279, Noes 43.

Division No. 9] **[8:19 pm**

AYES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Byers, rh Stephen
Cairns, David
Campbell, Alan *(Tynemouth)*
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Coffey, Ms Ann
Cohen, Harry
Colman, Tony
Connarty, Michael
Cook, Frank *(Stockton N)*
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cummings, John
Cunningham, Jim *(Coventry S)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gilroy, Linda
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lawrence, Mrs Jackie
Laxton, Bob *(Derby N)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
McNamara, Kevin
McNulty, Tony
McWilliam, John
Mahmood, Khalid
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marshall, David *(Glasgow Shettleston)*
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moonie, Dr. Lewis
Moran, Margaret
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Osborne, Sandra *(Ayr)*
Owen, Albert
Pearson, Ian
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rooney, Terry
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheridan, Jim
Simpson, Alan *(Nottingham S)*
Singh, Marsha
Skinner, Dennis

Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Southworth, Helen
Spellar, rh John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr. Rudi
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Ayes:
Gillian Merron and Vernon Coaker

NOES

Allan, Richard
Beith, rh A. J.
Bottomley, Peter *(Worthing W)*
Brake, Tom *(Carshalton)*
Breed, Colin
Brooke, Mrs Annette L.
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Foster, Don *(Bath)*
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kirkwood, Sir Archy
Lamb, Norman
Laws, David *(Yeovil)*
Llwyd, Elfyn
Moore, Michael
Oaten, Mark *(Winchester)*
Öpik, Lembit
Pugh, Dr. John
Robertson, Angus *(Moray)*
Sanders, Adrian
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Roger *(Brecon)*
Willis, Phil

Tellers for the Noes:
Richard Younger-Ross and Bob Russell

Question accordingly agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

BROADCASTING

That the draft Media Ownership (Local Radio and Appointed News Provider) Order 2003, which was laid before this House on 13th November, in the last Session of Parliament, be approved.—*[Mr. Jim Murphy.]*

Question agreed to

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

EUROPEAN COMMUNITIES

That an humble Address be presented to Her Majesty, praying that the European Communities (Definition of Treaties) (Euro-Mediterranean Agreement Establishing an Association between the European Communities and their Member States and the People's Democratic Republic of Algeria) Order 2003 be made in the form of the draft laid before this House on 4th November, in the last Session of Parliament.—*[Mr. Jim Murphy.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

That an humble Address be presented to Her Majesty, praying that the European Communities (Definition of Treaties) (Euro-Mediterranean Agreement Establishing an Association between the European Communities and their Member States and the Republic of Lebanon) Order 2003 be made in the form of the draft laid before this House on 4th November, in the last Session of Parliament.—*[Mr. Jim Murphy.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

NORTHERN IRELAND

That the Northern Ireland Act 1998 (Modification) Order 2003 (S.I., 2003, No. 3039), dated 27th November 2003, a copy of which was laid before this House on 27th November, be approved.—*[Mr. Jim Murphy.]*

Question agreed to.

EUROPEAN COMMUNITY DOCUMENTS

Motion made, and Question put forthwith, pursuant to Standing Order No. 119(9) (European Standing Committees),

SECURITY AT EUROPEAN COUNCIL MEETINGS AND OTHER COMPARABLE EVENTS

That this House takes note of European Union document 10965/3/03, draft Council Resolution on security at European Council meetings and other comparable events; shares the Government's view that the general aim of the measure will encourage police services across the European Union to cooperate to prevent the violence at international events and to facilitate peaceful protest; acknowledges that personal rights and freedoms are protected as far as possible; and supports the Government's position on this measure.—*[Mr. Jim Murphy.]*

Question agreed to.

COMMITTEES

SCIENCE AND TECHNOLOGY

Ordered,

That Mr Parmjit Dhanda be discharged from the Science and Technology Committee and Paul Farrelly be added.—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Ordered,

That Mr. David Curry be discharged from the Environment, Food and Rural Affairs Committee and Mr. Ian Liddell-Grainger be added—*[Mr. McWilliam, on behalf of the Committee of Selection.]*

TRANSPORT

Ordered,

That Mr. George Osborne be discharged from the Transport Committee and Miss Anne McIntosh be added.—*[Mr. John McWilliam, on behalf of the Committee of Selection.]*

Flooding (Somerset)

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

8.32 pm

Mr. Ian Liddell-Grainger (Bridgwater) (Con): Seven thousand years ago, half my constituents were fish. The Somerset levels were part of the seabed, Bridgwater was a bustling port, and if one wanted to go anywhere outside that area, one had to go by boat. Six thousand years ago, the tide turned; I was not there myself, but perhaps one or two hon. Members were. The peat bogs began to develop and the landscape started to look a little like what we see today. There has always been a lot of water and a high risk that high tides and high rainfall will bring flood. They still do, but why on earth does it have to be that way?

I asked for this debate because political memories are often far too short, in this place and others. We have had a long, hot summer and a lack of rain ever since, and the reservoirs are still half empty. It is easy to forget what happened at the start of the year, or during the previous year or the year before that, but unfortunately my constituents, as well as those of my hon. Friend the Member for Taunton (Mr. Flook) and of most Somerset MPs, cannot forget—and, as the Minister knows, many do not forgive. The rivers broke their banks and the sea surged inland: people were driven from their homes and farmers watched valuable fields sink beneath the torrent. Millions of pounds worth of damage was caused in a very short space of time.

I am sure that the Minister knows the figures, but I want to give him some idea of the frightening price of flooding in this country. The national cost of the last floods was £800 million. I obtained that figure from Britain's biggest insurance company, Norwich Union. Unfortunately, it will probably not surprise the Minister to learn that I also got from the company a rather strong taste of how it feels about flood defences. This year, it issued a helpful pack to all its policyholders—including me—entitled, "How to lobby your MP". Some hon. Members might have received it; if any have not, because they are not policyholders, I will let them have a copy. The insurance industry is far from satisfied that enough is being done to protect us from flooding, and I fear that it might be right.

This year, the Government have said that they will spend roughly £564 million on flood protection in the financial year that ends in 2006. The insurance industry is far from satisfied with that. It might sound like a great deal of money, but let me put it into perspective. Two years hence, the Government intend to shell out £250 million less than it cost to clean up the last big floods that we had two or three years ago. They simply are not aware of the risks involved in that. If I may be so presumptuous, I should like to quote the Prime Minister's own website, which states:

> "Did you know that flooding has the potential to affect 5 million people and inflict damage on assets valued at over £200 billions?"

Far be it from me to criticise the Prime Minister's sums, but, set against a £200 billion risk, an annual expenditure of £564 million is obviously not enough.

I should like to give the House a couple of home-grown examples. The experts—the very people whom the Government employ to protect us from flooding—tell me that the water levels in the parts of Somerset represented by my hon. Friend the Member for Taunton, my right hon. Friend the Member for Wells (Mr. Heathcoat-Amory), the hon. Member for Somerton and Frome (Mr. Heath) and me could rise by up to 3 ft in the next 50 years because of global warming and other effects. Let us just think about that. I know that the Minister is a fine, upstanding fellow with a good, solid girth, and he would be waist-deep in water if that were to happen in my constituency. He would certainly see birds of a different feather in those circumstances.

There is a cure, however. Those same experts have worked out how to defend Bridgwater, Taunton and other areas of Somerset. The Bridgwater barrage—or sluice, or whatever you want to call it—is going to cost about £40 million at today's prices. Down the road, however, in the middle of the constituency of my hon. Friend the Member for Taunton, experts have calculated that the defence work needed to protect Taunton will cost about £130 million in today's money.

Mr. Adrian Flook (Taunton) (Con): No doubt my hon. Friend is aware that recent calculations by the Environment Agency show that Taunton now has a one in 30 year risk of flooding, which worries people such as me who own a house in the centre of the town. Does he have any comment to make on that?

Mr. Liddell-Grainger: The most appropriate comment probably comes from Norwich Union, which says that incidence of flooding is becoming more and more frequent. I remember that, two years ago, Taunton came within an inch of being under water. Unless we spend the money now, the generations that follow us here and in our constituencies of Taunton, Yeovil and elsewhere are going to be affected by flooding for many years to come. I am afraid that, if we continue as we are doing, the one in 30 year risk will decrease rapidly to one in 20 or one in 10. I know that, across the levels, the risk used to be one in 75 years and is now down to one in 30, as my hon. Friend the Member for Taunton so eloquently said.

So where is the money coming from? This year, Somerset has about £15.7 million in the bank to spend. Big bucks, you say; well, maybe. I agree that it is enough to tackle the short term problems, but it would not buy one third of the Bridgwater barrage or pay for an eighth of the work that we have to do in Taunton. I have not come here to advocate a profligate increase in public expenditure. I shall modestly leave that to the Liberal Democrats. There is, however, a powerful case for the Government to identify the intense flooding risk in Somerset and to set about finding—dare I say it—new and adventurous mechanisms for tomorrow's vital defences. It is in the national interest to do so, and the Minister has spoken eloquently about this on many occasions. I pledge tonight that the Minister can rely on my co-operation and that of other Somerset Members. We have all said that we will co-operate. My Somerset colleagues and I are prepared to talk any time about what defends our constituents against nature's worst.

May I make an initial suggestion? The Minister is aware of the responsibility of the South West of England Regional Development Agency. Perhaps he or his colleagues can encourage that body to spend a little of its money on conducting a long-term scientific study. I know that the agency, which I have visited many times, regards Bridgwater as a vital industrial area. Such a study might cost, say, a third of a million pounds, but it would protect the long-term viability of not just one part of the area, but the whole of it. It must be remembered that the agency covers an enormous part of Somerset, parts of Devon, Dorset and a little bit of Wiltshire. It could produce a very intelligent, long-term flood protection brief for the south-west—it is an ideal organisation to do so.

I am impressed by some of the recommendations of Lord Haskins to streamline the way in which flood defences are managed. The Government will soon implement those recommendations. From next April, some long-overdue administrative common sense will begin to kick in. At last the people who know how to deal with floods and undertake the major defence work can start to get on with their job properly. I refer to the Environment Agency.

I pay tribute to Dr. Tony Owen at the Environment Agency and his team in Bridgwater, who have done a phenomenal job, sometimes in the most difficult circumstances. They have a vested interest. If Bridgwater floods, their building goes underwater. Let me assure you that they are good at keeping their control room on the third floor. If you have not visited, Minister, I suggest you do. It is a most impressive organisation.

Mr. Deputy Speaker (Sir Michael Lord): Order. I know that this is an Adjournment debate, but the hon. Gentleman must try to use the correct parliamentary terminology. He keeps using the word "you", which is not accurate in these circumstances.

Mr. Liddell-Grainger: I apologise, Mr. Deputy Speaker.

Thankfully, we are in the dying days of a muddled system that gave Somerset county council the biggest say in what we did. We will bid a tearless farewell to many of the unnecessary flood defence committees. In future, the bulk of the money—public money—will go directly to the Environment Agency, not through the coffers of county hall. That will mean less paperwork and more action. I am sure everyone will agree that that is good news.

I hope that that is good news. I shall not dwell on the subject for long, but Somerset county council is notorious for creating a waffle shop of well-meaning worthies who waste money willy-nilly. Public enemy No. 1 is Mr. Humphrey Temperley. He used to be leader of the county council until the electors suggested he move on. Do not worry—Humph did not get the hump; he simply shuffled sideways, taking on the chairmanship of an outfit of his own creation, the Parrett catchment project. If hon. Members are puzzled, I hasten to point out that that has nothing to do with ornithology. The Parrett is the river that runs through Bridgwater. It needs a lot of looking after, and it has the double problem of tides coming down and tides coming up.

The people who do the donkey work there are the Environment Agency. The Parrett catchment project does the diplomatic bit, talking to the interested parties, and produces voluminous documents, almost enough to dam the Parrett. It is the Andrex puppy of paper, running out roll upon roll of its own reports—absorbent, soft and very long winded. It finally dawned on Lord Haskins and others that the Parrett catchment project might usefully be absorbed itself. That course of action was suggested some time ago by the Minister, who said that we would have to evolve and look ahead.

Why not, I suggest to the Minister, include the Parrett catchment project in the new Haskins proposals, along with other stakeholders such as English Nature and many others? Humphrey has already jumped ship, not once, but twice. First, he took the chair of the Somerset flood defence committee. He has now found an even comfier chair on the Wessex flood defence committee. Surprisingly enough, this is not a gratuitous attack on Mr. Temperley. I am genuinely anxious about him and about what he has done, is doing and, I am afraid, has failed to do.

There have been various scare stories about the quality of the Environment Agency's work. The Environment Agency must lead from the top and not allow others to set the agenda for flood defence in our area. A successful policy will result in the Environment Agency being allowed to do its job.

We cannot have people such as Mr. Temperley strutting round Bridgwater like a latter-day Napoleon, telling everyone how he will persuade the Government to protect people from floods. That is not his responsibility, but that of the Environment Agency. Has the Minister heard about the barrier that the experts want, which has been mentioned many times by Mr. Temperley? It is difficult to know how to move forward if the Minister has not heard all the stories.

Next April, things will change. The Environment Agency will get more money direct from Whitehall and there will be less involvement from county councils and— dare I say it?—the Temperley faction. County councils will still get about £800,000 a year for flood defences. Neither the county nor the Environment Agency knows what the county's responsibilities will be and how much influence they will have in the new order of things. If the Minister provides an answer, it will go not only to Somerset county council, but throughout the UK.

I want to refer to the Steart peninsula, about which the Minister and I have had many debates. Many people worry about what is going to happen there. We are not talking about a risk of an extra 3 ft in 50 years; if things go wrong, Steart could become an island this winter. It might rain too hard or the tide might come up, and Steart needs a sluice or safety valve now. That is on the Environment Agency's shopping list; it costs about £3 million. However, a wave of worry is being created in Steart about what the future will hold.

Under new European flood defence rules, all member states, understandably, have to follow a policy of give and take with nature. For every barrier or alignment created, one must give part of the area one is dealing with back to nature. However, I can see some problems. What happens when the Environment Agency completes its work at Steart and removes the risk to the people who live there? Which bit of Somerset or the surrounding area gets flooded as a trade-off? I am not suggesting that homes will be flooded, but land. Does it have to be Somerset?

[Mr. Liddell-Grainger]

The Government have set targets for flood protection in this country over the next year and aim to safeguard about 80,000 people. How on earth will we achieve that if every time a bit of Somerset is protected, another bit has to be sacrificed to the rising tide? It is not a question of people being nimbys; everyone in our area is fair-minded. But should we not be looking to the long term, rather than looking to the less populated areas of England to meet the requirements of the European rules? Should not this be a national matter? The decisions, and the interest, must be taken at national level.

While the Minister is considering flooding, I shall mention another concern. A lot of Somerset is a flood plain; it is agricultural land that is kept clear by the drainage boards and the Environment Agency. The farmers on the levels get paid to maintain the land; it is not a great deal, but it is enough to make the task not only bearable but worth doing. The money comes via Europe through the common agricultural policy, which is currently having its mid-term review. I warn the Minister that if the grant money dries up, there will be little incentive for hard-pressed farmers to bother with the important maintenance work. If the farmers stop bothering, the land will go under water. The drainage boards, the farmers and everybody involved in the common agricultural policy must work together to create harmony in nature and not try to control nature in the wrong way. At the end of the day, there must be funding and it must be real money.

The whole story of flooding in Somerset is rather a sad cycle: inadequate funding over the long term to tackle long-term defences, and huge bills when the water inevitably comes up. Who pays? The insurance company and thus, unfortunately, all of us, pay. Some countries handle things better than we did. America offers incredibly generous flood aid in federal grants and soft loans—far more than British compensation under the Bellwin rules. We could emulate the US method, or we could find a new way of raising money to resolve the most acute flooding before it happens.

As the Minister is aware, 684,000 people in Somerset could be affected by flooding. Some 11,500 homes stand in the line of a rising tide, and 1 million acres of very valuable land are under threat. We have gone through this issue before, and it does not involve special pleading. It is an appeal, I suppose, for common sense. Yes, the Minister could reel off a long list of the fine things that the Government have done to improve defences, but that would be a pity. I do not begrudge the efforts made by the Minister, the Environment Agency or anybody else, but I am appealing for something more important, which politicians rarely think about. May we please have a long-term strategy—a very long-term strategy? It is not a question of what happens today, tomorrow or before the next election. We need to think about the big future, and as the Minister is well aware, it is in the interests of us all to do so.

8.51 pm

The Minister for the Environment (Mr. Elliot Morley): I congratulate the hon. Member for Bridgwater (Mr. Liddell-Grainger) on securing what is the second debate this year on flood defences in Somerset. He has a great interest in this subject, and he has advocated his constituents' concerns powerfully. I understand and share his concerns; I also share his commitment to reducing the flood risk to the people of Somerset, and to the people of this country in general.

A projected annual budget of £564 million is a substantial amount of money. Indeed, as I have explained before, because of the demand that that budget places on contractors, experts and consultants, it has to be wrapped up in such a way that the capacity exists to spend that money. I have spoken to the Institution of Civil Engineers about the need for more civil engineers to carry out this work. It is very concerned about the need to attract more people into the profession, and I hope that that happens. It is good to see that that level of investment is also stimulating the engineering sector.

We should also consider the range of engineering. These days, as the hon. Gentleman knows, we have moved away from a simple concrete approach. We have become much more sophisticated: we now consider different areas and needs, how to apply flood defences and water management in a more sustainable way, and how to secure a range of benefits. Indeed, the Parrett catchment plan is one of the pilot projects—funded by the Department for Environment, Food and Rural Affairs—that have examined this new approach. As I have said before, I like the fact that it involves a partnership approach. It gets the various groups—landowners, farmers, conservationists, local people and the Environment Agency—to work together and to seek innovation. Here, I echo the hon. Gentleman's point about a long-term strategy, and Humphrey Temperley has done a good job in that regard. He should receive some credit for the role that he has played.

I understand that there is also a need to integrate the international importance of nature conservation in the area with the equally legitimate flood defence needs of householders, farmers and other landowners. I listened to the hon. Gentleman's point about support for farmers on the levels, but I believe that the reforms we achieved through the common agricultural policy, and which we are currently implementing, will be of great benefit to them. We have broken the link between production subsidies and the farming practices that, in some cases, have proved unsustainable. Such practices will no longer be the driver for subsidies. Instead, the money will be provided through direct payments and agri-environmental payments, which are ideal for an area such as the Somerset levels, because schemes can be tailored to proper management and the skills of farmers can be utilised in the man-management.

Mr. Liddell-Grainger: That is excellent and I thoroughly applaud it. However, could the Minister expand on how the money will reach areas such as the Somerset levels and how it will be utilised practically?

Mr. Morley: The hon. Gentleman will be aware of how the environmentally sensitive area schemes and countryside stewardship schemes work in the levels. They are going to change into an entry-level scheme and higher-tier schemes. I envisage that most of the farmers in the levels would want to be in the higher-tier schemes, which would mean extra payments for water management. There will be other changes to support payments, but they are not yet finalised and I am not in a position to spell them out. In due course, however, I will, and intense consultation is going on.

The area has also produced a catchment management plan, which is important in assessing the various options. The catchment flood management plans are being taken forward by the agency. I was interested in the hon. Gentleman's suggestion that the proposed new land use agency, which is an amalgamation of English Nature, parts of the Countryside Agency and our own rural development service, could incorporate the work carried out by the Parrett catchment plan. I am sure that we can examine the problem as the new agency develops. It is certainly within the philosophy of having an integrated land use agency that integrated management of land use, landscape, water management, and nature conservation is possible. It also involves recognising the social needs of people in the area. The three pillars of sustainability are social, economic and environmental, so it is ideal in respect of the concept that we are debating.

The hon. Gentleman also mentioned problems on the Steart peninsula. As he said, I have been there to examine the position and talk to the Environment Agency about the relevant issues. I have not yet seen the preferred option on which the Environment Agency is working, but the sort of ideas that we discussed involved defending the village and taking into account the need to keep the road link open. That is certainly within its thinking and planning. More sustainable defences would be required for creating additional salt marsh.

In that sort of scenario, there would be no requirement, as I understand it, for compensatory land measures, because additional habitat is being provided. Compensatory habitat would not have to be found: it would be necessary only if some form of hard structure were proposed that meant taking some habitat away. In that scenario, under the habitats directive, compensation would certainly have to be provided. However, the way in which the agency has discussed the issue with me suggests that that is not the case with respect to the hon. Gentleman's area. I hope that that will reassure him.

The Environment Agency is progressing with the development of the sea defence strategy for the Steart and Stolford peninsula, and options for future management are currently being explored. I understand that the agency has just appointed consultants who have also been involved in the preparation of the Parrett catchment flood management plan and the water management strategy action plan produced in spring 2002.

The hon. Gentleman also spoke about support for the area and the need for an increasing programme of flood defence capital works in Somerset. That has been recognised and continues to be recognised in DEFRA's allocations. The allocation to the agency's Somerset local flood defence committee for grant-eligible expenditure has increased from £3.5 million in 2001–02 to £5.5 million in 2003–04.

As the hon. Gentleman rightly stated, with the advent in 2004–05 of the grant-in-aid for the EA flood defence, we will no longer allocate the grant rates through local authorities. Grants in aid will be allocated by the EA headquarters direct, taking into account DEFRA's announced priority score thresholds. I agree with the hon. Gentleman that that is a better and more open and transparent scheme. It will allow the agency and flood defence committees to move faster and have more control over decision making.

It is none the less still important to have local links and local accountability and to have an involvement with local government. In that respect, I see a continued role for the county councils in flood defence. Following the funding review, they will be able to fund local service through the continuing levying arrangements, and they will continue to be represented on the new streamlined single-tier committees. I do not want to break that link, and I want to give them flexibility when it comes to deciding some of their own priorities. The Environment Agency's distribution for 2004–05, based on indicative DEFRA national allocations, will provide Somerset with an increase of 10 per cent. over the 2003–04 levels.

The hon. Gentleman touched on the building of a tidal sluice on the River Parrett. I am advised that the EA has the tidal sluice proposal on its programme of works for detailed further investigation, so it is taking the idea seriously and putting it forward for consideration. The proposal is one component among the possible solutions to some of the flooding programmes suggested in the Parrett catchment project report. As he rightly said, it is a big scheme, and a great deal of consideration is needed for any such project by the EA and other agencies. A lot of engineering assessment, modelling and other work needs to be done. It is not a minor scheme, and it will not appear overnight. Like any such scheme, it will have to satisfy the normal technical, economic and environmental criteria, and the priority score arrangements for funding, including under the flood defence grant in aid.

I have been advised that the hon. Gentleman was briefed in detail at a meeting on Friday 28 November about the time scales and hurdles that any capital scheme for a tidal sluice at Bridgwater would have to cross. I also understand that the agency provides him with regular updates, and he will be aware that no scheme has yet been put forward for formal approval. Such a scheme would have to be prepared in detail, and I stress that major engineering works of that kind, which might well be the preferred option in the end, would have to go through careful consideration.

I reassure the hon. Gentleman that some features in Somerset, such as the high conversation status of the Somerset levels and moors and the Severn estuary, mean that it is already given special consideration. The area is well known to me, and the management of water there has a long history, as have flood defence works.

I take the hon. Gentleman's point about the impact of global warming: it is a serious issue and of great concern to the Government. I recently attended the climate change conference in Madrid at which we made a number of detailed presentations, with our Hadley centre and Tyndale centre, about the impact of global warming and what it means for the UK and regions around the world. We also made a presentation on what the UK is doing to reduce greenhouse gases, and that was "standing room only". There is enormous

[Mr. Morley]

international interest in the commitments that we are making and the fact that we take the matter seriously. That links to the hon. Gentleman's first point, which was that we are spending a lot of money on flood defence but that it pales into insignificance when compared with the massive value of the assets that we are protecting, not least when compared with the inconvenience, misery and distress caused to people who are victims of floods.

Mr. Liddell-Grainger: The Minister is hitting the most salient points throughout his speech, and I am grateful to him for it. He knows that if we lose it completely, we will lose the M4, the railway and the A303. The west country would be cut off by one river system. I am grateful to him for labouring the point because one of the most important problems facing this country is that our peninsula could be cut off if we get matters badly wrong.

Mr. Morley: That is right, and the protection of infrastructure is a criterion that we use when assessing whether to spend money on flood defences. Much important infrastructure, as well as many people, is at risk in the hon. Gentleman's area.

We can never completely eliminate risk, but we can ensure that we minimise the risk that people face. The measures that the Government have taken have reduced risk. Incidentally, I must correct what I said about the climate change conference being in Madrid—it was in Milan. It is important that we develop the long-term strategy that the hon. Gentleman requested. Water management and coastal defence are long-term businesses, as is predicting the kind of climate changes that we will face in future. We are committed to those issues financially, and we want to put a long-term strategy in place, to the advantage of the hon. Gentleman's constituents and many others in this country.

Question put and agreed to.

Adjourned accordingly at five minutes past Nine o'clock.

House of Commons

Tuesday 16 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

FOREIGN AND COMMONWEALTH AFFAIRS

The Secretary of State was asked—

Colombia

1. **Lynne Jones** (Birmingham, Selly Oak) (Lab): If he will make a statement on compliance by the Colombian Government with commitments made at the London conference in July. [144036]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Before I answer the question, Mr. Speaker, as you know, my right hon. Friend the Foreign Secretary is today paying an important visit to Dublin, and is thus unable to be present for Foreign Office questions. He has given his apologies to you and the Opposition Front Bench, and, through you, to the House.

The London declaration issued at the meeting in July was an important milestone in the international community's efforts to support Colombia. The Colombian Government assure us that they take seriously the commitments that they made at London, and we look forward to an evaluation of progress up to the end of the year by the working group in Bogota of 10 countries present at the London meeting.

Lynne Jones: Have not the Colombian Government blatantly ignored the pledge that they gave at the London conference to implement the recommendations of the United Nations High Commissioner for Human Rights? Not only are the Uribe Government giving further judicial powers to the military, but even the President has smeared respected non-governmental organisations as fronts for terrorism, putting the lives of human rights defenders at risk. At the forthcoming donors' conference, will the British Government press for conditions to be attached to the provision of aid to Colombia?

Mr. Rammell: On that point, in general terms, we are attaching conditions, and have made it clear that our assistance is given with the expectation of an ongoing commitment on the part of the Colombian authorities with regard to human rights. On my hon. Friend's comments on President Uribe's statement about human rights groups, we have always made it clear—and I have done so directly to the Colombian Government and to President Uribe—that if there are concerns about specific human rights groups, they should be dealt with through due legal process, and other human rights groups should not be implicated within that process. Nevertheless, it is important to state that the Colombian Government have assured us that they are committed to tackling paramilitary groups, and some progress is being made. Indeed, recently, army and police officials have been arrested for their alleged links with paramilitaries, and a number of paramilitaries have been captured in recent months, which I very much welcome.

Mr. John Wilkinson (Ruislip-Northwood) (Con): Will Her Majesty's Government bear in mind that the FARC and the ELN have murdered, maimed, kidnapped and dispossessed more people in recent years than all Islamic terrorists put together, or the Irish Republican Army? In those circumstances, the democratically elected Government of President Uribe deserve the full support of the British Government in terms of technical assistance, political assistance, overseas aid and in any other manner that can help to eradicate this cancer from the country, especially as it is propagated thanks to the vile narcotics trade in which these terrorist groups indulge.

Mr. Rammell: The hon. Gentleman is absolutely right about the cancer of the narcotics trade, which, regardless of whatever political motivation was at the origin of this dispute, is now driving a significant civil war. We support the Government of President Uribe and give assistance. At the same time, however, we make it clear that the critical importance of human rights must be upheld, which we will continue to do.

Zimbabwe

2. **Sir Nicholas Winterton** (Macclesfield) (Con): What assessment he has made of the situation in Zimbabwe following the Commonwealth Heads of Government meeting in Nigeria. [144037]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): The Zimbabwe Government's decision to withdraw from the Commonwealth serves only to highlight the increasing isolation of the Mugabe regime. It will do nothing to ease the deepening political, economic and humanitarian crisis. We look forward to welcoming Zimbabwe back into the Commonwealth once there has been a return to democracy and the rule of law.

Sir Nicholas Winterton: While I thank the Minister for that reply, will he not accept the stark reality that the Commonwealth and the developed civilised world have failed the long-suffering people of Zimbabwe? With so much agricultural territory now out of production for the fourth growing season, half the population relying on food aid, people digging up coffins because they need to make ends meet, people living out in the bush without a roof, and young children in tatters begging on street corners, is it not about time that the civilised world took action against this brutal despot, Robert Mugabe?

Mr. Mullin: I share the hon. Gentleman's concern—I am sure that all Members do—at the condition of many people in Zimbabwe, but I am not sure what he is suggesting. Surely he is not suggesting an invasion. It is hard to see where his line of questioning is leading. It is true that the situation in Zimbabwe is dire, but it would be helpful if he were more explicit, because if he has any useful suggestions we would certainly be glad to take them up.

Kate Hoey (Vauxhall) (Lab): I wonder whether the Minister will consider my suggestion on furthering sanctions against Zimbabwe. Perhaps they should be immediately extended to the wives and children of the 79 people who are already suffering from sanctions.

Does the Minister not think that it is a good idea that, at last, we have decided to take the issue to the United Nations Security Council to seek a resolution? Even if we do not get a resolution the first time, we will bring the matter into the international arena rather than leaving it as a Commonwealth and African issue.

Mr. Mullin: The EU sanctions are up for renewal in February, and we will certainly examine ways to extend them. My hon. Friend will know that the Foreign Secretary has said that he does not believe that sanctions should be extended to children.

There is no point in pursuing a resolution at the UN unless there is a possibility of success. When it has been raised on previous occasions it has fallen to no-action motions. That just helps Mugabe, which we do not want to do.

Mr. Andrew Mackay (Bracknell) (Con): Does the Minister share Archbishop Desmond Tutu's criticism of the South African Government for not supporting sanctions against Zimbabwe? Does he agree with the archbishop's comment that human rights abuses are human rights abuses wherever they take place, and that Africa should not be treated separately from the rest of the world?

Mr. Mullin: Yes, we share Archbishop Desmond Tutu's concerns. He said that events in Zimbabwe are reprehensible and unacceptable. As the right hon. Gentleman said, human rights are indivisible and apply everywhere, regardless of regimes. The archbishop went on to say that there are not African human rights and human rights for everybody else. We entirely agree that human rights should apply universally.

Mr. Ian Davidson (Glasgow, Pollok) (Lab/Co-op): What steps are being taken to assist those among Zimbabwe's neighbours who are adversely affected by Zimbabwe's plight because, in particular, they are receiving floods of refugees? I am thinking in particular of Mozambique and Botswana.

Mr. Mullin: The largest number of refugees are, of course, in South Africa, but they are also in Botswana and Mozambique. We have a large aid programme in Mozambique and a more modest one in Botswana. We also have close relations with South Africa.

Sir Patrick Cormack (South Staffordshire) (Con): Reverting to the point made by the hon. Member for Vauxhall (Kate Hoey), will the Minister be less dismissive of the initiative at the UN? Surely there is something to be said for this country and its allies making it abundantly plain how deeply we despise and deplore this tyrannical regime. Even if some UN members refuse to sign up, should they not be exposed as accessories after the fact?

Mr. Mullin: We have raised the issue of Zimbabwe with various UN agencies, but such resolutions fall to no-action motions, which gets us nowhere. Nobody is in any doubt about how strongly people in this country feel about events in Zimbabwe and how strongly many people in Zimbabwe feel. We must recognise that internal dynamics will end the regime. It is not possible to run a country for very long when there is 80 per cent. unemployment and 700 per cent. inflation, and when foreigners have to help feed half the people. Inevitably, such a state of affairs must end sooner or later. We must ensure that it ends in a dignified and orderly manner that does not inflict even greater damage to the much put-upon people of Zimbabwe.

Mr. Michael Ancram (Devizes) (Con): After Abuja, is it not clear that the Government's adoption of the South African policy of quiet diplomacy has been an abject failure? Will they stop pussyfooting and, with the European Union and the US, start genuinely to tighten the screws on Mugabe? Why will they not make sanctions work? We should stop Mugabe and his henchmen from swanning around the world as though there were no sanctions and we should freeze the assets of the despicable business men who still bankroll him. As my hon. Friend the Member for South Staffordshire (Sir Patrick Cormack) and the hon. Member for Vauxhall (Kate Hoey) said, the Government should ask the UN Security Council to put monitors into Zimbabwe. If at first the Security Council says no, they should try, try and try again until it accepts its responsibility. When will they stop walking by on the other side and start taking a lead?

Mr. Mullin: With all due respect, the right hon. and learned Gentleman demeans himself. He knows very well that there is no policy of quiet diplomacy—goodness me, we could not have been louder or clearer about what we think. Even if we had wanted to adopt a policy of quiet diplomacy, he and hon. Members from all parties would not have allowed us to do that. We should not be under any illusions. Sanctions will not bring an end to the state of affairs because the internal dynamics in Zimbabwe will stop the problem. All the huffing and puffing in the world may give the right hon. and learned Gentleman satisfaction but it will achieve nothing. We are interested in doing something that will make a difference.

Great Lakes Region

3. **Judy Mallaber** (Amber Valley) (Lab): What further help his Department is giving the countries of the Great Lakes region. [144038]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): Our aim is to build political support for peace and stability in the region. The key to this is the completion of the peace process in the Democratic Republic of the Congo and Burundi. Active diplomacy and the support of the international community have been vital factors in resolving these conflicts.

Judy Mallaber: I thank my hon. Friend for that reply. We must see an end to the illegal trade in diamonds and precious commodities that pays for the arms that do so much to sustain conflict in the great lakes and elsewhere. What action will the Government take on the recommendations made by the UN panel of experts on the exploitation of resources in the Democratic Republic of the Congo? What other measures will my hon. Friend and the Government introduce to help to minimise conflict in the region?

Mr. Mullin: We certainly want an end to the illegal trade in diamonds and other precious commodities, which, as my hon. Friend says, has been responsible for sustaining the conflict. That is why we were keen for the UN panel to be set up. I have convened a meeting tomorrow to discuss how we may take forward the recommendations in the panel's most recent report that apply to us. We are also pressing Rwanda and Uganda to follow up the recommendations that relate to them. The difficulty with taking action against the few British companies that are named in the report is that there is currently insufficient detailed evidence that would enable prosecutions, but we are seeking that.

Of course, we have played a wide role in Burundi and the Congo. We are contributing a military chief of staff and about £28 million to the military force in eastern Congo that is bringing stability to the region. We made a major contribution—just under £4 million—to help to finance the African-led peace forces in Burundi. I am sure that my hon. Friend appreciates that the key is bringing stability to the Congo. If we can do that, we will manage to stabilise the entire region.

Gibraltar

4. **Tim Loughton** (East Worthing and Shoreham) (Con): If he will make a statement on progress with the Brussels process. [144039]

The Minister for Europe (Mr. Denis MacShane): The Government have repeatedly made it clear that there will be no change in Gibraltar's sovereignty without the consent of the people of Gibraltar. The Government's objectives remain to secure a stable and prosperous future for Gibraltar and we will continue our dialogue with Spain and Gibraltar to this end. No date has been set for future Brussels process talks.

Tim Loughton: Given that 98.5 per cent. of the population of Gibraltar again voted in a referendum against any sharing of sovereignty with the Spanish, that the Chief Minister of Gibraltar has been re-elected with more than 50 per cent. of the vote on that platform, that Gibraltarians will be represented in the European Parliament from next year, and that the Spanish have apparently just negotiated a deal for a sub-Mediterranean tunnel with the Moroccans, with whom they have territorial disputes, will the Minister tell us what progress has been achieved on the availability of the phone lines and health care that the Spanish provide for the Gibraltarians? What progress has been made on the ridiculous business involving having to fly over Spanish territory on Gibraltar flights that cannot land? Such a right would be accorded under treaty to any other member of the EU.

Mr. MacShane: The hon. Gentleman makes good and fair points. We want Spanish recognition of the 00350 number for Gibraltar, but they are not yet willing to concede that. The Government of Gibraltar have asked us to create a wider overseas territories number of 0044, but the other overseas territories are not interested in that solution. We will continue negotiating with the Spanish and talking to them about the problem. They could send a positive signal to the people of Gibraltar and be helpful on the situation with the telephone lines.

Mr. Lindsay Hoyle (Chorley) (Lab): Obviously, the Minister spoke about the Brussels process and we are all aware that Gibraltar celebrates its 300-year anniversary next year. The way in which Spain delivers its constant ultimatums to Gibraltar must be the longest-running sore leg that anyone has ever had. Under the process, would not it be a challenge to celebrate those 300 years by ending the joint talks on sovereignty once and for all? The Minister should tell us what good news he has for Gibraltar and what he will do for those 300-year celebrations next year.

Mr. MacShane: It is an important anniversary. It reflects the occupation of the Rock by a combined Dutch and British fleet during the Spanish war of succession when France tried to dictate its will to Spain and we stoutly resisted the imposition of what it wanted to do 300 years ago. I am happy to inform the House that the Princess Royal will visit Gibraltar to represent all of us at the historic moment. The Duke of Kent is coming to the service in St. Clement Danes, and the Ministry of Defence and other Departments will participate fully in that important historical anniversary.

Mr. John Bercow (Buckingham) (Con): What about you?

Mr. MacShane: If I have the chance to visit Gibraltar next year, as I did this year, I shall take it with enormous pleasure.

Côte d'Ivoire

5. **Mrs. Cheryl Gillan** (Chesham and Amersham) (Con): What representations he has received about the situation in the Côte d'Ivoire; and if he will make a statement. [144040]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): We remain concerned about the situation in Côte d'Ivoire. We are in regular contact with the parties and key members of the international community, including France and the Economic Community of West African States, ECOWAS.

Mrs. Gillan: I, too, am concerned about the situation in Côte d'Ivoire. My constituent, who is from that country, came to see me the other day with several of his fellow countrymen. They support the Linas-Marcoussis agreement, despite the fragility of the ceasefire, but believe that France is playing a double game, favouring the rebels and harrying the Government because they have tried to open their markets rather than continuing with the French monopoly. Will the Minister agree to meet my constituent and his colleagues to discuss how the Government can, in my constituent's words, use their influence to ensure that the French do not bully African poor states that choose to open their economies to a wider trade area?

Mr. Mullin: I do not accept that for a moment. We support the role that the French have played. Their intervention has avoided civil war in the Côte d'Ivoire. The solution is for all sides to implement the Linas-Marcoussis agreement, which addresses the root causes of the crisis. If the hon. Lady wishes to bring constituents to see me to discuss the subject, I would be glad to meet them.

Tony Cunningham (Workington) (Lab): We have rightly had questions on Zimbabwe, the Côte d'Ivoire and the great lakes area, and attention is focused on Iraq and Afghanistan. However, is not there a danger of taking our eye off the ball on problems like the border dispute between Ethiopia and Eritrea, which when war broke out in 1998 cost the lives of about—

Mr. Speaker: Order. The hon. Gentleman is out of order.

Diversity Targets

6. **Tony Wright** (Cannock Chase) (Lab): What progress his Department is making towards meeting its diversity targets. [144041]

The Minister for Trade and Investment (Mr. Mike O'Brien): The Foreign and Commonwealth Office targets for diversity have been met for recruitment and we are making progress on staff already in post.

Tony Wright: I thank my hon. Friend for that answer. Why does he think that the Foreign Office is dragging so far behind other Departments in terms of the number of women and ethnic minority people that it employs? More than one in 10 children in our schools are from ethnic minorities, yet half of 1 per cent. of people from ethnic minorities are at senior levels in the Foreign Office. If the Foreign Office really is Britain's face on the world, should not that face be far more representative than it currently is?

Mr. O'Brien: It should be far more representative than it currently is. That is why we have set realistic targets to make that change. Targets have to be realistically achievable. The Foreign Office started in 1997 from a low base. There were few women, few ethnic minority staff and few disabled people. The Foreign Office promotes internally and it therefore takes time to change things, but we are changing things.

I am told that until 1972 women had to resign from the Foreign Office on marriage. As a result, we lost a whole generation of ambassadors who would have been in post now. Likewise with ethnic minorities there were restrictions on the employment of persons with parents of certain nationalities, and no effort was made to recruit disabled people. However, things are changing in the Foreign Office. Today there are family friendly policies and flexible working. An FCO nursery started 18 months ago. Promotion is based on skill and competence, not on time served. Likewise we are attracting ethnic minority recruits. We have doubled the number of ethnic minority staff from 3.4 per cent. in 1997 to 6.8 per cent. today. In the B grade, the important grade, it is 8.6 per cent.

Two ambassadors from ethnic minority communities were recently appointed: Mohammed Chowdry to Bangladesh and Alp Mehmet to Iceland, Britain's first Muslim ambassador. The number of women ambassadors has doubled from nine in 1997 to 18 now. Things are changing in the Foreign Office. The people from ethnic minorities and the women we are recruiting today will be the ambassadors of the future.

Qatar

7. **Huw Irranca-Davies** (Ogmore) (Lab): What discussions he has had with representatives of the Amir of Qatar in respect of democracy in Qatar. [144042]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The Prime Minister, the Foreign Secretary and other British Ministers have had frequent discussions with the Amir and his representatives on the Amir's democratisation programme.

Huw Irranca-Davies: I thank my hon. Friend for that answer. I welcome the advice and assistance that has been given by our colleagues to the Qatar Government. Does my hon. Friend agree that while it is not a matter of one-size-fits-all in terms of democracy, it is always preferential throughout the world not to have rule by tyrants? On that issue, will my hon. Friend enlighten us as to whether Saddam Hussein—we welcome the fact that he was found the other day—is now enjoying the hospitality of Qatar?

Mr. Rammell: I thank my hon. Friend for that question. I share his view about the position of tyrants throughout the world. Saddam Hussein is being held under coalition authority in a US facility. I am sure that my hon. Friend will understand that I shall not comment further on where Saddam Hussein is being held for obvious security reasons. Nevertheless, I share my hon. Friend's view about tyrants. The capture of Saddam is extremely welcome. While being a cause for celebration I think that there is an important opportunity as well to reach out in reconciliation with the Iraqi people, who have suffered so much under Saddam's torture.

Mr. Julian Brazier (Canterbury) (Con): Does the Minister accept that Qatar, to a large extent, put itself very much on the line for us as the situation with Saudi Arabia deteriorated in the build up to the recent Gulf conflict? As somebody who has worked in that part of the world in neighbouring Bahrain, I believe that we owe it to the small Gulf states such as Qatar, which stood by us at the crucial moment, to ensure constitutional stability. While democracy is a good aim, the most important thing for people in that part of the world is constitutional stability so that they enjoy the peace that has come naturally from the removal of a terrible tyrant.

Mr. Rammell: I thank the hon. Gentleman for those comments. Like him, I regard Qatar as a firm regional friend and ally. It is important that we make that point clear. It is well worth saying that there has been significant progress within Qatar towards democratisation. It is particularly noteworthy and welcome that Qatar was the first Gulf state to give the vote to women, something we strongly support.

Intergovernmental Conference

8. **Miss Anne McIntosh** (Vale of York) (Con): What progress has been made in concluding the intergovernmental conference. [144043]

The Minister for Europe (Mr. Denis MacShane): As the Prime Minister made clear in his statement yesterday, the intergovernmental conference did not reach agreement at the weekend. We expect discussions on the timetable of any future negotiations to be taken forward by presidencies next year.

Miss McIntosh: On 14 May, the Prime Minister said that the

> "European Convention . . . is necessary to make the accession work."—[*Official Report*, 14 May 2003; Vol. 405, c. 306.]

Yesterday the Prime Minister told the House that the Nice treaty only takes effect in one year's time. Should not the Government have taken up Berlusconi's suggestion and discussed women and football for the past 22 months, rather than a treaty that in the final analysis was not agreed and was not needed until 2009?

Mr. MacShane: I am sorry that the hon. Lady, who knows a great deal about Europe, should adopt such a negative tone. There were things in the draft constitutional treaty that we would want to support—enhanced powers for Parliament and the standing chairman of the Council of Ministers representing the nation states of Europe getting the institutional balance right. However, we could not come to an agreement at the weekend, and many of the comments made across Europe that we need a pause and time for reflection are quite right. However, the White Paper that we published on 9 September made the position perfectly clear:

> "If a new Treaty cannot be agreed, or ratified, then the EU would still carry on under its current arrangements; and it would have the same functions as it has today."

That is from paragraph 26 of the White Paper published on 9 September.

Mr. Kelvin Hopkins (Luton, North) (Lab): Given that the dreams of the federalists were shattered at the weekend, and that even now they are talking of taking revenge on Poland and Spain, which could increase the acrimony, is it not time to look at an alternative vision of Europe based on independent democratic states co-operating on the basis of consensus on matters of mutual interest? Is not Britain well placed to introduce such a proposal?

Mr. MacShane: I am grateful, as always, to my hon. Friend for his robust position on European issues. However, I cannot think of any business in my constituency that would not want to have the rules of the European Union in place to make sure that the single market works, which requires both rules and the means to enforce them. I cannot think of any tourist from my constituency who would not wish to have the E111 systems and other rights that flow from them because the European Union and enforceable rules exist. If my hon. Friend genuinely wishes to return to a Europe not of consensual states but of states bickering, conflicting and putting up barriers and frontiers to everything, that is his vision—it is certainly the Opposition's vision—but it is not what the interests of the British nation demand.

Mr. Menzies Campbell (North-East Fife) (LD): Does the Minister think that it is sustainable in the long term that Germany, the largest net contributor to the EU budget with a population of 80 million, should have only two more votes in the Council than, say, Poland, which has a population of 40 million and is likely to be a recipient of substantial EU funds?

Mr. MacShane: The right hon. and learned Gentleman makes a fair point, but the voters of Bremen, with 500,000 voters in a German Land, have exactly the same number of representatives as the voters of North Rhine-Westphalia, which has 18 million voters, in the German Bundesrat. That is common across the world. Getting the balance right is difficult, and at the weekend we found that one side took one position and another side a different one. We tried to build bridges, which is rather a good thing for Britain to do. The right hon. and learned Gentleman may be speaking simply about Germany and the idea that the bigger the population the more power a place should have, but I am not entirely sure that that position will be shared by the rest of Europe.

Keith Vaz (Leicester, East) (Lab): May I congratulate my hon. Friend and the Prime Minister on the work that they did on the negotiations? However, did the outcome of the summit last weekend result in the best possible position for our Government? If people are unhappy about the way in which matters were discussed and concluded, is it not better to have a pause so that we can effectively start again and make sure that there is even more adequate parliamentary scrutiny? We should also ensure that when we have an agreement everyone sticks to it and accepts it—that is surely the right position for our country.

Mr. MacShane: As one of my predecessors, my hon. Friend will recall that when the treaties of Amsterdam and Nice were negotiated Opposition Front Benchers said that those treaties would take us into a superstate and there should be a referendum on them. Similarly, the hon. Member for Stone (Mr. Cash) and the right hon. Member for Chingford and Woodford Green (Mr. Duncan Smith) said that the treaty of Maastricht would take us towards a superstate, and Tony Benn, the former right hon. Member for Chesterfield, told us 30 years ago that we were on the way to a superstate. That has not yet happened, but my hon. Friend is right—time to pause and reflect is broadly welcome across the European Union. However, we should be careful that that does not allow those who want to put up new barriers and frontiers against Europe working successfully to start to gain the upper hand and does not assist the Opposition policy of taking us to the exit-door of the European Union.

Angus Robertson (Moray) (SNP): While it is regrettable that certain positive elements of the draft constitution will not come to fruition, will the Minister confirm that the collapse of the intergovernmental conference agreement on the draft constitution will not hold back the accession to the European Union of Bulgaria, Romania and Turkey? Will he commit the UK Government to doing everything in their power to help speed the accession of those three countries?

Mr. MacShane: The answer is clearly yes. We got good language on Romania and Bulgaria, and we remain a firm and committed supporter of Turkish accession if the criteria are met. However, the House should have no illusions. As Europe becomes fractious, does not move forward and takes time for pause and reflection, there are huge forces in other major European countries opposed to Turkish accession and unhappy with enlargement. Those who continually decry a functioning and effective European Union based on partnership should reflect on what that will do to the hopes that we all have for the accession of the next wave of incoming countries to which the hon. Gentleman referred.

Mike Gapes (Ilford, South) (Lab/Co-op): Is not the failure to reach agreement this week better than reaching the wrong agreement? Although, unfortunately, disagreements between Poland and Germany in particular, and between other countries, were the principal reason for the failure, the fact that the British Government worked so hard and achieved a great deal of progress shows that we have moved from isolation in 1997 to being central to attaining a long-term solution to such problems. Is that not a defeat for the whingers and Europhobes in the Conservative party?

Mr. MacShane: My hon. Friend is right. It is difficult for the Opposition, with their continual rancid anti-Europeanism from almost every part of the Conservative Benches, to accept the fact that Britain's engagement in the European Union is good for Britain and good for Europe. The Prime Minister's role in seeking to bring different elements of the European Union together was widely recognised over the weekend. Many of the British demands were recognised and would have been in the final constitutional treaty. I am proud of the fact that we are a country engaged in Europe, at the centre of Europe, in Europe and helping to run Europe. Woe betide our nation if the policy of the Conservative party to take us to the exit door of Europe ever became reality.

Mr. Michael Ancram (Devizes) (Con): The Prime Minister lectured us yesterday on the importance of being on the playing field. Perhaps, but surely not if it means going on scoring own goals; surely not if he has to sell out our right to determine our own asylum and immigration policy; surely not if it means he has to bow to the primacy of the European constitution; and above all, surely not if it means undermining NATO. Why did the Prime Minister, who promised no separate military planning capability for the European defence force, agree to a separate planning cell, which the French rightly boast will grow into something much bigger? When will the Government stop giving away goals and start playing for Britain?

Mr. MacShane: For the same reason, I imagine, as President Bush welcomed the work of the Prime Minister in securing a good deal on European defence. The notion that our country's or our allies' interests would be served by Britain isolating itself from co-operation with our main defence partners is absurd—a danger to the United States and the rest of Europe. The only thing that concerns everyone in Europe is the fact that there is one major opposition party in this great democracy that is out there on the far right of the anti-European wing. While the right hon. and learned Gentleman and his colleagues maintain the position that he expressed again today or the hatred towards Europe that we heard from the Front Bench yesterday, his party will remain permanently out of power.

Mr. Ancram: The Minister obviously has not been listening to the voices from his own Benches today. He has not exactly had a lot of support. The Prime Minister has accepted that the constitution is not necessary. Why, then, are the Government trying to resurrect it? Is it not clear from the reactions to Saturday's fiasco that our partners in Europe see it, in the words of the Belgian Prime Minister, as

"the capstone for a federal Europe"?

Why do the Government not take this golden opportunity to start afresh and to develop a Europe that works for its peoples and not its political elites? Why will they not take their courage in their hands, stand up for British interests and call for the constitution to be scrapped?

Mr. MacShane: With your permission, Mr. Speaker, the Government set up a special Standing Committee on the Intergovernmental Conference, which has met for three very long sittings. Never before in British history has a treaty been subject to such parliamentary scrutiny while it is under negotiation. Not a single Opposition Front Bencher turned up for any of those sittings, and only three Conservative Members of Parliament out of 160-odd Members bothered to do so. It is that contempt for parliamentary scrutiny on the part of the Opposition that is our worst problem. I invite the right hon. and learned Gentleman to come to some of the meetings where Europe is discussed, as he might learn something to his advantage.

France

9. **Mr. Wayne David** (Caerphilly) (Lab): If he will make a statement about the United Kingdom's bilateral relationship with France. [144044]

The Minister for Europe (Mr. Denis MacShane): Bilateral relations with France are good. Last month's

UK-French summit showed how we work closely with France on a range of important issues. Next year, we plan to celebrate the centenary of the entente cordiale.

Mr. David: I thank the Minister for that positive answer. The entente cordiale celebrations will be important, but will he ensure that young people are fully involved in them, as well as Members of this House?

Mr. MacShane: I am discussing with my opposite number in Paris a joint meeting of the House of Commons and the Assemblée Nationale. Providing that the proposal gets parliamentary approval, I hope that all hon. Members who want to participate will do so. I am also in discussions with a number of organisations and companies, including Eurostar and Eurotunnel, about bringing together schoolchildren to learn something of our common history. That history goes back a thousand years to when the French invaded and colonised us, but it is necessary that we learn from each other and drop the rather unappealing Francophobic remarks that we hear too often in some of our press and occasionally from the Opposition Benches.

Mr. John Bercow (Buckingham) (Con): Strong bilateral relations between the United Kingdom and France require, among other things, mutual candour and understanding, so perhaps the Minister will answer today the question that the Prime Minister ducked yesterday. What is the difference in meaning between the phrase "ever closer union", which the Foreign Secretary boasted had been dropped from the draft constitution, and the phrase "united ever more closely"?

Mr. MacShane: The hon. Gentleman demanded candour, but he will remember what Lord Canning said:

> "But of all plagues, good Heaven, thy wrath can send,
> Save me, oh, save me, from the candid friend."

However, I will be candid with him: his question had absolutely nothing to do with France. If he reads the statement made yesterday, he will see that the Prime Minister explained the point.

Afghanistan

10. **Joan Ruddock** (Lewisham, Deptford) (Lab): If he will make a statement on the situation in Afghanistan. [144045]

The Minister for Trade and Investment (Mr. Mike O'Brien): Afghanistan has made progress towards the goals of the Bonn agreement, but much remains to be done. The constitutional Loya Jirga this month is an important opportunity for the people of Afghanistan to create a new constitution. I was in Afghanistan in October and discussed the political process with the Transitional Administration, including President Karzai. That included ensuring a role for women. I also raised a series of other issues, including security.

Joan Ruddock: I thank my hon. Friend for his answer. Will he join me in congratulating Afghan women, who comprise 20 per cent. of the delegates and one vice-chairperson at the Loya Jirga that is currently considering the draft constitution? Is he aware that the committee on women's rights at the Loya Jirga has drawn up a list of amendments that would ensure constitutional equality for women? Does he accept that the international advisers at the Loya Jirga have a duty to ensure that any new constitution complies with CEDAW, the convention on the elimination of discrimination against women, and that Afghan women are at last freed from legalised oppression?

Mr. O'Brien: I certainly agree that the new constitution should comply with CEDAW. It is of course for the Afghans to decide what is in their constitution—all we can do is advise them. My hon. Friend is entirely right that the constitutional Loya Jirga has at least 95 women among its 450 delegates, a fifth of whom are therefore women. As I look at the array of men—with the exception of the hon. Member for Vale of York (Miss McIntosh)—on the Conservative Benches, I am reminded that we have fewer women Members than the Loya Jirga—only 18 per cent. of the House of Commons is female. Before we get holier than thou about these matters, we should bear it in mind that Afghanistan is doing slightly better than us.

Rev. Martin Smyth (Belfast, South) (UUP): I welcome the advances in Afghanistan, but does the Minister share my concern about press reports suggesting that Government planning people have been demolishing people's houses to build palaces and Government buildings without rehousing them beforehand?

Mr. O'Brien: We need to ensure that the Afghans have the ability to run their Government properly, as well as their schools and other institutions, and of course they must do so in a way that respects people's human rights, including the right to have their homes respected.

David Cairns (Greenock and Inverclyde) (Lab): My hon. Friend is aware that the United Kingdom is the lead member of the coalition in terms of the counter-narcotics effort in Afghanistan. To that end, will he comment on recent press reports saying that the United States wants to take a much more vigorous approach towards destroying the opium poppy harvest next February? If those reports are true, they will be warmly welcomed in my constituency, where people are getting fed up with the devastating impact of ever cheaper heroin on our communities.

Mr. O'Brien: We are taking the lead in dealing with the issue of drugs, but the United States is providing enormous assistance in those efforts, and we hope that the US authorities, who have troops in areas of Afghanistan where we do not, will be able to assist the Afghans in eradicating crops wherever possible. It is important that we get this right, and that requires that the British, the Americans and, most particularly, the Afghan authorities should ensure that the drugs policy is effective and delivers.

Mr. Gary Streeter (South-West Devon) (Con): Conservative Members very much support the Loya Jirga process that is in train, and hope for a positive outcome.

Returning to the important matter of heroin production, which was raised by the hon. Member for Greenock and Inverclyde (David Cairns), will the

Minister spell out precisely the resources that his Government are putting behind what the US Administration described to me last week in Washington as the weed-whacking programme—the systematic strimming of poppy fields? Is he aware of that programme; when will it start; how many acres does he expect to be eradicated in the first 12 months; and what security will be offered to the teams carrying out that vital work?

Mr. O'Brien: The detail of how the process of eradication will be carried out is still being discussed on the ground by the Americans, the Afghans and ourselves. It is an enormously important process. The Afghan Government are committed to working with us and the Americans in eliminating opium poppy cultivation over 10 years, but they cannot do it alone. The programme requires sustained commitment by the international community, and that is being provided.

European Constitution

11. **Andrew Selous** (South-West Bedfordshire) (Con): What the Government's policy is on asylum provisions in the draft European constitution. [144046]

The Minister for Europe (Mr. Denis MacShane): The draft treaty provides a basis for common rules on asylum to be adopted by qualified majority voting. We will of course retain the right to decide whether to opt in to asylum measures. If the proposal was not in the UK's interests, we would not have signed up to it. The EU-wide database system—Eurodac—and the revised Dublin treaty have helped us to identify and return asylum shoppers to the EU countries where they first arrived or claimed asylum.

Andrew Selous: I wonder whether the Minister could clear up a little confusion by telling the House what was the purpose of the Leader of the House trying to delete seven sub-paragraphs from article III.167? Those sub-paragraphs dealt with asylum and would have enabled policy on the matter to be decided by a majority of other states. The amendment failed, so I do not understand how the Prime Minister could claim yesterday that

"we are not giving up the power to set our asylum laws".—[*Official Report*, 15 December 2003; Vol. 415, c. 1334.]

Was that not a vanishing red line that the Government did not even try to win?

Mr. MacShane: The draft constitutional treaty was not agreed, so the question does not arise, except theoretically.

Mr. David Heathcoat-Amory (Wells) (Con): Will the Minister now give a reply to my hon. Friend? If all seven of those asylum powers were to be removed from the constitution by the amendment tabled by the then Minister for Europe, why, according to the White Paper, is the issue no longer a red line or even being demanded at the intergovernmental conference? Why have the Government dropped their objections and removed our powers to set our own definitions and details on asylum in any future constitution?

Mr. MacShane: Under article 63 of the existing treaty, there is a common asylum problem, and we have the right to opt in. We need to work with our partners. The closure of Sangatte would not have been brought about by the Conservatives' anti-European policy; nor would the setting up of our Europe-wide database. This is a theoretical discussion, as I have said, but QMV could have been very helpful to us in terms of advancing common European policy on asylum. If we want other countries to help us with asylum issues relating to returning or transit, it is vital that we should be there to discuss those issues with them. I accept the sincerity of the hon. Member for South-West Bedfordshire (Andrew Selous) in raising this question. Perhaps when he tabled it, he did not know where things would stand today. This point remains to be debated, because we will not achieve a sensible asylum deal, which is of vital interest to all our constituents, by turning our back on co-operation and partnership with Europe.

Sierra Leone

12. **Patrick Mercer** (Newark) (Con): What plans he has for further funding for the special court for Sierra Leone. [144050]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The UK is committed to the success of the special court for Sierra Leone. The model that has been pursued in Sierra Leone is far more cost-effective than other mechanisms of post-conflict restorative justice that have been established throughout the world. We are the third largest contributor to the court, and we are doing all we can to secure sufficient funds for it. In that regard, we have lobbied more than 45 states to contribute or increase their contributions to the court, and we are considering a range of options to secure funding for it.

Patrick Mercer: I am grateful to the Minister for that answer, and I am sure that he will join me in praising the work of the special court. Will he assure me, however, that he fully understands the funding crisis that it now faces? Will he also assure me that the year 3 contribution will be brought forward, and that the relocation agreement for the site of the court will be brought forward with some dispatch, so that the important trials that need to take place can do so quickly?

Mr. Rammell: I very much agree with the hon. Gentleman on the importance and role of the court. As I made clear in my opening answer, if we compare this system of post-conflict restorative justice with other mechanisms that have been used throughout the world, we can see that it is a highly cost-effective and realistic mechanism for delivering such justice. We are considering bringing forward the funding, and we are exploring ways of increasing our contribution. We are apprised of the importance of the court and are making strenuous efforts to persuade others to contribute as we are doing.

Kashmir

13. **John Mann** (Bassetlaw) (Lab): If he will make a statement on the prospects for peace in Kashmir. [144051]

The Minister for Trade and Investment (Mr. Mike O'Brien): We welcome the recent ceasefire along the line of control, agreed by both India and Pakistan, to improve their relations. Last week, I visited the line of control and the Kashmiri communities close to it, and the human significance of the ceasefire was clear. I visited a school that had been closed for months following shelling but has now reopened. Shops, too, were reopening. I hope that sustained efforts by both India and Pakistan to address each other's concerns will pave the way for a process aimed at settling all their outstanding differences, including the issue of Kashmir.

John Mann: Considering our long-standing friendship with both Pakistan and India, and considering that the world's attention has been focused on other areas in recent times, will the Minister assure the House that we will use our unique friendship in every possible way to help to promote the process that is beginning to emerge there, and to ensure that no terrorist of any kind who wishes to break the agreement is given haven in this country?

Mr. O'Brien: We will use our friendship with both India and Pakistan to try to advance the discussions that are taking place between them. They must work through the process themselves, but we will help wherever we can. Our view on terrorism is well known: it is that terrorism in any circumstances is unacceptable, and we oppose it strongly.

Hugh Robertson (Faversham and Mid-Kent) (Con): Given that nuclear instability is one of the most serious threats to world peace, and given that it is most likely to occur between India and Pakistan, can the Minister tell us what progress the Foreign Office has made in connection with the development of a nuclear doctrine between the two countries?

Mr. O'Brien: I welcome the hon. Gentleman to his new post. I hope that he will enjoy his time there, and that we will enjoy his being there.

We urge the Governments of both Indian and Pakistan to accede to the non-proliferation and the comprehensive test ban treaties immediately and without conditions. We hope that they will also develop a doctrine on the handling of nuclear weapons that involves a level of controls. We are concerned about the way in which controls are imposed in both India and Pakistan, to some extent. We have discussed the issue with them and there have been substantial improvements, but I am sure they would agree that we can always seek further improvements in nuclear doctrine.

Zimbabwe

15. **David Taylor** (North-West Leicestershire) (Lab): If he will make a statement on the security situation in Zimbabwe. [144054]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): The security situation in Zimbabwe remains tense. There is currently political and social unrest, coupled with deteriorating economic conditions. Nationwide strikes, "stayaways" and demonstrations earlier this year have led to confrontations with the security forces, violent incidents and arrests. We monitor the security situation closely, and regularly update our travel advice to reflect changing circumstances.

David Taylor: Robert Mugabe presides over a country in which democracy is dying, the economy is in tatters, and social strife is endemic. Does the Minister agree that following Zimbabwe's withdrawal from the Commonwealth its President will feel even less accountable to the international community, and that consequently human rights and the rule of law will be even more battered? What plans are there to protect the remaining British community from such a maelstrom if it does occur?

Mr. Mullin: We have contingency plans in case the situation deteriorates further, but they are just that—contingency plans. We see no particular threat at present to the remaining members of the British community in Zimbabwe, although, as my hon. Friend says, the situation is bad and is deteriorating.

Middle East

16. **Mr. Tom Harris** (Glasgow, Cathcart) (Lab): When he next expects to visit Israel and the West Bank. [144056]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The Foreign Secretary has no immediate plans to visit Israel or the West Bank, but he is in frequent contact with members of the Israeli Government and the Palestinian Authority.

Mr. Harris: Will my hon. Friend join me in welcoming Prime Minister Sharon's latest statements to the effect that he is prepared unilaterally to dismantle some Israeli settlements on the West Bank and in Gaza, regardless of the success or otherwise of bilateral talks with the Palestinians? Does he, however, share my concern about the fact that every time we are anywhere near the creation of a viable Palestinian state and a secure Israel, measures and discussions are derailed by terrorist actions on the part of Hamas and Islamic Jihad? What support can the Government give the Palestinians and the Israeli Government to ensure that future talks are not derailed in a similar fashion?

Mr. Rammell: I welcome any indication of moves in support of the implementation of the road map on either side in this tragic dispute. That means that the Palestinian Authority must take action to tackle terrorism, but also that Israel must fulfil its commitment to freeze all settlement activity and remove settlement outposts. While we understand Israel's legitimate security concerns, I think that the building of a fence on occupied land is unlawful and is not helping.

Middle East

17. **Mr. Nick Gibb** (Bognor Regis and Littlehampton) (Con): If he will make a statement on his policy in the middle east. [144057]

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The Government are fully committed to the clear objective of two states—Israel, and an independent, democratic and viable Palestinian state—living side by side in peace and security. The road map to peace remains the way to achieve this vision, as agreed by the parties and the wider international community, and as underlined in UN Security Council resolution 1515.

Mr. Gibb: Although we all know that the best option would be one involving no need for a security fence in Israel, does the Minister accept that since its construction there has been a marked decrease in terrorist attacks on Israel, and that most of the 14 suicide bombers who have been caught there in the past three months have come from the southern region of the West Bank, where there is no security fence?

Mr. Rammell: I fully understand the security concerns of Israel and the Israeli Government, but I do not believe that the building of a wall or fence in occupied territories helps in this regard; nor does the impact on Palestinian communities help to take matters forward. We need movement on both sides: the Palestinian Authority must tackle terrorism, and the Israeli Government must implement their commitments under phase 1 of the road map.

Air Transport

12.31 pm

The Secretary of State for Transport (Mr. Alistair Darling): With your permission, Mr. Speaker, I would like to make a statement on the future of air transport.

Today, I am publishing a White Paper that sets out the strategic framework for development for the next 30 years, against the background of wider developments in air transport. It is necessary to look ahead over a 30-year time scale. It is essential that we plan ahead to meet the pressures that we know we will face as a result of a growing economy, and in a world where people can, and will want to, travel more for business and leisure. Only the Government can provide such a framework to enable everyone to plan ahead.

First, let me set out the context. Air travel remains crucial to our growing economy. Some 200,000 jobs depend on it directly, and some 600,000 indirectly. There has been a fivefold increase in air travel in the last 30 years; indeed, half the population flies at least once a year. The growth in passengers travelling in the low-cost, no-frills sector has been dramatic. Five years ago, just 7 million people flew on low-cost airlines; this year, we expect the number to reach 47 million. A third of the goods that we export by value go by air, and that figure is increasing. Indeed, the amount of air freight at UK airports has doubled since 1990.

The Government recognise the benefits that the expansion of air travel has brought to people's lives and to this country's economy. Its increased affordability has opened up the possibility of travel for many people, and provides the rapid access that is essential to many modern businesses. But we have to balance those benefits against the serious environmental impact of air travel, particularly the growing contribution of aircraft emissions to climate change, and the significant impact that airports can have on those living nearby. That is why the Government remain committed to ensuring that, over time, aviation meets the external costs that it imposes. The White Paper sets out proposals to tackle aviation's greenhouse gas emissions by bringing it within the European Union emissions trading scheme. And the Government will continue to play a major role in seeking to develop new solutions and stronger actions by the appropriate international bodies.

The White Paper also makes it clear that we will legislate to strengthen and clarify the powers to control noise at airports, and to allow us to direct airport operators to levy higher charges on more polluting aircraft. Similar charges in relation to noise have helped to bring about significant noise reductions at the major London airports. But we can, and will, do more to reduce both noise and air pollution.

Some of our major airports are already close to capacity, so failure to allow for increased capacity could have serious economic consequences. But that must be balanced by the need to have regard to the environmental consequences of air travel. Simply building more and more capacity to meet demand is not sustainable. Instead, a balanced approach is required that recognises the importance of air travel to prosperity, but which seeks to reduce and to minimise the impact of airports on those living nearby and on the natural environment.

I should also make it clear that the White Paper cannot, by itself, authorise any particular development, but it does set out a policy framework for future decisions. In the light of the White Paper it is for individual airport operators to bring forward proposals that will then be subject to the usual planning process. The White Paper sets out a strategic framework for the development of airport capacity. It sets out our conclusions for every part of the country and copies will be available from the Vote Office in the usual way; and I have also written to every Member setting out our proposals in more detail.

Let me set out the Government's conclusions. First, in Northern Ireland, as elsewhere, there has been a rapid increase in air travel. We support the development of Belfast International airport within its existing boundaries to serve forecast demand. The Northern Ireland authorities should be prepared to review the planning agreement affecting traffic volumes and operational hours at Belfast City airport. They will also want to consider with the Irish Government the future of the City of Derry airport.

In Wales, in conjunction with the Welsh Assembly Government, we have concluded that Cardiff should remain the main airport for south Wales. It has experienced rapid growth, and extra terminal capacity will be needed as well as measures to improve access to the airport by both road and public transport. We also want to see the development of centres of excellence for aircraft maintenance work both in south Wales and the west of Scotland, as well as in the north-east of England and elsewhere.

We received proposals for a new airport in south-east Wales, but we have concluded, for the reasons set out in the White Paper, that they would not be viable. Instead, we prefer to see development at Cardiff and Bristol. Domestic air services make a major contribution to economic development, so the Welsh Assembly Government are to consider new internal services within Wales, potentially supported by public service obligations. They are also looking at setting up a route development fund, similar to the one operated by the Scottish Executive, which could support new services from Wales. We are asking some English regional development agencies to consider similar funds for regional airports.

Because services to London airports, particularly Heathrow and Gatwick, are so important to Northern Ireland, Scotland and the south-west and north of England, we are setting out proposals for imposing public service obligations in well-defined circumstances, to protect landing slots for services that are vital to the continued economic development and prosperity of those areas.

In Scotland, we and the Scottish Executive anticipate that additional runway capacity will be needed in the central belt, probably around 2020, so we propose to safeguard land at Edinburgh for a second runway, together with the associated expansion of terminal buildings. We also recommend that consideration be given to protecting land at Glasgow for a possible new runway; and we also support safeguarding land for terminal expansion. The Scottish Executive have published plans to improve surface access to both Glasgow and Edinburgh airports. The White Paper also

[Mr. Alistair Darling]

sets out proposals that would allow for continued growth at Aberdeen, Prestwick and Inverness. We see no case for a new airport in central Scotland.

In the north of England, we support the development of additional terminal capacity at Manchester, provided that the noise impacts from increased use of the airport are rigorously controlled. We agree that the airport at Liverpool should expand as projected and the runway be lengthened in the future, subject to the conditions set out in the White Paper. We also support plans for expansion of terminal facilities and runway extensions at Newcastle, Teesside and Leeds-Bradford.

In the midlands, we consulted on the option of a new airport to be built between Coventry and Rugby. I can tell the House that, for reasons set out in the White Paper, we do not support developing that new airport. The Government believe that we should make the best use of existing airport facilities and support the growth of existing regional airports, given their importance to economic development and prosperity. Birmingham airport provides an important regional base for a number of airlines and has an expanding long-haul market. Traffic is set to grow, and we support the case for a second runway at Birmingham, to be built probably around 2016, subject to stringent limits on noise.

East Midlands airport is the third largest freight airport in the United Kingdom and is rapidly establishing itself as the largest dedicated freight airport. We therefore support the projected expansion of both passenger and freight traffic at East Midlands airport. We see no need for a second runway at East Midlands, but we will keep it under review in the light of growth in freight and passenger traffic at the airport. As with other airports, we have set out proposals to establish stringent noise controls and to provide mitigation and compensation in relation to noise, and also to deal with blight.

In the south-west, we support the development of Bristol International airport, including a runway extension and new terminal when needed. However, we do not support the option of a new airport north of Bristol. We also anticipate the need for development of more terminal facilities at Bournemouth, as well as future development at Exeter and Newquay.

In Plymouth, the options, including the case for a new airport east of the city, need to be explored further by the local and regional authorities. Proposals for development at a number of smaller airports throughout the country are also dealt with in the White Paper.

I now turn to the south-east of England. The issue of airport capacity in the south-east is significant for the whole of the country. Although the vast majority of travellers using the main London airports are travelling to or from the south-east, the whole of the United Kingdom depends on the range and frequency of services from those airports.

The pressure on existing capacity is already more severe in the south-east than in the rest of the country. At the same time, it is the most densely populated part of the UK. As a result, the pressures from competing land uses and the likelihood of airport growth affecting people are greater too.

Therefore, we must strike a balance between the undoubted importance to future prosperity and the local environmental impact of development. Again, our first priority is to make the best possible use of existing runways that will provide some much needed capacity. That is why we support proposals to make best use of the existing runways, including development to make the maximum use of a full-length single runway at Luton. However, this will not be enough to meet the pressure that will arise over the next 30 years.

In line with the balanced approach that I have already set out, the Government believe that, over the next 30 years, there should be two new runways in the south-east. The first new runway will need to be completed within a decade, but work also needs to start on planning for a second runway, to be built probably around 2015 to 2020.

I shall now set out our conclusions. First, we consulted on the possibility of building a new airport at Cliffe. I have concluded, taking all relevant factors into account, that we do not support an airport there.

Stansted has seen very substantial growth in passengers in recent years. This year, it is expected to handle nearly 19 million passengers, compared with fewer than 7 million only five years ago. Despite that growth, the number of people significantly affected by noise fell by 70 per cent. between 1998 and 2002. There is likely to continue to be strong growth in demand at Stansted and, at current rates of growth, its runway capacity would be used up within a few years. A second runway at Stansted would provide very substantial runway capacity in the south-east, and generate large economic benefits. However, like any such development, it would have significant local environmental consequences.

The local economy is already set to grow strongly. We believe that the Government's objectives for regional economic development would be complemented by an expansion of Stansted. On balance, we have therefore concluded that the first new runway in the south-east should be developed as soon as possible at Stansted airport, expected to be opening around 2011 or 2012. Surface access will need to be improved and, cf course, there will need to be strict environmental controls as set out in the White Paper.

Heathrow is the UK's major hub airport. It competes primarily with major continental airports such as Amsterdam, Frankfurt and Paris. It enables London and the south-east to compete for investment and growth. In addition, London has one of the strongest local catchment areas for international air travel in the world, especially in the finance and business services sector, which rely on global markets and good international communications. Moreover, Heathrow directly or indirectly supports nearly 100,000 jobs. It is a prime driver of the west London and the Thames valley economy.

Without additional capacity, Heathrow's route network will tend to reduce over time, most likely to the advantage of other international hub airports in northern Europe. There is, therefore, a strong economic case for securing the large economic benefits through the addition of a new runway at Heathrow. However, at the same time, that has to be balanced against the substantial environmental impacts at Heathrow.

Although today's jets are 75 per cent. quieter than in the 1960s, and although the number of people affected by severe noise has reduced over the years, noise impacts at Heathrow are many times worse than at other UK airports. The most difficult issue confronting expansion at Heathrow concerns how to ensure that air quality nearby is kept at acceptable levels, and to achieve compliance with the mandatory air quality limits for nitrogen dioxide that will apply from 2010.

That is why we said last year that development at Heathrow could be considered only if the Government were confident that levels of all relevant pollutants could be consistently contained within EU limits. Having considered all these matters, the Government have concluded that there is a strong case for a third runway at Heathrow, once we can be confident that that key condition in relation to compliance with air quality limits can be met. We judge that there is a substantially better prospect of achieving that condition in the 2015–20 period, provided that we take action now to tackle the nitrogen dioxide problem, which is work that should be done in any event.

Our support is also conditional on measures to ensure that the total area within the 57 dB noise contour should not increase from last year, as well as on improvements to surface access. We will therefore institute immediately with the airport operator, and relevant bodies and agencies, a programme of action to consider how those conditions can be met to enable the addition of a third runway. For the meantime, the White Paper sets out proposals to work up measures to increase capacity at Heathrow using its existing runways, subject to further consultation and strict environmental controls.

At Gatwick, the Government will not seek to overturn the legal agreement that prevented the construction of a second runway there before 2019. However, land will continue to be safeguarded for possible further development at Gatwick in case the conditions attached to a runway at Heathrow cannot be met. The White Paper also sets out stringent environmental conditions that we expect operators to meet and other proposals to limit and mitigate the impacts that aviation has on the environment, including its impact on global warming.

We are setting out proposals for the development of air transport for a generation. It is essential that we plan ahead now: our future prosperity depends on it. The policies set out in the White Paper will support economic prosperity throughout the United Kingdom; will enable people to make flights at reasonable costs; and will control and mitigate the environmental impacts of aviation. I commend this statement to the House.

Mrs. Theresa May (Maidenhead) (Con): I thank the Secretary of State for prior sight of his statement. This is an important day for the future of our aviation industry, and he is right that important decisions must be taken to set the framework for the industry's future if it is to continue to contribute successfully to the UK economy. But decisions taken today are also crucial for those millions of people who live close to an airport or underneath a flight path, and for the quality of our environment. A difficult balance has to be achieved between competing needs. That is why the Government's decisions need to give clarity and certainty for all involved.

Far from setting a clear way forward for air transport in the UK, today's announcement is a fudge from an incompetent Government, which will deliver only blight to millions of people living around airports across the country. Indeed, anyone living around any of the airports in the south-east is now faced with indefinite uncertainty.

Let us look at the Government's incompetence. They have already been forced by the courts to extend the consultation because they failed at first to include Gatwick in their proposals. The Environmental Audit Committee, noting that the airports consultation did not include a formal environmental impact assessment, went on to say:

> "We regard the absence of concise, transparent and strategic integrated appraisals as a major weakness in the consultation documents. The Department's failure in this respect conflicts with its own guidance. As a result it is impossible to assess the overall benefits of different degrees of expansion—or the relative benefits and disbenefits of regional expansion *vis-à-vis* expansion in the South East".

When Birmingham Airport proposed a new short runway, the Department refused to re-issue consultation documents and include the plan in its public consultation, so the voice of local people on that proposal was not heard. Today the Secretary of State has announced precisely the proposal on which the people of the midlands were not consulted. Does he accept that the Government's failures in the consultation process now make it certain that there will be legal challenge to their decisions, thus blighting the lives of millions of people with years of further uncertainty?

The Government's incompetence is all too clear elsewhere. The Secretary of State says that Heathrow will expand when the emissions problem is solved. But there is nothing in this statement that explains how the Government propose to solve that problem. On page 122 of the White Paper, he says that he has

> "no plans for further motorway widening"—

in that area. He also says:

> "The solution will need to be based on improvements to public transport."

Can he confirm that he is announcing no improvements to public transport to bring that about?

The Eyre airports inquiries 1981–83 reported on a possible second runway at Stansted, concluding that it

> "would be an unprecedented and wholly unacceptable major environmental and visual disaster".

Is the Secretary of State now reversing that judgment and, if so, what has changed to make him do so? *[Interruption.]* On page 115 of the White Paper, the Secretary of State said that Stansted enjoys— *[Interruption.]*

Mr. Speaker: Order. Hon. Members are unfair to the hon. Lady. She is entitled to put her case to the House— *[Interruption.]* Order. The Secretary of State was heard; the hon. Lady must be heard.

Mrs. May: On page 115 of the White Paper, the Secretary of State said that Stansted enjoys good transport connections by road and rail. Has he tried them recently?

[Mrs. May]

The Government support a new runway at Stansted where the growth has been in low-cost airlines, yet building the runway would mean putting up charges, thus driving away those low-cost airlines. The Government have said that commercial viability is a hurdle that must be cleared by developments on new or existing airport sites, yet the British Airports Authority has told the Government that an extra runway at Stansted would not be commercially viable without cross-subsidy from Heathrow and Gatwick. BAA may well find either that it cannot fund or that it cannot afford a new runway at Stansted in the near future. Given that the Government are making expansion at Stansted a pre-requisite for expansion of capacity in the south-east, what do they propose to do if the funding is not available?

The Government are proposing a new runway at Stansted which local people do not want, large airlines do not want to use, and low-cost airlines may not be able to afford to use. Just who will use a new runway at Stansted?

Not only have the Government not made the proper assessments on which to base their decisions, but it is clear that their right hand does not know what the left hand is doing. At the same time as the Secretary of State for Transport is proposing a new runway at Stansted; the Deputy Prime Minister wants to build tens of thousands of new homes in the Stansted-M11 corridor. One Department says that it is okay to build a runway because there are not many people in the area, yet another Department says, "Let's put people there".

Lack of joined-up thinking between Departments is one thing, but lack of joined-up thinking within a Department is quite another. Today, the Department for Transport announced plans to increase passenger numbers at Stansted, Birmingham, Heathrow and possibly East Midlands and Gatwick. That will need better roads and railways to get people to and from the airports, yet the same Department for Transport has made no provision for building those roads and railways.

In Birmingham, the Department has shelved plans for an expansion of the M42—the very road that will have to take traffic to and from an expanded Birmingham airport. At peak times, the hard shoulder already has to be put into use. Getting to Birmingham by rail depends primarily on the west coast main line, yet only last week the Government shelved some of the planned improvements on that line. That is not a 10-year transport plan; it is not even a 10-day transport plan.

We need railways before runways. Will the Secretary of State confirm that no provision was made for that work in the 10-year transport plan, that the work needed would cost a total of £30 billion and that the Strategic Rail Authority does not have the money?

We were promised joined-up government; what we have is disjointed government. We were promised an integrated transport policy; what we have is a disintegrating transport system. We were promised decisions for the future of air transport; what we have from this incompetent Government are years of uncertainty and serious blight on the lives of millions of people.

Mr. Darling: I am sure that I cannot be the only Member of the House who wonders what Conservative policy on airports actually is. I shall not labour the point as I expect that we shall have many occasions to debate those things, but it occurs to me that if the hon. Lady is serious about being in opposition and about providing a credible alternative, she needs a policy on airport development.

The hon. Lady said that we made fudged decisions, yet she then criticised the detail of the decisions that we announced. She cannot have it both ways. This is the first time for about 30 years that a Government have looked at the long-term requirements for air travel, covering the whole country. We held consultations and listened to what people said and then we had to take difficult decisions. As will, I suspect, become apparent in the next hour or so, the decisions are difficult and controversial.

The hon. Lady mentioned Birmingham. I conclude from what she says that she is against expansion there, as she is against a second runway. However, looking ahead to about 2016, we believe that the airport will need a second runway to help it to develop and to help people living in the midlands who fly just as much as people elsewhere.

It would appear that the hon. Lady is against development at Heathrow, too. I listened to what she said about motorway widening and public transport; but at least we are actually spending money on improving public transport. She is against every penny of it.

On Stansted, it is perfectly true that in 1981 fewer than 1 million people were using the airport. Even five years ago, only 7 million people were using it, but this year it will handle 19 million passengers. Anyone who has ever been to Stansted, and I have been there by both road and rail—incidentally, we have just finished major improvement of the road into Stansted airport—will know that the airport is extremely crowded. That brings us to the nub of the hon. Lady's problem, which is, indeed, a problem that we must all face up to. Of course, increased air travel has environmental consequences, especially for people living close to airports; but at the same time, her constituents, my constituents—all our constituents—are, because of their increasing prosperity, choosing to fly more.

I do not say that we should meet all that demand—indeed, we are proposing less than is actually needed according to some views—but we cannot have a situation in which the Government take the easy option, as successive Governments have done in the past, of doing absolutely nothing and hoping for the best. The decisions are difficult and, yes, I have no doubt that there will be legal challenges—lawyers up and down the country will be rubbing their hands even as I speak—but it is the job of the Government to make decisions and to set out a clear strategy for the next generation. That is what we have done.

John Thurso (Caithness, Sutherland and Easter Ross) (LD): I am grateful to the Secretary of State for letting me have an advance copy of the statement.

The aviation industry is an important and successful contributor to the British economy, both in its own right and as a key driver of economic growth. However, we live in an age where we all accept that the commercial imperative must be balanced against environmental costs and social disruption. I therefore give the statement a very cautious welcome, albeit with considerable reservations, because it accepts that approach. I welcome the recognition of the importance of regional airports, especially their ability to take some of the load from the south-east and to help to manage demand.

Will the Secretary of State confirm the Government's commitment to ensuring that aviation meets its external costs, but will he tell us what "over time" means? Are the Government actively working to achieve that aim and when will the Secretary of State set a target date for its achievement? Will he also confirm his acceptance of the polluter pays principle with higher charges for aircraft that pollute more? What is he doing to extend the principle? For example, what is he doing to promote aviation fuel tax, as opposed to air passenger duty? That duty on passengers is equivalent to approximately 10p in aviation tax, yet it provides no incentive for operators to improve environmental performance.

I welcome the announcement that there is to be no airport at Cliffe, although as that was always a non-starter, I suspect that the proposal was a red herring to divert the attention of the environmental lobby. Does he accept our welcome for his statement that simply building more capacity to meet demand is not sustainable? I hope that he will confirm that that commits predict and provide as a policy to the dustbin.

As the Secretary of State said, it is necessary to plan ahead over a 30-year time scale, but has he not missed an opportunity to consider the long-term vision across all modes, particularly with regard to high-speed rail links? Does he accept that the growth in budget airlines is unsustainable and that the budget airline model is fatally flawed until such time as its costs are properly externalised?

Finally, on Heathrow, what assurances can the Secretary of State give that no development will be entertained until a sustainable environmental case has been made? Does he accept that further noise and pollution cannot be imposed on long-suffering residents of the surrounding area? My hon. Friend the Member for Richmond Park (Dr. Tonge) would have made that point had she not been giving the eulogy at a funeral as we speak. Will the Government accept that more could and should be done to manage demand as the essential tool for achieving sustainable growth for our aviation industry?

Mr. Darling: It would have been helpful—although perhaps it is not surprising in the case of the Liberals—if the hon. Gentleman too had a policy for dealing with the problem. The Liberals are in favour of air travel but not airports.

I welcome the hon. Gentleman's comments about regional airports, which are important. On airports in the south-east, it is worth bearing it in mind that about 80 per cent. of people travelling to and from them live in the south-east, so many of their customers are local. He is right that airports outside the south-east are important. That is why we support development at Birmingham, for example, because if people can fly from Birmingham and not London, that will take some of the pressure off London airports.

I also agree with the hon. Gentleman's remarks about aviation meeting its costs, which I mentioned in my statement. The polluter pays principle applies to aviation as much as it does to any other sector, but, as he ought to know, aviation fuel taxation is governed by international treaties. The Government have been arguing for some time that aviation ought to meet its costs, and we will continue to do so. Some of the measures that I announced today, such as giving power to airport operators to charge higher landing fees for more polluting aircraft, will be an incentive to airlines to clean up engines. I agree that predict and provide is complete nonsense—bearing it in mind that runways will be built by commercial operators and no one will build a runway on spec, just in case—and it has never been a policy that I have supported.

On rail links, the hon. Gentleman makes a perfectly good point. The channel tunnel rail link has carried 1 million passengers since the first high-speed line was opened in September—thanks to us rescuing it in 1998—and the CTRL now has more than half the travel market between London and Paris. That is an example of how it can help. He should be clear about managing demand, about which we may hear more. I am clear that, over time, aviation must meet its costs like any other sector, but when people talk about managing demand, in many ways they are talking about pricing people off aeroplanes. In that regard, he is getting himself into tricky waters, unless he proposes to march down the check-in queue at Inverness airport saying to people, "I can fly, but you can't."

John McDonnell (Hayes and Harlington) (Lab): This is the first time in 25 years of representing my constituents at local or central Government level that any Government have said no to the automatic expansion of Heathrow airport that has been demanded by the aviation industry. I thank my right hon. Friend for that. Many of my constituents will feel that we have won a decisive battle but not the war. What mechanism will he put in place to ensure the independent assessment of any aviation industry claims that it may have met the environmental conditions that he set out today for further expansion at Heathrow? What process does he envisage for undertaking the review of alternation at Heathrow?

Mr. Darling: There are two points in that. My hon. Friend will know that, following the terminal 5 inquiry, the airport operator, BAA, is already obliged to reduce nitrogen dioxide levels, and that work is in hand to do that. In relation to our evaluation methods, the Department uses a model that is widely accepted as accurate. In any planning inquiry—one would have to take place on a third runway at Heathrow—all the arguments and counter-arguments would be fully tested and explored.

I note my hon. Friend's comments, for which I am grateful, but there is a difficult balance to be struck at Heathrow. Clearly, there are big environmental problems, which is why I do not believe that we can authorise a third runway there now. He will be acutely

[Mr. Darling]

aware, as a west London Member, that Heathrow dominates the west London economy and is critical to the whole of UK aviation. That is why it is a difficult decision. In contrast to what the Opposition said, I believe that the Government must face up to such decisions and take them.

Mr. Mark Prisk (Hertford and Stortford) (Con): The decision to build at Stansted before Heathrow is perverse and will prove unworkable. It will be bad for aviation, bad for the country and bad for the environment. Given that, in 1985, the Government's own inspector concluded that a second runway at Stansted would, to use his words, be an environmental catastrophe, on what evidence is the Secretary of State now reversing that judgment?

Mr. Darling: In 1985, Stansted was used by a very small number of people, and I do not suppose that the inspector, Mr. Eyre, could possibly have foreseen that Stansted would this year handle 19 million passengers—*[Interruption.]* Hold on. The hon. Gentleman will know, because he knows Stansted airport, that the rise in use of that airport has been dramatic. When I made my statement, I told the House that, looking at the south-east of England, over the next 30 years, it needs two runways. Work needs to start on one now, as, on any view, it would be the end of the decade before the runway was available, and work also needs to start on the second one. If we do not do that, we will end up with increasing pressure to fly that we simply cannot meet. I remind the House that, if only Governments 20 years ago had had the sense to realise the pressures on our road and railway system, we would not have some of the problems that we have today. We need to plan ahead, and if he asks what the grounds are, they are set out in the White Paper.

Mrs. Irene Adams (Paisley, North) (Lab): I congratulate the Secretary of State on having the courage to take the long-term view on aviation. In relation to central Scotland, however, he proposes to safeguard land at Edinburgh airport for future runway and terminal expansion but only recommends that consideration be given to the same at Glasgow. That flies in the face of evidence taken from the CBI, Scottish business, BAA and anyone who was consulted on it. Can he tell me what the terms of that consideration will be? Who will make that consideration, and what is its likely time scale?

Mr. Darling: The position in relation to Glasgow is that Renfrew council, the local planning authority, will be asked to safeguard land for a possible second runway there. In the central belt of Scotland, there will be a need for one additional runway. All the evidence is that pressures will arise at both Edinburgh and Glasgow. On Glasgow, it has become evident since we started consulting that the use of Prestwick has increased dramatically, and that, in effect, the west of Scotland already has two runways, because Prestwick airport is taking traffic away from Glasgow. Whether Glasgow needs a second runway—we are talking about 2020—we do not know. It is sensible to safeguard development there because it would be foolish to rule it out. In any event, terminal development will be needed at Glasgow because its traffic is likely to grow.

All the signs are that the pressure on Edinburgh airport, which has increased dramatically in the last few years, will grow and grow. Clearly, BAA, which owns both airports, will have to decide what it wants to do. We have arranged in the White Paper that there is facility for expansion at both airports. I do not believe that we need two runways in the centre of Scotland—there is no justification for that—but we do need one. The position in Glasgow is being safeguarded, but what is happening with Prestwick and Glasgow means that there are effectively two runways operating in the west of Scotland now. That was not the case even four or five years ago.

Mr. Peter Ainsworth (East Surrey) (Con): The one thing that we were entitled to expect out of this lengthy and painful process was an end to doubt. Does the Secretary of State realise that he has produced a recipe for confusion and blight? What does he have to say to my constituents near Gatwick who will now not know for possibly a decade whether the airport will be expanded? If he has made a decision about Redhill aerodrome, I would be grateful to hear it because he appears to have ducked and dodged decisions on almost everything else.

Mr. Darling: I will forgive the hon. Gentleman because he cannot possibly have read the whole White Paper in the 40 minutes that it has been available. He will find that the Government do not think that Redhill should be expanded.

The hon. Gentleman will know that land to the south of the existing runway at Gatwick has been safeguarded for some time. That safeguarding must be continued and amended slightly in case there is development, but I made it clear right from the start that I did not think that the 2019 agreement should be overturned, and I confirmed that today. That is pretty certain.

Ms Candy Atherton (Falmouth and Camborne) (Lab): How much extra protection will be provided for the residents of Devon and Cornwall by today's announcement, given the economic importance of air links to Newquay and Plymouth?

Mr. Darling: I think that my hon. Friend is asking about PSOs—public service obligations—and as I said in my statement, the White Paper sets out the fact that the Government are prepared to step in to safeguard routes from the parts of the United Kingdom, including south-west England, that are further away from London.

Mr. Francis Maude (Horsham) (Con): It is disappointing that the Government have ruled out the long-term serious option of building new airport capacity on the coast, which is happening in most countries where that possibility exists. I am doubly disappointed that they have not removed the blight and uncertainty from any of the existing London airports—in fact, the problem is being compounded. Although the decision not to overturn the 2019 agreement on Gatwick is welcome, how long will it be before the Heathrow issue is resolved? Our constituents in West Sussex need the land that is being safeguarded for the housing that is being imposed on West Sussex by the Deputy Prime Minister. How long will it be before the uncertainty can be resolved?

Mr. Darling: The right hon. Gentleman is not exactly clear whether he wants the housing or not—I rather get the impression that he does not. He will know that the land is safeguarded now, that it has been safeguarded for some time and that it will continue to be safeguarded. I am grateful to him for welcoming the fact that we are not going to overturn the 2019 agreement, which would have been wrong. We have examined proposals for the development of coastal and estuarial airports, but, for the reasons set out in the White Paper, we do not think that we can proceed with them.

Mr. Alan Hurst (Braintree) (Lab): I hope that my right hon. Friend will accept that I am one lawyer who is not rubbing his hands with glee at today's announcement about Stansted. He will be aware of the disappointment and dread caused by the announcement of the expansion. He has already indicated that he is aware of the findings of the public inquiry, which unreservedly damned any second runway. What assessment has he made of the potential profitability of Stansted with a second runway without cross-subsidy from Gatwick and Heathrow?

Mr. Darling: As with any airport development, the private operator must finance airport construction, and, in the case of Stansted, BAA must make such a commercial judgment. I understand that it will say something further in the next few days, but it must decide whether it thinks the figures stack up commercially, and the Government will not step in and do that for it.

On my hon. Friend's first point, I accept what was the case in 1985, but aviation has changed dramatically in the past few years. As I said to the hon. Member for Hertford and Stortford (Mr. Prisk), even five years ago Stansted had very little traffic; now 19 million people use it. I also repeat the point that, after examining the south-east as a whole—one must examine it as a whole—one sees that it needs two runways in the 30-year period. For the reasons that we have set out, our judgment is that the first runway ought to be at Stansted and the second at Heathrow, provided that Heathrow can meet the conditions that we have set out.

Mr. Oliver Heald (North-East Hertfordshire) (Con): Mr. Speaker, your Deputy, the right hon. Member for Saffron Walden (Sir Alan Haselhurst), and his constituents have, like mine, fought tirelessly against the Stansted expansion. Does the Secretary of State accept that his decision will cause great misery in Essex and east Hertfordshire? How can he explain it to my constituents? It is not a commercial decision—the airlines and BAA have made that clear. It is not an environmental decision—the expansion was described as a catastrophe by the last inspector to examine it—and there is nobody to pay for the infrastructure. Who will pay for the necessary roads and railway links? He gives no answer. It is not good enough for him to talk about the new slip road because that was promised 10 years ago and it is just a catch-up.

Mr. Darling: The airport will be a commercial decision because BAA is responsible for financing and building it. The Civil Aviation Authority regulates cross-subsidy and similar issues between the London airports. I know what was said in 1985, but I have said to the hon. Gentleman and other Members that a lot has changed in the past 20 years. On surface access, the Government have a responsibility for both road and rail.

The hon. Gentleman raised a general point, which we shall return to time and time again, about what he should say to all his constituents. We must balance the fact that airport development has an environmental impact with the fact that more and more of us, including his constituents, are flying more. Such problems are difficult. When I started this process and said that we must press ahead, my senior officials told me that all my predecessors had backed off because the issue is difficult. I can well see why previous Secretaries of State have run a mile from this issue, but I would have been shirking my duty if I had not faced up to the difficulties and set out firm proposals to enable people to plan ahead.

Mrs. Gwyneth Dunwoody (Crewe and Nantwich) (Lab): The whole House will share with the Secretary of State the much-guarded secret of the expansion of airports in the south-east and welcome the expansion of the regional airports in particular. The reality is that those airports will require flights into Heathrow, which they regard as their lifeline. How will they be protected, will the passenger service obligations be used to ensure that they can fly to Heathrow and what estimate has he made of the cost of not developing Heathrow in the next 10 years? The commercial loss of business to continental airports will be very large. Would he like to tell us what it will be?

Mr. Darling: First, I am grateful for my hon. Friend's remarks about regional airports. I note that she has been entirely consistent because in 1985, which was the last time a Secretary of State came to the Dispatch Box and said anything about airport development, she said the same thing, and she is absolutely right.

The position on Heathrow is that, because of the mandatory requirements relating to nitrogen dioxide, we could not now authorise, approve or support the building of a third runway there. It is clear that, at the moment, a third runway would breach the mandatory NO_2 requirements, which is why we believe that work should start on reducing NO_2 It should start anyway because we should do everything that we can to reduce it. However, we should keep open the possibility for precisely the reasons that my hon. Friend set out and supports. I made it clear earlier that a third runway at Heathrow could be built provided that we can overcome the problems with air pollution. It would have been wrong for the Government to have said, "Yes, just go ahead now", while ignoring the environmental problems that undoubtedly exist at Heathrow.

[Mr. Darling]

On my hon. Friend's general point, nobody should be under any illusions: Heathrow is vital not only to the UK but internationally. It is one of the world's leading airports, which is why, no matter what the difficulties, we must do our level best to resolve those problems.

Mr. David Wilshire (Spelthorne) (Con): Does the Secretary of State accept that, on Heathrow, "wait and see" is the worst possible answer? My constituents want someone with the courage to say yes or no now. If he were to say yes, he would please just over half my constituents and if he said no, he would satisfy the rest, but instead he will upset them all, especially if he pursues the argument on runway alternation. Uncertainty on Heathrow is bad news. Those who believe that a new runway would safeguard their jobs will worry about redundancy and those who paid a high price for their house will worry that property values might fall. Those who want a better environment will wonder whether they will ever get it.

Mr. Speaker: Order. Many hon. Members want to speak, so they should ask only one question.

Mr. Darling: I am not sure which side of the great argument the hon. Member for Spelthorne (Mr. Wilshire) is on. The White Paper says unequivocally that the Government will support the development of a third runway at Heathrow once we are satisfied that it could meet our environmental obligations. That seems pretty clear to me.

Mr. Dennis Turner (Wolverhampton, South-East) (Lab/Co-op): Speaking on behalf of the 42 members of the west midlands regional Labour parliamentary group, I congratulate the Secretary of State on his firm rejection of a new airport in Rugby, which we opposed unanimously during the consultation. I warmly welcome his decision on Birmingham International airport because the group believes that that will assist the region to meet demand more locally, to generate benefits for economic development and to minimise environmental impact. Will he acknowledge our thanks from the west midlands and may I wish him a happy Christmas?

Mr. Darling: Let me see if I can answer that difficult question. I think that I find myself in total agreement with my hon. Friend.

Mr. John Taylor (Solihull) (Con): Does the Secretary of State realise that his proposal for Birmingham airport was not one of the four options on which my constituents were consulted? The consultation was therefore a sham and an insult to them, and the decision will be challenged.

Mr. Darling: As I said earlier, I am sure that there would have been the possibility of legal challenges up and down the country whatever we did, so we have to accept that. I hope that the hon. Gentleman accepts that the expansion of Birmingham airport will be required at some point in the long-term interest of the west midlands and Birmingham itself. It will probably need a second runway some time after 2016, so the questions will be where that should be and what should be proposed. The proposal that we are prepared to support has the advantage that it suggests a shorter runway than that originally proposed.

Mr. Taylor: It was not one of the options.

Mr. Darling: The hon. Gentleman must contain himself. The proposal represents a better solution, and surely we must all be in the business of providing better solutions for our constituents. If something better is on offer, that is worth looking at.

Mr. David Watts (St. Helens, North) (Lab): I welcome my right hon. Friend's support for regional services to Heathrow. He knows that many regional airports have lost their links, so will he consider how to restore links to airports such as Liverpool?

Mr. Darling: Yes, I am aware of that. The Government's first preference is for all services to be provided on a commercial basis because that represents the best way of ensuring their long-term success. As I said earlier, the Government will consider using PSOs, and the White Paper sets out the criteria under which we would decide whether they would be necessary.

Rev. Martin Smyth (Belfast, South) (UUP): I welcome the Secretary of State's comments on Belfast's airports but may I press him again on Heathrow, because we all recognise its importance? How much of the air quality pollution at Heathrow is due to long taxiing and the fact that planes must fly around for half an hour waiting for a slot?

Mr. Darling: There is no doubt that taxiing, aircraft circling Heathrow and aircraft having to wait a long time to take off contribute to pollution, but they are not the major source of the problem. There is an argument that additional runway capacity would mean that there might be less need for aircraft to run their engines when not taking off, but most of the pollution comes from the airfield itself and associated traffic movement around Heathrow. That is why we need to do more not only to get cleaner engines but to improve public transport links to Heathrow. The hon. Member for Maidenhead (Mrs. May) criticised me for not widening the M25 further, but I do not think that it could be widened much further there—for all I know, that is her policy. We must ensure that we bear down on pollution on all fronts, but we should do that anyway for the good of people living in west London.

Mr. David Marshall (Glasgow, Shettleston) (Lab): I welcome today's deliberate and sensible statement, especially the decision to build a third runway at Heathrow eventually. May I urge the Secretary of State not to allow any slippage and to ensure that the runway is built as soon as the conditions laid down are met, otherwise the UK as a whole will lose out further to Frankfurt, Charles de Gaulle and Schiphol as a result of Heathrow's limitations? I also welcome the protection of slots at Heathrow for Anglo-Scottish services, but will he assure the House that any final decisions on Edinburgh and Glasgow airports will be made on the basis of an absolutely level playing field?

Mr. Darling: Certainly, on the last point, yes. The point that my hon. Friend makes about links between the airports and London is important, so I am sure that he and others will welcome the fact that BMI British Midland yesterday announced a direct flight from Heathrow to Inverness, which British Airways took out of service several years ago, and more flights to Aberdeen. He is right about the risks relating to Heathrow. We have set out our proposals in the White Paper. People have every right to make their views heard on the planning process but I hope that we can make progress quickly for once in this country because otherwise we will pay a heavy price. That has happened with other transport modes, so I do not want it to happen on this matter.

Mr. John Maples (Stratford-on-Avon) (Con): I do not know whether the Secretary of State's decisions about Stansted and Heathrow are right, but he has certainly got the decision on Rugby right. Many of my constituents will be absolutely delighted that the proposal will not be imposed on them, because it would have ruined many aspects of their lives. May I tell him that all of us want a major international airport close to where we live, but not too close, so Birmingham will do just fine?

Mr. Darling: I am grateful to the hon. Gentleman and agree with him.

Alan Howarth (Newport, East) (Lab): If evidence emerges to show that the increase in capacity foreshadowed by my right hon. Friend today is insufficient to meet demand for long-haul passenger and cargo traffic, will the Government be willing after all to examine open-mindedly and seriously—without prejudice to the outcome—the benefits for aviation, the economy and the environment of creating a new international airport in south-east Wales complementary to the regional role of Cardiff airport?

Mr. Darling: We looked at the two proposals on south-east Wales and, as I said in my statement, the Government did not feel able to support them for the reasons that are fully set out in the White Paper. The White Paper sets out our view of what is necessary and it would be a trifle premature for me to revisit it only an hour after making my statement. I understand my right hon. Friend's point about development at Llanwern but, based on the information that we have, it is not a realistic option.

Mr. Eric Pickles (Brentwood and Ongar) (Con): The Secretary of State made much play of the economic advantage of air travel and of the numbers at Stansted. Surely the growth at Stansted is due to point-to-point travel and highly subsidised flights. Are we really going to tear up two public inquiries and a royal commission to preserve the economic importance of £7 flights to Prague or Eindhoven? Surely the economic case could be made for a hub operation in the United Kingdom. Given the difficulty that was experienced with establishing a hub at Gatwick, what makes him think that Stansted would be able to cope? Surely it is more likely that British Airways will decide to move many of its operations to Charles de Gaulle.

Mr. Darling: In relation to the hon. Gentleman's first point, we do not "highly subsidise" airlines. It is interesting that a Conservative Member should criticise the entrepreneurial flair shown by airport operators, and even more surprising that he should call for higher taxation for his constituents. We note that point and no doubt will return to it often.

There is a lot of point-to-point flying at Stansted, but it is increasingly being used as a low-cost hub, with people flying to it and then flying on to other places. I have made my position clear. South-east England needs two runways. The first should be at Stansted for the reasons stated in the White Paper. We also need to consider Heathrow, again for the reasons that we stated.

Ann Keen (Brentford and Isleworth) (Lab): I, too, thank my right hon. Friend for taking note of the environmental impact that a third runway would have on my constituents. I acknowledge the work that campaigning groups, in particular the London borough of Hounslow, have done on that. Does he agree that we need to consider the noise impact on schools in the London borough of Hounslow? I would appreciate it if he could meet me to consider ways in which BAA can assist those schools.

Mr. Darling: My colleagues and I have always made it clear that we are happy to meet our colleagues on both sides of the House. That remains the case and I am happy to meet my hon. Friend, who has already expressed her concerns to me about the environmental impact on the area surrounding Heathrow. She recognises that there is a difficult balance to be struck between the importance of Heathrow to her constituents as an employer and economic driver, and the environmental impacts. She has also raised with me the problem of noise, especially as it affects schools and hospitals. Proposals are set out in the White Paper and we are due to consult generally next year on the noise regime at Heathrow.

Pete Wishart (North Tayside) (SNP): I welcome the announcement that no one Scottish airport will be favoured over any other, but surely many Scottish air services, especially those that go beyond Edinburgh and Glasgow, will be dumped at Stansted. What reassurances has the Secretary of State received that that will not be the case?

Mr. Darling: If I were the hon. Gentleman, I would not use the term "dumped". The last time I was at Stansted, many of our fellow countrymen seemed only too happy to be there, not necessarily because they were bound for Essex, but because they were bound for sunnier climates.

The hon. Gentleman would have been better off making a point on PSOs. He will know from his constituency that there is concern about those. The Government have set out proposals to ensure that there are maintained links and adequate levels of supply between the north and the west so that people there can

[Mr. Darling]

get access into the London airports. I am seized of that point, but the hon. Gentleman should be cautious in what he says about Stansted. I know he and his colleagues have a problem with things south of the border, but they are not all bad.

Lynne Jones (Birmingham, Selly Oak) (Lab): What are the Government doing to bring about international agreements on the liberalisation of long-haul traffic to reduce the number of unnecessary international connecting flights, which constitute a large proportion of the throughput at Heathrow airport? Although my right hon. Friend is correct in saying that the taxation regime on aviation fuel for international journeys is subject to international agreement, that is not the case for domestic flights. Will he consider imposing a taxation regime to raise the revenue stream to enable much bigger investment into high-speed rail links?

Mr. Darling: I welcome my hon. Friend's commitment to liberalising markets. I had not realised that that was where she was coming from. I am slightly taken aback, but I think we can all agree on that approach.

The Government are supporting talks between the European Union and the United States to get a genuine open skies agreement across the Atlantic, because that would be hugely beneficial for people on both sides of the ocean. I suspect, however, that it will take time.

My hon. Friend is right that fuel taxation is dealt with by international treaty. We are taking a lead in trying to ensure that aviation does, over time, meet its costs. On domestic flights, my hon. Friend is right up to a point. We charge air passenger duty, for instance, which brings in about £900 million. However, she is no doubt aware that if we acted unilaterally, airlines would go to a more benign regime, from their perspective, to fill up their aircraft and come back. I am not sure that that would be a desirable outcome.

Mr. John Randall (Uxbridge) (Con): The Secretary of State said that the proposals are for a generation, but for those of us living under the shadow of Heathrow, they will be a blight on another generation. Does he agree that the air quality limits will probably be more stringent in 2015? Will the amber light that he gave to a third runway at Heathrow be for a short runway, as suggested in the consultation, or will it be for something else?

Mr. Darling: It is for a shorter runway. During the consultation process, BAA produced proposals to ensure that the runway does not take as much land as originally planned. On Heathrow itself, more stringent environmental conditions may be in place in future, but I do not know what they will be. I do, however, know what they are for 2010, which is why we have to be cautious.

Like many MPs who represent areas around Heathrow, the hon. Gentleman has to balance the environmental impact with the fact that Heathrow is the major employer in west London. The prosperity of west London and the Thames valley depends on it. Given that Heathrow is in competition with Paris, Amsterdam and Frankfurt, we must do everything we can to ensure that that airport continues to compete in the future. It is a difficult balance to strike, but we have tried to strike it. I appreciate that the decision will be controversial, but we are doing the right thing both on the environmental front and with regard to the future economy of west London.

Sandra Osborne (Ayr) (Lab): I thank the Secretary of State for listening and for recognising so clearly that Glasgow has two airports, one of which is Glasgow Prestwick international airport, which has spare capacity that can and should be utilised. I also welcome his comments on aircraft maintenance. He knows that that is creating many jobs in my constituency and I hope that it will create many more in the future. Has he given consideration in the White Paper to the important role of freight at Glasgow Prestwick international airport?

Mr. Darling: On the last point, I have considered freight. My hon. Friend will know that there has been substantial growth in freight transport at Glasgow, Prestwick and Edinburgh. The three Scottish airports are developing quite a big freight trade.

My hon. Friend rightly draws attention to something that is a problem on the west coast for some of our colleagues. The west of Scotland already has two runways, which is why I said what I did about Glasgow airport to my hon. Friend the Member for Paisley, North (Mrs. Adams). There is no doubt that part of Prestwick's increased traffic is coming out of Glasgow airport. We have to face up to that. It is a quite good thing. My hon. Friend's work, and that of others, in promoting Prestwick has been worth while. The House will remember that not so long ago Prestwick was threatened with closure. It is now doing very well, although the strength of its case has resulted in its being a genuine second west and central Scotland runway.

Norman Baker (Lewes) (LD): I thank the Secretary of State for his announcement on Gatwick, which will be popular in my part of the world. He also mentioned a big expansion of air travel in the UK. On the anticipated effect of his proposals on greenhouse gas emissions, he will know that emissions were expected to double between 1990 and 2010 and, before long, 25 per cent. of CO_2 emissions will be from air travel. Will CO_2 emissions go up or down as a consequence of his proposals? He says that he wants to ensure that the full environmental costs are met over time. Why is that time not now? What time scale is he applying? Why have the discussion proposals in the aviation and environment paper of March 2003 been kicked into touch for the foreseeable future, on page 41 of the White Paper?

Mr. Darling: In relation to the international discussions, I cannot tell the hon. Gentleman when they will be finalised because they depend on international agreement. In common with just about every other country in the world, we are signatories to the convention and have to reach international agreement. In relation to reducing emissions, I said that we will make it a priority in our presidency of the European Union to bring aviation within the European emissions trading scheme. That will be a significant help. I also said that we will introduce legislation to enable airport operators to impose higher charges for the more polluting aircraft. That will help as well. It has helped with noise already in the London airports. A number of things are being done that I think will reduce aircraft emissions.

The hon. Gentleman and others are right that we must balance the need to ensure that people can travel, because our economy will depend upon it, and the need to ensure that we are alive to the environmental consequences.

Andy King (Rugby and Kenilworth) (Lab): I thank my right hon. Friend for his clear and categoric statement in the White Paper, at page 92 of which he clearly acknowledges that full account has been taken of the almost uniform opposition to the proposal for a new airport at Rugby, as well as a number of concerns raised in the consultation document. In addition, he refined the options during the consultation, taking into account the concerns of the people of Birmingham. We thank him for his support of Birmingham airport as well. Will he say once again that the Government rule out once and for all the option of that new hub airport in the midlands? Thank you.

Mr. Darling: I am grateful to my hon. Friend for his thanks. I do not think that I could have made the position any more clear than I did in my statement. I know that he has worked tirelessly against the proposal. Having examined all the evidence and having considered what people had to say, I am clear that the right thing to do was to ensure that we allowed for expansion in the west midlands, but that it should be at Birmingham.

Mr. Anthony Steen (Totnes) (Con): Is the Secretary of State aware that his thought-provoking statement deals with making better use of runway space at Heathrow—not building a new runway but perhaps opting for mixed-mode use, pioneered by British Midland in 1990, which will give much more opportunity for airlines to land without the building of a new runway? Is that what he is proposing in his White Paper? Will he confirm that he will not allow cross-subsidisy from Heathrow to Stansted to finance what Stansted wants to do? Will he ensure that BAA opens to competition any new building of terminals?

Mr. Darling: Cross-subsidy is a matter for the Civil Aviation Authority, which regulates these matters. On the mixed-mode operation at Heathrow, the hon. Gentleman will no doubt be aware that there is a limit on air traffic movements. If mixed mode were to be pursued and if the limit were to be breached, there would have to be consultation. I think that a limit was laid down of 480,000 movements. Mixed mode, depending on whether it was peak hour or all the time, would have an impact on that. It would need to be discussed.

Alan Keen (Feltham and Heston) (Lab): I thank my right hon. Friend and the Government for embarking on a planning exercise. It is a long time since a major industry saw Government involvement in planning. May I thank my right hon. Friend for listening to my constituents, and remind him that there were no page numbers for the Opposition spokesman to quote last time there was a major expansion at Heathrow because there was no Government involvement, no planning and no consultation? I much appreciate what my right hon. Friend has done this time.

If there is any thought of mixed mode at Heathrow airport, I ask my right hon. Friend to listen to us before deciding to use the northern runway for take-offs to the east for the 25 per cent. of the time that takes place. The Cranford agreement has prevented that for the past 30 to 35 years. It is unacceptable for my constituents in Cranford to have planes taking off over the top of them when they are so close to the end of the runway.

Mr. Darling: As I was saying to the hon. Member for Totnes (Mr. Steen) a few moments ago, partly because mixed mode may well result in an increase in aircraft movements, it will be necessary to consult. I am also aware of the Cranford agreement, which has been in place for a long time. I appreciate what my hon. Friend has said. He, like many others, has made representations arising from his concern about the environmental impact. I welcome what he said about the importance of the Government being clear as to where they stand—who knows, we might one day find out where others stand.

Mr. Crispin Blunt (Reigate) (Con): I thank the Secretary of State for his unequivocal rejection of Redhill and the claims made for it by the promoters, including the claim that local people were indifferent. Is he aware that that means that I shall not have to pass on to him 6,000 letters, on behalf of about 10,000 of my constituents, which are sitting in my office as part of the consultation process?

May I ask the Secretary of State about the position of Gatwick as the reserve if development at Heathrow cannot go ahead? Has he not opened up the possibility that he will end up with three two-runway London airports as the end product if development at Heathrow is not possible? Will he answer two specific questions? Would it not have been better for that reserve position to be a third runway at Stansted, given that he will in any case have to build the infrastructure to get a second runway at Stansted? Secondly, how long will the people around Gatwick have to wait before they know whether a third runway at Heathrow is feasible?

Mr. Darling: If the hon. Gentleman had had a mirror he would have been fascinated to see the expressions of some of his colleagues sitting behind him. No, we do not think that there should be a third runway at Stansted. As for Gatwick, our position is that we think that in the south-east of England over the next 30 years there needs to be two new runways. That remains our position. In relation to Redhill, I will be extremely grateful to the hon. Gentleman if he keeps the 6,000 letters. I think I speak on behalf of my staff at the Department for Transport when I say that they will be even more grateful than me, given that they have already dealt with many thousands of letters. If the hon. Gentleman can see his way to storing the 6,000 letters in his office, I think my staff will be very grateful.

Points of Order

1.46 pm

Mr. Hugh Robertson (Faversham and Mid-Kent) (Con): On a point of order, Madam Deputy Speaker. Last week I tabled a series of written questions, four to the Ministry of Defence and five to the Department for Environment, Food and Rural Affairs, all of them on specific issues that had been raised by my constituents. They were all due to be answered under the named-day procedure on Monday 15 December. Eight of the nine questions came back with the answer "I will answer shortly." Many of them do not involve particularly complicated issues. Bearing in mind the fact that the House is due to rise in two days' time, can you tell me what action I can take as a Back Bencher to pursue these legitimate concerns on my constituents' behalf?

Madam Deputy Speaker (Sylvia Heal): I can only advise the hon. Gentleman that his point will have been heard and will be on the record. It is to be hoped that the Minister will be able to respond.

Sir Patrick Cormack (South Staffordshire) (Con): On a point of order, Madam Deputy Speaker. As you will know, I am not one who likes in any way to imply criticism of the Chair. However, we have just had a lengthy statement that affects Members in many parts of the country, and there has not been a proper geographical balance in the Members who have been called. I would hope that that could be recorded.

Madam Deputy Speaker: Certainly.

Matthew Green (Ludlow) (LD): Further to that point of order, Madam Deputy Speaker. More than 24,000 individual letters were sent to Members from the Halfpenny Green or Wolverhampton business airport in the constituency of the hon. Member for South Staffordshire (Sir Patrick Cormack). No Member from the area was called following the statement, although many of them were standing. Can we not have a future statement on the matter?

Mr. Peter Lilley (Hitchin and Harpenden) (Con): Further to that point of order, Madam Deputy Speaker. Given that Luton, the first airport in the south-east to which the Secretary of State referred, is the only one that will involve immediate expansion, also the only one that involves approval of a proposal that was not consulted on during the consultation period, it struck me as strange that no Member from that area was called, and that the issue of Luton was not raised. I wonder whether it will be possible to extend at an early date the discussion that has just been terminated.

Madam Deputy Speaker: I realise the importance of the White Paper to many right hon. and hon. Members, but the occupant of the Chair has to protect the rest of the business of the day. There are times when perhaps the Chair will disappoint certain Members. We must protect the business of the day. There will be other opportunities to discuss the points made.

Orders of the Day

European Parliamentary and Local Elections (Pilots) Bill

As amended in the Standing Committee, considered.

New Clause 2

ADDITIONAL PROVISIONS IN RESPECT OF POSTAL VOTING

'Before making any order under sections 1 and 2 which provides for all-postal voting, the Secretary of State must be satisfied that the manner in which the election is conducted (which may or may not be modified by pilot orders under section 2) ensures that—

(a) all ballot papers returned are accompanied by a verifiable form of identification;

(b) each elector who has returned a ballot paper is given an acknowledgement by the returning officer;

(c) in the event of any disruption of postal services on any day or days appointed for voting under the pilot order, alternative collection points for ballot papers are available, and are in any case available and accessible to those who prefer to deliver their ballot papers in person; and

(d) any recommendation or recommendations of the Electoral Commission to reduce the incidence or possibility of personation or other electoral offences or malpractice are given effect.'.—*[Mr. Heath.]*

Brought up, and read the First time.

1.49 pm

Mr. David Heath (Somerton and Frome) (LD): I beg to move, That the clause be read a Second time.

Madam Deputy Speaker (Sylvia Heal): With this it will be convenient to discuss the following: new clause 5—*Additional provisions in respect of postal voting (No.2)*—

'(1) The Secretary of State may not make any order under sections 1 and 2 which provides for all-postal voting unless the chief executive of each of the postal authorities involved has made a written statement that there will be no difficulties with the postal arrangements for the ballot.

(2) The Secretary of State must place a copy of each statement made in pursuance of subsection (1) in the Library of the House of Commons not less than two months before the election.'.

Amendment No. 3, in clause 4, page 2, line 39, at end insert—

'(2A) In the case of all-postal ballots, the Electoral Commission must consult with the postal authorities involved concerning the efficacy of the arrangements.'.

Mr. Heath: The first group includes new clause 2 which, I am pleased to say, was tabled by Conservative Front Benchers and myself. It deals, first, with the important matter of fraud in an all-postal ballot and, secondly, with the conduct of the postal authorities and their ability to cope with the burden that will be placed on them.

New clause 2 deals with fraud, which has been a major concern throughout our consideration of the Bill. Some people would say that the postal ballot system is inherently more open to electoral fraud and malpractice than the practice of attending a polling station and casting a vote in person. Indeed, there is evidence, albeit limited, to support that contention. The matter has certainly exercised the Electoral Reform Society, to which I pay tribute for the attention that it has given the Bill and its helpful briefings.

Joyce Quin (Gateshead, East and Washington, West) (Lab): Will the hon. Gentleman give way?

Mr. Heath: It is very early in my speech, but certainly.

Joyce Quin: The hon. Gentleman said that there is evidence of fraud, but could he be more specific? I am certainly not aware of evidence of any fraud in the successful pilots in my own part of the country. People are concerned about fraud, but we need to be specific about it.

Mr. Heath: The right hon. Lady may wish to read the new report by the Electoral Commission on these matters. It is a simple fact that there have been more prosecutions for fraud—this is not necessarily the case in the all-postal ballot pilots—among people who cast a postal vote than among people who use the ballot box. That does not mean that there is an inherently significant problem with postal voting, but it suggests that precautions should be put in place. Indeed, the first report by the Electoral Commission on the arrangements for postal voting deals extensively with the opportunity for electoral fraud in postal voting, and makes sensible recommendations about ways in which to deal with the problem. Some of those recommendations cannot be implemented without primary legislation, and new clause 2 is an appropriate vehicle to introduce such proposals when the pilot schemes take place.

In previous discussions on the Bill, we drew attention to the rushed conditions in which such proposals would be introduced. Nevertheless, my supporters—prominent among them the ERS—and I believe that we should introduce more detailed proposals to avoid fraud in an all-postal ballot. The Under-Secretary of State for Constitutional Affairs, the hon. Member for Shipley (Mr. Leslie) is somewhat complacent about this matter. That is not being unkind to him, as he said in Committee:

> "there are sufficient anti-fraud measures within electoral law to ensure that postal voting can be undertaken with confidence and . . . it is no more prone to fraud than conventional voting methods."—[*Official Report, Standing Committee B*, 4 November 2003; c. 130.]

We disagree, and the Electoral Commission's proposals should be implemented at the earliest opportunity. They should certainly be implemented before a widespread trial of all-postal voting.

Many Members have drawn attention to the problem of ensuring that the postal ballot is not abused by people living in houses in multiple occupation. It can be abused in a number of ways, including personation. The Minister included welcome proposals in the Bill to define the offence of personation, but they do not entirely answer our concerns. The hon. Gentleman hinted in Committee that he would consider delivery of ballot papers by hand to houses in multiple occupation, to mitigate the risks of votes being harvested. He may wish to tell us how far he has considered the problem and whether he intends to amend the Bill in due course, or to introduce regulations to deal with a matter that we believe should be included in the Bill.

A basic problem with postal ballots is that it is far more difficult to secure a secret ballot. For a century or more, the secret ballot has been a bulwark against much electoral malpractice. We all accept the facility and utility of postal votes, but they are more open to abuse because they cannot be secret in the same way as polling station ballots, where only one person is permitted to enter the polling booth at a time. The defences against abuse are therefore much stronger at polling stations. There is a particular problem for people with disabilities. Sadly, in our debate we will not have the opportunity properly to consider their position, but one of their principal concerns about the introduction of all-postal ballots is that there will effectively be no secret ballot for them any more. We should be concerned about that.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): The hon. Gentleman made a valid point about disabled voters' right to secrecy, but is it not the case that, under current arrangements, disabled people already have to forfeit their right to privacy if their polling station does not have disabled access, because they cannot enter it? The option of voting at home will in fact increase their privacy when casting their vote.

Mr. Heath: I do not entirely agree with the hon. Gentleman. Polling stations should be accessible to people with disabilities, but sadly some are not. It is normal practice for returning officers to take ballot papers to people whose physical disabilities hinder their mobility, allowing them to cast their vote with whatever secrecy is available in the circumstances. The returning officers then return the ballot papers to the presiding officer at the polling station. The hon. Gentleman's argument does not hold true for people with visual impairment. I have a particular interest in the issue, and systems are, or should be, available, such as templates and so on, to enable people with visual impairment to cast their vote in secrecy. Such arrangements are simply not available in an all-postal ballot.

My views are shared by the Local Government Association. I ought to declare an interest, although I am not absolutely certain whether I still am an honorary vice-president of the LGA. Like many hon. Members, I was certainly asked to accept such a position, but I am not sure whether my vice-presidency has lapsed. If I am still a vice-president, I declare my interest. The LGA drew attention in its representations to the problem of fraud and believes that

> "there should be a balance between greater accessibility to voting with security and prevention of fraud."

The association went on to say that it does not believe that

> "all-postal ballots should be rolled out on a mandatory basis to all councils without the Commission's additional recommendations—in particular a move from household to individual registration—being in place."

[Mr. Heath]

That is a significant contribution to the debate, as it effectively comes from the returning officers themselves, as they are represented by the LGA. They acknowledge the difficulties arising from all-postal voting.

Dr. John Pugh (Southport) (LD): As my hon. Friend will recognise, there is not only a potential problem of fraud, but a problem in assessing the extent of the fraud. Would he be surprised to learn that I asked a question of the Government as to the extent of electoral fraud allegations in the north-west—what had been reported and what had been investigated—and the answer I received, which was not really an answer, was that that information could be provided only at disproportionate cost?

2 pm

Mr. Heath: I am not surprised by what my hon. Friend tells me. The topic has bedevilled our discussions. There are two aspects to the problem. First, people are not aware of the complaints that are being made and the investigations that have taken place, and at best know only about the successful prosecutions that are brought. Secondly, one of our concerns has been that when the Electoral Commission was asked to look into the matter, it was effectively asked to look at instances of complaint, rather than looking ab initio at a poll to see whether there was any evidence of fraud and malpractice, without a complaint having been made. At present, we rely on a complaint being initiated in order to estimate the problem. I accept what my hon. Friend says, and I deplore it.

My new clause 2 contains some modest proposals to assist in preventing fraud in a postal ballot, and suggests that in the event of postal services being disrupted during an all-postal ballot, there should be contingency plans for polling stations to be available, but that in any case a collection point should be available for those who prefer to put their vote into the hands of a returning officer. I understand that the Minister is considering that, and there is a suggestion that at least one collection point will be available in each area. If that is the case, surely it should be written into the Bill, not left to secondary legislation or to the whims of returning officers. I hope the Minister will make his position plain and say what he intends to happen.

The other new clause and the amendment in this group deal with the question of whether postal services are adequate for the task of providing for an all-postal ballot on the scale envisaged. Members of the Conservative Front-Bench team will no doubt speak to new clause 5, and I do not wish to pre-empt their proposals. The new clause deals with the situation before the ballot takes place. Amendment No. 3, which was tabled by my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke) and me and is supported by the Conservatives, deals with the Electoral Commission's inquiry after the event and its recommendations for future all-postal ballots. The amendment simply suggests that the postal authorities need to be involved.

The Electoral Commission has already shown itself to be aware of the need to do that, as evidenced by its new report published the week before last, paragraphs 2.27 to 2.30 of which deal with the ability of other agencies to deliver. Paragraph 2.30 refers specifically to the Royal Mail and tells us that

> "Royal Mail's Chief Executive has advised the Commission that Royal Mail is confident of their ability to deliver and return postal ballot papers in any combination of regions"

and that it has

> "contingency plans for both industrial action or unforeseen interruptions to services".

I do not always have total confidence in the management of the Royal Mail to deliver what they say they will deliver—"deliver" being the operative word. However, it is clear that there is a degree of confidence on the part of the postal services. Given that we list in the Bill the bodies and organisations that the Electoral Commission is required to consult, the Royal Mail and any alternative postal delivery systems should be part of that consultation. It is slightly surprising that they are not.

In conclusion, new clause 2 deals with fraud, a matter that is taken seriously by Members in all parts of the House. We do not damn the postal voting system as being necessarily open to fraud, but we are concerned to ensure that the best possible measures are in place to avoid it. New clause 2 also deals with the postal system, which is, potentially at least, the weak link when we have an all-postal ballot over a wide area. That will inevitably be the case when we are dealing with two or three European regions of the country at a single time. Given that Minister's and the Electoral Commission's stated intention is to have national all-postal ballots at some stage in the future, it is important that we get these things right now rather than waiting for a disaster to happen and finding that we have an invalid or improper election of the sort that we would condemn elsewhere in the world.

Mr. Nick Hawkins (Surrey Heath) (Con): Our approach to the Government's proposals in the Bill is that if our electoral system is not broken, we should not try to fix it. We are not obsessed by so-called modernisation, as the Government are on this and many other issues. Many of us believe that, wherever possible, we should carry on with the traditional way of voting that people in this country have been used to for over 100 years. Nevertheless, we want to consider some of the Government's proposals constructively, while subjecting them to scrutiny as we have done in detail in Committee, and trying to improve the protections, particularly against fraud.

As the hon. Member for Somerton and Frome (Mr. Heath) made clear, that is the issue dealt with by the two new clauses and the amendment linked with them. As the hon. Gentleman observed, my right hon. and hon. Friends and I support new clause 2 and amendment No. 3, and we have tabled new clause 5. We are particularly concerned about the dangers that fraud may be made easier if the proposals go through unamended. Partly in response to the right hon. Member for Gateshead, East and Washington, West (Joyce Quin), I draw attention to the comment from the Electoral Reform Society that for the first time since the 1872 ballot secrecy legislation, it considers that there is a risk that electoral fraud could occur.

I shall quote the Electoral Reform Society's words, as it is important that those who read our proceedings be aware of them. Like the hon. Member for Somerton and

Frome, I thank the Electoral Reform Society for the helpful views that it expressed to many of us. In its brief for this debate, it states:

> "Corrupt practices on a grand scale have become feasible again for the first time in 130 years. Of course, this is not a guarantee that such events will occur—but the risk is increased".

There is much further evidence, not only in the Electoral Commission's latest report—which came out only on 8 December, so I forgive the right hon. Lady for not having seen it—but in many of the other research papers produced by the House of Commons Library and by the Local Government Association, to which the hon. Gentleman referred.

Joyce Quin *rose*—

Mr. Hawkins: I shall give way to the right hon. Lady in a moment. She spoke in the debate on Second Reading, so I know of her interest.

Much of the evidence was publicised at the time of the postal pilots, even on the front pages of some of our national newspapers. There were allegations of fraud, some of which may not have been substantiated, but there were certainly some documented cases of fraud having taken place. The Electoral Reform Society, the Local Government Association and we in the House must take those increased risks seriously. There are particular problems, as the hon. Gentleman rightly said, with houses in multiple occupation, the way in which the paperwork is sent, and the verifiability and security—by way of double envelopes—that are needed, in our view, in postal pilots.

Joyce Quin: The hon. Gentleman's quote from the Electoral Reform Society related to worries about risks and not to evidence. I am prepared to look at any evidence that may exist. He said that if the system was not broke, there was no need to fix it, but huge increases—from, say, 25 per cent. to 60 per cent. in turnout for local elections—show that there was a problem that postal ballots are doing a great deal to address.

Mr. Hawkins: I disagree with the right hon. Lady's conclusion. I refer her to the Electoral Commission report, which was only issued on 8 December, as I mentioned. In passing, I may say that I was slightly surprised that the Electoral Commission, which has previously been good at immediately sending all its reports to hon. Members who are interested in these matters, did not manage to get that report to us. I am indebted to Library officials, as we so often are, for getting me a photocopy, without which I could not have referred to the issues involved. Under the title "Fraud considerations", paragraph 2.31 states:

> "The Commission takes issues of fraud and the perception of fraud very seriously, and has recommended to Government that additional measures be introduced as part of future all-postal and electronic pilot schemes, to ensure more effective deterrence against, and measuring of, attempted fraud. We note that the Government has included in the Pilots bill a changed offence of personation for the pilot area in line with the previous Commission recommendation."

The report goes on to state:

> "The Commission has further stated that all-postal voting should not be made generally available until further measures are introduced—critically the Commission believes that the introduction of individual registration is a necessary precondition for moving beyond all-postal pilot schemes to full roll-out."

Mr. Eric Forth (Bromley and Chislehurst) (Con): Does my hon. Friend accept that the possibility of intimidation, which has not been mentioned, is relevant? One benefit that our time-honoured system provides is absolute security so that people—let us say that they could mainly be women in this context—can vote in safety in the privacy of the ballot booth. If people will now be expected to fill out voter forms in the home, the office or wherever, there is at least a risk that they could be intimidated by other family members or who knows whom, and we should be very aware of that issue in considering the possibilities.

Mr. Hawkins: I entirely agree with my right hon. Friend. The issue to which he refers is one of the reasons why extra elements of security are so vital in relation to postal voting.

Furthermore—this may help the right hon. Member for Gateshead, East and Washington, West and other hon. Members—the House of Commons research paper on the issues associated with the Bill contains a lot of work on fraud and the danger that it may increase under the Bill. The research paper states:

> "there is concern that personation has taken place at previous elections. A question asked by Lord Greaves in the House of Lords highlighted some areas of concern".

That question was asked in 1997–98. In relation to the most recent Birmingham city council elections and the postal pilot in Birmingham, the research paper goes on to state:

> "A politician appointed to investigate claims of fraud at this year's Birmingham City Council elections says he has already uncovered 'worrying' evidence pointing towards possible irregularities."

That comes from somebody who was appointed to look into claims that fraud might have taken place. The document continues:

> "At the heart of the inquiry are claims that postal votes were misused and that organised gangs 'stole' hundreds of votes through personation—falsely claiming to be people on the electoral register."

Councillor Alden, who is in charge of the inquiry, was hoping to complete it by the end of this month. I have not seen the results, but there is serious concern. Councillor Alden states:

> "There is worrying evidence of a substantial amount of personation in Birmingham over the past few years, where people are impersonating other people at the polling station and voting."

A report published in *The Guardian* in September last year also referred to a number of allegations of electoral fraud. The issue has not simply been dreamed up by Opposition Members; it is causing concern throughout the country, and in cities such as Birmingham and Leicester; indeed, what happened in Leicester was one of the cases publicised in the national press.

2.15 pm

Mr. Tom Harris: Further to the point made by my right hon. Friend the Member for Gateshead, East and Washington, West (Joyce Quin) about the difference between the potential for fraud and the reality, the hon. Gentleman may be able to confirm that some of the problems that he has mentioned occurred in traditional polling booth voting and would not arise only in postal voting. The traditional voting arrangements already have potential for a huge amount of deception and fraud, but he seems inordinately concerned about opportunities for fraud in postal voting. Surely, the only reason why fraud has been detected in postal ballots is that no investigations such as those that have been mentioned have occurred in respect of traditional polling. If such investigations took place, there might be evidence to show that fraudulent voting and personation has occurred on some scale throughout the country for more than 100 years.

Mr. Hawkins: I do not think that the Electoral Reform Society, which has the experts and specialists on this matter, takes that view. In commenting specifically on what happened in the all-postal pilots in the 2003 local elections, it said:

> "Other problems arose as a result of the all-postal pilots. In the past, postal votes were open to council offices in the two days prior to polling day and party observers were able to watch this process providing they had signed a declaration of secrecy. However, with the vast numbers involved in all-postal ballots, councils took the decision to open the ballots as they came in and invited party observers to watch. At this much earlier stage, it was therefore possible for parties to see how they were doing in each ward and effect changes to their campaigning strategy as a result. There needs to be a debate about whether this is a desirable outcome from the move to all-postal ballots or whether the declaration of secrecy should seek to (or even can) bar discussion within a party over their prospects."

There is not only the personation problem, but the intimidation problem to which my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) referred, as well as the secrecy issue. Without being too partisan about those issues, we are genuinely trying to introduce extra elements of security, especially in respect of houses in multiple occupation.

Mr. Neil Turner (Wigan) (Lab): I think that all hon. Members would want to ensure that the secrecy of the ballot was maintained as far as possible. The hon. Gentleman referred to two investigations—one by a councillor and another by *The Guardian* newspaper. He did not refer, however, to paragraph 2.33 of the Electoral Commission report:

> "As part of our evaluation of pilot schemes the Commission assesses whether the pilot scheme has led to an increase in personation or other electoral malpractice. However, we have no reason to believe that pilot schemes have to date resulted in an increase in the incidence of electoral offences."

The Electoral Commission was set up specifically to consider such issues in an unbiased way, but its view is that the pilots have not led to any increase in the incidence of the problems that he mentioned.

Mr. Hawkins: The hon. Gentleman refers to what is now paragraph 2.33 on page 13 of the Electoral Commission's report, but if he reads on, he will see that paragraph 2.36 states:

> "The Commission accepts public perception is that some areas of the United Kingdom appear to be more prone to electoral fraud than others; we have no conclusive evidence this is in fact the case. However such a perception can, and should be, challenged through rigorously audited all-postal pilot schemes."

The new clauses and amendment suggest that introducing greater security will make the process much safer, so that there is much less risk of fraud and a greater opportunity to conduct auditing.

I shall now deal specifically with the new clauses and amendment. On new clause 2, which was tabled by the Liberal Democrats, but to which we have added our names, we think that verifiability is crucial. We also think that the requirement for acknowledgement by the returning officer is crucial in terms of fraud prevention. I will be very surprised if the Minister is unable to accept the new clause, because it does not harm his legislation in any way, but is something that Conservative Members and the Liberal Democrats feel strongly about.

Most important is paragraph (c), which would ensure that alternative arrangements are put in place in the event of disruptions to postal services. Like the hon. Member for Somerton and Frome, I have many problems with the postal authorities at the moment. I would be straying out of order, Madam Deputy Speaker, if I talked too much about the huge battles in which I am involved—as are many hon. Members on both sides of the House—in attempting to save post offices. I have not been at all impressed by the attitude of the management of the Royal Mail or the Post Office in recent months and years, and I shall continue to pursue those issues over Christmas and the new year.

Paragraph (d) suggests the implementation of any anti-fraud measures that are recommended by the Electoral Commission: again, it is difficult to see why the Government should oppose that sensible change.

I very much hope that the Government will accept new clause 2—if not, we shall want to press it.

I turn to our new clause 5, which would provide further protections in relation to postal voting. Many Members on both sides of the House have huge concerns about the significant deterioration in the service that is provided to all our constituents, particularly in the light of the disruption that was caused by the recent industrial action. Those concerns were most recently ventilated in this Chamber last Thursday in the very good debate on the report on the Post Office by the Select Committee on Trade and Industry. We therefore believe that the Bill should contain what one might call a come-back against those who run the postal services, so that the chief executive concerned would have to give this House a clear and unambiguous undertaking that the postal services will be able to provide what is required for an all-postal pilot for a combined European and local election. If we do not have that, the pilot should not go ahead.

Conservative Members have added their names to Liberal Democrat amendment No. 3, which, as the hon. Member for Somerton and Frome explained, would require the Electoral Commission to consult the postal authorities after the event. Taken together, our new clause 5 and the Liberal Democrat amendment would provide for consultation with and undertakings from those managing the postal authorities beforehand, as well as a clear report back afterwards, providing belt and braces security for the arrangements.

I do not want to repeat the sensible points that were made by the hon. Member for Somerton and Frome. We agree with him on this matter—indeed, if anything we feel even more strongly about its importance. I hope that the Government will heed this crucial group of improvements to the Bill.

Mr. Alan Hurst (Braintree) (Lab): I want to comment on a couple of points, the first of which concerns the risk of impersonation and corruption in the electoral process. Historically, there has not been a major problem in this country since the mid-1920s, when cathedral cities were the most prone to corruption, with the seats of ancient universities coming second. Since then, as far as we can tell, we have been almost corruption-free, and one trusts that we will remain so. The danger area is that of all-postal ballots in places with a high degree of multiple occupation. As those of us who have practised the art of politics over many years know, areas of multiple occupation often have the lowest turnouts in any election. There are all sorts of reasons for that, one of which is that the people who live there tend not to stay for long. The opportunity for the misuse of postal ballots must be much greater in those areas than in established communities. I hope that those who observe such matters will pay attention to whether there is a dramatic change in voting patterns in those high-risk areas.

My second point concerns the implication that there may have been personation before, under the traditional system, but we did not know about it. I am not necessarily convinced by that. There was always a safeguard in the shape of the party tellers who sat at the entrance of the village hall, town hall or library—normally one from each party, and preferably local to the area in which they were taking down the numbers. They might say, "Wait a moment—they have already been in once before", or, "He moved away several years ago—what is he doing voting here?" That degree of involvement or knowledge can be applied in traditional village hall or town hall voting, but is impossible in an all-postal ballot. We need more information, and I hope that the pilot schemes will provide it.

Angela Watkinson (Upminster) (Con): New clause 2 would introduce some essential safeguards to the security and confidentiality of the postal voting process. All-postal voting was piloted in the London borough of Havering in the last local elections. There was an increase in turnout, so the experiment was successful in that respect. However, I have reservations about making voting easy for people who would otherwise not bother to do so. Postal voting is already available to anybody who is motivated enough to ask for it—it is no longer necessary to specify the reason. Anybody who is unable to get to a polling station because he is disabled, working, on holiday, ill, or for any other reason is already eligible for a postal vote. Now, we are spoon-feeding people who cannot be bothered to vote. Instead, we should meet the challenge by increasing people's interest so that they are motivated to take the trouble to vote.

In Havering, several serious flaws in the voting arrangements became apparent during the election period: the new clause seeks to address those. Paragraph (a) would require all ballot papers to be accompanied by a verifiable form of identification. That was one of the main difficulties that arose. Electors were sent by post a ballot paper, a declaration of identity and the necessary instructions, together with one envelope in which to return to the town hall both their ballot paper marked with their choice of candidate and their declaration of identity. A significant number of electors objected to that one-envelope system on the grounds that the person opening the envelope and separating the two pieces of paper could see how they had voted. Indeed, it was possible. It is impossible to know whether anyone took advantage of this opportunity or not, but the important point is that the opportunity existed and that the confidentiality of the voting process was compromised as a result.

The separation of ballot papers from declarations of identity is a necessary procedure, as the ballot papers have to be put into a ballot box for transfer to—in Havering's case—the Electoral Commission for the count. I urge the Minister to ensure that a two-envelope system is always used in any future postal ballot, so that it would be possible to ensure that each ballot paper is accompanied by the requisite declaration of identity, but that no ballot paper could be linked to any identified elector.

Mr. Tom Harris: The new clause refers to the return of ballot papers accompanied by a "verifiable form" of identification. That suggests to me not the simple declaration that I am who I say I am, but a document that says who I am, such as a passport or a driving licence. What is the hon. Lady's understanding of that term?

Angela Watkinson: My understanding is that it is a declaration of identity. I am sure that the new clause does not propose that people should post their precious passports or other documents that could easily be lost. I received significant numbers of complaints from electors who did not wish anybody to be able to see how they had voted. I am sure that given the volume of post nobody had the slightest interest, but the point is that it was possible for that to happen.

2.30 pm

Mr. Heath: The Electoral Commission has produced its own recommendation that individual registration is a necessary precondition for rolling out the scheme. That is one form of verifiable identification.

Angela Watkinson: It is essential that electors be able to have total confidence in the confidentiality of the voting process. In all-postal ballots, unlike voting in the traditional way at a polling station, electors cannot witness their ballot paper being put into a sealed ballot box. New clause 2(b) would require acknowledgements to be sent to electors for returned ballot papers. This would help to overcome the doubts of many electors that they would have no way of knowing whether their ballot papers had been received at the town hall. Indeed, given the number of items of post that are acknowledged routinely to go missing, it is reasonable to assume that some ballot papers might not arrive at their intended destination.

I personally have had several items of post go missing this year—that I know about. One was correctly addressed and had a first class stamp on it. It arrived in

[Angela Watkinson]

perfect condition, undamaged and not dog-eared or showing any signs of having been on a long and difficult journey, three months after it had been posted at a point about 10 miles away. Another item of post was sent to me from this House to my home address just before the summer recess, and I am still waiting for it to arrive. It has disappeared into a black hole. Delays of that kind involving election documents would deprive electors of their vote, and that is a serious matter.

The same problem would apply to the receipt by voters of their blank ballot papers and acknowledgements of their completed ballot papers. I received a number of complaints during the election period from people who had not received their ballot paper from the town hall. On inquiring at the town hall, they had been told that it had been sent to them. There was no form of appeal, and no way of obtaining a duplicate ballot paper. Often, time was too short to do anything about that. Wrong delivery is another complication. Some people redirect mail if it is wrongly delivered through their letter box, but not everyone takes the trouble to do so. Some wrongly delivered items therefore end up in kitchen waste bins, never to be seen again, and it is difficult to see how that problem could be overcome.

New clause 2(c) requires arrangements to be made for the personal delivery of ballot papers for those electors who prefer that, or in the event of a disruption of postal services. I hope that the Minister will agree that this is a sensible requirement for contingency arrangements which should be included in this Bill. One collection point in each constituency would not be enough, particularly in rural areas, or in areas in which elderly voters prefer to stick to the traditional voting method that they have always used. Many of them like to go to a familiar polling station, and they resent having to change the way in which they vote. That option should be available to them.

Mr. Hawkins: My hon. Friend will be relieved to know that this point was raised in Committee. She will also have noticed from the amendment paper today that my right hon. and hon. Friends and I have tabled new clause 6, although it was not selected for debate because the matter had already been dealt with in Committee. The new clause dealt with the preservation of the traditional methods of voting. My hon. Friend will also be aware that I quoted her when we debated the issue in Committee.

Angela Watkinson: I thank my hon. Friend for his helpful contribution.

New clause 2(d) provides for the reduction of opportunities for personation and other forms of malpractice that postal voting makes much easier. Every precaution possible must be taken to protect the confidentiality of the vote, to ensure the security of the transfer of votes from one place to another, whether by post or motor vehicle, and to ensure that nobody is either influenced or intimidated in relation to the way in which they vote, or deprived of their vote, or able to vote more than once. We must also ensure that the person casting the vote is the person who is entitled to do so.

The Electoral Reform Society supports those views, and does not believe that the Bill will be in a form that is ready to be introduced until every possible means has been used to combat potential fraud, because of the various issues that I have just raised. Too many uncertainties exist at the moment for all-postal ballots to be introduced without resolving the opportunities for fraud, and the Bill should not proceed until that has been done.

Mr. Tom Harris: My hon. Friend the Minister will be relieved to hear that I intend to make only a few brief points. First, I would like to respond to the heartfelt and genuine view expressed by the hon. Member for Upminster (Angela Watkinson) that it is necessary to maintain traditional polling practices because some voters, particularly older people, have gone to the same polling station year after year and want to maintain that practice. However, the problem lies not with our older voters, who will always come out and vote; it lies with our younger voters—people aged 18 upwards—who do not vote and whom we need to persuade to vote. Senior citizens have a great sense of civic responsibility and need no extra encouragement to vote. They already understand their responsibilities. It is younger voters to whom we need to introduce new forms of voting because they have shown time and again that they are reluctant to vote. We need to deal with that problem.

Mr. Forth: Does the hon. Gentleman not accept that apathy and indifference are themselves political acts, and that it is perfectly legitimate for a citizen of whatever age, young or old, not to vote because they are not interested or do not think it worth while, or because it is, in their view, a bit difficult to do so? One of the great dangers inherent in the obsession with making it easier to vote is that people may in the end undervalue the process rather than value it fully.

Mr. Harris: The right hon. Gentleman makes a valid point, and I have some sympathy with it. My problem with the general approach to making the political system more engaging and relevant is that there is a danger of putting certain issues on the back burner. We are trying to introduce a fairly radical measure to encourage higher turnout in the short term. I am sure that he would approve of more strategic measures to engage people of all ages and classes politically and to encourage them to become more involved in the political process. Unfortunately, I do not think that that is going to happen in the short term. We need to come up with some shorter-term measures to find out whether it is possible to increase engagement. That may not happen as a result of the Bill, and we will then have to go back to the drawing board. I support the Bill, however, because it provides us with an opportunity to see whether this innovation will work.

I draw the House's attention briefly to a point that I raised with the hon. Member for Upminster about new clause 2, which proposes that

> "all ballot papers returned are accompanied by a verifiable form of identification".

I accept what she said about the verification of identity, but, technically, that is not what the new clause refers to. It refers to a "verifiable form of identification", and I do not believe that that could apply to a simple statement claiming that I am who I am. A form of identification is a document proving that a person has a particular identity, not that they are claiming to have that identity. On that basis, the House must reject new clause 2.

I am intrigued by new clause 5. It proposes:

> "The Secretary of State may not make any order under sections 1 and 2 which provides for all-postal voting unless the chief executive of each of the postal authorities involved has made a written statement that there will be no difficulties with the postal arrangements for the ballot."

I wonder how the House would react if the chief executives of a commercially run organisation were to write to the Minister before an all-postal ballot—and the letters published in the House of Commons Library—stating that they were incapable of carrying out the duties for which their companies were being well subsidised by the public purse. I intend no disrespect to the chief executives involved, but if any of them thought that there were a possibility that even one in 10,000 of the ballot papers would go missing and wrote to the Minister to say, "Hold on, don't have this all-postal ballot because I cannot guarantee that one in 10,000 ballot papers will not go missing", it would undermine the commercial viability of the organisation concerned.

Mr. Hawkins: Does not the hon. Gentleman think that, when we are talking about the postal services being used for the vital purpose of voting in elections, those who hold those exalted positions should be able to be held to account by the House? Is that not what we are here for?

Mr. Harris: Absolutely, but the postal services are there to provide a day-to-day service on behalf of citizens to the best of their ability, and, I would hope, to a high standard, regardless of whether it is Christmas and there is extra demand or of whether there is a 100 per cent. postal ballot. It should not be necessary for the chief executive of such an organisation to claim in advance that it is, after all, capable of doing the job that it was established to do.

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I agree with much of what has been said by my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris). We should encourage people to vote, and furthermore we should remove any physical obstacles that might prevent them from exercising their democratic right to voice their preferences. That is at the heart of our proposals. New clause 2, however, would prevent all-postal ballots from taking place until the establishment of certain security and contingency measures. An identical amendment was tabled in Committee, but was not reached.

We do not need contingency measures in the Bill, because adequate provision can be made in the detailed pilot order mentioned in clause 2. I do not deny that we need extra measures to combat fraud, but they belong in the pilot order.

Mr. Forth: Some of us would prefer provision to be made in the Bill, but can we take what the Minister has just said as a guarantee that it will be made in full in delegated legislation?

Mr. Leslie: We certainly intend the pilot order to contain anti-fraud measures, supplementing those already in the Bill. It should be borne in mind that the Bill already contains two clauses dealing specifically with personation outside the polling station and extending the time in which prosecution is possible, but I assure the right hon. Gentleman that there will be supplementary provisions in the order.

My hon. Friend the Member for Braintree (Mr. Hurst) mentioned houses in multiple occupation. I assure him that we will consider hand delivery to certain areas if there is evidence of a problem. We have not closed our minds to the need for all people to receive the ballot papers to which they are entitled in as reasonable a way as possible.

Mr. Christopher Chope (Christchurch) (Con): A university hall of residence, for instance, may contain 150 students in separate rooms. Is the Minister suggesting that the election officer will hand deliver to each student?

Mr. Leslie: I hope that that will not be necessary—I have considerable faith in the workings of the postal service—but if there is evidence of a failure the regional returning officers will take account of it and consider hand delivery if that proves necessary. I do not think that that will be the norm, though. It has not been the norm under the existing postal voting arrangements—many students and others in houses in multiple occupation already apply for and are granted postal votes through the postal authorities.

New clause 2 suggests that a "verifiable form of identification" accompany each vote cast. Unlike the hon. Members for Somerton and Frome (Mr. Heath) and for Upminster (Angela Watkinson) and like my hon. Friend the Member for Glasgow, Cathcart, I understood that to mean that the ballot paper should be accompanied by, for example, a passport or driving licence, or perhaps a gas or electricity bill. The hon. Member for Somerton and Frome suggested sotto voce that it was actually a reference to individualised registration, which is something we are considering. Certainly, if we are to extend all-postal voting permanently, we shall need to ensure that we can act in such a way if it proves necessary.

2.45 pm

Mr. Heath: Let me be less sotto voce. Unfortunately, we do not have the opportunity to provide explanatory notes with new clauses. If pre-registration of identity were adopted, a document to that effect could accompany a ballot paper.

Mr. Leslie: As I said, we are considering the Electoral Commission's proposal for individual registration, and that may well be possible. However, I do not think that either the verifiable form of identification suggested in the new clause or the extra criterion proposed by the hon. Gentleman is necessary. Under our proposed arrangements, voters will already be required to verify their identities by signing a security statement. It is difficult to see what difference providing another form of identification would make, and how the system would be administered.

Mr. Hawkins: May I ask a question about houses in multiple occupation and the Minister's response to the

[Mr. Hawkins]

hon. Member for Braintree (Mr. Hurst)? The Electoral Reform Society's latest brief, which expresses concern to many hon. Members on both sides of the House, challenges the Government on that score. It suggests that the potential problem is not limited to HMOs and student halls of residence, and that even in single family households votes might be "harvested" by a head of household choosing to vote on behalf of everyone in that household. What the society, and Conservative Members, want to know is this: what safeguards against that risk do the Government propose?

Mr. Leslie: The hon. Gentleman is challenging not just all-postal voting, but the principle that has for a long time enabled people to exercise their right to vote via the post. I do not believe that any system is beyond criticism, but that also applies to conventional polling station voting. No doubt all hon. Members could dream up a series of theoretical scenarios involving potential fraudulence, but I know of no evidence of any significant problem involving "harvesting". If we have evidence of a particularly pernicious problem we will certainly consider action, but in the absence of such evidence that would be a somewhat academic exercise.

Mr. Forth: Will the Minister give way?

Mr. Leslie: I want to make some progress but I will give way briefly.

Mr. Forth: At its simplest, my argument is as follows. It is unlikely that I could persuade someone at a polling station that I was Mrs. Forth; it is much more likely that I could use her ballot paper and vote by post on her behalf. The onus is on those who argue for increased postal voting to provide much more reassurance that what is impossible at a polling station will be equally impossible by post.

Mr. Leslie: I hear what the right hon. Gentleman says but it does not affect what I said to the hon. Member for Surrey Heath (Mr. Hawkins). Anyone can imagine any number of possible scenarios, but in practice we must act on the evidence we have, and I see no evidence of a problem in that regard.

The new clause also proposes that all voters should receive acknowledgments. They are not sent under the traditional arrangements for postal voting, and in the case of all-postal voting such a system would prove both costly and burdensome. Surely it is more sensible to ensure that ballot papers are delivered correctly in the first place. Our work with the postal authorities and returning officers will minimise the potential for fraud and lost ballot papers.

Richard Younger-Ross (Teignbridge) (LD): The example that the Conservatives quoted in respect of personation is a good one. The Minister said that there is no evidence, but there are other examples of postal election fraud—involving care homes—that returning officers are concerned about. Indeed, there are many examples of care home owners having tampered with the postal vote system on behalf of their residents. What safeguards is the Minister going to provide in that regard?

Mr. Leslie: As I have said, we should proceed on the basis of evidence, and if the hon. Gentleman has some I should be more than happy to look at it.

Richard Younger-Ross: What about St. Ives?

Mr. Leslie: The hon. Gentleman says "St. Ives", but perhaps he could be a bit more specific and write to me. That would help us to look into the matter.

New clause 2 refers to drop-off points and active polling stations, to which people can still physically go to place their ballot. Such provision is already planned, and I can assure the hon. Member for Somerton and Frome that, as a minimum, returning officers will be required to provide at least one supported drop-off point in each local authority district. However, they will have discretion to provide more drop-off points in places suitable for local people, if doing so is appropriate to the particular locality. The hon. Member for Upminster was seeking that level of flexibility. At supported drop-off points, voters will be able to complete and deposit their ballot papers in an environment similar to that of a traditional polling station. They will also have access to trained election officials.

The final part of new clause 2 would give automatic effect to any Electoral Commission recommendation on reducing personation or other electoral fraud. That would not be appropriate. Constitutionally, it would not be appropriate to hand over our law-making powers to the commission, as it cannot be held accountable in the same way as Ministers can. Although the commission's advice is extremely valuable, the Government will always want to consider the recommendations in the broader scheme of things, and to make decisions accountable to Parliament. The Bill's two provisions relating to electoral offences stem from commission recommendations. They provide a safe and secure basis on which to undertake the pilot, in addition to existing electoral law provisions and the further arrangements that, as I have already undertaken, will be detailed in the pilot order.

Mr. Hawkins: It would be helpful, given the Minister's undertakings in relation to pilot orders, if he confirmed that each and every pilot order would have to be fully debated by this House. Am I right in that understanding?

Mr. Leslie: We shall come in due course to amendments that the hon. Gentleman tabled in respect of parliamentary scrutiny of such orders. The main order is by statutory instrument, but the same is not true of the pilot order. That remains our intention, but we will debate the issue later.

New clause 5 would require that the chief executive of the postal authorities make a statement

"that there will be no difficulties with the postal arrangements",

and amendment No. 3 would require the Electoral Commission to consult the postal authorities on the efficacy of postal voting arrangements. My

Department's officials are in continuing dialogue with the Royal Mail and are confident of the strength of both general and contingency arrangements. In addition, returning officers will already have their own local relationship with the Royal Mail. The Government will, however, do all that they can to facilitate meetings, or to assist with any additional arrangements that may need to be put in place as part of the pilots. All that is extremely important, in order to ensure that the best locally targeted services are provided. However, it is difficult to see what additional value a written statement from a chief executive would provide. Surely the focus should instead be on providing the most secure and reliable service on the ground. I do not believe that such a statement would add particular value, so I hope that the House will reject the proposal.

On amendment No. 3, the Electoral Commission and the postal authorities already have a role in reporting on and scrutinising postal arrangements. The amendment is not needed to allow that to happen. The commission seeks the input of the Royal Mail in providing guidance to returning officers on local election pilots. It also seeks the comments of Royal Mail and of Postcomm on the conduct of pilots, as part of the post-election evaluation. Moreover, the commission's general functions are set out in the Political Parties, Elections and Referendums Act 2000, and its functions in relation to local election pilots are described in the Representation of the People Act 2000. The provision in clause 4 mirrors closely that in the latter Act, which contains no provision of the type suggested in the amendment; nor does the Bill require it.

It is therefore clear that, although the result that the hon. Member for Somerton and Frome seeks through amendment No. 3 is a positive one, the amendment is not required in order to achieve it. There is a danger that we become too prescriptive in what we ask the Electoral Commission to do. Although it is important that we supply a framework of issues for it to consider, we must also allow it flexibility in its work. The best approach is not to list exhaustively every last thing that the commission must consider and report on. I hope that I have provided a comprehensive study of the new clauses and the amendment, and that the House will resist them.

Mr. Heath: This has been an extremely useful debate, which has illustrated that hon. Members on both sides of the House share a genuine desire to prevent electoral fraud in every instance. Many are concerned that all-postal ballots provide further opportunities—let us put it no stronger than that—for fraud and malpractice. I am particularly grateful the hon. Member for Braintree (Mr. Hurst) for his comments. I was slightly concerned when he said that the hotbeds of personation are cathedral cities and ancient universities. Having been brought up in one and having attended the other, I feel personally indicted by his comments. *[Interruption.]*

Madam Deputy Speaker: Order. I wonder whether the level of conversation could be reduced somewhat. It is rather difficult to hear the hon. Gentleman.

Mr. Heath: I am most grateful, Madam Deputy Speaker.

The comments of the hon. Member for Upminster (Angela Watkinson) about her experiences in the borough of Havering, along with the comments of the hon. Member for Surrey Heath (Mr. Hawkins), illustrate the problems that we face; indeed, the same can be said of the interventions of other Members. I know that the hon. Member for Glasgow, Cathcart (Mr. Harris) takes a real and genuine interest in these matters. His construction of the intention behind my new clause is not the same as mine, but we shall simply have to differ on that.

I want to concentrate on what the Minister said by way of reply. He has given us some cause for comfort. He said that something—we know not what—will be introduced as part of the pilot orders that will go some way towards satisfying our concerns about fraudulent practices in postal schemes.

Mr. Hawkins: Does the hon. Gentleman share my concern that, if the House is not going to be able to study the pilot order when it is introduced, it is rather difficult for him, me and our colleagues to accept what the Minister says by way of promises for the future?

Mr. Heath: The hon. Gentleman is absolutely right. The Electoral Commission is in many ways our lodestone on these matters. Paragraph 2.31 of its report clearly states:

> "The Commission takes issues of fraud and the perception of fraud very seriously, and has recommended to Government that additional measures be introduced as part of future all-postal and electronic pilot schemes, to ensure more effective deterrence against, and measuring of, attempted fraud."

That is what we are all saying. Paragraph 2.32 states:

> "The Commission has further stated that all-postal voting should not be made generally available until further measures are introduced—critically the Commission believes that the introduction of individual registration is a necessary precondition for moving beyond all-postal pilot schemes to full roll-out."

I contend that, on a scale involving more than one European region, we are very close to full roll-out. If the commission has genuine concerns about the existing arrangements for postal ballots, it is incumbent on this House to deal with the matter. I agree with the Minister that it is not the commission's determination that matters; what matters is our determination to agree with the commission. That is why I invite the House to agree with the commission's views this afternoon.

The hon. Member for Surrey Heath has said that he is even more supportive of my new clause than I am. How he measures that I do not know but, as I wrote it, I defy him to display greater enthusiasm for it in the Lobby than me. Indeed, I invite all hon. Members on both sides of the House to show that they will not put up with corrupt practices, or the potential for them, in our electoral system. That is what new clause 2 would go some way towards preventing.

Question put, That the clause be read a Second time:—

The House divided: Ayes 183, Noes 291.

Division No. 10] **[2:59 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baldry, Tony
Baron, John *(Billericay)*
Barrett, John
Beith, rh A. J.
Bellingham, Henry
Bercow, John

Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howard, rh Michael
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
McLoughlin, Patrick
Malins, Humfrey
Maples, John
Mates, Michael
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyne, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George

Tellers for the Ayes:
Richard Younger-Ross and
Mr. Mark Field

NOES

Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Dunwoody, Mrs Gwyneth
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen

Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Kemp, Fraser
Khabra, Piara S
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lepper, David
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, Sandra *(Ayr)*
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Singh, Marsha
Skinner, Dennis
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Gillian Merron and
Mr. Jim Murphy

Question accordingly negatived.

New Clause 3

ADDITIONAL PROVISIONS IN RESPECT OF ELECTRONIC VOTING

'Before making any order under sections 1 and 2 which provides for electronic voting, the Secretary of State must be satisfied that the manner in which the election is conducted (which may or may not be modified by pilot orders under section 2) ensures that—

(a) all votes cast are accompanied by a verifiable form of identification;

(b) each elector who has cast a vote is given an acknowledgement by the returning officer;

(c) systems are in place to allow for a re-count should it be necessary;

(d) systems are in place to ensure that any vote cast by electronic means can be traced to its source in the event of challenge; and

(e) any recommendation or recommendations of the Electoral Commission to reduce the incidence or possibility of personation or other electoral offences or malpractice are given effect.'.—*[Mr. Heath.]*

Brought up, and read the First time.

Mr. Heath: I beg to move, That the clause be read a Second time.

Madam Deputy Speaker: With this it will be convenient to discuss the following:

New clause 4—*Conduct of elections under a pilot order*—

'Any pilot order made under section 2 may make provision for—

(a) all-postal voting; or

(b) any combination of postal voting and voting in person at a polling station;

but may not make provision for any other manner of conducting an election.'.

New clause 7—*Matters not to be included in pilots*—

'No pilot may include any use of voting electronically by computer, mobile telephone, SMS, text or any other form of e-voting.'.

Mr. Heath: The debate now moves from postal voting to all-electronic voting. New clause 3 was tabled prior to

[Mr. Heath]

the recent report from the Electoral Commission. As with the provisions in new clause 2 in relation to postal voting, new clause 3 would introduce new safeguards for electronic voting.

Electronic voting raises even more pertinent questions about fraud prevention than does the use of postal ballot papers. However, I tabled new clause 4 after the publication of the Electoral Commission report, and to some extent it supersedes new clause 3. I am grateful for the support given to new clause 4 by Conservative Front-Bench Members.

3.15 pm

New clause 4 makes it clear that we feel that electronic voting should not form part of the pilot schemes to be held under the Bill, for the simple reason that it has been rejected in the Electoral Commission report. Paragraph 3.20 states:

> "The Commission is not able to recommend that any region is suitable to undertake an e-enabled pilot scheme, as we believe that no region is ready for such innovation at this stage in the development of the electoral modernisation programme."

Moreover, paragraph 3.21 states:

> "The Commission acknowledges that there is some enthusiasm for electronic voting to feature in a 2004 pilot scheme but also that there is a recognition of the risks involved. We have come to the view that there is insufficient time available for all necessary development work to take place for the elections in June."

New clause 4 is one of two litmus tests before the Government this afternoon. Much has been said about the Electoral Commission's importance, impartiality and independence, and about how it has looked at these matters in depth. The Minister has said, quite properly, that it is Ministers who first propose legislation, and then in the end determine what is included in a Bill. However, we have said all along that it would be improper for Ministers to overrule the independent advice of the Electoral Commission, unless they have extremely good reasons for doing so. Moreover, they must be able to explain any such reasons to the satisfaction of the House.

I do not believe that the Government have any grounds on which to reject the Electoral Commission's findings, which in effect underwrite the concerns expressed in Committee. The test is whether the Government will accept the Electoral Commission's clear recommendation. If they exclude it from the Bill, we need to know on what grounds they have made their determination, and for what reason.

I shall not detain the House on these new clauses, as I suspect that the battle has been won. I believe that our concerns have been recognised, and that the Government will accept the Electoral Commission's recommendation. I do not know whether they will accept new clause 4. I hope that they do, but they may continue to resist it on the ground that they will take a decision on it at some nebulous point in the future.

We must wait and see what the Minister has to say on that score. I shall return to the matter if his response is inadequate. It is not my intention to press new clause 3 to a Division at the end of this short debate, but I shall certainly ask the House to divide on new clause 4, which would, in effect, put the Electoral Commission's recommendation into action. That recommendation is the only right and proper position for the Government and Parliament to take.

Mr. Hurst: I am sure that my hon. Friend the Minister has read the report by the Electoral Commission and he will have heard what the hon. Member for Somerton and Frome (Mr. Heath) has said on the issue, which may be supported by other hon. Members. While there is some evidence—it is not overwhelming, but it is considerable—that all-postal ballots increase turnout in local elections to about 50 per cent., some 40 years ago that would have been regarded as par for the course in ordinary elections. My father was a borough councillor and was often elected or defeated on turnouts of about 60 per cent. in local elections. These days, we might think that such figures represented progress in a general election.

There may be a case for all-postal voting, but there is probably no case for new-fangled electronic techniques, which many people—including one or two Members of Parliament—may not fully understand. Therefore, we would create two classes of elector: those who know about such things and those who do not. One of the problems caused by juggling around with the electoral process is that it creates uncertainty. I have read a helpful Library paper on turnout in various pilot schemes and I cast my eye over one or two of the tables reproduced in it. One of them gave the figures for spoiled ballot papers, and the largest number spoiled by voting for more than one candidate or for no candidate occurred in 2001, 1997 and 1979. Those were all years in which there was another election held alongside the general election, which created natural confusion in the minds of some people. Thus, the number of spoiled ballot papers rose dramatically, compared with other occasions.

I do not wish to labour the point too strongly, but we must be mindful that if we alter the mechanism of voting—the way we vote—we may change the decisions that the electorate make. If we make it easier for those who have electronic equipment to vote and more confusing for those who are unused to electronic equipment to vote, the result may be different from what it would have been had we not taken those steps. All those issues need to be considered with great care.

We have yet to reach the ultimate test for postal voting, which would be its application in a general election. It would take a courageous Government, of whichever party, to take that decision, because it would almost certainly create a different result to the old system. However, it is only when that step is taken that we will see whether all-postal voting, or anything other than ballot-box voting, increases turnout. In limited pilots, such as local government elections or European elections, we might only be raising the number of those who vote to the levels of general elections, and the changes in the voting system might not make any difference in a general election. The only final test would be applying the system to a general election and we may need to think long and hard before we take that step. Meanwhile, if we should beware of anything we should beware of electronic voting, which could distort the result of an election.

Mr. Hawkins: As the hon. Member for Somerton and Frome (Mr. Heath) has said, this group contains new clause 3, tabled by the Liberal Democrats before the Electoral Commission report was published, and new clause 4, which supersedes new clause 3 and to which we have added our names. We had added our names before we saw the report, which pleased me because it showed that we realised which of the new clauses was going further in our direction.

The group also contains new clause 7, which we tabled. I anticipate that the Minister will be able to be helpful, in the light of the Electoral Commission ruling out e-voting for next year's pilot, but even if he were able to convince the Liberal Democrats not to press new clause 4, I would wish to press new clause 7. We want a total ban on e-voting included in the Bill, because we have no enthusiasm whatever for it.

I said earlier that the Conservative party sees no need for so-called modernisation, which would spoil our traditional election methods. We can see some case for some expansion in postal voting, although many of my hon. Friends have taken the view that the changes that have already been made—which allow people who want postal votes to obtain them easily—are as far as we need to go. However, with some reluctance, we have accepted the possible need for further pilot schemes for postal voting, but in our opposition to e-voting we go even further than the Electoral Commission, which says that regions are not yet ready for it. We are delighted that the Electoral Commission has come to that conclusion, because all the evidence of technical people that e-voting systems are not secure reinforces it. We want to make clear our complete opposition to e-voting being included in the Bill. It would demean elections to start treating them as though people were voting in a television game show such as "Big Brother"—*[Interruption.]*

Mr. Leslie: I know that the hon. Gentleman will have the courtesy to hear what I have to say before he decides definitely to press new clause 7 to a vote.

Mr. Hawkins: Of course I will give the Minister that courtesy, but unless my ears deceive me, I thought I heard the Minister's Parliamentary Private Secretary saying, "Hear, hear" to some of the things that I said about "Big Brother". If I am getting support even from the PPS, it reinforces the strength of my views.

We do think that the issue is vital, and I shall explain why. When it comes to e-voting, had the Government proceeded with their original plans—as they gave every indication of doing when the Bill was in Committee—one region would have had voting by telephone, by text messaging or so-called SMS voting, via digital television and via the internet. As the region that might have adopted e-voting would also have been an all-postal one, voting electronically in a polling station would not have been relevant.

3.30 pm

As I said, my party is not in favour of e-voting, not only for the European election but generally. As the Electoral Commission has come to the view that there

"is insufficient time available for all necessary development work to take place for the elections in June 2004",

we are reinforced in our opposition. The commission continued:

> "Although local election electronic pilots have been delivered in less than six months, we believe that the scale of a regional pilot presents a higher level of complexity . . . when assessed against the criteria no region would be suitable to conduct an electronic voting pilot."

The hon. Member for Somerton and Frome made that point clear.

One of our many objections to e-voting is that, apart from the fact that it demeans elections—I very much welcome the views just expressed by the hon. Member for Braintree (Mr. Hurst) from the Government Back Benches—in the few pilots that have been held it has not had a significant effect on turnout. The Electoral Commission's evaluation of the 2002 electronic voting pilots noted that

> "the findings suggest that the advent of new technology did not inspire the electorate to vote in significantly greater numbers than would otherwise have been the case . . . there is no strong pattern of improved turnout."

That quotation comes from page 62 of the commission's report, "Modernising Elections", published in August 2002.

Even if one accepted the Government's criteria and agreed that the proposals might be a way of overcoming voter apathy, a view expressed by the hon. Member for Glasgow, Cathcart (Mr. Harris) in response to a point made by my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) when we were discussing the need to give young people extra reasons to vote, I cannot see that the e-voting pilots have in any way encouraged young people to vote.

Mr. Tom Harris: Is the hon. Gentleman's opposition to e-voting solely related to the Bill or is it a point of principle with no time limit? In other words, is he simply opposed to e-voting? The reason for my question is this: since the congestion charge was introduced I have regularly paid it by text, which is a fantastically accurate and efficient system, and I imagine that at some point in the future—not next year, but within the next 10 years or so—most people will think that is a perfectly natural way of casting their vote.

Mr. Hawkins: I beg to differ with the hon. Gentleman, especially on his congestion charge example. I continue to receive letters from throughout my constituency and to read many horror stories in the newspapers with descriptions of how people with vehicles such as vintage cars, which have never left the garage, are being wrongly charged by Capita. There are also cases where people fraudulently use number plates, so I do not think that the example is a good one.

I am about to go into our objections to e-voting in more detail as it is important to put such things on the record, but to answer the hon. Gentleman's direct question, they are not restricted only to the Bill. We take the view that e-voting is demeaning of the whole election process. However, the strongest reason for our objection to e-voting, not only for the Bill but for the immediately foreseeable future, is that IT experts say that the system is not yet secure against the danger of electoral fraud.

Our objection might not remain for ever, but we shall certainly maintain it for the foreseeable future. While IT experts say that the system is not secure and the

[Mr. Hawkins]

Electoral Commission expresses concerns, my party cannot envisage being ready to welcome e-voting in the immediate future. There are two aspects at this stage: the practical points relating to the views of the Electoral Commission and to IT security; and the issues of principle. I hope that that is sufficient answer to the hon. Gentleman's intervention.

Before one could possibly contemplate substantial e-voting developments, one would have to address the issues that have cropped up not merely in this country but elsewhere. We are hugely concerned about security. The hon. Gentleman and other Members may be interested to learn that I have some professional expertise in e-security. Before I was a Member of the House, I worked as a corporate lawyer at a senior level in the credit card industry, and during my 11½ years in this place I have continued to take a great interest in electronic security measures. Quite apart from my Front-Bench duties, I am personally interested in the issue.

Under the small-scale electronic voting pilots that have taken place, important information, such as pin numbers for e-voting, has been sent to voters by what the Electoral Commission conceded could be insecure means; for example, postcards that give the pin numbers could be read by someone else in a house of multiple occupation. The internet can also be insecure. Many Members have suffered from such problems in their offices and both the hon. Member for Glasgow, Cathcart and I have raised points of order about the insecurity of the parliamentary data and video network. Although we were reassured that such problems would not recur, the hon. Gentleman will be aware that not long after we raised the matter, the hon. Member for Blyth Valley (Mr. Campbell) experienced similar problems in his constituency when information from the Government was being sent to a hairdresser in Blyth Valley instead of to him. So there are even concerns about the e-security of the House. The internet is therefore notoriously insecure and vulnerable to attack.

There has also been significant controversy in the United States about the reliability and lack of security of e-voting machines. Companies in the USA that make the machines have refused independent scrutiny of their software for commercial reasons, raising concerns that there could be security flaws that have not been identified through proper testing. The technology correspondent for *The Times*, David Rowan, has remarked that

"the commercial companies supplying the technology for UK election pilots say that security is their priority. But growing evidence is emerging that some of these companies have covered up security flaws in the past . . . If Mr Blair insists on rushing towards e-voting, he must ensure that any software companies awarded contracts make their computer code available for independent scrutiny, and that every time a computerised vote is cast a paper copy is printed to let voters know that ballots have been recorded as intended . . . It will take just one security breach to undermine public confidence irreparably".

That is from *The Times* on 2 December—only a fortnight ago.

Dr. Pugh: The hon. Gentleman's comments are extraordinarily valuable. Does not the American experience also demonstrate, however, that these machines have a strange predisposition to award a greater number of votes to the Republicans than opinion polls show?

Mr. Hawkins: I was going to come to the so-called hanging chads controversy, and I know that the hon. Gentleman, in the main part of his remarks, supported the concerns that we are expressing.

Another expert, Dr. Ben Fairweather, a research fellow at De Montfort university in Leicester's centre for computing and social responsibility, has said:

"I have seen most, if not all of the pilot schemes demonstrated, and have spotted substantial flaws with some of them . . . There are serious worries about SMS voting. Operators can discard text messages if their systems are busy. Also people are obliged to key in long sequences to vote by text. It's a pale imitation of a cross on a piece of paper. Electronic voting in general has not reached maturity".

That was taken from a publication called *The Register* on 31 July this year.

The Foundation for Information Policy Research has asserted that election integrity can be assured only if e-voting machines produce a paper audit trail that can be verified by voters and later by election scrutineers. It remarked in *The Register* in May this year that

"the only safe way to allow electronic voting is through machines controlled by election officials that produce an auditable paper trail. Anything else is an invitation for fraud to hackers and virus writers around the world and could destroy public confidence in our elections. It's always a bad idea to look for technical fixes to social problems. Election turnout would be increased if citizens were convinced their vote would make a difference. Simply computerising the current system is unlikely to achieve this".

—*[Interruption.]* The Opposition say, "Hear, hear," to that. As the son of two research scientists, may I say that I agree totally that it is always a bad idea to look for technical fixes to social problems?

Most significantly, the Electoral Reform Society, the independent experts on these matters, has asserted that

"the fact is that e-voting, whether by telephone, internet, digital TV or text messaging, does not raise turnouts in any significant way . . . We are concerned that any form of remote voting is potentially more open to abuse than polling station voting".

That is the basis of one of our most significant concerns.

Even the Local Government Association has maintained that

"we have concerns about e-voting on a regional basis, particularly in the short space of time between now and the next elections. A failed e-voting pilot in 2004 could jeopardise this being seen as a realistic development for the future".

Even if the Opposition agreed with the Local Government Association that that might be a helpful development for the future—which we do not—if even it says that a failed e-voting pilot could happen and could jeopardise that, that shows how bad an idea it would be.

Angela Watkinson: Does my hon. Friend agree that just one of the difficulties is that e-voting could only ever be an option alongside other types of voting, because it could never be ensured that everybody had access to a computer? Many people now use the people's highway in libraries, which presents its own difficulties. The selection of methods of voting during an e-voting pilot would make the audit trial to which he has just referred very difficult.

Mr. Hawkins: As always, I entirely agree with my hon. Friend, who is absolutely right. One of our concerns is that some of the voters who believe in the traditional method of voting, which has been tried and tested over more than 100 years, might be put off by feeling that their votes were being devalued in some way if they could not get access to a mobile phone or the internet. Ultimately, pilots will not tackle the general problem of voter apathy, as even Cabinet Ministers in this Government agree. On 26 April 2002, the Secretary of State for Education and Skills told *Public Finance*:

> "Generally, I don't think the experiments are the answer".

If Cabinet Ministers do not believe that the experiments are the answer, the Government would be wrong to pursue them.

Finally, I want to quote *The Guardian*—not my regular reading, Mr. Deputy Speaker. On 17 April, the IT journalist Bill Thompson wrote:

> "I do not think it is possible to design an e-voting system that can be guaranteed secure against a concerted and well-funded attack . . . The Government's continued obsession with e-voting in its many forms, especially voting over the internet, is a perfect illustration of how style has triumphed over substance. Instead of finding ways to make people believe that voting actually matters, they want to reduce it to the level of texting a friend or buying a book online".

Hear, hear to that. That is why we are so strongly against the experiments.

When the Minister stands up, I hope that he will accept both new clause 4, to which my hon. Friends and I have added our names, and new clause 7. If they are included in the Bill, we will at least know that we will not be faced by such experiments and that the Government have conceded that all the points that we made in Committee and on Second Reading were right. We were right and the Government were wrong. The Electoral Commission now agrees with us that the security for the use of technology is not ready. The Electoral Reform Society and all those experts also agree with us. I hope that the Government will accept new clauses 4 and 7.

Mr. Leslie: We have heard that new clauses 3, 4 and 7 would prevent e-voting pilots from taking place unless certain security and contingency measures are in place. Similar amendments were tabled in Standing Committee, but they were not debated. It may be helpful if I set out our latest thinking.

Electronic voting methods have been used successfully at the local level in nine authorities in 2002 and in 17 authorities in 2003. Overall, electronic voting did not significantly increase voter turnout, but it provided people with greater choice in how they voted. In e-pilot areas where traditional polling stations were open, more than one fifth of voters chose to vote by electronic means. Electronic voting therefore remains a key part of our longer-term plan to provide people with greater choice and access, reflecting their lifestyles and circumstances.

The Electoral Commission's view is that at this stage in the development of the electoral modernisation programme, no region is yet ready as a whole to pilot electronic channels. Although we still believe that such a pilot could have been both successful and valuable, the commission's advice is clear, and we are inclined to accept it. I can therefore inform the hon. Gentleman that the Government do not intend to proceed with electronic voting at next year's European and combined elections.

We recognise that our decision will be disappointing for those who are especially keen on electronic voting. The local authorities that have successfully piloted e-voting will, no doubt, regret that e-voting will not go ahead. However, we remain committed to the development of e-voting channels and will continue to work with local authorities and others to pilot those methods at future local elections. Our aim remains that there should be a multi-channelled, e-enabled general election some time after 2006. However, we have always been clear that we will not rush the implementation of e-voting, which we know is the reasonable concern of Government and Opposition Members. If it takes longer to develop, test and secure e-voting channels, so be it.

Although the Government remain committed to electronic voting in the long term, we do not intend to rush its implementation. Given that I have said that we intend to pilot solely all-postal voting at next year's European and combined local elections, it is clear that new clauses 3, 4 and 7 are superfluous and that their aim has been satisfied sufficiently by my comments and the decision not to proceed with electronic voting. Therefore, I hope that the hon. Member for Somerton and Frome (Mr. Heath) will withdraw the new clause.

3.45 pm

Mr. Heath: Let me say at the outset that I welcome what the Minister says. I do not have a neurotic opposition to e-voting. Indeed, it was trialled in the South Somerset district council area, which includes my constituency. Although it had little apparent benefit for voter turnout, it provided voters with a further option, as the Minister rightly said.

I opposed including electronic voting in the pilots because the technology is not yet available to make it safe and resistant to fraud. Although I shall not repeat all the arguments that have been made, it is absolutely crucial to have not only verifiable systems of identification that are not open to abuse, a proper audit trail that allows people to trace from where a vote was cast and a recapped facility, which is not available under the present system yet is critical to the integrity of the process, but public confidence in the system. Such confidence would have been put at risk by rushing ahead with the proposals.

As the Minister said, some people will be disappointed by the Electoral Commission's conclusions. Disabled voters, whom I mentioned previously, will be disappointed because e-voting would have allowed them to cast their votes in confidence, which they cannot do by other means. They will be disappointed that further proposals have not come forward. Nevertheless, our reasoned conclusion must be that the technology is not yet right and that it would be improper to introduce e-voting on a wide scale until we are assured that that has been addressed.

Although I welcome the Minister's response, I fail to understand why the Bill makes provision potentially to permit a form of voting that he does not intend to be used. The House is responsible for the legislation before

[Mr. Heath]

it rather than ministerial assurances on secondary legislation, so consonant with the Minister's assurances, it would be entirely appropriate to make the Bill fit the circumstances, which is why I shall press new clause 4 to a Division. However, I shall not press new clause 3, so I beg to ask leave to withdraw the motion.

Motion and clause, by leave, withdrawn.

New Clause 4

CONDUCT OF ELECTIONS UNDER A PILOT ORDER

'Any pilot order made under section 2 may make provision for—

(a) all-postal voting, or

(b) any combination of postal voting and voting in person at a polling station,

but may not make provision for any other manner of conducting an election.'.—*[Mr. Heath.]*

Brought up, and read the First time.

Motion made, and Question put, That the clause be read a Second time:—

The House divided: Ayes 185, Noes 296.

Division No. 11] **[3:48 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burnside, David
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Cran, James *(Beverley)*
Curry, rh David
Davey, Edward *(Kingston)*
Djanogly, Jonathan
Donaldson, Jeffrey M.
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Gillan, Mrs Cheryl
Goodman, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hague, rh William
Hammond, Philip
Harris, Dr. Evan *(Oxford W & Abingdon)*
Hawkins, Nick
Hayes, John *(S Holland)*
Heald, Oliver
Heath, David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Llwyd, Elfyn
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Maples, John
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Angus *(Moray)*
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Salmond, Alex
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Tonge, Dr. Jenny
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Webb, Steve *(Northavon)*
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Wishart, Pete
Young, rh Sir George

Tellers for the Ayes:
Angela Watkinson and Richard Younger-Ross

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Bell, Stuart
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard

Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Cousins, Jim
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Field, rh Frank *(Birkenhead)*
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hermon, Lady
Hesford, Stephen
Heyes, David
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Helen *(Warrington N)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Alan *(Feltham)*
Keen, Ann *(Brentford)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Leslie, Christopher
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meacher, rh Michael
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Short, rh Clare
Singh, Marsha
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Thomas, Gareth *(Harrow W)*
Timms, Stephen
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*

Tellers for the Noes:
Gillian Merron and
Mr. Jim Murphy

Question accordingly negatived.

Clause 1

PILOTING CONDUCT AT EUROPEAN AND LOCAL ELECTIONS

Mr. Hawkins: I beg to move amendment No. 8, in page 1, line 4, after 'must', insert—

[Mr. Hawkins]

', if a three-quarters majority of the local authorities in the area covered by the pilot agree.'

Mr. Deputy Speaker (Sir Michael Lord): With this it will be convenient to discuss the following amendments:

No. 1, in page 1, line 18, at end insert—

'(4A) The Secretary of State must not make an order under this section specifying a region unless he has first satisfied himself that the region meets the criteria identified by the Electoral Commission for inclusion as a pilot region.'

No. 6, in page 1, line 18, at end insert—

'(4A) The Secretary of State must not make an order under this section specifying a region which the Electoral Commission has identified as—

(a) not suitable for a pilot scheme, or

(b) a region for which the Commission does not feel able to make a positive recommendation as to its suitability.'.

No. 12, in page 1, line 19, leave out subsection (5).

No. 13, in page 2, line 3, at end insert—

'(c) Scotland,

(b) North East.'

No. 14, in page 2, line 3, at end insert—

'(c) any region which borders Scotland;

(d) any two regions with a common boundary.'.

Mr. Hawkins: This group of amendments includes amendment No. 8, tabled by me and my right hon. and hon. Friends, amendments Nos. 1 and 6, which were tabled by the Liberal Democrats, and amendments Nos. 12 to 14, which we tabled. Naturally, I shall do the Minister the courtesy of listening to what he has to say, but I anticipate that, with the leave of the House, the hon. Member for Somerton and Frome (Mr. Heath) and I will seek two separate Divisions, on amendments Nos. 8 and 6. However, we will hear what the Minister says before we make a final decision.

We made it clear on Second Reading that we were very suspicious about the fact that the Government had lined up massed ranks of Labour Back Benchers from Scotland and from the north-west of England in particular, who were pressing for those two areas to have pilot schemes. Also, the Government had lined up several Labour Members from the midlands, who said that there should not be pilots in that region. If that was intended by the Labour Government or by those Back Benchers to put pressure on the Electoral Commission to recommend Scotland or the north-west of England, I am glad to observe that the tactic has not worked.

Mr. Tom Harris: Will the hon. Gentleman give way?

Mr. Hawkins: I shall certainly give way to the hon. Gentleman, whom I entirely absolve of any suspicion that I might have. He has always taken, as the hon. Member for Somerton and Frome rightly said, an intelligent interest in these matters and did so in Committee.

The reason why we were pleased is that, last week, after the Government must have done most of their planning for Report and Third Reading, the Electoral Commission suddenly recommended not Scotland or the north-west, but the east midlands, which I do not recall any Government Back Benchers calling for, and the north-east, which one or two Labour Members, including the right hon. Member for Gateshead, East and Washington, West (Joyce Quin), supported on Second Reading.

Mr. Harris: Does the hon. Gentleman really believe that those Members who, on Second Reading and in Committee, called for particular areas to be used as a pilot for 100 per cent. postal voting did so only because they were invited to do so by the party Whips? Does he accept that that is an insult to those hon. Members who were accurately reflecting the views of their constituents? By exempting me from his accusation, he does not get himself off the hook.

Mr. Hawkins: I repeat that I exempt the hon. Gentleman. The debate was constructed in a peculiar way last time, and I was by no means the only hon. Member to comment on it at the time.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): Given the hon. Gentleman's experience in the north-west, and given that I am sure that he recognises the success of the pilot in Chorley, does he agree that there is merit in expanding from that successful pilot to a wider area, including the north-west? Does he agree that the commissioner should take into account the wishes of local people, who prompted some of us to submit evidence?

Mr. Hawkins: I agree with the hon. Gentleman's second point. If any Member of Parliament submits evidence to the Electoral Commission, it should be taken into account, and I am sure that it was. On his first point, which was about the north-west in particular, I shall quote to him the Electoral Commission report from last week.

Mr. Forth: Before my hon. Friend does that, is he not curious about the identity of the local people who are being quoted by Labour Members? Might it not be interesting if we were told who those local people were? Are they average punters? Are they voters who are in some way dissatisfied? Might they just be—I almost hesitate to mention this to my hon. Friend—political activists who see some advantage in a particular disposition? Has he any information about that?

Mr. Hawkins: I rather think that my right hon. Friend is right. Let me cite what the Electoral Commission says about the north-west, which might increase his concern about the suggestion from a number of Labour Members that the north-west was an appropriate area in which to hold a pilot.

As one of its specific reasons for not choosing the north-west, the Electoral Commission, in paragraph 2.84 on page 19 of its report of 8 December, states:

"There have been several allegations of electoral fraud in the North West in recent years. These have centred around interference with postal votes or intimidatory procurement of proxy votes in conventional elections. Some of these investigations could proceed to court in early 2004; this would be likely to produce unfavourable publicity about the security of postal voting."

My right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) referred to intimidation earlier. I am sure that he will agree that when the Electoral Commission, which the Government set up under the Political Parties, Elections and Referendums Act 2000, refers to the issues that I have cited as a reason for not choosing the north-west, it is an important matter.

David Taylor (North-West Leicestershire) (Lab/Co-op): I assure the hon. Gentleman that there is nothing especially sinister in the fact that relatively few submissions were received from people in the east midlands, which has been chosen as one of the two regions. The rationale is well laid out in the document. The east midlands is the third smallest region in England and has a small number of coincident local authority elections on polling day. It has had successful pilots in recent times and supportive local authorities. We are happy about that.

Mr. Hawkins: I am glad that the hon. Gentleman is happy, but the regions have not been chosen yet. He referred to a recommendation to the Government. We would be perfectly content if only one region were finally chosen for an all-postal pilot. I do not think that any Labour Back Bencher would be safe to assume that the Government were necessarily going to agree with what the Electoral Commission recommended.

Mr. David Watts (St. Helens, North) (Lab): St. Helens was involved in a pilot scheme last year, and we saw take-up double. Most hon. Members would think that that was a good thing. However, I find it strange that the Electoral Commission should say that fraud is one of the reasons why it has not chosen the north-west when that relates to the old system. The hon. Gentleman was talking about the old system, not the new one. When the Electoral Commission considered the pilot schemes, it said that it saw no evidence of fraud. Why should my voters be discriminated against in the way that it proposes?

Mr. Hawkins: The hon. Gentleman could address that point to the Electoral Commission. Perhaps he has already written to it, but he can certainly do so again. The issue is a point for the commission; I was merely quoting its report.

Joyce Quin: The hon. Gentleman recognised that I spoke in favour of the north-east as a pilot region. I am glad that that is the recommendation. In response to the right hon. Member for Bromley and Chislehurst (Mr. Forth), I can say that I pressed the case for the north-east because my constituents in both the Gateshead and Sunderland parts of my area had experienced the benefits of all-postal voting and made their points strongly. That is what motivated me, as I am sure it motivated my hon. Friends.

Mr. Hawkins: I am delighted that the right hon. Lady conducted a substantial survey, as it were, of her constituents and was reflecting that in her remarks. I would be interested to see a copy of the survey, if she would be kind enough to send it to me, showing her constituents' views. That might be an answer to the interesting concern expressed by my right hon. Friend the Member for Bromley and Chislehurst, which might be dealt with if we could see that Labour Members had commissioned and done their surveys.

Mr. Leslie: It could be sent by text message.

Mr. Hawkins: I do not think that it would be possible to send the survey by text message, as the Minister mischievously suggests, because it would be far too long—an issue that arose when we discussed problems with text voting in the previous debate.

Mr. Forth: I hope that no one would dream of attempting to provide me with information by any sort of text message, as I would be incapable of receiving such a message and even less interested were someone to attempt to send one. I would say, "Hard copy only", not only to my hon. Friend, but to the right hon. Member for Gateshead, East and Washington, West (Joyce Quin).

May I ask my hon. Friend not to be too seduced by what Labour Members, including even the right hon. Member for Gateshead, East and Washington, West say, until we can set the matter in context? We each have roughly 70,000 voters. I would want to see what proportion of that 70,000 had expressed wild abandoned enthusiasm for the pilots before I got too carried away.

Mr. Hawkins: My right hon. Friend anticipates me. I look forward to seeing the surveys, which I, too, would prefer to receive as hard copy. When we see all the surveys carried out by Labour Back Benchers, we will find what proportion of their electorates want the pilots or whether a relatively small number of people have been expressing their views.

On amendment No. 8, we believe that it is vital that three quarters of all the local authorities that have individual returning officers, including acting returning officers, should agree to conduct pilots. That is a reasonable amount, and not a bare majority. The Electoral Commission talks throughout its report about the crucial importance of considering the views not of the regional returning officers, but of the local returning officers in each local authority area. It is those people whose views are most important. Unless at least three-quarters of local authorities support the pilot, as our amendment would require, it should not go ahead.

4.15 pm

We shall hear in due course from the hon. Member for Somerton and Frome, but I understand that the Liberal Democrats' amendment No. 1 is replaced by their amendment No. 6. Of those two alternative versions of new subsection (4A), Conservative Members prefer amendment No. 6, which is why we added our names to that amendment, but not to amendment No. 1.

John Robertson (Glasgow, Anniesland) (Lab): The hon. Gentleman suggests that if more than half the returning officers in Scotland have said that they would like an all-postal ballot, there should be one. That is indeed what they have said.

Mr. Hawkins: The figure in my amendment is not more than half: it is three-quarters. The hon. Gentleman

[Mr. Hawkins]

may well be right—I have not seen all the responses from the returning officers in Scotland—but his problem is that the Electoral Commission, for the good reasons that we can all read in its report, recommended against Scotland.

John Robertson: But the Electoral Reform Society came out in favour of Scotland by saying that it should be a pilot area for the simple reason that it has only one election on that day. *[Interruption.]*

Mr. Hawkins: I hear the hon. Member for Somerton and Frome expressing doubt about that. I am sure that he will give us his views in a moment. The problem for the hon. Member for Glasgow, Anniesland (John Robertson) is that the Electoral Commission, which is advising his party's Government, came out against Scotland, for good and compelling reasons.

Amendment No. 12 queries whether there is good reason for ruling out London as a possible pilot area. My hon. Friend the Member for Epsom and Ewell (Chris Grayling) raised that matter in the Chamber previously. I touched on it in Committee, and we thought that it was worth debating again. We are not surprised by any ideas that the Government have about London elections, given the peculiar things that have been happening recently, with the Labour party ignoring its own rules and allowing back into membership someone who was thrown out for five years.

Amendment No. 13 suggests that we rule out Scotland or the north-east as pilot areas. I tabled it before I had seen the Electoral Commission's recommendations, and wondered subsequently whether I should take out the north-east, but decided not to do so. Conservative Members have always opposed having Scotland as a pilot—now, the Electoral Commission agrees—and there are no advantages in having pilots in two regions that border one another. For example, it may lead to confusion in relation to the media and political advertising. I found the Electoral Commission's assessment of that issue strange in one or two respects. Table 6 on page 15 of its report is headed, "Ease of organising discrete media opportunities in selected European Parliamentary regions". The hon. Member for Glasgow, Anniesland will be pleased to see that Scotland is at the top of the table in relation to radio and the regional press. The north-east is third in relation to radio and second in relation to regional press—I can see some logic in that—but I had to query the whole basis of the analysis when I saw that Wales was down at the bottom in eighth place out of nine. Having spent a lot of time in different parts of the UK, it seems to me that Wales has a thriving and discrete regional press, and I cannot understand how it could possibly be described as having a less discrete regional press than the west midlands, the east midlands or the eastern area. That seemed bizarre and made me wonder whether one could believe the rest of the order given. Wales should certainly have been ahead of the west midlands, the east midlands and the eastern area.

Amendment No. 14 returns to a point that we raised on Second Reading and in Committee, when we suggested that any region bordering Scotland would be inappropriate for the pilots because any region with common boundaries would be inappropriate. One reason for that relates to media coverage. I have many friends who live in the borders, both on the Scottish and English sides. Television and radio broadcasts are often received on both sides of the border, as is press coverage. The Electoral Commission has talked about some of the difficulties involved in that, and it is difficult to see how one could avoid the electors becoming confused in those circumstances. If electors in the same election are told that on one side of the border voting will take place in one way and on the other side in a different way, many of them will be confused. That could damage the prospects for participation.

Mr. Tom Harris: Does the hon. Gentleman genuinely believe that people living in the north of England do not know whether they live in Scotland or England? That would appear to be the only basis for confusion in a postal vote.

Mr. Hawkins: With respect, I think that the hon. Gentleman is accusing me of putting forward an over-simplified argument. It is not that people do not know whether they live in Scotland or England but that they will be confused about a European election in which people will use one voting method on one side of the border and another method on the other. I am not the only one expressing these concerns; the Electoral Commission has talked about the dangers of people being confused if the media cross borders and there are different methods of voting.

Mr. Watts: In Merseyside, we had a pilot scheme in St. Helens. It did not confuse the voters in Knowsley or Wirral, who were capable of making their own decisions about how and when to vote. If there was no confusion there, why should there be confusion in other areas?

Mr. Hawkins: I refer the hon. Gentleman to the Electoral Commission's concerns. In a small postal pilot that is heavily advertised in one part of Merseyside such as St. Helens, it is possible to say to the electorate, "This is something new and different", but to hold a regional pilot in a European election with the media broadcasting across regional boundaries will cause problems. It is not just me who says so—the Electoral Commission believes that, too.

Mr. Peter Atkinson (Hexham) (Con): I support my hon. Friend's argument by mentioning Berwick-upon-Tweed, which is a classic example of a large community situated right on the border. Its football team plays in the Scottish league, and it receives media broadcasts from both sides of the border. It would be deeply confusing to receive different messages.

Mr. Hawkins: My hon. Friend reinforces my point.

I have outlined the concerns that we have expressed in this group of amendments.

John Robertson: The Electoral Commission talks about the areas that it considers should be chosen and describes in detail those that should be chosen, in order of merit, if the first two are not chosen. Of course, Scotland heads that group. One might think that, according to those criteria, Scotland should not be chosen, and I would agree. However, I have investigated what the returning officers in Scotland think about this. I have received a lot of help from several of them who, unfortunately, have to remain nameless because they are independently employed to do their job. I have it on good authority that it is not just more than half of them but nearly all of them who favour an all-postal ballot that would meet the criteria of the hon. Member for Surrey Heath (Mr. Hawkins). Why, then, has the Electoral Commission said that the Scottish regions should be excluded? It is because of resources.

All returning officers have always complained about resources at every election, but it should be understood that resources will be available in the pilot areas. I ask my hon. Friend the Minister not to exclude Scotland, which meets all the criteria kindly supplied by the Opposition. Consideration should be given to areas where only one election is happening.

Much was made of the fact that parts of Scotland are very rural and do not have postal deliveries every day. Surely it is not beyond the Post Office to organise more than one delivery each day, or even every other day, during an election—especially given that only one political party seems to want to enfranchise people. The English nationalists, known as the Tories, and the Scottish nationalists, known as the tartan Tories—along with their friends the Liberal Democrats—seem to want to ensure that we do not get a proper turnout. Why is that? Why should we not want people to go out and vote? Why should we want to put obstacles in their way? It was said on Second Reading that an increase of between 10 and 12 per cent. in the voting figures resulted from voting by postal ballot.

Pete Wishart (North Tayside): I must put the hon. Gentleman right, as he clearly did not follow what I said in Committee. I too want Scotland to be an all-postal voting pilot area, and was surprised and disappointed to find that the commission had excluded it, but surely he appreciates the commission's concerns. It is a question not just of resources but of a lack of experience. There have been only three pilot local government postal ballots in Scotland.

John Robertson: I apologise. The hon. Gentleman agreed with us that Scotland should have a postal ballot. However, I do not agree that lack of experience should prevent people from doing something. The Electoral Commission makes that point in its report. After all, how are people to gain experience? Should they decide not to do something because it sounds like a bad idea?

Pete Wishart: Yes.

John Robertson: I am sorry, but I believe that Scotland more than fulfils the criteria, especially those identified by the hon. Member for Surrey Heath. If my hon. Friend the Minister has not made a decision, or if he is swivelling in any particular direction, I ask him to consider Scotland. It is an important part of the United Kingdom, and it is important for the Scottish people, like those in every other area, to be given the chance of a pilot.

Mr. Heath: Most of the arguments on Second Reading concerned the principle of whether there should be pilot regions. We heard cogent arguments, which have not gone away, about the possible creation of an uneven election in which some had heard all the campaigning of each party while others voted without having had that opportunity. There was a general feeling that a disparate pattern of voting would be created.

The amendments deal with recommendations on which pilot regions should be chosen and for what reasons. I think that my amendments Nos. 1 and 6 go to the heart of the issue—although I would say that, wouldn't I?—and I am grateful to the hon. Member for Surrey Heath (Mr. Hawkins) for supporting amendment No. 6. As he correctly surmised, it was tabled after the publication of the commission's report, whereas amendment No. 1 was tabled before it. Amendment No. 6 proposes the inclusion of the commission's recommendations in the Bill. I should tell Members on both sides of the House that in this matter, the commission is the one firm rock on which we should depend. Whether or not we like what it says, it should not be for politicians, with their own interests at heart, to seek to persuade the Minister to overrule the commission.

4.30 pm

In considering the previous group of amendments, I said that there were two tests that the Minister had to pass this afternoon. He has passed one by withdrawing the electronic voting provision, and I have some confidence that he will pass the other one as well. However, it remains to be seen whether he will accept the commission's advice.

Mr. Watts: Does the hon. Gentleman agree that the prospect of half the voters in St. Helens not voting in the forthcoming European and local elections should outweigh any practical problems that may occur with the introduction of all-postal ballots? Frankly, I am amazed that people who supposedly support the democratic system want to deprive my voters of the opportunity to cast their vote in the way they want, which is the most effective way.

Mr. Heath: I cannot understand what the hon. Gentleman is talking about. No one is deprived of such a vote—every single elector in his constituency, if they wish to do so, can vote by a postal ballot. *[Interruption.]* He says that they will not, but why not? They have the opportunity to do so. It is not a question of depriving people of a vote. If that is what he really believes, he should not support the Bill. Instead, he should introduce a private Member's Bill that would establish all-postal ballots on all occasions in all areas at all times. That is the only logical conclusion. *[Interruption.]* He is nodding, so that must be what he wants. I am sorry, but the Minister will be disappointed, because he has lost one of his supporters. The hon. Gentleman wants a conclusion that is quite different from that which the Minister is offering in the Bill.

Mr. Watts: It is not a question of what I want; the point is that, according to the commission's finding on

[Mr. Watts]

all-postal pilots, such voting is what the commission wants. It says that most people thought this a very positive move. In my case, the vote nearly doubled, and the national average is some 15 to 20 per cent. It is not only me who wants all-postal voting; so does the commission, which is why I find the recommendations so very strange.

Mr. Heath: I am sorry to disabuse the hon. Gentleman, but the commission has set down clear criteria that it has followed to their logical conclusion, and it has made recommendations accordingly. The hon. Member for Glasgow, Anniesland (John Robertson) believes that Scotland should be included irrespective of what is said. In an intervention on the hon. Member for Surrey Heath (Mr. Hawkins), he said that the commission had clearly supported the inclusion of Scotland. I do not know which part of the commission's conclusion that it feels unable to recommend that Scotland is suitable to undertake a pilot scheme in 2004 he does not understand, but in the circumstances that seems pretty explicit to me.

John Robertson: The hon. Gentleman obviously misheard me; I was talking about the conclusion of the Electoral Reform Society.

Mr. Heath: In that case, I accept the hon. Gentleman's clarification and I apologise for misquoting him; I did indeed mishear him. In fact, the commission came up with not one but 10 different reasons why Scotland should not be included at this stage. I shall not take a subjective view as to whether Scotland should be included. In fact, as the hon. Member for Surrey Heath will perhaps recall, I criticised him in Committee for wanting to exclude Scotland from the Bill, which he still wishes to do so. One of his amendments would have excluded Scotland on the ground that it has universities and rural areas, and that those are debarring factors. He was wrong to try to exclude Scotland from consideration.

The Electoral Commission has been given a job to do and it has done it. It has produced a recommendation that I did not anticipate. In its view, just two electoral regions are appropriate for pilots this year: the north-east and the east midlands.

Angela Watkinson: Does the hon. Gentleman agree with me that the only thing preventing the electorate of St. Helen's, North from voting is the individual electors who choose not to vote? There is nothing impeding them from voting either through the ballot box or by availing themselves of the opportunity to use postal votes, which are available to anyone for various reasons. The electors take a political decision, for whatever reason, not to vote.

Mr. Heath: I have to say that I partly agree with the hon. Lady. We hear about the supposed great successes at getting 30 or 40 per cent. of the electorate to vote, but that should be compared with the turnout in constituencies where votes matter in a general election, such as my own—

John Robertson: In every constituency.

Mr. Heath: I wish it was in every constituency, but I am afraid that that is not the case. It is only in the marginal constituencies where people feel their votes make a difference. We should, of course, encourage voting by whatever method, but I am not sure that the argument of the hon. Member for St. Helens, North (Mr. Watts) is realistic.

Joyce Quin *rose*—

Mr. Heath: I give way to the right hon. Member for Gateshead, East and Washington, West (Joyce Quin), who I am sure will have something relevant to say.

Joyce Quin: The hon. Gentleman mentioned percentages of 30 and 40 per cent., but I must point out that in local elections in my area, the vote increased to 60 per cent. in non-marginal wards. That represents a huge difference.

Mr. Heath: The right hon. Lady is right that local pilots for postal ballots are worth having. As I explained on Second Reading, a pilot scheme in my area brought about similar results in the local elections—

Mr. Hawkins: Will the hon. Gentleman give way?

Mr. Heath: May I deal with the first intervention first? The postal voting went up considerably in my area, but the same effect was not reflected in electronic voting. I have never tried to argue that there is no case for postal voting. I argue quite differently in respect of European elections, as I am sure the right hon. Lady would accept.

Mr. Hawkins: Although the right hon. Member for Gateshead, East and Washington, West (Joyce Quin) talks about a good experience in her constituency, the hon. Gentleman will remember that we debated in Committee the implications of a controversial by-election in the London borough of Lewisham where the seat changed hands. The turnout hardly increased at all, so not all the evidence goes the same way. I do not know whether the hon. Gentleman is concerned, as I am, that the enthusiasm for one postal pilot might quickly wane and be followed by the lower turnouts that are often seen in local government elections.

Mr. Heath: I am also aware of the by-election where, as I recall, the Liberal Democrats won the seat from Labour. The hon. Gentleman is right that the turnout did not go up, so the experience is patchy, but that does not negate the value of the experiment. The argument is not about the concept of postal voting and its application in the pilot areas under previous enactments, but about its relevance to nationwide elections through its application in certain areas.

To that end, my amendment No. 6 is surely one that the Minister cannot possibly resist. The litmus test is whether he accepts the advice of the Electoral

Commission. If so, he will have to acknowledge that two areas were accepted and that the others were rejected as either unsuitable or, in the words of the Electoral Commission, as regions

"for which the Commission does not feel able to make a positive recommendation as to its suitability."

Those precise words are incorporated into amendment No. 6.

Let me say a few brief words about other amendments in the group. We have kept together quite well during the passage of the Bill so far, but I have to part company with the hon. Member for Surrey Heath on some of the amendments in the group. I hope that I do so in a spirit of good will, but we differ on some matters.

Amendment No. 8 is the lead amendment, on which we may divide the House. I have three criticisms. First, I am not sure that "a three-quarters majority" is clearly expressed. Secondly, I am concerned that the amendment mentions the majority of

"the local authorities in the area",

without clarifying whether that means principal local authorities, or authorities with electoral responsibilities or, as it clearly means in the context of the Bill, every local authority including every parish council and, in the case of Wales, community council, which cannot be a sensible proposition.

Mr. Hawkins: The hon. Gentleman would be right if the amendment could be taken to mean every single local authority. I accept his criticism that, if there is a shortcoming in the drafting of the amendment, it is that. However, I made it clear when I spoke to the amendment that it refers to local authorities that have a returning officer. That is what the Electoral Commission reports talk about. I hope that the hon. Gentleman will accept that that is what was clearly intended.

Mr. Heath: I am grateful to the hon. Gentleman. Were we in Committee, I would accept his contention, but the Bill has reached Report stage, and will leave the House in the form that we determine now. We will return to this debate when we discuss amendment No.25, in a later group. In that amendment, the hon. Member for Surrey Heath proposes to remove the word "relevant" from clause 4, even though that word is used to identify local authorities with electoral responsibilities. There is therefore more than a technical problem with this amendment.

In addition, the proposed benchmark of 75 per cent. also gives me cause for concern. I note that the Electoral Commission reports the figure in the north-east as being 74 per cent. That may change as a result of the Minister's announcement today. We do not know when that temperature was taken, and we need to be more explicit than the amendment suggests.

For all those reasons, I cannot support the amendment. Like the Electoral Commission, however, I accept the principle that local authorities, and returning offices in particular, need to be consulted. They must be kept onside if the experiments are to work, and that is one of the criteria that has caused several potential pilot regions to be excluded.

The hon. Member for Surrey Heath knows that I have difficulties with amendments Nos. 12 to 14. He wants London to be included again in the pilot regions, whereas I think that the mayoral elections mean that there are good and sensible reasons why London should not be used in a pilot. The hon. Gentleman also wants to exclude Scotland—for reasons that I still do not understand—and the north-east, on the ground that it is near Scotland. That does not seem an adequate reason for exclusion.

In case we did not get the message the first time, amendment No. 14 talks about

"any region which borders Scotland"

and

"any two regions with a common boundary."

I was going to test the hon. Member for Surrey Heath on that in Committee, but never got the opportunity. Once the south-west has been excluded because of Gibraltar, and London because it is London, and Scotland because of the hon. Gentleman's definition, it is difficult to find three regions of which two do not have a common boundary.

Mr. Hawkins: It is only two now.

Mr. Heath: Until the Minister speaks and tells us that he has confined himself to two, we cannot be certain. There is a real problem with the geographical proposition in the amendment, although I guess that it had a proper basis in the initial stages.

John Robertson: Does the hon. Gentleman think it possible that the Opposition's anti-Scottish sentiment stems from the fact that people in Scotland will not vote for them?

Mr. Heath: That is demonstrably true, time after time. Most importantly, people in Scotland will not vote for Conservative candidates on a first-past-the-post system. However, I think that there must be deeper reasons for the Conservative party's phobia about anything to do with the north. The phobia is not now confined to places north of the border; anywhere north of the Wash appears to be suspect in the eyes of the hon. Member for Surrey Heath. But let us set that aside for the moment.

In Committee, we debated the question of media areas, and whether it is possible to run discrete campaigns in areas that are not discrete. The hon. Member for Surrey Heath said that Wales was a discrete media area. However, people in parts of Somerset receive S4C, much to their upset, as they want to watch rugby being played in Bath rather than in Llanelli. In addition, there is also press intrusion in the north, as I believe that both the *Liverpool Echo* and the Liverpool *Daily Post* have high circulations in north Wales. So perhaps the Electoral Commission's assessment of the matter is not wrong.

The crucial point is that the Minister should pass the test of agreeing to the views of the Electoral Commission, without any outside pressure or noises off or anybody saying that he has to take a political view. His job as Minister, especially in his most prestigious Department, is to take an impartial and judicious view of what is proposed and to implement it in legislation. I am confident that he will do so by accepting amendment No. 6, on which I intend to divide the House if I have the opportunity and if the Minister gives me insufficient assurances.

4.45 pm

Mr. Neil Turner: When the Electoral Commission consulted on this issue—the report is the result of that consultation—it put forward nine criteria from the Government and five of its own which, it said, it had distilled into four. The first was the number and type of local authorities, the second was the number and type of local elections, the third was experience—which was thought to be important, but not essential—the fourth was whether the media could conduct a discrete public information campaign, and the fifth was the enthusiasm of regional and local electoral returning officers. People might have some doubts about the efficacy of the recommendations of a commission that enumerates four criteria and enunciates five, but we should pass over that.

The Electoral Commission did not take into account, but should have done, the lessons learned from the pilot. The whole point of a pilot exercise is to learn lessons from it, so that one can decide whether they should be applied more generally. The lessons of the pilot should have been taken into account when determining the criteria.

Instead of taking the judgments of the Electoral Commission at face value, as the hon. Member for Somerton and Frome (Mr. Heath) wants us to do, we should judge them against its own criteria. If we do that, it is clear that the north-east scores highly on almost all the criteria, and I would have no difficulty in making the north-east one of the pilot areas. However, the second recommendation is the east midlands and we should consider that more closely. The first criterion is the number of local authorities. The Electoral Commission says, in paragraph 2.119 of the report:

"it is our view that a region with many small authorities would not be suited to running a pilot scheme in 2004."

The east midlands has 40 local authorities, of which 36 are small district councils, but that has not been taken into account in the recommendations.

The second criterion is the number and type of elections, but the east midlands will have only six. We will not learn much if the pilots run in only six local authorities. The third criterion is experience, but only three out of the 40 local authorities have had experience in the past. On the fourth criterion—the ease with which local media could run a discrete information campaign—the east midlands comes seventh for radio and fifth for the regional press. On the fifth criterion, the regional electoral returning officer says that he does not want a pilot scheme. He is quoted as saying:

"I would not want our region put forward ahead of those who are actively seeking to be chosen".

However, the local electoral returning officers have made a case for being included.

The case for the east midlands to be selected for the pilot is poor when judged against the Electoral Commission's own criteria.

Dr. Pugh: Is the premise of the hon. Gentleman's argument that we, as politically motivated individuals, can better apply the criteria developed by the Electoral Commission than it can itself?

Mr. Turner: Yes. This is no deus ex machina giving judgments on tablets of stone. We can surely make criticisms of the commission. Its judgments may be incorrect—as may those of the House—although that may be more likely in the case of the commission, as it may be less aware of the political situation.

Pete Wishart: Perhaps the hon. Gentleman is suggesting that we should have an electoral commission on the Electoral Commission to ensure that it acts properly according to his good judgment. If we take the route that he suggests, what is the point of the Electoral Commission?

Mr. Turner: No, I do not want an electoral commission on the Electoral Commission, because Parliament should make the judgments. The commission gives us advice but we make the judgments. Parliament decides those issues.

John Robertson: It would appear that my hon. Friend's region is similar to mine, as in my region, too, only the people at the top were consulted and not the electoral returning officers for the whole area. Does he agree that in his area, as in mine, a vast majority of them are in favour of postal ballots?

Mr. Turner: I shall develop that argument later, if my hon. Friend will permit me, although I do want to talk about Scotland now. It is only fair that if we make judgments, based on the evidence of the Electoral Commission, about one region, we should make judgments about all of them.

In Scotland there are 32 unitary authorities that have weighty electoral experience, so that is a strong reason for holding a pilot, yet no local elections will be held there. Some people might think that is a good thing, but I do not. Our learning experience will be limited if mixed elections are not held. The commission found that only a few by-elections had been held in Scotland, so experience of the pilot systems was very limited. The score on media, however, was excellent. Scotland was at the top of the list.

To return to the point made on several occasions by my hon. Friend the Member for Glasgow, Anniesland (John Robertson), a letter purportedly from the electoral returning officers in all 32 authorities states that they do not want the proposed system, yet he seems to have evidence that a substantial majority want it. Again, that raises questions about the judgment of the Electoral Commission and gives us a good reason to question its recommendations.

In Yorkshire and the Humber, the commission found that there was a reasonably large number and type of local authorities and elections, including whole-council metropolitan elections, so we shall learn a substantial amount from that region. However, there was limited experience of pilot systems in elections, only half the number that have been held in the north-west. On the media, the area comes fifth for radio and seventh for the press. On electoral returning officers, the commission noted in recommendation 2.117 that

"it is clear that Returning Officers would strongly prefer not to be involved in any all-postal pilot at the combined elections in 2004."

Electoral returning officers in Yorkshire and the Humber do not want the proposed system.

In the north-west, there is a wide variation in the number and type of authority. Various elections, including whole-council elections for the metropolitan authorities, take place at the same time. Experience of running pilots was second only to the north-east. On media, the region was fourth for radio and third for the press. The electoral returning officers have made a good case for going ahead with the proposals.

We have to balance the risks relating to the number of elections with the enthusiasm of the returning officers. They are the people who will ensure that the election is properly carried out, and if they are enthusiastic, the risk of having whole-council elections at the same time in metropolitan authorities will be substantially reduced. We need to take that point on board.

I am extremely disappointed that the Electoral Commission has come to conclusions that its evidence does not merit. Earlier in the debate, the Minister said that it was for him to make decisions on advice from the commission. To paraphrase my hon. Friend's words, he said that we are not giving the commission the right to make decisions and that that is the right of Parliament and of the Government. I hope that he will consider that point.

Mr. Miller: Is it not the case that the commission acknowledges that the north-west has conducted a wide range of pilots? There is no criticism whatever in the report of the conduct of those pilots. The criticism levelled by the hon. Member for Surrey Heath (Mr. Hawkins) has nothing to do with the process that we are currently debating.

Mr. Turner: My hon. Friend makes a valid point.

I want to wind up with one last point. Members from the north-west gave good reasons on Second Reading as to why their's should be one of the regions chosen. We talked about its diversity in terms of geography, economics, finances, social range and rural and urban areas. That argument could also be made for both the north-east and Scotland. If the regions are judged against the Electoral Commission's criteria—apart from the fact that those criteria do not include learning—then I hope that the Minister will reject the east midlands and come to his own conclusions on the basis of merit, rather than following the flawed conclusions of the Electoral Commission.

Mr. Forth: I am pleased to follow the hon. Member for Wigan (Mr. Turner), because he is the first contributor to today's debate who has not displayed nauseating sycophancy towards the commission, as everybody else seems to feel obliged to do.

I am one of those old-fashioned people—hon. Members will be astonished to hear—who is suspicious of the proliferation of commissions. We get ourselves into the most awful difficulty when we set up these bodies, appoint to them people who are sometimes great and good and more often than not who are neither, get from them a self-justifying flow of recommendations, most of which are probably unnecessary but are produced by commissions to justify their existence, and are put in the invidious position of having to respond to them. The hon. Member for Wigan has put his finger on the dilemma.

I do not accept the argument put in some of the amendments that have been tabled that if we set up the commission and it comes forward with recommendations, we must accept them, because the people on the commission are wonderful, splendid, impartial and knowledgeable, and since we are politicians we cannot make a judgment on matters political. That seems to be the thrust of some of the arguments that I have heard this afternoon. My preference would be to get rid of all these dreadful institutions and to take responsibility to ourselves, as we used to do in the good old days—to use the parliamentary process and the governmental process to consider and produce options, to make decisions and to stand by them. The electorate will judge our decisions—those of them who take the trouble to turn out, a problem to which I will refer in a moment.

As part of today's debate, I hope that some of us will think about whether we want these commissions in our lives. They are bureaucracies, they are appointed by politicians, they then make trouble for politicians, and I doubt very much whether they carry forward the quality of life or the quality of politics in our society today. For that reason, I do not feel obliged in any way to accept what this or that commission has recommended, and I follow the hon. Member for Wigan happily in saying that we should be robust enough, as should the Minister—knowing him as I think I do, he will be—to make our governmental, parliamentary decision, stand by it and be judged by it.

My other point is that, sadly, I cannot agree with my hon. Friend the Member for Surrey Heath (Mr. Hawkins) in his attempt to draw London back into this ghastly process. I was happy when I saw in the Bill that London was to be excluded. The voters of London are perfectly capable of making their own decision, with the existing provisions, as to whether they want to vote. It is not unreasonable to ask someone to go to their nearest polling station and to make their choice, in the traditional way, on a ballot paper. That is not an obstacle put in the way of their voting. In fact, it is patronising to suggest that voters are now so dumb, idle or venal that they cannot be bothered to stir themselves to vote in a polling station on a ballot paper. The arguments involved with this Bill come close to making the patronising accusation against our voters that they are incapable of voting in the traditional way. My view is that voters are perfectly capable of making the judgment and the effort—small that it is—to exert the privilege of casting a vote.

5 pm

The issue is important for millions, perhaps billions, of people around the world, many of whom have given their lives for the chance to vote. In this country, we are complacently saying that our citizenry cannot even bestir themselves to walk a few hundred yards down the road to a polling station to cast a vote in a ballot. If that is our judgment, what on earth are we saying about our voters? The business about "Can't we give it to them on a plate? Can't we almost bribe them? Can't we make it so easy for them that they might almost do it by accident?" strikes me as patronising in the extreme.

I am glad that the Bill excludes London from the pilots. Proud as I am to represent a London constituency, I am confident that the voters of Bromley

[Mr. Forth]

and Chislehurst, and indeed London as a whole, are perfectly capable of exerting their judgments, walking to the polling station and casting their votes. If Government Members are suggesting that their voters are so awful that they cannot even do that, they are not as in touch with their voters as they like to suggest.

Mr. Watts: Government Members who support postal voting do so for factual reasons. They know that postal voting increases turnout. If postal voting increases turnout, it makes the system more democratic. Does the right hon. Gentleman agree that anything that increases turnout must be good for democracy?

Mr. Forth: I do not agree. That is an assumption that everybody makes and it is regarded as unchallengeable, but I am challenging it. A simple increase in turnout does not increase the quality of the democratic process. If pushed, I could almost suggest the opposite: the quality of the vote cast in the traditional way is possibly higher than one cast in an easier voting process. I do not accept the assumption.

Pete Wishart: Does the right hon. Gentleman envisage any type of voting other than the traditional one of going to a polling station and casting a vote in a ballot?

Mr. Forth: No, I do not. Our traditional method has stood the test of time extremely well. It combines a degree of confidentiality—for example, we touched earlier on the risk of intimidation in the postal voting system—with a little degree of effort, which is in itself a very good thing. At its best, it provides a degree of integrity in the voting process that we should all welcome.

Mr. Deputy Speaker: Order. The right hon. Gentleman understands the procedures of the House very well and I am reluctant to stop him. However, he will appreciate that he must not get into a Second Reading debate. The amendments are reasonably precise.

Mr. Forth: I am grateful to you, Mr. Deputy Speaker. I should not have allowed myself to be led down those paths, but you know how enthusiastic I am to try to help Members when they want to challenge my assertions. I will draw my remarks to a conclusion.

Those are the reasons why I will not follow those who want slavishly to follow the commission, why I support the original wording of the Bill and why, on this occasion, I sadly cannot support the amendment moved by my hon. Friend the Member for Surrey Heath, which seeks to draw London back into the morass.

Mr. Tom Harris: The hon. Member for Somerton and Frome (Mr. Heath) made two comments in his contribution that I would like to refer to. He made the accusation once again that Government Members hope to pilot all-postal voting schemes for party political advantage. I said this in Committee, I shall say it again now and I am sure that I reflect my hon. Friends' views: we believe that a net increase in participation in the democratic process is a good thing of itself, regardless of which party may or may not benefit. If there is a 100 per cent. postal vote in Scotland next June, I do not believe that the end result in terms of seats obtained by each party will be any different from what it would otherwise have been. The political process will have been improved, however, if we involve more people than would vote under a traditional voting system. I will depart from that point now, Mr. Deputy Speaker, because it should be reserved for Third Reading.

The hon. Gentleman made what was almost a throwaway remark as he finished his speech by saying that he disagreed with one of the Electoral Commission's recommendations—I cannot remember his exact words, but I am sure that he can check them in *Hansard*—but he contradicted his own argument. I totally agree with what the right hon. Member for Bromley and Chislehurst (Mr. Forth) said about the Electoral Commission. The commission makes recommendations; it does not pass down edicts from on high. We are the elected representatives of the people of this country and we are in the democratic Chamber in which decisions are taken on whether to instigate pilots for 100 per cent. postal voting or any other matter. The Electoral Commission provides advice but it does not tell the House what to do.

In Committee, I pointed out to the hon. Member for Somerton and Frome that although the Electoral Commission's criteria were important, many were subjective and could not be assessed simply through a tick-box exercise. There will sometimes be a question of judgment when deciding whether criteria have been met, so the Electoral Commission cannot be allowed to have the final say on such matters. We have a Minister and elected Members of Parliament so that we may take the advice that the Electoral Commission is paid to provide and base our judgments on that.

I do not have an especially dogmatic view on whether Scotland should be a pilot area, although I hope that it will be. If evidence were to show that Scotland's political process would not benefit from all-postal ballots, I would accept the Government's view. I shall press the case for a pilot in Scotland because I believe that Scotland meets the necessary criteria, but I shall not take a dogmatic approach. We all have our constituency and regional interests—I am no different—but I accept that arguments must be made for selecting specific areas. The arguments for Scotland have already been made, but I am prepared to listen to opposite views.

The hon. Member for Surrey Heath (Mr. Hawkins) admitted that the drafting of amendment No. 8 leaves something to be desired. He mentioned chief executives rather than local authorities several times in his speech, although the amendment makes reference to local authorities. It is one thing to accept the view of a chief executive who has professional experience and judgment and is appointed as an objective and apolitical member of staff by the political establishment—a local authority—but a chief executive's view is in no way equivalent to that of a local authority. A local authority may adopt a view at a meeting of a full council after the ruling Labour, Conservative or Liberal group has met in caucus to decide the view to take forward to the council meeting. A chief executive's view, which the hon. Gentleman mentioned on several occasions, is the personal opinion of a senior council official, so the view of a chief executive could not be considered to be an equivalent alternative to that of a local authority. If the hon. Gentleman had intended the amendment to relate to chief executives, he should have used the words "chief executives" rather than "local authorities".

Mr. Hawkins: It is conventional that a chief executive is the returning officer or acting returning officer for many elections, although I accept that that is not the case in all local authorities. Many local authorities also have electoral officers, but the person who performs the role of returning officer or acting returning officer is frequently the chief executive—I assume that the situation in the hon. Gentleman's constituency and other parts of Scotland is the same as that in England. The amendment refers to local authorities, but if he examines the Electoral Commission's report, he will find that it refers to local returning officers, who may or may not be chief executives.

Mr. Harris: I accept that explanation, but the hon. Gentleman is a lawyer and has been a Member of the House for longer than me, so he knows that we must be specific when drafting legislation rather than assuming that those who will interpret a law in many years' time will refer back to an Electoral Commission report.

I pay tribute to the hon. Member for Surrey Heath for once again entertaining us with his views on Scotland. He made the highly entertaining argument in Committee that Scotland should not be chosen as a pilot area because it has lots of students and farmland. He was challenged to name a region apart from London that did not have rural areas and was unable to do so. His latest argument is not only that Scotland should be excluded from a pilot area, but that any bit of land that touches Scotland should not be used as a pilot area. I want to take offence, but he has been so generous and courteous to me that I am sure his comments are in no way anti-Scottish.

The hon. Gentleman's idea is remarkable. Is voter confusion really so prevalent in those parts of England that border Scotland? I am happy to give way to him if he can tell me how many voters in Carlisle thought they had a vote in the Scottish Parliament elections in May this year, because that is what he is arguing. I can imagine the scene. Someone in Carlisle is watching Border television news and hears the announcement that a postal ballot is to be held in Scotland, so he says to his wife, "We must have a vote then", while she argues, "No, we live in England." The hon. Gentleman's new argument is up there with the idea that we should not give Scots a postal ballot because there are too many students in Scotland.

I am disappointed that the Electoral Commission decided that Scotland was not eligible or should not be chosen as a pilot area for an all-postal vote. I like to think that the Government and my hon. Friend the Minister will give the Electoral Commission's proposals the serious consideration they deserve, but that they will, at the end of the day, make a judgment that is worthy of the House and the Government.

Mr. Peter Atkinson: It is a pleasure to follow the hon. Member for Glasgow, Cathcart (Mr. Harris). I will not involve myself in the politics of the borders. As someone who represents a seat on the English side of the border, I am aware of the long history of antipathy between the two sides, which I am sure does not continue today.

I chide the hon. Gentleman for being nit-picking about amendment No. 8. Although it may not be 100 per cent. technically, I can let him into a little secret. I am sure that my hon. Friend the Member for Surrey Heath (Mr. Hawkins) will not mind if I reveal that we will probably not win when we press the amendment to a vote. The purpose of the amendment is to have a serious debate on the views of local authorities. That is important. I hope that the Minister will help me with that when he responds.

One problem that local authorities face in the north-east, which will be a pilot area, is the cost of the operation. My district council of Tynedale and others in the region are small rural district councils. We do not have the staff or the ability to have the large-scale mailing that is required for the postal ballot. They will have to employ mailing houses, if that is possible bearing in mind the security implications, to do the job for them, which will be costly. We will not know about that in detail until the Electoral Commission pronounces on it, but the issue is important for local council tax payers in the north-east.

I support my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) in what he said about the Electoral Commission. We set up such bodies, but all the Electoral Commission has done is bombard us with a huge number of expensively produced documents, which have made elections more complicated. What it is trying to do, and what it may succeed in doing, is to take the politics out of elections. People do not turn out to vote because they are turned off by politics and politicians. If we want people to vote in larger numbers, and we do, we have to make elections interesting.

I represent the only Conservative constituency in the north-east. The Labour party in the north-east thought that it should be a target and drafted everyone in. Ministers, the hon. Member for Newcastle upon Tyne, North (Mr. Henderson) and the right hon. Member for Gateshead, East and Washington, West (Joyce Quin) had to dress up in red shirts and sit cross legged on a muddy pitch with the Deputy Prime Minister. The Labour party thought that it had a chance of getting my scalp. As you see, Mr. Deputy Speaker, it did not and I remain a Member of this place. The turnout in my constituency was the second highest in England, being more than 70 per cent. Other turnouts in the north-east were down to slightly more than 50 per cent. In Glasgow, it was less than 50 per cent. People will vote when there is a reason. They will go to the polling station if politics is made interesting.

5.15 pm

My criticism of the postal voting system and of what the Electoral Commission is doing is that politics will be made more boring. In the north-east, we will have a job to stimulate interest in the European elections. The difficulty for the people of the north-east is that our campaign will be completely out of step with that of the national campaign. As the national campaign reaches a crescendo a day or two before polling day, our votes in the north-east will have been cast. People will receive

[Mr. Peter Atkinson]

their voting slips—I do not know when the Electoral Commission will rule on this—about 10 days, a fortnight, or three weeks before the election. They may decide to vote there and then, or they may decide to put the slip in the bin there and then. Later, as the national campaign starts, with television coverage, for example, they will start to become interested. They may then discover that they voted for the wrong party or that they threw their ballot paper away.

We shall have a lacklustre campaign because it will have no national backing. It will be an entirely local campaign. That may be satisfactory in local government elections but, while postal voting may encourage turnout, if our campaign in the north-east is not as exciting as the national campaign, that will discourage voting. I suspect that the net result will be little gain for the north-east of England.

I ask the Minister to ensure that proper assistance is given to local authorities, which will face difficulties. Will he please arrange, if possible, that individual voters can deliver their votes at the last minute rather than have to put them in the post several days in advance? That is the only thing that will give some of them an opportunity to see the national campaign come to a conclusion before they make up their minds for which party they should vote.

Mr. Leslie: We have had a useful and thorough debate on the selection of regions. Before I address each amendment in turn relating to the selection of regions for elections pilots, I shall set out the Government's intentions, having now received the advice that we requested from the Electoral Commission.

The Electoral Commission was asked to recommend up to three regions or nations that might be able to pilot all-postal voting, and which of those regions would be most suitable to include an e-enabled element. It published its recommendations on 8 December, concluding that the north-east is most suitable, followed by the east midlands. The commission then ranked a number of other regions

"which could be potentially suitable"

but for which it felt unable to make a positive recommendation. Those regions, ranked in order of potential suitability, are Scotland, Yorkshire and the Humber, the north-west and the west midlands. The commission concluded that the remaining regions are not suitable for a pilot in time for the June 2004 elections. Moreover, it recommended that the Government do not include an e-enabled element in any of the pilot schemes. The Government are immensely grateful to the commission for conducting such a thorough and sophisticated study on that issue, ranking the regions against the criteria.

I mentioned earlier in the debate our acceptance of the commission's recommendation not to proceed with any electronic voting on a regional scale in the June 2004 elections. We remain keen, however, to proceed with all-postal voting in three regions. In scaling up towards a multi-channel general election after 2006, we believe that pressing ahead with a wider range and variation of piloting provides the best opportunity to learn lessons and to develop capabilities in new electoral techniques. I can therefore announce that we intend to pilot all-postal voting in the north-east and the east midlands, and that we are also minded to proceed with all-postal voting in a third region or nation.

The commission has been helpful in saying that

"there are a number of other regions which could potentially be suitable for conducting an all-postal pilot scheme."

The Government will consider in more detail each of the potential candidates with a view to announcing the location of the third all-postal pilot in the coming weeks. There are good grounds for further consideration of several suitable regions, and it is right not to rush into a decision on the third pilot, given the advice from the Electoral Commission. For example, although Scotland is well placed as a location for a pilot because it has no local elections, returning officers voiced reservations that require consideration. We therefore intend to discuss the issues raised by the Scottish returning officers with them over the coming weeks to see if their concerns can be ameliorated and any difficulties ironed out.

The Electoral Commission also took into consideration the preferences of returning officers in different parts of regions such as Yorkshire and the Humber and the north-west. Further scrutiny by my Department of those issues will now take place, so that we can conclude which third all-postal voting pilot will proceed. The Electoral Commission regards that as consistent with its report and recommendations. All-postal voting in the north-east, east midlands and a third region or nation will not only improve the turnout in those areas but give voters a more convenient method of expressing their democratic choice in the June elections. The Electoral Commission will report on the lessons learned from those pilots, so that in future those new opportunities can be rolled out on a wider scale.

Joyce Quin: I warmly welcome what my hon. Friend said about the north-east. A strong case was made on the basis of the numerous pilots that have already taken place in the region, and there will be a warm welcome for what he has said in regard to my local districts of Sunderland and Gateshead.

Mr. Leslie: I welcome my right hon. Friend's comments. She has campaigned hard for the north-east, and I am glad that we have been able to make that decision, subject to the legislation. She has been vociferously keen for that decision to be made.

John Robertson: I thank my hon. Friend for not excluding Scotland, but can he assure me that all 32 returning officers in Scotland will be approached and asked about its suitability for a postal ballot, rather than the decision being left to one person?

Mr. Leslie: As I said earlier, it is right to investigate further the findings and advice of the Electoral Commission about Scotland. It ranked Scotland highly as a suitable candidate, but was unable to make a positive recommendation. However, we want to have three pilots and, over the coming weeks, we shall seek the views of returning officers to see whether there is a substantive case for their nation or region, whether there are obstacles, and whether those problems are surmountable.

Pete Wishart: The Minister cannot leave us hanging like this. Will he tell us which other electoral areas he is considering, and can he confirm that Scotland is now back in the frame as a pilot for all-postal voting? What is the time scale, as elections are now only a few months away? How quickly will we find out who will be next?

Mr. Forth: Soon.

Mr. Leslie: As the right hon. Member for Bromley and Chislehurst (Mr. Forth) said, we hope to conclude soon which region or nation will be the third choice for our pilots. The decision has to be made relatively swiftly over the coming weeks, as I said. The Electoral Commission set out in its report which regions and nations are suitable, and we are proceeding in line with the nature and architecture of its advice, which is the right and proper way to proceed.

Mr. Hawkins: The Minister obviously feels under pressure from the large number of Labour Back Benchers representing Scottish constituencies, but when he and his colleagues are considering their decision, will they bear in mind the fact that the Electoral Commission, a creature of his Government, said that the regional returning officer for Scotland has informed it that there is insufficient time available to put in place the necessary mechanisms to deliver an all-postal pilot in Scotland with any reasonable guarantee of success? We will strongly oppose any suggestion by the Government that Scotland would be appropriate, as it would fly in the face of that rejection by the regional returning officer.

Mr. Leslie: I hope the hon. Gentleman will refrain from becoming too rhetorical on the matter. As I said, it is necessary now to investigate the views of the returning officers more thoroughly, as the Electoral Commission suggested in the report. May I correct a mistake that the hon. Gentleman made? It is not my Electoral Commission or the Government's Electoral Commission. The Electoral Commission is accountable to the House as a whole through the Speaker's Committee. I believe that it is widely respected and independent.

Mr. Miller: My hon. Friend has presented himself with a dilemma—a judgment of Solomon. When he makes his judgment, will he consider carefully the advice from the Electoral Commission about the success of pilots conducted in the north-west of England, and in particular the diversity of that region, which makes it ideally suited for conducting continued pilots?

Mr. Leslie: As I said, all-postal voting may be possible in a number of other regions. We are considering the matter further, so that we can conclude in a proper and reasonable manner which region or nation should be the third choice. The advice in respect of the north-west, as in respect of Yorkshire and the Humber and in respect of Scotland, is clear in the Electoral Commission report, which we will consider as a matter of urgency.

Mr. Watts: If, at the end of my hon. Friend's consultations with the regions and after investigating the merits of each case, he comes to the conclusion that more than three regions could go ahead, why should not four or possibly five be selected? Will he reconsider the total number if the criteria are met by more than three regions?

Mr. Leslie: I understand the eagerness of many hon. Members for all-postal voting. The Electoral Commission recommended that eventually all local elections be all-postal. I am reluctant to move further than three regions or nations for all-postal ballots in the June 2004 elections, not just for practical administrative reasons, but for economic and budgetary reasons.

Mr. Patrick McLoughlin (West Derbyshire) (Con): I have caught most of the debate; I was not in the Chamber earlier. The Minister says that he is still considering Scotland. He asked the Electoral Commission to consider it. It said no. He told us that the Electoral Commission is independent, so will the decision be a political one?

Mr. Leslie: The hon. Gentleman should have been in the Chamber listening to the debate throughout, like other hon. Members. Let me quote from page 4 of the Electoral Commission's report. The commission advises—incidentally, it does advise, and Government and Parliament decide—

> "We believe that there are a number of other regions which could potentially be suitable for conducting an all-postal pilot scheme. However, we do not feel able to make a positive recommendation on their suitability following our assessment of them against the criteria."

It is that middle group that we will scrutinise in more detail, along the lines recommended by the commission.

Mr. Tom Harris: My hon. Friend mentioned that the local authorities in Scotland will be consulted before a firm decision is made about a postal vote in Scotland. May I offer him some help and tell him that all my colleagues on the Government Benches from Scottish constituencies would be more than willing to contribute to that consultation, if he is looking for advice from the representatives? I am sure that Members of Parliament from the Opposition Benches, including the Scottish National party, which supports the measure, would also be willing to meet the Minister to persuade him of the right course. I am sure that that would apply to every Scottish Conservative Member of Parliament as well.

Mr. Leslie: I intend to make a decision relatively quickly on which third region or nation we wish to select. It is important that we have wide-ranging consultations, but I want to reach a decision relatively swiftly, and I hope that we will be able to make an announcement fairly quickly.

Mr. Alex Salmond (Banff and Buchan) (SNP) *rose*—

Mr. Heath *rose*—

Mr. Leslie: I wish to make further progress but, as the hon. Member for Banff and Buchan (Mr. Salmond) has not been present in the debate until recently, I shall give way to the hon. Member for Somerton and Frome.

Mr. Heath: Given that the Minister said that he is effectively overruling the clear advice of the Electoral

[Mr. Heath]

Commission, is he asking the Electoral Commission to apply the same criteria to this repechage, and if so, how does he suppose the commission will come to a different conclusion? If he is not asking it to apply different criteria, why does he not say now that he will admit Scotland irrespective of its advice, so that everyone knows where they are?

5.30 pm

Mr. Leslie: We are genuinely considering the matter along the lines of the process followed by the Electoral Commission, which has recommended that there should be three all-postal pilot regions. Given that framework, who would suggest that we should do anything but investigate further the other regions that the commission said were potentially suitable, although it could not make a positive recommendation about them? That is a reasonable and practical way forward, and I hope that the House will accept it.

Mr. Salmond: I think that the Minister is doing exactly the right thing—*[Interruption.]* Do not be surprised at my saying that. I feel a sense of bewilderment about why Scotland cannot technically proceed with a postal ballot if it meets many of the criteria. Is the postal service in Scotland so inadequate in comparison with postal services elsewhere that it could not deal with the ballot? I think that he is correct to examine the matter more fully and to satisfy himself. There is a lot of support for proceeding with Scotland as a pilot area if that is technically possible.

Mr. Leslie: The hon. Gentleman is right. It is perfectly possible that Scotland could have an all-postal pilot, as could a number of regions in England. It is important to look further into that matter along the lines suggested by the Electoral Commission, and that is precisely what I shall do in the coming weeks.

The amendments are similar to those tabled in Committee. I ask hon. Members to resist them, not least as they would jeopardise the proposal for all-postal voting in the north-east, the east midlands and a third region or nation. Amendment No. 8 would require three quarters of local authorities to consent to piloting. It would be wrong to pick an arbitrary threshold, as that would be convoluted and against the spirit of pressing forward with wider-scale piloting. It is true that the capacity and willingness of local authorities and returning officers are important, and we have considered those matters carefully. However, what is proposed is different from giving local authorities an effective veto over proceedings. If is in the national interest to scale up all-postal voting in order to improve access to democracy for the whole population. It would be inappropriate to allow local authorities to veto such plans.

The hon. Member for Hexham (Mr. Atkinson) asked about funding. If we had had more time, I would have given an assurance that there would be no additional financial burdens on local authorities, as I did in Committee.

Amendments Nos. 1 and 6 would involve proceeding only where all the Electoral Commission criteria were fully satisfied. We have now indicated our interim decision, which is consistent with the advice given by the Electoral Commission, which indicated that it had no objection to our proposals for the north-east, the east midlands and a potential third area. Indeed, it provided its advice in ranked order to enable that precise way forward to be taken. The amendments are defective to the extent that they seem to regard the criteria as quasi-scientific, rather than as broader factors such as population and geographical size requiring consideration, which is how they must be considered.

In line with comments by the right hon. Member for Bromley and Chislehurst and my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris), it would be wrong to alter the role of the Electoral Commission de facto by making it the decision maker rather than the adviser, as the amendments imply that it should be. It has given us advice, but it is for the Government to decide and to be accountable to Parliament for our decision.

Amendment No. 12 would allow pilots to occur in the region to be combined with Gibraltar—the Electoral Commission has recommended the south-west—and in London. As I said in Committee, there is added complexity in London because of the nature of the various local and mayoral electoral systems, which will require particular administrative effort in June. The south-west should not be eligible because of the special circumstances of any combination with Gibraltar, should that recommendation be adopted, given the new arrangements necessary for including voters from so far away. There has never before been integration of those electoral arrangements on such a scale. In any case, the Electoral Commission's separate consideration of the south-west indicated that that region is unsuitable for holding a pilot next year.

Amendments Nos. 13 and 14 would, strangely, exclude Scotland and anybody vaguely near it. No arguments of substance have been advanced in support of that ridiculous proposition. It would be perverse to penalise Scotland and its neighbouring regions by ruling them out and, particularly in the case of the north-east, it would go entirely against the recommendations of the Electoral Commission. We are reaching conclusions on the question of location. The recommendations of the Electoral Commission are important, and we are taking heed of its advice to work hard on identifying the third pilot area as soon as possible. I hope that the House will welcome the approach taken by the Government and reject the amendment.

Mr. Hawkins: I can be brief. The Minister has made it clear that, as we feared all along, the fix is going in. Despite the fact that the Electoral Commission did not recommend Scotland and that the regional returning officer said that it is clearly not ready, the Minister is foreshadowing his decision to bow to the strongly expressed views of Labour Back Benchers. Important issues are involved in our amendment No. 8 and Liberal Democrat amendment No. 6, to which my right hon. and hon. Friends and I have added our names. I suspect that the hon. Member for Somerton and Frome (Mr. Heath) will seek a separate Division on amendment No. 6. I seek to press amendment No. 8.

Question put, That the amendment be made:

The House divided: Ayes 135, Noes 357.

Division No. 12] **[5:35 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barker, Gregory
Baron, John *(Billericay)*
Beggs, Roy *(E Antrim)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burt, Alistair
Butterfill, John
Cameron, David
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cormack, Sir Patrick
Cran, James *(Beverley)*
Curry, rh David
Djanogly, Jonathan
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Forth, rh Eric
François, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Goodman, Paul
Greenway, John
Gummer, rh John
Hague, rh William
Hammond, Philip
Hawkins, Nick
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Johnson, Boris *(Henley)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Sir Teddy
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Ayes:
Angela Watkinson and
Mr. Mark Field

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Baker, Norman
Banks, Tony
Barnes, Harry
Barrett, John
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Beith, rh A. J.
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brake, Tom *(Carshalton)*
Brennan, Kevin
Brooke, Mrs Annette L.
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burstow, Paul
Cable, Dr. Vincent
Cairns, David
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Carmichael, Alistair
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Chidgey, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Cooper, Yvette
Corbyn, Jeremy
Cotter, Brian
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John
Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H.
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hancock, Mike
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John

Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, Stephen
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Hughes, Simon *(Southwark N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(H[illegible] W)*
Johnson, Miss Me[illegible]nie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jones, Nigel *(Cheltenham)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keetch, Paul
Kelly, Ruth *(Bolton W)*
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lamb, Norman
Laws, David *(Yeovil)*
Leslie, Christopher
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
MacShane, Denis
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moore, Michael
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
Öpik, Lembit
Organ, Diana
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ruane, Chris
Ruddock, Joan
Russell, Bob *(Colchester)*
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Sanders, Adrian
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Stunell, Andrew
Sutcliffe, Gerry
Taylor, Dan *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tonge, Dr. Jenny
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watts, David
Webb, Steve *(Northavon)*
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Willis, Phil
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Noes:
Mr. Fraser Kemp and
Gillian Merron

Question accordingly negatived.

Amendment proposed: No. 6, in page 1, line 18, at end insert:

'(4A) The Secretary of State must not make an order under this section specifying a region which the Electoral Commission has identified as—

(a) not suitable for a pilot scheme; or

(b) a region for which the Commission does not feel able to make a positive recommendation as to its suitability.'.—*[Mr. Heath.]*

Question put, That the amendment be made:—

The House divided: Ayes 181, Noes 304.

Division No. 13] **[5:50 pm**

AYES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Browning, Mrs Angela
Bruce, Malcolm
Burns, Simon
Burnside, David
Burstow, Paul

Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Cameron, David
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*
Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Conway, Derek
Cotter, Brian
Curry, rh David
Davey, Edward *(Kingston)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Flight, Howard
Flook, Adrian
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St. Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Goodman, Paul
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hermon, Lady
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Howarth, Gerald *(Aldershot)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Leigh, Edward
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David

Lilley, rh Peter
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Mates, Michael
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moore, Michael
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
O'Brien, Stephen *(Eddisbury)*
Öpik, Lembit
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Portillo, rh Michael
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shephard, rh Mrs Gillian
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Stunell, Andrew
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyler, Paul *(N Cornwall)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Watkinson, Angela
Webb, Steve *(Northavon)*
Whittingdale, John
Wiggin, Bill
Wilkinson, John

Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Young, rh Sir George

Tellers for the Ayes:
Richard Younger-Ross and
Mr. Mark Field

NOES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Charles *(Norwich S)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Connarty, Michael
Corbyn, Jeremy
Cousins, Jim
Cranston, Ross
Crausby, David
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cummings, John

Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Ewing, Annabelle
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hesford, Stephen
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey

Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Leslie, Christopher
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
MacDougall, John
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meacher, rh Michael
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prescott, rh John
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, Angus *(Moray)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Sutcliffe, Gerry
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watts, David
Weir, Michael
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Fraser Kemp and Charlotte Atkins

Question accordingly negatived.

Clause 2

PILOT ORDER

Amendment made: No. 50, in page 2, line 14 at end insert—

'(3A) The pilot order must make provision requiring the returning officer to provide (before the close of the poll at the election) polling progress information—

(a) to such persons or organisations as are specified in the order or are of such descriptions as are so specified, and

(b) at such times and in such circumstances as are so specified.

(3B) Polling progress information is information as to the electors by whom it appears to the returning officer at the time the information is provided that a vote has been cast.

(3C) For the purposes of subsection (3B) the returning officer must be taken not to have seen the contents of any ballot paper.

(3D) The returning officer is the person who is described as such in the order.'—*[Mr. Leslie.]*

Clause 4

ELECTORAL COMMISSION REPORT

Amendments made: No. 4, in page 3, line 5 leave out 'voters' and insert 'electors'.

No. 48, in page 3, line 18 at end insert—

'( ) The report must also include an assessment as to the following matters relating to the requirement by virtue of section 2 to provide polling progress information—

(a) its effect on the campaigning of candidates and political parties;

(b) the use made by candidates and political parties of the information;

(c) the views of electors and political parties about the provision of the information (including views as to its effect on turnout of voters and use of the information by candidates and political parties);

(d) its effect on the conduct and administration of the election.'

No. 49, in page 3, line 22 [Clause 4], leave out 'voters' and insert 'electors'.—*[Mr. Leslie.]*

Mr. Michael Ancram (Devizes) (Con): On a point of order, Mr. Deputy Speaker. I seek your guidance. A remarkable piece of news is running on BBC television at the moment. It reports that the Prime Minister has revealed in an interview with the British Forces Broadcasting Service that there is massive evidence of systems of laboratories throughout Iraq that could have produced weapons of mass destruction. He has also talked about programmes for the building of intercontinental ballistic missiles. I raise this matter because although I understand that the statement is based on the Iraq survey group's interim report, it goes a good deal further than anything that the House has been told. If true, the news is very significant and the Prime Minister should surely have told the House before broadcasting it. Has the Prime Minister asked your permission, Mr. Deputy Speaker, to come to the House and make a statement on the matter?

Mr. Menzies Campbell (North-East Fife) (LD): Further to that point of order, Mr. Deputy Speaker. As you know, these issues were extremely controversial, both before the commencement of military action against Iraq and during the hostilities. They have continued to be of controversy, not least given the inquiry being conducted by Lord Hutton. Is not it appropriate that the House of Commons should be advised about these matters before anyone else?

Mr. Eric Forth (Bromley and Chislehurst) (Con): Further to that point of order, Mr. Deputy Speaker. Following the points already made, can you confirm that Mr. Speaker has repeatedly ruled from the Chair that announcements such as this should be made to the House first? Can you therefore ask whether urgent inquiries can now be sent from this Chamber to No. 10 to determine whether the Prime Minister has spoken in the way suggested? If he has, can he be invited—very strongly—to come to the House of Commons promptly, in order that he may tell us what on earth is going on?

Mr. Deputy Speaker (Sir Alan Haselhurst): Obviously, the Chair knows nothing of these broadcasts or their content. The Chair can say that there has been no request from No. 10 for permission to make a statement. These are obviously serious matters, and they have been heard by Government Front-Bench Members. I remind hon. Members that the Prime Minister is due to answer questions in this House tomorrow.

Order for Third Reading read.

6.5 pm

Mr. Leslie: I beg to move, That the Bill be now read the Third time.

Many hon. Members have contributed significantly during the Bill's passage through the House, especially by effective scrutiny in Committee. It is also worth commenting briefly on several other initiatives as we conclude the consideration of the Bill. First, I wish to put on record my appreciation of all members of the Committee, especially those who have also contributed to the debate today, for generating useful ideas and assisting the development of policy.

One example is the amendment that has just been agreed unanimously, to change the part of the Bill that relates to the definition of a voter or elector. The amendment was originally tabled by the hon. Member for Somerton and Frome (Mr. Heath) and affects the terms as defined in the Representation of the People Act 2000. The change that has now been agreed will extend the duty of local authorities so that when assisting the Electoral Commission they may be required not only to assist in the ascertaining of the views of those who have actually voted, but those eligible to vote and who chose not to vote. A consequential change has also been made to the nature of the Electoral Commission's report. I am grateful to the hon. Gentleman for that suggestion and I am glad that we have been able to accept it.

Members from all the parties who took part in the debate in Committee—the Conservatives, the Liberal Democrats and the Scottish nationalists, as well as Labour Members—made several helpful suggestions about how the marked register or—in legal terms—the polling progress information should be piloted in the case of all-postal ballots. Many hon. Members spoke of the need to provide political parties and candidates with an electoral register marked to show who had cast their ballot in the all-postal process, to be provided prior to the close of poll. Amendments were tabled and the Government have been able to accept them. That is the right way forward.

My Department has been in contact with representatives of all the main political parties and electoral administrators about the form that a marked register should take and how it could practicably be produced. The conclusion was that it should not take the form of an electoral register marked to show those who have cast a ballot, but instead be provided as a list of those who have returned an envelope purporting to contain a ballot paper, thus enabling worries about human rights, secrecy and privacy to be overcome. Parties would then cross-reference the list with their own copies of the electoral register. That was the clear preference of all parties and the favoured mechanism of regional returning officers. The purpose of the change—which has now been made—is to state explicitly in the Bill the principle that the information will be provided and to make clear the obligation on electoral administrators.

The rationale behind this Bill is simple: we need to modernise our electoral systems so that the public as a whole can express their democratic choice more easily and conveniently. There has been much discussion recently about the levels of participation in our political process, reflecting the sense that the turnout at elections is too low and needs attention. While there are no doubt deeper undercurrents that create voter apathy or fatigue—the right hon. Member for Bromley and Chislehurst (Mr. Forth) has mentioned some of them—some practical and achievable steps can be taken now to make the process of voting more amenable and suitable to modern ways of life.

I have announced today the Government's intention to extend the process, begun some time ago, of trialling new and innovative voting mechanisms, extending the scale now from the local to a regional level. All-postal voting is of benefit not just to those with difficulties physically getting to a polling station—those with disabilities or the elderly—but is of positive convenience to the wider population as well.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole) (LD): In Committee, the Minister assured me that we would see a dialogue between the Electoral Commission and the organisations that represent those with disabilities. Will he assure the House that he will take up any recommendations from the commission on people with disabilities?

Mr. Leslie: I can assure the hon. Lady that we have continued that dialogue, not only with the Electoral Commission but with organisations representing disabled people and elderly people. A number of initiatives may need to be included in the pilot order; for example, in relation to a device to assist visually impaired people to vote. The debate on those matters, in which she took part, was useful in developing policy.

At the local election pilots so far undertaken, all-postal balloting ran at nearly 50 per cent. turnout, compared with an average of 33 per cent. where conventional arrangements applied. That illustrates the likely impact of the removal of some of the physical obstacles that lie between the voter and the ballot box. We propose to pilot all-postal voting in the north-east of England and the east midlands. I hope, too, that a third region or nation will be identified over the coming few weeks, following conclusion of the considerations advised of the Electoral Commission.

The Government recognise that all-postal voting is not a panacea for all the problems of voter participation in our democracy. Nevertheless, it is surely right to take steps where we can on practical and popular improvements to make voting more accessible and simpler. All of us in Parliament have an interest in ensuring that our democracy remains healthy and that elected representatives have a clear mandate from their constituents to act. The Bill represents an important step forward in that objective and I commend it to the House.

6.11 pm

Mr. Hawkins: As my hon. Friend the Member for Stone (Mr. Cash) said on Second Reading, this is not a very good Bill. It is a bit of a mess. It started as a mess, and has been made worse by the Government's great surprise last week when they did not receive the response that they expected and wanted from the Electoral Commission. They did not receive the response they wanted on the number of regions; the commission recommended only two, not three. Indeed, the commission went further and said that there could be only one pilot region. On page 25 of its report of 8 December, the commission states:

> "Should the Government be minded to provide for only one pilot scheme in 2004, the Commission recommends that it provides for an all-postal pilot in the North East."

Clearly, as we have been suggesting, the Government could end up with only one pilot region.

During the last substantive debate on amendments, the Minister gave the game away. As I said then, and as we feared when I wound up on Second Reading, it is clear that the fix will be put back. We expect that the Government will bow to the demands of all their Back Benchers who represent Scottish constituencies and announce that the region will be Scotland. If they do, they will be flying in the face of the Electoral Commission's recommendations. Not only has the regional returning officer said that he does not think that Scotland would be an appropriate place for a postal pilot—although the Minister chose to quote selectively from the commission's report—but the commission's conclusions are even more strongly against the idea.

Section 3.8 on page 26 of the report states:

> "The Regional Returning Officer for Scotland has submitted to the Commission, on behalf of himself and all 31 Local Returning Officers, that: having carefully considered the opportunity to conduct an all-postal ballot for the European Election in June 2004, we"—

that is all the returning officers—

> "have concluded that the success of an all-postal ballot cannot be guaranteed . . . Returning Officers feel that the lateness of the proposal and the difficulties which this brings to planning and contracting are significantly more important than many of the questions posed in the Consultation Paper.
>
> This conclusion is based on very real fears that the necessary infrastructure, which would be required to support the process, cannot be delivered in time to ensure that the election could be conducted properly.
>
> The risks are identified and commented upon in this response. We believe that these risks are cumulative and centre upon concerns over: the legislative timetable; the general lack of experience in Scotland of all-postal ballots; the lack of time available for forward planning; the recent busy electoral history in Scotland; issues relating to the security of the ballot; possible problems of delivery and return of ballot papers; the very significant staffing implications of an all-postal ballot; concerns about the ability of suppliers to deliver effectively; lack of time to test critical computer systems; and resources to plan for and deliver the election."

That is the regional returning officer for Scotland setting out his objections on behalf of all 31 local returning officers.

I wanted to put those comments on record on behalf of my party because those present earlier who listened to the contributions of some Scottish Members—who, perhaps significantly, have not stayed for Third Reading—might have got the impression that local returning officers took a different view from the regional returning officer. It is made absolutely clear in the report of the Electoral Commission—which the Government set up—that the regional returning officer was writing on his behalf and on that of all 31 local returning officers. If the Government were to go ahead and soon or quickly—as the Minister variously put it—announce that Scotland was suitable, they would be flying in the face of all those detailed objections. I do not overstate the case by saying that the Opposition would regard that as a constitutional outrage and a recipe for disaster.

The Electoral Commission therefore concludes, in the light of all those factors, that those issues remain unresolved and must be addressed before any decision to designate Scotland a pilot region. We are talking about elections in June 2004, so there is no way that all those serious concerns could possibly be addressed in time.

Mr. Leslie *indicated dissent.*

Mr. Hawkins: If the Minister thinks otherwise, I would be interested to hear shortly how that can be done. If he wants to set out how he would answer all those detailed bullet points, I will take an intervention.

Mr. Leslie: I understand the hon. Gentleman's excitement but surely it is worth looking into the points raised by the returning officers further to see whether they can be overcome. Is that not reasonable?

Mr. Hawkins: No, because the Government set up the Electoral Commission. I agree respectfully with what my right hon. Friend the Member for Bromley and Chislehurst (Mr. Forth) said about commissions and I will say more in a moment. If the commission does not give the answer that the Government want and expect, they seek to undermine it and go back on its recommendations. We are talking about an election in only six months' time. The Electoral Commission, all the returning officers and the regional returning officer say clearly that these matters cannot be dealt with in time, and they say it, if I may say so, in spades.

The Minister conceded finally that everything that Conservative and Liberal Democrat Members said about e-voting in Committee and on Second Reading was correct. The Electoral Commission has supported us, and the Government have had to abandon their previous obsession with so-called e-voting. Unfortunately, they have not abandoned their other obsession with so-called modernisation. Today, the Minister added a further abuse of the English language with what he described as a multi-channel general election after 2006. I do not know what that neologism is supposed to mean. Whatever it is, I suspect that Conservative Members will dislike it intensely. I am getting almost to the stage at which when I hear a Minister—he is one of the worst offenders—trot out yet again their dreary mantra of modernisation I want to reach for a revolver or a sick bag.

Mr. Forth: Perhaps the Minister had in mind reality elections, in which all the candidates go into some horrible room, and people are invited to telephone in and throw them out one by one.

Mr. Hawkins: That reminds me of the old-fashioned balloon debate in a university or school debating society, in which people would vote to decide who should be thrown out. We know that every time the Prime Minister has a reshuffle he indulges in a political version of the balloon debate in deciding who has been slavishly loyal enough to stay in the Government's balloon and who must be thrown out. It is the same with modernisation as with some of the Government's other obsessive buzzwords such as "sustainability". The Government believe that anything that is old must be bad. Conservatives, however, believe in our parliamentary and electoral traditions. We say that the reason that they are old and have survived is that they work—they are tried, tested and true. We strongly agree with the basis of the Electoral Reform Society's concerns about the Bill, which they have repeated before Third Reading to assist all hon. Members. It clearly has great concerns about issues such as the misuse of postal ballots in houses in multiple occupation and student halls of residence, and even cases in which the head of a household could purport to vote on behalf of everybody in that household.

I hope that the my right hon. Friend the Member for Bromley and Chislehurst will acquit me of what he called nauseating sycophancy towards the Electoral Commission, because I strongly agree with him that the Government keep setting up such commissions, which is a recipe for constant flux. Once there is a commission, it will always make recommendations and it will always want to change things. It would be far better if we said that the reason why our electoral traditions have survived is because they work.

On Second Reading, my hon. Friend the Member for Stone made several important points, which I shall touch on because they are equally relevant to Third Reading. The Opposition believe that the decline in turnout for European elections, which the Government are concerned about, is at least partly because of the introduction of the party list system under the European Parliamentary Elections Act 1999, which abolished first-past-the-post voting in European elections.

In our view, the decline is also because of the centralising, remote and bureaucratic process of further and deeper European integration. Perhaps the fact that last weekend's European Commission summit to try to draw up a new European constitution collapsed is a welcome sign that the European position is now collapsing under the weight of its own inadequacies and internal inconsistencies. There is certainly the problem that issues to do with further European integration will undermine trust and respect in the political system, and a referendum on any future constitution that may emerge from any future summit will be absolutely essential. We believe that we should return to first-past-the-post voting in European elections. If that were the Government's proposal today, instead of all the nonsense in the Bill, it would increase turnout in European elections, which the Government say is the object of the exercise.

When my hon. Friend the Member for Stone spoke on Second Reading, he drew attention to the fact that the European Scrutiny Committee—which has a Labour majority and is a chaired by a Labour Member, the hon. Member for Clydesdale (Mr. Hood)—urged the House to reintroduce first-past-the-post voting for European elections. We sought to introduce such a proposal in Committee. First past the post is the only system that maintains the immediate link between a representative and his or her constituency. That is particularly important now that we have these enormous, so-called European regions, which may have up to 6 million voters.

The evidence on all-postal voting is mixed. In some areas, it has undoubtedly increased turnout, which is why we have not, as a party, opposed all the Government's proposals for all-postal voting. When examining the Bill, it is right to point out that the evidence is contradictory. In the Hackney all-postal pilot, turnout actually fell by 3 per cent., and in

[Mr. Hawkins]

Greenwich it dropped by 0.4 per cent. Some of the postal pilots have not worked well even to increase turnout, which the Government say that they want to do.

Our concerns about fraud and the dangers of personation remain. As the Electoral Reform Society has said, the chances of large-scale fraud are now back with us for the first time in 130 years—for the first time since the ballot reforms in 1872, there is serious concern about large-scale fraud. If the Government had not dropped their e-voting pilot plans this afternoon, we would be even more concerned that there would be large-scale attempts to distort a ballot by hacking into insecure computer systems. I am glad that the Government have belatedly listened to us and the Liberal Democrats and dropped those proposals.

Many senior police officers—some of whom I have spoken to—including Detective Chief Superintendent Dave Churchill, the head of West Midlands police major fraud unit, remain concerned that postal voting systems have too few major checks or controls to ensure that the true identity of the voter can be relied upon. The Bill contains too little protection for the security of the ballot, which is why we tabled amendments to provide for greater protection.

The security of the postal system gives rise to several questions and it might be relevant to mention the strange saga on which I briefly touched earlier. Although I have received hard copies of most Electoral Commission documents in good time by post, there was one that I did not receive, so I had to get it from the helpful people in the Library. Perhaps I did not receive it because of the pressures on the Christmas post, but if even a shadow Minister cannot get a hard copy of a relevant document in time for a debate, despite the fact that it was issued a week before, how can we be certain that the postal system will be able to run an effective all-postal ballot in an area as large as a European constituency?

My hon. Friend the Member for Hexham (Mr. Atkinson) expressed worry about potential problems in rural parts of north-east England such as his constituency. If the north-east is selected for all-postal pilots—the Government are likely to accept the Electoral Commission's recommendations on that—the area might be out of synchronisation with the rest of the national campaign. Problems such as the way in which the media will cover the election are set out in the commission's report and despite the fact that the north-east and midlands have been recommended for pilots, it does not say that all the problems have been solved.

I agree with the worries expressed by my right hon. Friend the Member Bromley and Chislehurst and my hon. Friends the Members for Hexham and for Upminster (Angela Watkinson). There should be more delivery points in the postal system. Given that the Bill will impose all-postal pilots on local authorities that might not wish to participate, it is important for there to be delivery points in each local government ward so that people who wish to vote by post will be able to drop off their ballot envelopes by hand in a secure location that is convenient for them. There is a danger that there might be strike action by Post Office workers, which has happened throughout the country in recent months and years, so there are genuine worries about the reliability of the postal service. Indeed, militant unions could regard the fact that an election depended on the postal service as a good excuse to try to blackmail the Government of the day, which would cause a real problem.

We are also worried that, according to Postwatch, figures that were issued at the end of January 2001, an average of 1,500 items of mail are lost every week across every parliamentary constituency. I received a letter in the post only today from a constituent with whom I correspond regularly. She said that she wrote to me during the last postal dispute in London, but I have not received her letter. That situation confirms the examples that my hon. Friend the Member for Upminster cited earlier.

We did not have time to discuss amendment No. 26 because of the earlier Divisions. Conservative Members believe that the Government should make it clear that local authorities will be fully funded for all the costs of all-postal elections. Many small local authorities, such as those in my area and Tynedale council, which is in the constituency of my hon. Friend the Member for Hexham, are in danger of being left seriously out of pocket because the Government keep loading more obligations on such authorities without providing the funds to pay for them.

Mr. Salmond: The hon. Gentleman is raising several perfectly reasonable concerns about the practicality of all-postal ballots, but the stuff about people being open to blackmail from militant trade unions is grossly offensive to postal workers. What is the difference between his argument and the situation if people were to refuse to deliver polling cards or man polling stations? He is going into the realms of fantasy.

Mr. Hawkins: I hope that the hon. Gentleman is right, but let us wait and see what happens when we have the all-postal pilots. The situation for polling cards is different. All hon. Members will be familiar with canvassing electors who say that they have not received their polling cards. Under the traditional system, we tell them that they can go to the polling station because if they can prove their name and address, the officials will accept that and give them a ballot paper. However, if ballot papers are delivered only through the post, electors who do not receive them will be deprived of their right to vote.

Although we have tried to improve the Bill and the Government have belatedly accepted several of the things that we said—we welcome the changes that they have made—we remain worried about it. We do not think that it will improve elections. In the light of what the Minister said about ignoring some of the Electoral Commission recommendations and proceeding with three pilots instead of two, we believe that we are right to mark our disapproval by voting against Third Reading.

6.29 pm

Mr. Heath: There are times when Governments need to introduce legislation in haste because of events. It is rarely good legislation. A habit is forming in the

Department for Constitutional Affairs that also existed in its predecessor, of introducing legislation in haste when there is no need and when they have failed to predict or accommodate within their legislative plans the deadlines determined by the electoral timetable. This is one of those occasions. Nevertheless, our consideration of the Bill, especially in Committee, has been good. I thank hon. Members on both sides of the House who were involved in that, in particular my hon. Friends the Members for Mid-Dorset and North Poole (Mrs. Brooke) and for Southport (Dr. Pugh). He has sat patiently waiting to contribute to the debate and I hope that he catches your eye, Mr. Deputy Speaker.

Progress has been made. The Government accepted my amendment No. 4, which they took over and called their own by adding the Minister's name to those who tabled it. I thank him for that because it improves the Bill. I am also grateful for his consideration of marked registers, which we pursued in Committee. He has accepted that they are in the interests of all parties and his proposal for them is sensible.

I am grateful to the Electoral Commission for knocking on the head the idea of a mixed all-postal and electronic election. We still have grave concerns about the efficacy of voting by electronic means and the avoidance of fraud. Those concerns have been strengthened rather than eliminated by the Electoral Commission. I am glad that the Minister has ruled out mixed voting for the pilots.

I wanted us to make more progress on fraud, personation and so on. The commission's proposals are good and need to be implemented. Although the Minister gave us vague assurances, they will be considered further in another place. The key concern for many people is whether the integrity of the ballot is maintained in all-postal elections. That is not only a problem for houses in multiple occupation. In general, there is a problem with the secrecy of the ballot and the ways in which it is more likely to be subject to malpractice than voting in person.

I am grateful to the Minister for his response to my hon. Friend the Member for Mid-Dorset and North Poole on people with disabilities. I hope that that work will continue and bear fruit so that everyone is properly involved in our electoral process.

There are some key problems. I have said all along that I am not intrinsically against novel forms of voting. There are cases for exploring ways of making the voting process better and more accessible to our electorate, but that process must be beyond challenge and reproach. The right hon. Member for Bromley and Chislehurst (Mr. Forth) nods, but I disagree with his argument that the Electoral Commission has no role to play. We need a degree of external arbitration on what is beyond reproach if Ministers are to introduce proposals for the House to consider, as they have done. In this case, they have decided that the north-east and east midlands should hold the pilots. I do not accept the premise behind the Bill, but I do accept that recommendation. If that is the conclusion of the Electoral Commission, those areas should hold the pilots.

The Minister is not satisfied with that. He wants a third region. As I said, if he is not changing the criteria that the Electoral Commission uses, it is bound to come to the same conclusion. In that case, he will have to override its decision for his own reasons, which he must give. If, on the other hand, he had accepted our amendment, he could have asked the Electoral Commission to do more work in those areas to ascertain whether it could come to a positive recommendation. The right approach would have been to say, "When you come forward with a positive recommendation for a third region, we shall adopt it, but we must have that recommendation."

In the present circumstances, the Minister will do far better by just accepting the runner up, as it were—Scotland—and be done with it. Any other solution that the Minister comes forward with will be unacceptable. It will appear to be a gerrymander, whether it is or not and that is the problem that the Minister faces.

I have not entirely supported the Bill. My colleagues and I opposed it on Second Reading and we will oppose it on Third Reading. We do so because we do not believe that there should be pilots on such a scale in a national election. It is a sensible and reasoned proposition that when there is a national election or an international election, in the case of European elections, every voter in the country should be voting on the same basis, not with some voters in full possession of the facts as they are elicited during the election campaign and some not. Some electors should not have easier access to the ballot than others. There should be consistency. That is our key objection to the proposal. What the Minister said in the course of our considerations has not changed that fact. For that reason I recommend that my right hon. and hon. Friends oppose the Bill on Third Reading.

6.36 pm

Joyce Quin: I welcome the Bill and I shall briefly explain why. I congratulate my hon. Friend the Minister on the way in which he has presented the Government's case throughout our proceedings, both on the Floor of the House and in Committee.

I naturally wish to express my pleasure that the north-east has been recommended by the Electoral Commission as one of the pilot regions, and that the Minister has accepted that recommendation, which reflects the scale of the pilots at local elections that we have already conducted in the north-east. I think I am right in saying that the north-east is the only region where more than half the local authorities have already been involved in all-postal pilots.

The experiments have been extremely successful. Returning officers and others who have been involved in conducting such elections have not encountered the problems and genuine fears—I accept that they are genuine—that have been expressed by a number of Members during our proceedings. I accept that with all-postal elections candidates conduct themselves and campaigns are run in a somewhat different way. However, in our local experiments it has been possible to cast one's vote right up to the last day either at the civic centre or at some other designated point. It is true that even with all-postal ballots it is possible to vote fairly late in the proceedings.

I listened carefully to the point made by the hon. Member for Somerton and Frome (Mr. Heath) about the difference in the national campaign when compared with others. However, we must recognise that local elections are often affected by national issues. Some issues that are relevant at local elections are relevant to

[Joyce Quin]

local authorities throughout the country—issues relating to council tax, for example. They may be similar from one local authority area to another even though a particular local authority may be participating in a pilot and another local authority with similar issues may not. I do not think those obstacles are insuperable. If we were talking, as I hope we shall be, about rolling out on a more extensive scale, we would have to think of the consequences in terms of campaigning overall.

I reaffirm how popular the experiment in my area has been with voters. In parts of my area we have had the experiments now for three consecutive years. Like all Members at local election time, I canvas, knock on doors, and speak to people on the doorstep. The reaction to postal voting has been extremely positive, and I do not believe that we should stick with a traditional way of voting just for the sake of it. Many people, particularly in households where both partners are working, have stressed the fact that the all-postal system fits much better with their lifestyle. Of course, people may know in advance that they are going to find it difficult to get to the polling station, perhaps because both partners are working, or because they work long or unsocial hours. At the same time, my constituents warmly welcome an automatic entitlement to a postal vote. In parts of my constituency, people are used to the postal system, which they have used for three consecutive years, so there would be resentment if we went back to what they consider an old-fashioned and less convenient way of voting.

For all those reasons, I am very pleased indeed that the north-east was selected as a pilot for the experiment. I agree that we need to learn from our experience and evaluate carefully what happens in the elections, but I encourage the Government to think innovatively about voting systems. They should not be deflected by the doom and gloom that we have heard in our proceedings, because in my experience it is not borne out by reality.

6.41 pm

Angela Watkinson: I have listened with great interest to the debate. When our debates started this afternoon, I was opposed to the Bill in principle because of my experience in the most recent local elections of the postal ballot pilot in Havering, which threw up a range of difficulties. I hoped that, during the debate I would gain confidence that those difficulties could be overcome, but having heard Members' contributions, I remain opposed to the Bill.

The pilot in Havering threw up problems with the postal service, such as the non-receipt by electors of ballot papers and the difficulties of getting duplicates. In Havering, the one-envelope system was a particular problem, because a lot of electors resented having to put their declaration of identity in the same envelope as their ballot paper on the grounds of lack of confidentiality. The person who opened the envelope could link the ballot paper to the elector's identity, which was wholly unsatisfactory. There was also the problem of finding out whether completed ballot papers had been received at the town hall. A significant number of voters contacted me to ask how they could be certain that the town hall had received their ballot paper. In fact, there is no way of knowing. If we acknowledge the large amount of post that goes astray every year, we must assume that a certain proportion of ballot papers do not reach their destination.

In principle, an all-postal ballot is a bad thing, because it removes choice from the elector. Anybody who wants a postal vote can have one. In the past, it has been necessary to give a reason, such as going on holiday, work commitments or illness. Now, however, anybody who wishes to vote by post can do so if they submit an application. Nobody is therefore denied a postal vote if they want one.

David Taylor: The hon. Lady posed a rhetorical question when she asked how people can know that their absent voter ballot has reached the count. The marked register is a public document and is available for inspection after the electoral process is complete.

Angela Watkinson: I thank the hon. Gentleman for his intervention, which highlights my point. By the time a voter has discovered that their vote has not been received, it is too late. It is certainly possible to find out whether a vote has been recorded, but only after the election has taken place.

Choice should remain. If people wish to vote in the traditional way at a polling station, they should still be able to do so, but if they wish to have a postal vote, they should have one. That is preferable to choice being removed from people who wish to vote in person.

I shall say a few words about electronic voting, about which I would be extremely concerned. Highly sophisticated hackers, the introduction of viruses and the opportunities for personation mean that secure and confidential electronic voting is a long way off. I for one would never wish to vote by electronic means, because I would have no confidence at all in that system. It would have to be part of a mixed method system, because one could not guarantee that everybody had access to a computer. Those who had access to a computer at home or in their local library—those are two different methods, for a start—could vote electronically, while others would vote by post or in person at polling stations. That would make the system extremely complicated.

I take issue with the aim of the Bill. If I understand it correctly, the aim is to increase voter participation, which in itself is desirable. The proposals are aimed at non-voters, but people who do not vote choose not to vote. Nobody prevents them from voting. One can hardly say that voting is a complicated, onerous or difficult task. It is a simple matter to go to a polling station, and it is very simple to ask for a postal vote if anybody wants one. To make the process even simpler is wrong in concept.

If people need to be spoon-fed their ballot papers, they are not motivated to make a choice of who they want to vote for. They must have some personal motivation to participate in an election. The proposal is one step away from knocking on somebody's door, putting a pen in their hand, taking the ballot paper and putting it in the ballot box for them. People must take some responsibility for themselves. Making an election simpler is wrong in concept.

Mr. Hawkins: My hon. Friend is making an important point. Does she agree that when we look around the world and see many other countries where people are still fighting and dying for the right to vote in the traditional way, it is rather ridiculous that, because of their obsession with modern technology, the Government want to demean and get rid of a system that people elsewhere in the world desperately want—a democracy that is tried and tested, and which has worked for many hundreds of years in this country?

Angela Watkinson: I thank my hon. Friend for that intervention, which highlights the situation in this country. We live in a free democratic country where everybody has the right and the opportunity to vote. If they do not take it, that is their choice. It is up to politicians to motivate people to use their vote by giving them reasons to think that that is important and makes a difference, not to make it so easy for them that they do not have to make any effort at all. If people cannot be bothered to vote, if it is too much trouble for them to ask for a postal ballot paper or to go to a polling station, it is their responsibility, not the Government's.

6.48 pm

Dr. Pugh: I rise for three purposes: first, to express my strong support in principle for postal voting, for entirely selfish reasons—it saves me a great deal of energy on election day if more and more people vote by post; secondly, to express support for the Electoral Commission's conclusions, although I do not tend to make a habit of that; and thirdly, to urge the Minister to resist other siren voices from the north-west and the erroneous idea that the north-west would be a good target for the pilots.

I accept entirely that there have been successful pilots in places such as Chorley and St. Helen's, and I accept entirely that there has been an increased level of participation in those elections. That is well documented. However, there are specific reasons this time for not choosing the north-west. The Electoral Commission is right in its decision, not because there is no need to increase participation—there clearly is; not because north-west people are not ready for modernity—they clearly are; and not because it would affect the political balance—the figures last time showed that it did not.

There are specific circumstances in the north-west in 2004 that make the region a bad choice. There is a real risk that the success of the north-west pilot in 2003 will not be replicated in the whole of the north-west in 2004. What was true in Chorley in 2003 may not generally be true of the whole of the north-west subsequently. The axiom "Chorley today, the world tomorrow" will not necessarily hold in this case.

I should like to give a rationale for that. The bulk of the elections in the north-west will be in the big mets and unitaries. That is where most people will vote. Very large numbers of the politically disconnected reside in those areas. Eighteen of the biggest councils in the north-west happen to have all-up council elections. That will occur in all the mets. It is the product of a completely coincidental process in terms of the periodic boundary reviews. Unusually, across the north-west people will vote in June and not May; for three councillors, not one; in two elections, not one; and under two voting systems, not one. Adding many people's first encounter with a postal voting system will produce a recipe for a degree of chaos, as novelty will be piled upon novelty.

My judgment—I think it is a fair one—is that, because of the complexity involved in this year's elections, people in the north-west will need more help than usual from polling clerks. A large number of people will be outfaced by the sheer size of the ballot paper and the various notes that will need to accompany it. Those who are least politically literate will have more problems. People in ethnic communities, for example, or those who have problems of social disadvantage may be most deterred by that scenario and by the bulk of paper. If one's introduction to the postal voting system is complex, but will not be replicated the following year, when a more simple procedure will be in place, it will not be a good basis for a pilot.

That is not just my judgment. Obviously, it is only a guesstimate on my part, but I have taken the trouble to write to a good number of chief returning officers in the mets who face the problem that I have described. In most, but not all, cases, they anticipate problems not for themselves—they are capable and competent administrators—but for the people who have to fill in the voting slips.

I wish to make one final point that is more delicate in some respects. In urban boroughs, including some in the north-west in particular, serious concerns have been expressed about electoral fraud. Much of what is said is based on anecdote, even though the Electoral Commission refers to it in its report, and much of it features in the media. I thought it would be very helpful to have some positive and exact statistics, so I took the trouble to write to the Government asking how many allegations of electoral fraud in postal voting in local elections in the north-west had been reported or investigated in the past 10 years. I thought that, if they were going to propose the north-west as a pilot region, they would definitely know the answer to that question. The Minister for Local Government, Regional Governance and Fire replied:

> "Information on electoral fraud at elections is not held centrally and could be provided only at disproportionate cost." [*Official Report*, 6 November 2003; Vol. 412, c. 793W.]

The fact that the Minister and the ministerial team do not know the answer to that question adds to uncertainty and to the prima facie case that the north-west is not the best area for a pilot. If he were to choose the north-west, which would run contrary to all the evidence that has been presented and to the recommendation of the Electoral Commission, the suspicion would be that the explanation was entirely political.

6.53 pm

Mr. Forth: I want to join my hon. Friend the Member for Upminster (Angela Watkinson) in challenging the underlying presumption behind the Bill, which seems to be something like this: it is terribly difficult, awkward and challenging to cast a vote in our democratic system, so we must help these poor voters, who find the whole thing overwhelmingly difficult, and make it much easier for them to vote.

In my view, that is a patently absurd proposition. Our electoral system is tried and tested, and elegantly simple. Although the existing system is not foolproof, I suggest that if we are worried about personation or fraud within it, it should be relatively easy to deal with them. The

[Mr. Forth]

Government's underlying presumption is extremely patronising to our voters. I am partly astonished by and partly in admiration of Labour Members who find themselves able to stand up in this Chamber and imply that their voters are almost incapable of meeting the challenge of the apparently extraordinarily difficult electoral system that they face.

I do not share that presumption. I believe that our system is a proper and tried and tested one and that, as my hon. Friend the Member for Upminster said, it is perfectly reasonable to expect someone to exercise the privilege of voting by going to their local polling station and casting a vote on a ballot paper. That is not an obstacle—it is perfectly proper and appropriate in a modern, sophisticated democracy. We are, after all, talking about people whom we assume to be educated, if they wish to be knowledgeable, and who certainly have access to a wide range of information through the media.

The whole presumption behind the Bill is wrong and open to challenge, and it is cloaked in the word "modernisation", which some of us have come to detest, and which the Government trot out on every occasion to imply that modern is better. I challenge that assumption. Particularly when one is involved in tinkering with an electoral system, the burden of proof must be on those who wish to make the change, because the alternative methods are in many ways open to doubt and suspicion.

Mr. Salmond: If it had been left to the Conservative party, most of our electorates would never have got the vote in the first place. Although we cannot be sure about such things, I am pretty certain that if the right hon. Gentleman had sat on the Conservative Benches throughout the 20th century, he would have opposed every extension of the franchise.

Mr. Forth: I am tempted to respond to the hon. Gentleman, but I will not.

I want to identify the Electoral Commission as one of the villains of the piece. The Government are fond of setting up such bureaucracies consisting of bodies of people, who, let us not forget, are appointed by the Government, and whose self-justificatory mission is to produce endless proposals for change. The Government pick the proposals up, put the modernisation label on them, and patronise the electorate by saying, "This is something to which we must all agree in the name of democracy." That approach does not hold up. We lived without the Electoral Commission for a long time, and we could certainly do so again: I hope that my party has the courage to say that and to pledge itself to do something about it.

Any self-respecting Government should be perfectly capable of examining the electoral system from time to time and making proposals that are put to the test of the parliamentary process to see whether they survive. We do not need a commission that is set up allegedly to be impartial, only for the Minister—rightly, in my opinion—to exercise his political judgment to say, "Thank you very much for that, but we are not going to do it anyway; or we are going to do something rather different." That challenges the whole basis of the commission.

Many of the problems of the postal vote were highlighted today. We do not yet have anything like a satisfactory solution to the problem of personation, which was mentioned several times. To my mind, however, the more difficult and challenging problem is that of intimidation, which was hardly mentioned. We all know that our present system is about as secure as one can get. An individual who feels in any way vulnerable knows that they can go into the security of the polling station and cast their vote in absolute secrecy: on that they can rely. That is not the case if a ballot paper is posted to them, because that makes them vulnerable to intervention or intimidation by some other person, be it a member of the family or another person in a house in multiple occupation. That should give us pause for thought. I have not heard anyone give even the beginnings of an answer to the problem; until that happens, I will remain utterly unconvinced that the way forward suggested in the Bill is appropriate. Surely we cannot ask our voters, especially those who may be vulnerable to intimidation, to move from a secure system to a potentially insecure system without having made any attempt at reassurance.

The Bill is deeply flawed. The reasons that have been given for it are invalid; the role of the Electoral Commission is one that I deprecate; and I am sorry to say that the alleged solutions for which the Government are responsible are inappropriate, poorly thought out and in many ways counterproductive. I hope that the House will reject it.

Question put, That the Bill be now read the Third time:—

The House divided: Ayes 304, Noes 166.

Division No. 14] **[6:59 pm**

AYES

Abbott, Ms Diane
Adams, Irene *(Paisley N)*
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Atherton, Ms Candy
Atkins, Charlotte
Austin, John
Bailey, Adrian
Baird, Vera
Banks, Tony
Barnes, Harry
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bell, Stuart
Benn, rh Hilary
Bennett, Andrew
Berry, Roger
Betts, Clive
Blackman, Liz
Blizzard, Bob
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coffey, Ms Ann
Colman, Tony
Connarty, Michael
Cousins, Jim
Cranston, Ross
Crausby, David
Cryer, John *(Hornchurch)*
Cummings, John

Cunningham, rh Dr. Jack *(Copeland)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davis, rh Terry *(B'ham Hodge H)*
Dawson, Hilton
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dobson, rh Frank
Donohoe, Brian H
Doran, Frank
Dowd, Jim *(Lewisham W)*
Drew, David *(Stroud)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Etherington, Bill
Farrelly, Paul
Fisher, Mark
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Hermon, Lady
Hesford, Stephen
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hoon, rh Geoffrey
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Hoyle, Lindsay
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Ingram, rh Adam
Irranca-Davies, Huw
Jackson, Glenda *(Hampstead & Highgate)*
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Alan *(Feltham)*
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lazarowicz, Mark
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Llwyd, Elfyn
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McCafferty, Chris
McCartney, rh Ian
McDonagh, Siobhain
MacDonald, Calum
McDonnell, John
MacDougall, John
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNamara, Kevin
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Marshall, Jim *(Leicester S)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Austin *(Gt Grimsby)*
Mole, Chris
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
Organ, Diana
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Price, Adam *(E Carmarthen & Dinefwr)*
Primarolo, rh Dawn
Prosser, Gwyn
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Salmond, Alex
Salter, Martin
Sarwar, Mohammad
Savidge, Malcolm
Sawford, Phil
Sedgemore, Brian
Sheerman, Barry
Sheridan, Jim
Singh, Marsha
Skinner, Dennis
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, John *(Glamorgan)*
Smith, Llew *(Blaenau Gwent)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stinchcombe, Paul
Stoate, Dr. Howard
Stuart, Ms Gisela
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Gareth *(Harrow W)*
Thomas, Simon *(Ceredigion)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Truswell, Paul
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Twigg, Stephen *(Enfield)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N
Watts, David
White, Brian
Whitehead, Dr. Alan
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Williams, Hywel *(Caernarfon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wishart, Pete
Woodward, Shaun
Woolas, Phil
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Ayes:
Joan Ryan and
Vernon Coaker

NOES

Ainsworth, Peter *(E Surrey)*
Allan, Richard
Amess, David
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Baker, Norman
Barker, Gregory
Baron, John *(Billericay)*
Barrett, John
Beggs, Roy *(E Antrim)*
Beith, rh A. J.
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brake, Tom *(Carshalton)*
Brazier, Julian
Brooke, Mrs Annette L.
Browning, Mrs Angela
Burns, Simon
Burnside, David
Burstow, Paul
Burt, Alistair
Butterfill, John
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Sir Sydney *(Chipping Barnet)*

Chidgey, David
Chope, Christopher
Clappison, James
Clarke, rh Kenneth *(Rushcliffe)*
Clifton-Brown, Geoffrey
Collins, Tim
Cormack, Sir Patrick
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Djanogly, Jonathan
Doughty, Sue
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Flight, Howard
Flook, Adrian
Forth, rh Eric
Foster, Don *(Bath)*
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
George, Andrew *(St Ives)*
Gibb, Nick *(Bognor Regis)*
Gidley, Sandra
Grayling, Chris
Green, Damian *(Ashford)*
Green, Matthew *(Ludlow)*
Greenway, John
Gummer, rh John
Hague, rh William
Hammond, Philip
Hancock, Mike
Hawkins, Nick
Heald, Oliver
Heath, David
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Holmes, Paul
Horam, John *(Orpington)*
Hughes, Simon *(Southwark N)*
Hunter, Andrew
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Johnson, Boris *(Henley)*
Jones, Nigel *(Cheltenham)*
Keetch, Paul
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Kirkwood, Sir Archy
Knight, rh Greg *(E Yorkshire)*
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lamb, Norman
Lansley, Andrew
Laws, David *(Yeovil)*
Letwin, rh Oliver
Lewis, Dr. Julian *(New Forest E)*
Liddell-Grainger, Ian
Lidington, David
Lilley, rh Peter
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
May, Mrs Theresa
Mercer, Patrick
Murrison, Dr. Andrew
Norman, Archie
Oaten, Mark *(Winchester)*
Öpik, Lembit
Ottaway, Richard
Page, Richard
Paterson, Owen
Pickles, Eric
Prisk, Mark *(Hertford)*
Pugh, Dr. John
Randall, John
Redwood, rh John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Roe, Mrs Marion
Rosindell, Andrew
Ruffley, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Selous, Andrew
Shepherd, Richard
Simmonds, Mark
Simpson, Keith *(M-Norfolk)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Soames, Nicholas
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, John *(Solihull)*
Taylor, Matthew *(Truro)*
Taylor, Sir Teddy
Teather, Sarah
Thurso, John
Tonge, Dr. Jenny
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Waterson, Nigel
Whittingdale, John
Wiggin, Bill
Wilkinson, John
Williams, Roger *(Brecon)*
Willis, Phil
Wilshire, David
Winterton, Ann *(Congleton)*
Winterton, Sir Nicholas *(Macclesfield)*
Yeo, Tim *(S Suffolk)*

Tellers for the Noes:
Angela Watkinson and
Richard Younger-Ross

Question accordingly agreed to.

Bill read the Third time, and passed.

Mr. Deputy Speaker (Sir Alan Haselhurst): With the leave of the House, I shall put motions 2, 3 and 4 together.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation).

INTERNATIONAL DEVELOPMENT

That the draft International Fund for Agricultural Development (Sixth Replenishment) Order 2003, which was laid before this House on 30th October, in the last Session of Parliament, be approved.

EMPLOYMENT AGENCIES

That the draft Conduct of Employment Agencies and Employment Businesses Regulations 2003, which were laid before this House on 3rd December, be approved.

EXTRADITION

That the draft Extradition Act 2003 (Designation of Part 1 Territories) Order 2003, which was laid before this House on 3rd December, be approved.—*[Mr. Jim Murphy.]*

Question agreed to.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation).

EXTRADITION

That the draft Extradition Act 2003 (Designation of Part 2 Territories) Order 2003, which was laid before this House on 3rd December, be approved.—*[Mr. Jim Murphy.]*

Mr. Deputy Speaker: I think the Ayes have it.

Hon. Members: No.

Division deferred until 12.30 pm on Wednesday 17 December.

Mr. Deputy Speaker: With the leave of the House, I shall put motions 6, 7 and 8 together.

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation).

EXTRADITION

That the draft Extradition Act 2003 (Designation of Part 3 Territories) Order 2003, which was laid before this House on 3rd December, be approved.

That the draft Extradition Act 2003 (Police Powers: Code of Practice) Order 2003, which was laid before this House on 3rd December, be approved.

BROADCASTING

That this House approves the Amendment [Cm 6075] dated 4th December 2003 to the Agreement [Cm 3152] dated 25th January 1996, (as amended by the Amendment [Cm 4797] dated 3rd July 2000) between the Secretary of State for Culture, Media and Sport and the British Broadcasting Corporation, which was laid before this House on 8th December.—*[Mr. Jim Murphy.]*

Question agreed to.

Mr. Deputy Speaker: With the leave of the House, I shall put motions 9 and 10 together.

COMMITTEES

PUBLIC ADMINISTRATION

Ordered,

That Mr John Lyons be discharged from the Select Committee on Public Administration and Mrs Anne Campbell be added.

STATUTORY INSTRUMENTS (JOINT COMMITTEE)

Ordered,

That Mr Andrew Rosindell be discharged from the Select Committee appointed to join with a Committee of the Lords as the Joint Committee on Statutory Instruments and Mr Eric Forth be added.—*[Mr. Jim Murphy.]*

CHILD TRUST FUNDS BILL (PROGRAMME) (NO. 2)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003],

That the Order of 15th December 2003 (Child Trust Funds Bill (Programme)) be varied as follows:

In paragraph 2 (conclusion of proceedings in Standing Committee), for "15th January" substitute "20th January".—*[Mr. Jim Murphy.]*

Question agreed to.

PETITION

Eritrea

7.14 pm

Tony Cunningham (Workington) (Lab): I wish to present a petition bearing the signatures of about 5,000 people who are British Eritreans, members of the Eritrean community in the United Kingdom and friends of Eritrea.

In 1998 there was a border dispute between Ethiopia and Eritrea. Those are two of the six poorest countries in the world. That particular border dispute developed into a war which cost the lives of about 180,000 people, probably putting back the development of both countries by about 20 years.

When the war was over—it reminds me of similar sentiment at the end of the first world war—people said that it must never be allowed to happen again. Yet the border dispute rumbles on. There is at least a threat of further hostilities. We need a speedy resolution to the dispute so that both nations, after a war that has destroyed so many lives, can move on and rebuild.

The petition states:

> The Petitioners therefore request that the House of Commons urge the Government to take steps to discourage Ethiopia from pursuing the path of war. The Petitioners further request that the House of Commons urge the Government to advocate strict international sanctions in accordance with the UN Charter, in order to prevent the violation of the sovereignty of Eritrea and of the basic tenets of the UN Charter and International Law.
>
> And the Petitioners remain, etc.

To lie upon the Table.

Green Burials

7.15 pm

Mr. Fabian Hamilton (Leeds, North-East) (Lab): My debate tonight deals with one of the last great taboos of modern society—death. However, I do not intend to be morbid or depressing tonight. Instead, I want to look at one of the most visionary ideas, which translates into a service that has helped many people already in my constituency, and offers hope, joy and comfort at the most difficult time of any person's life—the moment they lose someone close to them.

A year ago, I received a letter from a constituent, Mrs. Daphne Hubery, whose husband, George, had died of cancer in 1999 at the age of 77. He was cared for in the last few days of his life at the wonderful St. Gemma's hospice in my constituency, and after his death, his wife, Daphne, picked up a leaflet at the hospice about "green burials". Not knowing anything about the subject, she telephoned the name on the leaflet—John Bradfield—and so began her involvement in one of the most innovative public service projects that I have ever come across.

The Prime Minister said a few years ago that

> "social pioneers could deliver modern public service"

under a new Labour Government, so John Bradfield, a qualified social worker living in Harrogate, took up the challenge, which, in his words aims to

> "create new mechanisms to ensure that modern services are delivered in the new millennium."

The phrase "green burial" has been around for a while. Indeed, the late George Harrison chose to be buried in that way. I shall go on to explain what the phrase actually means, but John Bradfield wrote the definitive book on it, entitled "Green Burial: the do-it-yourself guide to law and practice".

Daphne Hubery did not want the traditional funeral service for her husband George. She spoke to John Bradfield and went to visit Gertrude's Pasture, in Scotton near Harrogate, just a few miles north of their Leeds home. She fell in love with that wildlife and nature reserve and decided that it was where George should be buried, and that she, her friends and family would dig the grave and perform the funeral themselves.

The funeral service took place in the chapel of rest at St. Gemma's hospice. Daphne and George's children and four young grandchildren came to this celebration of George's life. Daphne told me that arranging the funeral without undertakers made her "feel empowered". She said that for her grandchildren the service she organised

> "took away the fear of death".

Gertrude's Pasture is a three-and-a-half acre site in the beautiful countryside in Scotton, near Knaresborough and Harrogate—about 15 miles north of Leeds. It is one of the few sites in the country where a type of beetle known as the "May bug" proliferates during, unsurprisingly, the month of May. It attracts the rare noctule bat, a protected species that has a wing span of up to 14 in, making it the largest form of British bat.

Gertrude Martin donated that land as a nature reserve in 1989 to the Alice Barker Welfare and Wildlife Trust, one of whose trustees is John Bradfield. The trust's registered office is in Harrogate. After her death,

[Mr. Fabian Hamilton]

Gertrude gave her cottage to the trust as well, so that people could stay there for respite and enjoy the nature reserve itself. The land also accommodates the great crested newt, another protected species, which uses some of the grave structures to nest in. Placing permission was given by Harrogate borough council for use as a burial ground for up to 50 graves in 1995.

Once the 50 plots were used up, the trust applied for further planning permission. Unfortunately, however, this time it ran into resistance from the planning authority, which is Harrogate borough council.

Last Tuesday, 9 December, councillors from Harrogate heard the application for the site to be used for up to 1,000 more green burials, which would mean that it had a long-term future as a green burial ground. In spite of a carefully written report and application, permission was refused, mainly on the grounds that the authority could not control the frequency of burials on that site, and that permission for 1,000 graves might have meant that there would be up to "20 burials a day", resulting in traffic chaos. That is highly unlikely, given the average of one burial a month over the past four years, and the projection in the application of an average of one per week.

According to the report in last Friday's *Yorkshire Post*, Harrogate planning officer Neville Watson told councillors that expansion of the site for 1,000 burials,

> "would have a adverse effect on the character and appearance of the area"

Moreover, committee chairman Councillor John Smith told the newspaper:

> "If the area was used for burials at the present rate, the expanded burial ground could be open for up to 500 years."

That is a slight contrast to the claim of 20 burials a day.

Councillors were also worried, as I have mentioned, about the traffic implications, even though the site currently generates very little traffic indeed. It seems strange that traffic did not figure in the discussions in relation to an industrial estate on the other side of the village of Scotton. I am told that highways officers raised no objections to that application.

I am very concerned that this project could now come to an end because of the hostile and highly conservative attitudes of local elected councillors, who have failed to see the wider benefits of a public service that does so much to help the bereaved and their families cope with the death of a loved one. I shall certainly support the trust in its appeal against this narrow-minded, bureaucratic and ill-thought-out decision.

I turn now to the wider aspects of this matter: the work of the Welfare and Wildlife Trust, Gertrude's Pasture, and John Bradfield himself. I have said that I consider him a visionary in an area of work that is little discussed and on which there is little public policy. However, it is something that we will all go through at some time or other during our lifetimes. John is a strong believer in the new Labour philosophy of "joined-up Government"—a phrase coined by my hon. Friend the Member for Leeds, West (Mr. Battle). He believes that people are "ambushed by death", and that hospitals never prepare families for the anguish and emotional pain of bereavement.

What the trust has done is to show how joined-up thinking in public services can be possible. Not only is a loved one buried in a beautiful place that is a wildlife reserve, but bereavement counselling can take place as part of the process of digging the grave and organising the funeral. I am not trying to put funeral directors out of business. There will always be plenty of work for them, but what I have seen and what constituents have told me convinces me that this is an idea that really works. However, it finds obstacles to its continuation at every turn, be they bureaucratic, unimaginative or just plain obstructive.

When Sue Thorp's husband Mike died of cancer in 1995, she was able to start grieving immediately, knowing that he had seen Gertrude's Pasture and had even decided where on the site he wanted to be buried. She gained huge comfort from knowing that they had made the decision jointly, and that their daughter Jessica, who was then just two and a half years old, has since visited the grave on many occasions—even decorating it with thyme plants and encouraging the great crested newts to nest there.

I visited the site in February this year, and was greatly impressed by the way it was managed and the tranquillity that it offered. What I saw, even in that bleak month, was a beautiful piece of Yorkshire countryside where the dead really could rest in peace and where the pain of death for surviving families could be ameliorated by the care and understanding offered by John Bradfield and the trust.

I decided then to take up the campaign, on behalf of many of my constituents, even though the site is in the constituency of the hon. Member for Vale of York (Miss McIntosh). She is aware that I am taking up the issue and holding this debate tonight. As I have said, the trust's registered office is in Harrogate, and the hon. Member for Harrogate and Knaresborough (Mr. Willis) fully supports what I am saying this evening.

When I walked around Gertrude's Pasture last February I came across the grave of Linda Biran, an active member of my constituency Labour party until cancer struck her down in April 2000. Her grave was marked like all the others with a flat stone on the ground. I knew that she had wanted a green burial and here she was. Her husband, Dr. Len Biran, fully supports the work of the trust and has spoken to me today to offer his encouragement.

I hope that my right hon. Friend the Minister, in his response to the debate, will be able to offer hope to the many citizens of this country—including many of my constituents—who are not people of faith and who might choose the option of a green burial when their time comes. It will mean co-ordination between Departments responsible for planning and health, the Home Office and the Department for Environment, Food and Rural Affairs. Although this debate is specifically about the planning issues, I hope that he will feel able to pass on to colleagues in those Departments the message that if joined-up government is to mean anything, it should mean the encouragement of visionary services such as Gertrude's Pasture, not their discouragement by over-bureaucratic local planning authorities for what appear to be spurious reasons.

Given the fact that there will be an appeal, I know that the Minister cannot comment on the specifics of this application, but I hope that he will feel able to consider a planning policy guideline that will give support to such services. Unfortunately, like taxes, death is a part of life from which there is no escape. People like John Bradfield have shown us how we can cope with the death of those we love. I hope that our Government will listen to what he has to say.

7.27 pm

The Minister for Housing and Planning (Keith Hill): I congratulate my hon. Friend the Member for Leeds, North-East (Mr. Hamilton) on securing this debate. He is the only Member who has ever raised the issue of green burials with my Department, and I have, therefore, listened with singular interest to the matters that he has highlighted in the debate. He spoke eloquently, even movingly, and made a strong case for a more joined-up approach across Departments and public services on the matter. I will certainly reflect on the case that he made.

I believe that it would be helpful if I were to contribute to the debate by setting out the current planning position regarding green burials. Although burial principally occurs in purpose-designed cemeteries or churchyards, there are some exceptions. Families with large estates have routinely built a mausoleum or similar building on their land, for the burial of family members. Historically, it has doubtless been the case that some individuals have been buried in farmland and others in gardens, but the practice has not been widely noticed.

More recently, such burials have received a degree of media attention and it is believed that numbers have increased. Some of that has been due to the promotional activities of the Natural Death Centre, a charity formed to support a less formalised routine for funerals, as well as a more positive approach to death in general. It provides advice on green burials.

Those who opt for a green burial feel there are significant advantages to that form of burial. They argue that it allows them to organise a very personal funeral, in which they maintain total control. It is also argued that there are financial and environmental benefits from the practice. However, the complexities of carrying out a green burial may also be significant, although those vary according to the location. First, it is essential that permission to complete a burial be obtained if the landowner of the ground is not directly involved in the planning of the funeral. Secondly, any individual or mortgage company that has an interest in the property needs also to be notified. Thirdly, it should be borne in mind that access to the grave may be denied or restricted by change of ownership.

Most locations for such so-called green burials fall into two categories: on farmland and in a garden. Farmland locations are rarely overlooked and so will not offend neighbours or the public at large. The gravesite should be on land with a deep water table and be sufficient distance from watercourses so as not to pose a pollution threat. Electrical or other services must obviously be avoided.

With regard to planning permissions on such sites, a limited number of burials over a period of time may not constitute a change of use and no planning approval would thus be necessary. Recent local authority certificates of lawfulness have decided that planning permission is not required for the non-commercial burial on private land of a limited number of family members, friends or other members of a household. However, it has to be said that those decisions have not so far been tested in the courts. Exceeding a "limited number" of burials may require planning approval for use as a cemetery or for mixed use if farming is also to continue.

Safety in the excavation of the grave is a further consideration, as is the requirement to leave a sufficient depth of soil—3 ft—over the body. If it is intended to fence or mark the grave with a memorial, planning permission may be required. In effect, a single burial in a farm situation can proceed without an approach to, or the approval of, any council or other official organisation.

Garden burials, however, are complicated by the proximity of neighbours who may object to a burial in their close vicinity and may be offended by the sight of a coffin or body. There may be legal issues and there are, of course, issues of relationships but otherwise the considerations that apply to farm burials are broadly similar. The particular difficulty in garden locations is the likely reduction of the property value owing to the presence of a grave, or even the deterrent value of the presence of a grave to any sale at all.

Two major concerns influence that choice of burial. The first is the possibility of a future exhumation and burial elsewhere; there are legal means, in other words a restrictive covenant, whereby it may be possible to ensure that the grave remains untouched but they would involve costs and other uncertainties. Secondly, it is clearly the case that details of the burial will not be officially recorded, as they would be in a cemetery. None the less, it appears that there is a statutory requirement for the landowner to maintain a register of burials, even if only in the form of a note, preferably showing the location, in the event that the grave is disturbed by building or excavation works at some stage in the future. The Home Office recommends that it be lodged with the deed of the property. In addition, a certificate for burial issued by a coroner or registrar of births and deaths must be obtained and returned to the registrar by the person arranging the burial.

I now turn to the circumstances in which planning regulations come into force: the locations where more than a limited number of private non-commercial burials are occurring or proposed. Cemeteries and graveyards, except those ancillary to a church, and burial grounds, including green burial sites, are classified under the Town and Country Planning (Use Classes) Order 1987 as sui generis. Accordingly, any change of use would require planning permission.

Although a single burial or a limited number of burials over a period of time may not constitute a change of use requiring planning approval, exceeding the limited number of burials may require planning approval for change of use to a cemetery or burial ground. In such circumstances, local authorities have the responsibility of deciding what uses the land may be put to and assessing the potential impact of that development. That is done through the local plan-making process and planning applications will be decided in accordance with such plans.

[Keith Hill]

Although it may be argued that woodland or green burials would have little impact on the countryside, it is for the local planning authority to determine where a change of use has occurred or will occur and whether to grant planning permission. Of course, the local planning authority will treat each application on its merits, on a case-by-case basis. Members of the public have an opportunity to contribute their views once an application has been registered, and the local planning authority has a duty to publicise the application.

When a planning application for development relating to the use of land as a cemetery is received, the local planning authority also has to consult the Environment Agency and to take into account any informal advice it proffers. The agency's concern would be the possible environmental consequences for underlying aquifers and for nearby watercourses, springs and boreholes. The granting of permission for development should be consistent with agricultural, countryside, environmental, greenbelt and other national planning policy guidance, unless there are material and compelling planning reasons to do otherwise.

Let me conclude by saying that I have been aware of the situation regarding the burial ground at Gertrude's Pasture in Scotton, Harrogate, and I understand that it has a complicated history. However, since, as my hon. Friend has pointed out, this matter is now likely to be subject to appeal, he will understand that in my quasi-judicial capacity as a Planning Minister I am unable to comment further. I am sincerely grateful to him for raising these interesting issues, and I leave him with the assurance that the Office of the Deputy Prime Minister continues to keep these matters under review.

Question put and agreed to.

Adjourned accordingly at twenty-six minutes to Eight o'clock.

House of Commons

Wednesday 17 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

MESSAGES FROM THE QUEEN

QUEEN'S SPEECH (ANSWER TO ADDRESS)

THE VICE-CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's Answer to the Address, as follows:

I have received with great satisfaction the dutiful and loyal expression of your thanks for the Speech with which I opened the present Session of Parliament.

ASSOCIATION AGREEMENTS

THE VICE-CHAMBERLAIN OF THE HOUSEHOLD reported Her Majesty's Answer to the Address, as follows:

I have received your Addresses praying that the (1) European Communities (Definition of Treaties) (Euro-Mediterranean Agreement Establishing an Association Between the European Communities and their Member States and the People's Democratic Republic of Algeria) Order 2003, and that the (2) European Communities (Definition of Treaties) (Euro-Mediterranean Agreement Establishing an Association Between the European Communities and their Member States and the Republic of Lebanon) Order 2003, be made in the form of the draft laid before your House on 4th November, in the last Session of Parliament.

I will comply with your request.

Oral Answers to Questions

INTERNATIONAL DEVELOPMENT

The Secretary of State was asked—

EU Aid Programmes

1. **Sir Michael Spicer** (West Worcestershire) (Con): What measures his Department has proposed for tackling fraud in EU aid programmes. [144406]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): We take very seriously any accusations of fraud in EU aid programmes. My Department has therefore supported the reform of the EC's aid programmes and policies, in particular the establishment of the EuropeAid office, progress with de-concentration, reduction in the backlog of unspent Commission funds and the reform of the financial management of the Commission's external assistance. Those measures should continue to improve the transparency and accountability standards of the EC aid programme financial management through better scrutiny.

Sir Michael Spicer: Why give the money to the EU at all? Why not give it to the countries direct?

Mr. Thomas: Many countries already have extensive bilateral development programmes. The advantage that the European Commission offers is that it is able to lever in development money that might otherwise not be spent by member states. The hon. Gentleman might want to consider that especially pertinent point while bearing in mind the huge cuts in development spending as a proportion of gross national income over which his party presided.

David Taylor (North-West Leicestershire) (Lab/Co-op): Among the countries and groups given aid by the EU is the Palestinian Authority. Only two weeks ago strong evidence showed that some of that aid is being fraudulently channelled to militant groups that are behind some of the suicide bombings in Palestine. Will the Minister comment on that and tell us what help his Department has given to root out such corruption and fraud?

Mr. Thomas: I hope that I can reassure the House that the European Commission's investigations have found no evidence to corroborate allegations that EC funds have been misused to finance terrorist activities or used for anything other than their original purpose. We are satisfied that the Commission, with the assistance of the International Monetary Fund, has ensured that all the terms of the conditionality on which it insists when giving aid to the Palestinian Authority have been met. Israeli concerns, which prompted some of the allegations, have receded in the light of further recent reforms in the Palestinian Ministry of Finance, and Israel has resumed the transfer of tax revenues due to the Palestinian Authority. I hope that that reassures my hon. Friend.

Mr. John Bercow (Buckingham) (Con): Given that roughly one quarter of British aid spending supports European Union programmes and that fraud in the EU aid budget is currently running at approximately £14 million a year—for the ninth successive year, the European Court of Auditors has refused to give a clean bill of health to the European Union accounts—can the hon. Gentleman explain to the House why in the Department's 2003 annual report, neither the section on the European Community, nor the list of 2003 to 2006 public service agreement targets, makes any mention of the fight against fraud in EU aid?

Mr. Thomas: The 2002 European Court of Auditors report actually suggests that while there are some continuing concerns, about which we continue to press for serious improvements, over supervisory systems and controls and standards, a sample audit of the transactions undertaken by the Commission in development spending threw up only a number of relatively marginal errors. Clearly we need to continue to investigate those errors, but the programme of reform that the Commission has implemented in our development spending has produced fewer examples of irregularity and fewer accusations of fraud—far fewer than before 1999 when the current reform programme began. There is thus considerable evidence that the reform programme continues to work. Clearly more reforms may be necessary and we shall continue to support them.

Migrant Remittances

2. **Mrs. Betty Williams** (Conwy) (Lab): What assessment he has made of the benefit to developing countries of their nationals working in the United Kingdom and sending remittances home. [144407]

The Secretary of State for International Development (Hilary Benn): In October, DFID, together with the World Bank, hosted the first international conference on migrant remittances, which are estimated by the World Bank to be worth $88 billion a year. Research, including that funded by DFID, shows that both migration and remittances help to reduce poverty in developing countries, with remittance transfers making up as much as 40 per cent. of the household budget for receiving families.

Mrs. Williams: I thank my right hon. Friend for that answer. Remittances are clearly a very effective way of getting cash help through to developing countries. However, in view of the fact that much of that money goes through banks and significant costs are therefore involved, can my right hon. Friend tell the House how he hopes to bring down the cost of remittance transactions?

Hilary Benn: My hon. Friend raises an important point about high costs, but the market is changing—and changing fast—so increased competition and new technology are helping to lower those costs. For example, the cost of sending remittances from the United States to Mexico has halved over the past four years; in Ecuador a bank has issued ATM cards to people who have no bank account, to enable them to access remittance funds from Spain; and similar developments are being considered in other countries. Lloyds bank has a pilot scheme that allows customers to send remittances to India cost-free. There is also the traditional hawala system, of which my hon. Friend will be aware. I hope that all those developments will help to address the question and will reduce the cost of that important support to developing countries.

Mr. Quentin Davies (Grantham and Stamford) (Con): Is not that response a little complacent? Is the Secretary of State aware that only the other day his Department gave evidence to the Select Committee that the individual transaction costs—the amount abstracted by banks and intermediaries—were between 13 and 20 per cent. of the money earned by hard-working, often poor people who are generously trying to support their families in poor countries? That 13 to 20 per cent. on total remittances of $80 billion amounts to more than twice the right hon. Gentleman's total aid programme. Would it not be a good idea to focus a bit more attention on the matter, and will he give the House a considered report about the overall position on the cost of remittances—the extent to which the costs are falling or rising and what can be done about them?

Hilary Benn: I do not accept that my answer was complacent. Indeed, I recognised that the issue raised by my hon. Friend the Member for Conwy (Mrs. Williams) and the hon. Gentleman is a real problem and that it needs to be addressed. I gave some examples of practical steps that are being taken, because the market is changing, to bring the costs down. If the hon. Gentleman is looking for a practical contribution, however, I can tell him that one of the things that the Department is doing is establishing a remittance taskforce with 15 donors in international agencies to look at what more we can do in the international community to bring those costs down because, as the hon. Gentleman is only too well aware, the benefit of that money to the recipients is enormous, not least, as he pointed out, because the amount is larger than all the aid that the rich world currently gives the poor world.

Departmental Contracts

3. **Hugh Bayley** (City of York) (Lab): What steps his Department is taking towards spending a greater proportion of its budget on goods and services supplied by companies based in developing countries. [144408]

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): DFID contracts are open to international competition from all sources. Suppliers must compete on price and quality and we do not give preferential access. The number of high-value contracts won by developing country firms against international competition rose from two in 2001–02—the first year in which we untied our aid—to 24 last year.

We have also given delegated authority to DFID's overseas offices to make lower-value purchases in local and international markets, which resulted in about 1,500 low-value contracts worth a total of £20 million last year. We do not record company origin for those services but many of those contracts will have been awarded to developing country firms.

Hugh Bayley: According to the Department's answer to my question in May, last year DFID headquarters awarded only eight contracts to African-based businesses, worth a total of £10.6 million, and DFID missions in Africa awarded additional contracts of about £9.5 million. Given that the Government have almost doubled aid to Africa—to £1 billion a year—does my hon. Friend agree that there is scope for awarding many more contracts to African countries? What will the Department do, consistent with the good management of public money, to enable more African businesses to bid for contracts from DFID?

Mr. Thomas: My hon. Friend alludes to the fact that African-based companies are showing increasing interest in bidding for DFID business. There have been a number of notable recent successes, including the awarding of contracts to companies from Uganda, Tanzania and South Africa. My hon. Friend will be

aware that since 1998 about £160 million has been allocated to developing trade-related capacity in developing countries, including countries in Africa. Included in that help is support to assist countries to develop their business sectors by supporting small business development and access to credit, and by increasing understanding of the standards that are necessary to win contracts from DFID and from other European countries. That process is under way. I would expect to see more African companies bidding—and I hope being successful, and winning contracts from DFID.

Rev. Martin Smyth (Belfast, South) (UUP): Does the Minister agree, however, that sometimes purchasing officers are not imaginative enough in considering new bidders, and continue on old pathways rather than giving people an opportunity to sell their goods and develop properly?

Mr. Thomas: We need to do two things: first, to develop the capacity of countries themselves to support their own businesses to enable them to grow and develop and to exploit the opportunities that are available; secondly, to ensure that the staff that we have in-country are fully trained in recognising the opportunities and the potential for particular companies. With that in mind, we have given our staff appointed in-country training courses in procurement work so that they can exploit opportunities in terms of the local companies that could possibly do work for us.

Iraq

4. **Mrs. Cheryl Gillan** (Chesham and Amersham) (Con): What recent representations he has received about aid to Iraq; and if he will make a statement. [144409]

The Secretary of State for International Development (Hilary Benn): I continue to receive many representations about aid to Iraq. DFID has now committed £216 million towards humanitarian and reconstruction assistance in Iraq, and at the Madrid donors conference in October, I announced that the Government would commit a total of £544 million for the three years from April 2003.

Mrs. Gillan: I thank the Secretary of State for that reply. The Iraqi Red Crescent is doing a fantastic job especially because it took on some of the work of the International Committee of the Red Cross when it withdrew—particularly in delivering food, although it is stretched so badly that it is suffering from lack of resources. The worst problem that it faces is the lack of medical supplies and the lack of treatment for children. It has been sending children for treatment outside Iraq to Saudi Arabia, Turkey and Greece, and it is now appealing to European and Arab countries for help. We have had some highly publicised cases of children being treated in the UK. Could we do something to help and support this organisation and to help those children who are desperately in need?

Hilary Benn: I join the hon. Lady in paying tribute to the work that the Iraqi Red Crescent is doing. As for the treatment of children and the health care system in Iraq, the most important contribution that we can make, which we are seeking to do alongside others, is to work with the Ministry of Health to build and develop capacity within Iraq. There are many able and highly trained doctors in a health service that suffered considerably during the course of Saddam's regime. We have been trying to improve the distribution system for drugs and medicines to ensure that there is support and help available to treat children where they should be treated, which is close to their homes in their own country.

Mr. Harry Barnes (North-East Derbyshire) (Lab): Saddam Hussein had his people dragooned and controlled within three massive state organisations: one for youth, one for women, and one for workers. Are there means by which the Government could seek to facilitate the newly emergent free bodies that represent these people, such as the Iraqi Federation of Trade Unions, so that they can get off the ground and be active in various areas? They might be reluctant to be seen to be clients of coalition forces, but there might be means through connections with the TUC and other bodies to facilitate a suitable arrangement.

Hilary Benn: I know that my hon. Friend takes a great interest in this issue and he is right that the establishment of free institutions is an essential part of building a democratic state. The oppression that the people of Iraq suffered under Saddam's regime meant that that was difficult, if not impossible, to achieve. I have discussed the issue with representatives of the TUC and I am happy to look further at such support as we are able to give to back those within Iraq who are trying to establish a free trade union movement, which is an essential part of a democratic society.

Tom Brake (Carshalton and Wallington) (LD): Both the Prime Minister and President Bush have confirmed that the coalition provisional authority is a coalition body and not an agency of the US Government. Given that fact, and the fact that £30 million worth of DIFD aid to Iraq is either given to the CPA or is channelled through it, what efforts is the right hon. Gentleman making to ensure that the CPA is accountable to the House? When will quarterly statements of the CPA's income and expenditure be given in the House? Does the right hon. Gentleman agree that we share a responsibility with the US Congress to ensure that the CPA is accountable?

Hilary Benn: I agree with the hon. Gentleman. International development questions provide one opportunity for the House to call the CPA to account. The CPA publishes a great deal of information, as the hon. Gentleman will be aware, on its website. The development fund for Iraq, which is honouring our pledge that all the oil resources would be used only for the benefit of the people of Iraq, is paying in very large measure for the salaries of the teachers, doctors, nurses and police officers who are now helping to reconstruct the country. The International Advisory and Monitoring Board, which was set up under the UN resolution to demonstrate to the world that the money was being used for the purposes for which it was intended, has just had its first meeting, and will, I hope, provide the assurance that the hon. Gentleman and the House are seeking that the money is being used for its intended purpose.

Mr. Colin Challen (Morley and Rothwell) (Lab): First, I pay tribute to the work of my right hon. Friend's Department in the reconstruction of Iraq. As he will know, the Environment Ministry in Iraq is brand new and is a rather novel concept. What aid and support can his Department give that Ministry to ensure that it is not on the margins in the new Iraqi Administration?

Hilary Benn: I acknowledge the important role that the new department to which my hon. Friend referred will play alongside other Ministries in the establishment of the new country. One of the big tasks between now and next June or July, when the coalition provisional authority will cease to exist and power will be provisionally transferred to the new transitional administration, will involve the international community considering how best it can support those new Ministers and Ministries in advancing that work. I undertake to reflect on the point made by my hon. Friend. We cannot do everything in respect of all the departments, and need to focus our energy on those areas where we can make the biggest difference. However, I undertake to respond to the specific point made by my hon. Friend.

Mr. Simon Thomas (Ceredigion) (PC): Would the Secretary of State confirm that an increasing amount of his Department's budget in Iraq is being used to improve the security situation for humanitarian relief workers? While that is obviously a necessary task—the recent £3 million towards security co-ordination for the UN is much needed—does it not raise the question that there may be an impact on the aid delivered on the ground to the people of Iraq? Can the Secretary of State therefore give the House an assurance that the security situation in Iraq, whether it improves or gets worse, will not impact directly on the aid that the Iraqi people themselves receive?

Hilary Benn: My first responsibility as Secretary of State is to secure as far as possible the safety of the people whom Cabinet colleagues and I have asked to work in Iraq. Without security they cannot do the job of aiding the reconstruction of that country. The two are not in competition with each other—they need to complement one another. The British Government, as the hon. Gentleman will be aware, have made a considerable financial commitment to support reconstruction. In the end, improving the lives of ordinary Iraqis, which is now beginning to happen, and establishing a clear political process that demonstrates that the Iraqi people have the right to make their own decisions about their own future, are the best contribution that we can make to security. After that, we should support reconstruction, which all hon. Members want.

Ann Clwyd (Cynon Valley) (Lab): As my right hon. Friend knows, a week ago I was in Iraq, where I met members of his Department, who are doing a very good job in very difficult circumstances. However, to pick up the question asked by the hon. Member for Chesham and Amersham (Mrs. Gillan), the International Committee of the Red Cross was doing valuable work, particularly helping detainees—there are nearly 11,000 detainees in custody, and the ICRC provided a bridge between them and their families—and it is a tragedy that it had to withdraw many of its staff. Will my right hon. Friend give every support to the Iraqi Red Crescent, so that it can carry out a similar function for detainees and their families?

Hilary Benn: I am grateful to my hon. Friend, who has just returned from a visit to Iraq, for her kind words about the contribution that DFID staff and those with whom we have contracted are making to reconstruction of the country. She is right that the ICRC has been doing an important job, which makes the targeting of it in the bombing a cynical move by those who do not want the reconstruction of Iraq to succeed.

I will undertake to look into the specific issue that she raised about the extent to which the Iraqi Red Crescent might be able to support that work, but as she knows, while a number of international agencies have withdrawn their international staff, they still have a considerable number of Iraqi-based staff who are carrying on that very good and important work.

Mr. John Bercow (Buckingham) (Con): In the light of the recent UN news agency report that the teaching hospital in Basra and the nuclear medicine hospital still suffer acute shortages of equipment for radiotherapy, chemotherapy, endoscopy and anaesthetics, and that in some cases the equipment that exists has not been replaced in three decades, does the right hon. Gentleman accept that if the British Government take urgent steps to tackle those shortages, that help will be invaluable to long-suffering patients and will receive support from people of all political persuasions throughout the international community?

Hilary Benn: I undertake to look into the two specific examples that the hon. Gentleman gave. As he may be aware, there has been a team of four staff seconded from the Department of Health working in the CPA headquarters in Basra, whom I met when I was there at the end of September. They have been working hard on a number of projects to support the re-establishment of the health service in the south of the country, not least the distribution of medicines, which is fundamental to enabling the Iraqi health service to care for its people.

EU International Development Policy

5. **Mr. Bob Blizzard** (Waveney) (Lab): What assessment he has made of the effect of the provisions of the draft treaty on the EU constitution on EU policy on international development. [144410]

The Secretary of State for International Development (Hilary Benn): The current draft treaty for EU policy on international development provides for separate chapters for development co-operation and humanitarian aid, establishes poverty reduction as the main objective for development co-operation, makes it clear that member states and the EU will both continue to provide development and humanitarian aid, and gives distinct and equal prominence to development policy within the external policies of the EU.

Mr. Blizzard: Can my right hon. Friend assure the House that there is nothing in the draft treaty that would in any way constrain or diminish the excellent work carried out by the Government in international development through their own programmes? Does he think that the provisions in the treaty will bring about an improvement in the hitherto less impressive performance of the EU in that domain?

Hilary Benn: I am happy to give my hon. Friend the assurance that he is looking for. The outcome in respect of development has been extremely successful. We are engaged, as my hon. Friend the Under-Secretary indicated in answer to an earlier question, in a programme of encouraging reform of the European Union, as it spends a considerable part of our money on development. We are concerned that it be spent in the most effective way possible, and I am glad to be able to report to the House that the proportion of EU spending that goes on the poorest countries is gradually increasing. It was 38 per cent. two years ago and 52 per cent. last year, but we want to see that figure go much higher.

Mr. Julian Brazier (Canterbury) (Con): The earlier, rather complacent answer to my hon. Friend the Member for West Worcestershire (Sir Michael Spicer) on waste and corruption in the EU budget was in sharp contrast to the words of the right hon. Member for Birmingham, Ladywood (Clare Short) last year. She said:

> "It's an outrage and a disgrace and we need enormous pressure on the Commission to focus its money on poor countries."

What steps is the Secretary of State taking to ensure that the EU overseas aid budget does not become a tool of the emerging European diplomatic identity?

Hilary Benn: The hon. Gentleman will be aware of the steps that we have taken, including making the points that my predecessor but one made in saying that it was an urgent task for the EU to make sure that it used its money more effectively. That is what the reform programme is about, and that is the aim of the devolution of power and responsibility to EU country offices. Decisions taken closer to developing countries will lead to much more effective aid programmes than decisions taken in Brussels. The figures that I have just reported to the House demonstrate that that is having an effect. The proportion of aid going to the poorest countries of the world is gradually increasing, but I want to see much better progress to match the proportion of our aid budget that goes to the poorest countries of the world.

African Conflicts

6. **Jim Sheridan** (West Renfrewshire) (Lab): If he will make a statement on the effect on his Department's work of the current conflicts in Africa. [144411]

The Secretary of State for International Development (Hilary Benn): Violent conflict has greatly affected Africa. More than 20 million people have been displaced owing to war and more than 3 million have died in the Great Lakes region since 1997. It also damages development. However, there has been a substantial reduction in the number of conflicts in Africa, with significant progress in tackling the conflicts in the Democratic Republic of the Congo, Sudan, Sierra Leone, Liberia and Angola.

Jim Sheridan: I congratulate my right hon. Friend on his work and that of his staff and the voluntary organisations that are working in Africa in extremely difficult and dangerous circumstances. Can he assure the House that, taking safety factors into consideration, the work that he and his Department are carrying out will not be undermined or disrupted and will continue, particularly in the area of the Great Lakes and in Sudan?

Hilary Benn: I had the opportunity to visit both the Democratic Republic of the Congo and Sudan last week, and in both those countries we are looking to increase the Department's support to back success in establishing peace, because those two countries now have a real opportunity to improve the lives of their own people, and we intend to help them in that task.

PRIME MINISTER

The Prime Minister was asked

Engagements

Q1. [144421] **Andy King** (Rugby and Kenilworth) (Lab): If he will list his official engagements for Wednesday 17 December.

The Prime Minister (Mr. Tony Blair): This morning I met the President and members of the Iraqi governing council and congratulated them on the measures that they are taking to improve the lives and prosperity of the people in Iraq. I also had meetings with ministerial colleagues and, in addition to my duties in the House, I will have further such meetings later today.

Andy King: Will my right hon. Friend join me in congratulating Warwickshire secondary schools on their excellent results in the key stage 3 tests and their year-on-year improvements particularly Ashlawn school, up 13 per cent. in English, Bishop Wulstan and Harris schools, up 9 per cent. and 13 per cent. respectively in science, and Kenilworth school, up 10 per cent. in maths?

The Prime Minister: I am very happy to congratulate Warwickshire schools. The point that my hon. Friend makes is absolutely right the tables today show an enormous improvement in results at 14 across the country: 12 per cent. up in English since 1997; 11 per cent. up in maths; 8 per cent. up in science. A £500 million programme of investment, every penny piece of which, of course, was opposed by the Conservatives, has improved results dramatically.

Mr. Michael Howard (Folkestone and Hythe) (Con): Can the Prime Minister tell us how much the cost of running central Government has increased since 1997?

The Prime Minister: The percentage of administration costs in central Government is actually lower than it was in 1997.

Mr. Howard: So the Prime Minister does not know how much it costs to run his Government. It is

£20 billion. That is nearly £7 billion more than in 1997. I am surprised that he does not know, because I gave him the figures five weeks ago. Can he tell us now how many more civil servants are employed by central Government compared with 1997?

The Prime Minister: There are fewer civil servants than there were, for example, 10 years ago, but it is correct that recently numbers have increased—in the Prison Service and to deal with pensions and immigration issues. But overall, as I said a moment ago, the actual percentage costs of administration are lower now than they were in 1997.

Mr. Howard: The answer is that there are 47,000 more civil servants in central Government compared not with 10 years ago, but with 1997. It is as many people as HSBC employs in the whole of the United Kingdom. So the Prime Minister does not know how much his Government cost or how many people they employ. Could he now give us the figure in the pre-Budget report—perhaps the Chancellor will help him—for Government spending on inspectors, regulators, paymasters and policy makers?

The Prime Minister: First, I repeat that the cost of administration as a percentage of central Government spending has actually gone down, not up, under this Government. Secondly, perhaps the right hon. and learned Gentleman will tell us how many of the additional prison officers, for example, he would cut, given the need to increase prison numbers—remembering, of course, that when he was Home Secretary he cut the numbers of police officers on Britain's streets. With regard to the Gershon report, yes there is £9 billion for central Government, but that includes the primary care trusts, the Food Standards Agency, Ofsted and the Prison Service. If he disagrees with that, how many jobs in such bodies would he would cut?

Mr. Howard: Let me remind the Prime Minister that this is Prime Minister's questions. I will make the Prime Minister an offer. If he wants me to answer the questions, let him give me a slot every week for Leader of the Opposition's questions. I would be very pleased to do that. He can choose the day—any day of the week—and I will be very pleased to answer his questions. But, just for the moment, he is still Prime Minister: it is my job to ask him questions and it is his duty to answer them.

If the Prime Minister had got as far as page 140 of the pre-Budget report—he may not have done that, but if he had—he would have come to paragraph 6.47 and he would have been told that the answer to my question is £12 billion: more than the entire budget of the Department for Transport. Is it any wonder that the Cabinet Secretary said last week that bureaucracy and paperwork are now the main concern of civil servants? Does the Prime Minister agree with him?

The Prime Minister: Let me again correct the right hon. and learned Gentleman on his figures. He is giving figures for the entirety of what central Government and local government do. The reason why there is a figure in the pre-Budget report is that for the first time this Government have actually put together the figures that are available. Again, let us be clear. Those are not the only numbers of people employed that have gone up—we have also got 55,000 extra nurses, 25,000 extra teachers, 14,000 extra doctors, 9,000 extra police, and 80,000 extra classroom assistants. Those people are the reason why the results in the health service, education and law and order are going up under this Government.

Mr. Howard: I am afraid that the Prime Minister has not read the pre-Budget report. The Cabinet Secretary said that bureaucracy and paperwork are out of control because of the Government's target culture. That is where the money has gone. Can the Prime Minister confirm that according to the pre-Budget report—again, I will give him the reference: it is table B24 on page 237—public sector investment has almost halved under this Government?

The Prime Minister: Actually, public service investment is rising under this Government, literally day in, day out. When we came to office, we were spending £30 per family in the health service; it is now £80 per family in the health service. That is the result of the extra investment. There is a reason why the school results are better today at key stage 3—when we came to office, only half the children were passing their tests at 11; now, three quarters do so. There is a reason why every single indicator on heart disease, cancer and national in-patient and out-patient waiting lists is better than in 1997—it is the extra investment, and the truth of the matter is that every single penny piece of it was opposed by the right hon. and learned Gentleman and the Conservative party.

Mr. Howard: It is a very great pity that the Prime Minister has not read the pre-Budget report, because the truth is that he has been rumbled. The Government's own figures show that public sector investment—that is, hospitals, schools and roads—has almost halved since he became Prime Minister, while spending on bureaucracy, regulators and red tape has rocketed. Does not that prove that this is a Government who are taxing and spending and failing; that people are faced with ever-higher taxes and ever-failing services; and that after six and half years, this is a Prime Minister who has lost his grip and a Government who have lost their way?

The Prime Minister: Let us just look at the national health service. As a result of extra investment, it is in a better position than it ever was when the right hon. and learned Gentleman was in power. We know why the Conservatives want to run down the NHS: they want to get rid of it.

The right hon. and learned Gentleman talks about the pre-Budget report, which I have read. It shows that, as opposed to 3 million unemployed under the Conservatives, 1.5 million extra jobs have been created under Labour; as opposed to interest rates of 10 per cent. and 15 per cent., they are now at their lowest for decades; and as opposed to double-digit inflation, we have the lowest inflation for ages. Let us look at—*[Interruption.]*

Mr. Speaker: Order. The Leader of the Opposition is out of order.

The Prime Minister: The right hon. and learned Gentleman wants to compare the past with the present

He has apologised for the poll tax, but is he sorry about his opposition to the minimum wage? Is he sorry that he increased unemployment by 1 million? Is he sorry that he cut police numbers when in power? He is not sorry— *[Interruption.]*

Mr. Speaker: Order. Mr. Mackay, do not tell me how to do my job. You would not know where to start.

Mr. Gordon Marsden (Blackpool, South) (Lab): Does the Prime Minister share my concern that in all the focus on and debate about tuition fees, there is a danger of losing sight of the genuine benefits that the Government promise part-time and continuing students in their higher education proposals? Will he ensure that, in discussions with the Secretary of State for Education and Skills, the needs of those students and others in the further education sector are not neglected in the funding, whatever the outcome of the top-up fees debate?

The Prime Minister: My hon. Friend is right; we must remember that many students are part-time. Many have to find much of the money for their courses themselves. It is therefore important to have a proper, balanced system of funding for pre-school, at-school and after-school education, not only for those who go to university but for the literally hundreds of thousands of people who want to get better adult skills and the 200,000 people who are on the modern apprenticeship scheme. I assure him that the interests of part-time students will be taken fully into account.

Mr. Charles Kennedy (Ross, Skye and Inverness, West) (LD): I return to the issue that I raised with the Prime Minister this time last week, when I asked him whether he believed it fair for graduates who earn around £35,000 a year to contribute 50 per cent. of their income to the state, yet unfair—his word, not mine—for those who earn more than £100,000 to pay 50 per cent. of their income to the state under our proposals. How can he justify one and not the other?

The Prime Minister: First, on graduates making a fair repayment for the investment in their education, it is not unfair to tell people that they should make some contribution. I should have thought that most people would accept that. As was just pointed out, the interests of other people must be taken into account—education for under-fives and provision for those who need adult skills and those on apprenticeships. We propose a fair system of repayment whereby, for example, graduates who earn £18,000 a year pay £5 a week—that is much better than the current system, even with maintenance loans.

The right hon. Gentleman's proposal is unfair because it is unrealistic, given the Liberals' huge list of spending commitments, to say that they will get all the money from a 50 per cent. top rate of tax. We went through that with the Liberals when they had a commitment to fund everything out of 1p on the standard rate of income tax. We all remember that, and also that whenever the figures were examined they were incredible.

Mr. Kennedy: Oh, Mr. Speaker, there he goes again. As the right hon. Gentleman knows, last week his party produced a document that cited 70 Liberal Democrat spending commitments. We had a look at that document—I have written to the Prime Minister about it—and some of them are spending cut pledges. So much for the economic literacy of the Labour party.

Returning to the substance and detail of the Prime Minister's proposals, he will not say why it is fair that a graduate earning £35,000 is expected to make a 50 per cent. contribution to the state under his proposals, when he would consider it unfair for someone earning more than £100,000 to be hit with a similar level of debt. And what about those people who are earning only £15,000 a year? The Prime Minister is proposing that they should pay an effective tax rate of 42 per cent. Is that fair?

The Prime Minister: I have already said why I think it is fair to have a graduate repayment system. In relation to the 70 spending commitments that the right hon. Gentleman has made, I shall be happy to return to the House on the next occasion with the details of those commitments. I shall give the House a few examples now, however. There is a commitment to spend £2 billion on the railways—*[Interruption.]* Well, there is. It will either come out of the 50 per cent. or from somewhere else. There is a £400 million commitment for village halls. There is also a pledge to increase, either significantly or dramatically—I cannot remember the exact word—the amount spent on doctors and nurses in the health service. Will that all come out of the 50 per cent? The best thing would be if we both had a look at the right hon. Gentleman's spending proposals when we are not doing other things over the Christmas break, so that we can discuss them again when we come back.

Judy Mallaber (Amber Valley) (Lab): Will my right hon. Friend welcome the launch of the national 24-hour helpline on domestic violence on Monday, the day of the Second Reading of the Domestic Violence, Crime and Victims Bill in another place? Will he also ensure that adequate resources are put in to back up that hotline by providing refuges all round the country for victims of domestic violence?

The Prime Minister: The helpline is going to be extremely important. It will provide 24-hour access to emergency refuge accommodation and an information service that will benefit thousands of women and children. I agree with my hon. Friend that we must ensure that the coverage is as extensive as we want it to be. According to the latest figures, domestic violence now accounts for almost a quarter of all violent crime. We are introducing new measures and putting more money into tackling this issue, but the most important thing—besides the money and the measures—is for Parliament to make it clear by voting unanimously, I hope, on the Bill that domestic violence has absolutely no place in our society and that we are prepared to do whatever it takes to root it out.

Q2. [144422] **Sandra Gidley** (Romsey) (LD): The Prime Minister wants 50 per cent. of young people to go to university. He also claims that graduates will attract premium salaries. Will he admit that his aim and his claim are incompatible?

The Prime Minister: No, I will not. It is surely important that we increase the number of young people going to university. When I went to university, about 7 per cent. of school leavers went; the figure is now well over 35 per cent. It is important that we carry on increasing young people's access to university, but that has to be funded in a fair way. There will be an end to all up-front fees, so that families and parents will not have to pay anything up front. It is not unfair to ask graduates to make a fair repayment once they have graduated, rather than take all the funding out of general taxation. The more people look at this, the more they will see that that is a fair way to do it.

Q3. [144423] **Jim Knight** (South Dorset) (Lab): The Prime Minister will be aware that CITES—the convention on international trade in endangered species—is to meet in Thailand in October next year. He might not be aware, however, that it appears that more endangered species are smuggled through Thailand than anywhere else in the world. Only this month, more than 100 tigers and 116 orang-utans have been discovered in police raids on two establishments in Bangkok. This followed an investigation by Jim and Alison Cronin of Monkeyworld in my constituency, who are campaigning to rescue Naree, a chimp performing in a Bangkok zoo, who will die from infections if she does not receive urgent specialist treatment in my constituency. Does the Prime Minister—

Mr. Speaker: Order. I think the Prime Minister understands the hon. Gentleman's concern.

The Prime Minister: Right! The United Kingdom is a leading player in the convention on international trade in endangered species, and was one of the first countries to sign up to the convention. I understand that the Thai Government are making a major effort to improve enforcement of the convention in Thailand. We have provided in the region of £1.4 million in financial support for convention initiatives on species protection. There is a wildlife crime intelligence unit with the aim of targeting and disrupting wildlife crime and the major criminals involved. People may laugh at this, but it is a serious issue and involves a lot of organised criminality. It is important that we ensure that the convention is adhered to in all countries.

Q4. [144424] **Bob Russell** (Colchester) (LD): Over the Christmas recess, will the Prime Minister contrast the performance of his Government with the achievements of the Attlee Government—real achievements by a real Labour Government? The Attlee Government built 1,000 council houses a week, whereas new Labour has achieved only 3,000 in six years. As a result of a quarter of a century of Tory policies, we are now suffering the worst housing crisis for three or four generations. Hundreds of thousands of children will be living in inadequate accommodation this Christmas. What do a real Labour Government intend to do about that?

The Prime Minister: I congratulate the hon. Gentleman on his early career move to join the Liberal Democrats rather than the Labour party. Frankly, we need no lessons about our pride in the Attlee Government. I believe that the Attlee Government would be immensely proud of 1.5 million extra jobs, of the 500,000 children lifted out of poverty, and of the record investment in health and education, which is a lot more than the Liberals ever did.

Q5. [144425] **Mr. Mark Lazarowicz** (Edinburgh, North and Leith) (Lab/Co-op): For more than 3,000 families, Christmas celebrations this year will be turned into tragedy because one of their family members will be killed or seriously injured on Britain's roads. Does my right hon. Friend welcome the work being done by safety camera partnerships, which, with the sensible use of speed cameras, have capped accidents by more than 35 per cent? Will he consider implementing the proposals for tougher speeding and drink-driving penalties that have been under consideration since December 2000?

The Prime Minister: My hon. Friend makes an important point about safety camera partnerships. The eight pilots have shown a 35 per cent. reduction, which represents a reduction of about 280 people in the number of people killed or seriously injured. As a result of those partnerships, many families whose lives would otherwise have been blighted have not suffered such tragedy. There are 42 police force areas involved in the partnership programme. We will publish a report of the programme's operation of the scheme in the new year, and then we will take the decisions on how to roll it out across the rest of the country.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): We read this week that all potential candidates for honours will be vetted for anti-Government and anti-Blairite sympathies. Does not that rather narrow the pool unrealistically?

The Prime Minister: Like many reports, that one was complete nonsense. I gather that my right hon. Friend the Secretary of State for Wales has written to all the Welsh MPs offering them the chance to make nominations, so there is an opportunity for the hon. Gentleman.

Q6. [144426] **Mr. Derek Wyatt** (Sittingbourne and Sheppey) (Lab): Would my right hon. Friend be prepared to host a meeting at No. 10 for the executives of the Rugby League and the Rugby Football Union, the Super League clubs and Premiere Rugby to establish a rugby foundation that would do for rugby—both union and league—what the Football Foundation has done for football?

The Prime Minister: I would certainly be happy for the Government or myself to be involved in such a programme. My hon. Friend has done an immense amount to forward the cause of rugby. In the past few years, rugby union has received about £45 million in lottery awards, which is part of a £1 billion investment in school sport, including almost £700 million to enhance school sports facilities. I agree that there is a case for having a rugby foundation to do the same for rugby as the Football Foundation does for football. I would be very happy to be involved in that in any way.

Q7. [144427] **Mr. David Heath** (Somerton and Frome) (LD): The Prime Minister mentioned his time at university. He was at the same college as me at the same time, as he may remember. The Prime Minister is not very good at answering this question—but how is it fair that neither he nor I will pay back a single penny of the cost of our expensively acquired Oxford education, while he wants graduates to pay a higher rate of marginal tax than millionaires?

The Prime Minister: I think we should both draw a veil over our time at university together. I think that would be wise in both our cases, if I remember rightly—but we will leave that for another time.

The point, surely, is that, as I said a moment ago, when we were at university very few people left school and went on to university. Now, there are five, six or seven times as many. We want people to be able to go to university, if they have the requisite ability.

After the big expansion of the 1990s, funding per pupil has dropped by some 35 per cent. If we want to expand opportunity for people, it is important for us to get more money into universities. Everyone agrees on that. The question is: what is the fair way in which to do it? I say that rather than taking the money from the general taxpayer—the vast bulk of taxpayers have never been to university—it is surely fair to ask the graduate, on graduation, to make a reasonable and fair payment back into the system.

I do not think that that is unfair. It is part of a change that is taking place in universities in this country and around the world. What we do not want in this country is to be left behind, either in providing access for students or in the excellence of our universities.

Ms Dari Taylor (Stockton, South) (Lab): Like every other Member, I am delighted that Saddam Hussein has been captured, and I am pleased that we are making a commitment to a fair trial. Will my right hon. Friend help to secure fair treatment for a 22-year-old from my constituency, Urslaan Khan, who has been in prison in Iraq for the past six weeks? No evidence of misdeed has been tabled, and no legal representation has been obtained. The young man's parents are positively distraught, as any parent would be. I ask my right hon. Friend to help secure fair treatment for him.

The Prime Minister: I gather from my right hon. Friend the Foreign Secretary that he wrote to my hon. Friend last night, and I know that the British office in Baghdad has taken a close interest in the case. I cannot comment on the facts other than to say that we will of course lodge our interest—indeed, we have already done so—and that I know my right hon. Friend will be in touch with my hon. Friend again about the case.

Q8. [144428] **Chris Grayling** (Epsom and Ewell) (Con): Does the Prime Minister still rule out a referendum on the European constitution in all circumstances?

The Prime Minister: I have been over that ground many times. As I have said before, if the constitution altered the fundamental nature of the relationship between the member state and the European Union there would be a case for it, but it does not and it will not. We have set down lines so that we preserve the nation state in all its attributes—in relation to tax, social security, foreign policy, defence and treaty change. In respect of all those, and in respect of financial resources, the attributes of the nation state remain. Indeed, an all-party House of Lords Select Committee has said that, if anything, the constitution transfers powers from the Commission to member states. That is why I say that it is not necessary to hold a referendum.

Q9. [144429] **Tony Lloyd** (Manchester, Central) (Lab): At this time of year, pensioners in my still deprived inner-city constituency know very well why they voted Labour when they receive the winter fuel allowance. Nevertheless, for many of those same pensioners transport in inner-urban areas is not good, and access to the private car does not exist. The Department of Transport has introduced the urban bus challenge in parts of Manchester, giving those deprived groups access to public transport where the Tories' deregulation has failed them so badly. Will my right hon. Friend try to roll out that programme, so that pensioners can have access not just to the money that the Government have given them but to hospitals and shops, and enjoy a normal way of life?

The Prime Minister: My hon. Friend is right to mention the additional help given to pensioners, particularly some of the poorest, who are many pounds a week better off as a result of the Government's policies; but I entirely understand his point about the urban bus challenge. We are supporting some four projects in Greater Manchester, and I gather that a further £20 million will be allocated as a result of this year's competition, which is nationwide. That is in addition to fare concessions. However, it is important for us to go on looking at ways to enhance the mobility of pensioners—who, as my hon. Friend said, have enjoyed a better standard of living under this Government, but need to be helped still further.

Mr. Andrew Mitchell (Sutton Coldfield) (Con): Given that the Government have told every further education college in England that it will receive an increase of not less than 2.5 per cent. in its funding next year, rising to 5 per cent., how can it be that Sutton Coldfield college was told last week that it faces a cut of £1.3 million and up to 75 redundancies? In view of this apparent act of bad faith, will the Prime Minister look into the matter personally and agree to receive a delegation from the college? If he can help us on this one point at this time of year, we in Sutton Coldfield will regard him as Father Christmas rather than as Scrooge.

The Prime Minister: I obviously do not know about the situation in respect of that particular further education college; I am very happy to look into it, and to write to the hon. Gentleman. However, I hope that he will be so good as to accept that overall—I know that this is no consolation if there are indeed problems at the Sutton Coldfield further education college—this Government are putting a massive amount of money into further education and education generally. If he will forgive me, I have to point out that this Government brought all that additional money before this House, but he and his colleagues voted against it.

Developments in Variant CJD

12.31 pm

The Secretary of State for Health (Dr. John Reid): With permission, Mr. Speaker, I wish to make a statement about a blood transfusion incident involving variant Creutzfeldt-Jakob disease, better known as vCJD. It might assist the House if I begin by setting out the basic facts, before coming on to discuss the implications of the incident that I shall describe.

In March 1996, a blood donor, who was at the time free of signs of vCJD, donated blood to the National Blood Service. Shortly after this, the donated blood was transfused into a patient who underwent surgery for a serious illness. In continuing my description of these events, I will refer to the individuals as the donor and the recipient. The donor showed no signs of vCJD at the time when blood was given, but developed the disease three years later—in 1999—and died from it. The recipient died in the autumn of this year. Initial post-mortem examination of the recipient showed changes in the brain indicative of CJD. Further examinations and tests of the patient's brain confirmed the diagnosis of variant CJD. The link between the donor and the recipient was first reported to officials in my Department on 9 December 2003, at which time the diagnosis of vCJD in the recipient was still being confirmed.

I was first alerted to the developments on Friday 12 December, and was briefed by the chief medical officer on Monday and Tuesday of this week. Today, I am bringing this information to the House at the earliest opportunity. I have given, and will give, minimal personal and clinical details of the recipient, because the family concerned wish to have their privacy respected.

In the light of the facts that I have outlined, it is therefore possible that the disease was transmitted from donor to recipient by blood transfusion, that the blood of the donor was infectious three years before the donor developed vCJD, and that the recipient developed vCJD after a six-and-a-half-year incubation period. This is a possibility, not a proven causal connection, because it is also possible that both individuals separately acquired vCJD by eating bovine spongiform encephalopathy-infected meat or meat products. This is a single incident, so the possibility of the infection being transfusion-related cannot be discounted, although it is impossible to be sure what the exact route of infection was. That is the conclusion of the chief medical officer and the experts who report to me.

It is because this is the first report from anywhere in the world of the possible transmission of variant CJD from person to person via blood that I thought it right to come to the Dispatch Box and inform the House, even if only on a precautionary basis.

The incident was discovered by good surveillance. In 1997 the Department of Health funded a research study, the transfusion medicine epidemiology review—TMER—study, to examine links between all the variant CJD cases and any form of blood transfusion. It is through that research study that the association between those two patients was identified. I should also point out that this emphasises the importance of post-mortem examination. Without it we would never have known about those matters, and I would like to thank our national health service pathologists for their expertise and constant vigilance.

I can inform the House that, as some will already know, there is as yet no blood test for variant CJD—or, for that matter, for BSE—let alone one that could detect the disease years before symptoms develop, so there is no way of screening blood donations for the presence of the CJD group of diseases. Fortunately, however, a range of precautionary measures have been put in place by the Government since 1997, even though there was at that time no evidence of the risk of person-to-person transmission of the disease via blood. For the benefit and reassurance of the House, I think it right to set out the action that has been taken to date and the further action that we now propose.

First, since 1997 all cases of variant CJD reported to the national CJD surveillance unit and diagnosed as having "probable" variant CJD result in a search of the National Blood Service blood donor records. If the patient has given blood, any stocks of that blood are immediately destroyed.

Secondly, on 17 July 1998, acting on expert advice, the Government announced a £70 million programme to remove most of the white cells from blood destined for transfusion. White cells were considered by experts to be a potential source of infection. This process of so-called leuco-depletion was then a highly precautionary measure to reduce what was then a hypothetical source of infectivity. The process of leuco-depletion—the removal of the white blood cells—was implemented by the National Blood Service over time, and completed by October 1999.

Thirdly, in November 1998, again acting on expert committee advice, the Government announced a £30 million programme to phase out the use of United Kingdom-sourced plasma in the manufacture of blood products. At the time, in the absence of any defined risks, that was another highly precautionary measure. From the end of 1999, therefore, all blood products have been made using plasma sourced from the United States of America. To ensure continuity of supply, the Department of Health purchased on 17 December 2002 the largest remaining independent US plasma collector, Life Resources Incorporated, as part of our attempt to ensure that plasma and plasma-related products were derived from sources outside the United Kingdom.

Fourthly, the National Blood Service has informed us that 15 people received donations of blood from donors who subsequently developed variant CJD. Of the 15 individuals, we have been informed that five received blood after leuco-depletion had been implemented, and the remainder before. The earliest of those 15 transfusions was in 1993 and the latest in 2001. Working with the National Blood Service, the Health Protection Agency is in the process of contacting those individuals. All will be told about the circumstances of their case and have the opportunity to discuss the risks with an expert counsellor.

Many more patients, of course, including haemophiliacs, will have received plasma products before plasma was sourced from the USA. They will have received products derived from large pools of plasma donated from many thousands of people and thus heavily diluted. The UK-wide CJD incidents panel considers the risks for that group to be even lower than for those who received whole blood. It is very difficult to trace all individual recipients of such products made from these plasma pools. However, the panel will be advising, on a case-by-case basis, which recipients will need to be contacted as the necessary information becomes available. That group of patients will also have the opportunity for a discussion with an expert on an individual basis. Any person with any concerns may ring NHS Direct on 0845 4647.

Fifthly, before these events, expert groups were already deliberating on whether further measures were required in relation to vCJD and blood. In October this year our expert Advisory Committee on the Microbiological Safety of Blood and Tissues for Transplantation advised, on the basis of a risk assessment, that further action, such as stopping people who have received a blood transfusion giving blood, was not necessary. However, in the light of today's statement, we have asked that committee to look comprehensively at whether further precautionary measures could be taken that would not adversely impact on the safety or availability of blood.

Sixthly, it is apparent that much more blood and blood products are used clinically than need to be used. There have been many past attempts to reduce the use of blood to situations where it is absolutely needed medically, but these have been only partially successful. I will therefore be asking the National Blood Service to have urgent discussions with the medical royal colleges and NHS hospitals to address that area of clinical practice. More appropriate blood usage will reduce all the risks associated with blood and will make more effective use of our precious blood supplies.

A finding of this kind, albeit one whose full medical significance is still far from clear, will inevitably give rise to concern. It is therefore important to take account of the wider context in two respects. First, since the events in 1996, approximately 24 million units of blood or blood components have been given to patients in the United Kingdom. Blood transfusion can be a life-saving treatment, but no medical treatment is free from all risks. Indeed, it is an unfortunate fact that already approximately 12 people die each year from complications of blood transfusion. Many people receiving blood transfusion are already very ill, some in life and death situations. A wide range of measures are routinely used to reduce the risks of transfusion by screening for HIV/AIDS, hepatitis B and C and other infections. For specific high-risk patients, even more detailed screening takes place.

Those wider measures should be seen in the context of the precautionary action already taken on vCJD and the recognition that so far we have only one single report of a possible link between a single donor and a single recipient. We are generally regarded internationally as having a very safe blood service, especially because of our precautionary approach to screening for infection, careful donor selection and the tradition of volunteering in this country, which means that our donors generally have a lower incidence of many viral diseases compared with those in other countries who are paid for their donations.

Finally, as to the wider situation for vCJD, we have thankfully not so far seen the thousands of cases of vCJD that some projections suggested. As of 1 December 2003, there had been a cumulative total of 143 cases of vCJD in the United Kingdom. Over the past three years, the annual number of new cases has fallen each year. However, there should be no complacency, as it remains premature to conclude that the epidemic has peaked, and in any case, any single case of vCJD is tragic for the patients and families concerned.

I hope that my statement has given the House a clear and accurate account of the finding in the full context in which it needs to be seen. I have asked the chief medical officer to oversee the further work and investigation required, and to keep me closely informed. I will, of course, also keep the House informed of any major developments in this area.

Mr. Andrew Lansley (South Cambridgeshire) (Con): I am grateful to the Secretary of State for his having given me the opportunity to see the statement in advance, and I am sure the whole House is grateful to him for his openness and for the speed with which he has given us details of what is, as he said, a tragic event. We understand and respect entirely the privacy of the family concerned, but I am sure that they will receive from us our sincere condolences. I am also sure that the Secretary of State will be able to confirm that they, like other families affected by variant CJD, will be beneficiaries of the compensation scheme.

It is important to identify what we do not know. The Secretary of State was right to illustrate the limits of our knowledge about this tragic event. We do not know what, if any, means of transmission exists between blood and infection with variant CJD—we do not know whether blood is the source of the infection. He will be aware that, because there have so far been so few identified cases of variant CJD in a large population who were exposed to BSE-contaminated beef, the chances of the recipient contracting variant CJD other than by exposure to blood transfusion must be regarded as less likely than by some means connected with the blood transfusion, although I freely accept that we cannot quantify either risk, given the nature of the two populations involved. Equally, having been unable to establish the risks, we cannot go on to screen blood donations—the technology to enable us to do so does not exist—or to test for variant CJD.

Nevertheless, I hope that the Secretary of State can answer some questions. Although precautionary measures are being taken in relation to blood transfusions both of whole blood donations and of blood products and plasma, will he confirm that the transfusion in the case in question was a transfusion of whole blood and, therefore, of red cells? The transfusion occurred in 1996, and therefore before the implementation of precautionary measures in relation to leuco-depletion. If in this case there is a connection to blood donation, it may well be that the risk has been substantially reduced by the introduction of the precautionary measure adopted in 1998. What research is continuing into the impact and the benefits of leuco-depletion in relation to blood transfusions of whole blood donations?

I have a few detailed questions to ask. The Secretary of State said that the Advisory Committee on the Microbiological Safety of Blood and Tissues for

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Transplantation is to advise him on whether blood donations should be accepted from people who have themselves received blood transfusions. In 1998, when the right hon. Member for Holborn and St. Pancras (Mr. Dobson) told the House of other precautionary measures, he had sought and received advice from the Spongiform Encephalopathy Advisory Committee. Time will not have allowed both committees to have given advice to the current Health Secretary, but will he confirm that he will also be taking advice from SEAC? Clearly, advice must come from those who have expert knowledge of the characteristics of BSE and variant CJD; the issue should not be seen only from the viewpoint of the National Blood Service.

The Secretary of State said that thus far there had been 15 cases of blood donors subsequently contracting variant CJD, and he will recall that at least one of those cases occurred in Scotland. Questions regarding the ability to follow up patients who were potentially recipients of blood donations arose at that time.

Can he confirm that the different Administrations are now able to deal with people who have dispersed across the UK or the world? Are patients who might have received such blood donations being contacted and followed up?

What conclusions has the Secretary of State reached in response to the advice given by the CJD incidents panel on the risk of exposure to variant CJD from surgical instruments? What action will he take in that respect? It is a matter that has been under consideration for a long time.

In the wider context of blood transfusions generally, I turn now to children born since 1 January 1996. They could not have been exposed to BSE-contaminated beef, and to reduce the risk to that vulnerable population group it is intended to secure for them in early 2004 what is described as single-unit—that is, not pooled—virally inactivated donations from non-UK—in this case American—untransfused males. What consideration will the Secretary of State give to the availability of that form of blood product—plasma—for a wider group of vulnerable patients? Those patients include people who require regular transfusions, such as haemophiliacs, or those who need large-scale transfusions or blood products on a regular basis. What difference has the purchase of the plasmaphoresis centres in the US from Life Resources Incorporated made to the availability here of blood products for that purpose?

It is important for the House to recognise that 2 million people donate blood each year in the UK. They provide a vital, life-saving resource. The number of lives that are saved and the number of incidences of disease prevented by those donations far outweigh any risks associated with them. At the same time, the reporting structure on the serious hazards of transfusion needs greater compliance from NHS hospitals. More hospitals must act on the recommendations, make them part of their clinical governance and report back in full. In that way, the openness of the reporting structure will mean that we learn from mistakes and thus reduce risks overall. Will the Secretary of State ensure that the responses in the NHS to the transfusion hazard recommendations are acted on as fully as possible?

The Secretary of State made a welcome statement in August about hepatitis C compensation, and we are awaiting the details of the scheme. Now is not the time for a detailed debate on that, but will he confirm that those who contracted hepatitis C through blood donations, and their families, will get some news soon about the compensation scheme?

The Secretary of State said that he would be considering advice in relation to people who have received transfusions. Will that extend to people who have had transplants? There has been speculation about the measures that he might take. He referred to the availability of blood donations, which it is important to bear in mind. What has been the reduction in the number of blood donations in recent years? If there were to be a substantial and adverse impact on blood donations, the health consequences could be very serious.

Finally, I strongly endorse what the Secretary of State said about seeking alternatives to blood donations in treatment. The UK does not adopt such measures as much as some other countries. He may be aware of the possibilities offered by erythropoietin, known in short as EPO, as an alternative to large-scale transfusions for cancer patients suffering from anaemia. Will he update the House on the extent to which clinical trials and consideration of the costs and benefits offered by EPO are making progress? The use of EPO may help to reduce the need for blood donations to a minimum, and allow us to use the blood that is donated as well as we can.

Dr. Reid: I begin by thanking the hon. Member for South Cambridgeshire (Mr. Lansley) for his remarks, and especially for the condolences that he expressed to the families of anyone afflicted by variant CJD. We all share those sentiments. He also asked a number of perfectly legitimate questions, which I shall try to answer.

The hon. Gentleman ended his remarks by talking about EPO. The National Institute for Clinical Excellence is considering the matter very seriously, and I hope to have the result of that work not too far into next year.

The hon. Gentleman asked about compensation for CJD victims and their families. Those people are entitled to compensation from the CJD compensation fund, which is run by independent trustees. I cannot make a statement that might pre-empt the fund's decision on such matters, but I am sure that it will consider all cases—including the latest one—sympathetically.

The hon. Gentleman asked about the route of infection. He is right to be cautious and to weigh the matter in the balance. Although we cannot rule out the possibility that a person might be infected by receiving blood from a donor who subsequently dies from CJD, we cannot prove that it happens. However, I thought it appropriate to come to the House today, as for the first time we have evidence that it is possible. As he said, the incidence has been very low in the past; as far as we know, this case is the first of its kind. Intuitively, we might feel that the case could suggest that the pattern might be much more widespread if blood were truly the source of CJD transmission. However, intuition is not always reliable in these circumstances. We need empirical evidence, and that is why I have asked the chief medical officer and various expert advisers to investigate the matter. I confirm that they will include at least two of the people to whom the hon. Gentleman referred.

The hon. Gentleman asked about the transfusion of whole blood rather than plasma. To the best of my knowledge, the transfusion involved in this case was of blood, not plasma. The blood was donated in 1996, before the precautionary measures, including leuco-depletion, were introduced towards the end of the 1990s. The donor died about three years later from variant CJD, and the recipient has now died more than six years later. I shall not go into the range of causes behind the recipient's death, but the discovery that the recipient was suffering from variant CJD was made at the post-mortem examination.

It is important that we adopt a cross-border approach to this matter, and that we co-ordinate our actions. My Ministers have spoken this morning to the other Administrations in the UK to inform them that I was to make a statement. However, medical experts around the country were in touch with one another last Friday, by teleconferencing and other means. It was at that stage that the matter was brought to my attention. I can therefore confirm that we work as closely and in as co-ordinated a way as possible with the devolved Administrations.

Two other questions arise in connection with the 15 identified recipients to which the hon. Gentleman referred. The first has to do with tracing and tracking them. Quite apart from the difficulties caused by cross-border movements, people can also move around inside England, for instance. That is not always easy to deal with. Secondly, before we contact them, we must weigh the risk factor involved. Some of the cases have been known for a considerable time, but experts have considered that the balance of risk meant that more distress would have been caused if the people involved had been contacted and informed. I hope that further distress will not have been caused by today's statement. Obviously, the fact that the single new piece of evidence has arisen means that an immediate contact process has been put in place, but there will be difficulties with tracing and movement, which the hon. Gentleman mentioned.

On transplants, all the work that we are doing extends to tissues as well as blood. The hon. Gentleman asked about leuco-depletion and I can tell him that a whole range of research is being conducted, in academia as well as by the research councils. The Spongiform Encephalopathy Advisory Committee, which is an expert committee, will consider its activity on a range of issues at its forthcoming meeting early next year.

The hon. Gentleman mentioned surgical instruments. He will be aware, as will many hon. Members, that we have been examining that matter for some time. Such consideration is not easy because the various possible substitutes and methods to diminish potential opportunities for cross-infection, such as the use of disposable surgical implements, have potential risks. Many surgeons in England have indicated that they would be unhappy with using such disposable implements when operating. We are investing some £200 million in improving decontamination standards precisely because we are committed to minimising the risk of the transmission of vCJD via surgical procedures, as the hon. Gentleman would expect. The NHS Purchasing and Supply Agency is working with manufacturers to improve the quality and reliability of single-use instruments.

I confirm to the hon. Gentleman that we are taking advice from a range of committees, including SEAC, which he mentioned, the Advisory Committee on Dangerous Pathogens, the Committee on Safety of Medicine and the Advisory Committee on the Microbiological Safety of Blood and Tissues for Transplantation. I suspect that other independent agencies will immediately try—without instruction or the need for persuasion—to examine their own procedures and determine whether there are implications for them. We are also examining with the National Blood Service the practicality and cost of making fresh frozen plasma available to higher-risk groups. As I said earlier, the purchase of an American blood plasma company has ensured an adequate supply of plasma products from a BSE-free country.

The hon. Gentleman asked about the state and volume of stocks in the health service and levels of donations to it. We keep them at an optimum level—I can confirm that they are at an optimum level—and if there were a reduction beneath that level, we would obviously take emergency action.

Mr. Paul Burstow (Sutton and Cheam) (LD): May I, too, thank the Secretary of State for his statement, his courtesy in allowing us to see it in advance and the open way in which he has dealt with the matter by coming to the House only a short time after learning of the situation? I also associate myself with the condolences that have been expressed throughout the Chamber to the families involved.

Will the Secretary of State say a little more about the time line behind the diagnosis? Given that the donation of blood occurred in 1996 and the death of the donor occurred in 1999, what steps were taken to trace those who had received blood from the donor, and how many of the 15 people to whom the Secretary of State referred received blood from that donor?

The company Life Resources Incorporated was purchased in 2002. Can the Secretary of State tell us what assessment was made before and since the purchase of the risk to US supplies from the sources from which it acquires its blood? Concerns have been raised about indications that drug addicts and prisoners in the US could be used as potential sources of blood, so I should be grateful if he would indicate what assessment of that has been made.

Can the Secretary of State clear up a little confusion that I have as a result of reading both his statement and material from the National Blood Service? I understand that the first consignments of fresh frozen plasma from the United States are due to arrive in the UK in January 2004 and that components of it will be issued from the spring. When will all children born on or after 1 January 1996 have access to US-sourced plasma? Do they have such access now and, if they do not, when will they have it?

The Secretary of State's statement referred to the fact that no blood test is currently available for vCJD. What advice has he received from his experts about the likely

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time scale in which we could expect such a test to become available? I understand that the National Blood Service has expressed concern that there could be as much as a 50 per cent. drop in supply if a test became available, so what contingency arrangements is he putting in place to avoid such a collapse in supply?

Haemophiliacs have been mentioned. When will they have access to recombinant factor 8? Reference has been made to the need to manage better and use more wisely the blood that people donate? What steps are the Government taking to allow people to store their own blood as one way of managing the use of, and demand for, blood?

With that, I thank the Secretary of State for his statement and look forward to his answers.

Dr. Reid: I thank the hon. Gentleman for his remarks about my bringing the matter to the House. There is always a fine balance between, on one hand, bringing a matter to the House and thus raising the status of the announcement that one is making and, on the other hand, retaining information that should be legitimately available to the House and the public. Although there was one single incident on this occasion, I decided that provided that the reports were accurately reflected and not over-dramatised, it would be a better path to bring the matter to the House as soon as possible.

The hon. Gentleman asked whether only one person had received blood from the donor. The best information that I have suggests that one other person received blood, although hon. Members will understand that we do not have every single fact and figure. He asked about the length of time that has passed since we knew about the 15 recipients. We have known about that for a considerable time—I do not necessarily mean my Department when I say, "we". The names have been known for a considerable time, but in the absence of evidence during that time, such as that which we have today, the decision was taken that on balance, it would be more beneficial to the patients who received the blood to carry out a full assessment of the risk. That process has been ongoing for some two years, during which expert panels have investigated the matter—although the hon. Gentleman will realise that such an assessment was pretty difficult. It was decided that it was better to do that rather than causing distress in the face of any evidence, but that situation has changed because of today's statement.

Consequently, action on risk assessment and risk communication, which is a complex matter, was already proceeding. Several expert committees were involved, but the risk assessment for individual patients who might have received plasma is not yet completed. I was told during briefings in the past two days that the UK-wide CJD incidents panel met in October this year and received a report showing that the complex risk calculations for blood and plasma products were nearing completion. The panel recommended at the meeting that following the completion of the process, a package of action should be designed with the Health Protection Agency to communicate the level of risk faced by individual patients to the patients themselves. Today's action initiates the first steps in that process, because we cannot reasonably wait any longer.

I do not want to deceive the hon. Gentleman by implying that we have only just found out the names of those 15 people; the names were known but the risk assessment was such that it was decided, until we received this evidence, to make a far more complex assessment rather than cause them undue distress in the absence of that work. As I said, had those people been contacted earlier they would have been given a degree of reassurance that we should now have had to qualify—perhaps causing them more distress.

The hon. Gentleman asked about the sources of US blood supplies. We are satisfied about the blood supplies that we receive. My understanding is that a fair percentage of the blood comes not from the sources that he mentioned but from native Americans, for instance, and others to whom some of the points that he made would not apply. The American company, Life Resources Incorporated, which we have acquired, requires vigorous tests for assessing the blood products that it supplies us. Other appropriate quality assurance procedures are in place, as hon. Members would expect. As soon as the products become available in the new year, children will receive them.

The hon. Gentleman asked about factor 8 for haemophiliacs. That will be available shortly, and the programme is being rolled out at present.

The hon. Gentleman asked about tests. Tragically, the truth is that there is no diagnostic—

Mr. Speaker: Order. I am sorry to interrupt the Secretary of State, but perhaps he could write to the hon. Member for Sutton and Cheam (Mr. Burstow). I am obliged to call Back Benchers, as a statement must include them. Front-Bench speakers have taken 40 minutes, which is unfair to Back Benchers.

Mr. David Hinchliffe (Wakefield) (Lab): Although I realise that we have had a long session of questions from the Front Benches, I am sure that everyone has noted the value of the questions. May I, too, express my appreciation to the Secretary of State for coming to the House with a thorough and detailed statement? I appreciate the precautions that are being taken in this difficult situation.

May I raise two wider points that were not touched on in the previous questions? First, my right hon. Friend will recall that not long ago there was publicity about the case of a vCJD sufferer who, according to the media, showed some response to a particular form of treatment. What is the Government's position on treatability? As my right hon. Friend knows, the issue is of concern to many people.

Secondly, may I press my right hon. Friend about the care packages available for people facing the problems of vCJD and their family carers? He will be aware of the concerns expressed by people close to some of the sufferers and their families that it has taken a considerable time to put the packages together, which has caused difficulties for patients and their families. Will he address that point? Is he satisfied that when a person is diagnosed every effort is made to ensure that a proper care package is put together as soon as possible?

Dr. Reid: On the last question, we are doing that, as far as I am aware; but as I know that my hon. Friend takes a great interest in these matters, especially given his position as Chairman of the Select Committee on Health, I shall reassure myself on that point. The problem is not so much treatment after diagnosis, but the diagnosis itself, because there is no diagnostic test for vCJD—there is no blood test—so, with reference to today's discussion, there is no test to screen potential blood donors.

My hon. Friend asked about possible treatments. He will know that the Department of Health agreed in principle to fund the trial of Quinacrine for the treatment of CJD. The trial will be undertaken through the Medical Research Council and is expected to commence in early 2004. A small number of patients with clinical symptoms were treated prior to the establishment of the clinical trial. We continue to seek out appropriate treatment wherever we can, but at present I cannot say that diagnosis or treatment are available on anything that we could describe as an effective scale.

Mr. John Greenway (Ryedale) (Con): The Secretary of State referred to the fact that some successful operations have been carried out. Recently, an 18-year-old girl in my constituency successfully underwent such an operation—by the intraventricular installation of Pentosan polysulphate. I welcome what the right hon. Gentleman said about the trials; the operation was carried out the day after that decision was made. However, despite the fact that the operation was sanctioned by the local hospital and primary care trusts, surgeons in the hospital refused to permit use of the necessary sterotactic frame equipment due to their concerns about contamination, so the equipment had to be purchased from Sweden at the eleventh hour at a cost of about £38,000. Although the operation was carried out by the national health service, the NHS executive has so far declined to sanction payment for the equipment from NHS funds.

I am sorry to spring that matter on the Secretary of State on this occasion, but I hope that he will understand my concern and the concern of the patient's parents—I was about to write to him about the case. I hope that I have been positive in showing that treatment is available and we celebrate the fact that the girl is alive and improving, but I hope that he will recognise the need to look into the matter in respect of the cost of the equipment.

Dr. Reid: Of course, I cannot respond on an individual case. Any family who found themselves in such a position would obviously seek out every possible avenue for relieving pain, removing symptoms or curing the disease itself—all of us would do that. That is perfectly understandable, but we have not yet found a medically verifiable way of diagnosing or treating this terrible disease.

The hon. Gentleman referred to Pentosan. It is not licensed in the United Kingdom—I do not think that he mentioned that—although it is licensed in the United States as a treatment for cystitis. There can be adverse side effects, such as bleeding, hypersensitivity and a number of others. The most recent advice from the Committee on Safety of Medicines is that there is some very limited evidence from animal studies that Pentosan may be an effective prophylactic agent, although the committee also advises that there is no rational basis for describing the drug as a prophylactic. It is not licensed for use in the UK and could thus be prescribed only under a doctor's personal responsibility as an unlicensed treatment.

I do not know about the case described by the hon. Gentleman, but I do not doubt what he says. However, matters are sometimes slightly more complex as we have to consider medical ethics and the advice that we are given, as well as the anguish of individual patients.

Dr. Ian Gibson (Norwich, North) (Lab): I, too, congratulate my right hon. Friend on the alacrity with which he has brought the situation to the attention of the House. More than anything, that will reassure the public that the matter is being looked at seriously. In the interests of that reassurance, has my right hon. Friend left open consideration of the possibility that there may have been separate infection of the two individuals? Will he ask the Food Standards Agency to make a statement about the current position in respect of meat and meat products in this country and their sources? That would further reassure the public that we have that aspect under control.

Dr. Reid: The answer is yes on both points. Although the donor and the recipient were obviously connected through the transfusion of blood, it is possible that each of them was independently infected through meat products rather than through blood. Yes, I shall certainly speak to the FSA to find out what it can do to bolster confidence in our approach in these difficult circumstances and to reduce any over-dramatisation of the evidence.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): The right hon. Gentleman will know that one of the problems of determining how large the incidence of CJD will be is uncertainty as to the incubation period. If there is a causal relationship between the donor and the recipient in this case—we know that, if there was such a relationship, there was a six-year incubation period—does not that give us a clearish indication of the incubation period and would not that give some modest encouragement to the belief that we shall not see a very large number of new vCJD cases?

Dr. Reid: There are a number of difficult words in the right hon. and learned Gentleman's question. The first and most difficult is the first word in his question, which was "if". It is true that we are not clear on the incubation period; it is also true that we do not have the method of diagnosis. Today will add further uncertainty to a number of those areas.

As I said earlier, it is also true that the number of incidents that are verifiable by post mortem and through obvious symptoms of vCJD is much lower than some projections at the beginning insisted. We must calmly reflect on today's evidence. I am not sure, within a few days of this being produced, whether we can draw any conclusions on the incubation period. I hear what the right hon. and learned Gentleman says on that matter.

Mr. Dai Havard (Merthyr Tydfil and Rhymney) (Lab): As my right hon. Friend will be aware, I have

[Mr. Dai Havard]

written to him recently about issues related to blood safety, and particularly its usage for cancer patients with anaemia. I have been trying for the past two years to organise initiatives in the House in that regard. There are known questions that need answers. I think that most of the questions that have been asked today relate to issues that have been previously identified. I welcome the idea that there will be changes in clinical practice, particularly in the use of alternatives for cancer patients who have anaemia. I received a letter from the National Institute for Clinical Excellence telling me that it does not know when such an initiative will be started.

A couple of weeks ago, the All Wales Medicines Strategy Group was saying that it was not prepared to advise that alternatives could be used for cancer patients with solid tumours. There are simple and immediate step changes that could be recognised and carried out. I would welcome the opportunity to support my right hon. Friend in dealing with some of the old boys and old girls clubs that stop good practices in the health service, that could be initiated on the back of this activity.

Dr. Reid: I understand both the substance of the problem to which my hon. Friend has referred and the level of commitment that he has brought to campaigning on the issue of EPO. I can only repeat what I said earlier. We referred the matter to the National Institute for Clinical Excellence. We instituted such a body so that we could take these decisions on priorities, and decisions on the availability of treatments as well as on the availability of drugs and equipment, independently of political decisions. I understood that NICE was looking at the matter and that there would be an outcome next year. I do not think that I can advance on that. If my hon. Friend has other information, I shall be prepared to speak to him about it. Both of us will be reassured that NICE will look at the matter expeditiously.

Hywel Williams (Caernarfon) (PC): Will the Secretary of State ensure that there is the highest level of co-operation and information exchange on this difficult issue between NHS Direct in England and NHS Direct in Wales? Many Welsh people live some of the time in England but would normally access services in Wales. However, I have had direct evidence recently that the information held by NHS Direct in England about services in Wales is up to three years old in the written form and is considerably out of date in some respects.

Dr. Reid: We do try to update that information. We shall attempt to ensure that the information available on this subject is as up to date as possible throughout the United Kingdom.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): Although this is obviously a tragedy for the families affected, and we are all sympathetic about that, it is important that the matter be kept in perspective. Will my right hon. Friend talk to the chief medical officer about ways of ensuring that the advice and support lines that he sets up are backed by expert help in putting these matters in perspective? We are thousands of times more likely to be killed on the roads than to contract vCJD. The matter needs to be put into perspective, especially for the media.

Dr. Reid: I agree with my hon. Friend. The information has been put into the public domain through the House so that everybody can be fully informed and reassured that we are approaching this matter in as open and transparent a fashion as possible. However, it is true that about 24 million units of blood have been made available over the course of recent years and that this is the first case that we have ever found where there is a link between a donor and a recipient as regards vCJD. However, there are other possible ways in which both of them could have been infected. It is not proof of a causal relationship, or that this has been transmitted through blood. I hope that we shall not be in the least complacent. On the other hand, we should not over-dramatise the situation, which could lead to widespread over-concern and panic.

Rev. Martin Smyth (Belfast, South) (UUP): The Secretary of State has put us all in his debt by coming so soon to the House with this information. I welcome it, but with a deal of caution, particularly in terms of incubation. May I press the right hon. Gentleman a little on his answers to the hon. Members for Wakefield (Mr. Hinchliffe) and for South Cambridgeshire (Mr. Lansley), who talked about a new treatment? Over a year ago, I was in touch with the right hon. Gentleman's predecessor about a new treatment, and finally the family had to go to the courts. They got that treatment. The doctor who looked after the patient said that if he were ever diagnosed with vCJD he would want that treatment to be started immediately. If the treatment is available, it is important that it be used immediately following diagnosis. Bearing in mind that many others may yet develop vCJD, I think that researchers should be working more positively. The young man concerned would have died before last Christmas, but he is now at home in the care of his family, showing decided improvement. As he was so far down the road, it is doubtful whether he will ever be completely cured.

Dr. Reid: I am obviously aware of the case that the hon. Gentleman raises. It was in Northern Ireland, as it happened, and there was a subsequent court case. We took cognisance of what was said in that case, and the experience of it, and we arranged for pilot schemes to be carried out. Following the initial success, or apparent success, in treating the patient, we decided last year that we would carry out tests.

I do not think for a moment that we should be irresolute or hesitate in attempting to improve diagnosis or treatment. However, a degree of responsibility at the Government Dispatch Box is necessary. I say to the House that, thus far, none of our efforts has indicated a medically verifiable way of diagnosis or treatment for this disease. For me to indicate otherwise would be to raise hopes to an extent that would not be warranted.

Mr. Jon Owen Jones (Cardiff, Central) (Lab): All the early victims of vCJD shared a particular genetic piece of information for the manufacture of certain proteins. Is it still the case that all the victims are in this genetic subgroup? Is that so for this new case? If it is, have we looked at the 15 possible recipients of blood to ascertain whether they are in the same vulnerable group, or whether some of them are?

Dr. Reid: The simple answer is that I do not know. By this afternoon, I will have asked those questions.

Paddy Tipping (Sherwood) (Lab): In his detailed and thoughtful statement, my right hon. Friend rightly laid out the tragic consequences not only for the sufferer but for his or her wider family. Against that background, is he in a position to tell the House a little more about the compensation scheme for hepatitis C patients, which was agreed in principle in the summer? When will he be able to make an announcement about the way forward?

Dr. Reid: The answer is shortly. The Under-Secretary of State for Health, my hon. Friend the Member for Welwyn Hatfield (Miss Johnson), has been working hard on this, and it should not be too long before we can make a public announcement.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): At this time of year, the National Blood Service encourages donors to make time in our busy schedules to ensure that we give blood. The timing of the announcement is probably unhelpful, because a number of people will understandably be reluctant to give blood, as happened following incidents in the 1980s and 1990s. What reassurance can my right hon. Friend offer blood donors to encourage them to continue giving blood and reassure them that that is a valuable thing to do?

Furthermore, can my right hon. Friend advise—

Mr. Speaker: Order. The hon. Gentleman has only one question.

Dr. Reid: At this late stage in the questions, I thank my hon. Friend for giving me the opportunity to make the position clear. People who give blood in this country perform a great and valuable service. I thank them for everything that they have done in the past, and we shall continue to seek their support in the future. Nothing that we have said today should in any way diminish the fact that over the years the lives of thousands, perhaps hundreds of thousands or even millions, of people have been improved, protected and saved by the public service performed by blood donors. As we approach Christmas and the new year and all the difficulties of the season, I hope that everyone remembers that, and will continue to give blood as a service to their fellow citizens.

Point of Order

1.31 pm

Richard Younger-Ross: On a point of order, Mr. Speaker. On Monday afternoon, I contacted your office at 12.35 to inquire whether there would be a statement on Iraq. Your office advised me that there would be no statement on Iraq, but told me that there would be one on the European Council and that there would be no urgent questions. On the basis of that information, I went about other parliamentary business instead of coming to the Chamber. When I looked at *Hansard*, it was clear that the Prime Minister did make a statement on Iraq.

May I ask you, Mr. Speaker, whether your office was advised that the Prime Minister was going to broaden the scope of his statement? If so, was there any way in which you could have let ordinary Back Benchers know that there would effectively be a statement on Iraq? If you were not so advised, Mr. Speaker, was the Prime Minister in order when he broadened his statement?

Mr. Speaker: The Prime Minister was in order. Had he been out of order, I would have let him know. As the hon. Gentleman said, he was not in the Chamber. We are all on a learning curve in the House of Commons, so perhaps the trick is that when the monitor shows that the Prime Minister is going to make a statement, the hon. Gentleman should come to the Chamber. There may be something of interest to him, and he may try to catch my eye.

Orders of the Day

Asylum and Immigration (Treatment of Claimants, etc.) Bill

[Relevant document: The First Report from the Home Affairs Committee, Session 2003–04, on the Asylum and Immigration (Treatment of Claimants, etc.) Bill, HC 109.]

Order for Second Reading read.

Mr. Speaker: I inform the House that I have selected the amendment in the name of the hon. Member for Lancaster and Wyre (Mr. Dawson).

1.33 pm

The Secretary of State for the Home Department (Mr. David Blunkett): Before I move Second Reading, Mr. Speaker, I should be grateful if you forgave me because, in the light of the court judgment that Ian Huntley is guilty of the murder of Holly Wells and Jessica Chapman, I felt that the House would want to send the families our love and concern. Our hearts go out to them this afternoon. I shall lay a statement before the House and, in conjunction with the Opposition spokesmen, take steps to initiate an investigation into some of the events that took place from 1995 onwards.

I beg to move, That the Bill be now read a Second time.

I understand that the shadow Home Secretary is ill, and send him our best wishes for Christmas. *[Interruption.]* There seems to be some demurral among Liberal Democrat Members, but I send good wishes on their behalf—let us be joyous for Christmas. The Bill is part of a jigsaw that includes not only the legislation already on the statute book but the administrative measures that we have been using to improve the operation of our border controls and immigration system. As the House knows, there have been substantial improvements in recent years, but we all accept that many changes are still required, both in legislation and to improve administration. To repeat what I have said when we have debated these issues over the past two and a half years, Ministers are painfully aware of the difficulties of achieving substantial improvement, given the significant rise in the number of people applying for asylum, while at the same time modernising and improving the rest of the immigration and nationality directorate. We often forget that asylum is only a small part of broader immigration and nationality responsibilities. There have been considerable improvements in the non-asylum elements of the service, but there is still a great deal to be done.

Lynne Jones (Birmingham, Selly Oak) (Lab): Is my right hon. Friend not concerned that, notwithstanding the fact that the consultation period on the Bill did not comply with Cabinet Office guidelines, it has not been possible, even today, to get hold of a summary of the report on the responses to that consultation? That report is specified as a relevant document, but I could not get hold of it until 12 o'clock. Does that not cause him concern, as we are considering legislation without all the relevant information to hand?

Mr. Blunkett: As my hon. Friend acknowledged, we laid the response to the consultation before Parliament today.

Lynne Jones: It is not in the Library.

Mr. Blunkett: I authorised it to be placed in the Library this morning, so I apologise to the House if that has not been done—*[Interruption.]* I understand, however, that some Members have been able to obtain it from the Library.

In our debate on the Queen's Speech, I spelt out the key elements in the Bill that would enhance and support the work that has already taken place. There must be a determination of honesty in relation to individuals and those advising them before the authorisation of the initial decision and the subsequent adjudication. We should consider the blocking of people who arrive at our airports, throw away documents or refuse to co-operate either with the process of determining their country of origin and their passage into the country or with redocumentation for return purposes—I shall come back to that.

We must deal with the question of organised criminality—the way in which people, with the connivance of facilitators and organised traffickers, become involved in international trafficking and criminality. We need to extend the measures that we have already put in place on sexual exploitation, in both the Nationality, Immigration and Asylum Act 2002 and the sex offenders legislation.

Paul Flynn (Newport, West) (Lab): Does my right hon. Friend agree that not all the public feelings of antagonism towards our present system are the result of media hyperbole or invention? There has been a large increase in the criminal elements who are getting involved in the asylum process to the detriment of the public acceptability of our asylum policy—and, indeed, the acceptability of all our policies.

Mr. Blunkett: I agree entirely. Asylum has been regarded as an opportunity by international gangs of organised criminals to make a great deal of money. Very often, they have made money out of the exploitation and degradation of people with whom they have been dealing. They take large sums of money, sometimes for children whom they have trafficked across the world and literally dumped on our soil, unfortunately in large numbers.

Of course, those gangs have often done that alongside multiple criminal trafficking activities and the smuggling of drugs and guns. They switch between the different opportunities that they see to make money. They have obviously been doing so in the wake of worldwide people movements—the enormous movement of people across boundaries, which we have discussed in the House before—on a scale unprecedented in our history. Whereas 20 years ago, very small movements initiated by major catastrophes were the order of the day, now, partly because of communication, partly because of the English language and partly because of the economic changes in the world, people are desperate to seek a better life, as well as to seek refuge from terror, and opportunists have taken advantage of that.

David Winnick (Walsall, North) (Lab): No one disputes the amount of criminality involved, and we remember the Chinese who suffocated to death and who were undoubtedly the victims of criminal gangs, but does my right hon. Friend accept that much of the controversy over the proposals could be avoided if more attention were paid to the quality of decision making? The Home Affairs Committee report, to which I was a party, makes the point, which I am sure my right hon. Friend has noted, that, whereas one in 25 appeals was successful in 1994, the figure has risen to one in five. The quality of decision making by Home Office officials is so important, and some of the controversy about the taking away of children as a last resort could be avoided if that quality were improved.

Mr. Blunkett: I am terribly sorry but the last point is completely irrelevant. It has absolutely nothing to do with the quality of initial decisions, or the subsequent appeals that take place. Clause 7, which we will come to in a moment, deals with those who have been through multiple appeals systems and have not had the initial decision to refuse overturned. My hon. Friend does his case no good at all by mixing the very real issue of improvements in decision making with the issue of clause 7. If hon. Members take every opportunity to use anything, no matter how extraneous or irrelevant, to deal with clause 7, we will not have a sensible debate this afternoon. I say that in all sincerity, because clause 7 relates to people who have failed to establish their right to be in the country.

Several hon. Members *rose*—

Mr. Blunkett: I shall give way in a moment, but first I shall address the sensible and rational issue that my hon. Friend raised—the quality of decision making. The massive increase in volume, especially over the past three years, which can be tracked in terms of the numbers coming in, has undoubtedly put enormous pressure on the system. We accept, as Ministers, that we need to take steps to improve decision making, and we have already done so. That has certainly been true of the recent steps that we have taken, including a fast-track system, building on the experience of Oakington and Harmondsworth, and ensuring that the non-suspensive appeals process is robust.

We accept that further steps are required. My hon. Friend the Minister for Citizenship and Immigration is announcing today that we will work with the United Nations High Commissioner for Refugees, accept UNHCR's offer to work with our training programme to improve decision making, and undertake integrated work with the adjudication system, so that we can learn the lessons and get it right. I am happy to respond to such approaches and to the justifiable concerns expressed by hon. Members in all parts of the House to make sure that the system is administratively competent, that there are no delays and above all that we do not have to overturn on appeal.

There is one other element. None of that discourages people from seeking the asylum route when they would be more justified in seeking legal economic migration. The steps that we have taken to secure our border controls with France are the most significant thing we can do, together with the signals to organised traffickers, to prevent people from seeking asylum when it is not asylum that they want, but a better life, offered through the massive expansion of the work permit system.

Mr. Jon Owen Jones (Cardiff, Central) (Lab/Co-op): Does my right hon. Friend agree that, in response to the strategy that he is setting out on how to deal with asylum seekers who have failed to show that they have a right to asylum in this country, he is opposed by a fantasy island strategy and a Nelsonian blind eye strategy that pretends the problem does not exist?

Mr. Blunkett: Yes. I am trying to match the two together—Nelson in search of a fantasy island that does not exist and that has apparently been wiped off the map by the Leader of the Opposition, who decided last week, I think, that the Opposition could not find such an island, despite the help of ITV, and that they might seek a peninsula somewhere far away instead.

Keith Vaz (Leicester, East) (Lab): I welcome the steps that my right hon. Friend has taken to improve what is happening at the immigration and nationality directorate, but one of the problems is that Home Office presentation officers do not attend court. A large number of cases are adjourned because the officers do not attend. Will he take steps, with the tribunal service, to make sure that they turn up to present their case, so that cases will not be adjourned?

Mr. Blunkett: We have taken urgent steps, and carried out further recruitment and improved training, and there will be a new tranche of presenting officers in January, to avoid such delays and circumstances in which officers are not available, with the consequent cancellation of the hearings to which my hon. Friend refers. That is not acceptable. We understand that that aspect, like much else that we have been dealing with, needs to be improved, and we give a guarantee that it will improve in the new year. The Minister for Citizenship and Immigration is taking the issue on board, as it is extremely important.

Hugh Bayley (City of York) (Lab): Many parts of the Bill touch on day-to-day immigration matters, not the controversial issues of asylum. Overseas students, whether they go to public sector institutions such as universities or further education colleges, or private language colleges, make a valuable contribution to the UK economy through their fees, and when they return to their own country, they usually leave well disposed towards the UK. Will my right hon. Friend give the House an assurance that he does not intend to use clause 20 to charge that group of applicants more than the actual cost to the Government of processing their visa applications and visa extensions? If he were to do so, it would, in effect, be a tax on an important export industry for the UK.

Mr. Blunkett: We all accept, as I did when I was Secretary of State for Education and Employment, that

[Mr. Blunkett]

we wish to maintain the high levels of application and entry to this country for qualifications. That has the advantages that my hon. Friend outlined. Clause 20 is an enabling clause. I guarantee that we will consult before laying an order. The factors that my hon. Friend mentioned will be a substantial part of our consideration, in conjunction with the Department for Education and Skills. I want to put it on record, because it is not often said, that considerable benefits arise from the availability of the education process in this country and from all the ancillary support and health facilities that go with it, which are not available in other parts of the world. That is one of the attractions for people coming, including—this is not the same thing as asylum seekers—those who bring their families and receive education for their children and access to health care. My hon. Friend makes a valid point.

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): In light of what the Home Secretary fairly said—that decision making is, by and large, of poor quality and needs to be improved—is it not extremely unwise and possibly unjust to remove judicial oversight of the process at this stage?

Mr. Blunkett: First, I did not use those words. I said that, given the number of appeals that were overturned, we accepted that there was room for improvement. Secondly, we are not overturning the right of appeal and it is that to which the 20 per cent. is relevant. That particular appeal is not affected by the proposition that we are putting before the House this afternoon.

I do not simply blame the media—that is a fairly fruitless task anyway, especially at Christmas—but it is important that people do not automatically believe what they read but study what we are putting forward. That is why the provisions in the Bill streamlining the appeals and removal process, preventing the exploitation of legal services and allowing generous legal aid and advice are crucial.

Mr. Bob Blizzard (Waveney) (Lab): My right hon. Friend just referred to what one reads in the newspapers, but did he see the claim in a newspaper a couple of days ago that an asylum seeker in Britain receives on average about £16,000 a year in benefits? I find that hard to believe, but that is true of most of what I read in the newspapers about the asylum system. Will my right hon. Friend comment on that?

Mr. Blunkett: There are two separate issues here. One is the total cost of processing and supporting applicants. The other is what they receive, and it is important to distinguish between the two. A family would receive less than £7,000 a year in direct support, but what was presented to the Home Affairs Committee by the Minister for Citizenship and Immigration was the total cost. We have been transparent about that and it is one of the issues with which we seek to deal, in terms of the totality of the draw-down on the public purse.

Mr. Marsha Singh (Bradford, West) (Lab): I am sure that my right hon. Friend will agree that the fast-track procedure at Harmondsworth has been extremely successful, but does he also agree that, this being the fifth immigration and asylum Bill to come before the House, the real problem, apart from entry, is removals, and if we can get that right, we can crack the system? The level of removals is still very low. Will my right hon. Friend give us a guarantee that this time we will crack that issue and that we will not be back here in a year's time with another Bill?

Mr. Blunkett: I think that all agree that removals are important, but let me take this opportunity to set out the challenge. It is important to understand the difficulty that we face on removals. We have increased the number of removals to 1,500 or 1,600 a month, which is now over 18,000 on an annualised basis. We separately remove 1,300 people a month, and the figure is rising, who are here illegally but who, before we managed to remove them, did not claim asylum. We have separately managed each month to stop 3,000 clandestines getting into the country. The total picture is rarely presented because in our media, which I have already said I love, one set of people is told to present the worst possible side of asylum and immigration and another is completely convinced that it is not an issue and that it should present the matter as though we have some sort of obsession. Neither reflects the reality. The developed world is addressing a difficult challenge and we are part of that process.

The difficulty in removals is not simply fast-tracking, giving people their final decision and then putting them on a plane or a boat; it is the process that stops us from being able to achieve the goal. First, there are legal constraints, which is why we intend to improve and streamline the appeals and judicial review process. Secondly, there is the issue of documentation. Even if individuals or families are held in a secure removal centre, they cannot be removed without the documentation that allows the country of origin to take them back. That is a crunch issue, because 70 per cent. of applicants either have never had or have thrown away their documents. Many of them are now being advised, sometimes by disreputable people, that if they do not co-operate in the redocumentation process we cannot remove them, and therefore we will continue to sustain them. Therefore, without the documentation required by the receiving country, we have the devil's own job to trigger compulsory removal, which we are undertaking, and without a country to receive them, we have nowhere to remove them to. We cannot eject them into outer space.

The complexity of these issues is growing by the day. Every time we close a loophole, the facilitators and those behind them, and many advising those who claim asylum, tell them what to do. I understand such advice from those who are dedicatedly against any removals, with their campaigns for what they call no deportation, but in terms of fulfilling public policy and having a system that works and is trusted, and in which people have confidence, we are constantly fighting a battle to close the loopholes and thwart those who will use any ends to make a monkey of the system.

Jeremy Corbyn (Islington, North) (Lab): Does my right hon. Friend have any concerns about the conditions faced by people who, after an unsuccessful asylum application here, are deported to a country from which they have fled and who may then be open to abuse and intimidation? What monitoring is undertaken by his Department or in British posts abroad, and what consideration is given to the safety of such people when they return?

Mr. Blunkett: The whole system is geared not to send people back to countries where they will be threatened with death and torture. That is the whole basis of the 1951 convention and of our immigration and asylum laws, and will remain so. Secondly, people whose individual claims fail, but whose country of origin, to which we would usually return them, is considered unsafe, are not returned. That is the serious problem that we face with regard to people who have no legal right to be here but whom we cannot remove on humanitarian grounds—and we do not intend to change that. We of course monitor and take the international, as well as national, in-country assessment. As a consequence of the previous legislation we agreed to have an advisory group and to take further advice, so we are going out of our way not to send such people back. Even if people inside or outside the House disagree with the Bill, when we return people who have failed all their claims and whom we can return to a country that we believe to be safe, where appropriate we shall assist them with resettlement, as we are doing at present with regard to Afghanistan.

Mr. Mike Hancock (Portsmouth, South) (LD): The Home Secretary said that there was evidence to support the view that 3,000 clandestines were prevented from coming into the United Kingdom each month, and I should be grateful if he would substantiate that claim. Will he also clarify—*[Interruption.]* The Minister for Citizenship and Immigration laughs, but the Home Secretary made the claim, and it is worth having it substantiated. Secondly, what will the Bill do to make easier the removal of people with no documentation? The House appreciates the problems that the Home Secretary explained, but I cannot see anything in the Bill that will make that task easier.

Mr. Blunkett: On the first point, the statistics relate to those who are turned back at the new border controls in France—and now in Belgium, where we have put in place facilities at Zeebrugge—and therefore do not claim asylum at our ports and airports. The statistical facts on those people, who are turned away because they have no legitimate right to be in the country, are on the record. Presumably, people do not know about that because we do not shout about it loudly enough, but I have every intention of doing so from here on in.

On redocumentation, we are working with countries across the world from where large numbers of returnable people seek asylum, to get them to accept simplified and speeded-up measures for acceptance of nationality or a simplified redocumentation system. We are putting in place a system to guard against those who throw away their documents when they get off the plane—bearing in mind the fact that they must have had a passport and other documents to get on it in the first place. That includes our consultation on copying relevant parts of those documents to ensure that we are able to present the facts to the person's country of origin. That measure will assist us substantially.

Mr. Martin Salter (Reading, West) (Lab): Does the Home Secretary acknowledge the damage that is done to community relations when many decent citizens without a racist bone in their bodies become understandably frustrated by the fact that after several years of different pieces of legislation from Governments of two different political persuasions, there remain massive delays in processing, a degree of profiteering by certain unscrupulous lawyers and advisers, and extensive profiteering by private landlords, all at the taxpayer's expense? What will the Bill do to address those issues?

Mr. Blunkett: I agree with my hon. Friend's analysis. That is the kind of discontent and disquiet that others feed on and use to cause friction, break down social cohesion and damage race relations. That is why, through the administrative changes in the Bill, we stress that people should be honest in terms of their presentation of the facts and their willingness to give evidence on what has happened to them. The Bill will help us to tackle organised criminality; to strengthen our borders; to speed up the system, including the adjudication and appeals process; to tackle bogus advice; and to deal with legal aid.

As well as taking measures to ensure that people have to present their case honestly, retain their documents and tell the truth about their country of origin, we need to be sensitive in understanding the difficulties that some asylum seekers face when they reach the country. The process and the legality of section 55 of the Nationality, Immigration and Asylum Act 2002 was upheld by the courts, and we intend to respond to that through the Bill. The measures that we are introducing, following discussions with refugee organisations, will allow us to be more flexible in assessing whether people have been in the country for any length of time. That is why my hon. Friend the Minister for Citizenship and Immigration will announce today that we will provide to those who make the decisions the necessary adjustment in advice to allow them—subject to people's giving an honest account of how they reached the country and how long they have been here—72 hours, rather than the current 24 hours, in relation to people claiming asylum and being entitled to benefit.

Dr. Evan Harris (Oxford, West and Abingdon) (LD): I am grateful to the Home Secretary for making that point about greater flexibility in relation to the time that is taken to apply for asylum. Another problem is the difficulty that the National Asylum Support Service faces in accepting that, a decision having been made, a person is really without any means of support and qualifies for assistance under section 55(4) of the 2002 Act. Apparently, several hundred applications to court have not been opposed by NASS in cases where court orders have been given instructing it to provide support for people who, having had an adverse decision, find themselves on the street and destitute. Will the Home Secretary accept that that is a second component where more flexibility is required?

Mr. Blunkett: Where a court indicates through judicial review that we have an obligation to reconsider

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the case or to provide support, we will of course do so. I suggest that the hon. Gentleman make known to my hon. Friend the Minister of State any examples of cases where that is not being done.

Mr. Iain Coleman (Hammersmith and Fulham) (Lab): Will the Home Secretary give way?

Mr. Blunkett: In a moment. I should explain that I now intend to move through the clauses so that Members are able to intervene at relevant points. However, I shall give way once more if my hon. Friend has a general rather than a specific point.

Mr. Coleman: With reference to the Home Secretary's comments on section 55 of the 2002 Act, does he recall the informal discussions that he had with me, and a number of my hon. Friends, prior to its introduction? My recollection—I stand to be corrected by the Home Secretary—is that we were told that it was not the Government's intention to use the powers in section 55 for people who had just arrived in the United Kingdom, and that we were talking about not 24 hours or 72 hours but, at the very minimum, weeks, if not months.

Mr. Blunkett: I think that during that meeting we moved delphically from 72 hours to a period of months. I have never said that those who have been in this country for months could establish a claim to asylum. The purpose of section 55 was to prevent those who had been in the country for other purposes, on other visas and for other requirements from finding themselves destitute and deciding that this route was the fastest and most effective way of gaining public support in relation to subsistence and housing. We indicated that that was not the correct way in which to do so.

Asylum is about those who are threatened with death and torture escaping from that and seeking sanctuary in this country. We offer that sanctuary readily, but on the basis that when people arrive they demonstrate that they are asylum seekers, not economic seekers of a better life or people who have come for other purposes and do not want to go back home. I am seeking, with my hon. Friend the Minister, to ensure that we show a deal of flexibility within the requirement, so that people should be prepared to co-operate with us. That is not unfair—it is something for something, which is the principle that we apply in terms of the welfare provision offered to the indigenous population of this country.

Clauses 1 to 5 tackle illegal immigration and abuse of the system, and clause 2 is specific about the undocumented arrivals that I mentioned. I shall not go into that again, because most people would accept that it is unacceptable to throw away evidence of where one has come from and which plane one arrived on, and that we should take action on that.

Mr. Gwyn Prosser (Dover) (Lab): I support the Bill and the measures that the Home Secretary has introduced in past years, mainly because of the effects in my constituency: I echo what my hon. Friend the Member for Reading, West (Mr. Salter) said about the way in which community relationships can be destroyed by a feeling that the situation is out of control. However, will my right hon. Friend give us some assurances and securities in relation to specific clauses? For instance, as regards people coming in without documentation and destroying their documentation deliberately, can he assure us that he will go to some lengths to inform incoming passengers that that will be a penalised offence, so that they do not take the advice of the traffickers, tear up their documents and end up being prosecuted unnecessarily?

Mr. Blunkett: That is a sensible point. We should work with sea and air carriers to ensure that the message is clearly conveyed. We have tried to make more sophisticated the subsidiary ruling on airports in relation to section 55 of the 2002 Act. At one stage, we were almost being asked to provide public address systems at airports to tell people that if they wanted to claim they should do it immediately. That struck us as a trifle odd, but I accept the thrust of the helpful suggestion of my hon. Friend the Member for Dover (Mr. Prosser); I believe that it would help people to thwart traffickers and facilitators.

Mr. David Heath (Somerton and Frome) (LD): Further to that point, would it not be even more satisfactory if, at the embarkation points, we had copies of asylum seekers' travel documents, which would detail likely points of departure? Even if they destroyed the documents, we would then know their identity. Could not such a responsibility be placed on carriers?

Mr. Blunkett: We are consulting on precisely that point. We are in discussion with Departments that have an interest in the matter. I should like to ensure that such a liability did not interfere with free competition or disadvantage British-based carriers. We should try to ensure that that does not happen. Any such provision would be in conjunction with the purchase and presentation of a ticket and run alongside the visa regime which applies to countries where visas are required.

Clause 6 deals with people's preparedness to give a reasonable explanation. I have commented on that in the context of thwarting facilitators, and that is linked to clause 2. Clauses 4 and 5 introduce a new criminal offence and build on the powers that relate to sexual exploitation, which I mentioned earlier.

The behaviour of those who are authorised to take steps to provide credibility will be important. The credibility of the claim, and the credibility clause, as we may deem clause 6, will enable us to respond to the debate a few moments ago about providing a better, faster and more sensible method of dealing with the initial decision. Adverse behaviour makes a hell of a difference in such circumstances. The countries through which people have passed, the way in which they present their claim, timings and much else will be considered.

I hope that hon. Members will give me a moment to explain our thinking on clause 7. There is disquiet about our holding families in detention centres when their claims have failed and they are in the process of being redocumented or given removal directions. Yesterday, my hon. Friend the Minister for Citizenship and Immigration responded to concerns about children who are held in those centres by saying that there will be what might be called a ministerial lock. The Minister will not only monitor but have to approve any lengthy stay in removal centres. The conditions in which families are held in those centres have been and will continue to be improved.

Some people fundamentally oppose holding families in removal centres, however. Some fundamentally oppose compulsory removal of families—picking up children and families, putting them on a plane and removing them. Anxieties about that have already been expressed this afternoon. Some people, including some hon. Members, are worried about the withdrawal of public support from those who have been through a lengthy process, including multiple referrals by letter and interview, and a 14-day stay while the family is further informed about what will happen.

Annabelle Ewing (Perth) (SNP) *rose*—

Mr. Hilton Dawson (Lancaster and Wyre) (Lab) *rose*—

Mr. Blunkett: I shall give way to both hon. Members shortly.

Some people oppose all three measures that I outlined and believe that if people will not leave, we should simply do nothing and accept the position as a burden of a modern, economically successful country. I do not agree with that.

Annabelle Ewing: The Home Secretary mentioned the comments that the Minister for Citizenship and Immigration made yesterday. She said that children would be held in Dungavel removal centre for an initial period of 28 days and thereafter, they would be subject to a ministerial review. Does not the Home Secretary accept that for a child, 28 days at Dungavel is 28 days too long? Surely, as a plain-speaking man, he accepts that that will punish innocent children for the actions of their parents. By what means will the Bill exclude the competence and jurisdiction of the children's panel system in Scotland, which has primacy over the matter?

Mr. Blunkett: The hon. Lady knows that the issue is reserved. There has been a massive campaign about Dungavel. The average time families are held in removal centres is 10 days because there are some long-stay cases, but the bulk of cases are dealt with in five or six days. On Monday this week, 38 children were held in removal centres in the United Kingdom. I regret the holding of any child in a removal centre and I want other measures to be applied to avoid that happening. They include encouraging people to be redocumented and supporting them with free return and, when appropriate, resettlement. That is why, in a sensible debate, people cannot simply rule out every possible measure to achieve a public policy goal and then criticise the Government for failing to achieve it.

Mr. Dawson: I welcome the news of progress on monitoring children and families in detention centres. Will my right hon. Friend assure me that the oversight will include input from the relevant social services authority with child protection responsibilities? In expressing frustration about the way in which some asylum seekers try to thwart the system, will my right hon. Friend also confirm that their children are highly unlikely to have played any part in the decision either to come to this country or to try to evade immigration authorities?

Mr. Blunkett: First, I accept that social services have a highly relevant and appropriate central role to play in protection and in our education programme. On my hon. Friend's second point, of course I accept that the children are not responsible for their parents' decisions, but neither are we. We have to deal with children and support them wherever we can, consequent on the decisions and responsibility of their parents.

We are considering an issue of fundamental values. The primary concern of parents is the well-being of their children. That should come first, second and third. If it is in the interests of that well-being to comply with sensible and sensitive removal to the country of origin when asylum seekers have failed to establish their claim that they faced the threat of death and torture, they must take responsibility and accept the consequences. Parents, not only the state, must take responsibility for consequences. I reiterate that the state has an important role of last resort. However, in a civilised society, it is our job to protect children and not to give way to, second-guess or replace parents' responsibility for the care of their children.

Mr. Dawson: I accept my right hon. Friend's comments, but does he agree that much of the welfare state's work is protecting children from the consequences of their parents' actions, and that, by and large, that should be done by keeping families together?

Mr. Blunkett: As someone who was a chairman of social services for four years and dealt with difficult issues, such as removing children from their families, I accept my hon. Friend's point. I accept that we should take every possible step to ensure that children are well cared for, supported and maintained in their family unless they are at risk. As we have seen cases from Maria Caldwell all the way through to Victoria Climbié, our only objective is to protect children's interests when the decisions of adults whose care they have been in—parents or otherwise—have led to their being at risk. When they are at risk, we intervene to care for them.

Mr. Mark Oaten (Winchester) (LD): Will the Home Secretary give an absolute commitment that social services will be informed at the point at which a decision is taken to withdraw benefit from a family with children, so that social services are not brought in too late?

Mr. Blunkett: The obligation on the family is, first, to accept the removal directions and to be removed—we shall be tracking these families—and secondly, if they are in distress, to indicate that that is the case so that we can take the appropriate steps, including, as a logical conclusion of destitution, although not as part of the Bill, supporting the tiny number of children whose parents have taken such a contrary decision that it has put those children at risk. That is the normal practice. We are not in the business of trying to engineer a situation in which children are at risk and destitute and have to be taken into care. That is neither the role of the

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state nor the will of the Government. Had this issue not been totally distorted publicly after three weeks of the initial consultation, we might have been able to hold this debate on a more sensible basis.

Ms Diane Abbott (Hackney, North and Stoke Newington) (Lab): The whole House will agree with the Home Secretary that the actions of adults have consequences. However, the question at issue in relation to clause 7 is whether those actions should have consequences that are visited on the heads of children.

Mr. Blunkett: In every circumstance in which parents make decisions and are held responsible—whether it is parents who engage in unlawful action, parents who neglect or abuse their children, or parents who are no longer in receipt of benefits as a result of their actions—we have to take steps. In the domestic situation—and I am familiar with the legislation—section 1 of the Children Act 1989 enables social services, in extremis, to intervene financially. What we are saying is that we are prepared to intervene financially: we are prepared to pay the fare and provide support to those being returned to their country of origin. *[Interruption.]* That pager might have been providing an answer that I needed to give to the House. I thought I had better pause for a moment in case it was something vital. What we are not prepared to do is to get ourselves into the situation in which parents, having gone through all the processes that I have described, know that we will not withdraw public support from them because they have a child. In those circumstances, what chance would we have of getting the growing number of people being advised not to co-operate with re-documentation and removal to leave? That is the simple public question: what do we do, and what do people expect?

Our actions have consequences, as do the decisions of parents. Through our actions, we have identified a massive and growing problem: 70 per cent. of those claiming asylum do not have documents, and many are not co-operating with re-documentation. They are being advised by those who should know better to "play the game". So what do we do? Do we simply say, "If you are a family, when you touch British soil, you are here for ever"? We cannot do that and have a credible system.

Several hon. Members *rose*—

Mr. Blunkett: I shall give way in a moment.

Let us bear in mind the fact that, when one hon. Member said earlier that the real issue was removals, there was an enormous number of "Hear, hears" around the Chamber. I can say, "Hear, hear," to the removal of those who have no legal right to be in the country, but not to taking away any steps that we put forward to make that a reality. It is the challenge of a legislature to make decisions, to ask the Executive to implement policies that are both credible and administratively possible, and to back them in taking those difficult decisions forward. When we were debating the previous legislation, I said—this is in *Hansard*—that I believed that people would encourage us to step up removal, but that there would be tears when removal was implemented. That is the case.

Mr. John Denham (Southampton, Itchen) (Lab): My right hon. Friend knows that the Home Affairs Committee and I support the principle behind clause 7, as I hope to explain later. I welcome the fact that, earlier this afternoon, he said that he was looking again at the way in which section 55 of the Nationality, Immigration and Asylum Act 2002 is being applied, perhaps because some of the consequences had been harsher than the House or he intended. Does he take from that the fact that the House must look very carefully at how the Government would implement clause 7 in practice, to ensure that it achieves the outcomes that he wants, rather than resulting in consequences that we would find unacceptable?

Mr. Blunkett: I accept that stricture from my right hon. Friend. I am pleased that his Committee is not recommending that clause 7 be removed from the Bill. I accept that, as with so much legislation, it is crucial that the Executive are properly scrutinised and that the House—including the Home Affairs Committee, which my right hon. Friend chairs—does that job. That is part of Parliament's democratic role, and it is a very important one. If we can be shown to be in the wrong in terms of the way in which we apply legislation administratively, or to be too harsh or too soft, the House should hold us to account. While I cannot engage in a subjective judgment, as requested by the Select Committee, in terms of predictions of numbers, I can assure its Chairman that we will present all the facts to it and keep it informed on how we are implementing this legislation.

Mr. Andrew Turner (Isle of Wight) (Con): I am sure that many of us sympathise with the right hon. Gentleman in terms of the very difficult decisions that he is trying to balance in the Bill. He referred to people who ought to know better giving poor advice, and to people making a monkey of the legislation. Does he have—or will he take—the power to withdraw legal aid contracts from firms of solicitors that consistently give poor advice, propose failed appeals and bring forward failing arguments?

Mr. Blunkett: My right hon. Friend the Secretary of State for Constitutional Affairs is to implement a review of the legal aid system, which will apply from April, and, with the Legal Services Commission, a new accreditation system for those providing advice—not to withdraw the accreditation but to ensure that there is proper monitoring. We are also strengthening the powers of the commissioner in the Bill so that he can achieve what the hon. Gentleman is seeking, in the interests of good advice and public probity and of ensuring that the very large tranches of public money that are going into the system are used wisely.

Mr. Keith Bradley (Manchester, Withington) (Lab): I seek further clarification on clause 7. I have here a briefing which states that

> "local authorities will have to take whatever action is necessary to protect the children. In most cases, this would not involve taking children into care".

Will the Home Secretary clarify exactly what actions local authorities should take where they do not take children into care?

Mr. Blunkett: There might be family friends and members of the community who are able to assist. Let us bear in mind that 30,000 people in London receive benefit only, and not accommodation, and therefore are presumed to be accommodated by the host community or by family and relatives in this country. That is an interesting point in itself. We were enjoined not to withdraw benefit only when we introduced the measure in the 2002 Act, and we have not done so, because we have listened to the requests of hon. Members not to do that.

Those in a responsible position should give advice and support to families to encourage them to take up the offer of voluntary as opposed to enforced removal. Other measures in the Bill will assist us with enforced removal. With the fast-track process and better notification of the removal directions when the final appeal is turned down, we should be able to achieve a more streamlined system.

Mr. Neil Gerrard (Walthamstow) (Lab): I want to return to the issue raised by my right hon. Friend the Member for Southampton, Itchen (Mr. Denham). The Home Secretary is asking us to accept that very few children will be taken into care or be made destitute as a result of clause 7, but large numbers of people could be affected. It is a question of how the provision will be implemented. Some of us have studied section 55 of the 2002 Act. My hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman) asked for an assurance that that would not be used against people who have been in the country for only a short time—a matter of days. However, as we have just been told, the practice was 24 hours. I have a letter issued two months ago to someone who was denied support and had been in the country for one hour. How are we expected to accept assurances when that is our experience of what has happened under section 55?

Mr. Blunkett *rose*—

Mrs. Janet Dean (Burton) (Lab): Will my right hon. Friend give way?

Mr. Blunkett: I shall give way in a moment, but I would be grateful if I could first answer the question put by my hon. Friend the Member for Walthamstow (Mr. Gerrard).

There are two separate issues: one is the individual's claim and the other is the credibility of the claim. Any individual can claim that they arrived only an hour ago, depending on where they arrived from and what mode of transport had got them within an hour of being able to make their claim.

Mr. Gerrard: That was accepted.

Mr. Blunkett: If it was accepted that the person had arrived an hour ago, their claim to enter the asylum process and to receive support, including at an induction centre or through the fast-track process, in which the country of origin may be taken into account and the non-suspensive appeal may apply, should have been put in place. I am happy to take my hon. Friend's complaint if the procedure was not followed and the situation was badly handled.

I acknowledge that in the period after the 2002 Act was passed a year ago we had multiple claims from people in-country who had been here for some time and whose credibility was in considerable doubt. We believe that in the circumstances that we are now addressing, alongside the legislation dealing with greater credibility, we should exercise a degree of flexibility. I am happy to take criticism for having been too harsh, but I will not take such criticism when I have actually been more flexible and have acknowledged that what is being said to us has merit and we have changed our minds.

I shall give way one more time, to my hon. Friend the Member for Burton (Mrs. Dean).

Mrs. Dean: It is clearly nonsense for the asylum system to be run in such a way that those who fail in their claim can carry on receiving public money. But will my right hon. Friend assure the House that people who have failed in their claim receive adequate warning that public funds will be taken away from them? That is vital when children are involved.

Mr. Blunkett: I can give that absolute assurance. There will be multiple notifications, interviews and a further period of notice. People will be clearly informed of the consequences. The whole intention is to have a process that avoids that problem. The fast-track process, the sensible operation of removals, including encouragement to leave voluntarily, resettlement help and, despite the difficulties of planning consent, the experimental accommodation centres, were all designed to achieve precisely that. We want people either to move through induction to accommodation, receive a validated claim and be integrated, or to receive a removal direction and be removed immediately from the accommodation centre as opposed to a secure removal centre, where we have to hold people in secure provision. Someone has always been against all that in one form or another.

The Minister for Citizenship and Immigration and I just have to accept that we will not satisfy everyone, either this afternoon or during the operation of the system. I respect the view of those who believe that, whatever the circumstances, families should continue to receive benefit on the ground that there may be some detriment to their child as a consequence of their decision. I understand and respect that view, but I cannot agree it as public policy.

I want to move on to clause 10, because I am sure that hon. Members will want to discuss the issue of decisive speed and effectiveness in dealing with the present system. Clause 10, together with schedule 2, will introduce the fast, speeded-up single tier of appeal. An appeal will be retained, and within the single tier multiple tracks for different forms of application. There will be an appeal to the president of the immigration appeal tribunal, and the ability on points of law to challenge whether the initial decision of appeal adjudicators was correct. A case can also go from the president of the single tier to the Court of Appeal when a point of law requires to be tested.

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We believe that that will cut out the terrible situation in which, despite the adjudication system, which weeds out initial decisions that are doubtful, we end up with months and sometimes years of prevarication before action can be taken. We recommend to the House that we should move along those lines judiciously and sensibly to make the system work.

As with non-suspensive appeals, the different tracks will enable us to test a case when there is an unusual or new situation. I think hon. Members will agree that that process has been implemented with some care.

Mr. Robert Marshall-Andrews (Medway) (Lab): What will happen if one of these tribunals exceeds its power, perhaps grossly, or reaches a decision on the facts that no reasonable tribunal could have arrived at? Under the Bill, there is no provision for appeal. How will such decisions be reviewed?

Mr. Blunkett: There will be an appeal within the single tier to the president of the adjudication system—I am talking about judges, some of whom are part-time and some full-time. They will make a decision on whether the application made to the president is valid. That does not involve the case having to leave the single tier, and the president of the adjudication system will be able to make a judgment as to whether the application fits the criteria specifically—my hon. and learned Friend uses the word "specifically", because that is appropriate for such an application—and whether it should be referred to the Court of Appeal. I think that that is a reasonable process to adopt, so that we do not end up with judicial review after judicial review on claims that are not valid.

Clause 11 concerns safe countries. I think most people would agree that ours is a reasonable proposition in terms of the groups affected. Clause 12 is merely a tidying-up exercise, as are clauses 13 and 14. Clause 15 will allow us in the future to use new technical developments, primarily to avoid the need for people to be in secure accommodation. It is envisaged that they will be able to choose whether to be in a secure removal centre or, if the technology allows it, to use that technology to enable their whereabouts to be traced. Clauses 16 to 19 concern immigration advisers and the new powers of the Immigration Services Commissioner. I have answered a question about clause 20, relating to charges reflecting the totality of the benefit available and to the consultation we are undertaking.

I sincerely hope that in the next 18 months my hon. Friend the Minister of State and I will have a full night's sleep. I hope that we will answer fewer parliamentary questions, sign fewer letters and attract less acrimony, and that we may even be the subject of the odd complimentary leader in *The Guardian*—although I am not holding my breath. I also hope that we will have a system which, legally, administratively and in terms of competence, satisfies the requirements of what I believe to be the overwhelming majority of Members. That will be in the interests of a system and a process that work, but above all it will be in the interests of good race and community relations, and of the ability to give a warm welcome to people from around the world who—as I said at Chatham House a month ago—should be welcomed here, in a diverse, open society.

If there comes a time when we can have the sort of debate that I asked for a month ago but did not get, I for one will be a much happier man.

2.41 pm

Mr. Humfrey Malins (Woking) (Con): I echo the Home Secretary's comments about the Soham trial, and welcome the investigation to which he referred.

I apologise profusely for the absence of my right hon. Friend the Member for Haltemprice and Howden (David Davis), who is confined to his bed with flu. With slightly gritted teeth, I wish him a speedy recovery. I hoped that he might have recovered yesterday. The House will understand that I, more than most, regret his absence today, but I wish him well.

The hon. Member for Walsall, North (David Winnick) made a brief reference to the fact that one day in June 2000, some three and a half years ago, we woke to a shocking headline in our newspapers: 54 Chinese had been found suffocated in the back of a van at Dover. They were all young people—four were women—and they had suffered appalling deaths, having travelled across the continent of Europe to reach this country under the influence of criminal gangs. To any decent and civilised person, it should not matter whether they were genuine refugees or merely economic migrants in search of a better life. The fact is that these were young lives needlessly lost.

That tragedy brought the debate about asylum and immigration policy into sharp focus. It is a debate that has been very necessary. I think—and I thank the Home Secretary for all his contributions during his time in office—that we in the House have engaged in it rationally and sensibly—an approach that, sadly, has not always been adopted in the press and other media.

We are all agreed on one proposition: that our asylum system must be humane, and we must continue our long and honourable tradition of giving safe refuge to the persecuted. Along with humanity, however, there must be efficiency. I contend that our current system lacks efficiency, and is beginning to lack humanity.

Keith Vaz: As the hon. Gentleman will know, the present Government inherited a large backlog from the previous Government. He was involved in that Government as Parliamentary Private Secretary to, I think, a Home Office Minister. Does he not agree that his party shares some of the responsibility for not ensuring that the system was more efficient when the present Government took office?

Mr. Malins: The hon. Gentleman should never forget that under the present Government, the number of asylum applicants has trebled. He should never forget that this Government have been in power for nearly seven years. He should never forget that under the previous Conservative Government we had a treaty with France under which those who turned up illegally on our shores were returned to France, and that the treaty lapsed and was never renegotiated. I will never forget that I was not here during that Parliament: the electors of Croydon, North-West had said goodbye to me in 1992.

I was saying that our current asylum system had begun to lack not just humanity but efficiency. Indeed, it is now widely accepted that it has reached a state of almost total collapse. For a start, many of us would agree that the wrong people are claiming asylum. It is claimed almost entirely by those who reach the United Kingdom illegally, or those who, having come here legally, try to overstay. Unlawful entry normally requires the paid services of people-smugglers—the criminal gangs who take vast sums from their victims by extortion and threats. Many of those who claim asylum have the economic resources to get here; they are not destitute, or the most deserving of help.

Furthermore, our system has been characterised by delay and inefficiency for many years. I believe that in recent times the Home Office has been overwhelmed by the number of applications.

Mr. Tom Harris (Glasgow, Cathcart) (Lab): The hon. Gentleman says that those with money, who can pay the people-traffickers, are less deserving of asylum, while the more "destitute" deserve it. Is he not making a case for economic migrants to use the asylum system to come here on false pretences?

Mr. Malins: I understand the hon. Gentleman's point. I am merely saying that there are those with the money to cross the continent to get here, and that the most persecuted are often the poorest. They simply have not the resources to travel any distance from their own countries.

As I have said, the number of asylum applications has almost overwhelmed the Government. Last year the number of people seeking to come to Britain for asylum topped 110,000. That figure is the highest in Europe, and it is three times as high as the number claiming asylum in the last year of the Conservative Government. I do not believe that the Home Office has been able to cope with the volume of applications, and there is a growing feeling that the Government are beginning to lose control of our borders. Here is the rub: the Government believe that by legislating they can cure inefficiency and a discredited system. Legislation, however, is not the answer. The answer is to have practical operations working properly.

Let me say gently to the Home Secretary—who could probably say the same to me of my party—that we legislate too often and too hastily. Today we are discussing the second major piece of legislation introduced by the Home Secretary in two years: the ink is hardly dry on the Nationality, Immigration and Asylum Act 2002. As the House will recall, the flagship policy of that Bill was the establishment of accommodation centres where asylum seekers would live. The Government, of course, got it wrong then, ignoring advice from all the experts and proposing centres that were far too large and in the wrong places.

Tony Baldry (Banbury) (Con): Does my hon. Friend agree that there is absolutely nothing humane in placing large numbers of asylum seekers in huge accommodation centres in the middle of the countryside? Will he confirm that an incoming Conservative Government would abandon such a policy?

Mr. Malins: I am grateful to my hon. Friend for that intervention, and I pay tribute to the work that he has done on his constituents' behalf in respect of the proposed accommodation centre in his constituency. He has worked tirelessly on their behalf. No, we are not in favour of large accommodation centres being established in the wrong places, and we were backed up in that—*[Interruption.]* An hon. Member says from a sedentary position, "In Banbury", but, as we know, all the experts outside this House say, "Keep the accommodation centres small, and keep them near urban areas, rather than rural ones."

Mr. Singh: I have served with the hon. Gentleman on the Home Affairs Committee, where we discussed these and other issues. Does he accept that it is something of an exaggeration to say that the system is collapsing? It has got better under the legislation that we have passed, and it will get better still under this Bill. Does he accept, however, that it was near to collapse when the previous Government introduced a hopeless IT system and sacked 1,200 experienced immigration officers?

Mr. Malins: The hon. Gentleman has a distinguished record on the Home Affairs Committee, so I had anticipated an extremely friendly intervention; I am only mildly disappointed. The previous Conservative Government did many very good things in the asylum field, one of which I have already mentioned. We had a treaty with France, whereby people were returned there forthwith when they arrived here illegally. The treaty lapsed and has never been renewed by this Government, despite my pressing them on many occasions to do so.

Mr. Prosser *rose*—

Mr. Malins: I give way to the hon. Member for Dover (Mr. Prosser), with whom, I should point out in advance of his intervention, I shared very happy times on the Home Affairs Committee.

Mr. Prosser: I am grateful to the hon. Gentleman for that, but I am afraid that he will get an equally unfriendly intervention from me. Does he not remember that it was the current Leader of the Opposition who signed up to a Dublin convention that was designed never to work, and that on the day that he did so, the original arrangements collapsed? That is the real reason why we were no longer able to send people back to France.

Mr. Malins: With respect, the hon. Gentleman is wrong. The agreement lapsed, but there was nothing to prevent this Government from working tooth and nail to renegotiate it.

I was referring to accommodation centres, the work done by my hon. Friend the Member for Banbury (Tony Baldry) and the Government's flawed policy. The House will not be surprised to hear that, some 18 months after the introduction of the Nationality, Immigration and Asylum Act 2002, not one single accommodation centre is yet up and running. That shows that although we can discuss legislation for weeks and months and ram it through this House at great pace, it does not equate with efficiency. We legislate too quickly: after Second Reading of the 2002 Act, the Government added 342 of their own amendments and 25 new clauses.

[Mr Malins]

What about this Bill and the consultation period? Frankly, that period has been disgracefully short—a view shared by many on the Government Benches.

Mr. Blizzard: The hon. Gentleman may remember that in the Queen's Speech debate I intervened on the Leader of the Opposition to ask him whether they were going to oppose this Bill, at which point he launched into a tirade against it. Are they going to oppose it, or do they intend to allow failed asylum seekers to continue to receive benefit for long periods? Was the performance of the Leader of the Opposition just for show?

Mr. Malins: My right hon. and learned Friend the Leader of the Opposition was particularly opposed to a matter relating to children, to which I shall turn in a moment. I am afraid that I missed the hon. Gentleman's intervention during the Queen's Speech debate, although that had nothing to do with the fact that there was a one-line Whip. I should point out to him that I have a long track record in the world of asylum and immigration. There are some things in the Bill to which I can give qualified support; in other respects, I want to tidy it up and improve it in Committee. We do not even know whether there will be a vote on it later today—at least, I do not. However, I should point out that there is much in it with which I do not agree, and which must be improved in Committee or in the other House. That view is shared not just by my Conservative colleagues, but by the vast majority of Labour Back Benchers.

Mr. Dawson: Is the hon. Gentleman really trying to tell us in his gentlemanly way that the right hon. and learned Member for Folkestone and Hythe (Mr. Howard) was shedding crocodile tears when he made that vehement statement about children in care?

Mr. Malins: Quite the contrary. My right hon. and learned Friend—incidentally, he himself has a refugee background—was expressing justified concern, which has also been expressed across the nation, about the possible treatment of children under one of the Bill's clauses. I shall return to that point and make my feelings quite clear.

The Government wrote to interested parties with their proposals on 27 October. They set the wholly unrealistic deadline for responses of 15 working days, completely contrary to Cabinet Office guidelines. The Bill itself was published only nine working days after the deadline for responses. My guess is that it was printed before the consultation period even began, and I should not be surprised if the Government flood this House and the Committee with amendments.

The Home Secretary will point to improvements that have taken place in the past few months, such as a drop in the number of asylum applicants. It is possible that the Government deserve some credit for that, and I pay tribute to him if it is true that any of his measures have indeed improved the system, but before he becomes too smug—he has never been so in the past—let us ponder the following facts. The number of asylum seekers is still much higher than under the previous Conservative Government. Secondly, there has been a policy U-turn, involving the reintroduction of Conservative proposals that the Labour Government condemned and scrapped; indeed, that may be a factor. Thirdly, the recent drop in asylum claims may in part have been achieved by letting greater numbers into Britain by other means. Legal immigration is up dramatically. Hundreds of extra Home Office staff are granting thousands more work permits. Because we do not count people out, and because our borders are not secure, nobody knows how many illegal immigrants are in this country. Indeed, the Home Secretary confessed recently that he did not have a clue how many illegal immigrants there were. He could have added that, after nearly seven years, the Government still do not have a clue about how to manage an efficient system.

Let me focus on one or two of the Government's failures, which I hope the Home Secretary is prepared to accept. First, they have abjectly failed in their policy for removing failed asylum seekers. That failure strikes at the credibility of the whole system; indeed, the hon. Member for Bradford, West (Mr. Singh) referred to it. That credibility was further damaged when the Home Secretary announced a series of amnesties for failed asylum seekers. Many in the country were dismayed at his recent announcement of an amnesty for up to 50,000 people whose asylum claims had failed. Surely a key ingredient in the integrity of any asylum process is the Government's ability to remove those found not to be in need of protection. The story so far has been one of Government failure—a fact confirmed by the Government's own Back Benchers in a series of Home Affairs Committee reports.

Ms Abbott: The hon. Gentleman criticises the Government for the level of removals, but is it not true that the level was not much higher under the Conservative Government? *[Interruption.]* Indeed—it was lower. It is easy to call for many more removals, but in fact it is a very difficult and contentious thing to achieve.

Mr. Malins: I agree with the hon. Lady that it is a very difficult thing to achieve. I also agree that the previous Conservative Government did not remove every failed asylum seeker, but she should not forget that the problem is getting worse. I hope that she understands that there are tens of thousands more failed asylum seekers than there were seven years ago.

Let us have a look at the comments of the Select Committee on Home Affairs. It was three years ago, I say to the hon. Lady, if she is prepared to listen—*[Interruption.]* She is not. It was three years ago that the Home Affairs Committee, dominated by the Labour party, concluded that this Government had been dilatory in enforcing removals. It added that that in itself had attracted more people to the UK. There was further criticism of the Government on removals by the same Committee in spring this year. A glance at the statistics illustrates the problem. Last year was one of the worst on record. Of 45,000 failed asylum seekers who should have left, only 10,000 went through removals and voluntary departures. What kind of efficiency is it when barely one in five failed asylum seekers are being removed from the UK?

The Government compound the problem by setting themselves targets to try to grab the headlines. They had a target of removing 30,000 failed asylum seekers per year, rising to 37,000 by 2003–04, but what on earth is the point of setting a target if it is so unrealistic that it cannot be met and has to be abandoned? Again, as the Home Affairs Committee has remarked, what on earth was the basis for the belief at the time that the target was achievable? A target that is not reached and is dropped serves only to arouse false expectations of what can be done. That failure results in a drop in morale among all concerned.

There is another basic failure, which is at the beginning of the asylum process: the Government's continued refusal to understand that initial decisions must be fast and of the highest standard. At the moment, I do not believe that they are either. A parliamentary answer in June 2002 revealed that the average time for a Home Office official to reach an initial decision on an asylum application was seven months. It further revealed that at that time nearly 20,000 cases had been awaiting an initial decision for more than six months. Some 16,000 cases had been outstanding for more than 12 months. That was in 2002 and, to the Government's credit, times for initial decisions are coming down, but it is a slow process and it will take years to catch up. Even today, with the vast resources and money poured into the system, considerably more than 20,000 applications per year have to wait more than two months even for an initial decision.

What of the quality of those decisions? They are made largely by inexperienced Home Office officials who are on a starting salary of £15,500 per year—two thirds of the national average. With only 27 days of training, those officials have to make decisions that can literally mean life or death to the applicant. They are neither paid nor trained well enough to deal with those complex issues. I wonder whether the Home Secretary knows what the turnover rate of such staff is. It is a telling but unsurprising fact that considerably more than 20 per cent. of appeals against their decisions are successful. The percentage used to be 4 per cent. In relation to some countries, the successful appeal rate against initial decisions is even higher. That must surely concern us all, and it has certainly concerned the Labour-dominated Home Affairs Committee.

The inefficiency at the early stage of the process is compounded by the fact that at most appeals before an adjudicator the Home Office simply does not have a presenting officer present to argue its case. I ask the Home Secretary, what has happened in the past year to cause so many part-time and full-time adjudicators to bemoan the fact that the Home Office has simply stopped providing representation before them? That failure can only lead to more delays and, in practice, a greater likelihood of appeals being allowed.

With that background, it can be no surprise that the Government have largely lost the confidence of the British people. I wish that they would take our advice and concentrate on an expert and timely initial decision-making process, coupled with an efficient removals system.

David Winnick: When the then shadow Home Secretary, now the shadow Chancellor, gave evidence to the Select Committee on Home Affairs a few months ago, his party's solution was to put all the applicants on an island, from which their claims would be processed. Does that remain the policy of the Conservative party?

Mr. Malins: I will tell the hon. Gentleman what our policy is, and I am glad to have the opportunity to do so. We believe that the current system is in many ways discredited and that the Home Secretary has real difficulties getting it to work properly. We doubt whether he will ever be able to do so, although we wish him well in that pursuit. We believe that the appropriate course of action is to scrap the current system entirely, to accept—*[Interruption.]* I am explaining, if the hon. Member for Walsall, North will listen, that we should accept a quota of refugees, designated and agreed between us and the UNHCR every year, so that we know when they arrive that their arrival has been agreed, and they are to be welcomed.

Under that quota system, if anyone else sought to claim asylum on these shores, they would be removed to a safe offshore haven. I am using my words carefully here: they should be removed to a safe offshore haven—forget the island—where their cases would be decided. *[Interruption.]* It is all very well for the hon. Member for Leicester, East (Keith Vaz) to barrack, but there is a great deal of sense in deciding asylum applications offshore if possible, because we would be able to avoid the problems that the Home Secretary is now facing, which he cannot solve.

We want to work towards a combination between a quota system and offshore decision making. We do not want a system like the one that the Government preside over, which is so discredited throughout the country.

Keith Vaz *rose*—

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con) *rose*—

Mr. Malins: I shall give way to my right hon. and learned Friend first.

Mr. Hogg: May I press my hon. Friend a little on the policy that he is enunciating? If we are to delegate to the UNHCR the role of determining who is an asylum seeker, is not one of the consequences that if somebody comes to this country unlawfully we should simply refuse to entertain an application from that person, but rather say that he or she should make an application within the UNHCR procedure?

Mr. Malins: I am grateful to my right hon. and learned Friend—or at least, I think I am. We all want to avoid the situation in which people travel to this country, at great risk of their lives and under the cosh of the gangs, in order to make their claim, so there is much to be said for the proposal that every year we take a quota of refugees who are officially recognised by ourselves in conjunction with the UNHCR. There is also a great deal to be said for moving as rapidly as possible to an offshore processing system, which would be a much more efficient way of handling matters. *[Interruption.]* Before Government Members scoff, let me ask them this: in the seventh year of this Labour Government, is not their record one of abject failure on

[Mr. Malins]

all fronts, and do not the British people regard the system that they are currently operating as chaotic and in a complete shambles?

Keith Vaz *rose*—

Lynne Jones *rose*—

Mr. Malins: I shall give way to the hon. Lady, and then to the hon. Gentleman.

Lynne Jones: Would the accommodation provided in those offshore havens be of a large institutional nature, or would there be small units, as advocated by the hon. Member for Banbury (Tony Baldry)?

Mr. Malins: The hon. Lady is trying to tweak me on this subject, but I shall give her a frank answer. We do not know the answer to that question yet. Let us just occasionally be frank in this House, and say that we are not sure—

Mr. Blunkett *rose*—

Mr. Malins: I shall give way in a moment. I shall just finish my sentence and say to the hon. Lady that there would be centres where—

Mr. Stephen Pound (Ealing, North) (Lab): Neither offshore nor sure.

Mr. Malins: That is a good line. I shall remember that. Let me just tell the hon. Lady that at those offshore bases and centres there would be a proper judicial system, with legal advice and the fullest possible help given. Part of the purpose of that policy is that if we send a message throughout the world—*[Interruption.]* I hope that the hon. Lady will take this on board. I am saying that if we send a message—

Madam Deputy Speaker (Sylvia Heal): Order. Hon. Members should listen to the hon. Gentleman's response to the question.

Mr. Malins: If we send a message that we in this country offer a genuine welcome to the needy who have been identified as such, and a message to those who want to use the asylum system as a means of getting here, that they cannot, because they will be removed to have their claims decided offshore, we shall have fewer applicants.

Mr. Blunkett: I am almost sorry to ask the hon. Gentleman this question, because I imagine that flu is rapidly developing. A propos the accommodation centres, will he tell us whether the offshore facility per se would have to be in an urban rather than a rural area, particularly given the Conservative party's clear policy on those matters?

Mr. Malins: The Home Secretary gets a reasonable laugh for that, but not the greatest that we have heard in the House. Let me tell him frankly that we have to identify methods—we are currently working on this—by which we can move to an offshore processing centre. I say that in the certain knowledge that if our policy can be formulated and put into practice, there will be far fewer abusive applications for asylum in this country.

Several hon. Members *rose*—

Mr. Malins: I want to make some progress and I have already given way several times. However, I shall give way to the right hon. Member for Southampton, Itchen (Mr. Denham).

Mr. Denham: I am grateful to the hon. Gentleman. He is dealing with the problem with his characteristic good humour, but does he not recognise the dangers in his approach? Many of our constituents say that there must be some simple solution, like sticking all asylum seekers on a boat somewhere or shoving them off to an island. However, it is extremely dangerous to encourage the idea that there is a simplistic solution that can wish the problem away. Does the hon. Gentleman not recognise that Conservative Members need either to produce a credible policy or to shut up about it? The idea that there is some simple solution is highly dangerous.

Mr. Malins: I pay tribute to the right hon. Gentleman for all that he has done in home affairs and for what he is doing now. Let me say, quite frankly, that there are no easy answers to any of these problems. However, I also say, just as frankly and with all the force that I can muster, that the movement towards having a recognised quota of refugees, identified by the United Nations High Commissioner for Refugees and ourselves, coupled with offshore processing of those seeking admission to this country, is the right way forward. That is my and my party's view and that is what we shall do.

Mr. Hogg: I am sorry to press my hon. Friend on the point, but I wonder whether he may be unduly complicating our position. I can understand the point of having a quota system based on the UNHCR—it may require changing our ratification of the convention—but why the need to have a secondary ability for people to come in and then make an application from some secure centre? Surely it would be best to have one way in—through the UNHCR—and then entertain no applications that do not fall under that one process.

Mr. Malins: My right hon. and learned Friend makes his point in his own way, but there will be people outside the quota system who seek to claim asylum in this country, and my message to them today is that we will remove them to a safe offshore centre where their applications will be processed. That will bring more order into a system that is utterly discredited.

Keith Vaz *rose*—

Mr. Malins: No, I want to make some progress. I have given way on every occasion so far and I shall not do so any more.

Some of the Bill's proposals are to be welcomed. Anything that can be done humanely to improve the removals system will be welcomed on the Opposition Benches and throughout the country. We offer a welcome to the extension of powers of arrest, entry and search for immigration officers. We also offer a limited welcome to the proposal to criminalise those who wilfully destroy their passports or immigration documents with the purpose of pursuing unmeritorious claims, which is a pernicious practice. We welcome provisions to tag electronically those subject to immigration control, provided that such measures work in practice.

One of the Government's greatest failures hitherto has been their inability to keep in touch with asylum seekers in the community, and not to require sufficient reporting at regular intervals. A classic example is the Oakington centre. That fast-track procedure, which incidentally costs the taxpayer £1,600 a week for each person in detention, works quickly, humanely and efficiently. But at the end of the process, it utterly fails. Why? Because applicants are released into the community, and many are never seen again.

We also welcome measures that seek to make the appeals process more efficient, provided that justice is not lost in the process. However, we have concerns, which are shared by not only expert organisations outside the House that work in the field of asylum law, but many of the Home Secretary's own Back Benchers.

In respect of making it a criminal offence, punishable by two years imprisonment, to present oneself to an immigration officer without a valid immigration document, have the Government considered what effect implementation might have on the prison population in this country?

Mr. Marshall-Andrews: The hon. Gentleman knows that clause 10 removes any judicial review or oversight from the tribunals. The only review will be by the tribunal itself, which is not a review. For the first time since the Star Chamber, we are creating a body that has powers over people's lives that are not reviewed by the courts. Does the hon. Gentleman agree with that? Knowing him as a libertarian, I am sure that his immediate answer will be no. If so, why are the Tories not voting against the Bill, and why are they leaving it to Labour Members to test it?

Mr. Malins: Let me deal with the point of principle first. Am I in favour of that clause? The answer is that I am not, and I do not believe that any fair-minded person would want it to remain unamended.

Returning to the offence under clause 2, there is one category of people who must be dealt with: those who tear up their immigration documents on a flight or on arrival at an airport wilfully and with intent to evade the system. Would it not be more effective either to require carriers to take copies of traveller's documentation, or to take such documents from them when they board the aeroplane and give them back at immigration control?

Can we not distinguish that group of people—those who wilfully destroy their documents before arrival—from the other group who flee persecution, crossing the continent, often under the influence of criminal gangs? Thousands of those people have never had travel or immigration documents, or passports. Such people would be guilty and could go to prison for up to two years. We are potentially criminalising people who have to flee in a hurry and are told to destroy documents by the smugglers, people who never had them in the first place, and people who have them collected by the smugglers before they reach immigration control. A huge percentage of genuine asylum seekers have no documentation whatever, so there is real concern that the provision might catch and hurt innocent and vulnerable people, rather than merely catching those trying to defeat the system.

How many such asylum seekers have dependent children with them? What would be the effect on those children if the asylum seeker, on being charged, were remanded in custody and, on conviction, placed in prison for up to two years? What if their parents were fined thousands of pounds that they clearly could not pay? If they came before the courts as defaulters and had to go to prison, what would happen? What sort of system is that for the genuine asylum seeker?

Lynne Jones: I agree with the hon. Gentleman's comments. The Government have said—I finally saw the consultation document in the Library—that few people would choose to go to prison rather than return home. Does the hon. Gentleman agree that people who are prepared to go to prison for two years are likely to have established that they did have a well-founded fear of persecution?

Mr. Malins: The genuine asylum seeker arriving here, fleeing persecution, torture and possible death, would, if offered a choice between going back or spending two years in a British prison, opt for prison every time. However, the clause is potentially unfair, unless it is amended in Committee to make sure that we punish only those who are deserving of the punishment—in my view, those who wilfully tear up their documents on the aeroplane or when they reach our airports, not those who flee in haste across the continent.

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): Is the hon. Gentleman confused about the idea that it might be deemed an offence not to have documents? As far as I can see, the Bill certainly does not suggest that it is an offence for someone not to have documents, as opposed to someone wilfully refusing to co-operate with the authorities in seeking to establish his or her identity. I hope that the hon. Gentleman will take that point on board.

Mr. Malins: The clause reads as follows:

> "A person commits an offence if when he is first interviewed by an immigration after arrival . . . he does not have with him an immigration document which . . . is in force".

That is the offence. The broad nature of that allegation means that we might send tens of thousands of innocent people to prison, so the clause will need to be carefully examined in Committee.

Clause 7 deals with withdrawal of support. Until now, asylum seekers with dependent children have received support until they fail to comply with a removal direction. The issuing of a removal direction is an administrative act signifying the Government's immediate readiness to remove the failed asylum seeker—it comes right at the end of the process. Now, it is proposed to stop benefits much earlier. That may encourage more failed asylum seekers to take advantage of an opportunity to leave the UK; it may send a signal that those who attempt to play the system cannot expect

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to succeed; but it may also drive failed asylum seekers underground and split up families, as well as make removal more difficult.

The measure may hit many people who have nowhere to go—people on whom the Government would hesitate to serve a removal direction because of the hardship involved in removing them to their country of origin. Zimbabwe is a case in point—a prime example. Removals to Zimbabwe have been suspended for a long time; so what happens to the failed asylum seeker whom the Government cannot and will not remove to Zimbabwe? Does such a person receive the notice stopping all their benefits or not? There are many people whom the Government would hesitate to remove because of the practical difficulties in getting the country of origin to receive them back—countries such as China, Moldova, Zimbabwe and the Congo all have their own particular difficulties. What would the Government do about failed asylum seekers whom, in the normal course of events, they would not remove to those countries? Will the Minister for Citizenship and Immigration set out precisely what is to happen to such people? As the Bill stands, they could be refused any support, which might be grossly unfair.

There is one aspect of the changes that the Conservative party will never tolerate. Last month, the Government briefed the press that the children of asylum seekers would be taken away from them to make them leave Britain. It was a despicable and disgraceful idea, and the British people have already expressed their disgust, yet despite the opportunities given to him on many occasions in the House by my right hon. and learned Friend the Member for Folkestone and Hythe (Mr. Howard), the Prime Minister has refused to rebut his officials' briefings. The Home Secretary has distanced himself from the threat and there is no mention of it in the Bill. If the Home Secretary can guarantee that the removal of children into care will not be used as an explicit threat to asylum seekers, he will have our support; but if any amendment is made to the Bill to the effect that asylum seekers' children will be taken into care simply to persuade their parents to go home, we will have none of it and we will oppose it in the strongest possible terms.

The Minister for Citizenship and Immigration (Beverley Hughes): The hon. Gentleman discredits himself with that accusation, which the Home Secretary has refuted on many occasions, including by writing to the newspaper concerned. The newspaper repeated that story, even after we had disavowed its version of clause 7. Will the hon. Gentleman accept that that story was in no way the result of briefing by either Ministers or officials?

Mr. Malins: I have to say to the Minister that the briefing began somewhere—the press were briefed to that effect by someone in the Government. All I ask the Minister to do is to give us the undertaking I described.

Several hon. Members *rose*—

Mr. Malins: I want to make a little progress before giving way again. I have given way almost every time I have been asked.

We have always said that a streamlined, fast and efficient appeals system is important. Like the Home Secretary, we deplore attempts by those who seek asylum to play the system for all it is worth and to mount a succession of unmeritorious appeals, so in principle we understand and accept the desire to unify the appeals system. However, I greatly regret the proposal in the Bill to abolish all existing rights of appeal and review to the High Court, the Court of Appeal and the House of Lords. One of the strengths of the present system is that the Court of Appeal and the House of Lords have decided a large number of asylum cases and given clear and binding precedents on a number of vital matters. I would be more than sorry to see that go.

It is a fact that the stakes are often highest for the poorest and most vulnerable people in our society. A mistake could send asylum seekers back to a country where torture and execution await them, and we must be absolutely sure of ourselves before introducing the measure. As the Bill stands, the obvious question to ask is how an erroneous decision by the new tribunal can be corrected if there is no right to apply to the Court of Appeal for a binding decision. The Bill offers only one possibility: for the tribunal to review its own decision on the basis of written representations. That provision is surely too restrictive, in effect, making the tribunal a judge of its own cause. Remember also that under the Bill as it stands, there is no judicial scrutiny of a decision by an immigration officer to remove someone. I share the concerns expressed by many hon. Members, not only Conservatives but Labour Members, most eloquently the hon. and learned Member for Medway (Mr. Marshall-Andrews).

Mr. Coleman: I strongly agree with the hon. Gentleman's most recent observations, but may I take him back to his comments about destitute children and the leader of the Conservative party? I advise the hon. Gentleman that the policy of a large number of Conservative-controlled local authorities in the event of a family being found to be intentionally homeless—perhaps because they have got into rent arrears or refused an offer of accommodation—is to take away the children of that family and put them into care against their parents' will? Does he regard that as despicable and barbaric, and if not, why not?

Mr. Malins: As the hon. Gentleman was speaking, an hon. Friend was whispering something into my ear, so although I picked up most of what he said and will give the best answer I can, if I do not completely answer his point, let us talk about it afterwards. In principle, I am not generally in favour of taking children into care. I believe that the splitting up of families with the children being taken into care is potentially extremely damaging to the children, to the family unit and to the long-term prospects of those young people.

Mr. Dawson: Will the hon. Gentleman give way?

Mr. Malins: Let me make some progress.

Can we not agree that the highest courts in this land should, when appropriate, be available to all our people, regardless of background? We will have to examine the clause closely in Committee. We will also look closely at the provision for charging immigration applicants more than the cost of processing their applications. That has caused much concern in educational establishments, and needs to be considered with care.

We can therefore give the Bill qualified support, subject to proper scrutiny and amendment in Committee and the other place. It is greatly to be hoped that it will do much to remove the incentive to remain in Britain after an application has been refused on appeal, and that it will end the dire situation whereby some failed asylum seekers can cynically play the appeals system. However, it troubles me that the Government are seeking to exclude the judges.

It is something of an irony that the Prime Minister, when he was Leader of the Opposition, championed the right of individuals to have access to the highest courts in the land, yet now talks to his party conference about the problems that the Government face from what he describes as "judicial interference". When the Government accuse the judiciary of interfering, it is time to be very concerned about our ancient liberties.

I end with this advice to the Government: in future, legislate less, and give much more thought to legislative proposals; consult more widely; move more slowly; and remember that legislation has never created, and will never create, operational efficiency. That is what is wrong with our current system.

Finally, in view of what so many of us feel about some of the Bill's illiberal aspects, the Government should never lose sight of the principle that although our system must work, it almost certainly must remain a beacon of humanity and decency to the rest of the civilised world.

Madam Deputy Speaker: I remind the House that Mr. Speaker has imposed a 12-minute limit on Back-Bench Members' speeches.

3.30 pm

Mr. Hilton Dawson (Lancaster and Wyre): I beg to move,

That this House declines to give a Second Reading to the Asylum and Immigration (Treatment of Claimants, etc.) Bill because it contains provision that would make children destitute.

I am extraordinarily grateful to Mr. Speaker for selecting this reasoned amendment. I have spent most of the morning being warned by vastly more experienced colleagues that that would not happen. That it has is a mark of Mr. Speaker's commitment to the rights of Back-Bench Members. It is also, I hope, an indication of the seriousness of this subject. I regard it as a matter of fundamental principle and conscience. Other hon. Members will deal with the merits or demerits of many more of the Bill's 28 clauses than I shall. I intend to concentrate solely on clause 7.

Clause 7 is so wrong in what it intends to do that it should be opposed by every hon. Member from every party in this House. The presence of the clause in the Bill demeans all of us here.

It is an indication of the seriousness of this matter that all hon. Members will have received a briefing from the British Association of Social Workers. I spent 25 years as a social worker, but I never joined the association as I did not think that it reflected the profession's radicalism. It is extraordinary, and entirely to be commended, that the association should say that it cannot overstate its opposition to receiving children into care on the ground of parental poverty, which it regards as a breach of professional ethics. The association briefing states:

"We expect our members to strongly resist the implementation of this clause."

It is a matter of enormous regret that the Bill has been produced by my right hon. Friend the Home Secretary, and that it has the support of my hon. Friend the Minister for Citizenship and Immigration. Both are exceptionally fine people, whom I hold in the highest respect and regard. They have an enormously difficult task, and I support them in many aspects of the job that they try to do. However, they are wrong in what they propose this afternoon. They are taking us a step far too far.

It seems extraordinary that I have to say this to a Labour Government, but in no circumstances whatever should the basic means of sustenance be removed from children. That is true whatever their parents have done, whoever they are, wherever they come from, and regardless of the merits of the case presented by any adults involved. All hon. Members should reflect that, if they vote for a Bill that contains clause 7, they will be voting for a measure that will mean that children in this country will go hungry. That will be their individual responsibility, not the responsibility of Whips. They will be taking direct responsibility for children becoming homeless. They will be taking direct responsibility for children being at risk of physical and sexual abuse, and they will be taking direct responsibility for children needing to be looked after by their local authorities and separated from their parents simply because those parents are destitute.

Mr. McWalter: My hon. Friend knows that I greatly respect his tremendous work on behalf of children. Will he reflect on the fact that families are rapped out of their beds at 5 o'clock in the morning and wrenched out to the airport by force at present—children must also go through that traumatic experience? The Bill is an attempt to put in place a system of co-operation that would be gentler and better supported, which should be better for children all round.

Mr. Dawson: I am sorry, but I entirely reject my hon. Friend's view. I entirely support ways of working with families and helping them to deal with situations in which they find themselves, but we do not help families by taking away their basic means of sustenance and impoverishing them. I have gone to bed in nice hotels in Romania, Angola, Burundi and Kenya knowing that destitute children were right outside the building, but that has never happened here. My hon. Friends might like to protest that such things will never happen and that families with no right to remain in this country who are faced with the prospect of destitution will take their leave earlier and more quickly. They may also argue that local authorities will intervene.

[Mr. Dawson]

after which people will be removed virtually immediately in any case. I hope that they are right—they may well be right for several cases.

Beverley Hughes: I have told my hon. Friend that I know of and respect his great concern for children. However, it might be worth while for him to set out where he thinks that parental responsibility lies in such circumstances. There is an important difference between the families about which he is talking, and indigenous families and those with the right to remain. Those families will have the opportunity to get an assisted package to help them back home to their country and assistance with resettling, if necessary, so they will consequently have the means of avoiding the possible consequences of support being taken away from them.

Mr. Dawson: I shall try to respond to my hon. Friend's point in part later in my speech. However, we cannot rule out the possibility that neither the Home Office nor all its procedures will be infallible, so people who are forced to go home might well be pushed back to a life of torture and oppression in the countries from which they came. We need to draw a clear distinction when comparing children in such circumstances with children from our country. The welfare needs of children from our country are met by keeping the family together and offering all sorts of support, but they are occasionally removed from their families to address their protection needs. Several hon. Members have conflated those issues already.

When some families are faced with the implications of clause 7, whatever the merits of their case, they will ask local authorities to look after their children because they are unable to do that. They may do that at an earlier stage than my hon. Friends would like to believe. The nature of section 20 of the Children Act 1989 has already been misunderstood this afternoon. Children cannot be taken into care under the provision, because the arrangement is entirely voluntary. If parents go to local authorities because they have no money to look after their children, given that the authorities will not be able to provide the families with money and the only alternative would be to try to construct a network of voluntary support, social workers will probably have to agree to accommodate children under section 20 despite the fact that that offends against the paramount principle of the Children Act and every tenet of good professional practice. Thereafter those parents could disappear, leaving their children as alone as any unaccompanied asylum-seeking child who had made their own way to the UK. Such children would be left in the care system and would need to be looked after until they were grown up.

Those children could be the lucky ones, however. I have great faith that the overwhelmingly decent people of this country would rally round to help families made destitute by clause 7. The horrible, ridiculous nonsense peddled by the likes of the *Daily Mail* and *The Sun* does a gross disservice to the people of this country. Churches, mosques, synagogues, temples, voluntary organisations, friends, families and many individuals will do all that they can to offer food, clothing and shelter. They may reduce the number of people who will need to beg, to steal and to camp out on our streets, but people will still be on the streets as a consequence of the clause.

The criminals and paedophiles will also spot new prey. Only last month, we passed the fine legislation that is the Sexual Offences Act 2003, but how many families desperate to stay in this country will be impelled back into the arms of traffickers or forced into the arms of thieves and pimps, into the homes of men who will have an uncommon hold over people who will feel the full weight of that obligation? In such circumstances, social workers may have to intervene with compulsory powers.

Over the past few days, we have heard much, rightly, about the awful human difficulties of compulsorily removing families from this country under our immigration laws. My right hon. and hon. Friends might also like to contemplate the awful human difficulties of removing children from their families under emergency protection orders. That can be a very harrowing experience indeed.

The proposed legislation will make some families—some children—disappear from view and they will be in colossal danger. As I wrote that sentence I thought, "My God, I hope I'm wrong." We should not dream of putting the legislation, or families, to the test. What is proposed in clause 7 is wrong. It undermines all the work that the Government are rightly doing to emphasise the principle that every child matters. Under clause 7, some children do not matter. The clause breaches the Children Act 1989; it breaches articles 3 and 9 of the United Nations convention on the rights of the child; and goodness knows how the Home Secretary can believe that it complies with the Human Rights Act 1998. The Human Rights Act is not worth having if these provisions comply with it.

The Bill invites us to attempt to persuade adults to do something because if they do not we will harm their children and break up their families. That is immoral.

Julie Morgan (Cardiff, North) (Lab): Is my hon. Friend aware that the office of the Children's Commissioner for Wales has expressed grave concerns about the legislation? Does he agree that when there is a children's commissioner for England that person may express similar concerns?

Mr. Dawson: I am grateful to my hon. Friend for making that point. The children's commissioner for England would face the prospect of such legislation with coruscating anger and would take the Government fully to task for even contemplating it. We should not allow this country to reach that position.

Voting against Second Reading is a moral imperative for Members on both sides of the House. We have heard utter confusion from the Conservative Front Bench and I appeal to Conservative Back Benchers, over the heads of their Front Benchers and the crocodile tears of their leader, to vote with their consciences this evening.

The Whips should have no sway over the issue. I am confident that even they might examine their consciences in this case—[HON. MEMBERS: "No, never."] I remain confident.

I sincerely urge my right hon. and hon. Friends to reconsider clause 7, to think again and to decide not to take our precious, tolerant, democratic society, which is based on fundamental human rights, down a wicked road.

ROYAL ASSENT

Mr. Deputy Speaker (Sir Michael Lord): I have to notify the House, in accordance with the Royal Assent Act 1967, that the Queen has signified her Royal Assent to the following Act:

Consolidated Fund (No. 2) Act 2003.

Asylum and Immigration (Treatment of Claimants, etc.) Bill

Question again proposed, That the amendment be made.

3.45 pm

Mr. Mark Oaten (Winchester) (LD): I start by sharing a sentiment with the Home Secretary on the outcome of the Soham murder trial. I should add that if it does emerge in the next day or two that there were some serious record-keeping errors in the past, that will be of serious concern to parents throughout the country. After all, what is the point in having such measures in place if there has been a failure? I hope that the Home Secretary will come to the House as soon as possible to explain what will be done to examine the issues thoroughly.

If somebody had told me six years ago, when I entered Parliament, that as a Liberal Democrat I would be arguing against an immigration Bill that used children as a tool to try to remove asylum seekers, and which took away levels of natural justice, and then told me that it would be a Labour Government to whom I would be raising objections, I would not have believed that possible. However, since the Labour Government came to office, they seem persistently to want to battle it out in the right-wing press to try to outbid the Conservatives in their period of office.

If the Home Secretary, as he said, wants to try in the next few months to have some more positive leaders in *The Guardian*, my advice to him is that he may have to do away with some positive leaders in the *Daily Mail* if he is to achieve such an outcome.

I shall run through some of the measures in the Bill. Before doing so, I will place my remarks in the context of why we are having the debate in the first place. There have been discussions about the degree of the problem in relation to asylum seekers. A couple of weeks ago, the Government announced that by their own measurements, there had been a reduction in the number of asylum seekers coming into the country. It strikes me as slightly odd that against that backdrop of a clear Government target met, they want to introduce another wave of measures, I assume to try to have a further cut in place. When the Minister replies, it may be useful for him to explain whether an assessment has been made to ascertain what reduction in the number of individuals seeking to come to the UK the Government want.

Is there to be another target similar to the one that the Prime Minister announced a year ago? If not, have the Government made assessments of the impact of these changes? It strikes me that the sole purpose of the changes must be to try to reduce the number of asylum seekers entering the country. It would be helpful all round to know what the target is, or whether there is a target.

I hope that the Government will accept that one of the reasons why we are seeing a reduction in the numbers is that there has been a change, with the expansion of the European Union, which will be embedded in 2004. Some of the measures that the Government will put in place with the enactment of the Bill may not be needed if the pattern that seems to be emerging over the last year or so continues.

[Mr. Mark Oaten]

There are three or four critical clauses and I shall raise some concerns and put my points to the Minister. First, there is clause 10, which introduces a fundamental issue. There is much talk about children and benefits, but for me the big principle rests with the changes that the Government plan to the appeal system that currently operates. It seems that the Government, despite the Home Secretary's assurances that there will still be some peculiar route to a higher court, are doing away with a level of appeal. Not only that, they are doing away with the principle of being able to go to a higher court for some form of judicial review.

Tellingly, the Law Society has said:

> "The general principle of English law is that the High Court exercises a supervisory jurisdiction through judicial review, over administrative decisions and the work of tribunals, in order to ensure there is a remedy where those bodies make errors of law or reach decisions in a way that is grossly unfair."

It added:

> "It is essential that asylum appeals which deal with life or death issues are subject to that full and proper judicial scrutiny."

I cannot understand why the Government want to take away that protection and break an established principle that we have in law.

It is important to have the ability to refer on to a higher court. We have often seen in the past that testing out some laws through judicial review has resulted in better decisions. It has changed the practice. It has changed the way in which decisions were made in the first place. We will lose all that now.

Mr. Marshall-Andrews: Are the two things not linked? Is not clause 7 made infinitely more iniquitous because of the problems introduced by clause 10, which make it infinitely more likely that deserving cases will be subject to the provisions in clause 7?

Mr. Oaten: All the clauses are connected in many ways, and the implications of rights being taken away in one clause by changes introduced by other clauses are very dangerous indeed. I would include in that something that is not in the Bill but which is being discussed elsewhere—the plans to change legal aid. If the Government are moving towards a more streamlined approach and want to remove certain levels of appeal, it is critical that decent decisions be made. If such decisions are to be made, decent legal aid must be in place. The Government proposals to remove legal aid should be put on hold until we have seen how the changes in the Bill bed down.

Jeremy Corbyn: I agree, particularly with the hon. Gentleman's last point. Is he aware that, especially in inner London, large numbers of solicitors' firms are closing down because they simply cannot afford to represent immigration and asylum cases? Voluntary sector law centres are overwhelmed by cases, so people can only go to places where they are prey to unscrupulous, incompetent advisers who often mess up a case, resulting in a grave injustice at a later stage.

Mr. Oaten: That is an extremely valid point. The consequences of the proposed changes in legal aid are serious, as we could end up with individuals who have not got the necessary skills, particularly given the change in the structures suggested by the Government.

The Government are breaking a fundamental principle, and it is extraordinary that they should do so, as there are very few areas indeed where they have removed the ability to go on to a second appeal and then a higher court. In fact, the only other area in which they have made such changes involves issues of national security. The affected bodies are the investigatory powers tribunal, the Special Immigration Appeals Tribunal, and the Proscribed Organisations Appeal Commission. I do not see how the issue of dealing with asylum seekers falls into that category of national security. Having already broken one principle, the Government should not break the principle of referral to a higher court of genuine asylum cases. The plans to take away the option of another tribunal looking at a case are of concern, let alone the issue of being able to go to the High Court. The limitation of having only a written review, which cannot be discussed unless technical issues are raised, narrows very unfairly indeed a tribunal's ability to review its own decision.

It is critical to establish the number of individuals who are going through the process at the moment. When we debated the Queen's Speech a couple of weeks ago, I tried to establish with the Home Secretary how many people were involved. There was general agreement that in the first stage of appeal 20 per cent. of cases were successful. In the second stage of appeal, I argued that 20 per cent. of people were successful, but the Home Secretary said that it was more likely to be 3 per cent. It is important to get that figure right. A Library briefing tries to clear the issue up:

> "The Home Secretary has consistently referred to 3 per cent. of appeals to the IAT being successful but this is not apparent from the published statistics".

It appears that there is genuine confusion about the number of individuals who are currently successful on the second appeal. In written answers, the Home Office has not been able to tell me what proportion of immigration appeal tribunal appeals are initiated by the Home Office, and it cannot tell me what proportion of Home Office appeals are successful compared with appeals lodged by individuals. Without those statistics, it will be difficult for us to debate the issue in Committee, as it is critical to know how many individuals will be affected by the removal of the second tier of appeal. I hope that in the time available we can try to get more detailed figures.

Far too many cases are being dealt with incorrectly at the first stage of appeal. The 20 per cent. figure suggests that there are serious problems with the way in which the process is currently conducted. The situation seems to have got worse in the past five years, and in particular country cases, 39 per cent. of appeals by Somalis and 38 per cent. of appeals by Sudanese have been successful. Something is clearly going badly wrong in the system if that proportion of decisions is proven to have been incorrect.

Vera Baird (Redcar) (Lab): The situation is even worse than the hon. Gentleman sets out. The 22 per cent. average failure rate allows for the abusive applications that we have heard a good deal about

Many applications are made that should not be made and do not have much of a leg to stand on. They, of course, weight the average. I do not know whether the hon. Gentleman is prepared to take it from me, but there are some skilful asylum practitioners who have a success rate on appeal of 90 to 95 per cent. That is what we are really talking about.

Mr. Oaten: The hon. and learned Lady's reputation is such that I am prepared to take it from her. That demonstrates the need to establish the figures clearly before Committee stage; otherwise we will be discussing these issues in a vacuum.

All hon. Members agree that we must speed up the process by getting it right in the first place, not by cutting out tiers of natural justice. That means, as we have heard, better training and — we have not heard this — better use of interpreters during the early process. There could be difficulties over language and understanding what is being said at that stage. Better and faster information is needed on applicants' countries. The Home Secretary said that the Government had established the advisory panel to help produce that information.

I have concerns, first, that the information is still not as up to date as it could be about possibly fast-moving events in those countries, and secondly, that the information and all the data collected with it are not getting through to the individuals down on the desk who take the initial decisions. We need to make better information available faster. Finally, the proposals to do away with legal aid will make it extremely difficult to try to steer an individual's case through a changing legal process.

I turn to clause 7 and the controversial issue of the withdrawal of benefits. As I said, this is the issue that has hit the headlines. I know that the Minister is irritated by it, and that she will claim that no briefings by the Government to the press have taken place. Nevertheless, I am left with an impression — I do not know where it came from — that the issue of children and asylum was put in the press from somewhere. However that happened, it is extremely regrettable that the subject of children has been raised in that way, as part—

Beverley Hughes: For the record, let me clarify, in addition to my earlier comments on the issue, that the Government publicised their intention to legislate in precisely this way on 24 October, when I announced the ILR — indefinite leave to remain — exercise involving 15,000 families. We also announced these measures. On 27 October, in our first consultation document, we included the details of what is in the Bill. The Bill says nothing at all about taking children into care. That is not the measure that we are debating.

Mr. Oaten: Whether the announcement was made three months ago or three weeks ago, it is incorrect and wrong. It is clearly the intention of the Home Office to remove the benefits of children and families. That will lead to hardship and will make it necessary for social services to make judgments on those children. On the "Today" programme yesterday morning, the Minister said that she did not expect any children to be taken into care because parents would comply if threatened in that way. Does she stand by the view that she does not envisage children being taken into care because people will comply? I believe that is the Minister's view — that children will not be taken into care. *[Interruption.]* I am happy to give way.

Beverley Hughes: If the hon. Gentleman wants me to intervene to answer that question, rather than doing so from a sedentary position, I am happy to do so. I do not believe that the vast majority of parents who are asylum seekers, any more than the vast majority of any of us as parents or any other group of parents, will want to be separated from their children when they have an alternative remedy, which is to go home, with assistance. That is my position.

Mr. Oaten: My instincts as a parent are much the same as the Minister's, but it is the Opposition's role to ensure that we have good legislation, and that is not achieved by putting in place a threat that one hopes will work and that one therefore does not expect to have to use. If that logic applied, there would be fewer people in prison. We have laws, we hope that they will act as a deterrent, but human nature is such that people take different views from those that the Minister or I might take. The Government put forward a similar argument for section 55 of the 2002 Act. The logic then was that individuals would not make late claims because the possibility of losing their benefits would be a deterrent. In fact, the evidence is that people have been prepared to lose their benefits.

Dr. Jenny Tonge (Richmond Park) (LD): Does my hon. Friend agree that a really good parent who had escaped terrible persecution in their country of origin would be quite likely to prefer to leave their children in care than have to take them back to the country where they knew that they would seriously damaged?

Mr. Oaten: I agree entirely with my hon. Friend. The Chairman of the Home Affairs Committee said:

> "Faced with that choice, families might disappear and leave their children in care, thinking that may be the better option, because at least the children would get to stay in Britain and perhaps the adults would get to stay here, albeit working illegally."

Ms Abbott: The Minister says that she believes that the majority of parents, faced with having their children taken into care, will comply with directions and return home. But how big will be the minority of parents who do not comply? Are we talking about a dozen, a couple of dozen, a hundred? Perhaps when she winds up, the Minister will tell the House how big the minority of children will be who will end up in care as a consequence of the Bill.

Mr. Oaten: I shall leave the Minister to respond to that well made point when she winds up.

Glenda Jackson (Hampstead and Highgate) (Lab): I applaud the Minister's natural sense of how she would behave in a situation, but would not a logical conclusion of that be that every child who arrives here as an unaccompanied minor seeking refuge is an orphan? I know that many of them are, but not all of them are.

Mr. Oaten: Again, that is an extremely good point, which is one of those issues that, when we have line-by-line analysis in Committee, we shall want to probe.

[Mr. Oaten]

I should like an assurance from the Minister that, at the point at which the decision is taken to withdraw benefit, someone will ensure that a meeting takes place with the local social services department to explain the consequences of losing the benefit and what will happen next. If the benefit is simply withdrawn, and the other agencies are not informed, over a period of months some form of hardship could develop of which none of the other agencies would be aware. Whatever our views about the clause, we would not want such a situation to emerge. It is important that individual authorities should be notified.

For tackling the problem of removals, Liberal Democrats do not support the idea of an island; rather, there should be a greater use of existing powers. The situation has been allowed to go on for far too long, and the long delays make an eventual removal harder. I, and the Home Affairs Committee, have had examples of individuals who had reached their final stage, but five years on nothing had happened. By that point, individuals have become embedded in the community and it is difficult to remove them, so there needs to be much more effective use of existing powers. I accept the Home Secretary's argument that one barrier to removal is re-documentation, but I thought that clause 14 tackled that; so if that is effective, we do not need powers to withdraw benefit, nor the threat to take children into care.

Initially, I had some sympathy with the view that we should take a tough stance on individuals who have clearly destroyed their documents. It is important that those who give genuine asylum seekers a bad name should be highlighted in the way proposed. I understand the Government's desire to send a strong message to the organisers of gangs who encourage individuals to do that. However, these clauses will need very careful examination if we are to ensure that genuine cases are not criminalised. At the moment, the onus is on an individual who arrives without documentation to make the case for why they have not got it. That is the wrong way round. I believe in the assumption of innocence, which means that we should assume that they have a genuine reason for not having it.

Because a punishment will be attached to the non-possession of documents, the Crown Prosecution Service is being drawn into the process. That gives rise to the danger of a twin-track process whereby somebody who arrives here without documentation is subject both to the normal immigration process assessing their case and to a CPS process leading towards possible conviction. Since the two processes will presumably consider the same information, it would be unnecessarily complicated for an individual to have to steer their way through that twin-track process. Furthermore, the situation could arise whereby although it had been decided that they were genuine and could be allowed into this country, the CPS had to continue to pursue the issue of their not having documentation. It would be crazy to have the two processes running at the same time. Will the Minister clarify that?

Does the Minister accept that there are many genuine reasons why individuals might come into this country without documentation? In some countries, such as the Republic of the Congo and Somalia, it is difficult to obtain such documentation in the first place. Alternatively, if someone is fleeing a country because something has suddenly flared up, the last thing on their mind will be to go back home to try to get their passport—indeed, their house may have been burned down, so trying to get that documentation could prove very difficult.

Jeremy Corbyn: Is the hon. Gentleman aware that the Geneva convention requires signatory states not to discriminate against individuals because of their lack of documentation or the method by which they arrive?

Mr. Oaten: Indeed—the UK signed up to that convention in 1951, and it would be interesting to hear from the Minister how the Government's proposals fall within its legality.

Another of my concerns about arrival without documentation relates to the message that the Government want to send back to the gangmasters and traffickers. I can understand their desire to send that message, but I have not yet heard them explain how it will physically be achieved. Those individuals would need to have a fairly sophisticated understanding of UK asylum law in order to interpret what the Government are planning. Let us also remember that traffickers often place the people they want to come into this country in considerable danger or make threats against their families. That pressure may mean that it would be reasonable for them to argue that they had come into this country without documentation because they were told to destroy it by a gang leader.

We will need to examine these clauses carefully to ensure that nobody who comes here without documentation for genuine reasons ends up in prison. I would also say to the Home Secretary that adding another category of individuals to those who are imprisoned is, first, unacceptable given the number of people who are already in prison and, secondly, unrealistic in financial terms, because the costs involved in keeping somebody in prison would wipe out some of the potential savings. We are in danger of criminalising innocent individuals instead of finding a way of punishing the gangmasters and traffickers who have brought them into this country.

The Leader of the Opposition made a great cause of the issue of children and said that the Home Secretary and the Prime Minister should be ashamed. In this sense, he is right: the Government should be ashamed that they have put themselves in a position whereby they can take such strong criticism from a former right-wing Home Secretary. On the grounds of natural justice, on the way in which children are being used as a political tool, and on the principle of this country remaining a safe haven, Liberal Democrats will vote for the amendment and against the Bill.

DEFERRED DIVISION

Mr. Deputy Speaker: I now have to announce the result of a Division deferred from a previous day.

On the motion on extradition, the Ayes were 243 and the Noes were 43, so the motion was agreed to.

[The Division Lists are published at the end of today's debates.]

Asylum and Immigration (Treatment of Claimants, etc.) Bill

Question again proposed, That the amendment be made.

4.9 pm

Mr. John Denham (Southampton, Itchen) (Lab): The Select Committee on Home Affairs reported yesterday, and I hope that the report will be of value to the House in the debate today and also in scrutiny in Committee. I should particularly like to thank the Minister for Citizenship and Immigration, who, as part of the asylum applications inquiry, has appeared before the Committee on some six occasions in the last calendar year. I wish all Ministers were so happy to give evidence. We shall be publishing a fuller report on the asylum process in the new year, but we picked out for the current report the elements that applied to the Bill.

Asylum is clearly a major issue for many of our constituents. There is real concern about abuse of the system and about the impact on many areas of the country of significant numbers of new people moving into settled communities. I think the case for being seen to take strong measures to tackle flaws in the asylum system is sound, and the recent figures suggest that the Government have had considerable success in doing that.

I want to start with two general comments. First, we need to ensure that the public are kept properly informed about the issues. The Minister was very helpful in trying to inform the Select Committee about the overall costs of supporting families in the asylum system, but it was very unfortunate that that was done in a way that enabled the cost to be represented as a much higher income than some of our constituents enjoy, when the reality is that, on a like-for-like basis, asylum-seeking families have a standard of living that is significantly below the income support levels available to British families. It does no good for any of us if the problem is overstated in the public mind—it creates a rod for all our backs if people get the wrong impression.

Secondly, we must recognise that failed asylum-seeking families are human beings. Of course, there are people who try the asylum system who are of outright criminal intent, and certainly there are many who wish to use the flaws in the system to remain here as long as possible, to exploit the ability to work illegally and so on. But the truth is that most are people who, although they have no valid claim to be refugees, have set out and risked a lot in the hope of a better life for themselves and their families. When the decision comes that the answer is no, they still deserve to be treated humanely by the system, and we need to bear that in mind in talking about these proposals.

The Select Committee considered the proposals but not the Bill; we did not have time to do that. I have to say that there was too little information available at the consultation stage for the Committee or many of the respondents to respond in detail to the proposals that are now being discussed. Particularly in relation to clause 10, which will clearly be controversial, it would have been better if the full shape of the Government's proposals had formed part of the consultation document. Difficulties will arise in another place, if not here, and it would have been better to work through the issues.

[Mr. John Denham]

The Committee's overall assessment of the Bill is that its basic principles are right, but its implementation will be critical. There is clearly a significant problem with undocumented passengers, both in returning those who have no case for asylum to their countries and in tackling people traffickers. The Committee supported the general proposals to tackle those who deliberately destroy documents or fail to co-operate with redocumentation.

However, we must ensure that there is real protection for those who are genuinely fleeing persecution. Most people who enter the country, particularly on airlines, depend on people-traffickers; they get their information from people-traffickers. If people are to be aware of the consequences of destroying documents, we need to ensure that they understand the position fully. There must be improved information to passengers.

When the Minister came before the Committee, she told us that it was not the intention to use the provision against those who have no option but to travel on false documents because they come from countries where they cannot approach the embassy to ask for a visa, or even get a passport in the first place. We welcome that assurance, but I believe that it should be explicit and included in the Bill. That would provide a valuable protection.

Lynne Jones: Does my right hon. Friend agree with the Government that the reforms are urgent and that the Government were therefore justified in not carrying out due process in relation to consultation or making the appropriate details available to his Committee and other Members?

Mr. Denham: I believe that there is a powerful case for the Government introducing this legislation in this Session of Parliament. It is unfortunate, however, that Parliament—and, more particularly, the informed organisations outside—did not have more time to comment on the details. I think that there will be problems as the Bill goes through that could have been avoided if we had had a longer consultation period, and that is a shame.

To return to the problem of undocumented passengers, the Committee believes that not all the burden should be placed on the individual asylum seeker. We were given useful information about the use of covert surveillance and other methods of ensuring that the authorities knew which flights people had arrived on. There is scope for far more action of that kind at airports—for example, having immigration officials meeting selected flights, and so on. These cases depend heavily on the individual asylum seeker at the moment, and more could be done about the way in which the immigration and nationality directorate operates.

We have to be realistic about the appeal system. There is undoubtedly a significant incentive in the system at the moment, in that the lengthy and cumbersome appeals procedures with their multi-layered approach enable those supporting people coming to this country to tell them that they will be able to stay for a very long time before their cases are resolved. In terms of pull factors, that is a significant issue. The Select Committee took the view that, in principle, simplifying the appeals procedure so that the process did not last as long as many hon. Member know it does now was the right thing to do. Those who say that there is nothing wrong with the current system are simply turning a blind eye to the fact that that long-drawn-out procedure is a significant pull factor.

The Committee therefore supports, in principle, a simplified system with a single level of appeal. But—and it is a very big "but"—the problem currently lies in the quality of the initial decisions. To switch to a simplified system when so many of those decisions are wrong and when there is so much reliance on further stages of appeal will be very difficult. The statistics are not satisfactory, because the Home Office does not keep track of what happens to particular cohorts of asylum seekers, but one in five decisions are overturned at the initial decision stage, and it would appear that well over half the cases that reach the immigration appeal tribunal are overturned in one way or another—cases are either held up or referred back to an adjudicator.

The Government must recognise that there needs to be confidence in the system. I understand that rights for asylum seekers are not a popular concept, and that tough action is. However, tough measures must be founded on sound principles and procedures. The Committee therefore concluded that initial decision making must be improved, as demonstrated by a fall in successful appeals, before the system is simplified. We are saying not that this part of the Bill should be removed, but that there should be a clear commitment about when it will be brought into effect. I regret the fact that the Government rejected this recommendation from the Committee within hours, if not minutes, of our report being published on Monday. I hope that they will listen to the tone of today's debate and look again at the issue—given that it will take time to put in place a different system of tribunals anyway—and set themselves a target to improve their record on initial decision making before the changes are made.

Mr. Marshall-Andrews: I do not disagree with the principle of simplifying the adjudicator and immigration appeal tribunal process. That is where the principal delays are occurring. Many people will agree with everything that my right hon. Friend has just said, including those who criticise clause 10. He will get an extra two minutes as a result of this intervention, so will he briefly address the question of the proscription of any judicial overview of this process? That is absolutely unique in our system, and, as I have said, has not existed since the Star Chamber.

Mr. Denham: The Select Committee did not consider that issue. We were unable to do so, as the Bill had not been published when we were preparing our report. My own view is that we must avoid a situation in which such a recourse becomes as regular a part of the procedure as the IAT or judicial review. I shall go no further than to say that it is worth exploring whether that protection can be provided but in a limited set of circumstances, so that the rights to which my hon. and learned Friend referred can be protected.

The restriction of family support is the most controversial element of the Bill. It is deeply unsatisfactory that we do not have any estimate of the number of asylum-seeking families currently in the system to whom this measure could potentially be applied. We are having a major debate with no idea whether we are talking about tens of thousands, thousands, hundreds or tens of families. It is a problem with the Home Office statistics rather than with the Minister, but none the less the Standing Committee must be given better information.

The Select Committee came to the view, which I support, that the principle is right. It is difficult to say to our constituents that a family who have no right to be here should expect taxpayers' support ad infinitum. To go against that principle would be to make a mockery of the asylum system for families — we might as well say that once they have set foot in this country they should be allowed to stay. We are not suggesting that clause 7 be removed from the Bill. However, the House must scrutinise carefully how the Government intend to implement it.

We accept that the aim is to achieve more voluntary returns, and we must examine how that will be done. Our Committee has said in the past that much needs to be done to improve the return and removal system — not necessarily with more snatch squads or dawn raids. We should ensure that the whole system is reformed, so that it is understood by all parties that a failed claim will lead to swift action to effect removal. I hope that the Committee will say more about that in the new year. My view is that everyone should be prepared before they receive the decision, so that it is perfectly clear that if it is yes, this is what will happen to them, and if it is no, that is what will happen to them. I worry that we are still starting the process when the appeal letter arrives, which is too late to involve people in informed decision making.

Ms Karen Buck (Regent's Park and Kensington, North) (Lab): Will my right hon. Friend give way?

Mr. Denham: No, I will not give way as I have very little time left.

In the Standing Committee, the Minister must set out exactly how the procedure will work. If the House can be persuaded that it will produce more voluntary returns, the Government should implement it. But we need to be sure that it will not lead to the worst possible outcome, which is children being taken into care and parents working illegally.

Mr. Dawson: Will my right hon. Friend give way?

Mr. Denham: No, I am running out of time, I am afraid.

It is critical that we know which countries the Government believe are safe to return people to, and which have a return and resettlement programme. This issue already arises with single people, but now that it will be linked to the removal of benefits from families, we need to know which countries those are, and that must be open to scrutiny. Our Committee considered whether that should be a statutory process, and decided against it for obvious reasons. The Government must in every case make it perfectly clear which countries they believe it is safe to return families to.

Those are the Committee's major conclusions, and I hope that they are helpful to the House in the weeks to come.

4.23 pm

Mr. Robert Key (Salisbury): I agree with the analysis made by my hon. Friend the Member for Woking (Mr. Malins). He is right not to reject the Bill wholesale; but to say that there is a great deal of important work to be done in Committee. I fear that this could be a law of unintended consequences, in one respect at least.

Last week, I was e-mailed by Mr. Michael Wills, the principal of the Salisbury School of English, who made representations about the impact of the Bill on language schools in this country. I spent Friday with the chemistry department of the university of Southampton and with my Royal Society pair, Dr. Andrew Hector. I heard from students and the vice-chancellor of the university that the Bill would have an unintended consequence for overseas students and universities up and down the country. They expressed great concern about clause 20, which also concerns me.

In clause 20, power is given to the Secretary of State to impose fees that exceed the administrative costs of determining an application for a visa. It also gives the Secretary of State power to reflect benefits that the Secretary of State thinks are likely to accrue to the person who makes the application. In other words, the Secretary of State can say, "If someone attends a language school in Salisbury, they are likely to have a higher earning potential when they get home, so I'll screw them".

According to the explanatory notes on the Bill, charges will be set at some stage by statutory instrument — although we do not know what the statutory instrument will say — and a further regulatory impact assessment will be completed. Today — indeed, for a week and more — it has been very difficult to get hold of the regulatory impact assessments. But it was always clear, since the press release issued by the Home Office on 27 November, that the Government intended the Bill to catch students. It states:

> "More than 500,000 non-asylum applications are expected to be made this year from people who enter the UK to work, study or join family members."

I was relieved to hear the Home Secretary say that he would guarantee that the Home Office would consult people who would be affected in that way. What a pity that it did not do so before.

In annexe B to a letter dated 27 October and signed by the Minister of State, a list of consultees stretching to scores of organisations makes no reference to any university or to the language school sector, or even to the Department for Culture, Media and Sport, which has a role in sponsoring language schools. That is astonishing.

The Chairman of the Home Affairs Committee has said that his Committee's report — and a very good report it was — was written before the Bill was published. The Committee therefore had no opportunity to scrutinise this aspect of the Bill; and to consider who might be affected and what it might cost.

[Mr. Robert Key]

Paragraph 24 of the regulatory impact assessment states

> "The over cost charging indicative figures are that charges might range between £20-£500 but would be introduced on a rolling programme over a number of years."

In the excellent House of Commons Library briefing for the Bill, the excellent researcher points out that in saying that, the assessment identifies the risks of introducing above-cost charging, and the entry fee is pitched at a level that encourages people to consider illegal entry, overstaying and working. In other words, the consequence of, say, a £500 surcharge on a student coming to a language school might cause him or her to try to enter the country illegally in order to avoid it. That is absurd.

I was approached by Pat Marchiori-White from the Southwold School of English, on behalf of the Recognised English Language Schools Association, who pointed out that at present a visa for a fortnight's course in the UK costs a student £95. If the student wants to extend the visa by a week, however, it will cost £155 to do so by post and £250 to go to London in person to do so.

Mr. Tim Boswell (Daventry) (Con): Exactly the same concern arose in relation to a recent order on visa fee extensions. Again, the Home Office had not consulted and the consequences were substantial. Is there not a real risk that the controversy over top-up fees will be supplemented by concern about top-up visa charges?

Mr. Key: My hon. Friend is right.

I do not accuse the Minister or the Department of a conspiracy. I have been a Minister myself, and for me the cock-up theory wins every time. I do, however, think that the Minister should look at this carefully, because the impact could be enormous. Quite simply, the business will leave this country and go elsewhere.

The Recognised English Language Schools Association says:

> "the importance of students to the UK economy is not just what they spend on course fees, accommodation and social programmes while they are here, but their value through the affinity they develop"

with our country. When they go home, says the association,

> "they recommend British education to others, they are more likely to return here as tourists with their families, and they are more likely to look favourably on UK suppliers in trade deals etc."

After all, only a couple of years ago the mayor of Shanghai, who had been at a UK university, raised with the Prime Minister the whole question of the excellence of British education. In 1999 the Prime Minister launched an initiative to increase the number of foreign students attending UK universities, colleges and language schools. If the Secretary of State for Education had been standing at the Dispatch Box today, he would have trumpeted the success of the Prime Minister's initiative of 1999. Instead, the Home Secretary is doing his best to destroy it by hitting students with a succession of charges. He will drive those students, many of whom come from the Pacific rim economies, for example, to competitors in New Zealand, Canada and elsewhere. Were that to occur, it would of course have a big impact on my constituency.

The importance of English as a foreign language to the UK economy is the main factor in arguing that the industry should not be penalised by the Government in this way. It is also extremely important to universities, as the vice-chancellor of Southampton told me last Friday. The charge already made for foreign students to extend their visas in order to complete degree courses is punitive. Of the total number of international students on UK education and training programmes, each year some 600,000 participate in English language programmes, almost 250,000 participate in higher education programmes, and 250,000 participate in other programmes. The value is enormous. Courses involving English as a foreign language bring in £1.3 billion a year to the UK economy. Higher education courses bring in much more—£3.5 billion a year. Further education courses bring in £450 million, and private sector training is responsible for some £1.6 billion. That is nearly £7 billion a year in invisible exports from this country, as a result of such people coming here.

I am sure that Home Office Ministers never intended this outcome, and I hope that the consultation, along with the judgment, will be thorough and careful. I hope that the judgment will also be sensible and will neither discourage students from coming to this country, nor discourage science students in particular from attending British universities. I hope that drawing attention to this important problem in this way will help Ministers to make up their minds.

4.31 pm

Mr. Neil Gerrard (Walthamstow) (Lab): This is the fifth time that I have taken part in a Second Reading debate on an asylum and immigration Bill since entering this House in 1992. It is also the fifth time that I have been told that such legislation was going to solve all the problems with the asylum and immigration system; and, of course, it is only a year since the last such Bill was debated.

When I first looked at the Bill before us, I could not see too much of a problem with clause 28—the short title—but I have some difficulty with more or less every other clause. I then realised that I was perhaps being a bit harsh. Some clauses deal with trafficking and the powers of the Office of the Immigration Services Commissioner. With some minor changes, they will be welcome, but there is not much else in the Bill that I welcome. It has been presented to some extent as a tidying-up exercise that deals with some of the remaining problems in the system, but it is not just that. The effects of some clauses, particularly clause 10, are far more fundamental.

Of course, clause 7 does not introduce an entirely new power. Schedule 3 to the Nationality, Immigration and Asylum Act 2002 contains the power to allow support to be withdrawn from a family who do not co-operate with removal directions—so the Government already have that power, which can be applied to a family with a dependant. It was introduced in 2002 at a very late stage in the legislation's passage, and we had virtually no time to debate it. In fact, the total time spent debating some of the later clauses was very short indeed.

The proposal in clause 7, however, is of a different nature. Under the clause, we will use destitution, or the threat of destitution, to get families to leave the country voluntarily, rather than using the Home Office's existing powers to remove people whose asylum claims have been rejected. We all understand that removals must take place, and that removal is not a pleasant thing. Indeed, it can be a very unpleasant exercise, especially when families with children are involved. Time and again, I see failures arising from the complete dislocation in the Home Office system. There is no real connection between decision making and enforcement, as completely different groups of people are undertaking the two processes. As a result, huge time lags occur between a decision being taken and something being done to enforce it. It is not surprising when that happens, and it has nothing to do with appeals. Appeals can all be finished, but nothing happens, so it is not surprising that people then assume that they will be allowed to stay, and do not take the removal directions seriously.

I am not entirely comfortable with the Select Committee's recommendation that we should just wait for assurances on that matter. I referred earlier, as did my hon. Friend the Member for Hammersmith and Fulham (Mr. Coleman), to assurances that we were given last year on section 55 of the 2002 Act—another part of that Act that was debated for a grand total of, I think, 15 minutes in this Chamber—which cut off support to people who applied late. We were then told clearly that the section was intended to deal not with people who had been in the country for only a short time, but with people who had been in the country for weeks and months, and it would not be used to deal with people who had been here a matter of days. None the less, people have had support cut off when they have been in the country for a day or less. The first time that I have heard the period of 24 hours cited as a norm has been in today's debate, when the Home Secretary cited it at the beginning, and then said that he would generously extend it to three days. That is still completely different from what we were told when the provision was introduced. When one has had such assurances in the past, one becomes a little wary of accepting them over the operation of new legislation.

Ms Abbott: May I take my hon. Friend even further back in time, to the introduction of the voucher system and totally cashless support? When some of us complained that that would only drive people further into destitution, we were told that we were wrong, and that that system would be an engine and a lever to discourage abuse of the asylum system. What happened? People were forced further into destitution. A punitive approach to asylum control demonstrably does not work.

Mr. Gerrard: That argument has been put many times in this Chamber over the past few years, and it has been proved right. Punitive approaches simply do not work.

I have one last comment on clause 7, which is on the practical implications of how it will operate. Some of us have seen a flow chart produced to illustrate how the process will run through stages involving up to four different letters from the Home Office to the family, depending on whether a family attends an interview, fails to attend without reasonable excuse and so on, through to either their leaving the country or support ending. When I looked at it, I found that there were chunks missing. I could not find any box that said "Home Office sends letter to wrong address because it doesn't have a record of a person's change of address", or "Home Office sends letter cutting off support to someone else of the same name", or "Home Office has lost the reply from the person who sent it". Believe me, all those things will happen. That is precisely what happens time and again now. I can tell hon. Members that distressed families will turn up in our surgeries time and again because of the operation of the system, and we will have the nasty job of telling them what is going to happen to them.

Clause 7 is bad, but it is not the worst part of the Bill. The most serious part of the Bill, by some way, is clause 10, which seems to be based partly on the view that the use of appeals is just deliberate delay, and that the judicial system is not there to be used. We put the Human Rights Act 1998 in place, but we complain when someone uses it.

As has been pointed out, clause 10 removes all judicial oversight of decisions. That is not just for asylum cases but for many immigration cases as well, which at the moment can go through that process. It will be impossible to challenge decisions on a point of law. The only person who will be able to decide whether a point of law is involved will be the president of the new tribunal. That is justified on the basis that people waste time and that the number of successful appeals is tiny—3 per cent. has been cited. I have looked at the statistics, and I think that I know where the 3 per cent. comes from, although I am not absolutely sure. The only place that I can find anything that looks like 3 per cent. is where the number of decisions made by the immigration appeal tribunal on leave to appeal is compared with the number of appeals allowed. That works out at about 3 per cent., but it is a completely spurious statistic.

Let us examine what happens on the basis of the latest figures. Nearly 23,000 people applied for leave to go to the IAT. We heard that there were 6,900 appeals. The tribunal knows how to filter out cases that do not have much merit. It allowed 620 appeals—only 11 per cent.—but sent another 48 per cent. back to the adjudicators, so almost 60 per cent. of cases were recognised as worth looking at. That is not 60 per cent. of initial decisions, but 60 per cent. of cases that go before the IAT.

The same applies to judicial review. Many applications are made, but the courts reject most of them and do not allow them to go much further. In 2002, there were 2,980 decisions on applications, of which only 260 were granted leave. The court gets rid of cases pretty smartly when it does not believe that there is much merit. Of those that were determined, however, 30 per cent. of people seeking judicial review won their case.

Those are not insignificant figures, but are we playing a numbers game? I am not defending the IAT as such, or saying that I have a fundamental objection to a simplified appeals system with one tier of appeal, provided that people can still apply to the appellate courts or the higher courts, if necessary. The decision must not be made solely by the president of a tribunal.

[Mr. Gerrard]

The Select Committee is wrong in saying that we should wait until we have an improved number of decisions, because it is playing the numbers game rather than examining the principles involved.

The purpose of the higher courts such as the House of Lords is to deal not with large numbers of cases, but with important cases. They should set case law, but no case law will be established under the new system. Case law, when established, affects many people, so it is not the numbers that matter, but the principle of how a system operates. If the principle under discussion applies here, where else will it apply? We could find out how many civil or criminal cases go to the highest court in the House of Lords and express that as a percentage of all appeals. It would be tiny, so let us get rid of that. That would be just as logical as what is proposed.

Mr. Russell Brown (Dumfries) (Lab): My hon. Friend is right that we must have a decent appeals system, but I ask him to examine it from the other side as well. Individuals and families going through an appeals system, usually represented by legal aid, are dragged through a process in the belief that there is justice and a positive answer at the end. I mention the Ay family, who were dragged through the system in Scotland, when, quite honestly, the decisions taken at an early stage were the right decisions, but someone—their legal representatives—saw fit to drag them through a system with no decent outcome at the end. Some people use the appeals system for all the wrong reasons.

Mr. Gerrard: I am aware of cases where lawyers have given extremely poor advice about the chances of winning on appeal and dragged people through the system without helping them in the slightest, but the higher courts are not unskilled at quite quickly filtering out the cases with no merit at all. As I said earlier, I do not object to a basic one-tier system, provided that there is judicial oversight that allows cases that really matter to be looked at by the appellate courts—up to the House of Lords, if necessary.

Mr. Heath *rose*—

Mr. Gerrard: If the hon. Gentleman will forgive me, I must finish.

The Bill goes further than any that I have ever seen in removing judicial oversight of the asylum system. I cannot help wondering what we would have said if this Bill had been introduced by a Tory Government. I recall what was said by the then hon. Member for Sedgefield (Mr. Blair) when the Tories were removing certain rights to appeal in 1992:

> "It is a novel, bizarre and misguided principle of the legal system that if the exercise of legal rights is causing administrative inconvenience, the solution is to remove the right." [*Official Report*, 2 November 1992; Vol. 213, c. 43.]

Now that he is Prime Minister, he should remember those words.

4.44 pm

Mr. Elfyn Llwyd (Meirionnydd Nant Conwy) (PC): First, let me say that Plaid Cymru and Scottish National party Members are quite happy to vote for the reasoned amendment.

I believe that the Bill is insidious. Clause 2 deals with the criminal offence of not having travel documents without reasonable excuse. It seems to me that few asylum seekers have their own passport—indeed, possession of one's own passport is sometimes taken by immigration officers to mean that the holder is not a genuine refugee, since the authorities of a persecuting country are unlikely to issue passports that will enable people to escape. In addition, agents bringing asylum seekers to the United Kingdom generally provide them with false travel documents, which they need to board the aircraft, ferry or train, and tell their charges to destroy or dispose of them.

Article 31 of the convention on refugees recognises the difficulties that genuine refugees are likely to face in attempting to reach a safe country. It prohibits the prosecution of asylum seekers who enter the country illegally provided that they claim asylum promptly and "show good cause" for their illegal entry. In 1999, the High Court denounced the immigration police and prosecuting authorities for their failure to implement that provision. In direct contravention of article 31, hundreds of asylum seekers who had entered the UK on false documents were being sentenced to prison terms of up to six or nine months. In response to the High Court criticism, the Government enacted legislation that provided a defence to the charge of possession of false documents. The Law Society has expressed the view that clause 2 appears to contravene article 31.

Clause 14 makes it a criminal offence to fail, without reasonable excuse, to comply with a broad range of demands that the Secretary of State might make in order to obtain documentation for a person's removal, including providing fingerprints or other biometric data, making an application to the embassy of the person's country, attending interviews and answering questions, and filling in forms "accurately and completely". It is hard to think of any other field in which failure to tick a box on a form or to provide fingerprints might result in imprisonment. The maximum sentence for the offence under the clause is two years' imprisonment.

The provisions relating to withdrawal of support have attracted the most media and public attention. They appear to me to be inhumane in the extreme. As the Home Office itself has acknowledged, the difficulty is that many countries of origin are simply not safe enough to send failed asylum seekers back to. Such countries, including Zimbabwe, Sierra Leone and Iraq, are the subjects of Home Office policy scrutiny. Nationals of other countries simply find themselves in limbo, unable to work or obtain support, yet never told to report for removal. It is feared that denial of support will result in whole families going underground to prevent children from being taken into care, leading to a swelling underclass of people working as sweated labour in inhuman conditions for virtually nothing, unable to obtain health care or send their children to school on pain of discovery and separation.

I am told that Government lawyers have warned the Home Secretary that the proposal to withdraw all state benefits from rejected asylum seekers will trigger human rights challenges in the courts. I am also advised that the Lord Chief Justice, Lord Woolf, has protested to the Home Secretary about that proposal and about the provisions restricting access to the High Court to challenge decisions through judicial review. The Prime Minister and the Home Secretary are expected to urge the public to consider backing even more far-reaching proposals, including much greater use of detention of asylum seekers and, in effect, rewriting the 1951 Geneva convention on refugees. No doubt they will be told some things at big conversation events that focus on this subject.

Britain's directors of social services have also joined the mounting opposition to the package. They have said that the threat to take children of failed asylum seekers into care is something that

> "belongs to an earlier century."

Andrew Cozens, president of the Association of Directors of Social Services, has said that the move runs contrary to the objectives of the Children Act 1989. That is obvious.

The detailed explanatory notes accompanying the Bill make it clear that Whitehall will foot the extra costs involved in taking children into care, using savings made when rejected families leave Britain in the face of that threat. They also state that that could amount to inhuman and degrading treatment and a breach of the right to respect for private and family life under the European convention. However, I understand that lawyers have also advised the Home Secretary that if those people leave, their legal challenge on that basis will end as a result.

I cannot understand how that one-tier appeal system will improve matters. Before the Bill was published, it was not made clear that rights of appeal and review from the tribunal to the High Court, and from the Court of Appeal to the House of Lords, were also to be abolished. The "ouster" clause proclaims that no court may entertain proceedings questioning the tribunal's decision, even if there is a breach of natural justice, an irregularity or error of law, or any other problem. It is astonishing that we should be considering bringing in such an insidious Bill as this.

Mr. Heath: Does the hon. Gentleman agree that an especially repugnant factor is that a Ministry of the Executive should be asking Parliament to accept that no decision that it takes should be subject to judicial overview? Does not that underline my argument that we need a Ministry of justice that is entirely separate from the Home Office's executive functions?

Mr. Llwyd: I agree entirely. In no field other than immigration is recourse to the higher courts prevented. Such prevention is, of course, in breach of article 13 of the European convention on human rights. The Court of Appeal has frequently spoken about the high constitutional importance of access to the courts. Senior judges are likely to oppose the attempt to deprive them of their supervisory role, especially in asylum cases, where the consequence of getting it wrong can be fatal. The Home Office and the immigration appeal tribunal have frequently got it wrong in the past.

The deprivation of access to the higher courts has to be seen in the context of the proposals to remove legal aid from asylum claimants, thereby reducing their access to proper advice. On the one hand, asylum seekers are told that they will be given one chance to persuade a legal body of the merits of their claim. However, on the other hand, they are to be deprived of the legal help required to do that. In addition, most asylum seekers do not speak English and are unfamiliar with the procedure. Many are suffering from the physical and psychological effects of their experiences, and are dispersed to parts of the country where legal expertise is sparse and where they face hostility and marginalisation. Others receive no support at all and are supposed to prepare and present their claims while they are homeless and have no means of support.

Jeremy Corbyn: I think that the hon. Gentleman is on to an extremely important point. Does he recall that when the Home Secretary opened the debate he said that there are 30,000 asylum seekers in London who receive benefit but are not given accommodation? That shows that people come to London because they see it as a place of safety, where there is a degree of community network and public charitable support for them that is denied in other parts of the country?

Mr. Llwyd: That is absolutely right. It is understandable that that community support would exist in London, as there are many people in similar situations. Problems are always worse—or at least as bad—in rural areas. We do not talk about rural areas often, but they face problems too. I can assure the hon. Gentleman that that is true even of parts of rural Wales.

It will be hard to monitor the denial of access to the higher courts, but I cannot accept that we should legislate for a second-class justice system. One significant cause of delay and inefficiency in the asylum system is flawed decision making. The Home Secretary has admitted that that needs to be improved. That is borne out by the large number of successful appeals.

Plans to remove judicial scrutiny are therefore worrying, and I shall refer briefly to the Law Society's position. It says:

> "The Law Society believes that a second tier appeal is currently essential in view of the poor quality of Home Office decision-making at the initial stage, which means that in many cases adjudicators are, in effect, the first instance decision-making body. If the Government proceeds with the removal of the IAT second tier appeal it is absolutely essential that improvements to Home Office initial decision-making are made concurrently."

In a letter to *The Times* last week, Roger Smith, the director of Justice, similarly said:

> "The Council on Tribunals complained . . . in April that 'better-quality decision-making at first instance' and 'speedier and better preparation of appeal papers by the Home Office' were among the conditions required to ensure an appeal process of adequate quality."

He went on to say:

> "The removal of judicial oversight provides no incentive to raise or maintain standards."

Those quotes come from people who know what they are talking about.

The Refugee Council is worried about the package in the Bill and says that several of its provisions breach article 31 of the convention on refugees. It says:

> "The Government proposes to remove support from families in a position to leave the UK. Support under Section 20 of the Children Act 1989 will not be available to asylum seeking families. If necessary, children will be separated from their families"

as we know. Most seriously, the implication that children could be taken from their parents and placed in care flies against the aim of the Children Act, under

[Mr. Llwyd]

which the well-being of a child is, and must be, paramount. The Government propose to reject that principle for young children, who will find themselves in an awful legal limbo, although the situation is nothing to do with them. Experience has shown that the removal of support under section 55 of the Nationality, Immigration and Asylum Act 2002 has increased destitution and put refugee communities under further pressure, and the provision has resulted in 800 High Court injunctions. The withdrawal of section 20 of the Children Act will undermine the principles of that Act.

The Bill is insidious. If there is a blockage in the asylum system, the problem should be tackled by improving the quality of decision making. We do not need the Bill. Its proposals might look good in the *Daily Mail*, but it is awful. I shall be proud to vote for the reasoned amendment.

4.57 pm

Ms Diane Abbott (Hackney, North and Stoke Newington) (Lab): I am grateful for the opportunity to say a few words about the Bill. If one comments adversely about the themes and underlying principles of the Government's policy on immigration and asylum, one is often told that that is because one does not understand the problem and how people feel about it, or that one is trying to deny that a problem exists. My constituency probably has more asylum seekers, immigrants and economic migrants than the constituencies of most hon. Members—apart from half a dozen of my hon. Friends—so I am only too aware of the challenges posed by asylum.

My constituency has its fair share of casual bigotry about asylum seekers. I hear all the remarks that my hon. Friends hear, such as, "If I were an asylum seeker, I would get rehoused," or, "These asylum seekers come over here and get everything." I hear bigotry from British constituents who are white and from British constituents who are black. If I hear comments that have substance in fact, I deal with the facts, but if the comments are just casual bigotry, I name them as such. However, I do not come to the House to demand ever more draconian measures. I tell my hon. Friends that they will of course hear casual bigotry because people want to scapegoat asylum seekers for their many dissatisfactions, but Labour Members should be able to do better than colluding with that by coming back to the House to demand ever more draconian enforcement and legislation.

I want to speak about three things: removals, clause 7 and clause 10. There is no doubt that the level of removals is low, but I point out to Conservative Members that the level was even lower under their Government. But what does that prove? Does it prove that successive Conservative Home Secretaries, such as the right hon. and learned Member for Folkestone and Hythe (Mr. Howard), were greater bleeding heart liberals than our own Home Secretary? No, not a bit of it. What it proves is that removals are extremely contentious and that they are difficult to achieve.

Mr. Malins: What it proves is that under the last Conservative Government there were fewer failed asylum applications because there were fewer asylum seekers altogether. The number in the last year of the previous Conservative Government was only a third of the number last year, under the Labour Government.

Ms Abbott: It is easy to demand more removals, but tricky to achieve them, not least because when it comes to forced removals one of the organisations that is most reluctant to get involved is the police force. Of course, we must have a more effective system of removals, but we should not fool ourselves that the mass removal of people who may have been settled in this country for a long time is either practical or desirable. We would be dealing with a few small areas where there are quite large groups of people. There would be scenes on our televisions and written about in our newspapers that the British people would not tolerate, whatever the *Daily Mail* and the *Daily Express* ran in their leader columns. Let us not be glib about removals. If it were so easy to remove people, the number of removals under the Tories would have been much higher.

On the issues relating to children under clause 7, I have heard the Minister for Citizenship and Immigration say, very reasonably, that reasonable, sensible parents, faced with the prospect that their children would be taken into care, would agree to go back whence they fled. They would do the reasonable and sensible thing, take the plane ticket and go back. She clearly has not done what some of my hon. Friends have been doing for 17 years: she has not sat across a table from people whose asylum or immigration case was going nowhere and told them what they have already heard half a dozen times from lawyers, advisers or social workers. She has not had to try to talk to such people only to see complete disbelief and terror in their eyes.

Reasonable people, people in the Minister's position, take reasonable decisions. Desperate people—those with whom I and some of my colleagues deal week in and week out—take unreasonable and irrational decisions. Tragically, some parents faced with that choice will take the ticket and go home, but many others will find themselves forced underground, or even more vulnerable and marginalised than they were before.

I do not care if most parents take reasonable decisions. If some parents are so frightened of going home to face torture, political persecution and, yes, economic chaos and destitution—something that we in this place cannot really get our heads round—that they are prepared to see their children go into care, that is a situation that no decent Government should bring about. The use of even one child as an instrument to enforce the removal of its parents is one child too many. As a Government, we cannot use the threat of destitution or losing a child as an instrument of asylum policy. There must be better methods than that.

One method would be to increase the efficiency of the system. Year after year, I have said in the Chamber that the biggest incentives for making phoney asylum claims and for working the system are the interminable delays—the dislocation between enforcement and removal. Why do not we get the system working properly? Why do not we cut out the delays caused by the Home Office itself? Why do not we ensure that we have an efficient system before we turn to people and say, "Guess what? We're going to use your child as a lever to remove you from this country."

We have heard what the British Association of Social Workers said. Even the Select Committee on Home Affairs said that we should defer the clause until we have some statistics on its likely effects. I cannot believe that the clause will not be challengeable under the Race Relations Act 1976. It will inevitably bear most heavily on children and families with an ethnic minority background. I put it to Ministers before it is too late—just as we tried to appeal to them on the issue of vouchers—that they should think again about a thoughtless and punitive piece of policy which I do not believe will bear scrutiny, and will hold them up to an extremely harsh light. Like so much that has been done under asylum and immigration policy over the past seven years, clause 7 wholly underestimates the desperation of the people with whom we are dealing.

I move on to clause 10. It is with a sense of timidity that I tread into legal matters—so many distinguished barristers are waiting to speak on these matters. The point at issue is the cutting off of a group of people who are currently resident in these islands. The clause will cut them off from proper review and appeal processes. I do not object to one tier of appeal, so long as there is some possibility that where necessary and where appropriate, they can take their case to a higher court.

I shall quote Lord Denning—I cannot do the accent—ex parte Gilmore. In 1957 he said:

> "If tribunals were to be at liberty to exceed their jurisdiction without any check by the court, the rule of law would be at an end."

I did not say that. It was not said by a member of an extreme left-wing group; as I said, it was Lord Denning. The issue that clause 10 raises goes wider than the issue of asylum—it goes to the heart of the way in which we organise our legal system. If we can get away with removing proper appeals and proper legal redress from asylum seekers, what other group that is not popular with the *Daily Mail* will we move on tomorrow and the day after? We cannot offer one standard of legal redress to one part of our population and another standard of legal redress to the rest of the population because that particular part of it, this morning, is getting negative leaders in Associated Press newspapers.

We could greatly improve the pure administration of immigration and asylum policy. I support Ministers who have recently begun to talk about the need for a managed system of economic migration. Sadly, this Bill, which is the fifth on asylum and immigration that I have spoken on since 1997, is yet another Bill that is more concerned with appeasing leader writers at the *Daily Mail* and the *Daily Express* than with building a coherent, a fair and a non-racist system of asylum.

5.7 pm

Tony Baldry (Banbury) (Con): There is no confidence in the Government's asylum policy. Organisations concerned with the welfare of asylum seekers do not have confidence in the Government's policy. Professional organisations, such as the Law Society and the British Medical Association, do not have confidence in the Government's policy. People generally do not have confidence in it. That is in no small part because the Government appear not to know from one day to the next what their asylum policy is.

I shall take one simple and straightforward example. Clause 7 adds a new paragraph to schedule 3 of the Nationality, Immigration and Asylum Act 2002. Incidentally, we appear to have annual asylum Bills. Doubtless the Queen's Speech in 2004 will contain another such Bill.

The purpose of clause 7 is to make it clear that failed asylum seekers with families will cease to be eligible for public support. The Government are clearly having considerable difficulty in working out what the new clause means. The Bill, in whatever form, is clearly bad news. The General Council of the Bar has said that

> "if passed into law, not only will this Bill severely curtail the rights of asylum seekers and immigrants, but it will set a very dangerous precedent, and send a most unfortunate message around the world."

The United Nations has said that

> "the UK Government has been the subject of severe criticism from the United Nations Committee on the Rights of the Child and the Joint Committee on Human Rights about its treatment of children. It will be impossible to ensure that legislation operates within the framework of the Children Act 1989."

Before the Bill was published, Home Office officials briefed journalists heavily, saying that one of the consequences of the provision was that children of failed asylum seekers could and would be taken into local authority care. Consider the Prime Minister's comments, as reported by the Press Association on Thursday 4 December:

> "If someone makes an asylum claim and their claim fails, and they exhaust all their appeals, and we say to them 'we will pay your fare back to your country of origin'; if they refuse we are saying we are going to withdraw social security benefits from those people. In those circumstances, asylum seekers' children are being treated no different than anybody else's"

The Prime Minister could not have made the position clearer. He had obviously been briefed by Home Office Ministers on the same basis as the media. There was a public outcry, and almost immediately Ministers changed their tune. The Home Secretary went on the BBC programme "Any Questions?" the next day to deny any such suggestions. On the Thursday, the Prime Minister said one thing, but on the Friday the Home Secretary said something completely different. In the transcript of the exchange between the Home Secretary and Jonathan Dimbleby, the Home Secretary says:

> "It would be a choice of the parents not of us."

Mr. Dimbleby asks:

> "But if they aren't encouraged then presumably if the children, in your view, face destitution then there will be a requirement on the appropriate officials to go into people's houses where the parents are with their children and forcibly remove the children from the parents.

The Home Secretary replies:

> "The encouragement is not about taking their children away, the encouragement is to say we cannot have a system where you fail but we carry on paying you and housing you because if we do who the hell will leave voluntarily, it means with each and every family—each and every family have got to be pulled out."

[Tony Baldry]

That is markedly different in tone from the Prime Minister's comments. The Home Secretary's comments also differ from those of his colleague, the Minister for Citizenship and Immigration. I tabled a straightforward parliamentary question in which I asked the Secretary of State

> "how many children of asylum seekers he estimates will be taken into local authority care each year following the Government's recent announcement."

The Minister replied on 8 December:

> "It is not the Government's intention that any children will be taken into care as a result of this proposal."—[*Official Report*, 8 December 2003; Vol. 415, c. 235W.]

That answer is unambiguous—no children of asylum seekers should be taken into care as a consequence of the Bill.

Explanatory notes to the Bill were published on 27 November, the same day as the Bill itself, but before the Minister answered my parliamentary question. The notes clearly refer to the Asylum and Immigration (Treatment of Claimants etc.) Bill, and paragraph 25 states:

> "Failed asylum seekers with dependent children receive asylum support until such time as they leave the United Kingdom or fail to comply with a removal direction . . . if the Secretary of State certifies that, in his opinion, such a person has failed without reasonable excuse to take reasonable steps to leave the United Kingdom voluntarily or place himself in a position in which he is able to leave the United Kingdom voluntarily . . . then asylum support for the family will cease. The family is also rendered ineligible for various other types of support or assistance, although the children in the family may still be supported by, for example, the local authority."

In other words, failed asylum seekers will be told to leave the country, and if they do not their children will be taken into care. What is in the Bill is therefore completely different from what Ministers are telling Members of Parliament, non-governmental organisations and the public generally.

If one had any doubts about the meaning and import of that explanatory note, the interpretation is confirmed by paragraph 121:

> "A possible consequence of creating a . . . class of person (failed asylum seeker family) who will cease to be eligible for support . . . is that some children might have to be accommodated by local authorities. The costs to local authorities of children being accommodated under these circumstances will be met by Central Government. The savings made by this measure should cover any such costs."

On 8 December, the Minister for Citizenship and Immigration told me that no children would be taken into care, yet the explanatory notes that the Government have provided make it clear that they do expect children to be taken into care. How can there be any confidence in a Government policy on which the media is briefed one day, confirmed by the Prime Minister the next, denied by the Home Secretary just one day later, denied by a Minister of State in an answer to a written parliamentary question a few days later, yet confirmed in black and white in the explanatory notes to the Bill that the Government are introducing? How can there be any confidence in a Government who appear not to know—or, if they do know, appear unwilling to admit—the Bill's purposes and intentions?

The matter is relevant and important to the residents of north Oxfordshire. The House will know that the Government intend to build an accommodation centre for up to 750 asylum seekers on the outskirts of Bicester. The origins of the policy are the Government's knee-jerk "we have to be seen to be doing something about it" mode of response. For a while, they were deeply embarrassed by nightly television reports of asylum seekers coming through the channel tunnel from the Sangatte refugee camp. Something had to be done. They wanted an initiative—any initiative—to give the impression that they had a grip on the problem.

The Home Secretary proposed accommodation centres for asylum seekers where they would be processed and dealt with on one site. The only difficulty was that he had used up all his good will with the Treasury, which was understandably exasperated by the ever-spiralling cost of the Government's asylum policy. The Treasury told the Home Secretary that he could go ahead with his trial for accommodation centres, but the funds would be limited—so limited that the only place they could be built was on land already owned by the Government—and as a consequence, they would have to be big accommodation centres. Hence the proposal for 750 asylum seekers to be accommodated on former Ministry of Defence land at Bicester.

That is an utterly friendless policy. There is not a single organisation that supports the proposal. Originally, the Government intended to use their emergency powers to push through the proposal, without even the most cursory scrutiny by the planning system. Having appreciated that that course of action might result in judicial review, the Government eventually submitted the proposal for planning approval, which in due course led to a public planning inquiry.

Again, people thought that they knew what Ministers were saying. On 5 November 2002, the Minister for Citizenship and Immigration said at the Dispatch Box:

> "The Government have made it clear that we will abide by the planning process, and by the outcome of any public inquiry. That is both fair and democratic".—[*Official Report*, 5 November 2002; Vol. 392, c. 152.]

I was a planning Minister for four years, and believe that almost everyone would consider the outcome of a planning inquiry to be the decisions and recommendations of the planning inspector—almost everyone except the Deputy Prime Minister. Having considered thousands of pages of written evidence, including that of Home Office lawyers, and having heard 48 witnesses in person over a period of two weeks between December 2002 and March this year, the planning inspector concluded that the

> "first Secretary of State should not give approval for proposed development".

The outcome of the planning inquiry was clear and unambiguous. The planning inspector adjudged that the centre should not be built. He concluded that such an accommodation centre contradicted the Government's own planning guidance and would put an additional burden on already overstretched local public services.

and that such a location for an accommodation centre raised safety concerns for local residents and asylum seekers alike. The planning inspector comprehensively rejected the Government's proposals.

The Deputy Prime Minister ignored the planning inspector's conclusions and put two fingers up to the inquiry. He behaved as though the public inquiry had never taken place, and decreed that as the Government wanted the accommodation centre, and notwithstanding the planning inspector's recommendations, the accommodation centre for asylum seekers would go ahead. Ministers have decided to try to press on with proposals to build the centre, notwithstanding the concerns of local people, the objections of Cherwell district council, the conclusions of the planning inquiry, and the fact that not a single organisation concerned with the welfare of refugees supports the Government's plans.

That is neither fair nor democratic. The proposal is fundamentally flawed on policy and planning grounds and would probably cost taxpayers millions of pounds if it went ahead. It is almost certainly doomed to failure. Is it any wonder that there is no confidence in the Government's asylum policy? The decision is subject to possible judicial review so, under the rules of the House, I shall say no more about it.

Under the Government's proposal for the accommodation centre at Bicester, 750 people will be processed every six months—that is, 1,500 people a year. Many of those will be single young men, but a not inconsiderable number will be families with children. At present, on average, eight out of every 10 asylum applications fail. There is no reason to believe that the failure rate at Bicester will be any different, which will mean that a not inconsiderable number of families with children will be refused asylum. In the words of the explanatory notes, children will have to be

"supported by . . . the local authority"

taken into care.

Children taken into care are potentially the responsibility of the local authority until they reach the age of 18. There could be a substantial and accumulating number of children, which will be a substantial new responsibility and burden for Oxfordshire county council. The children taken into care will have to be educated; they will require schooling. I understand from the Department of Health's figures that that would cost at least £16,900 per child, and for some special needs children Oxfordshire is paying as much as £91,624 per child in care.

When Ministers, Cabinet Ministers, the Home Secretary and the Prime Minister cannot agree from day to day on the basics of their asylum policy, it is not surprising that there is no confidence in their having thought through the ramifications or the details of the consequences of their policies. When Ministers ignore the totality of evidence presented at a planning inquiry as if it had never happened, it is not surprising that there is little confidence that they are approaching the issues in a sensible, proportionate and balanced way.

The Bill, which meanders from forgery to fingerprints to electronic monitoring, will doubtless find its way on to the statute book, but undoubtedly it will not reassure north Oxfordshire residents that the Government have a grip on asylum policy, indeed, quite the contrary. The Government feel—

Mr. Deputy Speaker: Order. The hon. Gentleman has had his time.

5.20 pm

Vera Baird (Redcar) (Lab): I profoundly disagree with the hon. Member for Woking (Mr. Malins), who led, though with some hesitancy, for the Opposition, that the asylum system is in real difficulties. I am very impressed by the progress that has been made by the Home Office with the asylum system in recent months in speeding it up. In short, I would describe the Home Secretary and the Minister for Citizenship and Immigration as having brought it back from the brink. They have started to turn it into a legitimately effective system—speeding it up, cutting the backlogs, halving the applications. I accept, too, that there is more to do and that further steps have to be taken to achieve greater efficiency.

Subject to the Standing Committee's deliberations and to a good deal of anxiety, and I hope a good deal of Government flexibility, I could even be persuaded that further strong measures to persuade people to be removed are necessary, but if there are to be tougher removal measures, it is critical that we are sure that we will remove the right people, and that requires a proper judicial process with a proper appellate system.

At present, asylum seekers apply to the Home Office and the appeals, as we know, go to Home Office adjudicators, who allow about 22 per cent. of those appeals. But what is clear, and I think is admitted by those on the Government Front Bench, is that the quality of those initial decisions is very poor. What is also clear, and I am very ready to accept, is that many appeals beyond that are put forward when they have little hope of success.

As I said in an intervention, there are excellent practitioners and there are very poor ones. Very good asylum practitioners bringing proper appeals have success rates of 90 per cent. That is how poor the calibre of initial decision taking is, and how unrepresentative even that quite high figure of a 20 per cent. success rate is.

It is clear that the quality of decision making at the beginning should be improved, but it is equally clear that we must root out those charlatan advisers who push families through an appellate process inappropriately, doing them no harm and everybody else a good deal of damage. However, the Legal Services Commission is beginning to know who they are, it is beginning to weed them out, and it can do more. That is the job that should be being done now. The problem is the slack in the system, which can be weeded out in the ways that I have mentioned.

At present, appeals from adjudicators go to a High Court judge chairing a panel, and that is the tier that would be abolished. I can say, without any fear of contradiction, that that is by far the best tier that exists in the asylum system. First, it is presided over by a High Court judge; adjudicators are not that—I will say what they are in a minute. It is speedy, efficient, self-regulating, it has recently speeded up its processes and it

[Vera Baird]

polices its own considerations, so it grants leave for itself to review cases only if there is merit in them. That is proper judicial supervision.

It is so odd to be trying to abolish that tier, because, as has already been said, it is terrifically good at weeding out exactly the appeals that should not go any further—those that are put in by some of the less good advisers. It weeded out nearly 23,000 applications for leave, and since the Nationality, Immigration and Asylum Act 2002 removed any power to appeal by judicial review against the decision not to allow an appeal, that is really the end for a vast number of appeals. That is an important role and that too will be abolished if that tier of appeals is abolished. Moreover, it works—this is important—on a proper legal merits basis. It has been said, but it bears repeating, that when it accepts that appeals have been properly brought, the panel allows 60 per cent. of them—that is to say, 60 per cent. of adjudicators' decisions that are properly appealed are defective.

The intention is to scrap all appeals to that tribunal, which is crazy. The process will simply stop at the adjudicators. My right hon. Friend the Home Secretary called them judges, but that is not right. Their numbers have been rapidly increased through recruitment to cope with the huge burden of work. The only qualification that is required is to be a solicitor or a barrister of seven years' standing—they do not even need to have dealt with an immigration or asylum case before. They are not highly trained, and they are under huge time pressure—it is common for them to deal with three cases a day. They tell us that they have to work at breakneck speed, to deal with badly reasoned Home Office decisions, to conduct a fresh inquiry from the start, to look at the background country conditions again from the beginning, and to consider all the relevant legal principles. They are required to consider natural justice in highly complex situations, and to look at a mass of national laws and rules and a mass of international law principles from a variety of conventions. They often have to do that without well qualified representatives before them, and sometimes there are no representatives.

Mr. Malins: Are adjudicators less qualified than district judges?

Vera Baird: They do not have to be qualified in the area of work that they are intended to deal with. It would be rare to get such a vast increase in recruitment of district judges. I could tell the hon. Gentleman some horror stories about people who are working in this field.

The tribunal that will be the beginning and the end of every asylum seeker's appeal process has, on a legally scrutinised basis, a 60 per cent. failure rate. Clause 10 says:

> "No court shall have any supervisory or other jurisdiction"

over any of its determinations or decisions, even if such a decision was a nullity because there was a lack of jurisdiction, an irregularity, an error of law, a breach of natural justice, or for any other reason. It is the be all and end all.

What is to be gained at this judicial appeal? Frankly, nothing worth having. It will be able to review its own decisions. That means that a person appeals to the same people, so that the issue is not between them and the Home Office, but between the Home Office and the tribunal—and it is the tribunal that does the decision making. That is called being the judge in one's own cause—or, as we would see it up in Redcar, it is like Boro playing the Magpies with the referee coming from Middlesbrough. The fact that that is the only way in which we would ever win the match is beside the point. One has to ask what is the point of such an appeal. If the tribunal upholds its own decision or refuses to review it, one can do nothing about it—one is dealing with the same people with the same level of qualifications and training, who get many things wrong.

Another overwhelming principle is involved. The adjudicator

> "who knows that his decision may be subject to appeal is likely to be a good deal more circumspect, careful and even-handed than the officer who knows that his power of decision is absolute. That is simply, I fear, a matter of human nature, quite apart from anything else."—[*Official Report*, 2 November 1992; Vol. 213, c. 43.]

I am quoting the Prime Minister, and he was right. There is nothing to put in its place. There is a nominal power for the president of the adjudication body to refer on to the Court of Appeal for advice. However, he will not necessarily be a High Court judge, because that requirement has been removed since the previous Act: he need be no more than an ordinary adjudicator.

There is no provision for anybody to ask the president to make a referral; there is no procedure for that. How will he determine the cases that he refers on a principled basis? How many hundreds of adjudicators must he supervise? Even if one can write to ask him to use his powers, there are no criteria whereby he decides whether to do that. He does not even have to read the letter. The correspondent will never know whether he has done so. There are no legal precedents to guide him about the decision because the immigration appeal tribunal—the body that sets them—has gone.

If the president sends the right case and the point of law is found to be wrong, there is no means of enforcing the finding. The victim of the wrong point of law can do nothing. The Court of Appeal has the power only to make an advisory ruling. It may be clear that I should not be deported to Burma—someone was almost deported to Burma a couple of weeks ago, despite all that is said about that country—but there is no way to enforce that right because the Court of Appeal's power is merely advisory. Neither power—to refer and to advise—is worth much. The process therefore starts and finishes with adjudicators, who, as we have witnessed, are frequently wrong, yet make decisions about life and death.

I accept that there is delay in the current system. Some lawyers and advisers—for cash or political correctness—waste time and resources. That is the problem, and the Legal Services Commission should close those lawyers down. The immigration appeal tribunal is speedy and efficient, has good procedures, is effective in weeding out poor applications and finds that 60 per cent. of those left have been decided erroneously. It has proper processes. All we are left with is an adjudicator's decision being checked by the adjudicator at the next desk. That cannot achieve the same result. We must be careful not to act on a call for efficiency and deliver gross injustice.

5.32 pm

Mr. Andrew Turner (Isle of Wight) (Con): The Bill is fairly adequate and can be considerably improved. I am sure that we shall have the opportunity to improve it as it proceeds. I begin by describing what my constituents—and, I am sure, those of many other hon. Members—perceive as the problem that we are trying to resolve. The hon. Member for Winchester (Mr. Oaten), who is no longer in his place, denied that there was a problem.

The problem is a gross overflow of asylum seekers and other immigrants to this country, to the extent that 20 per cent. of the population of London are of ethnic minority origin, and 80 per cent. of the population of the country want better control of the immigration process. It is evident that the Home Office has no idea of the numbers. It produces a variety of statistics on different occasions and challenges the information that organisations such as Migrationwatch UK provide. The Home Office believes that there are 45,000 people from Colombia in this country, whereas the Colombian embassy believes that the figure is 250,000. Perhaps both are wrong.

In such circumstances, it is hardly surprising that people are prepared to say what they would have been ashamed to say 10 years ago. According to a recent poll, between a third and a half of the population accepts that, as individuals, they are "mildly racist". The term has been abused so much and applied to so many that people think that, if it is racist to question the number of migrants to this country, they are prepared to admit that it applies to them. I do not believe that it is racist to challenge the number of migrants, and it is not wrong for the Government to act to put right the deficiencies of the immigration system that my hon. Friend the Member for Woking (Mr. Malins) outlined so effectively.

The 200,000 or so people who come to this country every year put huge pressure not only on London but on the outer boroughs, the countryside around London and as far away as my constituency. It is no surprise that, when 200,000 people a year come to this country and 200,000 new houses are required in the south-east every year, people see a connection.

That situation will become even worse when the new countries join the European Union shortly. It is estimated that, as a result of the Nice treaty, 72 million people will be entitled to live in this country, although not all of them will come here. The draft constitution that we just escaped having imposed upon us last weekend provided for immigration to become a joint competence and therefore out of the control of the House altogether. That is not something that I find satisfactory.

I am glad that the Government—unlike the Liberal Democrats—recognise that there is a problem and that they are taking some steps to resolve it. However, those steps are meagre and inadequate, for various reasons. As the hon. Member for Hackney, North and Stoke Newington (Ms Abbott) said, it would be better if we could also get the processes right, but that does not absolve the Government of responsibility to put through this legislation, with some amendments.

Let us look at what is wrong with the Bill, because there is quite a lot. Clause 7 is certainly open to criticism, and one of the problems was that the Home Office had not briefed that clause 7 meant that children would be taken into care, while No. 10 Downing street had briefed to that effect. The Minister did not deny that No. 10 had provided that briefing; she denied that the Home Office had done so.

Beverley Hughes: That was not the claim.

Mr. Turner: That is indeed what was claimed. The Minister will have heard the words of my hon. Friend the Member for Banbury (Tony Baldry). I am not an expert on these matters, but it seemed to me that the Home Office was delivering an honest briefing while No. 10 was issuing a briefing thought to be more suitable for the columns of the *Daily Mail* and *The Daily Telegraph*. Perhaps that is where the problem arises.

If children will be taken into care as a result of the implementation of clause 7, would it not be more useful if some of the responsible bodies contributed charitably to the sustenance and support of those children, so that they did not have to be taken into care? I refer to bodies such as the Law Society, Liberty, the Immigration Law Practitioners Association, Justice, the Refugee Council, the Joint Council for the Welfare of Immigrants and a host of others that constantly try to undermine the efforts of this Government and previous ones to control the number of migrants to this country. Their making such a contribution would be a much more useful and effective use of their time and energy.

I referred in an intervention on the Home Secretary to one of the key problems, which is that too many lawyers are making too much money by giving inadequate advice—in some cases, wholly inadequate advice—to people, and raising their hopes in the way that the hon. Member for Hackney, North and Stoke Newington described. I have two examples of that. The first involves a man of Chinese origin who was advised by a mainland lawyer to get a letter from his Member of Parliament—that is, me—to support his application. I am not competent to provide a letter saying anything other than what that person has told me. I do not undertake investigations into whether people are telling me the truth. Why is his lawyer advising him to get a letter from a Member of Parliament, as though that would make a difference to the process? The unsupported word of a Member of Parliament written on the basis of unsupported evidence provided by someone who may have been resident in his constituency for less than a fortnight certainly should not make a difference.

The second, similar example is that of a person who came to this country from Italy, claimed asylum and spent six months going through the asylum process. He was subsequently convicted of rape. A number of statutory agencies gave information in support of him and his family remaining in the country, which turned out not to be supported by the information that he and his wife subsequently gave.

Keith Vaz: Surely the hon. Gentleman is not suggesting that the Government should take away the right of Members of Parliament to make representations in immigration cases. Clearly, we must accept what our

[Keith Vaz]

constituents say to us. It is an important right to be able to make representations to Ministers, and to leave it to Ministers and officials to make the decision.

Mr. Turner: I thank the hon. Gentleman for his intervention. Indeed, it is an important right for us to make representations, but it is not the right of someone who has lived in a constituency for two weeks to demand that a Member of Parliament supply a letter. It is certainly wrong for a lawyer supported from the public purse to advise someone that they have that right.

Jeremy Corbyn: Surely any constituent has a right to go to his Member of Parliament. Whether his Member of Parliament makes representations is down to that Member of Parliament. I hope that the hon. Gentleman will withdraw his remark that people have no right to do that. Everyone has a right to go to their MP.

Mr. Turner: I said that that person had no right to expect such a letter. That is what I intended to say anyway, and I hope that the hon. Gentleman will forgive me if I did not make that clear.

I should like to move on to some improvements that could be made to the Bill. Representing the Isle of Wight, I am well aware of the fantasy island argument, which I believe originated with my friend in the European Parliament, Tim Kirkhope, who produced a paper for my right hon. Friend the Member for West Dorset (Mr. Letwin) when he was shadow Home Secretary. If we implement my right hon. Friend's other proposals, it is important that we find a place where those who end up in this country can be placed pending a decision, whether that decision is taken by the British Government or by the United Nations High Commissioner for Refugees.

In my view, it is appropriate that people in those circumstances should be confined and not able to move out into the community. One way of doing that is to put them at some distant place offshore. That may be a British dependent territory, or there may be other territories where those arrangements could be made. [HON. MEMBERS: "Where?"] I hear what hon. Members say. I am not in a position to tell them where it is, but that is the sort of place that we—and the Government if they are wise—should be looking for. It should be somewhere from which people do not have the right to return to this country.

We should consider providing temporary leave to remain for asylum seekers if we believe that circumstances may change in their home country. There are many Iraqis in this country who will be grateful for the changes that have taken place in Iraq recently, but we should ask whether they are entitled to remain here indefinitely, because they came here when there were problems in their home country.

I welcome the proposals on loss of documentation. I hope that that provision will not operate to the disadvantage of British carriers. If people arrive on these shores in carriers from other countries, perhaps those carriers should be persuaded to provide a bond for their good behaviour.

Will the Home Secretary consider more effective coastal controls? We have the coastguard, Customs and Excise and the immigration and nationality directorate, and between them they cover the 57 miles of coastline in my constituency, most of which is rural, for half a day a week if we are lucky. I think that there should be a single agency to cover coastal security, because not just immigration but smuggling needs to be covered. I also think that the immigration service should have the power to enforce removals, so that the police need not be involved.

As I have said, great improvements could be made to the Bill, and I hope that that will be possible in Committee. As I told the Home Secretary earlier, he is making difficult judgments and there are no simple solutions, but it is not right for children to be used as a weapon by the Home Secretary to effect the removal of their parents, or for them to be used as a weapon by their parents to secure the acquiescence of our immigration policy in their remaining unlawfully in this country.

5.45 pm

Mr. Robert Marshall-Andrews (Medway) (Lab): I shall try not to use all the time available to me, not least because clause 7 was dealt with magnificently by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), and clause 10 was dealt with similarly by my hon. and learned Friend the Member for Redcar (Vera Baird), who I thought was at her compelling and frightening best. Those clauses are the two iniquities in the Bill. When it is written in a Bill that children are at risk of impoverishment, that is a matter warranting the utmost scrutiny, demanding the utmost answer.

The answer that we received from the Minister today was very simple. She said that the solution lay in the hands of parents. They had the option of returning whence they came or had been sent, and we would throw in some money to help them. The responsibility was theirs.

Let me echo what was said by the hon. Member for Isle of Wight (Mr. Turner). It is deplorable that parents should use their children to obtain benefit or advantage. That happens in this country, among our indigenous population, thousands if not hundreds of thousands of times each day. It is, however, infinitely more deplorable that the state should attempt to use children to deny that benefit or advantage, however illegal it may be. The Minister's response that she is sure—profoundly sure—that parents faced with that alternative will go back, no matter what the consequences may be, simply underlines the power of the threat without attempting to explain away the threat itself.

Let me now turn to the part of the Bill on which I have concentrated during the debate—clause 10, which deals with the removal of judicial oversight, judicial review, the Court of Appeal or any form of judicial counterweight to the tribunal that we are setting up. Judicial review is an ancient right that goes back to the Star Chamber. No tribunal in the country is free from judicial review. If we pass the Bill in its present form, we will pass a measure that—in peacetime—has been without compare for centuries.

It is worth reflecting on precisely what that means. It means that the tribunal, once established, can make any decision, however unreasonable, even if it is so unreasonable that no tribunal could previously have arrived at it. The decision may be capricious, but it will be immutable and without challenge. The tribunal will be able to act entirely outside the powers that we in Parliament have given it, and that too will be immutable and without challenge. That is the extent of the Bill that we are being asked to pass, and it is entirely unique.

The other aspect, which has already been touched on, is the effect of the appeal process on tribunals. If I may, I shall draw from my own limited experience. I have sat as a temporary judge since 1982, and I can say without hesitation that it concentrates the mind wonderfully to know that one's decisions, whatever they are, will be the subject of judicial review. But in this case, the only review will be that by the tribunal itself. The tribunal will have the capacity to look again at its decision, but that is not an appeal process. If I were asked to review a decision that I had taken, I would have a natural proclivity to think that it was probably right, particularly if I knew that there was no appeal against it. That is the extent of the power that we are giving to such tribunals.

It is interesting to reflect that no tribunal in this country is free from judicial review. If a planning tribunal that is deciding whether a conservatory may be put up acts unreasonably or outside its powers, it is subject to judicial review. Here, we are talking about a tribunal that can decide whether a person is liable to torture or death, yet its decision will not be the subject of any review.

We must be careful where we travel in this regard. Recent history's examples of repressive or oppressive regimes have hallmarks that can be traced through them. The first is the identification of unpopular, minority or weak groups. The second is the vilification of those groups as being unworthy and undeserving. The third is the removal from those groups, and only those groups, of the protection and rights that they enjoy under the law. The fourth is the blaming of those groups themselves for the removal of those rights, and, often, the vilification of the civil liberties organisations that attempt to protect them.

So as we embark on this road, it is worth reflecting as I hope the Home Secretary will that we are entering dangerous territory and a realm in which we have bad friends. I hope that he will reflect that if we put into effect measures that give the appearance of a repressive and oppressive state, we are but a short step away from becoming a repressive and oppressive state. For my part, I do not accept in any way the apologia that by imposing these strictures and eroding these civil liberties, we will in some way head off the extreme right by taking its ground and distilling away its support. I do not believe that for one minute; nor is there any historical context in which that has proved the truth. The fact is that moving down that road offers the extreme right encouragement and support, and, ultimately, success.

Mr. Hogg: One of the most powerful criticisms of the Americans' approach to the detainees at Guantanamo Bay is that they do not have a right of appeal outside the military system. That is extraordinarily like what the Home Secretary is proposing that there should be no external appeal against a decision of the tribunal.

Mr. Marshall-Andrews: I concur with that point.

Of course, this is not a statistical matter it is the principle that is all-important but it is worth reflecting that in 2002, the judicial review process threw back 260 cases as being not simply wrong, but so wrong that they were wholly and completely unsupportable. It is reasonable to suppose that if half those cases involved families, 200 to 300 children were involved in those decisions. Those are the people who will now have no right of appeal. They will face the agonising choice of going into impoverishment and care or going back to the country in which they were persecuted. For those reasons, it will be a pleasure for me to support the reasoned amendment moved by my hon. Friend the Member for Lancaster and Wyre. I very much hope that many of my hon. Friends and other hon. Members will be able to do likewise.

5.55 pm

Mr. John Randall (Uxbridge) (Con): It is a great pleasure to follow the hon. and learned Member for Medway (Mr. Marshall-Andrews). He always makes a lot of sense to me but perhaps that says more about me than about him.

My constituents increasingly raise asylum and immigration issues with me, so I welcome the opportunity to speak on the Bill. We have heard some very good speeches. I was particularly pleased to hear the speeches of my hon. Friend the Member for Woking (Mr. Malins) and of the Chairman of the Select Committee, the right hon. Member for Southampton, Itchen (Mr. Denham).

The hon. Member for Hackney, North and Stoke Newington (Ms Abbott) said that when dealing with such matters, we must all be aware of the urban myths that are around. We probably all know them. Locally in Hillingdon we have the housing myth, which I am sure is also found in many other areas. It says that the fact that no one can get a house is somehow all the fault of asylum seekers. Another story that I have increasingly heard is that everyone seems to know a neighbour or a friend who has sold a car which was paid for with a cheque from social services or the benefit agencies, but when one asks for more details, somehow they disappear into the ether. Not so long ago I even heard from someone who was very worried because they had heard that the top floor of Hillingdon hospital had been closed down to house asylum seekers. Those may seem amusing stories, but they spread around and cause more and more concern, which is one reason why the subject of immigration and asylum is so often raised.

The people who are concerned are not racists and bigots, although those do of course exist. Similarly, those who genuinely raise the rights of asylum seekers are living in the real world, although the facts are sometimes uncomfortable for people. I dare say that next week at many a Christmas day service, sermons will be given about asylum seekers, which will lead to much harrumphing, with people saying that the vicar should have said a bit more about Christmas. But it is a good thing for us to be reminded of such cases.

We must also always be reminded that although we refer to groups, we are talking about individuals. For example, one of my constituents is always telling me that immigration and asylum seeking are not being dealt with properly in Parliament and saying, "It's about time you lot woke up." However, he knocked on my window at home late one evening to ask me to do something to prevent a Kosovan of his acquaintance from being deported. When we are dealing with individuals, it is a different matter.

[Mr. John Randall]

There is a problem, as everyone acknowledges. We have to resolve certain problems, which cannot be done in this Bill. I have just mentioned housing. If there were not a housing problem, the urban myths would not exist. The high level of council tax is raising problems in my borough because, as the hon. and learned Member for Medway said, someone is getting blamed for it. There is an issue, which I am taking up with the Minister, of a recent court judgment about unaccompanied asylum-seeking children over 18, which will have a considerable financial effect on the borough. We have asked for a meeting and I am sure that if she has not agreed to it, she is in the process of doing so. It worries me when people I know, such as general practitioners or head teachers, talk about "the Heathrow effect". We know what they are talking about when they say it. It is genuine, and it is upsetting for community relations within the borough.

To return to the Bill, I wholly agree with some measures. We know how many passports and documents turn up in bins at Heathrow airport, and we have to deal with that problem.

The quality of decision making has been mentioned. I am not sure exactly how decisions are taken, but I suspect that some people have to work for long stints. Inevitably, they will get jaded. Security officers at airports have only a limited time to deal with each case; otherwise, they are not doing their job properly. Some of the people taking the decisions might be bombarded by a whole load of applications and it is easy to get rather blasé about it all. I do not know whether anything is being done about that. The quality of advice given by some legal practices can also be dubious. The lawyers often seem to take the money and then send the applicants along to our surgeries.

Another problem is the endless set of appeals. We MPs may be just as guilty, in that when someone complains at our surgeries, we often put the matter to a Minister again and again. As the hon. Member for Islington, North (Jeremy Corbyn) said, we have the right to raise such matters, though we do not judge them. The time lag is the real problem.

Clause 10 does concern me and I hope that the Government will listen to what is said about it. We should all be aware of a potential slippery slope. Speeding up the process sounds appealing—although that may be the wrong word to use in this case—but we must be careful.

I waver a little on clause 7. When I first heard about it in the media, I was, like many others, appalled. Perhaps I am too generous spirited, but I believe the Home Secretary and the Minister when I hear them say on the "Today" programme that their intentions are entirely honourable. However, the hon. Member for Hampstead and Highgate (Glenda Jackson) made the important point that even those who are not genuine asylum seekers—in the sense that their cases are not accepted—are still very desperate people.

Many unaccompanied asylum-seeking children who end up in the borough of Hillingdon are not orphans; people may have spent a lot of money sending them here on an aeroplane. We may find it incredible that people could send their children away, but people in desperate circumstances do precisely that. I can therefore quite understand people going along with being deported, but wanting to leave their children behind. We need to take that into account.

It is difficult for us to appreciate how desperate some of these people are. My experience is mainly drawn from the people who come to my surgery. Some are, shall we say, making the system work for them, but there are some heart-rending cases. I have only limited experience of seeing refugees abroad, but I did see internally displaced people in Serbia, being trucked out of Kosovo. I have seen the conditions that they live in and I can understand why they might want to go to another country. For us, it is almost inconceivable that we should ever want to leave our country, but I can understand why people in different circumstances might want to leave theirs.

Some of the Bill's other provisions, I wish well. I am not sure about electronic monitoring, but it sounds all right and I am prepared to be persuaded that the technology works. Similarly, this morning the Home Secretary was talking about ID cards as a means of protecting our borders. Yes, we need some controls, but I am not sure that ID cards are the answer, although I am prepared to listen. My hon. Friend the Member for Salisbury (Mr. Key) made some interesting and valid points in relation to clause 20, which I hope the Home Office will examine. I have Brunel university in my constituency, and many of the things that my hon. Friend said would apply equally there.

If I do not vote for the reasoned amendment, it will not be because I do not have a great deal of sympathy with it. However, I think at this stage that there is enough in the Bill to let it run its course. My hon. Friends and Labour Members will do their job in Committee, and when the Bill comes back for Report and Third Reading, we will have another look. If it has not been improved in the areas I have mentioned, we may have to vote against it.

6.5 pm

Jeremy Corbyn (Islington, North) (Lab): I was going to say that I agree with everything the hon. Member for Uxbridge (Mr. Randall) said. Well, I do, except for the last bit. I think that the Bill needs to be opposed because of its serious deficiencies.

I shall be brief so that others might have a chance to speak. I ask myself why we are here again, and then I look at the headlines in the *Daily Express* two days ago—some spurious stuff about every asylum seeker receiving £16,000 a year. That is not my experience of talking to the large number of asylum seekers in my constituency, many of whom are desperate to work and to contribute to society and feel angry that they are often denied that right. As the Home Secretary said, there are in London some 30,000 asylum seekers who moved to London after having been deposited in other parts of the country by the National Asylum Support Service and who are living here without any housing support. They have only income support, which is of an extremely limited nature, and they live on the grace and favour of people in their community. We should think for a moment of those 30,000 people spread throughout London's boroughs—an average of 1,000 per borough—living in grossly overcrowded accommodation, the children at risk of underachieving in school because of that degree of overcrowding, the parents enduring considerable hardship, and other members of the community going through hardship to support them because of the degree of racism and harassment of asylum seekers that persists in many parts of the country and from which London is not immune.

Those who sanctimoniously write the newspaper headlines making abusive comments about asylum seekers should ask themselves whether they do not in part encourage the racist attacks against asylum seekers and the killings of asylum seekers that have occurred in several parts of the country in the past two years. We all have a duty and a responsibility to be careful in what we say and how we say it. We must remember that a remark of ours that is thought to be an expression of a prejudice becomes something very nasty when it gets into the hands of a group of racist thugs on a Saturday night on a street anywhere in the country. The people who cop it are those who thought that they had left a place of danger and desperation. We should not be so self-satisfied about racial tolerance in our society, because a high degree of racism remains and the people who suffer are those who thought they had got away from that type of danger.

We should ask ourselves why so many people are trying to seek asylum now. Look at the wars in Afghanistan, Iraq and Congo, where some 3 million people have died. Look at the instability and disruption in Somalia and in so many other places around the world. Although I do not pretend, claim or assert that this country is responsible for all those conflicts, I do believe that collectively the European Union and north American contributions to the world arms trade, to the search for and the extraction of minerals and to the trade policies followed around the world lead to instability and to large numbers of people seeking a place of safety — asylum — somewhere else. Is the history of the 20th and 21st centuries to be written in memory of the people who have died in rusting hulks trying to cross the Mediterranean to gain a place of safety in Europe? Economic, political and social migrants have all been treated with a brutality that is seen as typical of the uncaring, arrogant and aggressive attitude that rich countries take towards the victims of poverty elsewhere in the world.

I do not pretend that we can solve all the problems, but we must maintain a sense of reality. We must understand what it is like to face the ultimate disruption of having to leave one's country, home and society because they are no longer safe.

Ms Abbott: Does my hon. Friend agree that we should remind ourselves that 70 per cent. of asylum seekers stay in their own regions, and that only 30 per cent. find their way to the west?

Jeremy Corbyn: My hon. Friend makes an important point. The number of asylum seekers turning up in Europe and north America is quite small, whereas the numbers that try to survive in India, Jordan, Mexico and many other much poorer societies around the world are huge. Anyone who has visited a refugee camp that has existed for many years will be aware of the misery, hardship and sense of bitterness that exist there, and will have some understanding of the problem.

In common with other hon. Members, I have very strong objections to parts of the Bill. I object to the atmosphere in which it has been introduced, and to the assertions that have been made about it. However, my main objections are to clauses 7 and 10.

Clause 7 proposes that we should punish children for decisions made by their parents. Those decisions may be irrational ones, arrived at after a series of legal judgments, or as a result of the very poor level of representation available to families in the first place. The idea is that putting children into care for those reasons will serve as a deterrent, but I agree with what the hon. Member for Uxbridge said. It is incomprehensible that anyone living in a relatively affluent society in western Europe should knowingly put children at risk. Yet what decisions would any of us make if we were faced with the grim alternatives that some asylum seekers face? Those alternatives include the possibility — or grave danger — that children might be inducted into a child army, or that they might die because of malnutrition or serious health problems. We need to think more deeply and carefully about that.

I also have serious and strong reservations about clause 10, the problems with which have been well aired in the debate by other hon. Members. If it goes through, the Bill will establish a tribunal, and that tribunal will appoint a president. The Government are very fond of calling people "tsars". Mostly, the title is ridiculous, but in this case it would be ideal. As I understand it, the tribunal president will have complete power over the decisions that are made. The president will decide whether a decision should be reviewed — and whether his or her actions should be reviewed by a higher court.

It would take a particularly saintly person, as tribunal president, to refer himself or herself to a higher court to be judicially reviewed for any capricious decision that might have been made. Such a person may be available: my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews) could be an excellent candidate, but I doubt that his name is in the frame at the Home Office just now. I suspect that the president will be someone who is far more pliant in respect of the existing system.

We need to think very seriously about this matter. We are elected Members of Parliament, and we are proud of our judicial system's independence from political interference. We are proud, too, that people who go to court know that their cases will be heard fairly — we hope — and that they will be represented independently and properly — we hope. We are also proud that in such cases there will be a similarity in the standards of decision making that can be reviewed by a higher court through the judicial review process. The Bill will set up something totally outwith anything that we have had in this society in living memory — indeed, for several hundred years. We are creating a dangerous precedent.

Keith Vaz: My hon. Friend has spoken with passion in every immigration debate in the House for the past 16 years. Does he agree that another reason why we should pause before accepting clause 10 is the restructuring of our judiciary? Given that it has been announced that the role of Lord Chancellor will be abolished and a new

[Keith Vaz]

committee set up, should we not take the changes as a package and pause to think carefully about the provision?

Jeremy Corbyn: My hon. Friend makes a sensible suggestion. If we are to establish a new supreme court and alter the ultimate structure of the legal system by changing the office of Lord Chancellor, ideally we would not go ahead with the clause but would fit the provisions in elsewhere.

I do not intend my comments to be interpreted as scaremongering. However, we have legislated to allow the Home Secretary to imprison foreign nationals indefinitely on the grounds that they might be terrorists, without giving them access to normal justice. If we allow asylum seekers to be tried by a tribunal that is outwith any normal justice, what will be next? Will we have special tribunals to try special categories of crime to which normal judicial rules and habeas corpus will not apply, and in relation to which judicial review will be impossible? The provision represents a dangerous road to go down, and I hope that the Minister recognises that many of us have genuine concerns about it.

Like my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott), I have a crowded inner-city constituency that has all sorts of problems and social tensions and contains many asylum seekers. The asylum seekers whom I meet have often been through horrific and terrible experiences. They want better for their children—we all want that; it is a normal human reaction—but above all they want to contribute to our society. There is great joy in seeing asylum seekers who have been through human rights, literacy and computer courses and have got to university and qualified. Such people have made, make and will always make a contribution to our society. Surely hon. Members should applaud and welcome that rather than allowing the popular press to be so beastly to asylum seekers and playing up to their game by using language such as that in the Bill, and by implementing its measures. I hope that the House will oppose the Bill and support the reasoned amendment moved by my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson). If the Bill receives its Second Reading, as I expect it will, I hope that clauses 7 and 10, at least, will be emphatically removed in Committee or by another place.

6.17 pm

Dr. Jenny Tonge (Richmond Park) (LD): My bedtime reading over recent weeks has been "Every Child Matters", which is a good White Paper that the Government published several months ago. But it would appear from the Bill's provisions and from what we have heard in the debate that every child matters except for the children of asylum seekers.

The hon. Member for Lancaster and Wyre (Mr. Dawson) organised a good meeting in the House last week during which we heard about conditions in detention centres. That was a bit of an eye opener for me, and given that detention centres are mentioned in the Bill, I thought I would use this opportunity to ask the Minister to address the problems. It is unclear why people—especially families with children—go into the detention centres and at what stage of the process that happens. The original intention for people to go into such centres as a result of a court order seems to be have been thrown out of the window, because that no longer happens. No one knows who decides the length of time for which people stay in the centres.

Inspections carried out by Her Majesty's inspectorate of prisons show that people in the centres often have no privacy and that their rooms have no locks. They are not allowed access outside and their children receive no proper health care or education. Those facts are not rumour or anecdote: they come from an official inspection. At last week's meeting, it was questioned whether the Government are upholding the human rights of families and children who are in detention centres. The situation is serious and scandalous, so I hope that the Minister will address it in her response and tell us what the Government will do about it.

A lot has been said about clause 7. I merely repeat that families with children are usually the most genuine asylum seekers. Who would haul their children halfway across the world to a country where they know few people and do not speak the language, when they have no money and no means of finding work, if they were not in genuine fear of persecution? I cannot believe that people would do that.

On the other side of the coin, the Government say that people would rather leave this country and take their children with them than stay without benefits. If I were in their position, knowing the treatment I would get when I returned to my country of origin, I would probably prefer to leave my children in care and take the risk. At least I would know that they would be safe. Clause 7 is appalling.

Mr. Kelvin Hopkins (Luton, North) (Lab): Does the hon. Lady agree that a good example of her point is offered by the "kinder transport" system that existed before the second world war, when families put their children on a train and never saw them again.

Dr. Tonge: Absolutely. The hon. Member for Lancaster and Wyre referred to the report from the British Association of Social Workers, which made that very point: we thought that sort of thing had stopped during and just before the second world war. We thought that we would no longer have to take children away from families who would never see them again. Are we really going to introduce that practice—however unintentionally—in the 21st century? I hope not.

The hon. Member for Islington, North (Jeremy Corbyn) made a pertinent intervention to ask who assessed how safe it was for people to go back to their country of origin. On a similar point, the Minister for Citizenship and Immigration said that if people returned to their country of origin they would go with support. I shall tell the House briefly of one such experience.

A year ago I travelled to Kosovo with my hon. Friend the Member for Harrogate and Knaresborough (Mr. Willis) to visit a family who had recently returned there. The family had come to the UK at the height of the war in Kosovo and found refuge in Harrogate. While they waited for a decision about whether they could stay in

Britain, they settled in the town; the man found a job as a waiter, his wife had a second baby and they were accepted by the community. They had a quality of life that they had never experienced before.

The final decision on their application was that they were refused asylum and told to get out. When all the due processes had been followed, all the charities and churches in the area, my hon. Friend and many others tried to stop the family's removal. That little family, with two small children—a toddler and a baby—were happily established, but they were taken from their house at a few minutes' notice, put on a plane and sent back to Kosovo. They were met, taken by car out into the countryside and dropped within a mile of their original village and given €10—only €10.

Is that the support to which the Minister referred? Is that how we treat people who have had among the worst experiences in the world? I hope that the Minister will tell me that such things will not happen again as a result of the Bill.

Worse was to come for that family. The man was persecuted by the Kosovo Liberation Army; he was seen as a collaborator because he had worked in a Serb factory and wanted to keep his job. He has not lived with his family since their return. The last we heard was that nobody knew where he was; he moves from safe house to safe house, trying to escape persecution. Is that the support that we give these unfortunate people? Why did the original process take so long, with the result that the family were settled before they had to be turned out of the country? As the hon. Member for Islington, North asked, who checks that the country of origin is safe? Who says that a person will be all right when they get back? Let us hope that more provision will be made in future for returnees than €10.

In just over a week's time we shall be celebrating the birth of a child to the most famous refugee family in history. I am appalled and ashamed of what the Government are doing in my name to some of the most vulnerable people on earth.

6.25 pm

Julie Morgan (Cardiff, North): I am concerned about clause 10, especially the loss of judicial review, but my greatest concern is clause 7, to which, given its potential impact on families and children, I shall address my remarks.

Ministers have said that they do not think that many, or any, children will be affected by the clause and end up going into care. However, if even one child is so affected, the Bill should not go ahead. The Government have not been able to give a figure for the number of children who could be affected. I tried to obtain the figure for Wales, which has far fewer asylum seekers than the constituency of my hon. Friend the Member for Islington, North (Jeremy Corbyn). The Cardiff and District asylum network estimates that 511 families are seeking asylum in Wales, and that 576 children could be affected by this legislation: 576 children are likely to end up in families who have been refused asylum and had their benefits removed.

Mr. McWalter: Does my hon. Friend accept that the standard way of dealing with the issue is forcible removal? That is made clear both in current legislation and in the Minister's remarks to the Select Committee. Under current arrangements, families would stay together, albeit that they would have a 5 am call by the police.

Julie Morgan: I cannot accept that treating asylum seekers' children differently from any other children can be acceptable.

There are already problems with failed asylum seekers who are destitute and are single. There are delays in arranging for failed asylum seekers to return to their countries of origin, as a result of which they are existing without support. There are those who are deemed unable to return to their countries because of circumstances in those countries: Zimbabwe and Somalia have been mentioned, for example.

In such circumstances, people can apply for hard case support, but that is not available in Wales. People can apply in Wales, but there is no accommodation to which they can go. I was told this morning of a stateless man in Cardiff who has been refused asylum. He has no money and has nowhere to return to. The situation will become more difficult when more families are put in the same position.

Organisations in Wales are already concerned about the numbers of those who will be made homeless after failed claims. I know that the figures are very small compared with those in constituencies elsewhere, but in Cardiff, 81 people have been recorded this year as being evicted from National Asylum Support Service accommodation and many more have been evicted from private accommodation. The proposed legislation is likely to make the situation worse.

There is already concern about illegal employment and about people being able to return to their own countries. Resources are also likely to be under much pressure. The Association of Directors of Social Services has already been mentioned today, and it has said that

> "if put into effect the proposals would put unacceptable pressures on what are already overstretched resources".

There are fears that women will seek refuge in women's aid hostels, even if they are not fleeing domestic violence, because they do not have anywhere else to go. In Cardiff, the black women's refuge provided by BAWSO—the Black Association of Women Step Out—is already under strain providing two places for women and their families without any recourse to public funds. Other women's aid hostels in Wales do not give places to women in that position because they lose the rent for the rooms and have to pay for food and clothes for the destitute families. The trauma of having to move those women and families on is almost too difficult for them to cope with. BAWSO receives 99 per cent. of its funding from public bodies, but has to raise money for the two families in the refuge without recourse to public funds. There is a queue of women waiting to get into the hostel. BAWSO greatly fears that the legislation will drive many women to try to get into a hostel such as the one that it provides. As it has no recourse to public funds for such families, its position will become much more difficult.

The needs of children should always be put first. Like my hon. Friend the Member for Lancaster and Wyre (Mr. Dawson), before I became an MP I was a social

[Julie Morgan]

worker, and worked for the local authority and for Barnado's. We made every possible effort to prevent children from going into care, and always worked both to maintain the family and in the best interests of the child. The Bill contravenes a child-centred service, and possibly contravenes the UN convention on the rights of the child, particularly article 3 on the best interests of the child, and article 9 on separation from parents.

As I mentioned in an intervention, Wales has a Children's Commissioner, who is required by the Welsh Assembly to have regard to the UN convention on the rights of the child. The commissioner's functions need to be seen in the context of the convention. He is a champion for children in Wales, and I am sure that he will be a champion for the children of failed asylum seekers. As I have already said, the office of the Children's Commissioner for Wales has expressed concern about the Bill. It believes, as many Members have said, that every single child matters. Their rights and welfare, rather than the circumstances that have led to their being in the country, are important. The child impact statement by the National Children's Bureau, prepared for the all-party group on children, cites the recommendation made by the UN Committee on the Rights of the Child in October 2002 that the state should ensure

> "that refugee and asylum-seeker children have access to basic services, such as education and health, and that there is no discrimination in benefit entitlements for asylum-seeking families which could affect children".

The proposals in the Bill, however, clearly affect children.

The NCB asks how we can determine whether someone has taken reasonable steps to prepare to leave. How do we determine whether someone is in a position to leave? What about women who are pregnant, and what is the position when there is illness in the family? It is important that those issues are examined in much more depth. The NCB believes that families will go underground or may even decide, as has been mentioned today, that it is in their children's best interests to go into care. We cannot criticise people for making that decision, because many Members have said in forceful terms that we cannot appreciate the desperation of people who want to do the best for their children, but have a different idea about what that entails from us. We cannot criticise their decisions, but we should not drive them into making them.

The UK's reservation about article 22 of the UN convention on the rights of the child has been criticised by the UN Committee on the Rights of the Child.

The UNCRC states:

> "We recommend that the Government demonstrate its commitment to the equal treatment of all children by withdrawing its reservation relating to immigration and nationality."

That is the key issue. All children should be treated equally, and we are not treating asylum seekers' children equally. Failed asylum seekers' children should be treated the same as every other child in this country. A child is a child, and I do not see how we can have different provisions for different children. We breached that principle before this debate, when we decided that asylum seekers' children would not be able to go to local authority schools, but should be educated in the accommodation centres that have not yet been built. That was a bad decision, under which all children are not treated equally.

The Bill goes even further and may bring about circumstances in which children could be physically and emotionally harmed. I hope the Government will reconsider the measure, especially clause 7, which could be damaging and divisive. Many people in Wales have lobbied me about the measure. They feel that clause 7, in particular, threatens social cohesion and all the efforts that are being made to build a society that is diverse and in which we value people for their individual worth. Through legislation such as this, we are moving away from our concept of such a society.

I appeal to the Government to look again at the Bill and to think about why many of us came into politics. All of us on the Labour Benches came into politics to look after the interests of children—not just children indigenous to this country, but all children. I shall be pleased to support the amendment moved by my hon. Friend the Member for Lancaster and Wyre.

6.37 pm

Mr. Malins: With the leave of the House, and in the continued absence through illness of my right hon. Friend the Member for Haltemprice and Howden (David Davis), I shall say a few words to conclude the debate on behalf of the Opposition.

The Government are short of friends on their own Benches. I have listened throughout the afternoon to speech after speech from Labour Members criticising the Bill, much of that criticism coming from those who have experience of the asylum system, such as the hon. Member for Walthamstow (Mr. Gerrard) and the hon. and learned Member for Medway (Mr. Marshall-Andrews). They and others who know a little about asylum find the Bill illiberal and in many ways unfair. We have heard words such as "insidious" and "repugnant", and the Home Secretary will go away from the debate in the knowledge that he has little support on his own Benches for the measures that he is trying to put through the House tonight.

It is such a pity. If the Government had consulted at greater length and spoken to those who know something about the system and about how asylum works, it is entirely possible that a better Bill could have been brought to us. I shall confine my remarks to observations on comments made by hon. Friends, but I shall not let the occasion pass without thanking the right hon. Member for Southampton, Itchen (Mr. Denham), the Chairman of the Home Affairs Committee, who is not in his place, not only for producing a report so quickly, but for expressing in it some of the concerns that we all understand.

My hon. Friend the Member for Banbury (Tony Baldry) spoke of the many people who have no confidence in the Government's asylum policy. He was rightly critical of the Government's conflicting signals on the issue of taking asylum seekers' children into care and, reflecting the enormous amount of work that he has done in his constituency on these matters in the past couple of years, he reinforced the view that there is next to no support in his constituency for the siting of an accommodation centre in a rural area. He has certainly fought well on behalf of those whom he represents.

My hon. Friend the Member for Salisbury (Mr. Key) spoke with knowledge and experience of schools and universities on the vexed question of clause 20, rightly referring to the lack of consultation with educational establishments and other interested parties. I think that it was my hon. Friend the Member for Daventry (Mr. Boswell) who referred to top-up fees or charges, and we shall have to consider that issue very carefully in Committee.

My hon. Friend the Member for Isle of Wight (Mr. Turner), in a powerful speech, made the very true point that we should, in this House and elsewhere, be entitled to debate levels of immigration in a rational way, without being tagged as racist for so doing. Not unnaturally, given his constituency, he referred to the need for much more effective coastal controls.

My hon. Friend the Member for Uxbridge (Mr. Randall), who has some experience of these matters through his constituency interest, made the point that asylum seekers must not be demonised. He was one of many speakers throughout the House today who rightly expressed concern at the potential cut in appeal rights to the Court of Appeal and the House of Lords.

The debate has been interesting, and I look forward to serving on the Committee. If I may say so to the Government Whips, I am sure that they will select to serve on the Committee many of the hon. Members who have spoken this afternoon, in order to obtain a balanced Committee and to ensure that the improvements to the Bill that we all want to see are made.

Mr. Heath: Will the hon. Gentleman give way?

Mr. Malins: Only for a second, but I will.

Mr. Heath: I will take only a second; I am most grateful to the hon. Gentleman. Having heard his words in opening and in summing up the debate, and the words of his colleagues during the debate, I would find it impossible to reconcile the views expressed with a decision on the part of the Conservative Opposition to do anything other than to oppose the Bill tonight. That would not be the act of a rational Opposition.

Mr. Malins: I have served with the hon. Gentleman on Committees before and he knows that in Committee we will table amendments to improve the contentious parts of the Bill, and we will be speak to them and vote on them. I say now to the Home Secretary that clause 2, which will criminalise many innocent people, clause 7, which deals with the withdrawal of support, and clause 10, which is perhaps the most contentious and which cuts down so much on the appeals that can be made, will all be looked at carefully by us in Committee and very carefully in another place.

The Bill must be improved in Committee. It sets out to achieve a better and more streamlined system, but in its present form it will not do that properly. It could achieve that if it is properly amended in Committee. If we can make progress in Committee on those contentious issues and others, the Home Secretary will have our support. If not, and judging by the mood of the House and of many outside, when the Bill comes back on Report and Third Reading, he will not have it.

6.43 pm

The Minister for Citizenship and Immigration (Beverley Hughes): We have had an energetic and considered debate, and I am grateful for the contributions from Members of the House on what is always—rightly always—a difficult, complex and emotive set of issues.

The Bill sets out our third planned phase of reforms to the asylum and immigration system and builds deliberately on the action that we took in the Immigration and Asylum Act 1999 and the Nationality, Immigration and Asylum Act 2002. Though I say it myself, the Government have made dramatic progress in reducing claims by half, reducing the backlog to an all-time 10-year low, removing record numbers of failed asylum seekers and processing 80 per cent. of more recent claims in two months. I am grateful to my hon. and learned Friend the Member for Redcar (Vera Baird) for recognising that. The Bill represents the next essential stage in completely transforming and reconstructing the asylum system. I agree with Members on both sides of the House who said that operational efficiency, accuracy and consistency are vital—that is why we have given the Bill such a high priority and will continue to do so.

Inevitably, the debate has focused on asylum, but it is important, not least for some Labour Members, to put our asylum reforms in the context of our wider policy on migration. There is a clear dividing line here. Conservative Members—we heard a little of this refrain in the contribution of the hon. Member for Isle of Wight (Mr. Turner)—want to stem all immigration into this country. By contrast, this Government's progressive policy is to welcome migrants where that helps our economy and to give opportunities to people from less developed countries. We are committed to finding better ways of integrating refugees here and helping genuine refugees worldwide. That includes our work with the United Nations High Commissioner for Refugees to identify refugees abroad and to bring them directly into settlement in the UK. Those are the forgotten people—the refugees who can never make it to the west in the back of a lorry because they cannot afford the traffickers who fuel that movement, and who languish instead in camps in poor countries across the world. Our commitment lies in managed legal migration and in more help for refugees.

We cannot, however, expect to make the case for managed legal migration and more help for refugees unless we deal with the misuse of the asylum system and return it to the purpose for which it was intended—the protection of people fleeing persecution, not the provision of a route into settlement for those seeking a better life—understandable though that is. I never speak negatively about asylum seekers, and neither do my right hon. Friend the Home Secretary or my colleagues, but that is not the purpose of the asylum system. If we are to have a system that makes fair decisions, regulates the process and returns asylum to its proper purpose, we must enforce the outcomes of those decisions fairly and properly.

[Ms Sally Keeble]

Ms Sally Keeble (Northampton, North) (Lab): Does my hon. Friend agree that a good deal of illegal entry into this country and abuse of the system has been carried out by traffickers who have deliberately brought people into the country for benefits scams, servitude and other purposes, and that the Bill will help to clamp down on that abuse?

Beverley Hughes: I entirely agree with my hon. Friend. We have added to the Sexual Offences Act 2003, which penalises trafficking for sexual exploitation, by including in the Bill a measure that criminalises trafficking for non-sexual exploitation, domestic slavery, organ harvesting and labour exploitation. I am very much committed to that.

I have to say that I occasionally wondered in the course of the debate in whose interests some Members were primarily speaking, and where the views of their constituents came into play. It is vital that the public, who are our constituents, have confidence in the asylum and immigration system. We are introducing these measures because it is important to build that confidence. It is an ongoing process, however—we have to respond quickly and robustly to global migration trends and to the way in which organised criminals constantly try to find ways around the controls that we put in place. People have a right to know that the Government and Parliament are addressing their genuine concerns about the misuse of the process—otherwise, they will look beyond the established parties in this Chamber to the extremist policies offered by the British National party and others. That has already happened in Europe, and we cannot and will not allow it to happen here.

Public confidence in the system is crucial for the successful integration of refugees and to maintain cohesion in our communities in towns and cities throughout the country. We have a proud tradition of welcoming people; we are proud of modern Britain's ethnically rich and diverse society. We must not allow that to be soured by traffickers or people who misuse the system, for whatever understandable reasons.

We have made radical improvements to the controls, but no one can seriously say that nothing more can be done. The Bill shows that we are determined to take action further to improve our border controls, ensure that the systems continue to fulfil the purposes of enabling legal movement, encouraging legal migration and honouring our international obligations to offer protection to those in genuine need.

I shall try to respond to some of the specific points that hon. Members made. I welcome the response of the Select Committee on Home Affairs. My right hon. Friend the Member for Southampton, Itchen (Mr. Denham) made it clear that the Committee has not asked for any of the provisions to be withdrawn. He especially mentioned the figure of 16,000. He knows from his experience as a Minister that when a Committee Chairman asks Ministers for information, we have to provide it. That specific information was already in the public domain because we made it clear when we announced the ILR—indefinite leave to remain— exercise. Would that we could control some newspaper headlines, but I fear that we cannot.

The hon. Member for Salisbury (Mr. Key) mentioned charging. We are about to embark on a full consultation on the first months of implementation of the current charging mechanism. All the issues that he raised will be open for people to comment on further. As my right hon. Friend the Home Secretary made clear, the provision on charging is only an enabling power. Any proposals will be made through the secondary process and be subject to full consultation.

Hon. Members talked mainly about clauses 7 and 10. Clause 10 covers the proposals to create a single tier for appeals. Again, I agree with my hon. and learned Friend the Member for Redcar that it is vital to have a proper, fair judicial system that is independent of the Home Office and the initial decision that takes place there. However, I disagree with her view and that of most of my hon. Friends who spoke on the matter that the Bill will not achieve that. It is important, for all the reasons that hon. Members mentioned—for example, the need to return people quickly when their claims fail—that we do not allow appeal after appeal. That is why we propose a single tier and a single body. We shall outline the proposal's operation in greater detail in Committee, and I hope that we can reassure hon. Members about some of their concerns.

Mr. John Burnett (Torridge and West Devon) (LD): Will the Minister give way?

Beverley Hughes: I shall not take an intervention because the hon. Gentleman has heard hardly any of the debate. I am happy to take interventions from people who have been present.

A panel of three will hear complex cases. There will be a facility for either party to apply for review. A senior judge will undertake that review and can uphold, overturn or replace the decision or instruct a rehearing. The president can take novel and complex issues of law to the Court of Appeal. I fail to understand how that is tantamount to what my hon. and learned Friend the Member for Medway (Mr. Marshall-Andrews), my hon. Friend the Member for Walthamstow (Mr. Gerrard), and the hon. Members for Woking (Mr. Malins) and for Winchester (Mr. Oaten) described as removal of judicial oversight. It is not.

Mr. McWalter: As part of the process, will the published minutes of meetings be made available to Members of Parliament who might take an interest in such cases, even if they are not placed in the public domain?

Beverley Hughes: It is standard practice under the current mechanisms. Although it is a matter for the Department for Constitutional Affairs, I do not understand why it cannot be continued for adjudicators, and currently tribunal adjudicators, so that they produce a report that summarises their conclusions and the reasons for them. I imagine that that will happen.

Keith Vaz: My hon. Friend has correctly said that progress has been made at the immigration and nationality directorate, but is she seriously suggesting that the detail of how the appeal system will operate has not yet been worked out? Are we going to remove a whole tier of the appeal system without the Government having worked out the details?

Beverley Hughes: No, my hon. Friend must have misheard me, or perhaps he was not listening for a moment, because I said that there would be more time in Committee for Ministers to explain the detail, which has been fully worked out. Indeed, we have involved the judiciary in that process, as he would expect.

Hon. Members have identified the quality of decision making at both stages, the initial decision and the appeal, and I agree that that is crucial—*[Interruption.]* I shall finish my point if hon. Members will allow me to. That issue is critical, which is why we have been working on it and will continue to work with the United Nations High Commissioner for Refugees to take the matter further.

Mr. Marshall-Andrews: Will the Minister be good enough to point to the part of the Bill, which I might well have missed, in which the appeal procedure—albeit within the tribunal—is set out, including the senior judge, and in which it is set out how the senior judge is appointed?

Beverley Hughes: I should be happy to set out those details in Committee. I am not prepared to spend time in a Second Reading debate on a matter of detail for the Committee.

I acknowledge the concern of the many hon. Members who raised the issue of clause 7; I shall not take up time naming them all, because it involved nearly everybody. This is a difficult issue, and I repeat that our intention is not to put children into care as a result of this measure, contrary to the deliberate misinformation put out by some newspapers—*[Interruption.]* I would ask hon. Members to consider this point. We must face this difficult question—and it is a question for every Member of the House. When families have come to the end of the process and been refused, should we carry on housing them and paying them ad infinitum if they refuse to go home or to co-operate with the arrangements regarding re-documentation? That cannot be right.

Mr. Dawson: Will my hon. Friend give way?

Beverley Hughes: No, I will not.

Most of our constituents would expect us to conclude that people must take responsibility for their position, and that parents must be responsible for their children. I understand the concerns—

Mr. Dawson: Will my hon. Friend give way?

Beverley Hughes: I have 15 minutes in which to respond to every Member. My hon. Friend has had 12 minutes for his own speech. I need to come to my conclusion.

The details of the way in which the process will operate are fundamentally important, and we shall articulate those details in Committee. The process will involve an interview and up to four letters explaining exactly what will happen, so that people will be under no illusions.

The Bill is the next essential stage in our programme of reforms to the asylum and immigration system, and it responds to the continuing and increasingly sophisticated abuses of that system. It also builds on the progress that we have already made. Genuine refugees have nothing to fear from the measures in the Bill. We are getting tougher on traffickers and on those seeking to play the system, to ensure that the public have confidence in that system. In turn, that will ensure that genuine refugees and legal migrants can continue to be welcomed here and valued for the important contribution that they make to life in the United Kingdom.

I recognise that this is a difficult issue, and we need to balance the rights and responsibilities of all those concerned in the process, including asylum seekers. In case my hon. Friend the Member for Hackney, North and Stoke Newington (Ms Abbott) is under the illusion that I do not see any asylum seekers, I must tell her that I do, at every advice surgery. I am therefore putting forward these proposals with a full knowledge of the interests of both constituents and asylum seekers. The Bill is in the interests of our positive approach to immigration, of refugees worldwide, of the communities in Britain and, above all, of our constituents—the people whom we represent—who rightly expect us to have a fair system.

Question put, That the amendment be made:—

The House divided: Ayes 78, Noes 287.

Division No. 16] **[6:59 pm**

AYES

Abbott, Ms Diane
Allen, Richard
Baker, Norman
Barnes, Harry
Barrett, John
Beith, rh A. J.
Bennett, Andrew
Brake, Tom *(Carshalton)*
Breed, Colin
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Ben *(Wirral S)*
Chidgey, David
Connarty, Michael
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Doughty, Sue
Dunwoody, Mrs Gwyneth
Ewing, Annabelle
Fisher, Mark
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jackson, Glenda *(Hampstead & Highgate)*
Jones, Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Laws, David *(Yeovil)*
Llwyd, Elfyn
McDonnell, John
Mahon, Mrs Alice
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Morgan, Julie
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Salmond, Alex
Sanders, Adrian
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*

Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Wareing, Robert N.
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Neil Gerrard and
Mr. Kelvin Hopkins

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Burns, Simon
Burnside, David
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cranston, Ross
Cruddas, Jon
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John

Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Ms Bridget Prentice

Question accordingly negatived.

Main Question put forthwith, pursuant to Standing Order No. 62 (Amendment on Second or Third Reading):—

The House divided: Ayes 412, Noes 72.

Division No. 17] **[7:13 pm**

AYES

Ainsworth, Bob *(Cov'try NE)*
Ainsworth, Peter *(E Surrey)*
Alexander, Douglas
Allen, Graham
Ancram, rh Michael
Anderson, Janet *(Rossendale & Darwen)*
Arbuthnot, rh James
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Bailey, Adrian
Baird, Vera
Baldry, Tony
Banks, Tony
Barker, Gregory
Baron, John *(Billericay)*
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Beckett, rh Margaret
Begg, Miss Anne
Bellingham, Henry
Benn, rh Hilary
Benton, Joe *(Bootle)*
Bercow, John
Beresford, Sir Paul
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Blunt, Crispin
Boateng, rh Paul
Boswell, Tim
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brady, Graham
Brazier, Julian
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Browning, Mrs Angela
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Burnside, David
Burt, Alistair
Butterfill, John
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cash, William
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chapman, Sir Sydney *(Chipping Barnet)*
Chaytor, David
Chope, Christopher
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Clelland, David
Clifton-Brown, Geoffrey
Coaker, Vernon
Coffey, Ms Ann
Collins, Tim
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cranston, Ross
Cruddas, Jon
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curry, rh David
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, Geraint *(Croydon C)*
Davies, Quentin *(Grantham & Stamford)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Djanogly, Jonathan
Doran, Frank
Dorrell, rh Stephen
Dowd, Jim *(Lewisham W)*
Duncan, Alan *(Rutland)*
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Evans, Nigel
Fabricant, Michael
Fallon, Michael
Farrelly, Paul
Field, Mark *(Cities of London & Westminster)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flook, Adrian
Flynn, Paul *(Newport W)*
Follett, Barbara
Forth, rh Eric
Foster, rh Derek
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Francois, Mark
Gale, Roger *(N Thanet)*
Gapes, Mike *(Ilford S)*
Gardiner, Barry
Garnier, Edward
George, rh Bruce *(Walsall S)*
Gibb, Nick *(Bognor Regis)*
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Gummer, rh John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hammond, Philip
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Hayes, John *(S Holland)*
Heald, Oliver
Healey, John
Heathcoat-Amory, rh David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hendry, Charles
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hinchliffe, David
Hoban, Mark *(Fareham)*
Hodge, Margaret
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Horam, John *(Orpington)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hunter, Andrew
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jack, rh Michael
Jackson, Helen *(Hillsborough)*
Jackson, Robert *(Wantage)*
Jamieson, David
Jenkin, Bernard
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kemp, Fraser
Key, Robert *(Salisbury)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkbride, Miss Julie
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Lazarowicz, Mark
Leigh, Edward
Lepper, David
Leslie, Christopher
Letwin, rh Oliver
Levitt, Tom *(High Peak)*

Liddell, rh Mrs Helen
Liddell-Grainger, Ian
Lidington, David
Linton, Martin
Loughton, Tim
Love, Andrew
Lucas, Ian *(Wrexham)*
Luff, Peter *(M-Worcs)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
McFall, John
McGuire, Mrs Anne
McIntosh, Miss Anne
McIsaac, Shona
Mackay, rh Andrew
McKechin, Ann
Mackinlay, Andrew
Maclean, rh David
McLoughlin, Patrick
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Malins, Humfrey
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Mawhinney, rh Sir Brian
May, Mrs Theresa
Meale, Alan *(Mansfield)*
Mercer, Patrick
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mitchell, Andrew *(Sutton Coldfield)*
Mole, Chris
Morley, Elliot
Morris, rh Estelle
Moss, Malcolm
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Murrison, Dr. Andrew
Naysmith, Dr. Doug
Norman, Archie
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Osborne, George *(Tatton)*
Ottaway, Richard
Owen, Albert
Page, Richard
Paice, James
Paterson, Owen
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Portillo, rh Michael
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prisk, Mark *(Hertford)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Randall, John
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Redwood, rh John
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, John *(Glasgow Anniesland)*
Robertson, Laurence *(Tewk'b'ry)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Rosindell, Andrew
Ruane, Chris
Ruddock, Joan
Ruffley, David
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Selous, Andrew
Sheerman, Barry
Shephard, rh Mrs Gillian
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Simpson, Keith *(M-Norfolk)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spellar, rh John
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Starkey, Dr. Phyllis
Steen, Anthony
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Streeter, Gary
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Taylor, Ian *(Esher)*
Taylor, Sir Teddy
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Tredinnick, David
Trickett, Jon
Turner, Andrew *(Isle of Wight)*
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Tyrie, Andrew
Viggers, Peter
Walley, Ms Joan
Walter, Robert
Ward, Claire
Waterson, Nigel
Watkinson, Angela
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Whittingdale, John
Wicks, Malcolm
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Willetts, David
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Wilshire, David
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Yeo, Tim *(S Suffolk)*
Young, rh Sir George

Tellers for the Ayes:
Mr. Nick Ainger and
Ms Bridget Prentice

NOES

Abbott, Ms Diane
Allan, Richard
Baker, Norman
Barnes, Harry
Barrett, John
Beith, rh A. J.
Brake, Tom *(Carshalton)*
Breed, Colin
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chidgey, David
Connarty, Michael
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Doughty, Sue
Ewing, Annabelle
Fisher, Mark
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gerrard, Neil
Gidley, Sandra
Green, Matthew *(Ludlow)*
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Hogg, rh Douglas
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jackson, Glenda *(Hampstead & Highgate)*
Jones, Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Laws, David *(Yeovil)*
Llwyd, Elfyn
McDonnell, John
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Morgan, Julie
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Rendel, David
Salmond, Alex
Sanders, Adrian
Sawford, Phil
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Wareing, Robert N.
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete

Tellers for the Noes:
Mr. Alan Reid and
Richard Younger-Ross

Question accordingly agreed to.

Bill read a Second time.

ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.) BILL (PROGRAMME)

Motion made, and Question put forthwith, pursuant to Orders [28 June 2001 and 6 November 2003 (Programming of Bills)],

That the following provisions shall apply to the Asylum and Immigration (Treatment of Claimants, etc.) Bill:

Committal

1. The Bill shall be committed to a Standing Committee.

Proceedings in Standing Committee

2. Proceedings in the Standing Committee shall (so far as not previously concluded) be brought to a conclusion on 27th January 2004.

3. The Standing Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.

Programming Committee

6. Sessional Order B (programming committees) made on 28th June 2001 shall not apply to proceedings on consideration and Third Reading.

Programming of proceedings

7. All proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.—*[Mr. Jim Murphy.]*

The House divided: Ayes 308, Noes 133.

Division No. 18] **[7.29 pm**

AYES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allan, Richard
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beith, rh A. J.
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Breed, Colin
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bruce, Malcolm
Bryant, Chris
Buck, Ms Karen
Burden, Richard
Burgon, Colin
Burnham, Andy
Burstow, Paul
Byers, rh Stephen
Cable, Dr. Vincent
Caborn, rh Richard
Cairns, David
Calton, Mrs Patsy
Campbell, Mrs Anne *(C'bridge)*
Campbell, rh Menzies *(NE Fife)*
Campbell, Ronnie *(Blyth V)*
Casale, Roger
Caton, Martin
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clarke, Tony *(Northampton S)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cranston, Ross
Cruddas, Jon
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Davey, Edward *(Kingston)*
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davies, rh Denzil *(Llanelli)*
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Doran, Frank
Doughty, Sue
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Follett, Barbara
Foster, Don *(Bath)*
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, Andrew *(St. Ives)*
George, rh Bruce *(Walsall S)*
Gerrard, Neil
Gibson, Dr. Ian
Gidley, Sandra
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Green, Matthew *(Ludlow)*
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hancock, Mike
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Heath, David
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Holmes, Paul
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, rh Alan *(Newport E)*
Howells, Dr. Kim
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keen, Ann *(Brentford)*
Keetch, Paul
Kemp, Fraser
Kennedy, rh Charles *(Ross Skye & Inverness)*
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Kirkwood, Sir Archy
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Laws, David *(Yeovil)*
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McCartney, rh Ian
McDonagh, Siobhain
McFall, John
McGuire, Mrs Anne
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mahon, Mrs Alice
Mallaber, Judy
Mann, John *(Bassetlaw)*

Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moore, Michael
Morgan, Julie
Morley, Elliot
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Öpik, Lembit
Owen, Albert
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Pugh, Dr. John
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, Alan *(Argyll & Bute)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Rendel, David
Robertson, John *(Glasgow Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Sanders, Adrian
Savidge, Malcolm
Sheridan, Jim
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Skinner, Dennis
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, Jacqui *(Redditch)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Soley, Clive
Southworth, Helen
Speller, rh John
Starkey, Dr. Phyllis
Stewart, Ian *(Eccles)*
Strang, rh Dr. Gavin
Stunell, Andrew
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Teather, Sarah
Thomas, Gareth *(Clwyd W)*
Thurso, John
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Dr. Desmond *(Brighton Kemptown)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tyler, Paul *(N Cornwall)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Nick Ainger and
Ms Bridget Prentice

NOES

Ainsworth, Peter *(E Surrey)*
Ancram, rh Michael
Arbuthnot, rh James
Atkinson, David *(Bour'mth E)*
Atkinson, Peter *(Hexham)*
Bacon, Richard
Barnes, Harry
Baron, John *(Billericay)*
Bellingham, Henry
Bercow, John
Beresford, Sir Paul
Blunt, Crispin
Boswell, Tim
Brady, Graham
Brazier, Julian
Browning, Mrs Angela
Burnside, David
Burt, Alistair
Butterfill, John
Cash, William
Chapman, Sir Sydney *(Chipping Barnet)*
Chope, Christopher
Clifton-Brown, Geoffrey
Collins, Tim
Connarty, Michael
Corbyn, Jeremy
Curry, rh David
Davies, Quentin *(Grantham & Stamford)*
Djanogly, Jonathan
Dorrell, rh Stephen
Duncan, Peter *(Galloway)*
Duncan Smith, rh Iain
Evans, Nigel
Ewing, Annabelle
Fabricant, Michael
Fallon, Michael
Field, Mark *(Cities of London & Westminster)*
Fisher, Mark
Flook, Adrian
Forth, rh Eric
Francois, Mark
Gale, Roger *(N Thanet)*
Garnier, Edward
Gibb, Nick *(Bognor Regis)*
Gray, James *(N Wilts)*
Grayling, Chris
Green, Damian *(Ashford)*
Greenway, John
Grieve, Dominic
Gummer, rh John
Hammond, Philip
Hayes, John *(S Holland)*
Heald, Oliver
Heathcoat-Amory, rh David
Hendry, Charles
Hoban, Mark *(Fareham)*
Hogg, rh Douglas
Horam, John *(Orpington)*
Hunter, Andrew
Jack, rh Michael
Jackson, Robert *(Wantage)*
Jenkin, Bernard
Jones, Lynne *(Selly Oak)*
Key, Robert *(Salisbury)*
Kirkbride, Miss Julie
Laing, Mrs Eleanor
Lait, Mrs Jacqui
Lansley, Andrew
Leigh, Edward
Letwin, rh Oliver
Liddell-Grainger, Ian
Lidington, David
Loughton, Tim
Luff, Peter *(M-Worcs)*
McIntosh, Miss Anne
Mackay, rh Andrew
Maclean, rh David
McLoughlin, Patrick
Malins, Humfrey
Marshall, Jim *(Leicester S)*
May, Mrs Theresa
Mercer, Patrick
Mitchell, Andrew *(Sutton Coldfield)*
Moss, Malcolm
Murrison, Dr. Andrew
Norman, Archie
Osborne, George *(Tatton)*
Ottaway, Richard
Page, Richard
Paice, James
Paterson, Owen
Portillo, rh Michael
Price, Adam *(E Carmarthen & Dinefwr)*
Prisk, Mark *(Hertford)*
Randall, John
Redwood, rh John
Robathan, Andrew
Robertson, Hugh *(Faversham & M-Kent)*
Robertson, Laurence *(Tewk'b'ry)*
Rosindell, Andrew
Ruffley, David
Salmond, Alex
Selous, Andrew
Shephard, rh Mrs Gillian
Simpson, Alan *(Nottingham S)*
Simpson, Keith *(M-Norfolk)*
Spelman, Mrs Caroline
Spicer, Sir Michael
Spink, Bob *(Castle Point)*
Spring, Richard
Steen, Anthony
Streeter, Gary
Swayne, Desmond
Swire, Hugo *(E Devon)*
Syms, Robert
Taylor, Ian *(Esher)*
Taylor, Dr. Richard *(Wyre F)*
Taylor, Sir Teddy
Thomas, Simon *(Ceredigion)*
Tredinnick, David
Turner, Andrew *(Isle of Wight)*
Tyrie, Andrew
Viggers, Peter
Walter, Robert
Wareing, Robert N.
Waterson, Nigel
Weir, Michael
Whittingdale, John
Widdecombe, rh Miss Ann
Wiggin, Bill
Wilkinson, John
Williams, Hywel *(Caernarfon)*
Wishart, Pete

Tellers for the Noes:
Gregory Barker and
Angela Watkinson

Question accordingly agreed to.

ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.) BILL *[MONEY]*

Queen's recommendation having been signified—

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Asylum and Immigration (Treatment of Claimants, etc.) Bill, it is expedient to authorise the payment out of money provided by Parliament of—

(1) expenditure of a Minister of the Crown in connection with the Act, and

(2) any increase attributable to the Act in sums payable out of money provided by Parliament under another enactment.—*[Mr. Jim Murphy.]*

Question agreed to.

ASYLUM AND IMMIGRATION (TREATMENT OF CLAIMANTS, ETC.) BILL *[WAYS AND MEANS]*

Motion made, and Question put forthwith, pursuant to Standing Order No. 52(1)(a) (Money resolutions and ways and means resolutions in connection with Bills),

That, for the purposes of any Act resulting from the Asylum and Immigration (Treatment of Claimants, etc.) Bill, it is expedient to authorise the charging of fees in relation to applications and processes under the Immigration Acts.—*[Mr. Jim Murphy.]*

Question agreed to.

DELEGATED LEGISLATION

Motion made, and Question put forthwith, pursuant to Standing Order No. 118(6) (Standing Committees on Delegated Legislation),

JUSTICE

That the draft Justice (Northern Ireland) Act 2002 (Amendment of section 46(1) and paragraph 7(2) of Schedule 8) Order 2003, which was laid before this House on 27th November, be approved.—*[Mr. Jim Murphy.]*

Question agreed to.

PETITIONS

Hockley Post Office

7.42 pm

Mr. Mark Francois (Rayleigh) (Con): I wish to present a petition on behalf of the residents of Hockley, Essex, in protest at the proposed closure of the post office at Apex Corner in my constituency.The local residents, led by their councillors, Keith Hudson and Colin and Liv Hungate, are rightly concerned about the possible loss of that important facility, not least as the proposed alternative office is nearly a mile away, over uneven ground, and there is no direct bus route.

Accordingly the petition states:

To the House of Commons:

The Petition of the Residents of Hockley, Essex

Declares that the Petitioners are worried by the proposed closure of the post office at Apex Corner in Hockley, as the residents feel there is a need for such a local facility, particularly in an area with a significant number of elderly residents.

The Petitioners therefore request that the House of Commons takes heed of their concerns and calls upon the Secretary of State for Trade and Industry to help keep this important post office open.

And the Petitioners remain etc.

To lie upon the Table.

Greenfield Development

7.44 pm

Mr. John Greenway (Ryedale) (Con): I beg leave to present a petition on behalf of more than 800 of my constituents who are residents of Osbaldwick, a rural village on the outskirts of York.

The petition states:

To the House of Commons

The Petition of the Residents of Osbaldwick, York

Declares, that the proposed development by the Joseph Rowntree Housing Trust of green field land at Metcalfe Lane, Osbaldwick, originally part of the Greater York draft green belt, and owned by the City of York Council, will have an adverse impact on the surrounding area and is unacceptable in its present form because the Trust together with the City of York Council have failed to provide for a proper independent new access road in their plans.

The Petitioners therefore request that the House of Commons urges that the Deputy Prime Minister as Secretary of State for Planning calls in the application and convenes a public enquiry in order that the planning application can be determined not by the City of York Council as owners of the land but by an independent planning inspector whose decision in regard to the application would command greater public confidence.

And the petitioners remain.

To lie upon the Table.

Children at Risk

Motion made, and Question proposed, That this House do now adjourn.—*[Mr. Jim Murphy.]*

7.45 pm

Mr. John Baron (Billericay): First, I thank the Minister and the Home Office team for fielding the debate. I am conscious that I am keeping the hon. Gentleman and his colleagues away from the office Christmas party.

The Minister will be aware of the issue that I wish to raise with him, as we have corresponded on the matter. I have recently spoken with his office and e-mailed a summary of the key points that I will be raising this evening in the hope that he will directly address the issues at hand.

My concern centres around the fact that some people on the sex offenders register, particularly those who have been cautioned rather than convicted, are able to offer themselves directly to the general public as home education tutors and to undertake one-to-one tuition without contravening any rules or regulations. What appears to compound the problem is that where tutors are not offering themselves through an agency but advertising directly to the public, parents have little or no ability to check their backgrounds independently of the tutor with any of the authorities.

I am not suggesting for one moment that this is a wide-scale problem, but I believe that it is one of those situations which, should it go wrong, could go wrong in a big way. The issue was first brought to my attention by one of my local newspapers, the *Evening Echo,* which highlighted the case of a home tutor in south Essex who was still teaching despite having been caught with indecent images of children on his home computer. The individual was not charged but received a caution and was placed on the register for five years. Apparently he has continued to run his private education business through Yellow Pages and a website, and he is still not breaking any rules or laws.

Since then, constituents have written to me about this issue and I have taken it up with the Home Office, the Department for Education and Skills, Essex police, Essex county council and the National Society for the Prevention of Cruelty to Children. The responses from the Home Office and the DFES have, in my view, not been satisfactory. That is why I have asked for this debate and for the Minister to answer a few questions. There appears to be a loophole in the law that needs to be plugged for the sake both of children and of vulnerable adults.

Early written responses to my letters dated 8 September from both the Minister for School Standards and the Under-Secretary of State for the Home Department, the hon. Member for Wythenshawe and Sale, East (Paul Goggins), dated 5 and 13 October respectively, outline the present position very clearly.

The sex offenders' register has a specific purpose—it is an administrative measure intended to aid the police in the monitoring of sex offenders in the community. There is nothing barring someone on the register from a particular type of employment. When society in general tries to protect children and vulnerable adults, it is essentially done through three filters. There is the Criminal Justice and Court Services Act 2000, list 99 and the Protection of Children Act 1999 list. Under the first Act, as amended, people who commit offences against children can be made subject to a disqualification order. List 99 has a wider application, this being a list of people who have been barred or have been restricted from providing education or carrying out work that involves regular contact with children under the age of 18. The Protection of Children Act list also does its bit to monitor people who are considered unsuitable for work with children.

In all such cases both the Under-Secretary of State and the Minister for School Standards have confirmed that it is an offence for a disqualified person to apply for, offer to do, accept or do any work with children. This is all very well and understood, but the answers from the Home Office and DFES did not address my central concern. What about individuals who are on the sex offenders register because they have been cautioned, perhaps for possessing indecent images, and are therefore not disqualified from undertaking home tutoring? The position of people convicted of an offence is relatively straightforward—a disqualification order can be applied for and obtained, if that is thought necessary. However, people who have simply been cautioned escape disqualification orders, despite the fact that they are on the register. When I put that to both Departments, the Under-Secretary of State for the Home Department eventually replied that the Home Office believes that the matters raised are the responsibility of the Department for Education and Skills, while the Minister for School Standards, in his letter dated 30 November, simply reiterated the contents of his previous letters. In my view, both failed to address adequately my central concern.

My correspondence with Essex county council and Essex police was much more fruitful. Both believe that there is a loophole that needs to be closed. The police do everything in their power in their monitoring interviews to ensure that children and vulnerable adults are protected, but they accept that there are people on the register who are not barred from home tutoring. In addition, their intelligence-gathering activities are not subject to Home Office guidelines but are left to individual officers, which leads to variation in monitoring between police forces. Essex county council accepts that a loophole exists:

> "To date the DFES have not strengthened the statutory framework which remains with the LEA having a responsibility to monitor home education, but without the statutory requirements for parents to contact us. The proposal that you make is seen as long overdue, but this is a national and not a local issue and therefore the remedy lies with the Secretary of State."

In addition, discussions with the NSPCC have confirmed its concern about the loophole. Work has been undertaken to address the matter in the past, but it remains concerned that not enough is being done. The police have additional powers to try to deal with the situation. For example, they have the power to issue a sex offender order to stop someone acting as a home tutor on a one-to-one basis, but as yet, to my knowledge, not one such order has been issued or used. The police also have the power to disclose to parents an offender's record if they think that it could prevent a crime from being committed. In both cases, good intelligence is essential, but can vary from one force to another. While people with cautions who are on the register and are undertaking home education are not breaking any laws, the measures that I have just mentioned are not fail-safe.

Parents are limited in what they can do to check the background of prospective home tutors. That is particularly the case if a home tutor advertises his services without going through an agency. Parents wishing to make checks cannot gain access to, or check with, list 99, the Criminal Records Bureau or, indeed, the sex offenders register, although I accept that there are good reasons for the latter restriction. The general public cannot even obtain relevant information by going to the local education authority or county council. Indeed, LEAs have no formal or legitimised process to check on parents' behalf, and have no authority to do so. Even the most diligent parent can only rely at present on references supplied by the home tutor.

In response to my inquiries, the Minister for School Standards suggested that parents could safeguard against appointing an unsuitable person by engaging a home tutor through a tuition agency. However, that does not address the fact that many home tutors advertise their services directly to parents without going through an agency. Many parents may, for example, believe that, having advertised in the Yellow Pages, the home tutor is credible and would have undergone various checks by the authorities, whoever they are. It is dangerous to assume that all parents are as aware of the various checks and balances as we are. Even if they are, their power to investigate is severely restricted. That assumption certainly underlies many of the responses from both the Home Office and the Department for Education and Skills.

Changes are in the offing to make the CRB more helpful. For example, at present there is only a standard or an enhanced disclosure. Although such disclosures include spent and unspent convictions as well as those on list 99, they cannot be accessed by individuals such as parents or home tutors. After much delay, a basic disclosure will be available to individuals by the end of next year, as I understand it, but the information that it contains will be limited. For example, only current convictions will be included, and list 99 will be excluded. Theoretically, therefore, a home tutor who has served a sentence for previous convictions and has no unspent convictions at present would not show up under such a disclosure.

More promising are the proposals for the establishment of vetting agencies, whereby individuals could get enhanced disclosures. I understand that that will be introduced in relation to disabled people by the middle of next year, with a facility available for those who work with children some time thereafter. I have been informed that such enhanced disclosures would, without question, include all individuals on the sex offenders register. However, with regard to both initiatives, the onus is on the parents to be aware of and to undertake the necessary checks. I hope that, particularly when the second initiative is introduced, the Government will do what they can through an advertising campaign and the like to make the public fully aware of the checks that are available. The checks will have little use if no one knows they exist.

As to how we can plug the loophole, I ask the Minister to reconsider a number of suggestions. The first is a simple measure—to make it illegal for anyone placed on the sex offenders register for being cautioned in relation to children to undertake one-to-one home tuition with children or vulnerable adults. That would remain in force for as long as the said person was on the register.

A further consideration would be to introduce a licensing scheme whereby all home tutors would need to register with a reputable body, perhaps the local education authority, in order to teach children. Essex county council believes that that is the right way forward. It states:

> "There is no statutory basis for a registration scheme. . . intervention by the Secretary of State for Education and the Home Secretary on this point would be more than welcome in order that we can be empowered to take action in appropriate cases."

If taxi drivers can be registered, there is no earthly reason why home tutors should not also be licensed.

The Minister's written response to me suggests that the Government have no plans to license home tutors, however, and goes on to repeat that parents have the option of appointing a home tutor who is employed by an agency. I ask the Minister now to reconsider the position.

In conclusion, there is no doubt that there is a loophole in the law. Non-Government bodies such as Essex county council, Essex police and the NSPCC have confirmed that. Those on the register, having been cautioned in relation to children, can and do advertise themselves directly to the public as home tutors without contravening any laws or regulations. There are insufficient checks to stop that happening.

Parents have little or no ability independently to check the records held by the authorities on potential home tutors, and therefore rely almost exclusively on references supplied by the home tutor. It is accepted that the police have additional powers, but those are not fail-safe for the reasons outlined—for example, not one sex offenders order has been issued to date.

Changes are being made to the way the Criminal Records Bureau functions, but completion dates, if attained, are some way in the future. Meanwhile, the Government's continued insistence that it is the parents' responsibility to employ home tutors through agencies rests on a dangerous assumption that all parents are fully aware of the various checks and balances that exist and of where the system fails.

As I said at the beginning, the problem is not widespread. Cases are relatively few and far between, but should such a situation go wrong, it could go wrong in a big way. I am concerned about the Government's apparent unwillingness to address the issue properly. Having been unable to get the Government adequately to focus on the issue through correspondence, I look forward to the Minister's reply in the hope that he will adequately address the issue.

7.59 pm

Sir Paul Beresford (Mole Valley): I congratulate my hon. Friend the Member for Billericay (Mr. Baron) and thank him and the Minister for the opportunity to add a few words on the issue. We need an additional approach and the Minister will be aware of the direction I am coming from, because we discussed the matter in connection with the Sexual Offences Act 2003.

The police have a requirement to monitor and risk-assess people, particularly paedophiles, on the sexual offenders list. But as the Minister will know—this is a

[Sir Paul Beresford]

difficulty, as I think my hon. Friend will agree—it is my belief that we, like many western nations, should allow right of entry to the police when they knock on the door to risk-assess such individuals. Unusually in the western world, British police do not have that opportunity, and the particular individuals about whom my hon. Friend speaks could be risk-assessed at any time by the police if they had the opportunity to enter.

The Minister, in a letter to me, points out that the Association of Chief Police Officers reports that there is 90 per cent. compliance with the registration requirements, and that is fine, as I think everyone agrees, but that does not amount to risk assessment. The mere fact that offenders have filled in a form stating where they are and what they are doing to the limited extent required of them, does not give the police any opportunity to check.

The Act contains a new power to which the Minister refers in his letter to me, which will

"enable the information notified by registered sex offenders to be regularly checked against information held by other agencies."

As the Minister knows, that is happening now, but it allows the police to check only the information that they already have and does not help with risk assessment.

The Minister's letter goes on to talk about the multi-agency public protection arrangements, and to a fair degree they are already having an effect, but again the police say that they do not help them. Mr. Sarti, the detective chief inspector in charge of the Metropolitan police paedophile unit, who is known to the Minister because he escorted him round Scotland Yard and also presented the difficulties from the point of view of the police to the Committee that considered the Sexual Offences Bill, has sent me a considerable list of what he calls entrenched paedophiles who are not behaving within the spirit of the law, and that number is growing as it becomes apparent to entrenched paedophiles that the police do not have right of entry.

I shall take just one individual who is categorised as medium risk. He was convicted of indecent assault on a male aged eight years and received three years' imprisonment. I shall not go into details because it is before the hour and I see that a few are observing and listening in, but whenever the police knock on his door he refuses to let them in or even face them at the door, and talks to them through the intercom. There is fair knowledge that he has a live-in girlfriend, but because he lives in a block of flats the police are unsure whether she has any children. They have tried to monitor him and assess the risk, but they have got absolutely nowhere because this individual knows that the police have no right to step any further.

I should be grateful if the Minister could think about this again. I have an enormous list that I could provide him with, but he does not need it. He knows the situation, and I hope that even at this late stage there can be a rethink.

Before I sit down, I should say that I am extremely late, not for the Home Office party, but for another event that I must attend, so with the permission of the House I shall disappear; but I will read the Minister's words with considerable interest, and I hope that I will not have to follow them up.

8.3 pm

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): If the hon. Member for Mole Valley (Sir Paul Beresford) has to leave, I know that it is not from a lack of interest in the issue: he and I served on the Committee that considered the Sexual Offences Bill, so I know of his long-standing interest.

I congratulate the hon. Member for Billericay (Mr. Baron) on initiating this debate, so giving the House the opportunity to discuss this important subject, which, as he said, he has raised with me and with the Minister for School Standards.

I welcome the way in which the hon. Gentleman has introduced the topic for debate and I am grateful for the prior notice that he gave me of the issues that he wished to discuss. He has put his finger on an important issue, which he describes as a loophole. I hope that some of the things that I say tonight will offer him some reassurance. I will consider the matter carefully, particularly the comments that he made at the end and the proposals that he put forward, and I look forward to having further discussions with him on the matter in the weeks ahead.

I am sure he understands that there is no difference between us at all in our objective, which is to protect children from sexual abuse. I know that the hon. Gentleman understands these matters, but it may be helpful if I make some comments about the sex offenders register and how it works. Part 1 of the Sex Offenders Act 1997 requires those convicted or cautioned for certain sex offences to notify their name, date of birth and address to the local police, as well as any subsequent changes to those details. Such offenders are also required to tell the police if they intend to travel overseas for eight days of more or if they stay at another address in the United Kingdom for 14 days or more. Those provisions are to be tightened up as a result of the Sexual Offences Act 2003. It is important to emphasise that, as the hon. Gentleman said, registration is an administrative measure that is intended to help the police manage sex offenders in the community. It is an automatic consequence of a conviction or a caution for a specified offence—the courts have no discretion over who goes on the register. As registration is not therefore an additional penalty or punishment, applying prohibitions to the notification requirements would undermine that status

It may also be worth mentioning that because registration is an administrative measure rather than a court disposal, it is not reflected in the disclosures that are provided by the Criminal Records Bureau, which show convictions and cautions for offences, not the fact that the person is a registered sex offender. All registered offenders would be covered by these disclosures, but that is because of their offences rather than the fact that they are registered.

The notification process is commonly known as the sex offenders register, but there is no central register as such: instead, offenders are identified as being subject to the notification requirements by a marker on the police national computer. That will change next year when we introduce VISOR—the violent and sex offenders register. That, together with the multi-agency public protection arrangements, or MAPPA, which we have already put in place, will significantly improve the way in which police and probation services manage sex offenders living in the community. Those improvements in the management of offenders will mean, for example, that the police will be far more likely to be aware when an offender is operating as a private tutor.

The purpose of the notification requirements is to ensure that the police know the identity and whereabouts of convicted sex offenders in their area. That helps the police in two ways. First, it helps them to manage sex offenders who are living in the community—for example, by enabling them to know when a sex offender is living next to a school or near a victim. Secondly, it helps in the detection of future sexual crimes, because the police immediately know the whereabouts of potential suspects. The notification requirements do not prohibit sex offenders from doing anything. They do not prevent them from moving house, from using another name or from travelling overseas—nor do they bar them from any form of employment. That has never been the purpose of the requirements, which are simply intended to enable the police to know where sex offenders are living and what names they are using.

As the hon. Gentleman will be aware, part 2 of the Sexual Offences Act, which received Royal Assent in November, re-enacts and improves the provisions relating to sex offender registration. We have, for example, shortened the time scales in which offenders must make their notifications, and introduced a requirement whereby they must annually confirm their details to the police. We are also changing the period that they can spend overseas or at an address other than their home address before they need to tell the police; and providing a power to allow the police to photograph or fingerprint an offender each time they make a notification. Those changes will further improve the effectiveness of the register.

Although registration is not a suitable means of prohibiting sex offenders from working as private tutors, it should be noted that, as the hon. Gentleman said, convicted sex offenders can be made subject to a sex offender order. Those orders are made by the magistrates court and place prohibitions on an offender's behaviour where such prohibitions are needed to protect the public from serious harm. If someone with a previous conviction or caution for a sexual offence against children were to set themselves up as a private tutor, and there was evidence that in doing so they might commit further offences against children, the police could apply for a sex offender order that would prohibit them from working with children in that way.

There is therefore a way of stopping convicted paedophiles from working as home tutors. It could be used, for example, against someone who receives a caution or a fine for the possession of child pornography. The hon. Gentleman said that no such orders had been made in relation to private tutors, but we will make it clear in our guidance to the police that the orders can be used for that purpose. We will draw their attention to the use of that order, as he suggested.

Let us consider disqualification from working with children, including working as a private tutor. A person can be disqualified from working with children in three ways. First, in the case of teachers or those who work in the education sector, there are established procedures for anyone whose conduct has given cause for concern to be referred to the Department for Education and Skills. Indeed, the hon. Gentleman referred to List 99, to which names can be added.

Similarly, child care and other organisations are charged under the Protection of Children Act 1999 with referring to the Secretary of State for Education and Skills—previously to the Secretary of State for Health—the case of anyone who has been dismissed on grounds of misconduct, whether in the course of their employment or not, that harmed a child or placed a child at risk. The Secretary of State has the power to place such a person on the Protection of Children Act—POCA—list, which disqualifies a person from working with children.

When a person is convicted of serious offences against children, the court can also make an order disqualifying them from working with children in future. The orders, which are known as disqualification orders, are made by the higher courts against a specified list of violent and sexual offences when a sentence threshold is met. The orders seek to minimise the risks that known child sex offenders present by depriving them of the opportunity to gain access to children through work.

Mr. Baron: I thank the Minister for recognising that there is an issue to tackle. I have taken on board his comments about making the police more aware of the availability of sex offender orders with regard to home tutors. Despite the detail that he is providing, does he accept that there remains a loophole in the law, which could allow those cautioned and on the sex offenders register to teach as home tutors?

Paul Goggins: I admitted at the beginning of my speech that there was an issue. I am suggesting that there are several ways in which people who clearly pose a danger to children could be anticipated by police through the new powers that we have given them and with the some of the new procedures. However, I acknowledge that we do not have a perfect solution and I am prepared to reflect on the hon. Gentleman's comments and continue to consider the matter. I emphasise that we do not have a gaping loophole; we are further along the road than that. There are measures that can help.

All three cases that I outlined are covered by the Criminal Justice and Court Services Act 2000. Under that, it is an offence, punishable by up to five years in prison, for a person who is disqualified from working with children to apply for, offer to do, accept or undertake any work involving children, including acting as a private tutor. Private tutors who were caught in the circumstances that I outlined would face up to five years in prison if they even attempted to work as a private tutor. The fact that a person is disqualified from working with children would appear as part of an enhanced or standard disclosure from the Criminal Records Bureau.

The hon. Gentleman is right that parents who employ a private tutor are unable to access higher level disclosures from the Criminal Records Bureau. That is because exemptions from the Rehabilitation of

[Paul Goggins]

Offenders Act 1974 and the Police Act 1997, which govern the matter, are available only when people are considering someone's suitability

"in the course of the duties of his office or employment".

Clearly, that does not apply to parents who want to use a private tutor. We have no plans to change the law to provide that sort of access through the Criminal Records Bureau. Indeed, the body that reviewed the 1974 Act in 2001-02 was not persuaded that it would be appropriate for the law to be changed. Clearly, there is a balance to be struck between, for example, privacy and protection, and confidentiality and rehabilitation.

We continue to explore the possibility of organisations such as local authorities providing a service as a "vetting body" for those who cannot access the Criminal Records Bureau for themselves. I hope that that reassures the hon. Gentleman. Such organisations could access the system but would not relay to their clients the precise information that they received from the bureau. Instead, they would provide an assessment—

The motion having been made after Seven o'clock, and the debate having continued for half an hour, MADAM DEPUTY SPEAKER *adjourned the House without Question put, pursuant to the Standing Order.*

Adjourned at fifteen minutes past Eight o'clock.

Deferred Division

EXTRADITION

That the draft Extradition Act 2003 (Designation of Part 2 Territories) Order 2003, which was laid before this House on 3rd December, be approved.

The House divided: Ayes 243, Noes 43.

Division No. 15]

AYES

Abbott, Ms Diane
Ainger, Nick
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Austin, John
Bailey, Adrian
Baird, Vera
Barnes, Harry
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Beggs, Roy *(E Antrim)*
Benn, rh Hilary
Bennett, Andrew
Benton, Joe *(Bootle)*
Blackman, Liz
Blair, rh Tony
Blizzard, Bob
Blunkett, rh David
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Byers, rh Stephen
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Caplin, Ivor
Casale, Roger
Caton, Martin
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clark, Mrs Helen *(Peterborough)*
Clark, Dr. Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Coaker, Vernon
Coffey, Ms Ann
Coleman, Iain
Colman, Tony
Cooper, Yvette
Cruddas, Jon
Cryer, John *(Hornchurch)*
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Darling, rh Alistair
Davey, Valerie *(Bristol W)*
David, Wayne
Davidson, Ian
Davis, rh Terry *(B'ham Hodge H)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Dobbin, Jim *(Heywood)*
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Efford, Clive
Ellman, Mrs Louise
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Field, rh Frank *(Birkenhead)*
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, Michael *(Worcester)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gerrard, Neil
Gibson, Dr. Ian
Gilroy, Linda
Griffiths, Jane *(Reading E)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hanson, David
Harris, Tom *(Glasgow Cathcart)*
Healey, John
Henderson, Ivan *(Harwich)*
Hendrick, Mark
Heppell, John
Hermon, Lady
Hewitt, rh Ms Patricia
Heyes, David
Hill, Keith *(Streatham)*
Hinchliffe, David
Hoey, Kate *(Vauxhall)*
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Hopkins, Kelvin
Howarth, George *(Knowsley N & Sefton E)*
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Kevan *(N Durham)*
Jones, Lynne *(Selly Oak)*
Jones, Martyn *(Clwyd S)*
Joyce, Eric *(Falkirk W)*
Kelly, Ruth *(Bolton W)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Lewis, Ivan *(Bury S)*
Lewis, Terry *(Worsley)*
Liddell, rh Mrs Helen
Linton, Martin
Lloyd, Tony *(Manchester C)*
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
Lyons, John *(Strathkelvin)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
MacDonald, Calum
McIsaac, Shona
McKechin, Ann
McNulty, Tony
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Moran, Margaret
Morgan, Julie
Morley, Elliot
Mountford, Kali
Munn, Ms Meg
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Bill *(Normanton)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Owen, Albert
Perham, Linda
Picking, Anne
Pickthall, Colin
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Ms Bridget *(Lewisham E)*
Prentice, Gordon *(Pendle)*
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow Anniesland)*
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Savidge, Malcolm
Sawford, Phil
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Spink, Bob *(Castle Point)*
Squire, Rachel
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, David *(Inverness E & Lochaber)*
Stoate, Dr. Howard
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, Dari *(Stockton S)*
Taylor, David *(NW Leics)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Touhig, Don *(Islwyn)*
Trickett, Jon
Trimble, rh David
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Vaz, Keith *(Leicester E)*
Vis, Dr. Rudi
Walley, Ms Joan
Wareing, Robert N.
Watts, David
White, Brian
Wicks, Malcolm
Williams, Betty *(Conwy)*
Williams, Roger *(Brecon)*
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Wright, Anthony D. *(Gt Yarmouth)*
Wright, David *(Telford)*
Wyatt, Derek

NOES

Baker, Norman
Brake, Tom *(Carshalton)*
Breed, Colin
Bruce, Malcolm
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Chidgey, David
Cotter, Brian
Davey, Edward *(Kingston)*
Doughty, Sue
Ewing, Annabelle
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*

Hancock, Mike
Heath, David
Holmes, Paul
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Laws, David *(Yeovil)*
Llwyd, Elfyn
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Russell, Bob *(Colchester)*
Sanders, Adrian
Skinner, Dennis
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Smyth, Rev. Martin *(Belfast S)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Thomas, Simon *(Ceredigion)*
Tyler, Paul *(N Cornwall)*
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Wishart, Pete
Younger-Ross, Richard

Question accordingly agreed to.

House of Commons

Thursday 18 December 2003

The House met at half-past Eleven o'clock

PRAYERS

[MR. SPEAKER *in the Chair*]

Oral Answers to Questions

TREASURY

The Chancellor of the Exchequer was asked—

Basel II Accords

1. **Mr. Nigel Beard** (Bexleyheath and Crayford) (Lab): What progress is being made in settling new international arrangements for banking regulation through the Basel II accords. [144716]

The Chancellor of the Exchequer (Mr. Gordon Brown): The Basel committee on banking supervision expects to complete the new Basel accord on regulatory capital requirements by mid-year 2004, with implementation planned for the end of 2006.

Mr. Beard: I thank my right hon. Friend for that reply. Given the increasing tendency of banks to transfer their risks to insurance businesses, does he agree that the capital adequacy of insurance companies that trade internationally may need international regulation similar to that provided for the banks by the Basel accord?

Mr. Brown: I am grateful to my hon. Friend, who chairs an all-party committee that has been looking at this matter. The Basel accord is a voluntary arrangement that involves the banks. The EU directive that will flow from it will include financial institutions. I gather that a separate directive will cover the insurance industry, but this House would debate all those matters before any directive was agreed.

Dr. Vincent Cable (Twickenham) (LD): Can the Chancellor confirm that one of the objectives of risk-based regulation under the Basel accord is the prevention of dangerous booms and busts in bank lending? Will he therefore explain why, at a national level, no one is taking responsibility for the often reckless debt promotion by the leading banks and credit card companies? Given yesterday's conclusions of the Treasury Committee, does that not suggest that the Government and the regulators are either blind or asleep where the banks are concerned?

Mr. Brown: I suspect that the rest of the hon. Gentleman's party are using their credit cards and injecting spending into the economy at this very moment, so that we can meet our growth target with greater confidence. His question was more about credit cards than the Basel accord, but I can tell him that I welcome the report from the Treasury Committee. It is clear that issues of transparency are involved, and that the various organisations mentioned in the report—the Office of Fair Trading and the Financial Services Authority, among others—will want to look at the recommendations. It is in no one's interest that there is either irresponsible lending or irresponsible borrowing. I hope that he welcomed the consumer credit White Paper that was published a few days ago.

Mr. John McFall (Dumbarton) (Lab/Co-op): I assume that my right hon. Friend the Chancellor will be using his credit card prudently over the Christmas period. However, India and China are not included in the Basel II accords, and the USA is rumoured to be unwilling to sign up. Will that not have an effect on the final agreement?

Mr. Brown: I am grateful again to the Chairman of the Select Committee. He has completed a report on credit cards and it is receiving the attention that it deserves today. I hope that people named by the Treasury Committee will look at the report's conclusions. I know that my hon. Friend has also taken an interest in the Basel accord, and it is true that it involves the G10. However, in the nature of things, other countries took up the recommendations in the previous Basel accord. As far as America is concerned, all those involved are working to the mid-2004 deadline. Despite the comments two days ago by one of the US regulators, I am assured that the intention is to complete the work as soon as possible. That will lead to implementation not in 2005 but in 2006. At the same time, we will be discussing an EU directive. That would not be voluntary: it would be a statutory guideline for banks and some financial institutions as well.

Public Expenditure (West Cumbria)

2. **Tony Cunningham** (Workington) (Lab): If he will make a statement on levels of public spending in West Cumbria. [144717]

The Chancellor of the Exchequer (Mr. Gordon Brown): Investment in public services since 1997 has resulted in Cumbria gaining 400 extra teachers and more than 700 extra teaching support staff, while Cumbria and Lancashire have gained nearly 100 extra general practitioners and 1,600 more nurses.

Tony Cunningham: I thank my right hon. Friend for that reply. I hope that he will take the opportunity of coming to visit my constituency to see the success of the increased public spending. We have a new further education college, a new police station, four new roundabouts, a new bypass, two new Sure Start projects, and work has just started on the building of a new hospital. I am sure that he will agree that it is no coincidence that all that success has been achieved under a Labour Government.

Mr. Brown: I was going to offer my hon. Friend a Christmas present from the Treasury, but it is clear that he does not need one. He is absolutely right. In the typical constituency, £200 million more has been invested in each year since 1997. That has meant that we are able to pay for nurses, teachers, doctors and classroom assistants. The whole House will understand that that would not have been possible if we had reduced public spending by £80 billion, as the Conservatives plan.

Employment Assistance

4. **Mr. Mark Todd** (South Derbyshire) (Lab): What representation he has received on measures promoted by his Department to help people into work. [144719]

The Chancellor of the Exchequer (Mr. Gordon Brown): I receive a variety of representations on the Government's measures to help people into work. The success of those measures is evident in Wednesday's employment figures. There are more people in work now than at any time in our history, and the unemployment rate in Britain is at its lowest since 1975. The new deal has helped more than 950,000 individuals into work.

Mr. Todd: I thank the Chancellor for that answer. There is a great deal for which we are thankful in South Derbyshire, with those who are unemployed and claiming benefit now numbering only 850—1,100 fewer than when the Government came to power. I would welcome his response to my gentle suggestion that he clarify the future of the export credits guarantee scheme, which is critical to the future of companies such as Rolls-Royce, which employs many of the workers in my area.

Mr. Brown: I have met John Rose, the head of Rolls-Royce, and we are aware of the importance that it attaches both to export credit guarantees and to the Government's support for innovation and for science. My hon. Friend will know that we are doing more than any Government have done to promote science in this country.

As for the new deal, not only has my hon. Friend's constituency seen a very big reduction in unemployment, but unemployment rates in almost every one of the constituencies of Conservative Front Benchers are now 2 per cent. or below.

Mr. Michael Fallon (Sevenoaks) (Con): Will the Chancellor confirm that two thirds of the new jobs created this year are in the public sector and that, although many of them may be very worth while jobs in nursing and teaching, they all have to be paid for by the wealth-creating sector?

Mr. Brown: I thought that the hon. Gentleman was going to congratulate us on the 60 per cent. cut in unemployment in his constituency since 1997. The reason why he did not is that the Conservatives want to abolish the very instrument for getting unemployment down—the new deal. He will know that it is completely untrue to say that two thirds of jobs created since 1997 have been created in the public sector. The fact is that 1.24 million jobs have been created in the private sector. Conservative Members should be congratulating us on having the lowest unemployment rate of any of the major countries—something that they never achieved in 18 years of government.

Valerie Davey (Bristol, West) (Lab): In Bristol, the new deal has been particularly successful in getting young people into work. Will my right hon. Friend comment on the level of youth employment nationally and its effect on the economy?

Mr. Brown: Only around 5,000 young people—an average of eight per constituency—have been unemployed for more than a year. In the mid-1980s, under a Conservative Government, 350,000 young people were in that position. The fact that the Conservatives would abolish the new deal shows that they have learned nothing from the mistakes of the past.

Bob Spink (Castle Point) (Con): In a spirit of Christmas cheer, I congratulate the Chancellor and the Government on their job creation efforts, which have gone well—there is no denying that. [HON. MEMBERS: "Oh!"] Well, fair play. However, may I encourage the Chancellor to look again at the growing level of regulation, which is depressing job creation in the wealth-generating sector?

Mr. Brown: It is precisely because of the issues involved in regulation that we simplified the VAT system in the Budget and removed the audit requirements and the requirement on companies to issue two sets of accounts—one for the Inland Revenue and one for Companies House. The hon. Gentleman has welcomed the new deal—he should have a Christmas lunch with the shadow Chancellor, who said that the new deal is an expensive failure. They must reconcile those contradictory positions.

Mr. Dennis Skinner (Bolsover) (Lab): Is the Chancellor of the Exchequer aware that, in coalfield areas, particularly Derbyshire, the Tories took the pits out of the public sector, put them into the private sector and then shut every single one? Since 1997, we have had the mammoth task of trying to rejuvenate those areas. That has been a huge success, but we still have one pending—the Bolsover-Markham employment zone, near junction 29A off the M1. Five thousand jobs will materialise in that area. Will he ensure that as the planning applications have not been called in we can have a Christmas present for all the people in north Derbyshire?

Mr. Brown: Christmas cheer is around at the moment and I respect my hon. Friend's work, undertaken even when he was ill, in promoting coalfield regeneration. We will look back on the past few years as an attempt to resurrect communities that were left with terrible problems as a result of the way in which the coal industry was run down in the 1980s. I shall consider his proposal for Bolsover, but he should know that the new deal for communities is being expanded. There are now 2,000 designated enterprise areas, with huge incentives for development. We are intent on not only keeping unemployment low but tackling areas of continuing long-term unemployment that deserve the support of a compassionate Government.

Stamp Duty Land Tax

5. **Mr. Bill Wiggin** (Leominster) (Con): What discussions he has had with representatives of licensees regarding the case for reform of stamp duty land tax. [144720]

The Financial Secretary to the Treasury (Ruth Kelly): In the Finance Bill of 2003, the Government modernised and streamlined the stamp duty system. As a result of tax avoidance, only half the stamp duty owed on all large commercial property transactions was being paid. As part of our package, we reviewed the lease duty regime to ensure that businesses pay stamp duty fairly and consistently. Following consultation, including with the British Beer and Pub Association, the stamp duty land tax proposals were amended to help all tenants, but it was targeted at small and medium-sized businesses.

Mr. Wiggin: Is it correct that independent evidence shows that the average pub licensee faces a tenfold increase in the amount of tax from £600 to £6,000? How can the Financial Secretary possibly justify that?

Ruth Kelly: From the information that the licensed trade supplied, we know that very few leases were exempt from stamp duty under the old regime. However, increasing the threshold means that more than 30 times the number of leases in the sector will be exempt from stamp duty land tax duty.

Mr. Mark Prisk (Hertford and Stortford) (Con): For licensees and others, the tax is half-baked and hideously bureaucratic, yet the real scandal is the increase in the tax burden, to which my hon. Friend the Member for Leominster (Mr. Wiggin) referred. Since 1997, stamp duty has been increased four times, and now we have discovered a fifth increase. Tucked away on page 217—how surprising—of the pre-Budget report is the information that the Government expect stamp duty revenue to rise from £7.5 billion this year to £9.3 billion next year. Given that property prices are expected to rise next year by 8 per cent., how do the Government plan to secure an increase of 24 per cent. in revenue?

Ruth Kelly: The hon. Gentleman has got his facts completely wrong. The tax burden is lower now than it was almost throughout the 1980s. He must realise that the economy is stronger than it has ever been, with 1.7 million more people in work, interest rates at their lowest since 1955 and net wealth, including property prices, rising.

Energy Efficiency

7. **Alan Simpson** (Nottingham, South) (Lab): If he will make a statement on the implications of the pre-Budget statement for the energy efficiency implementation plan to be proposed in the forthcoming energy White Paper. [144722]

The Economic Secretary to the Treasury (John Healey): The Government plan to follow up the energy White Paper by publishing the implementation plan on energy efficiency early next year. The pre-Budget report confirmed the case for using further economic instruments and we are giving close consideration to a range of measures. My hon. Friend knows that decisions on tax are, as always, a matter for the Chancellor in the Budget.

Alan Simpson: I know that we made a commitment in the pre-Budget statement to introduce further measures on energy efficiency in the home. However, will my hon. Friend ensure that he, the Chancellor and Treasury team pay special attention to the warnings that we have just received from the Government's fuel poverty adviser that, unless there is a dramatic increase in the warm homes programme, we will fail to meet our commitments to tackle and to eliminate fuel poverty? Given the Chancellor's specific interests in the problems of child poverty, will he ensure that dealing with fuel poverty is a priority in the forthcoming Budget?

John Healey: My hon. Friend is right about the value of the warm homes initiative. Indeed, in the past couple of weeks, I visited constituents, Mr. and Mrs. Cowdell, in Wath upon Dearne. They, like some of my hon. Friend's constituents, have benefited from the programme by insulating their home, cutting their bills and being kept warm throughout the winter for the first time in their lives. His points about trying to ensure that our measures improve energy efficiency and reduce domestic fuel poverty are well made. The pre-Budget report confirms that we see the case for using more economic instruments in this area to promote energy efficiency and reduce fuel poverty in the home. The work is complicated at present by a review of the reduced rates of VAT in Europe and by a review within government of corporation tax, but we are working hard on these measures and hope to make announcements on the budget cycle in due course.

Richard Ottaway (Croydon, South) (Con): The Minister will be aware that a key to sustainable and efficient energy is the renewables obligation. However, is he aware that, beyond that obligation, not a single new generating project is being developed owing to a complete lack of long-term finance? What steps is the Treasury taking to encourage long-term finance in the electricity generating sector?

John Healey: Today's announcement about offshore wind capacity forms part of an extended programme of support that we are putting in place to encourage the kind of long-term investment that the hon. Gentleman is after. He is right to highlight the role of electricity generation in meeting our climate change targets but that is not the only area involved. The pre-Budget report and the track record of this Government since 1997 demonstrate that we will take decisions for the long term and put in place programmes of support that will help the UK to make a contribution to tackling the threat of global warming.

Child Poverty

8. **Mr. Tom Harris** (Glasgow, Cathcart) (Lab): What measures his Department is taking to tackle child poverty. [144723]

The Paymaster General (Dawn Primarolo): As part of their commitment to tackling child poverty, the

Government have improved financial support for families with children, increasing child benefit for the first child in every family by 25 per cent. in real terms since 1997, and introducing the child tax credit in April 2003. A total of 5.9 million families are already benefiting from the new tax credits. This is 98 per cent. of the total number of families expected to benefit in 2003–04.

The Chancellor announced in last week's pre-Budget report an increase in the child element of the child tax credit by £180 to £1,625 a year in April 2004, equivalent to a weekly increase of £3.50, benefiting 7.2 million children in 3.7 million families. As a result, the Government are on track to meet or to exceed their public service agreement target to reduce the number of children in low income households by a quarter by 2004–05 on a before housing costs basis.

Mr. Harris: I am sure that my right hon. Friend will agree that, if a Labour Government are for anything, they are for the fight against poverty, particularly child poverty. Given that the Joseph Rowntree Foundation announced only this month that the latest figures have passed the notable milestone of taking income poverty lower than at any time in the 1990s, does she agree that the Government's aspiration to abolish child poverty altogether should be founded not only on one party's policies but on bipartisan consensus?

Dawn Primarolo: I congratulate my hon. Friend on all the work that he does on these issues in his constituency. I agree entirely, and I hope that Opposition Members will, even at this late stage, join the Government in an all-party crusade to eradicate poverty from society, particularly among children, instead of simply complaining about the fact that people live in poverty. It is difficult, however, to see how their commitment to cuts of £80 billion would help to achieve that.

Mr. David Laws (Yeovil) (LD): The extra money for tackling child poverty announced by the Chancellor in the pre-Budget report is certainly welcome. Can the Minister explain, however, why the Chancellor did not have the honesty to explain in his statement that the child poverty measures were being funded by freezing other tax credits?

Dawn Primarolo: I regret the tone of the hon. Gentleman's question, which is typical of the kind of carping that goes on, rather than joining in the celebrations. As he well knows, all the elements of the child tax credit were announced on pre-Budget day, as is always the case. He is trying to make it sound as though the House was misled, but perhaps I should remind him that for the first time millions of families are receiving the payment, which he and his party have yet to confirm that they would honour.

Mr. Barry Sheerman (Huddersfield) (Lab/Co-op): Does my right hon. Friend agree that, although we have made remarkable progress and invested so much in early years and the eradication of child poverty, it is still true that the Sure Start programme is one of the most effective that we have introduced? However, a lot of children in poor homes do not live in the 20 per cent. of wards that are the most deprived, so can she think of any way in which we can get to those poor children more quickly?

Dawn Primarolo: My hon. Friend is entirely right. I am sure that everyone in the House will want to celebrate the massive achievements of the Sure Start programme. At its centre, it involves parents in shaping their future and that of their children.

My hon. Friend will also know that the Government's commitment on children's centres is a commitment to roll out and to continue that programme. To take a much wider perspective, I am sure that he would acknowledge that in tackling poverty—particularly child poverty—the Government need to concentrate not only on the income of such families but on the full range of public services that are delivered to them.

Mr. Henry Bellingham (North-West Norfolk) (Con): The Chancellor has said lots of times that one of the best ways to tackle child poverty is to get unemployment down. Obviously, progress is being made, but can it continue? Has the Minister had a chance to examine the recent CBI report on Britain as a place to do business? It reveals that 60 per cent. of senior managers surveyed believe that the Government are not taking seriously their concerns about red tape and regulation, and 40 per cent. said that they were thinking of offshoring—

Mr. Speaker: Order. That is far too wide of the question.

Mr. George Mudie (Leeds, East) (Lab): May I speak on child poverty? I applaud the Chancellor and the Treasury team's £1 billion pre-Budget report initiative to deal with child poverty and particularly commend the children's bond, which will give the poorest children in the country £500 immediately, with additional sums so that they will have a nest egg at 18 that they would not have dreamed of having otherwise. However, does the Minister share my sadness that the official Opposition did not go into the Lobby last week—

Mr. Speaker: Order. The first part of the question was in order.

Dawn Primarolo: It is an excellent question, Mr. Speaker. I congratulate my hon. Friend because I know that he has done a huge amount of work in his constituency on that matter. He highlights the commitment to the child trust fund as one of many measures that the Government are taking. It is an asset of £500 for a child over their life. It encourages the savings habit and is an example of progressive universalism. I return to the point made by my hon. Friend the Member for Glasgow, Cathcart (Mr. Harris). We need all-party support and determination to tackle and to eradicate child poverty—support and determination that unfortunately are seriously lacking in both Opposition parties.

NHS Expenditure

9. **Rob Marris** (Wolverhampton, South-West) (Lab): If he will make a statement on his policy for public expenditure to 2008 in relation to the NHS. [144724]

The Chief Secretary to the Treasury (Mr. Paul Boateng): The Government are committed, as we announced last year, to raising health service funding by £41 billion over the five years to 2008—the biggest ever sustained increase in NHS funding.

Rob Marris: I thank my right hon. Friend for that helpful and encouraging answer. I am pleased to hear his confirmation that the NHS will continue to receive the Government money it needs. May I seek his assurance that the Government will not seek to fund health care through devices such as vouchers, tax reliefs or any extension of co-payment?

Mr. Boateng: I am happy to give my hon. Friend that assurance. He describes the policy of the Conservative party, which in office failed to invest sufficiently in the health service and ran it down, so that in 1997—*[Interruption.]* Conservative Members groan and moan but, if one compares health spending with what it was in 1997, one finds that by 2008 it will be 90 per cent. higher in real terms than when their party had stewardship of the economy.

Mr. Oliver Letwin (West Dorset) (Con): The Chief Secretary congratulates the Government on raising NHS spending by £35 billion a year until 2008, but does he accept that the people of this country expect to get value for such vast amounts of money?

Mr. Boateng: People are getting value. Let us examine what that money has bought. There are 25,000 more doctors, 80,000 more nurses and 100 new hospitals. Compare that with what was achieved under the stewardship of Conservative Members. When we came to power in 1997, not one new hospital had been built under the private finance initiative. That is their record: this is ours.

Mr. Letwin: I am delighted that the Chief Secretary is able to name some things that the money has so far bought, but how does he explain the fact that a 37 per cent. increase in spending has led to only a 5 per cent. increase in the number of operations, and no increased improvement in waiting times?

Mr. Boateng: Just look at the facts. Out-patient attendances in 1997–98 were 11.53 million, whereas in 2003 they were 13.03 million. Elective admissions were 4.46 million, and in 2003 were 5.32 million. *[Interruption.]*

Mr. Speaker: Order. The hon. Member for North-West Norfolk (Mr. Bellingham) is using a camera.

Mr. Bellingham: It is a mobile phone.

Mr. Speaker: The hon. Member should not be using a mobile phone. I ask him to leave the Chamber.

Mr. Boateng: On waiting times, 186,000 fewer patients are waiting for treatment now than when the Conservatives were in office. Out-patient waits of more than 26 weeks have been virtually eliminated, and 98.5 per cent. of suspected cancer patients are seen by a specialist within two weeks. We are proud of that record. The right hon. Member for West Dorset (Mr. Letwin) should be ashamed of himself for denigrating and running down the NHS, as he does time and again.

Mr. Letwin: I am sorry that the Chief Secretary is unable to explain the official figures. Can he do any better at explaining why, when there has been only a 5 per cent. increase in the number of operations, there has been a 45 per cent. increase in the number of managers? Does that accord with the Labour manifesto pledge to rebuild the NHS and to reduce spending on administration?

Mr. Boateng: That is an old canard. It is no use the shadow Chancellor looking pained. He ought to look at the facts. The fact of the matter is that his definition of administrators and bureaucrats includes painters, gardeners, doctors' secretaries, electricians, cleaners and thousands of valuable support and ancillary workers, all of whom contribute to the success of the NHS. Why does not he give them and—yes, it is Christmas—us some credit for that achievement?

Mr. James Plaskitt (Warwick and Leamington) (Lab): I can tell my right hon. Friend what increased investment has already delivered to the NHS at Warwick hospital. There are 150 more nurses, 20 more consultants, and a 40 per cent. increase in activity levels. We want to go further and get booked appointments and even shorter waiting times. Will the additional investment be forthcoming to deliver that?

Mr. Boateng: That is indeed the Government's policy—resources firmly linked to reform. That is why we have devolved power to front-line organisations, and why we are giving new financial incentives to improve performance. We are reforming the NHS. Given half a chance, the Conservatives would ruin it with charges, cuts and unfair, inequitable subsidies for private health insurance.

Mr. Mark Field (Cities of London and Westminster) (Con): The Chief Secretary will be glad to know that I shall not raise an old canard, but I may have a new canard in mind. I appreciate what he has to say about public funding for the health service, but equally he will appreciate that there need to be financial incentives for private health care. Does he believe that that is ideologically wrong, even if financial incentives for private health care ensure that there is a bigger pot for health care on which all our citizens can rely?

Mr. Boateng: No, I do not. This has nothing whatever to do with ideology, but everything to do with how best to help people and how best to deliver an NHS that is fair and free at the point of use. We need to stand back for a moment and reflect on what health care would be like if we were to provide the subsidy for people with private medical insurance that some Opposition Members propose—including, I suspect, the hon. Gentleman. The Opposition's patient passport would increase deadweight costs by up to £1 billion. That would be the price the taxpayer would have to pay for something that was enjoyed only by the very richest in our society. That simply is not fair.

Dr. Brian Iddon (Bolton, South-East) (Lab): The Government have a policy of closing the gap between target expenditure and that of NHS trusts covering constituencies such as mine which, in 1997, were far from the target. The gap is closing extremely slowly, however. Will my right hon. Friend look again at the formula that delivers extra expenditure to deprived communities like mine, and try to close the gap a little more rapidly?

Mr. Boateng: My right hon. Friend the Secretary of State for Health is devoting considerable attention to that very question, and to the best way of ensuring that we continue to reduce inequity in health care and provision.

Mr. Andrew Turner (Isle of Wight) (Con): Will the right hon. Gentleman put on record the Treasury definition of public expenditure, and also the Treasury definition of public sector investment, so that next time the Prime Minister is asked that question—as he was yesterday—he does not through ignorance lamentably and inadvertently mislead the House?

Mr. Boateng: The Prime Minister did no such thing. This is a definition that has ensured that we are now delivering 450,000 more operations than in 1997–98. It is a definition that has ensured that we are now involved in providing 860,000 more elective admissions each year. It is a definition that has worked for this country, and for the NHS.

Public Services (Wigan Borough)

10. **Mr. Neil Turner** (Wigan) (Lab): What assessment he has made of the effect of proposals to change the level of investment in public services in the Wigan borough. [144725]

The Chief Secretary to the Treasury (Mr. Paul Boateng): Wigan borough is benefiting from the Government's increased investment in public services, and will continue to do so, like all parts of the United Kingdom.

Mr. Turner: Is my right hon. Friend aware that we have benefited from a £30 million programme delivering new surgeries for doctors, £25 million for a new hospital, £20 million for a further education college, £137 million to bring our housing stock up to decent standards, a new police station and a new fire station? Can he confirm that many of those would be threatened if we had to put up with a reduction of £80 billion in public expenditure in the coming financial year?

Mr. Boateng: In the spirit of Christmas, I am happy to give that confirmation.

Andy Burnham (Leigh) (Lab): In Leigh, the best part of Wigan borough, the NHS is improving, but at the end of the current spending round Ashton, Leigh and Wigan primary care trust will be some £10 million adrift from the funding target. Does my right hon. Friend agree that the best way of tackling health inequalities is to target resources where health is poorest? May I, like my hon. Friend the Member for Bolton, South-East (Dr. Iddon), urge him to talk to his colleagues in the Department of Health to establish whether the pace of the "pace of change" policy can be quickened in the next spending round?

Mr. Boateng: I assure my hon. Friend that we are well aware of the impact of health inequalities. That is why the Government introduced a fairer funding formula for the NHS in 2002. It was an historic settlement: every primary care trust gained at least 8.3 per cent. in cash terms this year. That is progress, but we must continue to build on it. There is no room for complacency, and I hear what my hon. Friend says.

Council Tax

11. **Mr. Paul Tyler** (North Cornwall) (LD): What the average proportion of income paid in council tax by low-income households is in England in 2003-04; and if he will make a statement. [144726]

The Paymaster General (Dawn Primarolo): Information for 2003–04 is not available. The latest available information, for 2001–02, shows that the bottom 20 per cent. of households paid 4.8 per cent. of their income in council tax, after allowing for council tax benefit.

Mr. Tyler: The Minister will know that in Cornwall, and in the south-west generally, many households fall into that category while others are just above that level, and do not benefit from the council tax benefit concessions. Will she now give us a straightforward answer to a straightforward question? Has that proportion risen or fallen since the Government came to power?

Dawn Primarolo: I am sure that the hon. Gentleman will congratulate the Government, as will his constituents, on the extra £340 million announced on Wednesday 10 December. That shows that the Government recognise the particular pressures on local authorities in terms of the environment and social services for children. That money is on top of the extra £420 million announced in the provisional statement in November. We should make the comparison with previous years. By next year, local authorities will have received a real-terms increase of some 30 per cent. since 1997, as against a fall of 7 per cent. in the last years of the previous Government.

I note that the hon. Gentleman's party is not suggesting that it would vary expenditure levels from the Government's current position, so perhaps he would like to tell us what the magic answer is that the Government's proposals do not provide.

Mr. Barry Gardiner (Brent, North) (Lab): Given the effect of the council tax on low-income families, does my right hon. Friend agree that it is unsurprising to find that council taxes in Labour areas are, on average, the lowest, while those in Conservative areas are the highest, and those in Liberal Democrat areas are the second highest?

Dawn Primarolo: What is important is that the Government and local authorities work together to improve the quality of services, and that the decisions that local authorities take for their council tax payers are reflected in the quality of the services then provided. As the Government made clear as recently as last week in the pre-Budget statement, we stand ready to play our part; the question now is whether local authorities will continue to play theirs.

Sir Patrick Cormack (South Staffordshire) (Con): Does the right hon. Lady accept that the last question was somewhat loaded, and will she also assure the House that however much the Liberal Democrats might rabbit on about local income tax, this Government will never introduce it?

Dawn Primarolo: The Prime Minister has made it clear that we do not favour that particular proposal, but for such any such proposal to be taken seriously, the Liberal Democrats would need to move beyond generalisations and tell us exactly how it would be achieved, how much it would cost and what extra bureaucracy would be entailed, particularly in respect of employers, who currently collect pay-as-you-earn. How would they deal with such a highly complex system, and how much would it cost them?

Mr. Stephen McCabe (Birmingham, Hall Green) (Lab): Does my right hon. Friend agree that replacing the council tax with local income tax would entrench regional disparities, and result in the poorest people in the poorest regions bearing a far greater proportion of the cost?

Dawn Primarolo: As you, Mr. Speaker, often say to Ministers at the Dispatch Box, it is not possible for us to speculate on the details of Liberal Democrat proposals. As always, the Liberal Democrats provide no detail and simply make win, win generalisations. Even superficial scrutiny of these proposals would reveal the problems of local disparities, the complexity of the system and the burdens on employers. As a result, the security of finance to local authorities could be seriously undermined.

Mr. Andrew Tyrie (Chichester) (Con): A moment ago, the Paymaster General referred to the £340 million that has been given to help contain the massive council tax rises resulting from Labour's burdening of local authorities with huge demands to supply more services. Is she aware that, either through incompetence—as I suspect—or design, the distribution formula means that each council tax payer in East Sussex and West Sussex will receive precisely tuppence of that £340 million? Does she not realise that those who are worst hit by these policies are poor people and pensioners in constituencies such as mine? How can she possibly justify a figure of tuppence a head?

Dawn Primarolo: I welcome the hon. Gentleman to the Dispatch Box—this is the first time he has asked a question in Treasury orals. If he cares to look at the tax and benefit reform undertaken by this Government and opposed by his party, he will see, for example, the massive increases in respect of families with children in the poorest fifth of the population. On average, they will be £2,900 a year better off by September 2004. The poorest one third of pensioner households have gained £1,600 a year in real terms. We have given £3.6 billion extra in resources and, as the hon. Gentleman well knows, the targeting of those resources at the very poorest in our community is the Government's priority, but his party has failed to commit itself to that strategy.

Climate Change Levy

12. **Mr. Colin Challen** (Morley and Rothwell) (Lab): What his assessment is of the effectiveness of the climate change levy. [144727]

The Economic Secretary to the Treasury (John Healey): The climate change levy was designed as an environmental tax, and is achieving important environmental gains. UK carbon emissions fell by 3.5 per cent. in 2002, and although there are always a number of factors affecting emission levels, it is clear that the levy system will have played an important part in that reduction.

Mr. Challen: I thank my hon. Friend for that answer, because it shows that a bold and decisive policy gets bold and decisive results. Will he assure me that the hard won gains in reduced carbon emissions will not be sacrificed owing to the exponential growth in aviation, and that the Government will take a similarly bold and decisive policy approach to reducing emissions from aircraft?

John Healey: My hon. Friend is something of an expert on the subject; he serves with distinguished commitment on the Environmental Audit Committee. He is right that aviation is responsible for about 10 per cent. of the UK climate change problem, but the projections that I think he has in mind overstate the potential problem, and fail to take into account a couple of important points, as he may recognise. First, the projections assume no improvements in technology, although over the past 30 years there has been a 50 per cent. cut in fuel consumption. Secondly, they assume that no new measures will be put in place. My hon. Friend will know, because his Committee has studied the matter, that with the publication of this week's air transport White Paper, it is clear that we are putting in place what I hope he will acknowledge to be bold and decisive measures to deal with emissions that contribute to climate change, noise levels that affect local residents, and local air pollution. The air transport White Paper makes it clear that the additional capacity that we need in this country will be balanced by broad-ranging environmental measures to tackle the environmental consequences of aviation, which we need, too.

Mr. Peter Pike (Burnley) (Lab): Does my hon. Friend recognise that although the policy has obviously achieved the environmental impact that he mentioned, the Government changed it considerably to meet the requirements of heavy energy users from the industrial sector? Will he confirm that discussions on that subject are ongoing, because as well as wanting environmental benefits, the Government recognise the importance of ensuring that our manufacturing jobs are secure, and that we keep those jobs?

John Healey: I can indeed confirm that. My hon. Friend follows these issues closely, so he will know that the climate change agreements that we put in place, which give the heavy energy-using sectors that he has in mind a discount of up to 80 per cent., have delivered three times the anticipated savings in carbon dioxide emissions. He will have noticed that last week my right hon. Friend the Chancellor confirmed that we are prepared to extend the eligibility for those negotiated agreements to equally intensive energy-using sectors that face international competition. I am sure that my hon. Friend will welcome that move, as will many parts of industry.

Public Spending

13. **Lawrie Quinn** (Scarborough and Whitby) (Lab): What assessment he has made of the effects on investment in infrastructure in Yorkshire of reducing public spending to 35 per cent. of GDP. [144728]

The Chancellor of the Exchequer (Mr. Gordon Brown): As I announced in the pre-Budget report, total managed expenditure in the UK for 2003–04 will be 41.4 per cent. of national income. Cutting total managed expenditure by 6.4 per cent. of GDP in the UK, were it to be reflected locally, would mean, in Yorkshire, a cut in spending of £100 million for each constituency, and that would mean fewer doctors, nurses, teachers and classroom assistants.

Lawrie Quinn: I thank my right hon. Friend for that answer. Does he agree that one of the main challenges in Yorkshire is the lack of investment in our transport infrastructure? If those policies were followed, what assessment would he make of our chances of clawing back the 30 years and more of under-investment in transport infrastructure in my region?

Mr. Brown: The local transport capital expenditure for Yorkshire and Humberside was £180 million, and it is £106 million in 2003–04. That compares with just £70 million in 1999. That doubling of expenditure could not take place under a 35 per cent. of GDP quota. Nurses, doctors and teachers, as well as the road and rail programmes, would be affected by such a massive cut.

Miss Anne McIntosh (Vale of York) (Con): How can the Chancellor square the record increase in investment in Network Rail with the fact that performance will not reach the levels enjoyed on the railways in 1997 for a considerable time to come? He is putting more money in, but performance and reliability on the railways is decreasing under this Government.

Mr. Brown: The hon. Lady forgets that more people are using the railways than at any time for 50 years, as a result of the extra investment that has been put in by this Government. She appears not to have heard that her Front Benchers have regretted railway privatisation and apologised for it. Just as they were wrong on the new deal, the Bank of England and the minimum wage, they were wrong in the way they privatised the railways.

Hugh Bayley (City of York) (Lab): What would the impact be on investment projects—such as the three new schools being built in York, the £16 million upgrade of York district hospital, the £26 million that York city council has to buy new buses and extend its bus services, and the university's planned expansion, with the creation of a new medical school and a new campus—if the Government were to go back to a 35 per cent. level of public expenditure?

Mr. Brown: If we were faced with the spending level proposed by the Conservatives, with public expenditure pegged at 35 per cent., we would have to sack most of the 50,000 nurses, the 20,000 doctors, the 20,000 teachers and the 90,000 classroom assistants who have been employed—[*Interruption*]—and they laugh at the prospect of sacking such important public service workers.

Home Energy Efficiency

14. **Sue Doughty** (Guildford) (LD): How many respondents to the recent Treasury consultation on economic instruments to improve household energy efficiency supported a rate of VAT of 5 per cent. for the supply and installation of energy-efficient products or materials in non-grant schemes when householders employ contractors. [144729]

15. **Brian White** (Milton Keynes, North-East) (Lab): How many respondents to the recent Treasury consultation on economic instruments to improve household energy efficiency supported capital allowances and enhanced capital allowances for companies to write off investments in energy saving equipment provided to social landlords and households. [144730]

The Economic Secretary to the Treasury (John Healey): The Government have published a summary of consultation responses, which is available on the Treasury website. It explains that we received 126 responses to the consultation, of which 120 supported a reduced rate of VAT for the supply and installation of energy-efficient products or materials, and 67 supported capital allowances.

Sue Doughty: I thank the Minister for his answer and for the response he gave earlier to the hon. Member for Nottingham, South (Alan Simpson). Will the Minister continue to examine closely the issue of reducing VAT on energy-saving materials and admit that the Government were wrong to suggest that Europe was stopping them reducing VAT to 5 per cent.? Will he make an announcement as soon as possible so that people can put plans in place to reduce the scourge of fuel poverty in this day and age?

John Healey: The hon. Lady serves on the Environmental Audit Committee, so I am surprised by her question. I would have expected her to know that it is wrong to say that without a change in Europe we could introduce a reduced rate of VAT on, for instance, energy-saving materials for do-it-yourself installation in homes. She is also wrong to say that without a change in Europe we can introduce a reduced rate for energy-efficient products such as fridges, boilers and light bulbs. We continue to battle with our friends in other member states in Europe to try to win the argument and we will consider the much narrower areas where we have the scope within the European system to introduce reduced rates that could help to achieve greater energy efficiency in the UK.

Brian White: I thank my hon. Friend for his earlier responses and I congratulate the Government on the swift announcement today of their combined heat and power targets for the whole of the Government estate, as required by the Sustainable Energy Act 2003. I wish to draw his attention to the frustration in the industry at the fact that the barriers that the Treasury consultation document so rightly identified could be addressed more quickly if the issue of capital allowances were tackled. I urge him to do that when the Government present their energy efficiency plan in February.

John Healey: In many ways I understand the point that my hon. Friend makes about impatience and frustration in the industry, but I hope that he will see the pre-Budget report as encouraging. It confirms that we see the case for using economic instruments to promote energy efficiency in the home and that we are considering a range of possible fiscal measures, including the capital allowances in which my hon. Friend is so interested. The work is complicated by the European review of reduced VAT rates and by a review that we have to undertake of the operation of corporation tax. Without a clearer idea of the outcome of both, it is difficult to make hard decisions. Nevertheless, we do not want to delay such decisions or announcements any longer than we need too.

Sir Sydney Chapman (Chipping Barnet) (Con): While I appreciate that in the area of energy efficiency VAT rating is a matter of EU directive interpretation and the decision of the Chancellor in his next Budget statement, will the Minister undertake a cost-benefit analysis well ahead of the Budget, which would indicate the loss to the Revenue on one side, if a selected group of energy efficiency materials had a lower rate of VAT—in particular, thermal insulation materials—against, on the other side, the benefits from improving energy efficiency in households? That would be helpful for the Government and the House in interpreting whatever measures the Chancellor announces in his next Budget.

John Healey: As the House will expect, we do such analyses of the economic costs and benefits of any potential policy measures. This is part and parcel of the case that we are making in Europe to have greater freedom in the United Kingdom to introduce reduced rates. Clearly, those calculations and that analysis will be part of any decisions that the Government take and the Chancellor announces as part of the Budget next year and beyond.

Millennium Development Goals

16. **Mr. Win Griffiths** (Bridgend) (Lab): If he will make a further statement on progress towards achieving the millennium development goals. [144731]

The Chancellor of the Exchequer (Mr. Gordon Brown): In addition to our regular meetings at G7 and with African Finance Ministers, we are calling a conference on the millennium development goals and on the international finance facility that we have proposed with China, India, Brazil and South Africa. We are also hosting at the Treasury a conference of Church leaders, faith groups and business to advance our proposals for the international finance facility. We are grateful for all-party support for this new proposal.

Mr. Griffiths: I thank my right hon. Friend for that response. At the conference, will he use his good offices to impress on South Africa, India and China the need to make sure that all those extremely poor parts of the world that are war-riven are brought back to the table of peace, to make sure that there is the right context for the millennium goals to be achieved more quickly?

Mr. Brown: I know how much work my hon. Friend does in this area and how active he has been in promoting the cause of peace and debt relief round the world. The Government are involved in trying to resolve many conflicts, in particular those that afflict areas of Africa such as the Democratic Republic of the Congo. We have proposed for countries that are coming out of conflict a far speedier process of debt relief so that, as they restructure their country, they can also restructure their economy free from the burden of debt. I hope that he and others will support us in what we are doing.

Mr. Andy Reed (Loughborough) (Lab/Co-op): Nobody doubts the Chancellor's commitment to ensuring that the millennium development goals are met, but I am sure that he is aware that we are falling well short of the targets that we set ourselves on the way. Does he agree that they could be speeded up in two ways: by the World Trade Organisation talks getting back on track and, specifically—I speak as a member of the all-party group on heavily indebted poorest countries—by him looking again at the debt levels and sustainability of the HIPC initiative for a number of those countries, particularly in Africa, in the light of the reduction in the price of consumer products such as coffee?

Mr. Brown: We continue to look at how we can advance debt relief. Twenty-seven countries are getting debt relief. Some of the countries mentioned by my hon. Friend the Member for Bridgend (Mr. Griffiths) could get debt relief if they were out of conflict. We continue to look at how we can persuade other countries to come up with more funds. My hon. Friend is right that the WTO talks are important to this and that public opinion matters in this. It is 20 years this Christmas since Bob Geldof's Band Aid raised public awareness of the problems of poverty in Africa. All parties and all good-minded people could combine and public opinion could be alerted to the blatant need to take further action to deal with world poverty.

Mr. Speaker: I call question 17. Norman Lamb is not here; the question has been withdrawn.

Fund Flows

18. **Michael Fabricant** (Lichfield) (Con): Thank you, Norman Lamb, and Mr. Speaker.

What assessment has been made of current fund flows between the United Kingdom and (a) the European Union and (b) the United States; and if he will make a statement. [144733]

The Financial Secretary to the Treasury (Ruth Kelly): The current account deficit in 2002 stood at 1.8 per cent. of GDP, well below past peaks. In 1989, the current account deficit reached more than 5 per cent. of GDP. The UK current account deficit is well below the US current account deficit of 5 per cent. of GDP.

Michael Fabricant: I thank the Minister for that answer. Will she give an idea of the current trade deficit with the European Union and the current trade surpluses with the United States of America? What lessons on international trade do they give the Government?

Ruth Kelly: I have already given the hon. Gentleman an idea of the figures. Despite the fact that the UK economy grew faster than any other country in the EC on average in 2001 and 2002, the latest statistics show that the trade deficit as a percentage of GDP has been stable over the past couple of years.

Police National Computer Records

12.30 pm

Mr. James Paice (South-East Cambridgeshire) (Con) *(urgent question)*: To ask the Minister for Crime Reduction, Policing and Community Safety to make a statement on the completeness of police national computer records in the light of the Soham murder case.

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): The whole House will join me in expressing our sympathy with the families of Holly Wells and Jessica Chapman. We cannot imagine the pain that they must be suffering, but we can work together to ensure that lessons are learned from the girls' murders.

My right hon. Friend the Home Secretary yesterday announced an independent inquiry led by Sir Michael Bichard. That inquiry will look into child protection procedures in Humberside police and Cambridgeshire constabulary. It will assess the effectiveness of the relevant intelligence-based record keeping, the vetting practices in those forces since 1995 and information sharing with other agencies. Importantly, it will report to the Home Secretary on matters of local and national relevance and make any recommendations it believes appropriate.

It is right that it should be Sir Michael Bichard who provides an authoritative answer on whether the completeness of police national computer records had a significant impact on the Soham case. I am sure the House will agree that I should not prejudge that independent inquiry. However, I can say that the speed and quality with which police forces record information on the police national computer has been the subject of a sustained focus by Her Majesty's inspectorate of constabulary in recent years.

A year-long inspection that ran in two phases from March 2001 to April 2002 was not encouraging. It found poor business processes, exacerbated by the lack of a national IT solution. The backlog of unentered case results was mainly due to the absence of strategic prioritisation of the issue and the failure to allocate sufficient people to the task. As a result of that inspection, the HMIC managed and monitored a year-long programme of work in every force to improve performance. That has covered two areas. The first is arrest and summons reports, which initiate a new record. The target is for 90 per cent. of reports to be logged on to the system within 24 hours. Some 79 per cent. of cases in England and 76 per cent. of cases in Wales are meeting that target. The second relates to court results. Police forces are measured against a target of 90 per cent. of court results being inputted on to the police national computer within seven days. At the moment, 38 per cent. of cases in England and 30 per cent. of cases in Wales are meeting that target, with 80 per cent. of cases reaching it within 28 days.

Forces have worked hard with the inspectorate to improve the situation. As a result, every force improved its performance and some were at, or near to, the nationally agreed targets. However, both the inspectorate and the Home Secretary are clear that many police forces must do a lot better to reach the standards that we are entitled to expect. To ensure that improvements are being made and properly tracked, a new team has been established in HMIC to audit and monitor forces' performance and intervene where necessary on a targeted basis.

Further action has also been undertaken by the Association of Chief Police Officers, which has set up a group to pursue the implementation of the other recommendations in the HMIC report. Paramount among those is the development of a statutory code of practice under powers put in place under the Police Reform Act 2002. That will set standards for forces in relation to the timeliness of inputting. A draft has been produced and is out for consultation. The consultation ends in January, and our aim is that the code should be in place by next April. In parallel, we are working with the Court Service on a joint document to set out escalation processes to deal with problem cases should they arise.

We have made very considerable progress in recent years in trying to ensure that vetting is effective and thorough, but we know that the Criminal Records Bureau can only be as good as the data available to it. That is why our ongoing work with police forces to ensure that the police national computer is kept up to date is so important. I assure the House that the inspectorate will continue to drive improvement in those forces that are not meeting their targets and that any further recommendations that Sir Michael Bichard makes will be dealt with speedily. The House and the people of this country would expect nothing less.

Mr. Paice: I thank the Minister for her statement and for her kind words about my constituents, the families of the two little girls. Through her, I thank the Home Secretary for his promptness in setting up the inquiry headed by Sir Michael Bichard into the effectiveness of the vetting practices carried out by the Cambridgeshire and Humberside forces.

My constituents in Soham, as well as parents throughout the country, are angry and horrified that a man with so many allegations against him came through the process apparently without criticism, and they wonder why no charges were brought when so many victims are now describing their experiences. Although the inquiry must be thorough and effective, will the Minister tell the House when she expects it to be able to report?

Will the inquiry investigate allegations that the Data Protection Act 1998 and even perhaps the Human Rights Act 1998 have prevented Humberside police from keeping or passing on relevant information, and the counter-statement by the registrar that that is not the case? Will the inquiry also consider the present Criminal Records Bureau operations and its system of checking people for work with children? In particular, is it still possible for someone who changes their name to circumvent the checks?

Has the Minister, as I have done, looked at the forms used by the CRB and seen how easy it would still be for someone of evil intent to evade detection? Is she satisfied that the quality control of work carried out by the CRB, including in Bombay, is adequate? Will she instigate, as one of her hon. Friends has suggested, random sampling to check the rigour of the CRB system?

On the police national computer itself, is the Minister aware that, on 3 February this year, her predecessor, the right hon. Member for Southampton, Itchen

[Mr. Paice]

(Mr. Denham), answered a written question from me on this very subject? At column 72W of the *Official Report* he said that, in the period to December last year, police forces took 71 days on average to enter all court disposals on to the database, against a target of what he then said was three days. The Minister said in her answer that the target was now seven days. Can she explain the discrepancy?

Will the Minister publish the report, which was apparently leaked yesterday, that suggested, according to the media, including the BBC, that the situation is getting worse rather than better? Will she explain why it was necessary to leak the report rather than publishing it in the interests of transparency, especially in the light of another answer that the right hon. Gentleman gave me on 30 October last year which, I am afraid flies in the face of what the Minister just told us when she said that the situation was very bad a year ago? The then Minister said:

> "The Inspectorate's first report showed considerable progress. Its second report, on the programme overall, which indicates substantial further progress, is under consideration."—[*Official Report*, 30 October 2002; Vol. 391, c. 846W.]

Yet the Minister has just told us that, in fact, the situation was not showing any improvement at all. Can she explain how much of the delay in entering data on to the computer is caused by the courts not meeting their targets for notifying forces, and how much by forces not entering the data once they have received them? Is it not obvious that no vetting process can be effective if records are two months out of date? If, a year ago, the situation was apparently improving—as the then Minister told me—why does it seem that it has not got better since?

The tragic and evil events that occurred in my constituency have struck a chord with people all over the country and abroad. Although we can never eliminate risk, it is essential that we ensure that those who work with our children do so with our trust. Will the Minister promise the House that Sir Michael Bichard's report will be published in full, and that whatever needs to be changed—people, systems or laws—it will be done?

Ms Blears: My right hon. Friend the Home Secretary said yesterday when he announced the inquiry that he wanted it to be completed speedily, particularly so that it does not cause further distress to the families, who have already gone through such a terrible time. My interpretation of "speedily" is a time scale of three to six months. Clearly, that will be a matter for Sir Michael Bichard in terms of his findings, but I want the matter to be dealt with as speedily as possible so that we can learn the lessons from what has happened.

The hon. Member for South-East Cambridgeshire (Mr. Paice) asked whether the data protection legislation has inhibited the ability of forces to collect data and use them properly in the vetting process. I assure the House that the data protection legislation does not inhibit that process. The Data Protection Act 1998 provides that information should not be kept longer than is necessary, which requires forces, as it does all of us, to exercise a degree of judgment and professionalism in how they use data and how they deal with data in their system. There are requirements whereby data that relate to offences for which there has been imprisonment for more than six months, or to any kind of sexual or violent offences, should be retained. A detailed framework therefore exists in which information can be used properly while complying with the provisions of the Data Protection Act. Certainly, I do not see those provisions as a bar.

In terms of the assurance of the process, the hon. Gentleman will be aware that we have been very concerned since the establishment of the Criminal Records Bureau, and in all the measures that we have taken subsequently, to ensure the integrity of its record keeping. We have wanted to drive performance not just in terms of timeliness but in terms of the quality of the results obtained. Every Member will appreciate that the Criminal Records Bureau has made significant progress. It had a difficult beginning, but the current process is much better. There is an ongoing consultation not just in relation to fees but in relation to the issue that that the hon. Gentleman raised about quality assurance: whether we can put more checks in place to ensure that we get the identity of the person correct when an application for a disclosure is submitted. We will look very carefully at the results of that consultation to see whether we can provide more quality assurance on that issue.

The hon. Gentleman asked about the discrepancy between the seven-day target and the original three-day target. I understand that courts are given three days to pass such information to the police, who then have three days to put it on to the computer. Occasionally, I suppose, one of those days will be on a weekend, which explains why they are measured against a seven-day period.

The hon. Gentleman asked whether the Bichard report will be published. I can undertake that that report will be published and will be available. It will be important that we all look at it closely and learn the lessons from it.

The hon. Gentleman also raised the important issue—one that I raised myself with my officials—of what would happen in relation to a delay if information were not on the computer. We are dealing with two separate sets of information: convictions, which would be on the police national computer, and local intelligence. Many of the issues in the Huntley case concern local intelligence. Because there were no convictions, the incidents would not have found their way on to the police national computer in the first place. It is vital that forces have that local intelligence and that when someone applies for an enhanced disclosure from the Criminal Records Bureau, they access local intelligence as well as convictions, so there should be a rounded mix.

As for the delay that the hon. Gentleman properly raised, 80 per cent. of cases are now getting on to the computer within a reasonable period of time—within 28 days—but when people apply for an enhanced disclosure they also get access to the arrests and summons that have not yet been entered. There ought to be sufficient checks in the system to ensure that there is no loophole through which people can go. I hope that the inquiry will look searchingly at those matters to ensure that the integrity and robustness of the whole system can be maintained. I give the hon. Gentleman an assurance and undertaking that the recommendations and lessons from the inquiry and the separate but parallel inquiry into child protection measures launched by my right hon. Friend the Secretary of State for Education and Skills will inform the way in which we proceed.

Mr. David Heath (Somerton and Frome) (LD): May I ask the hon. Member for South-East Cambridgeshire (Mr. Paice) to pass on our condolences to the families of the victims, as well as the whole community that he represents?

I welcome the inquiry. I hope that it will be thorough and speedy, and will take three, rather than six, months, if at all possible. I agree with the Minister that it is premature to point the finger of blame at individuals at this stage for what may be human error. Nevertheless, does she agree that there are clear signs of systemic failures in intelligence, data systems and media strategy? Given the catastrophic misunderstanding of the requirements of the Information Commissioner and the laws of data protection, will the Minister give me an assurance that, this very afternoon, as a matter of urgency, Her Majesty's inspectorate of constabulary will issue guidance in accordance with the commissioner's requirements to every police force about their responsibilities?

Data inputting into the police national computer has been a matter of concern for some time. The Minister explained what she is doing about the timeliness of inputting, but can she say something about accuracy, which is of equal concern? If people put rubbish in the system, they get rubbish out. Will there be an audit of the accuracy of information held on the police national computer? Will she confirm the answer that she gave my hon. Friend the Member for Mid-Dorset and North Poole (Mrs. Brooke) on 8 December that 20 per cent. of employers and organisations using the Criminal Records Bureau have refused to employ an individual as a result? That is a remarkably high figure.

On police operations, is the Minister satisfied with the system of mutual aid for small forces? I understand that, in Cambridgeshire, 300 officers from other forces were injected into the investigation at an early stage—that cannot but cause confusion in command and intelligence. Finally, has she had any indications that the police authorities in Humberside and Cambridgeshire are inquiring into the conduct of their senior officers?

Ms Blears: I can certainly confirm the importance of the speediness of the inquiry. I am concerned to make sure that we get on with it as quickly as possible.

As for system failures, they will be an essential part of Michael Bichard's investigation. I would not want to prejudge the issues in relation to Humberside and Cambridgeshire, as those are matters for the inquiry. However, the hon. Gentleman raised the important issue of systemic failures as well as individual culpability, and I am sure that those matters will be fully and properly explored. He asked whether HMIC can issue guidance this afternoon on information sharing. I cannot give an undertaking that that will happen this afternoon, but I acknowledge his right and proper call for urgent clarification. We shall certainly make sure that every force is aware of the legal position and the interaction of various bits of legislation. We must give them a firm foundation for the action that they take.

The hon. Gentleman has again raised the issues of quality assurance and audit. As I said in my statement, a new team has been set up in HMIC, and we have considerably strengthened its capacity to audit the way in which forces are complying. For me, that is just as important in respect of quality as in respect of timeliness. Much of the information recorded by the CRB is very detailed and includes the colour of people's eyes and their distinguishing features. A previous audit showed that the information in relation to convictions is robust, but questions remain about the quality of some of the fine detail that is recorded. It is important for operational purposes that the police have that fine detail about eye colour, height and distinguishing features, and I am pleased to assure the hon. Gentleman that it was found that the PNC database's information on convictions was entirely accurate in more than 94 per cent. of cases. A previous report found that 85 per cent. of records contained errors or omissions but, as I said, those can be matters of very fine detail. The issue is important, and I do not want to underestimate it, but 94 per cent. of convictions records are entirely accurate, and we should be aware of that.

The hon. Gentleman asked about people being refused employment. It was stated that 20 per cent. of people came into that category and, as far as we are aware, that is correct. One reason why questions about data protection have arisen is that the commissioner has been involved in a couple of cases in which very old convictions—incurred in what some may consider innocuous circumstances—have remained on file at the CRB. People have complained that they have been denied employment because of events that happened a long time ago. An example might be a schoolyard fight between two fairly young people that would have no bearing on any job being sought. That is one reason why the retention of information has become such a current issue.

We must always aim at getting the right balance in these matters. People have genuine concerns about privacy and the information that is held on them, but the public interest is served by the Government having access to as much information as possible. The spectrum between individuals retaining absolute privacy and the public interest is a matter that we in this House discuss time and again in relation to access to data. This is another example of the tensions that arise as we try to strike the right balance between private protection and public interest. I have no doubt that Sir Michael's inquiry will drill down into some of those important issues.

Mr. Shaun Woodward (St. Helens, South) (Lab): The Bichard inquiry may make various recommendations on data protection, human rights, the collection of information, local intelligence and so on, but they will only be as good as the degree of certainty that individuals are matched to the intelligence held on them. Whatever difficulties may arise in respect of civil liberties, does my hon. Friend agree that it would be a good idea for the Bichard inquiry to consider whether identity cards could have ensured that Huntley was

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unable to use an alternative identity? That he did so was clearly a deliberate attempt to prevent the police from putting together information about him.

Ms Blears: My hon. Friend makes an important point. The terms of reference are wide enough to allow Sir Michael to consider recommendations that he might want to apply nationally. We have recently had some good debates about the growth of the use of biometric information in connection with a range of identifiers for passports, driving licences and so on. We want to get as much information as we can to ensure that people who apply under the CRB procedures or who are on the PNC are who they say they are. That is a fundamental requirement for the integrity of the system as a whole.

Tim Loughton (East Worthing and Shoreham) (Con): Serious lessons from this case need to be learned, for child protection and for the forthcoming children's legislation, in which we hear that it is proposed to give identity numbers to 11 million children, only some of whom will be vulnerable. That provision will be greatly diluted if we do not have proper intelligence on the potential perpetrators of abuse and crimes against children. From what the Minister said, there is clearly confusion about how intelligence can be shared. She thinks that the guidelines are clear, but the police are confused about how they should be used. Conviction information may be readily available, but local intelligence needs to be shared properly—that is the key to better measures to combat child abuse. As a matter of urgency, will she ensure that it is made absolutely clear what intelligence about potential abusers—many of whom will have no criminal record—can be shared between the proper agencies dealing with child protection? Will she ensure that those findings are fed into the new children's legislation as soon as possible, so that children are protected and we can get better intelligence about the potential perpetrators of violence against them?

Ms Blears: That is clearly an important part of our considerations. The hon. Gentleman will know that my right hon. Friend the Secretary of State for Education and Skills announced a serious case review by the North East Lincolnshire area child protection committee. One of its terms of reference is to look specifically at how multi-agency working might be improved. Essential to that is the sharing of information. All of us who look at these matters now appreciate that we cannot get the results that we want if we work in silos. Coming together and sharing information is the best way to protect children and make services more effective.

It concerns me that the data protection legislation can be prayed in aid so that information is not shared as much as I should like. The adoption of proper protocols and safeguards will help to achieve the data protection aims and allow information to be shared. The evidence for that is the fact that police forces and local authorities around the country share information effectively. One of the challenges for the Government is to clarify for people that it is safe and lawful to share information, and to encourage best practice in that respect. The issue is very current and important for us. Clearly, we will take on board any recommendations in the Bichard review that we should do more or change the law. The practice is not widespread, but in some areas the data protection legislation is sometimes used as a blanket inhibition on multi-agency work. It should not be used in that way.

Mr. John Denham (Southampton, Itchen) (Lab): I welcome the statement by my hon. Friend that she is preparing a statutory code of practice on data entry into the police national computer. Will she confirm that that will be the first time that intervention powers in the Police Reform Act 2002 have been used to ensure that police performance is brought up to standard? She has implied already that, if things had worked properly, the only charge to appear on the PNC would have been the burglary charge, and that the other allegations would not have appeared. Can she assure me that people such as school caretakers, who are not defined legally as caring for children or being in charge of them, will none the less be subject in future to the enhanced disclosure procedures? If she cannot do that, will she ask Sir Michael Bichard to look at whether enhanced disclosure needs to be extended to those who work closely with, and have access to, children, even though those people are not caring for them or in charge of them?

Ms Blears: I am happy to confirm that Centrex has been working on preparing the statutory code of practice in this matter. I understand that it is not the first time that a code has been prepared, as a statutory code on the use of firearms by police was issued a few weeks ago. However, my right hon. Friend is right to say that the powers under the Police Reform Act are new and innovative, and I know that he played a fundamental part in taking that legislation through the House. The code of practice will be a great help to us.

My right hon. Friend asked whether a person applying to be a school caretaker would be required to obtain enhanced disclosure. That is important, but the requirements for enhanced disclosure apply to people who are regularly involved in caring for, training or supervising children, and to those who have sole charge of children. I understand that the Department for Education and Skills considers that caretakers would be required to undertake enhanced disclosure, as they can take the role of supervising children.

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Police records are never going to be wholly complete or up to date, so does the Minister agree that those who want to employ people in jobs that entail sensitive proximity to children would be well advised also to seek and follow up references in the traditional manner?

Ms Blears: The right hon. and learned Gentleman makes a reasonable, common-sense point. Criminal Records Bureau checks can only ever be one part of the jigsaw. Any sensible employer who is seeking to employ people in positions of sensitivity—whether it is around children or vulnerable adults, or with access to huge amounts of money—will obtain and follow up references in the normal course of that employment process. I thank the right hon. and learned Gentleman for reminding us that the Criminal Records Bureau is only one part of a much wider picture.

While I am on my feet, I should give some clarification to the hon. Member for Somerton and Frome (Mr. Heath), who asked whether 20 per cent. of people had been refused employment as a result of CRB checks. In a recent survey, one in five employers said that they had used the information in order to refuse employment—the figure therefore relates to one in five organisations, not one in five applicants.

Mr. Andrew Miller (Ellesmere Port and Neston) (Lab): My hon. Friend is absolutely correct that the data protection laws are often prayed in aid unreasonably. Agencies are far too cautious and records are destroyed. In this case, it appears—I use that word very carefully because we only know about some of the evidence—that there was a local newspaper report, which was shown on television last night, about a previous charge, but the police did not have adequate records of it. I join the hon. Member for Somerton and Frome (Mr. Heath) in asking that, as a matter of urgency, proper guidance is given in that respect and that, as part of his inquiry, Sir Michael engages in dialogue with the data protection commissioner to find ways in which to strengthen guidance not only to the police, but to other agencies that may provide useful information.

Ms Blears: Obviously, I cannot comment on the particular case, which will be a matter for Sir Michael's inquiry. However, I should like to remind the House that the inquiry's terms of reference provide that he is not only urgently to inquire into child protection procedures in Humberside police and Cambridgeshire constabulary, but

> "to assess the effectiveness of the relevant intelligence-based record keeping, the vetting practices in those forces since 1995 and information sharing with other agencies."

The terms of reference thus make it absolutely clear that Sir Michael will examine those very important issues. I note my hon. Friend's comments about urgent guidance and clarification—the whole House would agree that that needs to take place as soon as possible.

Michael Fabricant (Lichfield) (Con): The Minister spoke at some length about the inputting of data on to the computer and its timeliness. If the Government are going to place such an additional obligation on local police constabularies, will they be given the necessary resources? If not, we will find that fewer police officers are available to detect crime.

Given that duplication and triplication may occur when information is put on to a local computer, then has to be re-entered on to a national computer, could not an integrated system save time?

Ms Blears: The hon. Gentleman raises a fundamental point. The whole purpose of gathering intelligence is to enable our police forces to be more effective in fighting crime. Those matters are not mutually exclusive. The introduction of the national intelligence model, which is now being implemented across forces, is designed to ensure that, in relation to level 1 local crime, level 2 organised crime and level 3 national and international crime, we have a proper business framework for drawing together all the information and evidence that is out there, so that we can target our resources to the best effect and use our police officers smartly and more intelligently. The message to forces is that collecting data is not a bureaucratic burden, but the means by which they get the necessary information to drive their performance and to bear down on reducing and tackling crime.

In asking about information technology, the hon. Gentleman perhaps inadvertently raises a fundamental point about why we are embarking on our police reform process. As he will know, we have a massive programme called CJIT—criminal justice information technology—to integrate IT solutions across the criminal justice system, including the police and the courts, to ensure that we do not constantly duplicate our information. I understand that it will be some time before we have an integrated court-police interface—they have a slightly better system in Scotland—but we are on the case in terms of developing our own integrated information technology solution.

Mr. Tony McWalter (Hemel Hempstead) (Lab/Co-op): But where the police collect intelligence with a view to a prosecution, it is not at all clear how much of that intelligence should be factored into a computer record. Sometimes it can be tittle-tattle, but in other cases there may be a large number of independent reports that somebody is behaving in an abusive way. Integrating that information is a major difficulty. Will my hon. Friend set her team to consider legislation to that end, independently of the inquiry? We have addressed the issue in relation to antisocial behaviour—why should we not do so in relation to abusive persons?

Ms Blears: In an information-rich world, an increasing multiplicity of reports is available to us. My hon. Friend makes the important point that that information would be of much more use to us if we learned to handle it in an integrated way. I am encouraged when I see a much better use of information and data during my visits to forces. Some police officers are highly computer literate—certainly, more so than me—and they are beginning to use those tools in a much better way to fight crime.

As regards legislation, part of Sir Michael's remit is to make recommendations to us of a local or a national nature, and we shall want carefully to consider those recommendations before embarking on further legislation in this area.

Andrew George (St. Ives) (LD): Will the Minister ensure that the inquiry will also investigate procedural and organisational failures? In April this year, the Police Complaints Authority upheld 14 detailed complaints from one of my constituents in respect of the investigation by Cambridgeshire constabulary into the killing of her sister, Claire Oldfield-Hampson, in March in Cambridgeshire in 1996. Those complaints clearly identified serious systemic and organisational failures in that constabulary. Will the Minister ensure that the inquiry will consider not only that particular sad and tragic case, but circumstances where other constabularies have had a catalogue of complaints against them?

Ms Blears: I am not in a position to comment on the case that the hon. Gentleman mentions. However, it is important that as a fundamental part of his inquiry Sir

[Ms Blears]

Michael looks generally at the effectiveness of the police's intelligence-based records, the vetting practices that they undertake, and the way in which they share information. The way in which he organises the submissions that he takes in evidence is a matter for him, but I am sure that he will want to consider very carefully the systems that have been put in place and their effectiveness in handling information.

Dr. Brian Iddon (Bolton, South-East) (Lab): The problem is that dangerous people move from one part of the country to another. One such case was the murder of young Ryan Mason in my constituency, who was viciously attacked by a man who then dumped his naked body in a bin bag on Great Lever golf course. The man, who was from another town, had moved in with Ryan's mother. The police already had evidence that he had carried out vicious attacks on two other young children. The police are developing a very powerful database, in which I have taken a great interest, called VISOR—the violent and sex offenders register. I understand that it is being trialled in three parts of the country and is to be rolled out in the new year. In my opinion, had VISOR been running at the time of the attack on Ryan, his life might well have been saved, so can my hon. Friend update us on the stage that it has reached?

Ms Blears: My hon. Friend makes the important point that people nowadays are more geographically mobile than ever and it is therefore important that forces can use the national computer and their regional databases to track information. He mentioned the VISOR database, which is being developed. I undertake to write to him to give further details of the way in which the trials are proceeding.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): Does the Minister agree that the integrity of the Criminal Records Bureau depends on verification of personal details? Following on from the question of the hon. Member for Bolton, South-East (Dr. Iddon), it appears that it is possible to move to different parts of the country, use a different name and evade the checks. A senior police officer in this place suggested to me that instead of—or as well as—using a general credit reference, a specific credit card reference would be more precise and up to date. Will the Minister consider that and ask Sir Michael to look into it?

Ms Blears: I understand that, in the case of enhanced disclosures, the Criminal Records Bureau makes inquiries of the forces that cover the areas where the applicant has lived in the past five years. There is therefore provision in the Criminal Records Bureau process to try to track back to places where people have lived previously. I undertake to examine the hon. Gentleman's specific suggestion and ascertain whether it has merit and whether we could build it into the process.

Mr. Dennis Skinner (Bolsover) (Lab): Does it not beggar belief that, in this day and age, when we have more police than at any other time in history, they allowed this man Huntley to get a job and escape the net for so long? Yet 20 years ago, the police, with fewer numbers but national priorities, were able to arrest 9,000 miners, nearly every single one of whom had a clean record. They were chucked in the clink, yet the police could not get hold of this man, who had been having sex with under-age girls all over Yorkshire and Humberside. It is time they got their priorities right.

Mr. Speaker: Order. I am going to move on.

Business of the House

1.12 pm

Mr. Oliver Heald (North-East Hertfordshire) (Con): Will the Leader of the House please give us the business for the first week after the Christmas break?

The Leader of the House of Commons (Mr. Peter Hain): The business for the week after the Christmas recess will be as follows:

MONDAY 5 JANUARY—Second Reading of the Traffic Management Bill.

TUESDAY 6 JANUARY—Second Reading of the National Insurance Contributions and Statutory Payments Bill.

WEDNESDAY 7 JANUARY—Opposition Day [1st allotted day]. There will be a debate on an Opposition motion. Subject to be announced.

THURSDAY 8 JANUARY—Second Reading of the Horserace Betting and Olympic Lottery Bill.

The provisional business for the following week will be:

MONDAY 12 JANUARY—Second Reading of the Housing Bill.

TUESDAY 13 JANUARY—Opposition Day [2nd allotted day]. There will be a debate on an Opposition motion. Subject to be announced.

WEDNESDAY 14 JANUARY—Second Reading of the Employment Relations Bill.

THURSDAY 15 JANUARY—Second Reading of the Human Tissue Bill.

I should also like to inform the House that the business in Westminster Hall for the first two weeks following the Christmas recess will be:

THURSDAY 8 JANUARY—Debate on the report from the Public Administration Committee on ministerial accountability and parliamentary questions.

THURSDAY 15 JANUARY—Debate on the report from the Health Committee on sexual health.

I should like to wish all hon. Members, and especially the staff of the House, a merry Christmas and a happy new year.

Mr. Heald: May I associate myself and my hon. Friends with those remarks? A very merry Christmas to everybody.

Has the Leader of the House seen the important report of the high ranking Privy Councillor Review Committee on the Anti-terrorism, Crime and Security Act 2001? That highly critical report calls for a separate and distinct body of terrorism legislation and demands several parliamentary debates separate from the debate that renews the 2001 Act. Given the gravity of those issues, will the right hon. Gentleman assure me that he will consider the way in which the matter will be handled on the Floor of the House and tell us either now or, perhaps more reasonably, after Christmas?

Does the right hon. Gentleman know of the allegation in the *Health Service Journal* that pressure was put on civil servants to give the Prime Minister's local hospital a three-star rating and an extra £1 million grant when the other local Member of Parliament, the right hon. Member for Darlington (Mr. Milburn), was Secretary of State for Health? Surely an independent inquiry should be held into the allegation that health service ratings were manipulated for political purposes. When can we expect a statement on that?

The Leader of the House announced Second Reading of the Human Tissue Bill. Given the ethical and scientific issues that surround it, and the Government's earlier suggestion that it would be suitable for pre-legislative scrutiny, will the right hon. Gentleman consider whether the measure is appropriate for consideration by a Special Standing Committee, in which evidence could be taken on those important aspects?

The Leader of the House will recall that, on 27 November, I raised the sitting hours. Subsequently, more than 230 hon. Members have signed early-day motion 262.

[That this House notes that the revised sitting hours and related arrangements have now been in place for 12 months; believes that there is now sufficient experience of the new arrangements to enable the House to judge what adjustments would be appropriate to enable the business of the House to be conducted more effectively; and calls for an urgent review of the reforms.]

In the light of that, and given last week's announcement of a questionnaire by the Procedure Committee, will the right hon. Gentleman tell us how he is getting on with setting up a review of the new arrangements?

Will the Leader of House comment on a modernisation measure—an early Christmas present for Conservative Members? Yesterday at Prime Minister's Question Time, the Leader of the Opposition asked the Prime Minister six questions. Of course, he did not get an answer but that did not surprise us. However, the Prime Minister asked my right hon. and learned Friend five questions. Is that not overwhelming evidence of the need for change and the introduction of Leader of the Opposition's Question Time? My right hon. and learned Friend generously said that he would support that and that he might even allow the Prime Minister more than six questions, if the right hon. Gentleman were ever prepared to answer a single question.

Mr. Hain: On the latter point, if the shadow Leader of the House is seriously pressing for a Leader of the Opposition's Question Time, it suggests that the Leader of the Opposition intends to remain in that position for a long time.

Let us consider the more serious points. The Newton committee review was published today and laid before the House with a written ministerial statement from the Home Secretary. We will issue a statement in response to the report and consider the hon. Gentleman's request.

The hon. Gentleman mentioned the former Secretary of State for Health. Let me make the procedural point that it would have been odd for him not to be involved in commenting on and raising queries about the formative stages of a brand new system of evaluation, especially since the Department of Health was responsible for producing the star ratings at the time. There is an important distinction between asking a question and issuing an instruction. The former Secretary of State asked a question, as he did about several hospital trusts that were introducing the system. Consequently, there

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were fluctuations—some ratings went up and others went down. Indeed, he asked a question about the hospital trust in the constituency of the right hon. Member for Maidstone and The Weald (Miss Widdecombe). I am happy to report that the star rating increased there, too.

The hon. Gentleman asked whether there would be special procedures, perhaps pre-legislative scrutiny, for the Human Tissue Bill. I am happy to consider that. He made an interesting suggestion about the Bill's suitability for consideration by a Special Standing Committee so that evidence could be taken. I shall look into the matter and write to him about it.

I noted the 238 names of hon. Members who signed the early-day motion on the hours of the House. I have consulted widely about the new hours. I have seen in my room more than 100 Members of Parliament from the three major parties. In addition, I have talked to individual Members about these matters in the corridors and the Tea Room. I have listened carefully to what everyone has said, and there are a lot of different views. Obviously, there is a large group of people—as illustrated by the early-day motion—who would like the hours to be changed. I very much doubt from the conversations that I have had that a majority would favour going back to the original hours, but there have been suggestions about how the existing hours could be modified and how some of the anomalies and difficulties could be removed. I shall continue to listen, and consider how to take the matter forward.

The Modernisation Committee has ownership of this issue in the sense that it drew up the report that led to the motion that came to the House, which led to the vote to change the hours. The Committee will want to consider at what point it will start the review that was promised in the motion that was carried by the House for the hours to remain as they are for the rest of this Parliament. I shall consult all hon. Members and others about how we take the matter forward.

The hon. Gentleman asked for an early Christmas present for the Opposition, and I should be happy to promise him one right now! I wish them every opportunity to spend many long years in opposition. I have already answered his point on whether there should be a Leader of the Opposition's Question Time.

Mr. Paul Tyler (North Cornwall) (LD): May I suggest to the Leader of the House that the issue raised by the hon. Member for North-East Hertfordshire (Mr. Heald) about the allocation of appropriate Bills to a Special Standing Committee is precisely the kind of issue that ought to be discussed between the parties around the table, as was recommended by the Modernisation Committee and approved by the House? I drew this matter to the attention of the Leader of the House last week.

May we have a statement as early as possible after the recess from the Secretary of State for Education and Skills on today's Select Committee report on schools funding? This damning report draws two very important conclusions. It says:

> "It was a serious weakness in the Department's strategy to implement the schools' funding changes without knowing in detail how schools would be affected."

It goes on to say:

> "If the Government has a desire for a greater degree of central control over schools funding, about which we would have serious reservations, it should provide itself with an effective means of exercising that control."

This report, produced by a Committee with a large Labour majority, makes it quite clear that the schools Minister was guilty of presiding over a complete disaster this year: a £1 billion bungle. He and the Secretary of State blamed local education authorities of all parties—not just Opposition parties—for the way in which they handled the issue, when in fact the blame should have stayed with the Department. Will the Leader of the House ensure that the Secretary of State comes to the House early in the new year, apologises to those local authorities on behalf of his ministerial team and gives us an assurance that this will not happen again in 2004–05?

Mr. Hain: On the question of discussions between the hon. Gentleman, the shadow Leader of the House and me on forthcoming matters, this has not been the practice in the past and I do not see any persuasive case for changing the arrangements. As the hon. Gentleman knows, however, I have written to the Chairman of the Liaison Committee about a large number of draft Bills, giving the Chairman and, therefore, all Select Committee Chairmen early notice of the timetable that we envisage for introducing draft Bills for pre-legislative scrutiny. The Chairman of the Liaison Committee very much welcomed that initiative, as did his colleagues on the Committee.

On schools funding, yes, there was a glitch in the system that caused considerable difficulty, but a package has been put in place by the Secretary of State that will ensure adequate resources for local authorities and provide minimum increases in funding for every school. It will also involve making early announcements, reversing cuts in grant and limiting central spending. All those measures will address the problems that were raised by this episode. The Secretary of State also answers questions regularly in the House when these matters have been raised, and that will continue to be possible. I would like to put this in perspective. Despite those unhappy glitches, the Government are introducing record investment into schools, recruiting thousands of extra teachers, and driving up standards in primary and secondary schools, achieving the highest levels of attainment and investment for decades. The difficulties to which the hon. Gentleman referred, which were unacceptable, should be set against this impressive record of continued educational investment and spending, and the rising standards that result from that.

Mr. Alan Meale (Mansfield) (Lab): The Leader of the House will be aware of the magnificent efforts of our Post Office workers who have delivered record levels of Christmas mail in the last few weeks. He will also be aware that, some months ago, I came to the House and extracted from the Minister for Energy, E-Commerce and Postal Services a guarantee that before any sub-post offices were closed, the local Members of Parliament and local authorities would be consulted. My right hon. Friend will therefore be as alarmed as I was to learn of the announcement this morning of the closure of 11 sub-post offices in my area, without that guarantee having been met. Will he ask his colleagues at the Department of Trade and Industry to invite the chairman of Royal Mail, Mr. Allan Leighton to explain why he has baulked that guarantee? Perhaps it could be suggested to Mr. Leighton that if he spent as much time saving rural and urban post offices as he spends trying to save Leeds United, he would do a better job.

Mr. Hain: It is probably easier to save local post offices than it is to save Leeds United in the current circumstances. I am disturbed by the account to which my hon. Friend refers. It is imperative that local Members of Parliament and local councils, as well as the local public who will be affected, should be consulted by the Post Office on any planned closures. That is normally what happens, as I know from my own experience. If my hon. Friend has not been consulted, especially given the large number of closures involved, it is totally unacceptable. I am sure that the chairman of the Post Office will note my hon. Friend's anger about this matter. My hon. Friend will have the opportunity to raise the issue again in the debate on this subject planned for 7 January, and I hope that he takes the opportunity to do so.

Bob Spink (Castle Point) (Con): The local transport settlement for 2004–05 was announced in today's Order Paper, which gave notice of a written statement on the matter. Last year, there was an oral statement, which gave hon. Members the opportunity to question the Government on this important matter, particularly given the increased congestion and rail problems in certain areas. May we have a debate early in the new year to enable hon. Members to hold the Government to account on this important issue?

Mr. Hain: The hon. Gentleman has the opportunity to apply for an early debate, but I believe that at this moment just before the recess it was absolutely proper to have a written ministerial statement setting all these matters out. I am sure that he will also recognise that we have a very impressive record of extra investment in rail services, local transport schemes and extra bus provision, especially in rural areas. As a result of that investment, 1,500 new trains have come into service since we have been in power, and there has been a 20 per cent. rise in rail passenger journeys—*[Interruption.]* I hear a few scoffs from Conservative Back Benchers, but let us compare this with their Government's record of cuts in rail investment that led to the absolute shambles and danger to passenger safety that we inherited.

David Winnick (Walsall, North) (Lab): Does my right hon. Friend agree that a very nice Christmas box for Labour Members and for the majority of people in the country would have been an announcement that the Parliament Acts would be used to ensure that the Hunting Bill became law in the lifetime of this Parliament? Is he aware that the Countryside Alliance has produced playing cards with the 50 most dedicated opponents of fox hunting on them? I am pleased to say that I am on that list, but I would like to be higher up.

Mr. Hain: I am not sure whether I am on that list, but it would be an honour to be so. I have made our position absolutely clear, both at business questions and elsewhere, on how this matter is to be taken forward, and I do not have anything to add to that.

Sir George Young (North-West Hampshire) (Con): The Leader of the House has been pressed on several occasions for a debate on the Procedure Committee report recommending legislation on Parliament square. He has said that that issue needed to be resolved sooner rather than later. That was on 27 November. How late can "soon" be, before "sooner" becomes "later"?

Mr. Hain: A number of different agencies are involved, as the right hon. Gentleman understands, such as the Royal Parks Agency, local authorities and the police, and consultations are taking place. I understand the point that he raises; "soon" means soon. I shall seek to address the matter as soon as I can. Equally, he will understand that the Procedure Committee report, which was strongly argued and persuasive, raised important issues and they need to be considered properly rather than prematurely.

Geraldine Smith (Morecambe and Lunesdale) (Lab): The Leader of the House will be aware of the success of the pension credit in helping some of the poorest pensioners in this country. In my constituency, more than 4,000 pensioners have benefited, but I would like a debate early in the new year to consider specifically how to increase take-up of the pension credit and find more ways to encourage pensioners to get the benefits that they are entitled to.

Mr. Hain: My hon. Friend raises an important matter. Already, 2.4 million pensioners receive pension credit, which is a big total. I would urge all Members of Parliament to publicise the credit and appeal to local pensioners to contact local pensioner groups to ensure that take-up is even better than it has been, because we need it to be extensive. The credit is a radical improvement in the lives of pensioners who have almost certainly been hard-working for all their working lives, who may have been thrifty and may have a small amount of savings. They have not had support if they received a small widow's pension or a small occupational pension or had modest savings.

The Government are delivering the pension credit as part of the £9 billion more a year we have spent on support for pensioners since we came to power. It is disgraceful that the Opposition plan to axe the pension credit.

Mr. Michael Jack (Fylde) (Con): You may recall, Mr. Deputy Speaker, that the time available for questioning the Secretary of State for Defence on the publication of the defence White Paper was curtailed because of pressure of business in the House. Will the Leader of the House look again at providing an opportunity for a debate on defence procurement, because the Secretary of State mentioned in the White Paper, among other things, the possibility of reducing the number of aircraft in service or to be procured?

There is great uncertainty among the tens of thousands of aerospace workers in the north-west about that announcement and there is a great need for

[Mr. Michael Jack]

clarification of Government policy on this area. Would the Leader of the House have a look at the matter, please?

Mr. Hain: I know of the right hon. Gentleman's close constituency interest in the defence industry, and the long and expert interest he has taken in the issue of defence. I am sure that he will be pleased to know that his request will be accepted. The Secretary of State for Defence plans to have a debate on the White Paper as soon as it is possible to do so. *[Interruption.]* As soon as it is possible.

We agree with the right hon. Gentleman: the Government want strong defence for the country, and we want maximum opportunities for British defence-based industries to take advantage of supplying not only our own needs, but overseas contracts, too.

Rob Marris (Wolverhampton, South-West) (Lab): I note that on 14 January the Employment Relations Bill is due to receive its Second Reading. I wonder whether the Leader of the House might arrange for a statement that day from the relevant Minister on the Government's employment strategy. My understanding of the unemployment figures in the paper today is that more people are employed in the United Kingdom than ever before. However, I understand that some people are suggesting that the Government's programmes of new deals for jobs should be scrapped. Can we have a statement to clarify that issue on the day that the Employment Relations Bill has its Second Reading?

Mr. Hain: I will look sympathetically at that, because the employment record of this Government is second to none. There has been a rise in employment of nearly 1.7 million and unemployment has been cut to the lowest for generations. On the question of the new deal, I find it astonishing that the Leader of the Opposition has said:

> "We think the New Deal has been an expensive failure".

The right hon. Member for Bromley and Chislehurst (Mr. Forth) nods in agreement, as I suppose all Conservative Members alongside him are doing. In the constituency of the Leader of the Opposition, Folkestone and Hythe, an extra 650 young people have got jobs as a result of the new deal, and 1,450 people got jobs as a result of the new deal if we take over-25s into account. The role of the new deal in personal mentoring and individual advice is important.

Mr. Deputy Speaker (Sir Michael Lord): Order. I think that we are getting a little way away from next week's business.

Mr. Eric Forth (Bromley and Chislehurst) (Con): Whatever happened to pre-legislative scrutiny? The Leader of the House will recall that his predecessor but one produced a lot of high falutin' undertakings about how parliamentary life was going to be transformed by pre-legislative scrutiny. However, partly owing to the cock-up of last year's legislative programme and the late start this year, there is not much sign of any serious "pre-leg" scrutiny. Will the Leader of the House tell us how many of the Government Bills to be brought before the House in this year's programme will be subjected to full-blown, effective, proper pre-legislative scrutiny? Is the undertaking that was given to be honoured?

Mr. Hain: First, I welcome the right hon. Gentleman back to business questions in a reincarnation of his impressive and energetic parliamentary obstructionism. I think that it adds to the quality of our debates and of the House in general.

As the right hon. Gentleman knows, a dozen Bills have been announced as draft Bills that will be subject to pre-legislative scrutiny. That is the largest number ever, and I am sure that he will welcome that for obvious reasons. I wrote to the Chairman of the Liaison Committee, as I indicated a few minutes ago, giving the projected timetable so that the Select Committees involved can set up their own programmes of work. They found that very helpful, and I am sure that the right hon. Gentleman would wish to take any opportunity to get involved as well.

Keith Vaz (Leicester, East) (Lab): I wonder whether my right hon. Friend is a regular viewer of "EastEnders", or does he feel that being Leader of the House is enough exposure to soaps? May I draw his attention to early-day motion 309 and the case it involves?

[That this House notes that Dalip Tahil who plays Dan Ferreira in Eastenders may face removal from Britain for breach of work permit regulations; further notes press reports that he has received a letter from the Home Office rejecting his application to stay and work here; expresses its concern about these reports; and calls upon the Home Secretary to intervene in this case to ensure that Mr Tahil will be allowed to continue in his role not just because he is an excellent actor, and one of the few actors of Asian origin on national television, but also because the Ferreira family with their trials, tribulations and trysts will be left fatherless at this crucial time in all their lives.]

Dalip Tahil is an internationally renowned actor who faces removal from this country, not in the soap but in real life, because of work permit issues. I raised that matter with the Home Secretary on Tuesday, and he promised that officials would speak to me about it. I have just spoken to Mr. Tahil's solicitor and he has made an application to remain in this country under the highly skilled migrant workers scheme. I do not expect the Leader of the House to give me an answer today, but would he draw the attention of the Home Secretary to the early-day motion so that we can have the meeting that was promised?

Mr. Hain: I am sure that the Home Secretary will already have noted my hon. Friend's question, and I know of the close, expert interest he takes in such matters. This is a serious case with a lot of complications and he will understand that I cannot comment on individual cases.

My hon. Friend asked me about my television viewing habits. I must confess that I have not had time to see an episode of "EastEnders" for a very long time. I was in the humiliating position of answering a question about which two television programmes I saw more than twice a month. I am afraid that they were "The Premiership" and "Newsnight".

Mr. Douglas Hogg (Sleaford and North Hykeham) (Con): Would the right hon. Gentleman please arrange an early debate on the question of detention without trial? That would enable us to press the Government on what they are doing with regard to the nine UK citizens in Guantanamo Bay and enable the Government to make a full statement on the 14 foreign nationals held in the UK under the anti-terrorism legislation. He will know full well that the Newton committee report published today suggests that part 4 of the Anti-terrorism, Crime and Security Act 2001 should be replaced, and expresses grave concern about its powers. In that latter connection, he will remember that he said last week that he would communicate my anxieties to the Home Secretary. Has he done so, and what was the response?

Mr. Hain: I have indeed done so, and as I indicated to the shadow Leader of the House a few moments ago, the Government are studying the Newton report very carefully. The right hon. and learned Gentleman is right to express concern about the position of the 14 foreign nationals. Equally, he will understand that the security threat to this country from terrorism from foreign sources is the greatest ever. We have never been in this situation before—obviously the IRA experience was in a different category—and, therefore, we have to take such matters seriously. That is why the powers exist under the 2001 Act to allow us to do so.

I am sure that, following the dreadful attack on our Istanbul consulate, and the attacks that are constantly being threatened or carried out on British interests across the world, the right hon. and learned Gentleman would want us to be very careful about how we deal with suspects, or people whom we have arrested, and how we keep them in a position where they cannot mount any terrorist attacks.

Mr. Wayne David (Caerphilly) (Lab): Will the Leader of the House ensure that there is a debate as soon as possible on the legacy of pit closures in south Wales in the 1980s? Such a debate is vital, because it has recently been suggested that a favour was done for the people of Wales by the devastation of communities right across the coalfield. That statement was made by none other than the Leader of the Opposition, who—believe it or not—is a Welshman.

Mr. Hain: I will certainly consider my hon. Friend's request for a debate. It would be interesting to have one, precisely for the reasons that he gave. He is able to apply for a debate himself. I was astonished to read in *The Western Mail* the statement by the Leader of the Opposition that coal communities had

"revived very considerably under Margaret Thatcher."

What planet is he living on? Planet poll tax?

Mr. John Wilkinson (Ruislip-Northwood) (Con): Does the Leader of the House recognise the importance of early-day motion 127?

[That this House calls upon Her Majesty's Government of the United Kingdom of Great Britain and Northern Ireland to mark the 70th anniversary of the Soviet-induced famine and genocide in Ukraine; urges it to recognise officially that in 1932–33 the Soviet regime under Stalin employed genocide to destroy opposition in Ukraine; emphasises that it should acknowledge publicly that some seven million Ukrainians were starved to death as a result of the enforced collectivisation of agriculture in Ukraine; reminds it of its duty to condemn any and all attempts to deny or misrepresent the facts about the Ukrainian famine and genocide; insists that it must admit that the Foreign and Commonwealth Office archives reveal that the United Kingdom Government was aware of the scale of genocide and famine in Ukraine in 1932–33 yet chose to remain silent on the issue; asserts that it should state publicly that information about the Ukrainian famine and genocide of 1932–33 was suppressed, distorted, or wiped out by the Soviet authorities and that fully reliable information has only relatively recently become available in Ukraine itself; presses it to direct a comprehensive review of the UK National Curriculum in schools in all matters concerning the Stalin era, especially with regard to the Ukrainian famine and genocide of 1932–33; and declares that it has a moral duty to support a motion, which is to be proposed at the United Nations in November 2003; seeking international recognition that the forced famine of 1932–33 in Ukraine was an act of genocide against the Ukrainian nation.]

It was signed by 34 hon. Members from both sides of the House, including myself. Those signatures were acquired without canvassing.

Can Her Majesty's Government find time officially to recognise that the famine was deliberately induced by the artificial policy of collectivisation under Stalin? It was a deliberate act of genocide to wipe out opposition in Ukraine. If Her Majesty's Government could do that, it would be a bold step in support of human rights.

Mr. Hain: I respect the hon. Gentleman's reasons for raising this matter, and I pay tribute to him for keeping the issue under public scrutiny. Famine was one of Stalin's most terrible crimes. However, we do not think that the United Nations is the right forum in which to resolve such complex historical issues, even though terrible crimes are involved. I am advised that the Ukrainian Government withdrew a draft United Nations resolution, and instead issued a statement at the United Nations, which was agreed with the Russian Federation among others. We will obviously keep this issue under review.

Mr. Russell Brown (Dumfries) (Lab): After years of dissatisfaction, weeks of deliberation and a certain amount of research, I applied earlier this week, through the good offices of the Speaker, for an Adjournment debate on honours lists. This morning, the Table Office informed me that such a debate could not be held, because such questions are usually referred to the Prime Minister, and he does not answer Adjournment debates. If Back Benchers cannot raise an Adjournment debate on the honours list system, will my right hon. Friend find time in the House for one to be held?

Mr. Hain: I am grateful to my hon. Friend for giving me prior notice of his question. I am concerned that he should have the opportunity to apply for a debate on the honours system and issues connected with it. It is a proper matter to discuss in the House. The Table Office quite properly advised him that the Prime Minister does

[Mr. Hain]

not do Adjournment debates, and there is no procedure for a request for an Adjournment debate to the Prime Minister.

Mr. Heald: Modernisation.

Mr. Hain: If the hon. Gentleman can wait for it.

I am sure that there is a way of resolving this problem. I shall discuss with No. 10 whether a Cabinet Office Minister could answer any such debate should my hon. Friend be successful in applying for one.

I take this opportunity to encourage all hon. Members to do what I have written to Welsh Members of all parties encouraging them to do: to put forward names for honours to be considered by the relevant committees. Many people do fantastic voluntary work in our communities. They are the local heroes and heroines of our communities, and they make up the life of our country and contribute such a lot. They should be in pole position for honours. There should be more nominees, and I hope that all Members will put in their nominations.

Mrs. Patsy Calton (Cheadle) (LD): May I add my request for a debate on the botched and sham consultation procedures used by the Post Office for their closure programme? Yesterday, I was supposed to receive a special delivery package to inform me about closures in my constituency, but it was lost in the post, as was that of the hon. Member for Stockport (Ms Coffey). To lose one special delivery package could be considered a misfortune, but to lose two looks like carelessness. A copy has turned up today, but the clock is ticking on this consultation, which will end on 27 January. That is not six weeks from today or yesterday.

Given the timing of the start of this exercise over Christmas, will the Leader of the House support my request for an extension to the consultation period in my area, and for proper consideration of the needs of all our local communities based around post offices?

Mr. Hain: Given the number of questions that have been raised with me about post office closures, the Post Office must clearly think carefully about how it proceeds, especially about its consultations with local Members of Parliament. I replied to my hon. Friend the Member for Mansfield (Mr. Meale) about his situation. It is imperative that Members of Parliament are properly advised and fully involved. I am sure that the chairman of the Post Office will want to consider carefully the points that the hon. Lady and my hon. Friend have made.

Dr. Brian Iddon (Bolton, South-East) (Lab): The only day when my constituents can get down from my constituency to London, take the Line of Route tour and enjoy the workings of the House is a Monday. This year for the first time I am unable to book our sixth-form students on to the Line of Route on a Monday, because they will have taken their A-levels by the time a slot is available. My right hon. Friend may be surprised to learn that the Line of Route tour is booked up until late June or early July. Will he ask the House authorities to look into this problem, especially for constituencies further away from London, and to try to resolve the difficulties for Members of Parliament who, like me, have constituencies some distance from London? Our constituents do not believe that we cannot arrange visits to the House.

Mr. Hain: I am grateful that my hon. Friend has raised this matter with me. I, too, have been concerned about this situation. My constituency is almost 200 miles away, and I have had difficulty agreeing dates with local schools and others who want to visit the House and take advantage of the Line of Route tour. I have asked the Serjeant at Arms to look into this problem, because I think that we should have more flexibility and more structuring of the arrangements so that Members from London and nearby are encouraged to come in the earlier part of the day, and to begin Line of Route tours much earlier on a Tuesday, Wednesday and Thursday than they currently do. The staffing and cost implications need to be considered, which is why the Serjeant is looking into the problem at my request. We could consider having extra opportunities on Fridays. I am sure that London Members would be willing to be allocated earlier times, especially on Tuesdays, Wednesdays and Thursdays, so that Members such as my hon. Friend and others with constituencies outside London can take advantage of the Line of Route.

This essential service is provided for our constituents to visit the Palace. As we all know, it is very popular, and it helps to keep the House of Commons and Parliament as a whole closely connected to the citizens who put us here. I am involved with fellow members of the Modernisation Committee in considering a range of issues about reconnecting the House of Commons with voters. They include not just the Line of Route but a proper reception centre, so that visitors can be treated properly and admitted with some dignity and with decent security. That is very much on our agenda.

Mr. Nigel Evans (Ribble Valley) (Con): One of the unintended consequences of the new hours is the loss of our opportunity to bring our constituents here on Tuesdays, Wednesdays and Thursdays. The Leader of the House tells us that he is having a "big conversation" with Members about the hours. What we do know is that they simply are not working. We cannot be in two places at once.

I remember how things were when I was elected in 1992. I am not saying that we should return to all-night sittings, which were clearly ridiculous, but the new hours have knocked the stuffing out of this place. I know the Leader of the House likes collecting jobs; well, there is a third job for him, now: to play Santa Claus, and ensure that the Modernisation Committee presents proposals early in January so we can think about the hours that we need to make this a proper working Parliament.

Mr. Hain: I understand and respect the hon. Gentleman's view. As I have discovered, there is an honest difference of opinion between Members of all parties. It is my job to try to find the centre of gravity, and I will do that.

There is no prospect of an urgent review by the end of January. The Procedure Committee is sending Members a questionnaire, and I shall be consulting them to try to find a consensus in an attempt to deal with some of the anomalies identified by the hon. Gentleman—but we should not forget what it was like in the past. He mentioned all-night sittings, and I agree with him that we do not want to return to those. Nor do we want to return to many of the other difficulties, inconveniences and anomalies that the old hours involved. We need to take the necessary time to ensure that we act with care and consideration on this.

David Cairns (Greenock and Inverclyde) (Lab): My right hon. Friend began, appropriately, by wishing everyone a happy Christmas and a happy new year. Will he now join me in wishing members of the British Jewish community a happy Chanukah? In that connection, I draw his attention to early-day motion 123,

[That this House condemns the terrorist, anti-Semitic attacks on the two Istanbul synagogues 'Oasis of Peace' and 'Beth Israel' killing 25 people and injuring over 300; also condemns the arson attack which destroyed a Jewish school near Paris on the same morning; notes that these attacks were preceded by deadly anti-Semitic terrorist attacks on synagogues and Jewish community centres in Casablanca and Tunisia; recalls the description of Jews by German MP Martin Hohman as 'guilty people' and a 'nation of perpetrators'; records the anti-Semitic speech of the outgoing Malaysian Prime Minister; recognises that the last three years have seen a dramatic increase in anti-Semitic incidents against the UK Jewish community and the rise in support for the BNP; notes that there is no conflict between Judaism, Islam and Christianity; rejects those who cynically exploit differences of opinion over Israel and Palestine to promote anti-semitism; and calls upon the Government to institute a zero tolerance policy to combat anti-Semitism, Islamophobia and racism in all its forms by raising the issue at the UN and in Europe and encouraging firm action by the police and the Crown Prosecution Service.]

The motion outlines in horrific detail the rapid rise of anti-Semitism and increase in anti-Semitic attacks throughout Europe and beyond, citing the two bombs in Istanbul which killed 25 people and injured 300 more. Early in the new year, may we have a debate on the rise of anti-Semitism throughout Europe and in the United Kingdom in particular, so that all Members can say to the decent, law-abiding Jewish community in this country that anti-Semitism and anti-Semitic attacks are intolerable? In the past they have been allowed to go unchecked, and we know where that has led. A message must be sent to the Jewish community that the Government take this extremely seriously: they must be absolutely confident of that.

Mr. Hain: I am pleased to join my hon. Friend in wishing all members of the Jewish community a happy Chanukah. I am glad that he has given me the opportunity to do so.

Like my hon. Friend and, I am sure, all other Members, I am strongly committed to rooting out and confronting anti-Semitism and racism of all kinds wherever they appear, in this country or in Europe as a whole. It is essential that we confront the problem and do not duck it, whether in pub conversations, in local communities, in schools or in more threatening contexts. The rising tide of anti-Semitism throughout European Union countries, including Britain, is extremely disturbing. We have learned the bitter lesson of history that unless we confront anti-Semitism uncompromisingly, we shall reap a bitter harvest.

Mr. Geoffrey Clifton-Brown (Cotswold) (Con): May I return to the subject of our sitting hours? May I make a strong plea for the matter to be considered by Members of this Parliament, who have experience of the workings of the House of Commons? New Members will not have had the benefit of that experience.

One reason why I think the hours should be reformed is timetabling. Let me say, at the risk of boring the House, that I played a part in the progress of the Planning and Compulsory Purchase Bill. It took a whole year to complete the passage of a major section of that Bill, dealing with important infrastructure projects such as terminal 5. It was not discussed in the House at all, and will have to be discussed in another place.

If our sittings ended at 9 pm every night, we would have an extra five hours. I believe that that would result in much less timetabling. It is a good example of the way in which the House ought to work. I urge the Leader of the House to consider the matter sooner rather than later.

Mr. Hain: The Planning and Compulsory Purchase Bill is a bad example of good programming and good timetabling, and lessons have been learned from it. As the hon. Gentleman will know, it is virtually alone in that respect. There are many good examples, such as the Communications Bill and the Hunting Bill, which were mentioned only recently in the Modernisation Committee's report on programming. After a debate on the Floor of the House following the publication of that report, the House agreed to the arrangements for timetabling.

The hon. Gentleman cannot blame the sitting hours for the difficulties with the Planning and Compulsory Purchase Bill, which were caused by the way in which the Standing Committee operated. I hope they will not be repeated. He pulled a 9 o'clock finish out of the hat, as it were. Having had detailed discussions with scores of Members in all parties, I can tell him that just about everyone has his or her own suggestion of a starting or finishing time for the House and for Committees. It is because I want to find a consensus that the Modernisation Committee will, in due course, wish to consider the matter. I will make an announcement to the House next year, when I am in a position to do so.

Mr. Clive Betts (Sheffield, Attercliffe) (Lab): Can the Leader of the House give us an idea of when the Second Reading of the Pensions Bill is likely to take place? It contains worthwhile proposals to guarantee that when firms become insolvent, their employees will keep their pensions.

Many people will not have a particularly happy time this Christmas. UEF in Sheffield and Hydrotools have already gone into liquidation, and employees' pension prospects have been substantially worsened as a result. Will the Leader of the House ask the Minister who presents the Pensions Bill to pay particular attention to early-day motion 200, tabled by my hon. Friend the Member for Cardiff, West (Kevin Brennan)?

[That this House acknowledges the plight of workers who have lost their final salary occupation pensions schemes through company insolvency despite being

[Mr. Clive Betts]

promised by firms and successive governments that their pensions were guaranteed and in many cases having been compelled to join their scheme as a condition of employment; further believes that the Government has a moral and possibly legal obligation to help these workers who have been stripped of their pensions through no fault of their own; and further calls upon the Government to introduce legislation to compensate victims of this singular injustice.]

The motion seeks to extend pension protection to workers whose firms have gone into liquidation in the past, as well as those who will have unhappy experiences in the future.

Mr. Hain: I well understand why my hon. Friend has drawn my attention to that important motion, signed by many Members. If I were a Back Bencher, I would have been inclined to sign it myself. I believe that some 44,000 workers—including employees of ASW in Cardiff, with which I have dealt as Secretary of State for Wales—have received disgraceful and scandalous treatment. Some have given 30 years' service and, having built up their pensions, have been robbed of them. That is why we are introducing legislation providing a pensions protection fund to prevent this from ever happening again. Discussions are being held with the Minister for Pensions to establish whether any assistance can be given to workers in this desperate predicament.

Mr. Colin Challen (Morley and Rothwell) (Lab): Even at this late hour, may I assure my right hon. Friend that the only direction in which Leeds United is going is up?

Did my right hon. Friend see last week's CBI figures, which showed that capital intensity in each hour worked in the United Kingdom economy is 60 per cent. less than in the United States, 32 per cent. less than in Germany and 25 per cent. less than in France? Does that not tell us that the real British disease in UK productivity is the short-termism and conservatism of British capital, and the attitude to British industry? May we have a debate on UK productivity, so that we can expose the problem we have had to experience for so long?

Mr. Hain: After last night's defeat of Chelsea, my football club, I will not trade rival greetings with my hon. Friend. As for productivity rates, if he looks at the evidence in the Red Book and at the wider picture, he will see that the gap between British and German and French manufacturing, in particular, is closing rapidly. We still have a long way to go to catch up with the United States, but there have been improvements, and all our measures are designed to produce further improvements. The picture is not as bleak as he paints it; it is getting better, and I would expect him to welcome that.

Dr. Alan Whitehead (Southampton, Test) (Lab): Will my right hon. Friend find time for a debate as soon as we return from the Christmas recess on the suggestion made by the Secretary of State for Constitutional Affairs that further reform of the House of Lords, incorporating an elected element, may now be on the agenda? Does my right hon. Friend agree that an early debate on this possibility may well shed light on forthcoming legislation on the removal of hereditary peers and inform the associated discussion? An early debate could be very useful in the context of that legislation.

Mr. Hain: I cannot promise my hon. Friend an early debate, but he is of course free to apply for one. However, I can confirm that the Secretary of State for Constitutional Affairs said the following in *The Independent* of 15 December:

> "I am conveying the message as strongly as I can that the door is open and I'm keen for people to go through it. What that will involve depends upon having a proper discussion about it."

In other words, he is open to ideas about a final stage of House of Lords reform. The priority must now be to deal with the anomaly of the 92 hereditaries, and to establish a proper, independent appointments system. He also said the following in *The Observer* of 7 December:

> "We do not say the changes we make in this House of Lords Bill represent the end of the road."

He is clearly indicating that if a consensus can be assembled—he will consult the Joint Committee on House of Lords Reform during the passage of the current legislation—we can establish whether the House can reach agreement on a proposal involving at least an elected element. As my hon. Friend knows, I—presumably like him—voted for a 100 per cent. elected House of Lords, and for all the other proposals involving an elected element.

Brian White (Milton Keynes, North-East) (Lab): May I draw the attention of the Leader of the House to early-day motion 290?

[That this House congratulates the research team at The Open University led by Professor Colin Pillinger for their outstanding work on the Beagle 2 project which is scheduled to touch down on Mars on Christmas Day; notes that because this work was conducted in an open access institution, the research underpinning this project will bring benefit to far more students from a wider spectrum of backgrounds and in far quicker time than if it was conducted in a traditional selective-entry university; and calls on the Government to ensure that the special nature of The Open University and the unique access to excellence it provides should be recognised when considering research funding allocation in the future.]

Will he draw to his colleagues' attention the need to capitalise on this British success story, which is based on academic research and industry working in partnership, and to ensure that we get more science graduates from universities?

Mr. Hain: I am happy to join my hon. Friend—I know that he has a constituency interest in this matter—and the whole House in congratulating Professor Pillinger and his team. The Beagle 2 project is very impressive, and the Open university makes a unique contribution to teaching and research. Current Government funding stands at £136 million for teaching and £5.6 million for research—an indication of our confidence in the Open university's role.

Mr. Gordon Prentice (Pendle) (Lab): May I say how much I am enjoying the seminars, teach-ins and

Powerpoint presentations being laid on by our mutual friend the Secretary of State for Education and Skills concerning top-up fees? That is a marvellous innovation, but may I draw the attention of the Leader of the House to early-day motion 322?

[That this House congratulates Paul Martin, the new Prime Minister of Canada, on his decision to make democratic reform of the House of Commons a top priority; notes that the reforms are designed to strengthen the roles of individual parliamentarians and committees with an increased number of free votes; further notes that Ministers will be required actively to seek the support of their colleagues who are to be involved early in the policy development process; contrasts this approach to the way in which key policy initiatives are brought forward at Westminster; and urges the British Prime Minister to visit his counterpart's website http://wwwl.pm.gc.ca/eng/dem—reform.asp for insights and inspiration.]

Really innovative things are happening in our sister Parliament in Ottawa, where Government Back Benchers are being involved in policy development at an early stage, and matters are not being sprung on them. As a result, there will be a greater number of free votes. He should look seriously at what is happening there.

Mr. Hain: I would certainly be happy to look at the Canadian experience. Indeed, the Modernisation Committee's current project, to which I referred earlier, concerns how we are to reconnect Parliament to the people—an issue that should concern us on a cross-party basis.

I hope that the excellent presentations by my right hon. Friend the Secretary of State for Education and Skills are persuading my hon. Friend of the Government's policy on top-up fees. Of course, a number of free votes are allowed in the House by custom and practice. I am sure that he will also praise the Government for introducing pre-legislative scrutiny; indeed, a dozen Bills in the current Session have been subject to such scrutiny. That is a big advance on the old situation, so doubtless he will welcome it.

Joan Ruddock (Lewisham, Deptford) (Lab): On sitting hours, I should point out to my right hon. Friend that Members of this place have always had to be in two places at once, and that it may just be that the silent majority—which includes me—feel that the current hours are working well. On visits to this House and London Members, his suggestions are very acceptable, but will he investigate the question of the closing of the doors of this Chamber? I brought constituents to the House on Monday evening, but because it got up early the Chamber was closed, even though the refreshment rooms were still open. Does he think that appropriate, or does he agree with me that if London Members are to be helpful in this regard, we should be able to bring our constituents into the Chamber at their convenience, in the evening?

Mr. Hain: I am concerned to hear that that was my hon. Friend's experience on Monday. Several Members have raised this issue with me; indeed, I referred to it recently during business questions. I had thought that, as a result, the authorities had made it common practice to leave the Chamber open in the evening for a time, so that Members representing constituencies throughout the country—not just London ones—could bring in their guests. It is an experience that constituents enjoy.

I welcome what my hon. Friend said about hours. A substantial number of Members are very satisfied with the broad parameters of the current hours settlement, for which I myself voted. There is no clear agreement that I have been able to discern so far; indeed, the early-day motion referred to earlier calls not for a specific alternative, but for a review, which is precisely what the Modernisation Committee will undertake. We would be very unwise to accept any demand simply to rush into a reversion to the old hours. The original hours gave rise to a lot of complaints, and as my hon. Friend says, Members have always had to be in more than one place at one time, given the busy lives that we lead.

Point of Order

Mr. Adrian Bailey (West Bromwich, West) (Lab/Co-op): On a point of order, Mr. Deputy Speaker. May I bring to your attention Division No. 16, at column 1674 of yesterday's *Hansard*? I am recorded as having voted in both the Aye Lobby and the No Lobby. I must confess that there have been occasions since coming to this place when I felt as if I were going round in circles. However, I never expected that to be recorded, particularly given that on this occasion, I am certain that I voted in the No Lobby only. I furthermore note that a number of Labour colleagues, including three Ministers and a Whip, have been recorded as having voted in both the Aye Lobby and the No Lobby. May I ask that the matter be investigated and an accurate record be presented, not least in the interest of ministerial longevity? Perhaps we should also investigate whether the proximity to Christmas and its festivities has impacted on the operational effectiveness of our recording and printing processes.

Mr. Deputy Speaker (Sir Michael Lord): The hon. Gentleman is quite right to raise this matter with the Chair. Several Members have been wrongly recorded in *Hansard* as having voted for the reasoned amendment on Second Reading of the Asylum and Immigration (Treatment of Claimants Etc.) Bill yesterday. A corrected Division list has now been placed in the Vote Office, and the result of the Division will be reprinted in *Hansard* this evening. The incident will be fully investigated. I regret that embarrassment may have been caused to those right hon. and hon. Members affected by this error.

NORTHERN IRELAND GRAND COMMITTEE

Motion made, and Question put forthwith, pursuant to Standing Orders Nos. 114 (Northern Ireland Grand Committee (legislative proposals and other matters relating exclusively to Northern Ireland)) and 116 (Northern Ireland Grand Committee (sittings))

That (1) The proposal for a draft Rates (Amendment) (Northern Ireland) Order 2004 be referred to the Northern Ireland Grand Committee; (2) the Committee shall meet at Westminster on Thursday 15th January at half-past Two o'clock; and (3) at that sitting (a) the Committee shall consider the legislative proposal referred to it under paragraph (1) above; and (b) the Chairman shall interrupt proceedings at Five o'clock; and (c) at the conclusion of those proceedings, a motion for the adjournment of the Committee may be made by a Minister of the Crown, pursuant to paragraph (5) of Standing Order No. 116 (Northern Ireland Grand Committee (sittings)).—*[Vernon Coaker.]*

Question agreed to.

Christmas Adjournment

Motion made, and Question proposed, That this House do now adjourn.—*[Vernon Coaker.]*

Mr. Deputy Speaker (Sir Michael Lord): Before I call the first speaker, I remind the House that Mr. Speaker has placed a 15-minute limit on all Back-Bench speeches, which will operate from the beginning of the debate.

2.9 pm

Dr. Rudi Vis (Finchley and Golders Green) (Lab): I raised the case of Cyprus in Adjournment debates on 22 May 2003 and 17 July 2003, and countless times before that, and I return to the subject again today. On 17 July, I said that on the surface it appeared that many changes had taken place during recent months but that the reality was different. Unfortunately, my analysis now is that the situation appears to be much the same today.

Perhaps, only for a moment, about a month ago, it seemed as if there might be a glimmer of hope that Cyprus might join the European Union as a united island on 1 May 2004. Sadly, on 11 November 2003, the putative leader of the occupied territory of Cyprus, Mr. Denktash, commenting on the forthcoming so-called elections in the occupied territory scheduled for 14 December, said in an interview with Reuters:

> "If the opposition win by a great majority it means that the people have lost confidence in me so why should I stay here and waste my time? But I know that will not happen."

Who are the opposition to whom he referred? The simple reality is that they are the Turkish Cypriots who want to join the EU with their Greek Cypriot counterparts. But who are those on the side of the Turkish Cypriot Mr. Denktash? A people imported from Turkey who, over the past 29 and a half years, have totally changed the demography of the occupied territory and were given voting rights in that somewhat dodgy election. The outcome of the so-called elective poll was deadlock, and it now seems highly unlikely that the occupied territory will be able to accede to the EU with its Greek Cypriot republican counterparts.

Although the Turkish Cypriot pro-EU side won slightly more of the vote last Sunday, the electoral system is complex enough to have given both sides 25 seats. It is equally important that if no coalition can be formed, new so-called elections must be held in mid-February 2004. Even worse, if the pro-EU side were to win a re-ballot, it is now too late for Cyprus to join as a united island. However, I am sure that President Papadopoulos of Cyprus will continue to do his utmost to find a solution.

There are other complications. Many people, including me, believe that the real power over the occupied territory lies in Ankara, and particularly with the Turkish Prime Minister, Mr. Erdogan. As the Minister is aware, Mr. Erdogan visited the occupied territory on 15 November, when he announced his total support of Mr. Denktash's stance. Such an endorsement, of course, reveals the fact that at present Mr. Erdogan rejects the Annan plan. The Foreign Minister of the Republic of Cyprus, Mr. Iacovou, described the Erdogan visit as "completely illegal and condemnable", and he wondered what now must be in the minds of the foreign mediators who have constantly attributed good will to Mr. Erdoğan.

Indeed, the European Commission, in its regular annual report on Turkey, identified a "serious obstacle" to Turkish hopes of starting formal accession talks with the EU if no settlement is reached over the divided island of Cyprus. The report says:

> "The absence of a settlement could become a serious obstacle to Turkey's aspirations".

At present, the Government, like previous Governments, remain convinced that Turkey is fast becoming a healthy parliamentary democracy. I do not understand or agree with that blinkered view, in relation not only to Cyprus but to other major problems in Turkey.

Turkey has indeed started on ambitious reforms, but very few of them, so far as I can see, are being, or have been, implemented. I therefore ask my hon. Friend the Deputy Leader of the House to convey again to our Foreign Secretary and other Ministers that I, and many of my colleagues in the House, want real changes to be implemented in Turkey in practice for a considerable time, and a proper settlement in Cyprus, before even contemplating allowing Turkey to commence accession negotiations.

2.14 pm

Mr. Paul Tyler (North Cornwall) (LD): I am glad to contribute to this debate. Unusually, I want to raise an issue of considerable importance to my constituency and one special family in it, but I think that the issue will be of concern to every hon. Member.

During the statement by the Secretary of State for Defence last Thursday, I listened with growing incredulity. He made a tiny reference to the National Audit Office report, published that morning, and to the Ministry's own report, entitled "Operations in Iraq: Lessons for the Future". His Conservative opposite number also ignored evidence of serious inadequacies. In the course of nearly 30 minutes of exchanges between the two Front Benchers, no hard evidence was given about the serious equipment shortfalls that were apparent from the reports. However, my hon. Friend the Member for Hereford (Mr. Keetch) was present and made a brief reference to the subject.

On Monday, there was another exchange about the NAO report, but the Secretary of State again attempted to play down the significance of detailed findings of mistakes and failures in his area of responsibility. This is more than a theoretical, logistics problem: it was and is a matter of life and death, as in the tragic case of Sergeant Steven Roberts from Wadebridge in my constituency.

Sergeant Roberts was the first British fatality in Iraq. He was shot during a confrontation with Iraqi dissidents on 24 March. There were several mysteries about the circumstances of the attack and his fatal wounds, and on behalf of his widow, his mother and his family, I have been seeking answers in three specific areas of concern ever since. I reiterated my inquiries in parliamentary questions last week, and in a debate that I initiated in Westminster Hall. They are as follows. First, why was Sergeant Roberts not wearing appropriate enhanced combat body armour? Was he ordered to pass on his reinforced flak jacket to other troops thought to be more vulnerable? Secondly, exactly who fired the fatal shot or shots? Thirdly, did Sergeant Roberts's weapon perform correctly?

The report summary sent by the casualty visiting officer on behalf of the Ministry of Defence last week to Mrs Roberts states the conclusions with stark and tragic simplicity:

> "During the course of enquiries it became apparent that Enhanced Combat Body Armour (ECBA) had been issued and then withdrawn from Sgt. Roberts. An issue/withdrawal sheet proving that Sgt Roberts had been provided with full body armour prior to deploying to the Gulf, and its subsequent withdrawal, has been recovered. The ECBA incorporated a cover with pockets front and rear for protective plates and included the required filler and protective plates.
>
> However, the ECBA was withdrawn as 2 Royal Tank Regiment Battle Group (2 RTR BG) were short of 300 sets therefore the CO, having considered all options, deemed it necessary that dismounted Infantry soldiers had the ECBA protection and therefore ordered its redistribution. This left Sgt Roberts with Combat Body Armour (CBA), which is a temperate cover (not designed to house ceramic plates)."

I am sorry to have to repeat all that in full, but obviously the document has not been published; it has been made available to me by Mrs. Roberts and the family. It went on:

> "To determine if Sgt Roberts would have survived had he been wearing the appropriate issue ECBA with protective plates, enquiries were established with the Defence Clothing Integrated Project Team (DCIPT) who provided details of the testing and procurement of ECBA. In essence the ECBA cover provides no protection, but is designed to house High Velocity (HV) plates front and rear to cover the heart and aorta. The inner is for fragmentation protection only and the HV ceramic plates are designed to defeat a NATO ball or tracer 7.62mm round at 50 metres. However, experience suggests that there is a very high probability, greater than 90%, that such a bullet would be defeated at 10 metres or less.
>
> This statistical data was examined and considered by a Consultant Forensic Scientist who agreed with the specifications and protective properties of the HV plates.
>
> A reconstruction was conducted under the direction of a Forensic Pathologist in consultation with evidence of the Consultant Forensic Scientist and their findings indicate that . . . The ceramic plate insert would have covered the entry wound site upon the front of the centre of the chest of Sgt Roberts. This was calculated by examination of post-mortem photographs, transposition of coveralls worn by Sgt Roberts at the time of his death compared against measurements taken at post-mortem.
>
> Taking this into consideration with the protective properties of the HV plates, both the Forensic Pathologist and Consultant Forensic Scientist concluded that had Sgt Roberts been wearing ECBA with the protective plates correctly fitted at the time of shooting, the 7.62mm tracer round that struck him in the centre of his chest and ultimately killed him, would have been defeated."

It also states:

> "The Forensic Pathologist also expressed the opinion that Sgt Roberts would have survived the second injury to his abdomen assuming appropriate medical assistance had been provided."

I am sure that every hon. Member can anticipate the reaction of his widow and family on receiving that news just before Christmas.

The NAO report was presented to the House last week and reported a very specific finding under the heading "ECBA":

> "Doctrinally, the Department only intended to issue Enhanced Combat Body Armour for peace-keeping operations, for which the Department already held approximately 30,000 sets. These included 690 desert pattern covers, which were increased by 49,000 sets for operations and a further 31,500 sets for sustainability. 23,700 pairs of armour plates were also contracted, to supplement the 16,000 pairs already in service. The delivery deadline for items was set at 4 April 2003. The cost per soldier (cover, pairs of plates

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> and filler) is £167.70, with total spending on body armour amounting to £2,954,300 (excluding the contracts for equipping the sustaining forces for Operation TELIC 2).
>
> 21,759 covers and 32,581 pairs of plates were issued into the supply chain by 24 March 2003. However, the Department's Defence Clothing Integrated Project Team estimated that approximately 200,000 sets had been issued since the Kosovo campaign in 1999, greatly exceeding the theoretical requirement, but these seem to have disappeared."

The Ministry of Defence prides itself on its audit trail on all equipment. How can the NAO report to the House that 200,000 sets seem to have disappeared, months afterwards? I find that extraordinary.

The NAO report continued:

> "The Team questioned whether items should, therefore, be issued as part of an individual's personal entitlement for which they would be held accountable.
>
> Despite these efforts, insufficient numbers were distributed in-theatre, largely as a result of difficulties with asset-tracking and distribution."

The Ministry of Defence's own report, which examined its own proceedings, said:

> "Enhanced Combat Body Armour provided personnel with significant levels of protection. Initial analysis of data from the operation by the Defence Science and Technology Laboratory (Dstl) has indicated that body armour reduced the number of US forces killed in action from torso wounds by at least 50 per cent. (possibly up to 90 per cent.), and those killed in action overall by over 20 per cent. (possibly up to 32 per cent.). Although data was not available to conduct an analysis for UK soldiers, the results can be regarded as indicative."

In other words, Sergeant Roberts may not have been alone in being denied proper protection—critically so, in his case.

In chapter 8, the Ministry's report repeated the NAO criticisms of late delivery and accuracy of distribution of ECBA. The inevitable conclusion must be that Ministry of Defence incompetence, or inadequate preparations, despite the very long build-up before hostilities began, led to an entirely avoidable death in the case of Sergeant Steve Roberts. Faced with that irrefutable evidence, one can only dimly imagine the added trauma faced by his widow, his mother and his family.

The second question that arises is who fired the fatal shot. Immediately after the tragic events of 24 March, Sergeant Roberts's family received a sympathetic and supportive letter from a senior officer at the battlegroup headquarters of the 2nd Royal Tank Regiment. He wrote of the

> "terrible shock to the Regiment and to his many friends".

He went on to say that

> "it would appear that he was killed during an assault by an Iraqi Militant. Steve fired his pistol in self defence but the rounds failed to stop the man. In an attempt to help, one of the other commanders fired at the assailant killing him. Tragically, Steve was also hit."

That leaves in the air the uncomfortable possibility that he could have been killed by "friendly fire". That point has still not been clarified, despite my attempts to obtain an explanation from the Ministry of Defence. In the first awful shock of their loss, the family did not recognise the potential alternative interpretations of that last sentence—that it was a stray bullet from his colleague that caused Sergeant Roberts's fatal wound. Was it yet another case of friendly fire? In order to dispel that dreadful idea, I am still asking Ministers for an explanation. To this day, to my knowledge, the family have been given no explicit assurance on that aspect of the confused events of 24 March.

The final question is whether Sergeant Roberts's weapon malfunctioned. The investigation report from the Ministry, sent last week to Mrs. Roberts, includes a reference to tests of Sergeant Roberts's weapon:

> "Further ballistic tests on Sgt Roberts' pistol have yet to be completed. Tests that have been undertaken on the weapon show . . . It was serviceable prior to deployment . . . Following the shooting two faults that might have contributed to a stoppage were identified; a tripping lever incorrectly chamfered and a stiff tripping lever plunger. In addition, the frame was fractured at the locking lever recess.
>
> It is worthy of note that prior to this inspection the pistol was re-issued to a Staff Sergeant and a Corporal, both with 2 RTR, who did not experience any difficulty with the weapon, but did not fire it."

Again, that has worrying implications. It would seem to imply that there was no test of the pistol before it was reissued. The statement that those using it did not experience any difficulty hardly reassures his family or the rest of us, as it also states that they did not fire it.

What conclusions can we reach? Those are the facts, as far as the family have been made aware of them. Sergeant Roberts was a very brave man, doing his duty for his country. Those who serve in the armed forces on our behalf know the dangers that they face. Tragic mistakes are an inevitable feature of all hostilities, however sophisticated the technology may become. But—and it is a big but—his widow and family are naturally devastated by that information, dragged out of the Ministry of Defence after eight long months of waiting and worrying. I believe that they are entitled to expect better.

Mrs. Roberts has told me that she wants to be absolutely sure that such awful mistakes can never happen again. She wants to be certain that no other family will be similarly, and unnecessarily, bereaved. I do not expect the Minister this afternoon to be able to offer comfort and reassurance to that family. However, the very least the Secretary of State should do is to agree that I should bring Mrs. Roberts, and other members of Sergeant Roberts's immediate family, to meet him. Then, perhaps, the family will at last have the consolation that some small good can come out of that terrible tragedy. Those who serve us in the armed forces, and their families, are entitled to know that Ministers are on their side and that they will take seriously the lessons of that unnecessary tragedy.

I express my good wishes for Christmas to you, Mr. Deputy Speaker, and to other colleagues, and I hope that we can agree that a family who have been so tragically and unnecessarily bereaved should receive that message, at Christmas, from the Secretary of State.

2.29 pm

Mr. Alan Hurst (Braintree): I take the opportunity of this debate to raise an issue that was raised earlier this week—the White Paper on the future of air transport and the statement by my right hon. Friend the Secretary of State for Transport on Tuesday. All hon. Members with an airport in or near their division came to hear the statement with some trepidation. Some were greatly relieved, and those who represent constituencies in north Kent will have been greatly relieved that the cloud that hung over Cliffe was finally dispersed. There were those of us who thought that Cliffe was a red herring and that there was no realistic prospect of the proposal ever being moved forward. Indeed, all of us would say that that was right and that Cliffe should not have been chosen. There were so many environmental and heritage arguments for not in any circumstances contemplating putting a major airport on the Cliffe marshes that that option was rightly dismissed.

Those from areas with other airport facilities, in particular Heathrow and Gatwick, at first breathed a sigh of relief, but on contemplation and consideration of what was said realised that the cloud was not lifted from them. The prospect may have been put a little further into the future, but it is still there, and will be an ever-ready prospect for some time to come.

One place did not even have the privilege and benefit of looking into the future and saying, "Not yet." That was Stansted. I have the privilege of representing a constituency close to Stansted, which is in the constituency of the Chairman of Ways and Means. The hon. Member for North-East Hertfordshire (Mr. Heald), who will speak for the Opposition today, is also geographically close to the proposed site.

Hon. Members will not be surprised to hear that local opposition to the proposal is almost unanimous. I know of a certain Australian writer who occasionally delivers pieces in national newspapers about how much she welcomes the fact that this monstrosity is a few miles down the road rather than next door. Not everyone who lives in the area has sufficient financial resources to move away with ease and profit, if the proposals come to pass.

Stansted is in the strangely named district council of Uttlesford, which undertook a referendum in which the turnout was higher than that at the last general election. Of the votes recorded—again the number was higher than in any parliamentary constituency, at least in modern times—89 per cent. were against the proposal and 11 per cent. were in favour. Uttlesford covers a vast area from close to the airport site to many miles further away. That underlines the extent of the opposition to the proposal.

The local authorities are also united. I am not an expert on Hertfordshire local authorities, but I suspect that they are opposed. Certainly Essex county council is opposed on a tri-partisan basis. Uttlesford district council, which was formerly Conservative controlled and is now Liberal controlled, has been completely opposed in both phases. Braintree district council, which was formerly Labour controlled but is regrettably now Conservative controlled, has been united in opposition to the extension in both phases.

What is the position? At present there are about 19 million passengers going through Stansted airport. Some Members may have travelled on those flights. The most incredible bargains imaginable are offered. My constituency assistant, who comes from Ayrshire, regularly travels back to see her relatives for about £17 return. Frankly, that is a ludicrous price. It is almost as expensive to travel from Braintree to London as it is from Stansted to Ayrshire and back. I am told that some of the flights are valued at £1 to the company. No doubt all sorts of other sums come into the equation that make it worth while for the airlines to operate in what, on the face of it, is amazingly uneconomic mode.

One of the advantages of being a person of increasing years is that one has seen things before. There used to be an entrepreneur known as Freddie Laker who brought cheap air travel to the millions. Mr. Laker is no longer flying aeroplanes, or rather his company is not. That passed away. Whether flights at giveaway prices can be maintained in the long term is for the market to decide. While the market makes up its mind, there may be devastating effects on the people who live near entrepreneurial experiments.

The number of passengers at the moment is about 19 million, having increased from about 7 million only a few years ago. Now there is permission to increase to 25 million, and as the airport stands, without any more runways, it has a capacity for 35 million. My right hon. Friend the Secretary of State has announced a second runway, which will extend capacity to 47 million passengers per annum.

People mainly travel to Stansted on the motorways. It is difficult to travel by train, although it is possible from London. The line from Braintree was taken out many years ago. Most travel by road. Whizzing—or, in due course, crawling—along the motorway, one may not appreciate the nature of the countryside surrounding Stansted. It does not have the splendour of Ben Nevis or Snowdonia or the picture postcard charm of the Lake District, but it has a particular character all of its own—England as it used to be in the eastern counties. There are low rolling hills, streams, copses, woods and quiet little villages. There are literally hundreds of historical and listed buildings. Great Bardfield, which is in the Braintree division, is an amazingly picturesque old village. It should be a town, as it used to have a quarter session. It attracted a colony of nationally renowned artists in the 1930s, 1940s, 1950s and early 1960s, who settled there because of the scope it offered them to paint, draw and express themselves in art.

The area does not suffer from high unemployment. Unemployment is effectively nil. Therefore, employees to service increased passenger numbers will have to travel into the area. As Members can imagine from my description, property prices are not on the lowest rung, so employees at the airport will find it difficult to afford houses, even if they are suffering from blight. That means that they will have to travel in, thus creating further environmental difficulties, which have not been fully analysed for the White Paper.

The White Paper admits that certain things will have to change. It talks of the need for a thorough environmental assessment before the change is undertaken. I hoped that a thorough environmental assessment might take place before we had the announcement in the White Paper. The White Paper states that capacity needs to be considered on the west anglia mainline, the M11 and M25, and on local roads. None of that has yet been assessed, but the announcement has been made, with all the consequences that will follow.

If the second runway is built, we face the possible loss of 1,000 properties, two scheduled ancient monuments and 29 listed buildings—to say nothing of the devastation of the countryside and the inconvenience

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and distress caused to local people within a huge radius, way outside the acquired land. A general blight will fall on this historic part of Essex for many years to come. The White Paper talks flippantly about the new runway being expected to be in operation by 2011–12. That might have been possible at one time, but in these days of endless consideration and looking into things, I cannot see anything happening as early as that. The longer the consideration, the longer the blight, and the longer the distress to people who may have spent all their lives in that area and now fear what is to come.

The Government accept that it is for the airport operator to prepare a scheme to address the problem of generalised blight. Airport operators are not social institutions or foundations with charitable status, and, with all due respect to them, I cannot imagine that that will be high on their agenda for next year. The problem will therefore persist.

The White Paper seems to have made the situation even worse with regard to the second runway because of where it has been placed. One would not favour this, but the second runway could have been placed within the present boundaries of what is already an enormous airport. It could have been placed relatively close to the present runway, but that has not been done. The White Paper places the new runway almost as far away as possible from the present runway and from the boundaries of the airport. It concedes that extensive acquisition of land will be required in order to achieve that.

That raises two points. First, how many other runways can be slotted in between the first and what people fear will be the fourth: will there be four rather than two? The other matter is the sheer increase in expense of the whole operation and the greater uncertainty and damage to countryside and buildings and the great undermining of people's domestic security.

I have no idea what the cost will be. I do not think that the Government have said what it will be, and when I questioned to the Secretary of State on Tuesday, he replied:

> "As with any airport development, the private operator must finance airport construction, and, in the case of Stansted, BAA must make such a commercial judgment. I understand that it will say something further in the next few days, but it must decide whether it thinks the figures stack up commercially, and the Government will not step in and do that for it."—[*Official Report*, 16 December 2003; Vol. 415, c. 1445.]

To use a phrase from the 19th century, the whole thing is very much a leap in the dark. We do not know what it will cost and are waiting for the private operator to say what it will cost. Meanwhile, the concern and anxiety continue.

I appreciate that it is sometimes tiresome for Members who may know little about these places to hear people speak about them at length, so I shall draw my remarks to a close. There is great concern and fear among people who live in that part of Essex and in Hertfordshire. The sooner the whole thing is resolved, the better, and preferably that will be done in the negative sense that the proposal does not go ahead because it does not stack up and exists only because of cross-subsidy from Heathrow and Gatwick, which will soon become illegal and will have to be lifted if the proposal is even to be considered.

2.42 pm

Mr. Andrew Rosindell (Romford) (Con): Thank you, Mr. Deputy Speaker, for giving me an opportunity to contribute to the Christmas Adjournment debate, which gives a great chance to all Members to raise a multitude of local, national and international issues that are important to them and their constituents. I intend to take the opportunity to raise a number of concerns with which many of my constituents agree.

First, this is a Christmas Adjournment debate. Many people in my constituency, like many hon. Members, are concerned by ongoing efforts by some individuals and, I am sad to say, by Government Ministers to downgrade the importance of Christmas. A lot of people have expressed disgust at the Department for Culture, Media and Sport, which published a Christmas card that bears no relation to the celebration of the Christian festival of Christmas. Not so in Romford, where our schools, churches and community organisations have organised and hosted a range of magnificent Christian celebrations and activities over the past few weeks, welcoming people of all religions and including everybody in what is a Christian but also a national celebration for all British people.

I pay tribute to the schools that I have had the privilege of visiting over the past few days, which have organised concerts, nativity plays and similar activities. In particular, St. Mary's Hare Park Catholic primary school and St. Peter's Catholic primary school organised wonderful nativity plays and concerts only last week. My own ex-junior school, Rise Park, held a nativity concert involving many pupils, and I was privileged and proud to be present. Parklands infant school and St. Edward's Church of England primary also held events. Members will be pleased to hear that I have also been active on my recent Saturdays in visiting every school and church Christmas fair in the constituency. I have visited 21 Christmas fairs in the past month, including those at Crowlands school, Squirrels Heath school, Nelmes school, St. Alban's church, St. Andrew's church and, last but by no means least, Havering Road Methodist church. Christmas is a wonderful Christian festival, and I hope that hon. Members—indeed, Ministers—will remember that in future.

This has been a great year in many ways in Romford, but it has been the greatest in my memory because Her Majesty the Queen visited my constituency for the first time. She visited Romford market and my local church, St. Edward's, in the marketplace. The people of Romford are very proud of their heritage of being British. We uphold the traditions of our country with great pride, and we were very proud to welcome Her Majesty on 6 March.

Early-day motion 239 is about the national anthem. I hope that we will not be afraid of playing the national anthem more often, and I mean not just playing the national anthem of the United Kingdom, but, proudly, playing the anthems of the countries that make up the nation—England, Scotland, Wales and Northern Ireland. We must be proud of the traditions of all parts of the United Kingdom, and that means being proud to fly the flag of our country, too, not hiding it away as if it is a shameful emblem. It is a flag of unity, and I hope that the British Parliament will follow the example of Her Majesty the Queen and fly the flag from Victoria Tower, just as the Queen does every day at Buckingham Palace, unless she is in residence, when the Royal Standard flies.

I hope that the Government will be proud of our traditions and fight to defend the rights and freedoms of this country and reject any reheated Brussels constitution that may come to us at a later date. My hon. Friend the Member for Stone (Mr. Cash) will be at the forefront of opposition to any attempt to impose such a constitution on the British people, and he will have the support of my constituents and everyone on the Opposition side of the House in that.

I want to turn quickly to some local issues. Romford is in the London borough of Havering, and hon. Members will have heard me say before that the borough is terribly underfunded by the existing system of Government grant. We are not given a fair deal by central Government, whether Labour or Conservative. My constituents need a fair deal. How can it be right that neighbouring boroughs get vast extra resources although they have very similar populations? How can it be right that outer London boroughs such as Havering continue to subsidise inner London in a range of areas? My hon. Friends the Members for Uxbridge (Mr. Randall) and for Ruislip-Northwood (Mr. Wilkinson), as outer London Members, will agree that outer London is fed up with subsidising inner London. We are tired of paying for the Greater London assembly, which has been a complete waste of money.

I hope that the Government will consider giving those in outer London boroughs the opportunity to vote in a referendum to opt out of the GLA, allowing us the chance to rekindle our historical links with the counties on the edge of London. I draw the House's attention to early-day motion 220, regarding the historic counties of our country. I hope that they are restored as soon as possible.

Policing in the London borough of Havering is under-resourced. Once again, we pay for police cover; we do not get it. The police are sent to inner London. I hope that the Government will find a fairer way to ensure that all boroughs are adequately covered by police resources.

It is important that we defend community facilities and things that are for all our people to enjoy, such as local parks. I commend the Friends of Rise Park who have fought for a number of years to restore Rise park to the family-friendly place it used to be—equally so, the Friends of Cottons Park. Both parks are in my constituency and both groups are working very hard to try to get funding to ensure that those parks are restored, so that they become the places that we all remember as children. It is sad when parks turn into havens for vandals, thugs and people who take drugs, turning what should be places for families and communities to enjoy into unsavoury areas that people simply wish to avoid.

I also ask the Government to consider allowing much more local control over matters such as planning. We are fed up with Governments of all parties overruling local authorities, so that we end up changing the nature of our town centres. My constituency, Romford, has the second largest number of nightclubs in London. Well, we do not want any more nightclubs. We want to ensure that local communities are for the people of those communities and that we do not turn our towns and cities into mini Sohos.

On road safety, I am very sceptical about speed cameras. However, they have their use in certain places. One of those areas is Havering-atte-Bower—the historic village in the north of my constituency that overlooks greater London—where we need a speed camera, but rules dictate that the local council cannot install one. Once again, such things are decided on a London-wide basis, and I hope that local control can be given over them.

I pay tribute to a new local community organisation that has been established by Mrs. Cecilia Shoetan, whose daughter sadly died from a condition known as sickle cell disease, which will be familiar to many hon. Members. Mrs. Shoetan lives in my constituency. Not too many people in my borough suffer from that condition, but Mrs. Shoetan's daughter Lorraine died in tragic circumstances, and she is quite rightly fighting to ensure that we receive resources so that local people in my borough who suffer from that condition can obtain help. I pay tribute to her for fighting and working so hard to establish the sickle cell support group in the London borough of Havering.

Two days ago, I had the privilege to visit Clarence house, where His Royal Highness the Prince of Wales hosted a seminar for Members of Parliament to highlight the excellent work that he is doing with the Prince's Trust, the Prince of Wales's Foundation for Architecture and the Built Environment and the Prince of Wales's Foundation for Integrated Health, among a number of other charities and causes in which he is involved.

At that seminar, I was very pleased to meet a young person, Kevin Johnson, who spoke passionately about his life as a youngster growing up in Glasgow. He managed to get himself hooked on cannabis when he was eight. By the age of 12 or 13, he was on heroin. He told us how the Prince's Trust has helped him to get back into a way of living that we would all hope all our young people would enjoy. In front of the Prince of Wales, he asked all the Members of Parliament who were present at Clarence house, "How can you MPs even consider liberalising drugs of any sort? I know the devastation that they cause to people of my age and others. Please do not weaken the drug laws." I hope that Ministers will remember that plea in future.

I wish briefly to speak up for people who are not represented in Parliament—the people of the British overseas territories and the Crown dependencies. They have no Members of Parliament, despite the fact that we make laws that affect them. They have no representation on any Select Committee or in the House of Lords. Let us remember those people, particularly the people of Gibraltar, who next year will celebrate 300 years of being British. I hope that all hon. Members will celebrate that great occasion in the history not only of Gibraltar, but of the United Kingdom.

Let us remember the people of Montserrat, which has been devastated by a volcano and needs more help; the people of St. Helena who desperately need an airport;

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the people of the Falkland Islands who are still concerned about the renewed efforts by the Argentine Government to gain sovereignty; the people of the Cayman Islands who are fed up with the European Union interfering in their affairs when they are not part of the EU; and, similarly, those of the Isle of Man and the channel islands, in which the EU is also interfering. Let us also remember the British Indian Ocean Territory and its people who were shamefully ejected by the British Government in the 1960s. They have a right to return eventually to their homeland.

In wishing you, Mr. Deputy Speaker, the staff of the Speaker's Office and the Officers of the House a very happy Christmas, I wish to make a final appeal as we approach Christmas: please read early-day motion 202, which I have submitted, regarding the importance of remembering that a dog is for life, not just for Christmas. I hope that all hon. Members will remind their constituents that if they purchase a dog for Christmas, it is a lifetime commitment, not a short-term one that leads up to Christmas and then gets forgotten about.

I hope that, in 2004, all of us can help to restore the bulldog spirit of this country that has been so lacking since 1 May 1997. I wish all hon. Members a happy Christmas and renewed confidence that, once again, our country will be proud, strong and remain free in 2004.

2.57 pm

Mrs. Louise Ellman (Liverpool, Riverside) (Lab/Co-op): Earlier this afternoon, the Leader of the House condemned what he termed the rising tide of anti-Semitism. I believe that the House should not adjourn until it has debated the important issue of the role Islamicist organisations play in inciting racial hatred in the United Kingdom through propagating anti-Semitism under the guise of anti-Zionism. I wish to make it very clear that criticising the policies of the Government of Israel is not anti-Semitic. However, demonising Israel and Zionists—those who support Jewish national self-determination—by invoking images of disproportionate conspiratorial power is indeed anti-Semitism.

It is time that the spotlight fell on the Muslim Association of Britain, particularly the key figures, such as Azzam Tamimi, Kamal el Helbawy, Anas Al-Tikriti and Mohammed Sawalha. All of them are connected to the terrorist organisation Hamas. The Muslim Association of Britain itself is a branch of the Muslim Brotherhood—an extremist fundamentalist organisation founded in Egypt in 1928, and the spiritual ideologue of all Islamic terror organisations. It is militantly anti-Semitic and always has been.

In June 2003, the Muslim Association of Britain organised a series of meetings with an American imam, Anwar Al Awlaki, as guest speaker. That gentleman is reportedly wanted for questioning by the FBI in connection with the 9/11 al-Qaeda terrorist attacks on New York and Washington. Azzam Tamimi often appears in the media, representing the Muslim Association of Britain. He is an adviser to Hamas in the middle east. In 1991, when he lived in Jordan, he was the official spokesperson of the Muslim Brotherhood and the Islamic Action Front. He worked for the Jordanian Muslim Brotherhood between 1989 and 1992. When he came to London, he continued his activities. He openly supports Palestinian suicide bombers. In July 2002, Azzam Tamimi spoke at a conference on Palestine in South Africa at which he said:

> "Do not call them suicide bombers, call them Shuhada"—

martyrs. He continued:

> "They"—

the Israelis—

> "have guns, We have the human bombs. We love death, they love life."

He argues consistently that jihad is the only way forward for the Palestinians. He has said:

> "For us Muslims, Martyrdom is not the end of the things but the beginning of the most wonderful of things.

He told a conference in Vienna that after Israel is destroyed and replaced with an Islamic state, the Jews should

> "sail on the sea in ships back to where they came or drown in it."

I heard him speak at a Palestine Solidarity rally in November 2002 in this very building, and I heard him say:

> "Listen Israel and Jews around the world, unless you change there is no future for you."

This is not a man of peace. He and his arguments incite hatred against Jews. He speaks regularly on behalf of the Muslim Association of Britain. Will the Muslim Association of Britain dissociate itself from him? Messages put out by that association and other Islamist groups, together with the far right—the traditional anti-Semites—continue to incite growing violence against Jews in the United Kingdom. The Community Security Trust, part of the Board of Deputies of British Jews, has been documenting those attacks. It reports that

> "in the 1st quarter of 2003, there were 89 anti-Semitic incidents in Britain, a 75 per cent. rise on the 1st quarter last year when 51 incidents occurred. This follows a 13 per cent. increase in anti-Semitic incidents in 2002 on the previous year. There were 21 anti-Semitic incidents in January and 25 in February 2003. Eleven of the incidents in, the first quarter took place on university campuses."

The situation in the rest of Europe is even more serious. In Paris, a school has been burned down. The Chief Rabbi of France has warned men not to wear head coverings in public for their own protection. We are all too aware of the bombs in Istanbul that claimed so many lives. The situation is so serious that the European Union commissioned a report on anti-Semitism. Sadly, it tried to suppress the findings of that report because it showed the link between anti-Semitic attacks and some elements of the Muslim community. It is tragic that the holocaust cannot be taught in some French schools because pupils dispute whether it happened. The situation is growing, and it is too serious to ignore.

We should not underestimate the impact of anti-Semitic messages beamed into this country from the Arab world. During Ramadan this year, Hezbollah satellite television, Al-Manar, broadcast thirty episodes of a Syrian production called "Al- Shatat". According to the *Syria Times* on 11 March this year it was a

> "Syrian TV series recording the criminal history of Zionism."

Episode 20 shows a Christian child kidnapped by Jews, his throat cut, his blood collected in a metal bowl, and the blood then used to make Passover matzo. That is classic anti-Semitic blood libel of medieval Christian origin, but propagated more recently by the Nazis. I have viewed the footage, which is gruesome, revolting and an incitement to racial hatred. I call on the Government to make strong representations to Syria about that series.

I, like many, seek a peaceful solution to the tragic Israel-Palestinian conflict, based on a secure Israel with integrity as a Jewish state, and a viable Palestinian state beside Israel as a homeland for the Palestinians. A solution based on the division of land is realistic. I support the Geneva accords, which show a way forward, and I was pleased to participate recently in the Rabin peace seminar, which brought together members of the Israeli Knesset with leading members of the Palestinian Authority, at which I saw that there was a way to peace. Preaching hatred against Jews, however, is a handicap.

Preaching hatred of the sort that we are now hearing and seeing will undermine reconciliation and threatens community relations in the United Kingdom. It is already igniting anti-Semitism with potentially dire consequences for community relations in this country and in Europe as a whole. This must not be ignored. The Government are making valiant efforts to bring about peace in the middle east and to support good community relations in this country. I ask them not to ignore mounting anti-Semitism and to take action against it, from wherever, it comes, before it is too late.

3.5 pm

Mr. Nigel Evans (Ribble Valley) (Con): I am grateful for the opportunity to speak in this Christmas Adjournment debate.

Earlier, the Leader of the House said that we should all suggest names of people to be honoured in the forthcoming honours list. I thought that I would start the ball rolling and suggest my mother. She is an absolute heroine and a tremendous lady. There is one problem that worries me, however, and it may be the stumbling block to her recognition: she does not support the Government. She is not a Labour voter, she always votes Tory, and, for whatever reason, she does not like the Prime Minister. Given what I have read in the Sunday papers about the vetting of people who are suggested for honours, I wonder whether they have to be supporters of the Government. That would disturb me greatly. I hope that the Minister will reassure me that that hurdle will not be put in front of my mother and others who happen not to support the Government. As to the suggestion of sexing up the list with those whose names people can recognise, as opposed to those who deserve honours, I hope that that is not true. I hope that people included in the list will be there on their merits and for no other reason.

I want to endorse what my hon. Friend the Member for Romford (Mr. Rosindell) said about Gibraltar. It is its 300th anniversary next year, and I hope that we will all celebrate it. I am proud of our attachment to Gibraltar and the support that it has given us over the centuries. I hope that the celebrations will take place throughout the country, and that the Government will get behind them. I know that there is some feeling that we might offend the Spanish if we are seen to be over-rejoicing in the fact that we have a close association with Gibraltar, but they should not be so sensitive. It has been a British territory for 300 years—the first 300 years, I hasten to add—and we should rejoice in it. In a referendum held this year, the people of Gibraltar showed overwhelmingly that they wish the current association to remain. We should respect their wishes, and I hope that the Foreign Secretary and the Prime Minister will do so. Let us celebrate that 300th anniversary, and I hope that the Government will soon announce a number of things to help us celebrate it in this country—perhaps even an announcement that the Prime Minister will visit Gibraltar next year will give some support.

The Government need to look urgently at council tax because, in April, as we know, bills will be dropping through people's letter boxes. We have seen in the *Daily Express* a campaign that relates particularly to pensioners on fixed incomes who live in big houses, perhaps for historical reasons such as having raised a family there, and who wish to remain in them. We all understand that, but the increases in council tax that they have had to face over the past seven years have been horrific—about 70 per cent., including the increase this year, on typical band D homes, and most band D homes are now subject to bills of well over £1,000. I therefore hope that the Government will be more honest about the funding of local government. We know that there has been a lot of rigging in terms of the way in which money has been moved around the country.

The Chancellor of the Exchequer announced £400 million to dampen the effects of this year's increase, but in many areas it will still be more than 10 per cent., while the inflation rate is about 2.5 per cent. Nobody apart from MEPs got a 10 per cent. pay increase this year. That £400 million will therefore not keep council tax low, and the Chancellor of the Exchequer should have told local authorities what increase would be unacceptable before capping is introduced. We need to know that figure, but an increase that is four times the rate of inflation is unacceptable.

In business questions, the closure of post offices was mentioned twice, by Members on both sides of the House. I, too, know of a few post office closures in my constituency this year. We do not want to receive letters about branch closures in our offices, but, sadly, we do. I congratulate all postmen and women and postmasters and mistresses on their hard work and dedication throughout the year, but particularly at Christmas time. We must value the post office network. I am the first to concede that there were hundreds of closures under the previous Government as well, but this year about 205 branches have closed, and, from what we have heard today, the number seems to be escalating,. The network consists of about 17,200 post offices. Every Member of Parliament values the post offices in their constituency and our constituents are aware of their importance. The post office is the only shop in many villages and, apart from offering post office services, they sell goods. There are a number of such post offices in my constituency but, as I said, they are under threat. If people lose their post office, it is unlikely that they will ever get it back.

There have been a few closures in my constituency including, last year, Grindleton post office, which was the only shop in the village. Sometimes when we receive letters about a closure, the Post Office asks whether we can suggest anyone who is prepared to come in and run

[Mr. Nigel Evans]

the local post office. We must acknowledge that post offices sometimes are not economically viable. Even with all the goods that they sell in addition to stamps, postal orders and so on, and even if the postmaster runs a convenience store too, post offices, particularly given the salary that is paid, may not be economically viable. The profit margin on a number of goods sold in post offices is extremely low. For example, it is about 4 per cent. on phone cards, which are high-cost items.

If the Government value our post office network, they must do something to save it. Clearly, this year's initiative to get people to have their benefits paid directly into bank accounts has not helped. The Government say that people have a choice in relation to the way in which they receive their benefits, but some elderly people have received phone calls when they have said that they wish to carry on receiving their benefits in the post office trying to persuade them to have that money paid directly into a bank account. A lot of people are being badgered into changing their mind and agreeing to direct payment into a bank account. That does not help the post office network in any way whatsoever, so I would be grateful if the Minister would give us an assurance that people will have genuine choice with regard to the way in which their benefits and pensions are paid, and will not be badgered or forced into opening a bank account.

As for support for the network, the Government must be more imaginative about the ways in which they protect those post offices. There may be a rural subsidy or some other form of recognition to keep post offices open. Without such payments, the system may not be viable. People who work in post offices work long hours under enormous stress. They have to be accurate in all their work because, in the main, they are dealing with money. One postmistress who worked part time told me that it was not worth it—people who worked in McDonald's were getting a higher hourly rate than she was for a job that entailed a great deal of stress and responsibility. In the end she chucked it in, and that facility has been lost in one of my villages, which is very sad indeed.

We must acknowledge that working in a post office entails long hours. It is not at all an easy job, so we must provide support. Post offices are the lifeblood of the community. People know the postmaster and mistress and the individuals who work in the shop. I know of one post office where, if someone did not come in one week to get their benefit, the staff would go round to their house to see that they were all right. With the best will in the world, that does not happen at Asda and Tesco. We must recognise the importance of the job that those people are doing.

About 400,000 people get relatives or friends to pick up their benefits for them. They would not be able to get them to nip into Barclays or some other bank to do so. We must stop the rot—we must work out how we can keep our post offices viable and keep the network going as far as possible. I pay tribute to all the postmen and postwomen, and to my own postman, Trevor. I thank him for all the work that he has done delivering letters to the entire village and me—we are extremely grateful.

In conclusion, I wish the House a merry Christmas and a happy new year. We look forward to 2004, when the people of the north will vote no to regional government.

3.16 pm

Mr. Kevan Jones (North Durham) (Lab): I should like to raise our constituents' ability to gain justice when a wrong is committed against them or a member of their family. I shall give two different examples of circumstances faced by my constituents in North Durham over the past year. Each constituent was let down by the system, and left angry and disillusioned with the legal system.

The first case concerns Mrs. Ann Stevens of Annfield Plain in my constituency. In October 2002, Mrs. Stevens was involved in a road traffic accident. The other driver collided with Mrs Stevens's car but fled the scene of the accident. Her car was a write-off and she was hospitalised. The police arrested the other driver, a young man, who was brought before the local magistrates court and found guilty. Mrs. Stevens was awarded £150 in compensation but, even so, she was severely out of pocket. Her car, worth over £500, was written off, and she could not claim against her own insurance. The other driver had no insurance at all. In addition, Mrs. Stevens had to pay £105 for her vehicle to be recovered. Not only was she several hundred pounds poorer but she had to go to hospital and was left traumatised by the experience of the accident.

On 20 December 2002, Mrs. Stevens was notified by North Durham magistrates court that she would receive the compensation awarded to her on a monthly basis. She waited and waited, and the first payment arrived at the beginning of March this year. It was worth a grand total of £2.25. The cheque was accompanied by a letter explaining that compensation would be awarded on a monthly basis, and that her compensation was consolidated with amounts being paid to three other people by the person who caused the accident. The letter explained that deductions would be made from that individual's state benefit, and that the amount would be divided among all those being compensated. Mrs. Stevens was to receive a cheque worth £2.25 each month.

My constituent received payments for a few months, but nothing has arrived since 13 June. She has received no explanation as to why the payments have ceased. Mrs. Stevens is the victim in this case, but she is the one who is suffering, along with the taxpayer.

I also question the administrative costs in the case. Those costs include making deductions from the other driver's benefit, writing cheques to the recipients of compensation, and posting them off. The only winner is the person found guilty of the original crime.

In July, I wrote to the Under-Secretary of State for Constitutional Affairs, my hon. Friend the Member for Shipley (Mr. Leslie), about the case. He replied:

> "The enforcement of financial penalties is a priority. On 25 June, I announced a new and radical approach to the collection of financial penalties. Too many financial penalties are not paid and the authority of courts must be enforced. This 7 point plan will be driven by ministers in the department and we will intervene personally with any Magistrates court committees that continue to perform badly."

Those are fine and tough words, but they are little help to Mrs. Stevens, or to other victims still waiting for compensation. It also misses the main problem: what is the point of imposing fines and compensation orders if they cannot be enforced? The Minister, like my right hon. Friend the Prime Minister, seems to want to be tough by imposing fines, but it is clear that in some cases alternatives—such as community orders and other sentences—need to be found. They may appear softer, but they are much more effective when it comes to securing justice.

Since I raised the case with the Minister, I have spoken to the Durham magistrates committee. It appears that the problem is not that the magistrates are unwilling to pursue defaulters, but that it is hard to collect the money because of evasion and the difficulty in tracing offenders. Also, repeat offenders incur mounting debts that become unmanageable.

Some 67 per cent. of offenders receive state benefits. The present system means that the Government are recycling their own money in a very inefficient way. Fines do not punish the guilty, and do not help victims. In poor areas, there are many people on benefit, and collection is very difficult. That means that the recovery rate for fines can be as low as 40 per cent., and the costs of recovery are disproportionately high. The system needs to be reviewed. To prevent the evasion that is clearly going on, fines and compensation orders should be made only when courts have full personal details about the people involved. We should stop wasting everyone's time by imposing fines on people receiving state benefits. Those fines cannot be collected, and the inefficient system does not help taxpayers. The task should be to ensure that fines and compensation are imposed only when they can be collected. Where alternatives are available, they should be pursued.

The other issue that I want to raise is the fight for justice by constituents who worked, or whose families worked, in the coal mining industry. Many people contracted debilitating lung disease from their exposure to coal dust, and many died slow and agonising deaths.

I congratulate the Government on putting in place the handling agreement that means that people are now being compensated. In North Durham, more than £10 million has been paid out to victims and their families—something that has been achieved because a Labour Government are in power.

However, I want to speak in particular about the unjust and unfair fees levied by solicitors and claim handlers on claimants and their families. Some of them act like vultures as they take a cut out of claimants' compensation, on top of the fees already paid to them by the Department of Trade and Industry. They exhibit nothing short of greed when they take money off the people and families for whom it was meant. Those people include many who are dying, as well as poor and aged widows.

In North Durham, I have been made aware of the activities of one particular firm of solicitors—Mark Gilbert Morse of Grey street in Newcastle upon Tyne. My constituents Mrs. Greener and Mrs. Elliott of Stanley agreed that the firm should handle their late father's case after a leaflet was pushed through their doors. Both recently received interim settlements of their claims, and in both cases just over 21 per cent. of their claim was deducted by the solicitors in fees. Last week, an 83-year-old widow came to see me who had had £8,000 deducted in the same way. In the cases of Mrs. Elliott and Mrs. Greener, the irony is that the fees were deducted before their case has been completed. The letter that was sent to them clearly stated that under the conditional fee agreement into which they entered, up to 25 per cent. of the damages could be deducted.

That is nothing short of unjustified greed. Mark Gilbert Morse will have been paid its fees by the DTI, but not content with that it is eager greedily to plunder the compensation of my needy constituents. I have written to the Law Society about the firm and raised it with the Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Edinburgh, South (Mr. Griffiths). I congratulate him on the strong line that he and the Government are taking against such companies in insisting that 100 per cent. of the compensation should go to the claimants. I issue a challenge to Mark Gilbert Morse to pay back to claimants the money that they have deducted. My hon. Friend the Member for Barnsley, West and Penistone (Mr. Clapham) has, on behalf of his constituents, made similar charges against a firm in Doncaster called Beresfords, which has agreed to pay back the money. I understand that Mark Gilbert Morse is dealing with thousands of claims in the north-east. If it refuses to pay the money back, the Government should seriously consider withholding any further payment of fees until there has been a full investigation of its activities.

Another problem in the north-east is that vulnerable people are being exploited by claims handlers, who are not solicitors and have no legal qualifications, but act as middlemen in sorting out claims. Last week, I heard about an horrendous case from a solicitor who was approached by a claims handler with several thousand cases on his books and asked if he wanted to buy them. I fear that next year, when the cut-off date for claims arrives, many people who think that they have submitted claims to firms of solicitors will find that they are languishing in the hands of claims handlers. I would urge my constituents, or anybody else, to avoid claims handlers like the plague. Action against those rogues is urgently required. Decent, hard-working people are being ripped off and having money that they justly deserve taken away from them.

In closing, Mr. Deputy Speaker, I take this opportunity to wish you and your family, and the rest of the House, all the best for Christmas and a prosperous 2004.

3.27 pm

Mr. John Wilkinson (Ruislip-Northwood): Mr. Deputy Speaker, I wish that you had been in the Chair to hear the speech by the hon. Member for Braintree (Mr. Hurst), who eulogised the beauty of the countryside around Stansted, which you, Sir, know so well. He speculated as to why the proposed new runway that the Government have approved in principle should be so far from the existing one: that is a good point.

We benefited enormously, too, from the courageous speech by the hon. Member for Liverpool, Riverside (Mrs. Ellman). How right she was to warn us, at this time of peace, of the danger to community relations that is posed by Islamic fundamentalist fanatics who preach a hostile gospel against Jewry the world over.

[Mr. John Wilkinson]

Last, but by no means least, I must mention my hon. Friend the Member for Romford (Mr. Rosindell), whose speech was a masterpiece of its kind. Most of us feel accountable to our constituents and are content to leave it at that, but he rightly feels that in all his doings in his constituency he is answerable to this House. He enjoined us, at least implicitly, to do something that, candidly, I have been unable to do as yet—that is, to attend a school in the constituency for every day of Advent. I believe that this is admirable. He rightly made it clear to those who might have thought from his election literature that a bulldog was just for election time that a bulldog is not for an election or for Christmas but for life.

I wish that the Secretary of State for Transport—and for Scotland, for he is both—had presented his White Paper on civil air transport much earlier in the year. If he had done so, many of our constituents would not have appalling blight hanging over them this Christmastide. Parliament could have held a proper two-day debate on his strategic framework for air transport and reached considered conclusions. The planners could have progressed with all that was necessary to put in place airport and related facilities for developing civil air transport in our country for the next generation. Instead, there is grave uncertainty.

If I am fair to the Secretary of State—I try to be—I must say that there is some merit in his White Paper; it is half sensible. I suppose that one would expect a half sensible document from a half-time Secretary of State. I have no cavil with its basic premise that civil air transport is crucial to this country. I applaud the way in which he has fought off those, probably mostly in his party, but perhaps some Liberal Democrat Members, who are instinctively hostile to air transport and mainly want to tax it.

I also applaud the Secretary of State's measured, incremental approach to developing the industry in an uncertain world in the next 20 and 30 years. I am sure that this is wise. We do not know how terrorism will affect the industry or the impact of ultra-large aircraft such as the A380. We do not know the extent to which high-speed rail will compete in our continent and domestically, although Eurostar's share of passengers who previously travelled by air to Paris and Brussels is surely significant. I have outlined reasons for the Government to be cautious and I welcome the Secretary of State's incremental approach.

I also welcome the right hon. Gentleman's appreciation of the importance of air transport for regional development and his emphasis in the document on the importance of developing regional airports. I leave Scotland to him, but I shall comment on England because England and our English economy, not least in the south-east and London, make fundable those matters that the Scottish Executive cover. I have no quarrel with his aims for developing regional airports. An additional runway at Birmingham; the extension of Liverpool's runway and those at Newcastle, Teesside and Leeds-Bradford; and the extensions at Bristol and at Luton are wise and sensible measures.

The fullest use of minor airports in the south-east of England is important. They include Southend, which is an admirable airport. I used to instruct there—and at Stansted too in the good old days before the little hangar from which we used to operate was submerged under a terminal.

However, sentiment is not a basis on which to evolve a strategy; the Secretary of State must be decisive. He has failed in that because he has put off important decisions. The only significant decision that he has made is that there will be another runway at Stansted. When we get the debate on the White Paper, that is bound to go through because of the majority that the Government enjoy. That is an arithmetical fact.

However, great uncertainty remains about the two principal airports in the London system, namely Gatwick and Heathrow. In my judgment, the Government are fundamentally wrong about Heathrow. The main reason why they are unwilling completely to commit themselves to another east-west runway there, between the A4 and the M4, is that they are frightened of the European Union—the only body that makes the Government take fright and take notice. They are wary of infringing the directive on air pollution, particularly in relation to nitrogen dioxide emissions. On those grounds, they seek to say that all the environmental conditions have to be met, particularly on air pollution, but the main environmental condition is that it is a wholly inappropriate place to build another runway.

Why are the emissions so high there? Because it is a built-up, congested area that already has an enormous amount of air traffic and motor traffic—the M4 is part of the nearby motorway network. A lot of aircraft taxi around, and with a fifth terminal and the possibility of mixed-mode operation for at least part of the day, the level of emissions is likely to increase, even if the Government seek to impose higher landing charges on the more polluting aircraft.

The Government have therefore ducked the basic environmental issue, which is that this is the wrong place to put another runway. The airport's potential should be fully realised within the existing geographical confines of Heathrow. British Airways is to concentrate its services at the fifth terminal, rather than dividing them between the first and fourth terminals, which is all to the good. We also know that its domestic and European services will continue to decline because of the competitive impact of low-cost carriers such as Ryanair and easyJet. That being the case, I am not certain that the build-up of traffic at Heathrow is going to be quite so large as the Government anticipate.

Furthermore, the Government have assigned to the European Union what should be a basic national right: the right of any sovereign state to decide air service agreements and negotiate them with other Governments. I fear that the consequence of that will be that Brussels will decide that Heathrow is too preponderant on the north Atlantic routes, and that it will seek increasingly to grant air service agreements to carriers on those routes and other long-haul routes, stipulating Amsterdam, Frankfurt and Brussels as a gateway to the European Union, rather than Heathrow.

The proposed site for the new runway is on green-belt land on the edge of Harmondsworth village, where my hon. Friend the Member for Uxbridge (Mr. Randall) and I recently had the privilege of attending a carol service in the great barn alongside the mediaeval church, by virtue of an invitation from the hon. Member for Hayes and Harlington (John McDonnell): That village would be appallingly blighted by the new runway, as would Sipson. That part of the green belt is a crucial lung between highly developed Heathrow and the communities of Hayes, West Drayton and Uxbridge. I speak as the president of the Green Belt Council. It is an unpaid appointment, but I should declare my interest.

I urge the Government to think again about this proposal. There are also purely technical aspects that militate against it. There would be an inordinately long taxi from the central area to the new runway, for example. Aircraft would have to cross the more northerly of the two existing east-west runways to get there. Furthermore, movements on that northern runway will be impinged upon by departures out of RAF Northolt. The White Paper agrees that this is the case. In answer to a question asked by my hon. Friend the Member for Uxbridge, the House was told that flying operations out of RAF Northolt—a core station of strategic value to the country, as the White Paper admits—would impinge on the departure pattern of the most northerly of what will be three runways at Heathrow, if the new one is built. That, too, has not been thought out. Of course, there is a need for a sixth terminal alongside the new runway with parking facilities. High-speed transport links would have to be put in—who would pay for those? That question has not been answered. When the inspector recommended that the fifth terminal at Heathrow should go ahead, he said that in his judgment it should be conditional on there being no further runway development at Heathrow.

The Government have said in the White Paper that if the runway at Heathrow does not go ahead, another should be built at Gatwick. In my judgment, if aviation professionals at the Department deem it sensible that there should be another runway at Stansted, another one at Gatwick is even more overdue because there are already two terminals there. Of course, there is a covenant or arrangement whereby this should not come into operation before 2019, but it is admitted that if another runway were built at Gatwick, the environmental impact would be less than at Heathrow. There would be less noise disturbance and fewer problems from pollution emissions, and those considerations ought to be taken into account.

To conclude, the White Paper is good in parts, but as far as the overall equation in the London area is concerned, the basic decisions have been ducked. There is more potential at Luton—particularly with its new transport links and extended runway—than is recognised. Luton has a great future. There is much more potential at City airport, and if we make more use of places such as Southampton, Manston and Southend in the south-east, we can take the pressure off the London system. That should be the way forward. We should certainly not build a third east-west runway at Heathrow.

3.42 pm

Geraldine Smith (Morecambe and Lunesdale) (Lab): In my contribution to this year's Christmas Adjournment debate, I will take the opportunity to comment briefly on the Government's proposals for funding higher education, and in particular their intention to allow English universities to levy variable tuition charges on graduates from those institutions.

I would like to make it clear at the outset that I share and support the Government's objectives of raising standards and widening access to higher education. I also welcome the significant funding increase that the Government are committed to over the next three years. The proposals to scrap up-front tuition fees and require graduates to make a contribution towards the cost of their courses are also a step in the right direction. However, I do not believe that that contribution should depend on which university a graduate has attended, or on the subjects they have studied. Such a crude attempt to introduce market forces to our universities is totally unacceptable, and I will oppose any Bill that contains such a measure.

The fact that our universities are desperately in need of additional funding is undeniable. After decades of underfunding, much of their infrastructure is overcrowded, outdated and crumbling. We must provide students with safe laboratories, modern classrooms and well-stocked libraries, as well as up-to-date IT facilities. It is equally important that we address the problem of university staff pay. Pay increases for both academic and support staff in universities have significantly lagged behind those in the rest of the economy during the past 20 years. There is ample evidence to suggest that staff are leaving the higher education sector in ever increasing numbers. Many have taken up better-paid posts abroad. There is an urgent need for a modernised pay structure for university staff that provides rewards in terms of pay levels and opportunities for advancement that will enable universities to recruit and retain the best possible staff.

It is clear that even the huge investment that the Government are making in higher education will not be sufficient to plug the hole in our universities' finances caused by the many years of underfunding. It is also obvious that if the damage caused by underfunding is to be repaired and universities are to be expanded and improved, additional resources must be found.

It is wholly appropriate that students who benefit most from higher education and become graduates make an increased contribution towards bridging that funding gap. However, I fundamentally disagree with the measures that the Government intend to adopt to raise the additional charge. First and foremost, the proposed system of variable tuition fees is flawed and unfair. It is heavily biased in favour of high-profile universities, and the £3,000 ceiling is far too high.

There is no doubt in my mind that universities such as Oxford and Cambridge will be able to charge the maximum fees with impunity, and thus gain the greatest financial benefit. It is to those very institutions that many of the brightest and best students aspire to gain admission. To my mind, there is something perverse about a system that rewards those who have achieved a standard of excellence in their studies by imposing the highest charge on their higher education.

Although graduates from the poorest families may not be adversely affected financially by the maximum charge, all those further up the income scale will be.

[Geraldine Smith]

Those from families with incomes in excess of £31,231 per annum—who can hardly be described as rich—will have their fees almost trebled. It is true that the Government will relieve them of the need to pay up-front tuition fees, but I am sure that even the slowest student will be able to work out that swapping an up-front charge of £3,375 for an inflation-linked £9,000 debt is not that much of a bargain. I firmly believe that increases of that magnitude in tuition fees are unfair and cannot be justified. Indeed, it is only the Government's insistence on introducing variable tuition fees that makes the contemplation of such huge increases necessary.

As for the proposed system of bursaries and remission of fees for those graduates who meet the financial criteria, I am opposed to both those measures in their current form. Students who have the appropriate qualifications to gain a place at a university and who would currently qualify for full fee remission should not have to shop around for a bursary. We must not introduce a bursary system that could act as a cap on the number of students from poor backgrounds taking up places at the universities of their choice. I believe that it is the responsibility of the state, not the universities, to ensure that such students are adequately supported.

I can see no case for continuing the system of remission of fees, which should be abolished and replaced by maintenance grants. The Government are proposing that tuition fees be recovered from graduates once they are earning a minimum of £15,000 per year, at a rate affordable to each individual. It surely follows that the recovery process should apply equally to all graduates regardless of background. The Government have argued that a flat-rate increase in tuition fees would be wrong and unfair to some students who would have to pay more than they would pay under a variable fees increase. I have no recollection of any such concern being expressed by Ministers when up-front tuition fees were introduced a few years ago. Nor do they have much to say about the extortionate fees that many graduates will have to pay for the more popular courses at all universities under a variable fees system.

In one respect, however, the Government have a case in arguing for flexibility in university funding. I refer to the need to attract suitably qualified people to study unpopular yet vital subjects such as physics. I believe that the difficulty could be overcome if universities were allowed to offer grants or other incentives.

Let me summarise my view. I think that tuition fees should be levied on all graduates on a flat-rate basis, irrespective of which university they attend or which subject they study. I also think that any increase in fees should not take the total amount above £2,250 a year, double the current rate. I believe that the proposed bursaries for students and remission of fees should be scrapped and replaced by maintenance grants of equivalent value, payable at the start of each year.

I think that my suggestions offer graduates a fairer deal: universities would have the additional funds that they so desperately need, and would have the flexibility to respond to their individual difficulties. I sincerely hope that the Deputy Leader of the House will convey my views to his colleagues.

It only remains for me to wish a happy Christmas and a peaceful new year to you and your family, Mr. Deputy Speaker, and to all Members and staff of the House.

3.51 pm

Mr. John Randall (Uxbridge) (Con): It is a great pleasure to follow the hon. Member for Morecambe and Lunesdale (Geraldine Smith), who is known for speaking her mind in a principled way. She is right: the Government should have another look at their misguided plans on university fees.

I do not know whether, during his visits to his local school, my hon. Friend the Member for Romford (Mr. Rosindell) has heard the story of the Member of Parliament who, looking at pictures of a seasonal nature, noticed one of an aeroplane. When he asked what it had to do with Christmas, he was told that it depicted the flight to Egypt. He asked, "And who is that?", and was told, "It's Pontius the pilot." I make no apology for returning to the subject of the aviation White Paper.

My hon. Friend the Member for Ruislip-Northwood (Mr. Wilkinson) has already made a very good speech about why we think the Heathrow third runway option is wrong, and the hon. Member for Braintree (Mr. Hurst) has spoken about Stansted. I share his views, and his disappointment. The decision was indeed disappointing for those of us who are in the shadow of Heathrow. We thought that the environmental problems were insurmountable, and we still think that. As my hon. Friend pointed out, the advent of a fifth and possibly a sixth terminal, with a runway, and the introduction of mixed mode—which is also a possibility—would lead to many more flights and many more associated traffic movements. Levels of nitrogen dioxide would be likely to rise rather than fall.

People have been in a downbeat mood because of that, but yesterday, along with my hon. Friend the Member for Hayes and Harlington (John McDonnell), I attended a meeting at Heathrow school in Sipson. Given that I have already caught your eye, Mr. Deputy Speaker, I have no ulterior motive in saying this. Those at the meeting began by saying that their thoughts and prayers were with those living in the Stansted and Gatwick areas as well. We know what they are going through, and what it means when hundreds of people have their homes and communities threatened in this way.

Morale at the meeting was initially rather low, but after a while we realised that, although this might be regarded as a stay of execution and that we were still on death row, the alternative—execution—was probably worse, generally speaking, and that we could now work for the reprieve that my constituents and I feel we deserve. Although it may yet take a few years of hard-fought battle, we will eventually walk free from the threat of losing homes, and of our health being affected by the toxic fumes of traffic and aviation in our area.

By the end of the meeting, morale had risen so significantly that we finished with a rousing chorus of "Jerusalem". That is unusual for a meeting held in the constituency of my hon. Friend—on this occasion, he is my hon. Friend—the Member for Hayes and Harlington. I know that "Jerusalem" was written by a good socialist, but these days it is not normally regarded as something with which to finish a meeting of, say, the Campaign group.

As the chairman of the meeting pointed out, if it had been a rugby match, the scores at full time would have been level, with the environmentalists and residents having exactly the same number of points on the board as the aviation industry. As he also pointed out, however, both the 1966 football World cup and the recent rugby World cup were won by England in extra time. Singing "Jerusalem" has spurred us on, and we know that we will achieve the same result.

I should like to add my name to the list of those who are calling on the Government to establish a rugby foundation similar to the Football Foundation, which has done so much good work for that sport. Such a foundation would be able to upgrade stadiums, thereby providing decent facilities for rugby throughout the country. As recently as today, I received an e-mail from a young lady who runs a summer university in Tower Hamlets; in fact, it has proved so successful that it runs virtually throughout the year. She wants to organise some rugby, but it is proving very difficult to find pitches in that part of the world. That is exactly the sort of initiative that is needed. Given the huge tidal wave of interest and good will following our success in the World cup, we ought to be able to get a grip on this problem.

In case I am accused of jumping on the bandwagon, I should point out that I have been a member of Uxbridge rugby club for many years, that I am a Saracens season ticket holder, and that my son plays for Ruislip rugby club. I wish those teams extremely well over the Christmas period. I should tell anybody who is going to watch Watford over Christmas that they have a couple of difficult matches coming up. I should also like to pay tribute to Richard Hill, the Saracens player who will be captaining England in their match against the New Zealand Barbarians at Twickenham on Saturday. Richard Hill is very much an unsung hero of England, and I wish him and the rest of the team well. I should further point out that Taine Randell, the captain of the Barbarians, also plays for Saracens. Although his spelling of his name is a little mistaken, he is a very fine player.

Before I upset even more of my constituents than I normally do, I should also wish Uxbridge football club well in their match against Yeading. At that point, my hon. Friend the Member for Hayes and Harlington will revert to being the hon. Member for Hayes and Harlington, as Yeading is in his constituency.

On a more serious note, while many of us look forward to a pleasant, comfortable and warm Christmas, many people cannot do that, and I shall take the time I have left to talk about a forgotten area of Europe. In the wake of what has happened in Iraq and Afghanistan, we have often been told what a great success the campaign in Kosovo has been. However, I have a feeling that the truth about Kosovo is somewhat different, and that the plight of many people in that area has been rather forgotten, despite the fact that Kosovo is part of our own continent.

Nominally, Kosovo is still part of a country called Serbia and Montenegro. Hundreds of thousands of people who used to live there cannot return to homes that are sometimes only a few tens of kilometres away, so they are in refugee camps, although because they are still in the same country, they are called internally displaced people. They live in awful conditions, and have done for some time. That applies not only to people from Kosovo but to people from Krajina, which is part of Croatia.

The NATO and European Union regime in Kosovo is in some ways no better than the one that it replaced. According to all the reports, and the many people who have been there, Kosovo is still a lawless place. Only yesterday, in the debate on asylum, the hon. Member for Richmond Park (Dr. Tonge) talked about one of her constituents, a Kosovan asylum seeker who does not want to return to Kosovo, as even now he is in fear of his life because of reprisals by the Kosovo Liberation Army, and he is still in hiding. To think that the place is all sorted out now is, I am afraid, erroneous.

The Minister for Europe admitted earlier this year that fewer than 3,500 of the 260,000 people who fled Kosovo have returned, and that many of the few who remained are still leaving because of the continued abuse and terror. Some particularly gruesome and appalling crimes have taken place there during the year. On 13 August, 60 to 80 children were bathing in the river Bistrica near Gorazdevac, when they were suddenly machine-gunned by two criminals. It took an hour and a half for KFOR to arrive, to find two of them dead and two seriously hurt. No one has been caught for that crime.

I hope that in the coming year the Government will take the situation seriously and grasp the nettle of Kosovo. I, and the other members of the all-party group on Serbia and Montenegro, will do what we can in the House, and we will not let the subject be buried. At this time of year, we should remember that the spirit of good will and peace on earth is not just for Christmas; it should be for life.

5.3 pm

Mr. Adrian Bailey (West Bromwich, West): Today I shall celebrate Christmas by talking about health. I shall describe some of the good practice in my constituency, which has some lessons for the health service as a whole, and flag up one or two issues that have been raised with me, which the Government need to take on board if they are to fulfil their strategic objectives for the health service.

In the debate on the health service, the concentration on the acute sector is understandable—perhaps, because of the passage of the Health and Social Care (Community Health and Standards) Act this year, it is inevitable—but it is potentially a cause for concern. The disputes and the debate about the acute sector have obscured the real progress that has been made at primary care level as a result of the Government's investment in that sector.

I represent an inner-city area, which, in common with many others, has poor health statistics. The worst are centred in the traditional Tipton area, which consists of three wards, Princes End, Great Bridge and Tipton Green. All have high death rates from heart disease, stroke, cancer and chest disease. Other problems that are part health-related, part social include high teenage pregnancy rates, smoking and alcohol intake.

Specifically in order to address areas with acute health problems, the Government introduced personal medical service pilots, which started in 1998 in Tipton and have

[Mr. Adrian Bailey]

now been rolled out to some 30 per cent. of the population. In my constituency, the Tipton Care Organisation was set up. It covers a patient population of 37,500, with eight GP practices—one with six doctors and four with only one. It set up a board with representatives of the voluntary sector, the local community health team, tenants and local government. There is a further board consisting of local GPs, one from each practice. That structure has brought together expertise from all sectors of the local health economy and has stimulated new ways of working to benefit the local community, at both primary and acute level.

The organisation has introduced several innovations that should be singled out for their implications for the NHS. It first appointed two salaried GPs to support the existing GP coverage. Tipton, in common with many other similar areas, is under-provided with GPs. According to its population it should have 22, but at the time in question there were 18. The employment of two female salaried GPs has meant that the organisation has been able to support the practices with only one or two GPs, by providing cover for training and enabling them to reduce waiting times. It has also improved the service by allowing women who prefer to be seen by a female GP the opportunity to do so. It has considerably enhanced the GP service in several areas.

The organisation has also employed stress counsellors. In conjunction with the Counselling in Primary Care Trust and the health service management centre at Birmingham university, it has provided a specific counselling service in local practices. It is obvious that many visits to GPs are the result of stress-related or psychosomatic illnesses. By providing a specific counselling service, the organisation has improved the well-being of patients and cut the number of visits to GPs by around 29 per cent. I cannot help feeling that if such a service were introduced nationwide, the benefits of the reduced pressure on local GPs would be significant.

Another project was the introduction of an integrated nursing service for elderly patients in hospital. By assessing their needs in hospital and visiting them regularly once they had returned home, the organisation provided a level of support that has cut the average stay in Sandwell hospital by one and a half days for patients from the Tipton area, in comparison with the rest of the local area. Obviously, this has enormous implications in terms of pressure on waiting lists in the acute sector. It is a clear demonstration of the beneficial impact that investment in the primary care sector can have on the acute sector.

Other projects involve dealing with diabetes in terms of a proactive chiropody programme. The identification of no fewer than 956 diabetics who were not attending chiropody services and the establishment of a proactive chiropody monitoring service has resulted in nearly 10 per cent. being identified as requiring acute treatment. It is estimated that nine amputations were prevented as a result of the provision of that treatment. Many elderly people with diabetes do not understand its impact on their legs and feet. The setting up of a chiropody service to monitor that brings potential benefits to their health and well-being, and there is a substantial impact on the health service.

I remember that, when I was a young boy an elderly auntie who lived with us had diabetes, but did not reveal to anybody—not even her doctor—the extent of the problem with her legs. That resulted in an amputation and subsequently she died. So I know at first hand just how essential that sort of service is in benefiting individuals and the acute sector.

Another and startling approach is being made to the medical management of drugs in the community. A survey was done of people, mainly over 65 and mainly suffering from coronary heart disease or diabetes, who were taking more than four sorts of medication, to find out how effective the drugs were. To my surprise—or perhaps not to my surprise—many of those who were suffering from a range of ailments could not read the labels, did not understand the instructions, or could not access the drugs from the packet. As a result, there was a significant level of over-prescription and lower efficacy than was needed. That in turn can lead to hospitalisation or residential care. As a result of action and support for elderly people in that category, the need for hospitalisation and residential care has been reduced, as has the drugs budget.

All these programmes have been carried out as a result of the extra investment at primary health care level. They demonstrate clear cost benefits and benefits for the acute sector.

One or two concerns have been raised with me. The first is about the medium-term provision of GP services within areas such as mine. In my area, in common with many former industrial areas, the local health service is highly dependent on the first generation of Asian doctors who came here 25 to 30 years ago. They have done sterling service for the people of Sandwell in my constituency. However, many will come up for retirement in the next few years. Despite the 12,000 extra doctors, there is a real danger that these areas will not be able to attract the number of doctors needed to sustain the good work that has been begun. That is obviously a challenge for the Government.

One way of dealing with the problem is to follow the lead of the United States by training and recruiting physician assistants. The anomaly is that Tipton Care Organisation has recruited two American physician assistants. Other primary care trusts are doing the same. There is a recognised role and potential use of physician assistants, but this country does not train them or recruit enough of them. They are educated and trained to a high level, although not to the level expected of a doctor, and carry out a range of support services under the supervision of a doctor, releasing the doctor's time for more specialised purposes. Physician assistants are widely used in the United States.

Unfortunately, physician assistants do not have a professional body. Work is being done with the General Medical Council to recognise them, and Birmingham university is involved in establishing a training facility, but it needs funding. I hope that the Government will seriously consider the proposal as a way of bridging the doctor-provision gap, which may emerge over the next few years as a result of the retirement of so many ethnic minority doctors.

There is another possible source of support. It came as a surprise to me to learn that about 500 medical orderlies leave the Army services each year. Those people would not necessarily become doctors, but given their basic medical training allied with new courses to train physician assistants, they are a source of medical expertise that is currently lost and could be used within local health care economies. The Government should seriously consider recruiting and training medical orderlies to promote the Government's long-term health objectives.

My area is pioneering joined-up thinking, utilising the Government's extra investment in primary care to provide better local services and to relieve pressure on acute services. However, I am worried that that investment may not be sustained. I hope that the Government will invest in recruitment to ensure that the good work that has taken place over the past few years is not lost because of a lack of forward planning.

4.18 pm

Bob Spink (Castle Point) (Con): As this is the Christmas Adjournment debate, I wish you, Mr. Deputy Speaker, and all at the Palace of Westminster a very happy Christmas and a peaceful new year. But while we enjoy the warmth of our homes, friends and family this Christmas, let us remember those in need.

There are homeless people in Castle Point and we have failed far too many of them. We must find ways to make more housing units available to help the many worthy cases that have been betrayed by the system. I include myself, as well as the Government and the local council, in that criticism. We must treat homeless people with dignity and charity, and that should be remembered at Christmas.

My hon. Friend the Member for Romford (Mr. Rosindell) mentioned the celebrations of an anniversary regarding Gibraltar. I throw in my call for decent celebrations of the 200th anniversary of Nelson's day on 22 October 2005. The Canvey Island Conservative club and the nation at large have noted Labour's politically correct reluctance to celebrate that anniversary, which marks a remarkable victory of our country over the French. As the celebration may take place after the next election, I call on my Front-Bench spokesmen, who by that time will have formed the Government, to ensure that we have a substantial and appropriate celebration of that remarkable battle and victory.

In a previous Adjournment debate on 3 April this year, the Parliamentary Secretary, Privy Council Office said:

> "The hon. Member for Castle Point . . . confidently predicted many gains for his party in the local elections. We shall see."—[*Official Report*, 3 April 2003; Vol. 402, c. 1154.]

Since the Minister is so interested, let me tell the House what actually happened. At the time when the hon. Gentleman made those comments, Labour controlled the council, which had just 15 Conservative councillors. After the election, the Conservatives had 39 councillors and Labour just two. I ask hon. Members to join me in congratulating all 41 candidates who won that election, including the two Labour ones. I hope that they will serve their community assiduously and with dignity over the years.

I should like to start—yes, I have not even started yet—with three good news stories in a spirit of Christmas good will. First, stopping under-age drinking on the streets and tackling youth drunkenness is incredibly important, as we all know from our surgeries. A crucial weapon in allowing the police to do their job in that respect was contained in the under-age drinking Bill, which was intended to allow the police to remove alcohol from kiddies—perhaps 16-year-olds, or perhaps even 10-year-olds. I introduced that private Member's Bill in 1997, and the police were given those powers on its enactment.

The Prime Minister then removed those powers from the police with his Criminal Justice and Police Act 2001, in an act of political stupidity that is typical of this Labour Government. In fact, the Association of Chief Police Officers and communities throughout this country very much regretted that astounding move. The good news is that, following pressure from me and other hon. Members on both sides of the House, the Government did a U-turn, and in the Licensing Act 2003, they reinstated the powers that my Act originally gave to the police. I urge all police forces to use those powers fully to protect not just those in communities that sometimes feel under siege from youth street nuisance and crime, but the kids themselves, because 90-odd per cent. of first use of drugs by young people takes place under the influence of alcohol, and youngsters need protection from that.

Of course the second good-news story relates to Cliffe. An airport in the Thames estuary would cause serious quality-of-life and environmental damage to the people of south Essex and Kent, including noise and air pollution and much else that we all know about. So I thank the Government for rejecting the Cliffe proposal. My constituents will feel that I was right to give them their say—to consult them, when the Government failed to consult them on that matter—and to fight on their behalf. They will feel that we won an important battle. Can the Minister confirm whether any further scheme for an airport in the Thames estuary will be ruled out for the entire White Paper 30-year strategic planning period, so that my constituents will know that we have won the war?

While you are in the Chair, Mr. Deputy Speaker, I should reiterate my support for the excellent campaign against the extra runway at Stansted, which must now get off the ground, and I know that you will be leading that campaign in your usual excellent manner.

The third good-news story, of course, involves Canvey Island football club, which passes into the new year at the top of the league, with a remarkable string of performances based on great effort, fitness and ability on the pitch at Park Lane. The club looks set for promotion into the conference next year, but I shall say no more about that because I do not wish to tempt fate.

Hospice funding is very important, and I have raised the issue several times in the House, including with the Prime Minister. Adult hospices get 32 per cent. of their funding from public funds, and children's hospices receive an average of 4 per cent. Little Haven children's hospice in my constituency, however, receives only 1.5 per cent. public funding. That seems too low, and I will encourage Ministers to consider that, to recognise the care and dedication of the staff and volunteers in the hospice movement, and to recognise the generosity of spirit of fundraisers who raised the other 98.5 per cent. for Little Haven—I am thinking of the Hadleigh, Benfleet and Canvey Island Conservative clubs that, year on year, raise money for that hospice and for other

[Bob Spink]

local good causes. The answer is not, however, as the Government believe, to redirect lottery money from other good causes to the hospice movement. The answer is that public Exchequer funds should be made available at a rate of 40 per cent. for both children's and adult hospices, which can then move forward and provide their wonderful service to families and children at the most difficult time in their lives.

I move now to the old issue of Canvey's third road, for which I apologise to the House. With neighbouring councils changing political control—Basildon this year, and Thurrock, I hope, next year—councillors may be minded to take a more responsible, community-spirited attitude towards a third road from Canvey Island going across parts of their borough. I ask them to do that, to be co-operative and to think about the wider community interest in that.

I want to raise a few questions about the Child Support Agency. The agency wrote to me on 11 December:

> "The Agency began processing"—

by which, I think, it means assessing—

> "new cases under the new child support scheme from 3 March 2003. A timescale has not been agreed when existing cases will be transferred to the new scheme. These cases will transfer once Ministers are satisfied that the new arrangements are working well."

My question is: why is the scheme not working well now, after almost a year of operation? Why do we not yet know that the scheme is working well so that we can confidently make sure that everybody is on an equal footing? To use different schemes to assess parents on the arbitrary date of 3 March seems to me to be inequitable. I therefore urge the Minister to consider the matter with a view to bring all cases under the new scheme as soon as possible.

I now move on to an Essex county council letter that was faxed to head teachers across Essex on 16 December, which referred to the primary school meals service. Essex county council sought to review the matter and to seek new tenders, for instance, to improve food quality and to increase usage of fresh products. We can all agree with that. Nevertheless, Mr. Deputy Speaker, you may not know—I certainly did not—that a decision had been taken by Essex county council not to accept any of the tenders, and to stop suddenly the primary school meals service and to put the responsibility on head teachers, who, probably from April next year, must make their own arrangements. That may be the right move, it may be financially necessary, and it may enable head teachers and primary schools to provide better school meals for children. There has been no consultation, however. We cannot simply make such decisions and impose them without consultation in this day and age. I therefore call on the Minister to seek a consultation on the matter. May I also say to him that the reason for all this is that the Government have withheld reasonable funding from Essex county council in their wrong-minded move to shift money up to Labour-controlled councils further north?

I turn to the important issue of post office closures which, in Castlepoint, is as disastrous for local communities, pensioners and vulnerable people as it is in other constituencies. My hon. Friend the Member for Ribble Valley (Mr. Evans) made an excellent, stirring speech about the matter, so I shall not go into further details, save to cite the National Federation of Sub-Postmasters, which told me on 11 December:

> "Not only are people being forced change the way in which they collect their benefits . . . the Government has made it difficult for people to choose the post office based product . . . the way in which the direct payment programme has developed will undermine the ability of the national post office network to sustain itself."

As the NFSP says, Government policy is leading to post office closures, not staff retirement. If it were Government policy to make post offices viable, people would want to replace staff who were retiring. The public should not be in any doubt about who is to blame. They will, I am sure, let Labour know who is to blame at the next election.

Finally—I see that you are smiling, Mr. Deputy Speaker, at that word—the House will not be surprised if I return to a familiar subject in the usual suspects' debate. The hon. Member for Finchley and Golders Green (Dr. Vis) mentioned Cyprus in his opening contribution. I congratulate the opposition parties in north Cyprus on their success in recent elections in which they gained 50 per cent. of the seats and the majority of the popular vote. That is remarkable and praiseworthy in view of the widespread intimidation and corruption, multi-media bias and the rigging of the electoral register. Surely, however, pressure must be put on the Turkish Government to put pressure in turn on Mr. Denktash to make a settlement based on the Annan proposal so that, even at this late stage, a united island of Cyprus can accede to Europe in May 2004.

4.32 pm

Mr. Harry Barnes (North-East Derbyshire) (Lab): Rhodia Eco Services Ltd. is a chemical manufacturing plant in Staveley in my constituency. It employs 75 people directly but also engages drivers and contractors, so an additional 40 to 60 people are employed on an ad hoc basis. Rhodia is the successor to Staveley Chemicals, which used to be a major employer in the town.

The Rhodia site is in a prominent position near the centre of Staveley. Everyone is aware of its presence, as well as its past. Homes in Staveley are issued with an action card telling people what to do if there is an emergency at the plant. It tells them about the initial warning system and the siren that is sounded. They are told to go indoors, shut windows and doors and keep away from cellars and basements. They are told to tune into local radio stations to find out what is happening. When the all-clear siren sounds, the emergency is over. The plant did not used to have an all-clear siren, and when there was a false alarm people hid for a number of hours, not knowing that it was all over. I raised that matter with officials, and the extra signal was introduced.

There have been four incidents at the plant in the past 18 months. I shall give details of the most recent emergency, which occurred on 3 November. The details are derived from information that I obtained at a meeting at Rhodia Eco Services in Staveley on 7 November. The meeting was attended by representatives from Derbyshire county council emergency services department, the firm's general manager and site manager, representatives of the Health and Safety Executive and of the Environment Agency, and members of the police and fire services. A local borough councillor, Jim MacManus, was also present.

I shall describe the incident in detail. Recommissioning was taking place at the chlorine plant. Because of a manual disconnection, a valve was left open, leading to an escape of chlorine gas. The procedure has been corrected, and that manual operation no longer takes place, so the problem that caused the incident has been resolved.

The gas escape happened between 1 pm and 1.15 pm. No one can be more precise, as there was some confusion in the plant. Six workers were affected—two employees, and four contractors. The ambulance service was finally called, and ambulance staff triggered the proper emergency procedures. The fire service was contacted, as were the police at 1.31 pm.

Although the company asked the ambulance service for help, it did not set the emergency procedures in train. That happened because the company finally acted to protect six workers, and to have them taken to hospital. The siren to which I referred earlier was not sounded until 1.50 pm, but people in the community were suffering distress well before then.

Staveley hall contains the offices of Staveley town council, but rooms there are also rented out to businesses. A strong smell, something like bleach, was detected in the car park, and many rooms were later rendered uninhabitable. Some of the events to which I refer took place before the siren was sounded. Rhodia Eco Services staff were contacted, and responded by suggesting the windows be opened to let the chlorine out—even though the procedures laid down require windows to be locked.

Many people suffered much discomfort, reporting runny eyes, hair that became like straw, and reddened complexions. Two hundred people took shelter in the local Morrisons supermarket, and others hid away in local schools. There was some confusion in the schools: although some people claimed to have heard the siren, kids were kept in, particularly at four schools in the area—at Netherthorpe, Norbriggs and Woodhouse in my constituency, and at Poolsbrook in the constituency of the hon. Member for Chesterfield (Paul Holmes). The schools in my area were quite close to where the emergency happened, and they were visited by the police.

The siren sounded for 45 minutes, between 1.50 pm and 2.35 pm. It was switched off to preserve the batteries. People depended on local radio for information about the emergency that was still taking place. No all-clear was sounded.

At 3.19 pm, a build-up of chlorine was discovered in pipes on the plant. Things did not look good, and it seemed likely that the emergency might have to last for another four to six hours. At 3.27 pm, roadblocks were put in place in various areas of the town, including around the plant and in places where the prevailing winds had blown the chlorine. At 3.53 pm, it was decided to move children from the schools, although there were no school buses, and the 200 people were let out of Morrisons and the other shops, as it was felt that it would be better for them to get to their homes than to be locked away for any longer. It was not until 5.50 pm that the all-clear siren was sounded.

An inquiry is being conducted by inspectors from the Health and Safety Executive and the Environment Agency, which, under 1999 regulations, form the competent authority for the control of major accident hazards. They need to face up to a number of problems. Should not the inquiry be conducted publicly, or at least have some public element, so that the people who were affected are in a better position to describe what occurred? Why did not Rhodia alert the emergency services when it called for an ambulance, and why did it not do so at an earlier stage? Why did emergency services follow an odd sequence of events by blocking roads, then letting people out of buildings to return to their homes, which seems to be the wrong way round? In one case, a young woman at Staveley Netherthorpe school, who lived in Wingerworth, had to walk outside the area of the roadblocks to Brimington, in another part of Staveley, in order to be collected and taken home. That led to a great deal of confusion.

The town council subsequently called for a public inquiry and for the closure of the plant. A few years ago, one could not have imagined that that would happen, because everybody's employment was dependent on Staveley Chemicals. In 1998, two incidents involving escapes of acid gas in Killamarsh in my constituency led to a massive campaign to close a similar-sized plant, which then transferred its operations. Now that plant is operated by Onyx, which took over from SARP. Chemical reclamation no longer takes place there, but new processes are operating. There might be some future for the Staveley site, but not for the processes that caused the problems and led to the situation whereby action cards had to be issued.

Of the six workers who were taken to hospital, three returned to work the following day, two returned the day after, and one was signed off work for a week by his GP. He subsequently packed in his job as he was suffering from panic attacks. I have asked, with that person's agreement, for the Health and Safety Executive and the Environment Agency to interview him. No one has been in touch with him since he resigned, either from the firm itself or from the officialdom that is engaged in the investigations.

I shall outline my second suggestion. At SARP UK, we had a visit from the then Minister for the Environment that eased the process of change and helped with later legislative changes on environmental matters. We need a visit from the current Minister for the Environment, who is responsible for the Environment Agency or perhaps the Minister for Work, who has responsibilities for the Health and Safety Executive. A visit took place to the site when it was under previous ownership, but that happened when the Conservatives were in office, and a Conservative Minister visited.

There are moves to arrange a public meeting in the area, and I shall attend it. It would be fruitful if a ministerial visit could take place at the time of meeting. I needed the opportunity to put those matters on the record. I have also looked for others devices to do that. This is my last opportunity to raise the matter before Christmas.

[Mr. Harry Barnes]

Let me comment on the festive season. Some of my constituents will have a problem. They have received a letter from Serco Rail Maintenance, saying that essential railway engineering works will take place in the Clay Cross north junction area. Most of the Clay Cross railway is in a tunnel, and outside areas such as North Wingfield will therefore be affected. The letter states:

> "Please be advised that essential engineering work is to be undertaken in the Clay Cross North Junction area which is located on the railway line adjacent to your home.
>
> This work is programmed to take place between 2200 hrs 24th December 2003 until 0700 hrs 27th December 2003."

The problem is that people will have noise and disruption for Christmas. I hope that Serco Rail Maintenance, which I shall contact, will respond properly to their anxieties so that my constituents can have a peaceful Christmas, as I hope we all shall.

4.47 pm

Mr. Laurence Robertson (Tewkesbury) (Con): It is rather a coincidence that I am following the hon. Member for North-East Derbyshire (Mr. Barnes) because I want to raise a similar issue. It relates to a company called Cleansing Services Group, which operated—I use the past tense, thank goodness—in the village of Sandhurst in my constituency. Three years ago, an explosion happened at the works, which was a chemical works although it was not authorised to be so. It had planning permission from the county council to treat oily waste and such substances, yet the Environment Agency gave it a licence to deal with much more hazardous waste, even though it had no planning permission for that.

Many villagers warned the Environment Agency, other agencies and people that things were not right at the site. A whistleblower was sacked for various reasons and won his case at the industrial tribunal. I visited several times and warned the agencies. They took some notice, but not enough. Three years ago, the place exploded. The effects on people's mental and physical health are difficult to measure. I shall not go into the same amount of detail as the hon. Member for North-East Derbyshire because I want to cover one or two other issues and I have raised the matter previously.

The pressure from villagers has driven the company off the site, and that might offer some encouragement to the hon. Member for North-East Derbyshire. It decided that the best way in which to proceed was to sell the site, and we are all thankful for that. However, the pain, misery and effects of the explosion persist.

I want a public inquiry to look not only into that incident and into the company, although those aspects should certainly form part of its terms of reference, but into the way in which the Environment Agency, the Health and Safety Executive, the county council and, to an extent, the health authority were monitoring the site. They were given many warnings about it and apparently visited it a number of times, yet they were unable or unwilling to take the necessary action. Such a public inquiry might determine that those bodies did not have enough power to take the action that we felt necessary, although I do not think that that would be the case.

My constituents, like everyone else, pay an awful lot of tax—an increasing amount, sadly, under this Government, but that is not my main point—to fund those agencies on whom they rely to look after their health and the environment. That is the agencies' job, yet in this case they have signally failed to do it. To bring justice to my constituents who live in the village of Sandhurst and, perhaps more importantly, to avoid similar situations arising in the future, there should be a public inquiry into the performance of the agencies that were supposed to be monitoring that site.

The Deputy Prime Minister and the former Minister for the Environment, the right hon. Member for Oldham, West and Royton (Mr. Meacher), were very generous with their time shortly after the explosion. They had a number of meetings with me, and said that they would consider holding a public inquiry. First, however, they wanted to see whether there would be a court case against the company. It was, in fact, taken to court and, a week or two ago, was fined £250,000 and ordered to pay £400,000 costs. It deserves to pay at least that. My point is that that court case is now out of the way, so the Government could decide to hold a public inquiry into what went on when Cleansing Services Group was not being monitored properly and when the explosion happened, causing so many problems for my constituents.

That company is known as CSG. I now want to move on to SEN, which stands for special educational needs. I have raised this subject many times in the House, in an Adjournment debate and on other occasions. It is a big issue in Gloucestershire. The county council there is run by an unholy Lib-Lab pact—I make that point only so that it is clearly understood; it is not a party political point—which has a policy of questioning the viability of the special schools in the area. It seems to want to close them all down.

A few years ago, I served on the Standing Committee that considered the Special Educational Needs and Disability Bill, which was meant to provide for greater inclusion of children with special needs in mainstream schools. I was assured by the Minister at the time that it should not be seen as giving a green light for the wholesale closure of special schools: I think that those are pretty close to the Minister's words. In Gloucestershire, however, it has had the effect of giving that green light, and the county council is trying to bring about such a wholesale closure.

The Bownham Park special school in Stroud has been closed, and I understand that two schools in the Forest of Dean have been closed, although they are to be put on the site of a new school. That has still had the effect of merging two schools into one, however. The general drift in the county is towards the closure of special schools. There is a very good special school in my constituency called Alderman Knight school, whose future is currently out to public consultation. Given the previous actions of the county council, we know what its desires and intentions are.

I have asked many times for the Secretary of State to visit Alderman Knight school; I promise that he would be made very welcome there. I want him to listen not just to the politicians, but to the teachers and the head teachers of the mainstream and special schools, who are all saying the same thing. Nor do I want him to listen only to the parents. I want him to listen to the pupils. I want him to stand in front of them, as I have done, when they break down in tears and speak of their fears of being forced to go to a mainstream school. Listen to the pupils, not me—it does not matter what I think. Listen to their fears. If all the special schools are closed, where is the choice? It is, of course, a fact that many pupils with special educational needs go to mainstream schools and do very well, which should continue. My only point is that that is not right for all pupils. If those schools close, these pupils will have no option.

The Government's intention may be inclusion—I do not generally dispute that—but those pupils will not be included in future life. They will be excluded from society because they will not have had the care and education that they need as special cases. They will not cope in mainstream schools, and they will therefore be excluded from society in future life. I ask the Minister to come to Gloucestershire and see what is going on. He should look those children in the eye and tell me whether he agrees with it. I do not think he will.

We have had CSG and SEN. Now I want to discuss the OFT. The Office of Fair Trading is another subject on which I have held an Adjournment debate. It is carrying out various investigations, as hon. Members know. The investigation that particularly concerns me is the one being carried out into horse racing. Again, I have a constituency interest. My Tewkesbury constituency contains Prestbury Park, which is the Cheltenham race course. In my view, it is the greatest race course in the world. I do not necessarily fear for it as much as for the smaller race courses—the Herefords, the Ludlows and the Southwells. Those are feeder tracks where horses, jockeys, trainers and owners may start their careers. They are very important, particularly to national hunt racing.

The OFT is investigating the control of British horse racing, and it says that the British Horseracing Board's control of the fixture list is non-competitive. Technically, I suppose that the OFT might have a point. However, despite the fact that this industry is always disunited and has more arguments and rows than any other I have ever known, the OFT has unbelievably managed to bring all the warring factions together in opposition to its plans. It may have a point: there may be things in British horse racing that need to improve. The issue as regards control of the fixture list is not the only one it has identified. There is also the sale of data rights to one buyer rather than a number of buyers, which we have heard about in relation to BSkyB. A parallel case has been dealt with in the European Union recently.

The OFT says that a number of points in British racing have to change. The interesting thing is that the British Horseracing Board—like racing itself—is not denying that it has to make changes. It is making changes, but we are very concerned that the OFT could end up throwing the baby out with the bathwater if it forces those changes through in a heavy-handed way.

Who says so? The industry says so, as I do, but interestingly the Minister for Sport and Tourism appears to agree with my points, as does the Under-Secretary of State for Trade and Industry, the hon. Member for Bradford, South (Mr. Sutcliffe), the competition Minister. They have been honest enough to tell me that. How can it be that the OFT is doing something that the Government and the industry do not want it to do? Somehow it has become so powerful that it can do that against the wishes of the Government and the industry. Surely that cannot be right. I know that the competition Minister and the sports Minister have made their views known to the OFT, but I hope that the Government's representations to it will be powerful enough to persuade the OFT not to drop the case entirely but to proceed sensibly and take on board points made to it by the many strands of the racing industry.

Those are the main issues that I wanted to raise. I want to finish on one point; I do not want to take up any more time. In wishing everyone in the House a happy Christmas and a peaceful new year, I echo the views expressed, perhaps differently, by other hon. Members, one of whom was my hon. Friend the Member for Uxbridge (Mr. Randall). Many people in this country and throughout the world cannot look forward to a happy Christmas because of their personal circumstances. A year ago, I was in Ethiopia, and I witnessed the desperate poverty in that country at that time. Thank the Lord things are slightly easier this year, but countries such as Ethiopia and others in Africa that suffer from war, poverty and disease can be forgotten when we are concentrating, perhaps rightly, on Iraq or on the muddle in Europe over attempts to introduce a constitution. Many important issues may make us forget the plight of the starving people who live only to exist, and that of the children who each and every day have to walk miles to another village just to bring water back to their own village. That cannot be an acceptable life for anyone. When we concentrate on the problems of Iraq and the European constitution, we should not forget the plight of the third world.

Mr. Deputy Speaker, a very happy Christmas to you.

5.1 pm

John Cryer (Hornchurch): Thank you for calling me in this Adjournment debate, Mr. Deputy Speaker. We have heard speeches about airport development, including those of my hon. Friend the Member for Braintree (Mr. Hurst) and the hon. Member for Uxbridge (Mr. Randall), who has fought a long campaign with my hon. Friend the Member for Hayes and Harlington (John McDonnell) against the proposed runway at Heathrow. As a member of the Campaign group, I assure the hon. Gentleman that at every meeting—on a quiet night we may have as few as 200 or 300 members of the parliamentary Labour party—we always have a rousing rendition of "Jerusalem" followed by the blood sacrifice of a bourgeois deviationist or two, or perhaps a captain of industry or a banker. That is a joke, in case some of my hon. Friends are getting worried.

The first issue that I want to raise is a bit more prosaic than that. There are quite a few landfill sites in my constituency, and most of the operators are responsible and have due regard to the local community. However, a company called Ahern, which operates a site at Ayletts farm in Rainham, is completely irresponsible and has no consideration for the local community. For many months, gases that give rise to smells have drifted across Rainham and the houses in the southern part of my constituency. That has affected the local populace. Attempts by the Environment Agency to control Ahern and to get it to take appropriate action, such as the installation of a burner, have come to nothing. Ahern is

[John Cryer]

happy to make mountains of cash out of the taxpayer, but it treats the local community with utter contempt. All the attempts by the public sector to get the company to realise its responsibilities have so far come to nothing.

I have written to the Minister for the Environment. A solution for the future, which may help my constituents, would be the establishment of a community forum on a statutory basis, so that companies such as Ahern would have to meet members of the local community, the local authority, the Environment Agency and other groups. That may enable at least an examination of the records of some of the firms involved.

I emphasise that the vast majority of landfill operators are perfectly responsible and conduct themselves properly—especially Cleanaway, which is the biggest operator in my constituency. However, a few smaller firms behave irresponsibly.

I also want to raise the issue of Sure Start schemes, which have been successful in many areas, including in my own borough. However, there is a problem, not with the schemes, but with the criteria on the basis of which they are run. They are ward based, and if it is a mixed ward and the deprivation indices are too high because there are well-off areas alongside poverty-stricken areas, Sure Start funding cannot be accessed for those areas.

An attempt was made to obtain Sure Start funds for the Mardyke estate in my constituency. Unfortunately, because the ward contained better-off areas, we could not get those funds. The local primary care trust said, in a recent report on the estate,

> "the PCT has investigated the possibility of establishing a Sure Start on the Estate, but it is too small to meet the qualification criteria set by the Sure Start Unit. About half of the households are lone occupancy, and lone parent households are quite prevalent."

That demonstrates that the criteria are too broad. If they were based on neighbourhoods rather than wards, my constituents on the estate would benefit. That is not, however, a criticism of Sure Start, which has proved very successful in much of the country.

The hon. Member for Romford (Mr. Rosindell) mentioned the raw deal given to the London borough of Havering, which we both represent, by central Government for a long time. There is some truth in what he said, but the borough recently received £3 million from Transport for London. I hope that the money will be spent wisely, because that is not always the case with our Tory council. For instance, it spent half a million pounds on raising councillors' allowances, while simultaneously jacking up the council tax by 17 per cent. That went down like a lead balloon. It spent a further half a million pounds on getting rid of the former chief executive, while the council tax rocketed. Those are just two examples. People are deeply unhappy when they see money frittered away on pet projects while the council jacks up the tax and moans about the raw deal that it gets from central Government.

Part of my constituency is in the Thames gateway region. In the next few years, more housing is to be built on the London riverside section, which covers my constituency and principally, on the north side of the Thames, those of my hon. Friends the Members for Dagenham (Jon Cruddas) and for Thurrock (Andrew Mackinlay). One of the first tranches of new housing will be at Dovers Corner, a former industrial estate. It is not in good condition: there are all sorts of environmental problems. The developer wants high-level, high-density housing, but that would not be in keeping with the surrounding area, because it would be on the edge of what is still to some extent a village. It is still has a village centre, Rainham.

I want to see more housing in my constituency and in my borough. Since the right to buy was introduced in 1979, thousands if not hundreds of thousands of council homes have been got rid of and have not been replaced by more council homes, or by housing association or housing trust properties. We need more public housing to give hope to the people who come to my advice surgeries—and, no doubt, those of many other Members—and say, "Our home is overcrowded. We want a house rather than a flat, or a flat with two bedrooms rather than one." There is not much help for them now, at least in my constituency.

What we do not want is a repeat of the mistakes of the 1960s and 1970s, when tower blocks were built in my constituency and others. If we had our time again, we would not do that; but there is the potential for a similar mistake if high-density housing schemes are allowed to proceed in east London. There must also be proper provision of doctors' surgeries and other facilities.

I also think that development regulations should be tightened. Local people were shown plans for a branch of B&Q at Roneo Corner, on the boundary between my constituency and Romford. The plans were approved, but when the building was finished it turned out that they had been changed. Local people then found that local authority planning officers had given permission for certain changes to be made. Those changes went down very badly with the people who live in the area; there is no way that they would have approved them had they known what was happening. Of course, they were faced with a fait accompli. The development had been built, and little could be done to reverse it. It is set in concrete and cement, and in brick and mortar.

I want the regulations to be tightened, so that certain guarantees have to be provided in respect of, for example, the size of a general practitioner's surgery, access to schools and the size and height of housing. That way, developers cannot make changes after getting outline planning permission and go ahead with such building.

One or two Members—particularly the hon. Member for Romford, who is my constituency neighbour—have mentioned the European constitution. I happen to be an opponent of the European constitution. I am also the chairman of Labour For A Referendum, which takes the view that profound constitutional changes, whether introduced through the European Union or through any other body, have to be put to the people. There has to be a plebiscite on such profound changes.

I have the uneasy feeling that if the Conservatives were not in opposition, they would put through any idea that happened to emerge from Brussels, because that is their record when in government. While pretending to wrap themselves in the Union flag, they agree to anything that Brussels lays before them. In the beginning, in 1972, they took us into the then Common

Market without consulting the people in way whatsoever; it took a Labour Government to give us a referendum on membership. In 1986, they gave us the Single European Act—the single biggest reduction in democratic accountability and power that any British Government in living memory have undertaken. Then they gave us the Maastricht treaty—another massive abrogation of sovereignty and power—which was duly followed by the growth and stability pact.

So I do not take too seriously the argument advanced by Conservative Members—with a few honourable exceptions—whereby they are paint themselves in the colours of the critics of the European Union and argue that they would act completely different and would give the EU a hard time. I tend to think that, if ever they did return to government, they would have a complete change of heart, as they always do.

It just remains for me to wish you, Madam Deputy Speaker, the Members of the House and its staff a happy Christmas.

5.12 pm

Mr. Colin Challen (Morley and Rothwell) (Lab): Many excellent speeches have been made this afternoon, so I hope that mine will not prove an anticlimax. I particularly enjoyed the speech of my hon. Friend the Member for Braintree (Mr. Hurst), who spoke eloquently in defence of his constituency, and against the juggernaut—if I may mix my metaphors—of the stupendous increase in aviation. Our policy in that regard seems to be not predict and provide, but promote and provide.

I also welcomed the contribution of the hon. Member for Tewkesbury (Mr. Robertson), who was the first to mention the developing world. That is a particularly important issue to raise in a Christmas Adjournment debate. Christmas is many things, but these days it seems to be more about conspicuous consumption than anything else. It is in that context that I shall talk about sustainable development, which has become the catchphrase of the new millennium. "Sustainable development" are the new buzz words that define all that Government and policy seek to achieve. I want to look at what those words mean in practice, and in doing so I must also explain what those words ought to mean.

Twenty years ago, the United Nations established the World Commission on Environment and Development. In 1987, it published a report known as the Brundtland report, after the commission's chairman, Gro Harlem Brundtland. The report defines sustainable development as

> "development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

The report was by no means perfect—far from it—and nor was its definition, but we should contrast that definition with what the Government now use as their axiom of sustainable development: a better quality of life for everyone, now and for generations to come. That sounds much the same as the previous definition, but there is a key difference: the word "need" has been substituted for the word "quality". Those are two entirely different things, and the change allows for a much looser, and, in my view, diminished approach to the concept of sustainable development. There is a world of difference between providing what people need, and improving everybody's quality of life.

We now have a concept of sustainable development that draws no distinction between the unsustainable quality of life of a tiny proportion of the world's population, and the life of the great majority of that population. To put it another way, as Mahatma Ghandi said when asked if India should have the same standard of living as Britain:

> "It took Britain half the resources of the planet to achieve this prosperity; how many planets will a country like India require?"

However, we march on regardless of that obvious painful truth. It is easy to see why. Nobody wants to say that we cannot carry on as we are, because if they did, they would soon be out of a job. So now we talk not about the poor majority of the world who have unmet basic needs, but about a more amorphous promise that everyone's quality of life must be improved—a promise that does not distinguish between the likes of Bill Gates and an Indian peasant, or between Rupert Murdoch and a Chinese sweatshop worker. Our new all-inclusive, wealthy-friendly policy of sustainable development admits of no exceptions.

How unfair and inequitable that is. It reflects current thinking that it is people like Gates and Murdoch who will be the saviours of sustainable development, because as the major business drivers of globalisation, they have in their hands the formula that will drive up global trade and save poor benighted countries from self-destruction. Many of those countries had first to contend with colonialisation, but that early history of globalisation is often neglected. Then they had to contend with the cold war, when many poor countries were used as pawns in spheres of influence. That is the period when many were pressed to acquire unsustainable levels of debt. Finally, they have become the beneficiaries of the post-modernist Washington consensus way of thinking, which dresses up our concerns with softer tones and kind words. Now the poor of the world are to be patronised by our business culture.

However, the massive benefits of decades of western-style development are nowhere better illustrated than they are in the United States, as opposed to the shanty towns of Mumbai or Sao Paulo. As *The New York Review of Books* says,

> "More than 40 per cent of total income in America now goes to the highest 10 per cent. of earners, about the same level as in the 1920s and well up from 30 or so per cent. between the early 1940s and the late 1970s. The average income of the highest-earning 5 per cent. of families was nineteen times that of the lowest 20 per cent. in 1999; in 1979 it was a little more than eleven times. The wealthiest 1 per cent of households now own more than 40 per cent of all assets, including homes and financial investments (after deducting debt)—higher than in any year since 1929."

Even by the inadequate standards of current economic policy, inequality is spreading in the developed world. For all the efforts of the past 20 years, and for all the rhetoric of the International Monetary Fund, the World Bank, the World Trade Organisation et al, inequality has worsened, not improved. The way in which developing countries are expected to ape our style of living has made matters worse, because, as Gandhi suggested, it is bound to.

[Mr. Colin Challen]

I am thankful to say that new ways of thinking are emerging, and are even being considered in the mainstream. Kyoto was an example of that, no matter how diluted its outcomes were designed to be. Clearly, international resistance to this sense of global responsibility is still very strong, and no one would argue that Kyoto, even if it were ratified by all the main greenhouse gas producers, would have a huge impact on the acceleration of global warming. What Kyoto did achieve, however, was a sense of shared responsibility—the first real benchmark for the principle that public goods should have a value in the global economic system. Public goods not only cover those areas such as health and education, which governments in civilised societies should deliver, but include biodiversity, the air we breathe, the sustainable management of natural resources and protection of the oceans, among others. It is easy to see how we value the former, as we can put a price on a hip replacement or the building of a new school, but until recently nobody gave much thought to the cost of resource depletion or environmental damage.

Indeed, an environmental bad could easily be seen as an economic good if, for example, a big clean-up of pollution leads to economic growth. The sinking of an oil tanker off the coast of Spain or Alaska may knock a hole in the local economy, but if that leads to economic activity during the clean-up and afterwards, the extra spending will probably exceed the original economic loss for fisheries or tourism, so leading to economic growth. Such thinking is clearly absurd, but will continue for as long as economics are divorced from the environment. The only way it seems to me that the dichotomy can be reconciled is to ensure that the application of the theory of economic growth is forced fully to internalise all the costs involved in creating so-called economic wealth in the first place. If this were to happen, we would see some strange reversals in the fortunes of countries—those previously known as developed would be heavily in debt, while those mainly in the south would have great surpluses.

At the moment we simply take it for granted that we can obtain commodities from the south very cheaply even if, as in the example of coffee, the prices in the shops do not reflect that. But western consumers will still benefit in one way or another from the southern coffee-growing countries' hidden subsidy, through the distribution of dividends, higher pensions or better paid jobs. If we had to pay the real price for oil, through the costs of the enormous environmental damage its extraction causes, or the costs of the wars, pollution and corruption it causes, we might be a bit more anxious to change to the alternatives.

Given my recent criticisms of China's unreconstructed dash for growth, I am pleased to see that its attitudes are changing. Chinese Premier Wen Jiabao has apparently said that development must be sustainable, and there are plans to draw up a green index that would be created by subtracting values given to resource depletion from the standard measure of economic growth. If China perfects that system, it will probably be the first country to do so. For China, the need to achieve a more sustainable form of development is pressing, as its exponential growth has already brought some very immediate problems, as in the case of one Chinese city which is having to curb the building of skyscrapers, because of the instability of ground conditions brought on by a shrinking water table, or the incredible news that another city is banning cyclists from some roads because they are getting too congested with cars.

We might permit ourselves some wry amusement at that turn of events, but it is happening here by default. Fewer people walk or cycle to school, and more are travelling by car. Perhaps our congested roads are seen as dangerous too, so the solution is to put more cars on to the roads. Of course, the responsibility to tackle that always lies with someone else. We think, "If only other people would change their ways first," or, "If only the Government would do something about it." That I am afraid is our attitude, and I have some sympathy with it because I know that such attitudes are deeply ingrained in our culture, and that has been made worse in the last 20 years by the attacks made on society on behalf of capital, which in that example has far more to gain by selling cars than it has by encouraging children to walk to school.

The insatiable global demand for our style of living can hardly be denied to others by us unless we change our ways. So it is our responsibility to take tough decisions to lead the way out of this impasse. It inevitably means that we must reassess what we mean by wealth. But if we stick to the idea that sustainable development refers to some open-ended commitment to quality of life rather than to our needs, we will find it difficult to gain a more comprehensive concept of wealth and change the way we measure it. I hope that the Treasury will consider developing its own green index, along the lines of the Chinese proposal, as a starting point for recalculating economic growth. If that happens, we will truly be putting the environment at the heart of government.

I wish you, Madam Deputy Speaker, your family, all hon. Members and all the staff of the House a happy and sustainable Christmas.

5.24 pm

Mr. Oliver Heald (North-East Hertfordshire): We have had an excellent debate in a spirit of good will, as one would expect in such a season.

One of my hon. Friends who always speaks in this debate is absent today. I am thinking of my hon. Friend the Member for Southend, West (Mr. Amess). Hon. Members will know that on these occasions he almost invariably raises the case of his constituent Maajid Nawaz, who is in prison in Cairo. He is absent because he is visiting Mr. Maajid Nawaz today, and he has asked me to give his apologies to the House.

The debate has had at its core the care that hon. Members in all parties feel for others both at home and abroad. There has been a subset of issues to do with aviation and chemical escapes, but the broad theme has shown the House at its best.

The hon. Member for Finchley and Golders Green (Dr. Vis) started the debate with some remarks about Cyprus, which were echoed in the speech of my hon. Friend the Member for Castle Point (Bob Spink). It is a tragedy that the island has been divided for so long. If the people can come together, perhaps in the spirit of the season, but certainly during the next months, and join the European Union, all hon. Members would think that an extremely happy outcome for a beautiful island and a friendly and hospitable people who would make marvellous members of the EU.

The hon. Member for North Cornwall (Mr. Tyler) raised the constituency case of Sergeant Steven Roberts and shared with us the post-mortem findings. He raised the issue of equipment shortages in Iraq and suggested that the necessary body armour had not been available. He also highlighted the National Audit Office report that examined those concerns. It is good that he has been able to raise such an important issue. It is, of course, the purpose of this debate that matters that have not been raised before Christmas should be put before us. The hon. Gentleman said that in the discussion following the recent statement on the Defence White Paper, my hon. Friend the Member for Mid-Sussex (Mr. Soames) did not mention equipment shortages. If I may, I shall correct him, as I was there: my hon. Friend did refer to the issue.

The hon. Member for Braintree (Mr. Hurst) spoke about airport capacity and the aviation White Paper, as did my hon. Friends the Members for Ruislip-Northwood (Mr. Wilkinson), for Uxbridge (Mr. Randall) and for Castle Point. Clearly, this has been a troubling, worrying issue for constituents in all those areas over recent years. When the hon. Gentleman spoke about his part of Essex I thought of my neighbouring part of Hertfordshire. I thought of the tracery of lanes and small roads with villages and market towns and of the rural life that has been lived there over centuries. It is heartbreaking to think what the effect of the Stansted expansion would be.

I fully understand how hon. Members from other places that are threatened in this way feel. It is so destructive. Earlier this year, a number of hon. Members attended a march in London. All the campaigners from all the campaigns against airport expansion came together and marched through London to make the point that there is a united feeling about these issues. Villages in my constituency, such as Braughing, Little Hadham and Furneux Pelham, will think the proposal for Stansted disastrous. It is wrong that an environmental impact assessment has not taken place. The local road infrastructure and railways cannot take that development, which will cause immense damage.

The description of the campaign given by other hon. Members was equally moving. My hon. Friend the Member for Uxbridge said that they ended one meeting by singing "Jerusalem". Perhaps the hon. Member for Braintree and I should try that next time we campaign against the proposals. Perhaps that is the answer. I am sure that the campaign will continue in Essex and east Hertfordshire in the new year.

My hon. Friend the Member for Romford (Mr. Rosindell) told us about a Romford Christmas. He described the various events he attends and explained which schools and fairs he has visited. He also gave us the benefit of his thoughts on the UK and the EU, and how they interrelate; we heard about a useful charity in his constituency that supports people with sickle cell problems; and he ended by referring to Gibraltar. He gave us an instructive tour d'horizon, which showed how much he cares for Romford.

I am sorry that I missed the speech by the hon. Member for Liverpool, Riverside (Mrs. Ellman), who I understand gave an impassioned speech on anti-Semitism and highlighted the extremism of certain Islamic organisations. Every hon. Member will share her concern. It is vital that we remain a tolerant, liberal society. We must stand up for that. We all know of the desperate conditions that can occur if such extremism takes hold. She was right to raise that important issue.

My hon. Friend the Member for Ribble Valley (Mr. Evans) wanted an honour for his mother and complained that she would never get one because Labour has been fiddling with the honours system. He mentioned Gibraltar, council tax—for which we no longer have a level playing field—and post office closures. Hon. Members on both sides of the House are worried about post office closures. What has not come through sufficiently, however, is that the closures are the Government's fault. They have changed the benefit payments system and reduced the footfall in post offices. As a result, post offices are uneconomic and have to close. The Government decided to pay benefits directly and are stuck with the problem. They say, "Oh well, we are paying a little bit of money here and a little bit there towards the urban reinvention programme," but the scale of the closures is massive. The problem will continue throughout the new year and the Government must take much of the blame for it.

The hon. Member for North Durham (Mr. Jones) raised a constituency case about Mrs. Stevens, who was involved in problems arising from a car accident and compensation for it. He made a more general point on compensation fees for coal-mining cases and explained that some solicitors are behaving unscrupulously by taking part of the award, even though the fees are set by the Department of Trade and Industry, which is prepared to pay them. He is right to raise that issue. Again, that campaign will continue.

The hon. Member for Morecambe and Lunesdale (Geraldine Smith) was against variable fees for students. I agree that the expense of important courses, such as medicine and law, run by prestigious universities, is a barrier to poor people. They might want to take advantage of those opportunities, but will be more frightened by the prospect of the higher debt that they will incur if they have to pay those higher fees. Her point was that that will create a permanent barrier to using education as a ladder, so that people can go from the bottom of our society to the top and get into careers where a great deal of money is made. She asked for her views to be passed on to the Secretary of State for Education and Skills, and I hope that he will listen to them, because the same point is being made on both sides of the House.

I shall quote what the Labour party manifesto says on that point: one can understand Labour Members' nervousness on the subject when one reads:

> "We will not introduce 'top-up' fees and have legislated to prevent them."

If that is the case and one stood for election on that manifesto as recently as 2001, one can understand the nervousness involved in telling all the young people and

[Mr. Oliver Heald]

parents in a constituency, "Oh well, actually, we are going to introduce top-up fees and the legislation to prevent them is being repealed." Let us hope that the Secretary of State will think further about that.

In addition to his remarks about airports, my hon. Friend the Member for Uxbridge referred to the appalling conditions in which some refugees find themselves in Kosovo and Krajina. That issue has been raised in the House often recently, and it needs further investigation. I should be interested to hear what the Deputy Leader of the House has to say about that. Certainly, a promise that he will raise the matter with the Foreign Secretary would be welcome. My hon. Friend also mentioned rugby, and it is right that, as we approach Christmas, we should celebrate the fact that we won the rugby World cup, and the achievement of Richard Hill.

The hon. Member for West Bromwich, West (Mr. Bailey) raised some health issues, particularly in relation to Tipton, and he has some interesting ideas about using salaried general practitioners to fill gaps and about using physician assistants. No doubt the Deputy Leader of the House will pass on those ideas to the Department of Health.

My hon. Friend the Member for Castle Point raised a range of issues, such as housing needs and the 200th anniversary of Nelson's birthday. Perhaps in that context I can mention the fact that Letchworth garden city, which is in my constituency, celebrated its 100th birthday this year. We have had a marvellous year. The Duke of Gloucester opened the new Broadway gardens. We have had firework displays, and a new green lane has been opened all around Letchworth. It has been a marvellous anniversary. Let us hope that we can do something very good indeed for Nelson's 200th.

My hon. Friend the Member for Castle Point has a long campaign behind him, and no doubt to come, on youth drunkenness. I remember that he introduced a Bill on the subject in the 1996–97 Session. His Bill was enacted, and the Act was not repealed without a fight. I remember leading for the Opposition when debating the Criminal Justice and Police Bill in 2001, when we fought the repeal of that measure, so it is good to see it back. I congratulate the Government on that successful U-turn.

The Child Support Agency is another thorny problem that comes up regularly in the Chamber. Of course the problem is the computer. New cases have been working on the new computer system since March, but Ministers always say, "Well, look, we can't bring the old cases on until the computer is working satisfactorily." Hon. Members will remember that we delayed the new cases for about two years because the computer did not work. It is time that the Government managed to get some of those computer projects working. Almost every computer project seems to be delayed, to be subject to criticism and to experience problems. I could list a dozen or so Government computer contracts that did not work, so perhaps the Deputy Leader of the House will pass on the message that we hope that the CSA computer will be in better health next year than it has this.

The hon. Member for North-East Derbyshire (Mr. Barnes) raised a concern about a chemical company in his constituency that involved four emergencies in a short time. Clearly, that is a very worrying situation, and no doubt the Deputy Leader of the House will tell us whether the Secretary of State for Environment, Food and Rural Affairs will be able to go to the public meeting that the hon. Gentleman mentioned.

My hon. Friend the Member for Tewkesbury (Mr. Robertson) mentioned another chemical company and the problems with it. He also mentioned special schools—many Members feel that they should not be closed and that there should be adequate school facilities—the Office of Fair Trading inquiry into the British horse racing industry, which is a complicated issue, and Ethiopia.

The hon. Member for Hornchurch (John Cryer) told us about a tip with gas escapes—Ahern's tip. He also mentioned Sure Start schemes, and made a point with which I have a lot of sympathy about how the system is ward-based. It is a problem across the south-east of England that a ward can exist that has within it an area of valuable property and obvious prosperity, and right beside it an estate with all the indicators of deprivation that one would see in a totally deprived ward. Those who live there, however, cannot access some of the schemes that are designed to help people in their situation. That is a good point, which will no doubt be relayed to the Minister.

The hon. Member for Hornchurch also criticised us over Europe, which did not surprise me—it is a family tradition. Having said that, many Members on both sides of the House were very enthusiastic for the European project—I certainly was at one time: I went campaigning for Europe with Lord George-Brown in 1975. Over the years, however, we have come to see a different kind of Europe from the one for which we hoped. The hon. Gentleman will say that he always imagined that it would be just as it has turned out. Many of us, however, had hoped for something that was more a group of nation states co-operating together on issues of importance such as trade and the environment, and we feel that it has gone beyond that. That feeling exists not just in this country but more widely across Europe. If the EU does not come to appreciate that its peoples feel that they are not very close to the superstate that is developing, it will not survive. It is therefore important for Europe to try to move in a direction that takes it closer to its people.

Finally, the hon. Member for Morley and Rothwell (Mr. Challen) made a speech that ranged widely, but on important issues. He talked about sustainable development. I followed him to a certain extent, but when he described the problems of capital and pollution, and environmental problems, I was forced to think about whether in the east of Europe, where there was socialism, there were not a lot of environmental problems. I seem to recall that there were, so it strikes me that talk of the cost of resource depletion and the polluter pays principle goes so far—it is right that we should address those issues—but we cannot say that it is all the fault of the capitalists. There were plenty of socialists making a filthy mess.

In saying happy Christmas to everybody, including you, Madam Deputy Speaker, and in thanking the staff of the House, in all departments, for all that they do for us, which is tremendous, may I quote the words of Disraeli when he met a constituent on 24 December 1869? He said, "Merry Christmas."

5.43 pm

The Deputy Leader of the House of Commons (Mr. Phil Woolas): I thank the hon. Member for North-East Hertfordshire (Mr. Heald) for his typically polite, kind and open-minded remarks in winding up the debate. It is a particular pleasure to wind up this Christmas recess debate. I find myself in the perhaps enviable position of being the only person standing between the House of Commons and a drink in the bar—*[Interruption.]* I was going to offer to pay for the drinks, but I am pleased to see that the House has filled up recently, so perhaps we can restrict ourselves to halves.

The House of Commons and Parliament is subject to intense criticism—some would say cynicism—in the modern world of public debate. On behalf of the House, I want to say that an enormous amount of valuable work and public service has been done by Members on both sides of the House in the past term. I have done some background work on this Session. The House may be interested to know that since the Queen's Speech just a few weeks ago, Ministers have given 161 written statements on a broad range of subjects; there have been five oral statements; Select Committees, which are increasingly engaged in public debate, have provided the House with 16 full reports; and, of course, there was the important decision to introduce pay for Select Committee Chairmen, which bodes well for the future and may herald other changes. The House of Commons now has more than 250 all-party groups, which engage in debate with large numbers of pressure groups, carry out their own investigations and express points of view. Parliament and the House of Commons remain at the centre of public debate and public life in this country. I hope that hon. Members on both sides of the House appreciate that the main purpose of changes introduced by my right hon. Friend the Leader of the House, as well as other changes that we will debate in future, is to strengthen the role of Parliament in public life. Some of the changes were contentious and led to disagreement, but I hope that we all agree that they were intended to make the House of Commons the centre of public life and strengthen it in the eyes of the public. There is a balance to be struck between respect and relevance, but we are determined to achieve that balance.

To respond to points made in our debate, my hon. Friend the Member for Finchley and Golders Green (Dr. Vis) raised the important issue of Cyprus. He does so regularly in Adjournment debates, including at Whitsun and in the summer. I commend his single-mindedness, and hope I can offer reassurance by reminding him of the statement made by the Foreign Secretary on 15 December:

> "A majority of the Turkish Cypriot people has voted for a Cyprus settlement and EU accession. The will of the Turkish Cypriots has been clearly expressed albeit by a narrow margin—despite the widespread concerns expressed by many about the way in which the campaign was conducted. It is important that this desire is fully respected."

I know that my hon. Friend will be pleased to hear that confirmation of Government policy.

The hon. Member for North Cornwall (Mr. Tyler) raised an important issue on behalf of one of his constituents—the case of Sergeant Steven Roberts, who was killed on 24 March this year. I am grateful to the hon. Gentleman for the way in which he raised the issue, and I can reassure him that the Ministry of Defence continues to investigate the death of Sergeant Roberts. It has kept Mrs. Roberts informed, but cannot comment publicly on the progress of the investigation at this stage. The Secretary of State for Defence has met Mrs. Roberts and members of the family, and is happy to agree to the request of the hon. Gentleman to do so again. I believe that the whole House would want every effort to be made to investigate the situation.

My hon. Friend the Member for Braintree (Mr. Hurst) and several other Members raised the important issue of the future of national airports in the south-east at Stansted and Heathrow, as well as of regional airports. I remind the House of the purpose of the White Paper and the debate that has been launched. The Government should be commended on taking a long-term view. Planning for the position in 20, 30 or 40 years' time is important in the field of aviation but, in the past, both Conservative and Labour Governments have failed to put in place long-term plans to develop aviation. It is a telling fact that, in the time that we took to conduct an inquiry into the expansion of terminal 4 at Heathrow, Charles de Gaulle airport doubled its capacity. Governments must take heed of developments at Frankfurt, Schiphol, Charles de Gaulle and other major hub airports.

The aviation industry directly supports about 200,000 jobs, and indirectly supports up to three times as many. Aviation contributes £13 billion a year to Britain's gross domestic product, and one third, by value, of our visible exports go by air. Air freight tonnages have doubled since 1990, and are expected to double again by 2010. Also, two thirds of the visitors to this country travel by air.

However, I want to reassure hon. Members who have raised concerns about Heathrow, Stansted or elsewhere. The White Paper is statement of national policy. It does not authorise specific developments, which remain matters for the planning system. It will be for airport operators to bring forward planning applications for airport developments in the normal way. The White Paper attempts to provide a clear policy framework for individual decisions. In other words, much debate and discussion must still take place.

It is right and proper for hon. Members to raise constituency issues. That reinforces my earlier point about the House's value residing in the fact that it is a public forum where such debates can be held.

The hon. Member for Romford (Mr. Rosindell) made his usual impassioned and patriotic—some would call it nationalistic—speech. I began to think that the debate was being led by hon. Members from Essex, as there were a large number of contributions from that county.

Mr. Rosindell: We are assiduous.

Mr. Woolas: The hon. Gentleman says that Essex Members of Parliament are assiduous. He spoke about the need to reinforce Christmas as a Christian festival. I am happy to confirm that that is the Government's view, regardless of the mischief in some of our media. I am sure that that is all good fun, and I can tell the House that only last weekend I visited the famous traditional Christian carol service celebrated on horseback at an equestrian centre near Saddleworth. I was not on horseback myself, but that might happen in the future.

[Mr. Woolas]

I was surprised that the hon. Member for Romford criticised the number of nightclubs in Essex. I am not certain that that will be popular with younger people in his constituency, but he made a serious point about the nature of his town centre. He also reminded the House about early-day motion 239, tabled by my hon. Friend the Member for Hyndburn (Mr. Pope). It deals with the English national anthem, and it prompted many comments in the debate.

The hon. Member for Romford said that he wants to retain "God Save The Queen" and that he did not want "Jerusalem" to replace it, as the early-day motion proposes. However, one of the most famous sons of his constituency is the late and great Ian Dury, who wrote "Reasons To Be Cheerful". Perhaps that should be adopted as Romford's anthem—although "Hit me with your Rhythm Stick" might cause me to stray beyond where I am willing to go.

The hon. Member for Romford also talked about his early-day motion 202, which concerns the "a dog is for life, not just for Christmas" campaign. I am pleased to inform the hon. Gentleman that my briefing sheet says that the Government support that early-day motion. Being a good, dog-loving Government, we endorse the Dogs Trust campaign for responsible dog ownership. We are reviewing animal welfare legislation, and one of the review's aims will be to increase owners' responsibility for their animals. We want to reduce the number of animals abandoned every year, and Christmas is a good time to reaffirm that.

My hon. Friend the Member for Liverpool, Riverside (Mrs. Ellman) made what was perhaps the most impassioned speech in the debate, and the House will agree that its subject—anti-Semitism and the dangers of extremism—was the most important of the afternoon. The Government believe that to equate anti-Zionism and attitudes to a particular Israeli Government with anti-Semitism is both erroneous and dangerous. As the length of time that has passed since world war two and the holocaust grows, we all should redouble our efforts on behalf of the Holocaust Educational Trust. I know that hon. Members of all parties are involved in that. We must heed my hon. Friend's warning that, unfortunately, anti-Semitism seems to be on the increase.

As I am sure my hon. Friend agrees, it is not only Jewish people but ordinary Muslim people who most strongly condemn and fear the extremism and intolerance of Islamic extremists. Islam is not an exclusive faith, but a faith of tolerance. It is worth reminding ourselves that, given the nature of the extremists to whom my hon. Friend rightly drew the House's attention, the tolerance that is a great characteristic of our country may be a bit naive. I think the Government will respond in that vein to my hon. Friend's comments.

The hon. Member for Ribble Valley (Mr. Evans) managed to congratulate his postman.

Mr. Evans: Trevor.

Mr. Woolas: He also did a bit of creeping towards his mother. I hope that his turkey is a good one; I am sure it will be.

The hon. Gentleman had a pop at the Government about council tax. When Conservative Members talk about council tax, they never say that it was not only introduced to replace the disastrous policy of the poll tax, but was paid for by increasing VAT—a regressive tax that punishes the less well off—from 15 per cent. to 17.5 per cent. They call for the devolution of powers to local councils, yet scream blue murder when it is given. They perpetuate the myth that the Government have taken money off the southern councils and given it to the northern councils. Many of my constituents up north would disagree with that. I remind them that since 1997 all authorities have had above-inflation increases in their grant.

Mr. Heald: I do not know whether the Deputy Leader of the House has read the Audit Commission's report, but it proves exactly what he just denied.

Mr. Woolas: It does no such thing—it says that there are flaws in the local government finance system, which the hon. Gentleman's party introduced. It is obvious to anybody who is involved that as we are giving extra grant to councils across the board, it is unfair to say that we are robbing Peter to pay Paul.

But I must move swiftly on. The hon. Member for Ribble Valley accused us of fiddling the honours system, but this Government are introducing an independent appointments system for the House of Lords that his party in the other place is dead set against. I find the hon. Gentleman's accusation unfair, given our track record, but perhaps we can have a bit of point-scoring at Christmas.

My hon. Friend the Member for North Durham (Mr. Jones) raised important constituency issues on behalf of his constituent Mrs. Ann Stevens, in relation to the miners' compensation scheme. I am pleased to be able to inform him that my hon. Friend the Minister for Small Business and Enterprise is going to write to all firms involved, including Mark Gilbert Morse, to ask for confirmation of its charging policy. It is worth pointing out that, as my hon. Friend acknowledged, it was this Government who introduced the scheme in the first place.

The hon. Member for Ruislip-Northwood (Mr. Wilkinson) talked about airports policy. As a pilot and the representative of a constituency near London Heathrow, he speaks with a great deal of knowledge.

My hon. Friend the Member for Morecambe and Lunesdale (Geraldine Smith), who is another regular participant in Adjournment debates, raised her concerns about university fees, which I will of course bring to the attention of the Secretary of State for Education and Skills, if he does not know them already. I look forward in the new year to a robust debate on how we can ensure that half our teenagers get the university degrees that will secure the graduate skills base we require in order to succeed in the modern industrial world.

The hon. Member for Uxbridge (Mr. Randall) raised several issues, including airports policy and Kosovo. I will of course bring the latter concerns to the attention of the Foreign Secretary.

My hon. Friend the Member for West Bromwich, West (Mr. Bailey) made important points about the NHS and confirmed his view that reform is necessary to improve it. I will ensure that the Secretary of State for Health is aware of the specific ideas that he put forward, and I welcome his contribution to the debate.

The hon. Member for Castle Point (Bob Spink) raised what seemed like dozens of issues in a wide-ranging speech. I shall pick on one, and assure him of support for Nelson's day. The Leader of the House has a model of Victory, Nelson's flagship, in his office, as hon. Members who have been involved in the consultations on the hours of the House know.

My hon. Friend the Member for North-East Derbyshire (Mr. Barnes) again raised the case of Staveley Chemicals. We shall write to him again about it.

The hon. Member for Tewkesbury (Mr. Robertson), and my hon. Friends the Members for Hornchurch (John Cryer) and for Morley and Rothwell (Mr. Challen) also made important speeches.

I wish the House a happy Christmas.

Illegal Camping

Motion made, and Question proposed, That this House do now adjourn.—*[Charlotte Atkins.]*

6 pm

Mr. Mark Todd (South Derbyshire) (Lab): I fear that the debate will have no seasonal edge. Illegal camping does not relate to Santa Claus, his elves and his reindeer, exhausted from delivering presents in South Derbyshire, finding temporary sustenance there. It is a regular nuisance that my constituents constantly fear and face. On this occasion, I want to concentrate on that nuisance when it occurs on Highways Agency property.

Few people in South Derbyshire have much good will towards those who camp illegally in our area, avoid the two authorised sites, damage other people's properties and leave often repulsive waste behind them when they go. Few will send Christmas cards to public bodies that are supine in the face of that illegality and throw public money away rather than using their legal rights as property owners.

I have raised matters that relate to illegal camping on several occasions in the House. Tonight, I shall focus on the way in which the Highways Agency handles intrusion on its property. I intend to refer to only two sites in my constituency, about which I have substantial facts that are based on my correspondence and parliamentary questions. Travellers' occupation of agency land in South Derbyshire is common, yet the obvious lessons that I shall present in the debate are never learned.

In April 2000, travellers occupied an agency site at the junction of the A38 and the A50 near Willington in my constituency. They were there for some time, and obvious and blatant breaches of law took place. The Environmental Protection Act 1990 seeks to prevent dumping waste at unauthorised sites. It also attempts to prevent the carriage of waste in unauthorised vehicles—clearly a dangerous and often unhygienic activity. The penalties for offences can rightly be severe and include confiscating vehicles.

The occupiers of the site turned it into something like a battlefield. Stripped-down, burnt-out cars were scattered over the site, which was in full public view. Entrance to it and activities on it could readily be observed. When the travellers left—the Highways Agency was so tardy in pursuing possession that they eventually left of their own accord—the agency cleared the site at a public cost of nearly £14,000. It spent nearly £4,000 erecting barriers at the entrance and a further £17,000 establishing a 24-hour watch on the site. A person lived in a caravan there to prevent a repetition of events. The figures exclude agency time, abortive legal costs and doubtless much else that fell outside the narrow confines of my parliamentary question. The site was sold and no occupations have since taken place.

What do we learn from the first incident? First, the agency possessed pockets of land, of some value to someone else, that it did not know what to do with. Once road schemes are completed, surplus land should be rapidly disposed of. Secondly, the agency is slow in obtaining possession. I am well aware that, like any public agency, the Highways Agency must act within the law and according to Government guidance on the

[Mr. Mark Todd]

matter. Correspondence with the agency constantly reiterates that anxiety. However, other public bodies—for example, the district and county councils in my area—perform similar obligations far more quickly, and they are governed by the same guidance and law. In some instances, the agency is prepared to go to some expense to protect a site once it has been violated. I shall return to this point later, because this is something that the chief executive of the agency appears not to recall.

The agency has little knowledge of environmental law. In the case of the illegal carriage of waste, it need be demonstrated only that a vehicle was being used for that purpose. No identification of the driver is required, and even perfunctory observation of this or other sites would have yielded prosecutable evidence without confrontation with individuals.

Let me turn to the next case. In March, a group of travellers occupied a large agency site adjacent to the A50 at Foston. Again, it rapidly became obvious that waste carriage and dumping was taking place. It took until 9 May for proceedings to go to court. No attempts were made to impede activity on site, or to prosecute blatant offenders. Following my initial queries, the agency explained its approach thus:

> "Unauthorised encampments are generally tolerated, particularly if there are no authorised sites to which the Gypsies may move. The Agency would not wish to move a problem on to other private land, especially if it meant worse problems might be created. This advice has been used in this case, resulting in the queried delays."

It is worth noting—clearly the writer of this letter was ignorant of this fact—that this site is within walking distance of an authorised site on Woodyard Lane. There is no evidence that the agency liaised with either the district council, which manages the site, or the county council, which is responsible for it, to determine whether authorised pitches were, or could be, made available, either there or at the other authorised site at Lullington.

The last sentence of the chief executive's letter illustrates the next problem. It reads:

> "I anticipate the travellers will now move on and we will be able to secure the site against any further occupation."

Of course, the measures taken were woefully inadequate. The bund erected was removed in short order, and much the same group of travellers was back in August. It is fortunate—perhaps we should count this as a blessing amid all the staggering incompetence—that no attempt had been made to clear the site of waste that had been generated by the first occupation. If that had happened, the public cost would have been higher still.

"Happily", as the acting chief executive perhaps ironically told me, the agency once again obtained legal authority to reoccupy the site on 13 October. It is worth noting again the extraordinary delay. The occupation was in August, but the agency did not gain legal authority to reoccupy until 13 October. There had been some intervening difficulties. As Mr. Hickey's letter mildly puts it,

> "there was a misunderstanding in communications at one stage, which resulted in unwarranted criticisms being levelled at the Police".

Perhaps I can give a rather more blunt account. The local police were asked to produce written reports, which they did in short order. They fondly imagined—although one wonders why, given their previous dealings with the Highways Agency—that the agency might be pressing ahead with some urgency. Instead, their efforts were swallowed in agency bureaucracy and then, worse still, residents were told that police delays were holding up proceedings. Optimistically, Mr. Hickey adds:

> "However, our staff continue to enjoy excellent working relationships with the local constabulary."

Whatever those relations are, they are not excellent. I shall return with another illustration of that later in this account.

I also queried waste dumping on site. Mr. Hickey agreed that this was "vexing". He pleaded that there were no witnesses. We then had the waste clearance and site security costs to face. The cost of clearing the site was estimated at about £24,000, although I do not know what the final figure was. Securing the site properly was estimated to cost nearly another £2,000. Legal fees were approaching £4,000 with, when my parliamentary question was answered, more to come.

By this time, Archie Robertson had taken over as chief executive. I am not sure whether the turnover of people at the Highways Agency has had anything to do with competence in respect of handling such matters, but one can only hope for a better performance. I queried what efforts had been made to tackle quite blatant law breaking on the site. Perhaps too politely, I pointed to what appeared to be a passive approach. I should explain that the site is in even more public view than the Willington site, as it can be readily observed from all angles, and access to it can be watched with no difficulty whatever. On the suggestion that it might be cost-effective to observe the site, he remarked:

> "Observing the site may help to bring a prosecution, however it might not prevent the waste being dumped, nor facilitate removal of the waste afterwards. It might present the possibility of re-charging the travellers for the cost of clearing the site, but I am sure you can recognise the severe difficulties involved in bringing that off successfully.
>
> Even if we could justify assigning Agency staff on a 24-hour basis"

—I shall return to that point in a moment—

> "to observe a site, and I doubt that we could, I would still have concerns over the safety of my staff. After all, staff would be on their own, doing something antagonistic to the travellers, and would have to be close enough to them to take vehicle details, make detailed observations of characters and their actions etc. I would not want to put my staff into such a situation, but recognise that the Environment Agency may have appropriate surveillance capability."

There are obvious points to make. Again, the law seems little understood. That on waste carriage in particular is draconian. The owner of the vehicle is prosecutable regardless of whether they knew of the vehicle's illegal use. Simple identification of vehicles and tracing of owners is all that is required to enforce that section of the law. There is also concern for the agency's staff, which overrides any concern at the agency for upholding the law.

Furthermore, no attempt—I have checked this in conversation with the local police—was made to involve the police or the enforcement authorities, which are the Environment Agency and the district council, in addressing the problem. The constant references to collaboration with statutory agencies, which pepper the letters that I receive, are entirely confined to the narrow processes of complying with Government guidelines on the welfare of travellers.

Proper collaboration for the benefit of the local community or to save taxpayers' money is singularly absent. Also, the chief executive was unaware of the 24-hour surveillance paid for in my constituency by the agency, but two years earlier. He refers to it being quite impossible to consider 24-hour surveillance, although there is no evidence that it need take place for as long as that. As I have demonstrated, however, it was paid for in another location about 4 miles away.

Once again, after those costly events, the site was sold. The new owner—the former owner—will, I am certain, manage it effectively and ensure that these events become an unpleasant memory. Continued agency ownership, on its track record, would be a recipe for further cost and harm. Let me be clear about the simple steps that the agency must take and should have taken previously. First, it should review its surplus land immediately on completion of a road and transfer that land to proper ownership as a matter of urgency. In both sites, road construction had long passed by.

Secondly, in sites the agency must retain or where it cannot rapidly transfer ownership, it should appraise risk of occupation and take appropriate defensive measures.

Thirdly, should those defences be breached, it should co-operate with other agencies in enforcing the law, not merely in protecting the rights of illegal campers.

Fourthly, the agency should ensure that its operatives and agents have at least a basic knowledge of the law so that they may act as witnesses to any offences.

Fifthly, it should review its legal processes, uncover why it is renowned for sloth and increase its speed, because delay means cost.

Finally, it should not regard law breaking as a vexing problem to be swamped with taxpayers' money, but should instead recognise a responsibility to help to uphold the law and protect public resources.

Agency complacency, passivity and ignorance have cost more than £70,000 in this small area on just two sites. I dread to think how much of our money is hosed at this problem nationwide. New strategies, tactics and attitudes are required. I look forward to the Minister's response.

6.15 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): I congratulate my hon. Friend the Member for South Derbyshire (Mr. Todd) on securing this debate, and on giving us and Madam Deputy Speaker the opportunity to turn the lights out in the Chamber at the end of this year.

Like my hon. Friend, I take the problems associated with illegal camping very seriously. I know my hon. Friend has been concerned for some time about unauthorised camping by travellers in his constituency. I am also aware that he has written to the Highways Agency on several occasions about the travellers who occupied agency land, in particular near the A50 at Foston in Derbyshire.

It is with regret that I must apologise to my hon. Friend and his constituents for what I believe are inadequacies in the Highways Agency's handling of this matter. It is apparent from my investigations that the agency could have handled it very much better than it did.

In the first instance, the agency should have identified the vulnerability of the site and secured it appropriately. Secondly, it should have made the site more secure once the travellers had been removed, which would have prevented re-occupation. I believe that a 2-ft bund was built on the second occasion, which was clearly inadequate when it was known that the travellers were in the gardening business and had the tools to move a small bund. Unfortunately, that had escaped the notice of the people who secured the site.

I am pleased to say that the travellers were evicted for a second time on 17 October this year, and that the site has now been completely cleansed, properly secured and tenanted, and is awaiting sale.

I fully recognise that gypsies and travellers must have somewhere to live. I am sure that my hon. Friend realises also that beginning, or contributing to, an ongoing cycle of eviction is not a sensible, fair or sustainable way forward. Nevertheless, there are occasions when eviction is the only appropriate course of action.

The Highways Agency acquires land in connection with the construction and development of the strategic road network. After construction, any surplus land parcels are identified for disposal. That was the case at Foston, where the land was being reinstated prior to disposal, when it was illegally occupied. The agency works to meet Treasury disposal time scales in completing this procedure. It is my belief that these sites should be disposed of as rapidly as is practicable after it is found that they are surplus to requirements.

Eviction of unauthorised campers on land adjacent to the highway is dealt with by the police, given the obvious road safety implications. They can, and do, use their powers to remove any obstruction or safety hazard to road users. The position is more complicated where illegal camping occurs on Highways Agency land not directly connected to the highway. As my hon. Friend has stated, the Highways Agency, as a public body, must work within the policy set by Government for dealing with illegal camping. Consequently, great care needs to be exercised when taking the decision as to whether to evict the gypsies or travellers. The right balance must be struck between the needs of the gypsies and travellers and the concerns of the wider community, whose interests my hon. Friend has represented.

The general approach by all bodies when dealing with unauthorised camping on land not directly connected to the highway is that responses must be proportionate and carefully considered. That was the approach taken by the Highways Agency in the Foston case. As I am sure my hon. Friend understands, to have done otherwise would have left the agency vulnerable to criticism, and even action in the courts.

I realise that my hon. Friend feels that the Highways Agency has not been as quick in handling these incidents as other public bodies. I have asked the agency to investigate how it can capture the experience of other Government agencies, and make the necessary improvements.

[Mr. David Jamieson]

In the case of the Foston encampment, the fact that the land was surplus and ready for sale, the environmental concerns and the high level of local concern all carried significant weight. Nevertheless, the Highways Agency had to consider the arguments in favour of eviction against the travellers' right to education and housing and their health needs. Obviously the agency had to seek advice from other bodies when considering those counter-arguments. The need to consider such factors does take time in the process of trying to repossess land. As I have said, failure to give adequate consideration to such issues could have led to court action against the Highways Agency.

The agency believes it acts within the Government's best-practice guidance: that is what it tells me. Let me set out the main sequence of events at the Foston site. The agency first became aware of the illegal occupation on 26 March 2003. The next day officials sought urgent reports from the local education, health and social services departments, and the police. It was clear by 31 March that there was considerable local disquiet over the travellers' behaviour, and by 2 April the agency had advised the Treasury Solicitor's Office of the illegal occupation and the possible need for litigation. On that same day, the local health officer reported that there were no health concerns among the travellers.

On 3 April, the Highways Agency was advised that seven of the children on the site wished to attend school. The local education officer asked that the families be allowed to remain until the Easter school break on 12 April. While the agency could have proceeded with eviction action at that point, it chose not to. The decision was in line with Government policy to encourage greater education opportunities among the travelling community. A notice to vacate was not served until 9 April, which would come into effect after the end of the school term.

The first court hearing took place on 23 May. The last of the travellers moved off the site on 29 May, and bunding was put in place to secure the site and prevent re-entry. With the benefit of hindsight, the agency now accepts that the bunding was inadequate in the circumstances.

The next day, the agency's managing agent was instructed to obtain quotations for clearing the site. The agency approved the implementation of additional remedial works to prevent reoccupation on 22 August. However, the travellers reoccupied the site on 23 August, having breached the bunding.

The agency took the view, given the problems from the previous occupation, that the second illegal occupation had to be ended forthwith. However, it was again necessary to have regard to the travellers' needs. The other agencies' reports were received by mid-September, and by 9 October a further notice was sent to the occupiers.

Once the court hearing on 13 October had found in favour of the Highways Agency, the travellers were removed within four days. I believe that the site has now been completely cleaned, and I understand that action is in hand to sell it back to the former owner of the land. The site access has been blocked with sizeable concrete barriers to prevent re-entry. My hon. Friend and his constituents must have wondered why that was not done after the first occupation, or even why the barriers were not there before it. I shall certainly take that up with the agency.

I understand that the immediate costs arising from the Foston occupations were in the region of £31,000, yet putting in place the concrete barriers to begin with would probably have cost less than £2,000. This seems to be a case of a penny being spent today perhaps saving a pound wasted tomorrow. I hope that the Highways Agency will take note of that point. As my hon. Friend said, the majority of the costs related to site clearance, the remainder consisting of legal fees, police overtime and the provision of bunding and concrete blocks.

My hon. Friend has expressed concern about alleged illegally dumped waste at Foston. The Environment Agency has inspected the site and could identify only non-hazardous waste related to the work that the travellers were carrying out. It consisted mainly of tree clippings and a small quantity of building waste. No prosecutions could be brought, as it was impossible to ascertain its source to a prosecutable standard.

Mr. Todd: Will my hon. Friend concede that, despite the fact that the waste was undoubtedly non-hazardous, it was nevertheless deposited illegally, its carriage on to the site was almost certainly illegal as well, and the agency had taken no steps to prevent either offence?

Mr. Jamieson: My hon. Friend is almost certainly right.

I have made the Highways Agency aware of my concern at its lack of action in dealing with illegal waste dumping on its land. My hon. Friend pointed out that the agency provided 24-hour security at the Willington site. That action was instigated because the site still had a building on it. Although the structure was in a poor state of repair, the agency has a duty to protect its buildings from damage, so it employed a guard to do so. This measure had the additional effect of deterring re-occupation by travellers. The agency has agreed to investigate more proactive procedures to prevent illegal waste dumping, and to work much more closely with local enforcement agencies.

I accept that the Highways Agency could have acted more proactively in the Foston case, and I hope that it has learned very important lessons. It is clear that there is significant room for further improvement. In particular, the agency will reassess the vulnerability of its land, and secure it from illegal entry where the risk is considered high. I have instructed it to do that as a matter of urgency, both in my hon. Friend's constituency and in other areas of high traveller activity. It will review its procedures for securing land following eviction. It will also bear this issue in mind when acquiring new areas of land, in order to pre-empt the possibility of illegal occupation, and it will implement appropriate security measures. One of the most valuable lessons learned is the importance of working closely with all other interested parties, including the local community, public agencies and law enforcement bodies. It would appear that this liaison needs improvement, and the agency will need to look at how other public landowners handle illegal occupation and waste dumping. There are some simple lessons that it could easily learn and adopt, thereby improving its practice.

I am grateful to my hon. Friend for raising this issue, and for giving me the opportunity to explain the Highways Agency's handling of illegal camping at Foston. There have been mistakes, for which the agency sincerely apologises. It will take on board the valid points that he makes, and I am confident that in future—under the leadership of the new chief executive, Archie Robinson, in whom I have enormous confidence—the handling of these matters will be sharpened, and lessons will have been learned. As always, my hon. Friend has raised such matters in a diligent way on his constituents' behalf. He has made an important point, which will prove of benefit to many other people, as well.

I take this opportunity to wish you a very merry Christmas, Madam Deputy Speaker, and a happy and successful new year. It is a pleasure for us to be here tonight, making the last contribution of the year. I look forward to making many further contributions, and to enjoying debates with you in the Chair.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Six o'clock.

CORRECTION

Official Report, 17 December 2003: In col. 1674, Division No. 16 should appear as follows:

Division No. 16] [6:59 pm

AYES

Abbott, Ms Diane
Allan, Richard
Baker, Norman
Barnes, Harry
Barrett, John
Beith, rh A. J.
Bennett, Andrew
Brake, Tom *(Carshalton)*
Breed, Colin
Bruce, Malcolm
Burnett, John
Burstow, Paul
Cable, Dr. Vincent
Calton, Mrs Patsy
Campbell, rh Menzies *(NE Fife)*
Carmichael, Alistair
Chapman, Ben *(Wirral S)*
Chidgey, David
Connarty, Michael
Corbyn, Jeremy
Cotter, Brian
Davey, Edward *(Kingston)*
Davies, rh Denzil *(Llanelli)*
Dawson, Hilton
Doughty, Sue
Dunwoody, Mrs Gwyneth
Ewing, Annabelle
Fisher, Mark
Foster, Don *(Bath)*
George, Andrew *(St. Ives)*
Gidley, Sandra
Green, Matthew *(Ludlow)*
Hancock, Mike
Harris, Dr. Evan *(Oxford W & Abingdon)*
Heath, David
Holmes, Paul
Hughes, Simon *(Southwark N)*
Jackson, Glenda *(Hampstead & Highgate)*
Jones, Lynne *(Selly Oak)*
Keetch, Paul
Kennedy, rh Charles *(Ross Skye & Inverness)*
Kirkwood, Sir Archy
Laws, David *(Yeovil)*
Llwyd, Elfyn
McDonnell, John
Mahon, Mrs.Alice
Marshall, Jim *(Leicester S)*
Marshall-Andrews, Robert
Moore, Michael
Morgan, Julie
Öpik, Lembit
Price, Adam *(E Carmarthen & Dinefwr)*
Pugh, Dr. John
Reid, Alan *(Argyll & Bute)*
Rendel, David
Salmond, Alex
Sanders, Adrian
Sawford, Phil
Sedgemore, Brian
Simpson, Alan *(Nottingham S)*
Skinner, Dennis
Smith, Llew *(Blaenau Gwent)*
Smith, Sir Robert *(W Ab'd'ns & Kincardine)*
Stunell, Andrew
Taylor, Matthew *(Truro)*
Taylor, Dr. Richard *(Wyre F)*
Teather, Sarah
Thomas, Simon *(Ceredigion)*
Thurso, John
Tonge, Dr. Jenny
Tyler, Paul *(N Cornwall)*
Vaz, Keith *(Leicester E)*
Wareing, Robert N.
Webb, Steve *(Northavon)*
Weir, Michael
Williams, Hywel *(Caernarfon)*
Williams, Roger *(Brecon)*
Wishart, Pete
Younger-Ross, Richard

Tellers for the Ayes:
Mr. Neil Gerrard and
Mr. Kelvin Hopkins

NOES

Adams, Irene *(Paisley N)*
Ainsworth, Bob *(Cov'try NE)*
Alexander, Douglas
Allen, Graham
Anderson, Janet *(Rossendale & Darwen)*
Armstrong, rh Ms Hilary
Atherton, Ms Candy
Bailey, Adrian
Baird, Vera
Banks, Tony
Barron, rh Kevin
Battle, John
Bayley, Hugh
Beard, Nigel
Begg, Miss Anne
Benn, rh Hilary
Benton, Joe *(Bootle)*
Berry, Roger
Betts, Clive
Blackman, Liz
Blears, Ms Hazel
Blizzard, Bob
Blunkett, rh David
Boateng, rh Paul
Bradley, rh Keith *(Withington)*
Bradley, Peter *(The Wrekin)*
Brennan, Kevin
Brown, rh Nicholas *(Newcastle E Wallsend)*
Brown, Russell *(Dumfries)*
Browne, Desmond
Bryant, Chris
Burden, Richard
Burgon, Colin
Burnham, Andy
Burnside, David
Byers, rh Stephen
Caborn, rh Richard
Cairns, David
Campbell, Mrs Anne *(C'bridge)*
Campbell, Ronnie *(Blyth V)*
Caplin, Ivor
Casale, Roger
Cawsey, Ian *(Brigg)*
Challen, Colin
Chapman, Ben *(Wirral S)*
Chaytor, David
Clapham, Michael
Clark, Mrs Helen *(Peterborough)*
Clark, Dr Lynda *(Edinburgh Pentlands)*
Clark, Paul *(Gillingham)*
Clarke, rh Tom *(Coatbridge & Chryston)*
Clelland, David
Clwyd, Ann *(Cynon V)*
Coaker, Vernon
Coffey, Ms Ann
Colman, Tony
Cook, rh Robin *(Livingston)*
Cooper, Yvette
Cranston, Ross
Cruddas, Jon
Cummings, John
Cunningham, Jim *(Coventry S)*
Cunningham, Tony *(Workington)*
Curtis-Thomas, Mrs Claire
Davey, Valerie *(Bristol W)*
Davidson, Ian
Davies, Geraint *(Croydon C)*
Dean, Mrs Janet
Denham, rh John
Dhanda, Parmjit
Dismore, Andrew
Donohoe, Brian H.
Doran, Frank
Dowd, Jim *(Lewisham W)*
Eagle, Angela *(Wallasey)*
Eagle, Maria *(L'pool Garston)*
Edwards, Huw
Efford, Clive
Ennis, Jeff *(Barnsley E)*
Farrelly, Paul
Fitzpatrick, Jim
Fitzsimons, Mrs Lorna
Flint, Caroline
Flynn, Paul *(Newport W)*
Follett, Barbara
Foster, rh Derek
Foster, Michael *(Worcester)*
Foster, Michael Jabez *(Hastings & Rye)*
Foulkes, rh George
Francis, Dr. Hywel
Gapes, Mike *(Ilford S)*
Gardiner, Barry
George, rh Bruce *(Walsall S)*
Gibson, Dr. Ian
Gilroy, Linda
Godsiff, Roger
Goggins, Paul
Griffiths, Jane *(Reading E)*
Griffiths, Nigel *(Edinburgh S)*
Griffiths, Win *(Bridgend)*
Grogan, John
Hain, rh Peter
Hall, Mike *(Weaver Vale)*
Hall, Patrick *(Bedford)*
Hamilton, David *(Midlothian)*
Hamilton, Fabian *(Leeds NE)*
Hanson, David
Harman, rh Ms Harriet
Harris, Tom *(Glasgow Cathcart)*
Havard, Dai *(Merthyr Tydfil & Rhymney)*
Healey, John
Henderson, Doug *(Newcastle N)*
Henderson, Ivan *(Harwich)*
Hendrick, Mark

Hepburn, Stephen
Heppell, John
Hewitt, rh Ms Patricia
Heyes, David
Hinchliffe, David
Hodge, Margaret
Hood, Jimmy *(Clydesdale)*
Hope, Phil *(Corby)*
Howarth, rh Alan *(Newport E)*
Howarth, George *(Knowsley N & Sefton E)*
Howells, Dr. Kim
Hoyle, Lindsay
Hughes, Beverley *(Stretford & Urmston)*
Hughes, Kevin *(Doncaster N)*
Humble, Mrs Joan
Hurst, Alan *(Braintree)*
Hutton, rh John
Iddon, Dr. Brian
Illsley, Eric
Irranca-Davies, Huw
Jackson, Helen *(Hillsborough)*
Jamieson, David
Jenkins, Brian
Johnson, Alan *(Hull W)*
Johnson, Miss Melanie *(Welwyn Hatfield)*
Jones, Jon Owen *(Cardiff C)*
Jones, Kevan *(N Durham)*
Jones, Martyn *(Clwyd S)*
Jowell, rh Tessa
Joyce, Eric *(Falkirk W)*
Kaufman, rh Gerald
Keeble, Ms Sally
Keen, Ann *(Brentford)*
Kemp, Fraser
Khabra, Piara S.
Kidney, David
Kilfoyle, Peter
King, Andy *(Rugby)*
King, Ms Oona *(Bethnal Green & Bow)*
Knight, Jim *(S Dorset)*
Kumar, Dr. Ashok
Ladyman, Dr. Stephen
Lazarowicz, Mark
Lepper, David
Leslie, Christopher
Levitt, Tom *(High Peak)*
Liddell, rh Mrs Helen
Linton, Martin
Love, Andrew
Lucas, Ian *(Wrexham)*
Luke, Iain *(Dundee E)*
McAvoy, Thomas
McCabe, Stephen
McDonagh, Siobhain
McFall, John
McIsaac, Shona
McKechin, Ann
Mackinlay, Andrew
McNulty, Tony
MacShane, Denis
Mactaggart, Fiona
McWalter, Tony
McWilliam, John
Mallaber, Judy
Mann, John *(Bassetlaw)*
Marris, Rob *(Wolverh'ton SW)*
Marsden, Gordon *(Blackpool S)*
Marshall, David *(Glasgow Shettleston)*
Martlew, Eric
Meale, Alan *(Mansfield)*
Merron, Gillian
Michael, rh Alun
Milburn, rh Alan
Miliband, David
Miller, Andrew
Mole, Chris
Moran, Margaret
Morley, Elliot
Morris, rh Estelle
Mountford, Kali
Mudie, George
Mullin, Chris
Munn, Ms Meg
Murphy, Denis *(Wansbeck)*
Murphy, Jim *(Eastwood)*
Murphy, rh Paul *(Torfaen)*
Naysmith, Dr. Doug
Norris, Dan *(Wansdyke)*
O'Brien, Mike *(N Warks)*
O'Hara, Edward
Olner, Bill
O'Neill, Martin
Organ, Diana
Owen, Albert
Perham, Linda
Picking, Anne
Pickthall, Colin
Pike, Peter *(Burnley)*
Plaskitt, James
Pond, Chris *(Gravesham)*
Pound, Stephen
Prentice, Gordon *(Pendle)*
Prescott, rh John
Primarolo, rh Dawn
Prosser, Gwyn
Purchase, Ken
Purnell, James
Quin, rh Joyce
Quinn, Lawrie
Rapson, Syd *(Portsmouth N)*
Raynsford, rh Nick
Reed, Andy *(Loughborough)*
Reid, rh Dr. John *(Hamilton N & Bellshill)*
Robertson, John *(Glasgow, Anniesland)*
Robinson, Geoffrey *(Coventry NW)*
Roche, Mrs Barbara
Ruane, Chris
Ruddock, Joan
Russell, Ms Christine *(City of Chester)*
Ryan, Joan *(Enfield N)*
Salter, Martin
Savidge, Malcolm
Sheerman, Barry
Sheridan, Jim
Shipley, Ms Debra
Simon, Siôn *(B'ham Erdington)*
Singh, Marsha
Smith, rh Andrew *(Oxford E)*
Smith, rh Chris *(Islington S & Finsbury)*
Smith, Geraldine *(Morecambe & Lunesdale)*
Smith, rh Jacqui *(Redditch)*
Smith, John *(Glamorgan)*
Soley, Clive
Southworth, Helen
Speller, rh John
Starkey, Dr. Phyllis
Steinberg, Gerry
Stevenson, George
Stewart, Ian *(Eccles)*
Stoate, Dr. Howard
Strang, rh Dr. Gavin
Stringer, Graham
Stuart, Ms Gisela
Sutcliffe, Gerry
Tami, Mark *(Alyn)*
Taylor, rh Ann *(Dewsbury)*
Taylor, Dari *(Stockton S)*
Thomas, Gareth *(Clwyd W)*
Timms, Stephen
Tipping, Paddy
Todd, Mark *(S Derbyshire)*
Trickett, Jon
Turner, Dennis *(Wolverh'ton SE)*
Turner, Neil *(Wigan)*
Twigg, Derek *(Halton)*
Tynan, Bill *(Hamilton S)*
Walley, Ms Joan
Ward, Claire
Watson, Tom *(W Bromwich E)*
Watts, David
White, Brian
Whitehead, Dr. Alan
Wicks, Malcolm
Williams, rh Alan *(Swansea W)*
Williams, Betty *(Conwy)*
Wills, Michael
Winnick, David
Winterton, Ms Rosie *(Doncaster C)*
Worthington, Tony
Wright, Anthony D. *(Gt. Yarmouth)*
Wright, David *(Telford)*
Wright, Tony *(Cannock)*
Wyatt, Derek

Tellers for the Noes:
Mr. Nick Ainger and
Ms Bridget Prentice

Westminster Hall

Tuesday 9 December 2003

[MR. EDWARD O'HARA *in the Chair*]

Post Office Closures (Wales)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Margaret Moran.]*

9.30 am

Llew Smith (Blaenau Gwent) (Lab): My constituency has some of the worst deprivation problems in any part of Wales and many parts of the United Kingdom. We have the highest incidence of disability and some of the worst health problems, including heart disease, respiratory disease, cancer, emphysema, pneumoconiosis and so on—you name it, we have it in abundance. We have among the lowest incomes and the highest unemployment, as well as one of the lowest levels of car ownership in any of the valleys throughout south Wales, combined with poor public transport. Where there is public transport, it almost invariably does not cater for disabled people, whom we have in abundance in our community. We have an ageing population, but also a considerable number of lone parents. In recent years, we have seen the collapse of the manufacturing industry; prior to that, the policies pursued under Tory Administrations during the Thatcher years wiped out the coal industry. Disadvantaged groups of people are particularly dependent on a vibrant post office service. It is reasonable to assume that the Post Office, working in conjunction with the Government, could find ways to strengthen the service to meet the demands of such people, but instead of a process of reinvigorating the service in our communities, it has embarked on a mass closure programme.

It is almost impossible to discuss the matter with the Post Office, even during periods of consultation. Mr. Barrett, who is responsible for the closure programme, says that we do not understand because we are simple folk, but that the Post Office is not in the business of closing post offices. He says that the Post Office has drawn up a network reinvention plan. I do not know what berk thought up that description, but if it is a network reinvention programme it is an insult to the people in my community. I anticipate that when senior citizens go to what was their local post office and see that the doors and shutters are closed, they will protest at the closure, but the Post Office will accuse them of being stupid and of little intelligence, and Mr. Barrett will proclaim that the post office has not closed, but has become part of the network reinvention plan.

The Post Office is telling people in my community that they have nothing to worry or complain about. I suspect that it wants to be thanked for its initiative and for devastating the postal service in my community, but, thankfully, the people in my community are more intelligent than that. They know better and they have the courage and good sense to raise their voices in protest, as they did yesterday at a demonstration when Mr. Barrett visited the Welsh Assembly, and as they will this afternoon when Mr. Barrett is dragged into my valley to meet the local authority. He will receive a traditional valley welcome—a welcome in the hillsides—when he visits Ebbw Vale and its local authority this afternoon. People are coming out in their hundreds and thousands to express their discontent and opposition at public meetings, demonstrations and in letters. You name it, local people have done it.

Mr. Wayne David (Caerphilly) (Lab): Has Mr. Barrett or another senior representative of the Post Office taken the trouble to go to all the post offices that the Post Office wants to close in Ebbw Vale?

Llew Smith: When we were demonstrating at the Welsh Assembly yesterday, one constituent had a placard stating: "We seek him here, we seek him there, we seek Mr. Barrett everywhere." This is a serious point: even during a period of consultation the only way in which we can have discussions with Mr. Barrett is to seek him out. If the consultation were real, he would show respect to the community by visiting it and becoming involved in dialogue with it. The answer to my hon. Friend's question is no. Mr. Barrett has not visited my community or spoken to the people in it.

Mr. Barrett wants us to believe that there has been consultation, but that is another insult to our intelligence, because when he did visit the constituency, he came to speak to postmasters and postmistresses. After those discussions and negotiations, a closure programme and redundancy package for those postmasters and postmistresses was agreed. If Mr. Barrett was serious about consultation, he would not have met the postmasters and postmistresses first and agreed a redundancy package. He would have gone into the community, consulted people and got involved in public meetings and dialogue and, after listening to people's concerns and ideas about the future of post offices, he would have gone back, drawn up plans and then discussed those plans, the future of the post offices, redundancies and so on. However, that has not happened. The reverse has happened.

Mr. Barrett is the person responsible, but he refuses to take part in public meetings, which is a vital part of the consultation process. We have had public meetings that hundreds of people have attended. There was one at the school in Willowtown a couple of nights ago: the school hall was full and people were queueing along the corridors to get into the meeting. That is just one of many examples highlighting local people's concern about the closures.

We are a few days from the end of the so-called consultation period, but I saw Mr. Barrett for the first time on Sunday, when he addressed the nation and said that the people of Blaenau Gwent and elsewhere had nothing to fear. That is an insult. People have been trying to get their ideas over but have been unable to meet Mr. Barrett. The first time they saw him was via the television screen on Sunday. Yesterday, he came to the Welsh Assembly, and busloads of people came from my community to express their concern. When he turned up, he and his representatives asked me in which committee room the meeting was being held, because he wanted to read out a statement to representatives of the

[Llew Smith]

local community. I told him that he would not be in any committee room or making any statement to the representatives because busloads of people were heading south and he was expected to become involved in a dialogue. After much argument, he said that he would read out his statement and listen to questions and then think about them when drawing up his final plan. I said that that was not good enough because people had come to the Assembly and they, unlike him, had shown an interest in the post offices, so he must not only listen to people's concerns but address them and do so now. Eventually he did that, because he realised that the occasion was a public relations disaster. We were using his tactics—broadcasting to the nation and expressing our concern about the closures and the tactics of those responsible for the consultation document.

The local community had the good sense to realise that the occasion had nothing to do with consultation but was mere spin. It was a public relations stunt, a sop to appease local people and to give them the impression that their views were important and will be listened to and responded to positively. I, as the Member of Parliament for Blaenau Gwent, am not the only one to express concern about the consultation. The Under-Secretary of State for Wales, whose Islwyn constituency neighbours mine, put out a press statement some weeks ago, and I had a conversation with him this morning in which he declared that the consultation process in his constituency was a sham and a fraud. When local people tried to meet Mr. Barrett to propose alternatives to the closure programme in Islwyn, he refused to meet them, which is surely unsatisfactory.

People recognise that the closure programme in Blaenau Gwent is the first stage and that more closures will follow. If anyone is in any doubt, they should read the Post Office statement:

> "If our proposed changes go ahead, we cannot guarantee that there would not be further changes."

Yesterday, I spoke to my hon. Friend the Member for Wrexham (Ian Lucas), who told me about his community's experience. In that case, the Post Office tabled a consultation document proposing closures while saying, "Not to worry—although this particular post office is closing, there is another one down the road that local people can use." The Post Office then closed not only the first post office, but the alternative post office as well. What happened in Wrexham will almost certainly happen in Blaenau Gwent.

The Post Office plans to close seven post offices—one in Tredegar and six in Ebbw Vale. On top of the problems that I have mentioned, Ebbw Vale has been devastated by the closure of the steel giant Corus. With the knock-on effect of those job losses, some 1,500 jobs have gone in that small town—and not any old jobs: by the standards of working people in Blaenau Gwent, they were good, well paid jobs in a plant where the trade unions had a positive involvement. Tredegar was also devastated by the closure of the steel plant. Both Ebbw Vale and Tredegar have been hit by further closures, including the other two main manufacturing companies in the community, Bosal and Faurechia. By the standards of Blaenau Gwent, those companies paid good money and provided the kind of jobs that we need in our community. To make matters worse, six of the seven post office closures are in Communities First areas, where there is the greatest deprivation. We have not replaced the jobs lost with similar jobs. Those communities have not recovered from the closure of the coal industry. Too many low-paid, part-time, non-union, unskilled, soul-destroying jobs have been created in my constituency in recent years. While the Government are trying to reinvigorate and save the communities of Blaenau Gwent, the Post Office is delivering us a body blow—indeed, it is delivering us seven body blows.

The Post Office has not shown us the respect of bothering to carry out research into the closures. It has invented public transport: for example, Mr. Barrett says that Willowtown post office is served by excellent public transport and that he knows, because he has been there, that there is a bus stop outside the post office. I have been there, and there is no public transport—there has been no public transport for the past 16 years. In order to con people and the Government into supporting its plans, the Post Office has invented public transport. In addition, the Post Office's plans, which are based on a map, give the impression that Blaenau Gwent is flat. I have not got a PhD in geography—we are humble folk—but I know that the community is not flat. The community is based on valleys because the area is mountainous. When I read the report, I was reminded of how the ambulance service drew up plans to change its service in Blaenau Gwent when in reality it wanted to close one ambulance station. Its plans, too, were based on a map. We had to remind the service that although A was three miles away from B, there was a mountain in between them. It could not comprehend that and neither can the Post Office.

In Blaenau Gwent, as in other parts of Wales and the United Kingdom, if the post office closes, the local shop closes because the two are linked. In communities such as Cefn Golau, if the shop closes there is no other facility because the estate is on the side of a mountain. The tragedy is that the council, which works in conjunction with the Assembly and the Government, is trying to reinvigorate those communities to give them hope for a better tomorrow, but the only facility on the estate, a post office linked to a shop, is obviously going to close. The Post Office does not take that into account.

The Post Office also fails to take into account the lack of public transport to travel to alternative post offices. It does not consider how often services run, what facilities there are for the disabled, the cost of public transport, the low level of car ownership in Blaenau Gwent, the cost of using an alternative taxi service, deprivation in the area and the difficulties many people would have in travelling to an alternative post office. The topography of the area is difficult because it is mountainous, and Mr. Barrett should know that the area is not flat. People who are disabled or suffering from poor health will be worst affected. The age of the population is also important.

We must remember that the post office is not like any other shop. In every public meeting we hold, a senior citizen always gets up and reminds us that the post office is not just a shop. It is a community meeting place that offers the only opportunity that some senior citizens get each week to communicate with someone else. That is sad, but it is a fact of life. When people go to the post office, they are not just going to buy a stamp or to collect their benefit; they go to meet friends and to share news, gossip, ideas and many other things. When a post office closes, it is more like a school closing than a shop closing, because the heart of the community goes with it. While we are trying to defend our communities, the Post Office is helping to devastate them with its plans. The Post Office's policy contradicts the Government's policy to increase community cohesion and to decrease social inclusion. Closing a post office denies senior citizens and others their meeting place.

Linked to that is a point that a home carer made to me in a public meeting. Home carers have a particularly important role in our community because of the age of the population and the incidence of disability and health problems. I was told that when carers visit a client they are allocated perhaps 30 minutes to carry out, or to attempt to carry out, the tasks necessary to ensure that that person has a little dignity in their life. If the local post office closes, carers will be expected to go to an alternative one, perhaps a mile down the road, to pick up the benefits or stamps needed, and by the time they return, their allocated time will be gone. The real reason for a home carer going to a home to see a client will then not be fulfilled. Carers will be forced to spend the time carrying out tasks that are vital to the people concerned, but that do not come within the carers' remit.

We must recognise—this is the point that I am trying to convey—that the Post Office is not simply a commercial organisation. It is a service. Places such as Blaenau Gwent, which are particularly deprived, have traditionally been more dependent than most on public services. The Communication Workers Union has made several proposals that I support because they would help the situation and help to prevent the closure programme. The proposals include one that

> "The operation of the Customer Conversion Centre should cease as soon as possible. Instead customers should be allowed to open Post Office card accounts directly across the counter of their local Post Office."

It seems crazy that people can open bank accounts over the counter, but cannot open Post Office card accounts over the counter. The linked complaint that we hear is that in order to have benefits paid in the post office, people have to ring a number, but almost invariably that number does not work, or it takes a lifetime for the call to be answered. Again, that acts as a disincentive to having a vibrant post office service. The CWU says:

> "Details of the Exceptions Service should be published without delay. The necessary steps must be taken to ensure that all Government Departments deliver a positive, consistent and focussed message to customers in relation to the card account. Pressure on key high street banks should be increased to ensure that their current accounts may be accessed at Post Offices."

The union demands that

> "A comprehensive independent research programme should be initiated to ensure that the concerns of the central stakeholders are thoroughly investigated. A Direct Payment Forum, comprising representatives of all the key interested parties, should meet regularly to discuss the implementation of the new system and to develop policy as appropriate. All possible actions to reinforce the viability of the Post Office network should be taken. If the Post Office is serious about consultation, it will respond positively to the voice of the people."

Everyone in our community has opposed the closure programme: the community and borough council, I as a Member of Parliament, Peter Law as the Assembly Member, 100 per cent. of the local population and 100 per cent. of the organisations that make up the communities of Blaenau Gwent. Yesterday we met the Secretary of State for Wales and the Under-Secretary of State for Wales. Both have stated, privately and publicly, on the television, in the newspapers and on the radio, that the case for withdrawing the closure programme in Blaenau Gwent is "unanswerable". They have demanded that the consultation period, which is due to finish in a few days, be extended. As I have said, it has been a sham.

Mr. David: My hon. Friend has referred to the excellent co-operation between him and Peter Law, the Assembly Member for Blaenau Gwent. Can my hon. Friend say whether the Welsh Assembly Government have considered the situation in Blaenau Gwent and come forward with any suggestions to improve matters?

Llew Smith: I believe that there was a debate in the Assembly about a week ago. I do not think that any kind of policy statement was agreed on, but I do not know of any Assembly Member who supports the closure programme. I suspect that we have 100 per cent. support across the political parties. However, we do not want to make this a party political issue.

The only organisation with which we have problems is Postwatch. Postwatch rang me on Friday, asking me to return the call, which I did. The Postwatch representative—I think that it was Dr. Kelly Cryer—asked me whether I would like a briefing on the closure programme. I said, "Look, I don't want to be nasty; it's Friday, so let's be nice to one another. I do not wish to sound arrogant, but I am an expert on this subject, and the people whom I have the privilege to represent are even greater experts than I. We don't need a briefing paper; what we want is support." I asked Postwatch, as a body that represents the customers, what it had done, adding that I assumed that it had registered its objections to the closure programme. The representative said, "Well, no, Mr. Smith, what we are doing is conducting research". Postwatch, which is supposed to represent the customer, is still doing research even though the consultation is due to close in a few days' time. When 100 per cent. of customers oppose the closure and all the representatives from the community council to the Secretary of State oppose the closure, what have we got from Postwatch, the body that is supposed to represent customers? It is still carrying out research. I said, "Don't bother; I have got all the research and I will continue talking", but I do not think that Postwatch was particularly impressed. I had another meeting with its chairman, but things repeated themselves. Postwatch must do its job of representing the customers. If it does not, the Government should examine its role and consider abolishing it and replacing it with a body that really represents the customers.

Mr. Bill Wiggin (Leominster) (Con): I congratulate the hon. Gentleman on gaining this debate, which is

[Mr. Bill Wiggin]

extremely important. As he is an expert, can he give us his opinion on why the Post Office, which was making £50 million a year profit, has during the past six and a half years moved towards this closure programme? What does he think has changed?

Llew Smith: I do not know whether that was meant to be a party-political point, but anyone who knows me knows that I do not always toe the party line. When the Government are right, I say so and vote accordingly; when they are wrong, I say so and vote accordingly. The first thing that I recognise is that post offices were closing prior to any plans from the Government. I also admit—I have said this already—that some of what the Government have done has not helped the situation. In fact, the reverse has been the case. I have no problem with telling the Government that they are wrong in certain instances. However, the problem we are discussing is the result not only of Government policy but of Post Office management. We have a Post Office management that is treating our community with utter disdain, that refuses to come to consult the community over one of our essential services, and that either does not understand the service or, if it does, treats it with disdain.

The community, like my speech today, has come to the end of the line. We shall continue to voice our protest. This afternoon at 2 o'clock, or half-past, there will be a demonstration outside the council offices in Blaenau Gwent. I am sure that our friends in radio and television will ensure that that message gets across to the people of Wales prior to the demonstration.

9.58 am

Hywel Williams (Caernarfon) (PC): I congratulate the hon. Member for Blaenau Gwent (Llew Smith) on securing the debate and pay tribute to his concern for his constituents and for the standard of public services in Blaenau Gwent and throughout Wales. I assure him that there is cross-party support for him and his constituents on this matter.

As we know, the hon. Gentleman's constituency suffers from intense poverty and has seen a succession of proposed post office closures. I salute the community's response of pulling together to oppose the proposals, and the eminently reasonable proposals put forward by the Communication Workers Union.

Without doubt, lack of access to good services is a major component of poverty. Securing good access is a major step in poverty relief and, hopefully, poverty eradication. That is clearly the case in rural areas, such as the one that I represent. The hon. Gentleman might not be the biggest fan of the National Assembly for Wales, but I am sure that he will join me in valuing the Assembly's commissioning of the Welsh index of multiple deprivation, which measures poverty in a much more sensitive way and includes access to services as one of its indices. As a consequence of that, the National Assembly for Wales has identified certain wards in rural areas—especially in my constituency and others in the north and west—which were previously disregarded, as being in poverty. Access to services was one of the reasons why those wards were so identified. I hope that the change in the indices used to identify poor areas is a spur to Government action. I know that it has been to some extent in Wales, and one would hope that it might be a spur to the Post Office as well.

However, that index could be revisited in a creative manner to respond in a more sophisticated way to the geography and the social organisation of communities in the valleys. We should consider what is defined as "urban". Currently that definition applies to communities of more than 10,000 people. A post office might be just a mile away up the valley, but that valley might contain a series of villages that are physically joined, but are separate in social terms and in relation to ease of access—for example, as the hon. Gentleman has pointed out, they may be separate in terms of access by public transport. That might not be apparent to a manager sitting in an office many miles away, poring over a map.

I shall give the House an example of such geographical genius. About three years ago, when the Welsh Affairs Committee was taking evidence on social exclusion in Wales, we had a submission from one of the major banks explaining that there was a branch only four miles away from the branch that it intended to close. Indeed, as the crow flies it was four miles away, but people are not crows. In order to get to that branch, people would have had either to travel many miles down the valley—by public transport if they could find it—and many miles up the other valley, or climb over the mountain. Managers examining maps many miles away are not the greatest experts on the social organisation of valley communities.

Therefore, I ask the Minister what considerations are taken into account when a post office is scheduled for closure. Is it a purely commercial decision, or do the Government—a socialist Government—ensure that social considerations play a part? What consideration has been given to the effect of Government policies? The hon. Member for Blaenau Gwent has already noted the effect of benefit payments. Are such considerations taken into account or is the decision taken by the Post Office a purely commercial one? On the evidence that I have seen in my constituency and elsewhere, the Post Office seems to be operating on a purely commercial basis.

Lembit Öpik (Montgomeryshire) (LD): Is the hon. Gentleman aware that 13 million people use their local post offices to collect their pensions or benefits each year? That figure has decreased from 18 million in 2000, so 5 million customers have already been lost.

Hywel Williams: That is a highly significant fact. I am aware of the difficulties that some people face—or think that they face—in ensuring that payment is made over the counter. My colleagues in Scotland in the Scottish National party have led strong campaigns to ensure that such services are retained if that is at all possible.

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): Is it not the case that people can still claim their benefits over the counter in the post office?

Hywel Williams: In my experience, from talking to my constituents, the least simple method of acquiring benefits these days seems to be having those benefits paid in cash over the counter. It might be a debate for another time, but some people think that it is extremely difficult to access that sort of service and they are encouraged to find other ways of accessing it.

To return to my point about commercial considerations, I would say that it is inappropriate for only such considerations to be taken into account when local post offices close. Local communities have a responsibility in that regard. How should we respond to closures? We should oppose them to the best of our ability. The people of Blaenau Gwent are clearly taking their future into their own hands and I salute them for doing that.

In my constituency, Caernarfon, very few rural post offices have closed, and ~~none at all~~ have closed recently. I know that local community councils and the country council in my area have done their best to ensure that that continues in the future, but we need to offer practical alternatives. In my constituency, successful local small businesses have grown around the post office due to the resourcefulness of local people. There is a post office in my constituency, the West End post office in Pwllheli, where two young people have been able to acquire sufficient capital and have shown great enterprise and vigour. They have become a vital part of the local community by dint of their very hard work.

I also draw the House's attention to the long tradition we have in Wales of co-operative enterprises. The village hall in Mynytho in my constituency was built during the darkest days of the economic depression and saluted by the poet Robert Williams Parry, even though it was built during a period of poverty. If I could beg your indulgence for a moment, Mr. O'Hara, I shall quote a brief stanza:

"Adeiladwyd gan dlodi—cariad
Nid cerrig yw'r meini
Cyd-ernes yw'r coed arni
A chyd ddyheu a'i cododd hi".

That translates as:

"Built in poverty
Love is its masonry
Co-operations its timbers
Raised by our longing".

It was built at a time when the community was on its knees, but its spirit was unbroken. That is an example of the community pulling together in the most difficult of circumstances.

There are other notable examples in my constituency and in the village of Llanfrothen, which is in the constituency of my hon. Friend the Member for Meirionnydd Nant Conwy (Mr. Llwyd). I draw the attention of the House to Antur Aelhaearn, which was set up as a village co-operative in the 1970s. A producer co-op that, as far as I can tell, was set up without any significant state aid, it was promoted by a local GP and provided employment and important social regeneration to the dispersed local area of Llanaelhaearn. More recently—perhaps this is more appropriate to the debate—in the village of Llithfaen a local co-op has purchased the village shop and post office and has gone on to purchase the village pub. Llithfaen has one of the few co-operatively owned village pubs in the UK—certainly in Wales—and very good it is too. I encourage everyone to visit if they are in the area. That has been an example to the Welsh Affairs Committee, which came up to Llanfrothen and had a look at the community co-op and found it very instructive.

We have also had visits from people from south Wales. Recently, we were visited by local people from the Rhondda who were thinking of regenerating their own community and wanted to know how they could set up such co-ops in relation to their own post office and the village shop. There are positive alternatives: Welsh communities are pulling together and working with other Welsh communities. I finish by asking the Minister what steps the Government take to promote such vital community enterprises when a local post office is threatened with closure. Do we have to depend on the vision and hard work of a few local people? The Government have a responsibility.

10.8 am

Mr. Wayne David (Caerphilly) (Lab): I begin by congratulating my hon. Friend the Member for Blaenau Gwent (Llew Smith) on securing the debate. The issue is one of tremendous importance to people throughout the length and breadth of Wales. My hon. Friend has highlighted the situation in Ebbw Vale and its surrounding area, but there is also great concern in many other communities, north and south. In Llanelli, a closure programme has caused tremendous concern to local people. At this time, consultations on closures are taking place in such places as Bangor, Wrexham, Rhyl, Cwmbran, Newport, Pontypool and Abergavenny.

In my constituency of Caerphilly a post office in the small community of Rudry has closed. Rudry is a very small village, which is relatively prosperous, but its post office was a vital part of a small, relatively isolated community. Many elderly people have great difficulty in travelling to another post office, whether it is in Caerphilly, Newport or wherever, and undoubtedly the closure has undermined the quality of life of people in that small hamlet. Again in my constituency, there is concern about the post office in Ystrad Mynach, which was temporarily closed. Fortunately, because of the local postmaster's acumen and pressure from local people, it has reopened, and I am glad that that community service continues. None the less, there is tremendous concern the length and breadth of my constituency that perhaps we are seeing just the tip of the iceberg, that things will get progressively worse and that more post offices will close in the next few months and years.

I have been in contact and have had long discussions with Mrs. Ehrenzeller, who is the postmistress of my local post office in Trethomas. She has written to me at length about her view of the situation. She has pointed out that Trethomas is a fairly typical south Wales former mining village. It is a small community with an ageing population, and people are concerned about the breakdown of community spirit and the increase in antisocial behaviour. As my hon. Friend said, post offices are a vital part of the community in such villages. Elderly people especially like to pop out to meet their friends, have a chat and socialise. Irreparable harm would be caused to the area if the post office were to close. Also, let us not forget that there is, inevitably, a knock-on effect if a post office closes. Not only are jobs

[Mr. Wayne David]

lost in the post office itself but other businesses go to the wall. In Trethomas, as Mrs. Ehrenzeller has pointed out, the butcher up the road would close, as would the betting shop and the newsagent. In other words, the heart of a small community would be decimated. We are considering not only post office closures but the well-being of small communities everywhere.

Post offices undoubtedly face several serious problems, but I am told that part of the difficulty that they all face is the move towards direct benefit payments. On average, 40 per cent. of a post office's income comes from benefit payments and the transactions around them. There is a great deal of concern that a change promoted by the Government as part of their modernisation process is causing real difficulty for postmasters and postmistresses. In Trethomas, Mrs. Ehrenzeller said that she is not against change and that she recognises that modernisation must happen. Her concern is that post offices are not operating on a level playing field and that preference is given to banks and building societies rather than to individuals opening a Post Office card account. She would like assurances from the Minister that that is not the case and that, for example, when her customers ring the Post Office call centre for advice on which account they should have, objective information will be given to them about what would be best for them, rather than there being some hidden agenda to encourage investments via banks and building societies.

On that point, I would appreciate the Minister's assurance that there is in fact a level playing field and that if people wish to continue to receive payments in the way that they have always received them, or if they wish to open a Post Office card account, every facility will be provided for that to happen.

Mr. Sutcliffe: Let me answer that point, as there may not be time at the end of the debate. More than 1.5 million people have opened Post Office card accounts, and the Government believe that that number will increase. I assure my hon. Friend that the Government are assisting with Post Office card accounts.

Mr. David: I thank my hon. Friend for that assurance. It is important that that message is conveyed to the country, because there is a great deal of concern and some misapprehension. I welcome his assurance and shall certainly do my bit to ensure that the message comes across clearly.

In conclusion, the future of post offices is absolutely vital. The people who run post offices and their customers raise current cases with me, but there is also concern about the future—concern that is expressed by elderly people in particular. It is important that clear guidelines are issued to the Post Office to ensure that it does things properly, that any consultation is proper consultation and that every effort is made to ensure that such a vital part of our communities is sustained. We must also ensure that there is close co-ordination with the devolved institutions that are in play in Scotland and in Wales so that they are able to work with central Government to ensure that post offices continue to operate for the benefit of our constituents.

10.16 am

Lembit Öpik (Montgomeryshire) (LD): Back in 1909, the Liberal party and that great Welshman, David Lloyd George, introduced pensions to the British public. Therefore, I feel that my party has a particular duty as guardian of the interests of the elderly and of the methods by which they get their pensions and other benefit payments. It is for that reason that Welsh Liberal Democrats are especially concerned about the threat to post office outlets across Wales and, indeed, the United Kingdom. It seems that the restructuring programme will result in 2,000 to 3,000 post office branch closures in the UK during the next three years. As has already been mentioned, the in Wales Post Office proposes to close 154 sub-post offices out of a network of 440 branches, or one in three outlets. That is a really shocking cut in this important service.

The number of post office branches has been declining for some time. In 2001–02, 74 per cent. of closures took place in rural areas—four times as many as in urban areas. The Cabinet Office performance and innovation unit estimated that only 40 per cent. of rural branches generated enough income to break even, and that 56 per cent. of rural post offices were serving fewer than 70 customers a week, but that is the language of the accountant, not the language of a caring Government. The fact that the post office is often the only service left in rural settlements gives it a special, even unique, place in community life in rural Wales. Post offices often keep the last village outlet open—in fact, 80 per cent. of rural post offices run alongside a shop. The social support that they provide to the community and to vulnerable groups cannot be compared with the behaviour and the responsibilities of many other outlets. The hon. Member for Blaenau Gwent (Llew Smith) made that very point. My colleague Jenny Randerson, the Assembly Member for Cardiff Central, said in a debate on 8 October 2003 in the Welsh Assembly that the matter is of very serious concern. Welsh Liberal Democrats certainly take it seriously. The hon. Gentleman and I belong to different parties, but, as he rightly said, this is a far more important matter than simply an opportunity to have a pop at the Government. For that reason, we all implore the Minister to think again about whether the Government's strategy is right.

We must remember that the Post Office remains a company that is wholly owned by the Government. It has not been privatised, but it is treated as though it has been. If they wanted to, the Government could halt the closure process tomorrow simply by treating the Post Office not only as a commercial operation but as a service to the public. That service provides not only stamps and parcels, but pensions and benefit payments to some of the most vulnerable people in society. It is not only in rural areas but across all of Wales and the UK that post offices and their staff provide a kind of unofficial community centre for regular clients. For example, staff in urban areas also check on elderly people who fail to collect their pensions. I am sure that there are examples from all constituencies of a postmaster or a member of post office staff who has literally saved the life of one of their customers.

The Government have changed payment methods for pensions and benefits under the banner of modernisation. That is not the main focus of our debate, but it is clearly connected. In so changing, or modernising, the payment method the Government have taken many steps to discourage people from collecting their money from the post office. All the Government literature insists on promoting bank accounts rather than post office accounts. People who are concerned about the high-pressure tactics that may be applied by banks have come to me, and I, too, am concerned that many new bank customers are on limited incomes and do not feel comfortable about the change. In Wales, a higher than average number of people still collect their pensions and benefits directly from the post office, and those people will be badly hit by post office closures.

Mr. Sutcliffe: The hon. Gentleman will accept that people can still claim their benefits over the post office counter. That has not changed in the sense that people still have that option.

Lembit Öpik: I will talk about the Minister later, so I do not want to dwell on that point at the moment. I will have some kind words for him as an individual later.

The Post Office proclaims that 95 per cent. of people will still live within one mile of a post office. However, the other 5 per cent. consists of hundreds of thousands of people around the country, many thousands in Wales alone. A mile is a long way for a pensioner. My mother is not blessed with great mobility and she lives in the countryside; to expect her to travel a considerable distance would be an unreasonable burden. My party accepts that change is needed and that people may find it more convenient to have their pensions paid into their bank account, but that is not the issue. The issue for us is the sheer scale of the destruction of the post office network in Wales. We think that that is the unacceptable difficulty in the strategy that the Government are allowing to be implemented.

The Minister said that members of the public can still have benefits paid to them across the counter. Here come the kind words: I have a lot of respect for the Minister and I do not hold him personally responsible for the Government's misguided approach to post office closures. I see him as the potential solution to the problem, because if there is one Minister who is willing genuinely to listen in the big conversation that the Government have started, it is he. The difficulty for me is not the Minister who is present here today, but the fact that I have not heard any Minister assure us that the big conversation involves listening as well as talking. The Minister has a chance to prove that we can be optimistic about the big conversation by responding in his winding-up speech to the many requests for a more open approach towards dialogue when it comes to closures.

On payment methods, the Minister is technically correct about people still being able to get money across the counter, but let us be honest: the Government certainly have not made the process of applying for the Post Office card account particularly easy. The process involves eight steps and requires the customer to make a telephone call to the Department for Work and Pensions, fill in two different forms and make two trips to the post office branch. The Post Office agrees that the process involves more steps than opening an ordinary bank account and says that the procedure was set down by the Department for Work and Pensions. It says that a simpler system could be established, involving opening a card account in one transaction at a post office, but that has not been instituted, so the complexity remains for many people, who will be naturally put off by having to take all those steps.

My next point is still more worrying. Others Members may have received a letter from the Communication Workers Union with a copy of a Department for Work and Pensions document that it has obtained. That document explicitly states the Government's true concerns . It states that in the past, due to political and commercial constraints, many "soft" messages were issued, but that the Government are now making it clear that they want nine out of 10 customers to have payments paid into bank accounts, for which the cost is 1p, rather than Post Office card accounts, for which the cost is at least 30 times greater. The document goes on to list a number of messages that emphasise that Post Office card accounts are not the best option for customers. A person does not have to be a genius to appreciate the consequence of the pressure to move to the accounts. Money will be taken out of the direct incomes of post offices and that will make it much more difficult for them to sustain their economic viability. In fact, the move to direct payments will mean that many post offices could lose up to 40 per cent. of their income. Post Office Ltd. will no longer receive more than £400 million of income annually from the Benefits Agency—some of which is used for sub-postmaters' salaries and for the costs of central support.

It is not only that Post Office card accounts are not the best option for customers—they are not even the best option for Government, because they incur costs for every Post Office card account opened, although, admittedly, the lower the take-up, the lower the cost. Paying benefits into a Post Office card account costs 30 times more than paying them into a bank account. However, if the Government's motivation involves taking the social consequences of closures into account, they should recognise that the money that goes into post offices and is used for the salaries of post office staff is in a sense a social payment and a benefit to the whole community. It seems, however, that the Government's true motivation for not promoting the Post Office card account is to reduce Government expenditure, rather than the desire to meet the basic financial needs of benefits recipients and to take account of the social consequences of closures.

My party is also concerned about the consultation process. We heard a brief, but dramatic, history from the hon. Member for Blaenau Gwent, whom I congratulate on having secured the debate. He illustrated how hard it has been for Assembly Members and Westminster MPs to become involved in the process. Many have discovered to their horror that the consultation is not about whether a branch is to be closed, because that decision has already been made, but about the details of the closure. That is completely inappropriate and disrespectful to the democratic institutions of our country. In addition, the process

[Lembit Öpik]

involves sub-postmasters volunteering their branches for closure in return for a slice of compensation. We cannot blame people for making economic decisions. Again, we return to the point that the Government have the alternative of employing a different strategy, one that takes accounts of social consequences.

The Government deny the problem. The Secretary of State for Wales, in his capacity as Leader of the House of Commons, said that

"the phenomenon has being going on for decades; it is not particular to our Government, and is the outcome of many different factors."—[*Official Report*, 30 October 2003; Vol. 412, c. 441.]

However, in its first annual report on the network, Postcomm, the industry regulator, said that in 2000–01 there was a faster rate of decline in the number of post offices than ever before. In the 1990s, under Conservative Governments, approximately 200 UK post offices per year closed; in 1999–2000, under the Labour Government, there were 380 closures; and in the first nine months alone of 2000–01, there were 434 closures. Closures in Wales closely mirror the national picture. In March 1999 there were 1,501 Welsh post offices, and by March 2000 there were 1,459, and so it goes on. That is a rate of 50 post office closures in Wales every six months. I challenge the Minister to give an assurance that he acknowledges that the rate of closures has increased in the past few years.

On the promotion of Post Office card accounts and other services intended to generate income for post offices, as set out in the performance and innovation unit's report "Counter Revolution", the Government say that they are promoting those things, but they are not. My plea to the Minister is to recognise that, in the face of such cross-party concern on this issue, perhaps some alarm bells should be ringing. Perhaps the Government should be listening and pick up on the fact that, although we have had words of reassurance from the Secretary of State for Wales and others, that reassurance falls on stony ground at the point at which customers see their services decreasing.

I ask the Government to recognise that even the Assembly has been trying to stave off some of the impact of the financial pressures that are causing closures, and I ask them to be sympathetic to the need to support the economic drive to support post offices. More fundamentally, I appeal to the Minister to take heed of campaigns—such as the one in my area, which involves the *County Times & Express* newspapers—that aim to protect the use of pension books and other methods that local people regard as a genuinely effective way of ensuring that people go into their local post offices. Will the Minister indicate that he is willing to listen to the concerns of *County Times & Express* readers and the organisers of such campaigns about the importance of ensuring that the services that remain are sufficient to ensure that post offices remain open? We have heard much about the big conversation, but true conversation is a dialogue. The voice of local people in rural areas says no to closures. I know that the people of Wales do not feel comfortable about the closure rate of local post offices, and its acceleration. I will wait to see whether the Government really are listening, and, in that context, I look forward to the Minister's reply.

10.29 am

Mr. Bill Wiggin (Leominster) (Con): The Government's move to direct payments of benefits and pensions in their automated credit transfer policy has resulted in a loss of £400 million to total Post Office income. The Government's threat to the financial viability of our post offices has been backed up with failing and unhelpful subsidy programmes. They are providing £350 million over three years, but the Post Office is losing £400 million a year.

Rural post offices are most important, as they comprise 70 per cent. of the post office network in Wales. They play an important role in each small community, as residents depend on them for not only stamps and letters, but pensions and benefits. It is also a place where they can pick up shopping at the same time. The proposed closure of the Blaenau Gwent post office will massively affect the ageing population and the high numbers of disabled people and young mothers. There are poor or non-existent levels of public transport, and low levels of car ownership in the area, so many people will have to spend money on taxi fares simply to collect their pensions or benefits. Post offices in rural communities such as those in Wales serve multiple purposes and are a central force in the community.

The payment of pensions and benefits is a necessary post office function, making up 40 per cent. of branch income, but the Government have taken that away. Their response to the large income gap is insufficient, and it has a minimal impact on post office regeneration and survival.

Mr. Sutcliffe: Will the hon. Gentleman give way?

Mr. Wiggin: If the Minister is going to tell me that it is the people's fault, I will happily give way.

Mr. Sutcliffe: I will certainly not do that. I am sorry to intervene so early in the hon. Gentleman's speech, but I wanted an answer to the question of whether he is against people being able to choose to have their benefits paid into the bank.

Mr. Wiggin: I do not believe that the Minister noticed that I was careful to point out that the level of subsidy provided by the Government in their sticking-plaster solution to the problem is inadequate. It is not a question of customer choice, and that is why I challenged him when he sought to intervene. He did not answer that question, but perhaps he will think about it and include it in his winding-up speech.

On 15 November, the Government announced the Post office development fund, which is a £150 million-a-year package of subsidies for rural post offices up to 2006. The Welsh Assembly made £2.5 million available for the fund until 2005. That was to sweeten the bitter pill of the announcement by the Post Office at the start of the year that 150 out of 1,355 post office branches across Wales will be closed over the next three years. The fund, which was to help the most isolated and deprived rural post offices in Wales, has been suspended by the Welsh Assembly until next year, in what the Labour party claims is a period of reflection.

Post offices could have applied for grants of up to £50,000 for refurbishment, investment and staff security in order to secure their business viability. The Assembly has put the grants on hold until January. That means that many post offices that have applied for grants will not receive a decision until the new year and receipt of the money will take months longer. Glyn Davies, AM, said:

> "This is a shambolic situation. Why is this so-called stocktake taking place now, a year into the scheme? Why weren't things resolved before it was launched?"

Even if £450 million is to be spent over the next three years, it does not explain how those businesses are to be made viable in the longer-term. My hon. Friend the Member for South Suffolk (Mr. Yeo) said:

> "Labour's promised solution will not make these businesses viable, it will not allow benefit recipients to receive payments in cash, it will, however, spend £450m of public money in an attempt to cover up the consequences of Government mistakes."

Let us not forget the Government's 2000 rural White Paper "Our Countryside: The Future—A Fair Deal for Rural England", which promised to prevent any avoidable closures of rural post offices. In the following year, there was the fastest rate of decline in the number of post offices ever seen, with four times more closures in rural areas than urban areas. Rural post offices in Wales and across the UK are closing because they are hit hardest by a 40 per cent. loss in their income through the loss of revenue from paying pensions and benefits, but if we consider urban branches in Wales, we see that, despite the promises, the rot has set in there too. For urban branches, the Government have set aside £30 million for the reinvention of urban networks to make them "bigger, brighter, better". However, set aside is the operative phrase, as only £1 million of the £30 million earmarked for "bigger, brighter, better" has been committed, and we are currently halfway through the scheme. It is a closure programme, not a reinvention programme.

In theory, following public consultation with Postwatch, the Post Office makes a commercial judgment about the offices with the best and worst prospects. Using a device called brokering, the idea is to optimise coverage and access to branches with the best commercial future. It helps to decide between volunteering closures and those that must stay open for coverage, or those that must close because they are too weak. In practice, there is no brokering mechanism in place; instead, post offices that are volunteering to shut are driving the closure programme. The programme is not as strategic as it should be, and that concerns Postwatch. The problem is that the Post Office is immediately closing those post offices whose sub-postmasters go voluntarily and receive compensation, whereas often that branch is not the one that needs to close. There needs to be proper consultation, in which sub-postmasters who are not going voluntarily but who are in a weak office move into branches that are voluntarily closing but are more socially and financially viable.

The Post Office is cutting corners in order to achieve as many closures as possible without proper consultation. A programme generated by those volunteering to close at the taxpayer's expense is compromising consumer needs that are based on an optimised network. The concept of reinvention is instead a straight closure programme. That unsatisfactory flaw has seriously threatened the credibility of the so-called reinvention programme. It is neither open nor fair, and the consultation process is unacceptable. In order to remedy the credibility of the Government's bodged closure programme, we suggest that they do not automatically allow sub-postmasters who go voluntarily to determine that their branch will close. Some offices that volunteer for closure should be kept open to ensure proper coverage. It is vital to introduce a proper brokering mechanism. The Post Office must engage in earlier consultation with politicians and local authorities in order to act upon their concerns.

The Government's contradictory aims, statements and actions highlight the true extent of their threat to post offices in Wales and across the UK. The Government's response to the Trade and Industry Committee's 11th report on "People, Pensions and Post Offices: the impact of 'Direct Payment' on post offices and their customers"—I note that there is to be a debate on that subject on Thursday—states that they believe that the Department for Work and Pensions is providing sufficient information about Post Office card accounts and that there is no evidence that customers are being put off from applying for Post Office card accounts. If that is the case, why does a recently published Department for Work and Pensions document entitled "Direct Payments" boldly emphasise that Post Office card accounts are

> "probably not the best option for customers"?

Why does that document clearly state that its aim is to get nine out of 10 new claimants immediately on to direct payments in order to meet business case requirements? It completely contradicts the Government's response and it is exactly what they promised they would not do. The hon. Member for Montgomeryshire (Lembit Öpik) mentioned that in his speech.

The Department for Work and Pensions document underlines the significant difference between the Government's declared position on direct payments in relation to post office closures, and the reality of the implementation of policy by the Department. I believe that it reflects the Government's decision bluntly to ignore the fact that accounts at post offices generate essential income for sub-postmasters. It is ironic that the Labour party accuses Conservative Governments of having threatened rural post offices, given that its compulsory automated credit transfer policy introduced in April 2003 has dramatically increased the closure of sub-post offices.

Between March and September, 37 post offices were closed in Wales. Closures involved 25 urban and 18 rural post offices. Across the whole of the UK within the same six-month period, 547 post offices were closed, with 484 closures under the urban reinvention programme. The Government's policy is failing. They are throwing subsidies at it to hide their mistakes, but the truth is that their policy presents a clear threat to the survival of post offices in Wales.

10.38 am

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I congratulate my hon. Friend the Member for Blaenau Gwent (Llew Smith) on securing the debate on the post office network in Wales. He has described the issues that affect the post offices throughout Wales and the importance that communities attach to access to post office services. The issues that have been raised are relevant to every Member of Parliament, and I welcome the opportunity to respond to the points that he and other hon. Members have raised.

I congratulate the hon. Members for Caernarfon (Hywel Williams), for Montgomeryshire (Lembit Öpik), and for Leominster (Mr. Wiggin) and my hon. Friend the Member for Caerphilly (Mr. David) on their contributions to what is an important debate, judging by the strength of feeling that it generates. I acknowledge the work done in his community by my hon. Friend the Member for Blaenau Gwent. He is solidly behind his constituents and I shall deal with his concerns in my speech.

I assure my hon. Friend that the Government are committed to maintaining a viable nationwide network of post offices. We fully recognise their importance as a focal point for local communities, particularly for elderly and less mobile customers. I am also pleased to reassure hon. Members that we are committed to ensuring that benefits recipients can continue to collect their entitlement in cash from the post office if they wish. I shall come on to specific points about the post office branches in my hon. Friend's constituency in a moment, but I wish first to explain that the recommendations of the performance and innovation unit's 2000 report form the basis of the Government's policy for the post office network.

The performance and innovation unit's report was an in-depth study of the state of the Post Office and made 24 recommendations on how the network can be sustained. It was widely welcomed, particularly by the National Federation of Sub-Postmasters and the consumer watchdog, Postwatch. We accepted all the recommendations that were made, which included that, if the Post Office decided that fewer offices were needed in some urban areas, the Government should consider providing funding to ensure that those sub-postmasters who were affected could be compensated adequately for the loss of their business. Last November, following parliamentary approval of the funding, Post Office Ltd. initiated its urban network reinvention programme.

Many hon. Members voted in support of the Government's funding of the Post Office's programme under the terms currently proposed by the company, which is to close the seven urban offices to which my hon. Friend referred. He has been diligent in representing the views of his constituents and those who will be most affected by the closures if they go ahead. However, it is important for hon. Members to recognise the difficult conditions that the Post Office faces. We shall need to work constructively with the company to ensure that we can achieve the aim of ensuring a viable network for the future. In the past financial year, Post Office Ltd. made losses of £194 million before exceptionals; in the preceding year, losses were £163 million. The Post Office has again reported significant losses of £91 million in its recently published half-year results. During the years of Conservative Government, 3,500 post offices were closed, so it was increasingly necessary to take decisive and urgent action.

At present, the network of post offices is made up of 16,500 branches, which is more than all the banks and building societies in the country put together. More than 1,000 urban sub-post offices have at least 10 other post offices within a mile. Sub-postmasters have been finding it increasingly difficult to earn a reasonable income from their businesses and have been leaving the network. Without rationalisation of parts of the network to improve its sustainability, there will be an unmanaged decline as individual postmasters continue to shut down and leave. That would bring on the real prospect of serious gaps in provision opening up, which would be much more damaging to the interests of communities and to the viability of the network as a whole than the current managed process.

My hon. Friend the Member for Blaenau Gwent referred to Mr. Dave Barrett, who, I must put on the record, is the Post Office area manager for Wales and has responsibility for decisions and closures. He leads a team of staff who draw up the proposals. He has visited local communities, but I accept the point raised by my hon. Friend about his ability to speak to Mr. Barrett.

Llew Smith: Mr. Barrett addressed a demonstration yesterday. He was asked whether he had visited each post office in Blaenau Gwent, to which he replied, "Definitely, yes." Another constituent asked, "Well, if you visited the community and each and every one of the post offices, can you tell me the position in Garnlydan?". Mr. Barrett replied, "Ah, I haven't visited there." Some of the people on the demonstration were angry, but I said that we must thank Mr. Barrett because at least he admitted that he is a liar.

Mr. Sutcliffe: I note the points raised by my hon. Friend. Clearly, the matter is of concern and I shall return to it in my speech.

A serious contraction in the customer base has affected Post Office Ltd. and the financial standing of the business of the individual sub-postmaster and sub-postmistress. The company has been slow to develop new income streams and offices have become over-dependent on making benefit payments. More than 43 per cent. of benefit recipients already choose to access their benefit payments via bank accounts rather than by order books, compared with 26 per cent. in 1996.

It is essential for the post office network to adapt to changing lifestyles, changes in people's preferences and new ways of doing business. With profitability in the network as a whole declining, the ability of sub-postmasters to sell on their businesses—the way in which people have moved on in the past—has taken a severe knock. Without a managed programme, there is a great danger that haphazard closures brought about by sub-postmasters choosing to leave, or by Post Office Ltd. not being able to attract a suitable replacement when a sub-postmaster had left, would continue.

Lembit Öpik: I am sure that the Minister will come to my more detailed points later, but he said that it is important that the Post Office adapts to people's preferences. Unquestionably, one of those preferences is to maintain the pension book. Is he saying that, being sympathetic to that wish, post offices should be allowed to maintain them?

Mr. Sutcliffe: I said that people should have such a choice and continue to do so. That has been set out in the various announcements made by the Government through the Department for Work and Pensions and the Department of Trade and Industry.

I turn now to the urban reinvention programme. Initially, closure proposals under the Post Office Ltd. urban reinvention programme were focused on single offices known to be most at risk of closure because of poor viability, in order to minimise the possibility of unplanned closures occurring. The company accepted that there was much uncertainty about the future shape of the network and has now undertaken to produce its proposals on an area-by-area basis, using each parliamentary constituency or geographical groupings of them. In its recently published report on the post office network, the regulator, Postcomm, commended Post Office Ltd. for its constructive response and welcomed the more co-ordinated approach, as did the Trade and Industry Committee, whose report we shall be discussing on the Floor of the House on Thursday.

Producing an area-wide plan of post office provision in the constituency of my hon. Friend the Member for Blaenau Gwent brings the benefit of giving a clear view of the level and location of service provision at the end of the urban reinvention programme in a given area. We will know what the position is, but I take note of the points raised by my hon. Friend, especially his comments about consultation. It is vital that the views of Members of Parliament and local authorities about the wider plans are taken into account. That is important in ensuring that the offices in my hon. Friend's constituency are sustainable and are in the right locations for his constituents. In addition, such a process helps to reassure sub-postmasters about their prospects and should therefore help guard against further unplanned closures. I understand that, to minimise further uncertainty, Post Office Ltd. will also bring the programme forward by a year with the aim of completing all public consultations by the end of December.

I recognise what my hon. Friend said about the comments of my right hon. Friend the Secretary of State for Wales and my hon. Friend the Under-Secretary of State for Wales. I am concerned that no frank consultation is taking place, so I shall speak to my right hon. Friend about his remarks and give any support that I can to ensure that full and proper consultation takes place.

Llew Smith: I assume that the Minister is aware that the time in which to take such action is limited, given that the consultation process ends in a few days. Until now, there has not been any consultation or dialogue.

Mr. Sutcliffe: That contradicts my information. I understand the answerable case to which my hon. Friend referred. However, for my right hon. Friend the Secretary of State for Wales to be so clear about his views, he must have concerns, given that he received representations from my hon. Friend and others yesterday. There must be some doubt about the detail of the consultation process. If that cannot be completed within the time limit, which I understand is 16 December, I expect an extension to be made. I am sure that my right hon. Friend will make recommendations based on the information that he received yesterday.

It is important to note that, in accordance with the code of practice on branch closures, every proposal is supposed to be subject to public consultation. The consumer watchdog, Postwatch, has a key role in the process. My hon. Friend the Member for Blaenau Gwent was critical of the role of Postwatch, but it is looking at the situation nationally and will be making representations to Post Office Ltd. at the end of consultation period. That is why we are considering the research and Postwatch's views in respect of the consumer and how it should respond to the plans of Post Office Ltd.

Llew Smith: I accept that Postwatch has to carry out the necessary research, but the people in the community have the information. When I said that I was an expert and that people in the community are even greater experts, I meant not to sound arrogant, but to reflect the fact that we are part of the community. While we expect Postwatch to do the research, we must realise that the consultation comes to an end in a few days and that the research will not be completed because there will have been no opportunity to respond to local people. There is a time problem.

Mr. Sutcliffe: I understand that, but there will be an opportunity for Postwatch to respond on a national basis to the national closure programme and to have a view about that. Within the consultation period, Postwatch managed to get Post Office Ltd. to extend the consultation period from four weeks to six weeks. I support the way in which my hon. Friend has addressed the consultation process. I acknowledge that he does not believe that it has been a frank process, but the fact that he is supporting his community and that other colleagues are raising issues in the way that they are means that the concerns that people have raised should get across to Postwatch and Post Office Ltd.

I acknowledge my hon. Friend's description of his constituency and of the wider problems facing it. He knows about the plans for the offices in his constituency because he is heavily involved in that, but I am sure that he will forgive me for not naming each of those offices—[HON. MEMBERS: "Go on!"] I am forced to have a crack at naming them: Badmington grove, Beaufort hill, Cefn Golau, Garnlydan, Rassau, Waunlwyd and Willowtown. As my hon. Friend said, these proposals have generated great local interest, as is evidenced by the public demonstrations outside the Ebbw Vale office last Thursday and yesterday and by the petition that I understand was presented to the local Post Office area manager.

The Post Office says that it entered into public consultation on its proposals for my hon. Friend's constituency on 5 November, with a closing date for representations on 16 December. The Government do not normally play a role in such decision-making processes. It has been the policy of successive

[Mr. Sutcliffe]

Governments that decisions relating to individual branches are operational matters for Post Office Ltd. However, I will tell the Secretary of State about my hon. Friend's concerns. During the consultation, important points were raised by my hon. Friend, the customers who use the offices concerned, and Postwatch. They will have to be given due consideration by the management of Post Office Ltd. before decisions are made.

It is important to note that once decisions on the proposals have been reached, Post Office Ltd. has no intention of returning to my hon. Friend's constituency with any further proposals. The company maintains that if the proposed changes go ahead, it will have fulfilled its objectives by ensuring that there is the right level of service in the area for the level of custom. Those decisions are an operational matter for Post Office Ltd.

Llew Smith: If I heard the Minister correctly, Post Office Ltd. does not intend to return to my constituency and bring about another closure programme. That is diametrically opposed to its warning in its consultation document. I do not think that Mr. Barrett has read that document—although I pay him the compliment of saying that he can probably read—but I have read it, I know what it says, and I have repeated its comments.

Mr. Sutcliffe: I acknowledge my hon. Friend's point. The point that I am making is that Post Office Ltd. is saying that if its proposals go through, it will not come back for a second bite. It is clear that my hon. Friend does not agree with that, and that he will pursue the consultation in the way that has been outlined today.

Mr. Wiggin: Will the Minister say what the time scale will be?

Mr. Sutcliffe: That is difficult. Yesterday, my right hon. Friend the Secretary of State for Wales met a delegation from the constituency of my hon. Friend the Member for Blaenau Gwent, who stridently stated that there is an unanswerable case for these offices not to be closed. Therefore, I expect that it would be difficult to get through the necessary frank discussions by December 16—which is the current time scale—as it is now 9 December. However, I cannot second-guess what my right hon. Friend will say to me, or how he will pass his message on to me, as a result of yesterday's meeting. I will wait to hear his comments. I have had an informal chat with my hon. Friend the Under-Secretary of State for Wales, who has described concerns about his own constituency with regard to the proposals.

These decisions are best left as operational matters for the Post Office. It would be neither practical nor appropriate for the Government to become involved in the process itself. It is important that Postwatch acts as an effective customer champion in this programme. The Government have ensured that Postwatch receives sufficient funding to carry out its important role in examining each proposal and monitoring the programme.

An additional element of the urban reinvention programme is the £30 million that the Government have provided for modernisation and for adapting those offices which remain in the network. The key to improving standards in those offices will be the increased volume of business that they can expect, but the grants of up to £10,000 for each office that expects to take on a significant number of additional customers—to be matched by the same sum from the sub-postmaster—will be an important boost, too. I understand that if the current proposals for the offices in the Blaenau Gwent constituency go ahead, there will be an investment of more than £30,000 in the offices that are expected to receive an increase in custom as a consequence of a nearby closure. The Post Office will generally require the receiving offices to improve their facilities and to extend their opening hours so that, increasingly, sub-post offices will maintain the same hours as the associated retail businesses that run alongside them, thereby improving their service to customers. I should make the point that that is the first ever programme of Government investment in urban sub-post offices and that it is an additional measure to those recommended in the performance and innovation unit's report, which started the whole process.

In agreeing to fund compensation payments to sub-postmasters whose offices are closed under the urban reinvention programme, we have asked Post Office Ltd. to ensure that after the programme 95 per cent. of the urban population will still be within a mile of their nearest post office. We have also asked the company to ensure that, except in exceptional circumstances, its urban reinvention proposals do not include offices in the most deprived 10 per cent. of urban wards where there is no other post office within half a mile. That may affect my hon. Friend's constituency.

In accordance with another of the recommendations of the performance and innovation unit's report, the Government have made available support for post offices in the most deprived urban areas that are at risk of closure. In England, a £15 million deprived urban post office fund operates in the most deprived urban areas and is administered by the neighbourhood renewal unit of the Office of the Deputy Prime Minister.

In November 2002, the Welsh Assembly announced an equivalent scheme with the aim of supporting a viable post office network across Wales. The Welsh Assembly scheme is structured more flexibly in its coverage to accommodate some of the particular considerations to which my hon. Friend the Member for Blaenau Gwent has referred in order to include isolated offices as well as those in deprived urban areas, but the support that is available takes the same form as that introduced for England by the Office of the Deputy Prime Minister. Some £2.5 million has been allocated to provide for grants of up to £50,000 to develop and improve post office and associated retail facilities. I understand that under this scheme a grant of just over £28,000 has been awarded to the Llanhilleth post office in my hon. Friend's constituency. The grant will be used to improve and renovate the shop frontage, including a ramp allowing for disabled access, the refurbishment of the post office area and the installation of a new security counter.

I am aware that I have not answered every question that has been raised. Hon. Members made detailed comments, and I will write to them to ensure that their points are properly addressed. However, given the time that remains, it is important to reflect on what my hon. Friend has said about the position in his constituency and in Wales. I acknowledge and take note of the views of the Welsh Assembly. Post offices are important to our communities for the reasons that I have described. I would like to make sure that appropriate consultation takes place—that people fully understand the reasons behind the post office proposals and that they are included fully in any consultation that takes place. It is important that the Government make sure that people have the right to choose whether they want benefits to be paid across the counter or into their bank accounts, and it is important that Members of Parliament who make representations on behalf of their constituents are fully involved in the consultation process. If that does not happen, Post Office Ltd. will have made a mistake. I hope that Post Office Ltd. and Postwatch will examine our debate and ensure that they learn from the exceptional contributions that have been made by hon. Members who feel that the post office network needs to be sustainable and viable and that it must meet the needs of local communities.

Midwifery

11 am

Mr. Kerry Pollard (St. Albans) (Lab): I am grateful for the opportunity to debate the very important subject of maternity services. I shall focus in particular on the role of midwives.

I have seven children, five of whom were born at home with the help and support of our local midwife, so my family are big fans of midwives. I was recently honoured by being appointed as a fellow of the Royal College of Midwives. That is an honour that I greatly prize, although perhaps it should have been awarded to my wife.

The Select Committee on Health has taken a keen interest in midwifery. It has made several important pronouncements that it considers helpful to potential mothers and to the health service generally, which have the full support of the Royal College of Midwives. The Select Committee believes that midwifery is still too medicalised and based in the acute sector, and that it needs to be brought into a community setting. My family experience fully supports that contention, and a low-risk birthing unit at St. Albans city hospital, like the one at Edgeware, would be an ideal way of delivering that.

The Select Committee also suggested making midwives, instead of GPs, the first point of contact. That would establish at the beginning of the pregnancy the important relationship between the mother-to-be and the midwife. It would also remove an additional burden from the GP, and would recognise the midwife as a professional in her own right. It has the added benefit of making midwifery a much more attractive career option.

A big problem with midwifery, as with other caring professions, is the shortage of qualified practitioners. The Select Committee has noted that, and the Secretary of State for Health has singled it out as an issue of concern for the Government. The average age of midwives is going up. As midwives retire, they are not being replaced by younger midwives. The average entrant to midwifery tends to be older: often a mother returning to work after having children of her own. Strategies need to be developed to attract more people into midwifery. I look forward to hearing any thoughts that my hon. Friend the Minister has in that regard.

I want to focus on our local situation, in which we have a first-rate team of midwives. Two years ago, our special care baby unit had to be shut down due to lack of staff—not because of funding problems as used to be the case in years gone by. There was an inability to recruit, so the unit was transferred to an expanded unit in nearby Watford hospital. Many of us worked hard to re-establish the closed unit, and none worked harder than my hon. Friend the Member for Hemel Hempstead (Mr. McWalter). I am pleased to say that about nine months later we had the privilege of welcoming Dame Karlene Davis, general secretary of the Royal College of Midwives, to open a brand new, low-risk birthing unit, which is now operating well.

I would like to see an equivalent unit opened in our own St. Albans city hospital to complement our other excellent units, such as the minor injuries unit run by

[Mr. Kerry Pollard]

Sister Rita Dunkerley, the day surgery unit run by Sister Eileen Kent and all the other services run for our local community by dedicated professionals. Our local primary care trust is doing sterling work, and it is my hope that before too long it can make a foundation status bid for St. Albans city hospital, which can then be run by local people for the benefit of local people—a winning combination.

We were grateful for a recent visit from my hon. Friend the Minister to St. Albans city hospital. He was fact finding and getting to know his new regional responsibilities. He was well received, and all the staff were grateful for his visit. Only two weeks ago, the Secretary of State for Health also visited St. Albans city hospital. He met many members of our team of professional health workers—consultants, sisters, nurses and ancillary workers—and he spent more time talking to them than doing anything else. He also toured our hospital and chatted to Sean, who was having a splinter removed from under his thumbnail in our minor injuries unit.

While he was with us, the Secretary of State opened a brand new orthopaedic operating theatre. We now have five fully functioning theatres, with supporting wards, that are able to perform many more routine operations, thus reducing waiting lists and leaving the acute hospitals to carry out more complex operations. A figure approaching £1 million has been spent on those new facilities. That is in addition to a new hydrotherapy pool and other rehabilitation facilities for those recovering from strokes. Facilities are much improved, and more are to follow.

Recently, a full consultation exercise was undertaken by the strategic health authority on the future of our acute services throughout Hertfordshire and Bedfordshire. I am pleased to say that there was a big majority in favour of option two: the provision of a new acute hospital to serve south-west Hertfordshire, which would be situated adjacent to my constituency. I am also pleased to report to my hon. Friend that every PCT in the two counties except one voted for option two. I hope that the Secretary of State for Health will approve option two, so that I can look forward—in a few years time—to his opening our new hospital linked to a medical school at the nearby university of Hertfordshire.

11.5 am

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I congratulate my hon. Friend the Member for St. Albans (Mr. Pollard) on securing this debate, and on the work that he has done on behalf of midwives and maternity services. I had not appreciated that he was a fellow of the Royal College of Midwives, which is a considerable honour given by an impressive organisation. On hearing that he has seven children, I wondered whether it was given as a loyalty bonus to one of its best customers.

We all know that midwives are key members of the maternity service team, and that they play an important role in the provision of high-quality maternity care in the national health service. They are key to ensuring that women and their families receive appropriate information to help them to make choices during their pregnancy and childbirth. Midwives are rising to the challenges that we have set to tackle health inequalities, and to modernise NHS maternity services. I would like to express my personal gratitude to them for the wonderful work that they do.

In recent years, there has been an increase in the number of midwives working in the national health service, and we hope to encourage 500 midwives to return to practice during 2003–04. So far this year, 173 midwives have returned or are returning to the NHS.

My hon. Friend raised some concerns about the recruitment and retention of midwives. I frankly acknowledge that progress in increasing the number of midwives has been slower than we had hoped. By no stretch of the imagination am I ignoring that. Indeed, just a couple of weeks ago, Sarah Mullally, chief nursing officer, hosted a summit with key stakeholders, including representatives from the Royal College of Midwives, NHS managers, midwives themselves, obstetricians and users of maternity services. The purpose of the summit was to explore the main barriers to increasing midwife numbers in the NHS, and to identify what needs to be done to tackle that.

I attended the summit, and I made it clear that progress was not acceptable and that radical and ambitious thinking was needed. I also threatened them by saying that if the proposals that came out of the summit did not work, I would keep calling them back until they came up with plans that would work. In the event, the team developed a package of measures that will help considerably. I am grateful to those who took part in discussions for their assistance and commitment to continuing to work with the Department of Health and the Government to ensure that we get more midwives into the NHS, and keep them there. I am particularly pleased to tell my hon. Friend that the Royal College of Midwives has given its commitment to work with us directly to take the action required.

The summit produced a six-point action plan. I am grateful to my hon. Friend for securing today's debate because it gives me the first opportunity to place the action plan in the public domain. First, the summit identified the issue of leadership. We know that good midwifery leadership is crucial to our being able to modernise maternity services and midwifery care, and to ensuring that midwifery in the NHS is an attractive option. We have asked the leadership centre to ensure that there are appropriate leadership programmes for all midwives, and that appropriate succession planning is in place.

Secondly, we want to examine the geographical variations. We know that areas around the country find it difficult to recruit and retain midwives, but we also know that there are trusts within those work force hot spots with fewer difficulties. We will take action to share good practice, explore further what attracts midwives to those units and learn from organisations where work force issues have been resolved.

Thirdly, we must raise the profile of midwifery. The action plan includes a national recruitment campaign and a conference to highlight the midwifery profession and the contribution of midwives to the NHS. We will also use the commitment and leadership of the Royal College of Midwives to market the midwifery profession, and we will try to harness the input of every midwife in the NHS to ensure that their skills and expertise are recognised by those contemplating training or returning to the NHS.

Fourthly, we must do more to improve midwives' working lives. At the summit, we heard about the importance that midwives place on how, where and when they practise. We heard that some feel frustrated by the constraints of organisational structures, and that that leads them to leave. Midwives want flexibility, and they want to provide models of care that meet the needs of women and families, but in a way that meets their own needs for job satisfaction and family life. We will work with NHS trusts to ensure that all aspects of improving working lives are encompassed and implemented in maternity services, and we will issue a good practice guide for maternity services by spring next year.

Fifthly, we must do more to encourage a return to the practice of midwifery. We heard from midwives at the summit that returning to midwifery practice was often a tortuous and off-putting process. To increase and maximise the potential for return to the midwifery profession, we will work with work force development confederations and NHS trusts to streamline the process for midwife returners.

Sixthly, we must address education and training issues. The number of training places for midwives has increased: there are 450 more places than in 1996–97, which is an increase of 28 per cent. However, students attending the summit told us of their financial difficulties, and about the problems that they face during their clinical placements. They want their education programmes to prepare them to practise midwifery in the NHS, and they want role models to nurture and support them. We will work with representatives of higher education institutes and the Nursing and Midwifery Council to ensure that education programmes and clinical experience are appropriate and meet the needs of future midwives, and that student midwives are confident and competent to take up their role in the NHS.

Those six action points emerged from the summit, but they are in addition to actions already taken. For example, we allocated almost £1 million to focus on recruitment and retention and return to midwifery practice. The money is being used to fund a package of initiatives, including a full-time post to lead on recruitment, retention and return to practice for midwives. Also, an allocation of £750,000 was made to work force development confederations in 2003–04 to fund 500 return-to-practice places.

We have also worked in collaboration with the Royal College of Midwives and the Open university to develop a distance learning pack to assist those midwives who may find it difficult to access full-time courses to return to practice. The first midwives to use it are currently returning to the NHS.

To ensure that we really understand what prevents midwives from returning to work, we are funding a research project on why midwives stay in the NHS and why they return. It is being carried out by Dr. Mavis Kirkham, a well-respected midwife researcher. That will provide follow-up data to her previous work, "Why Midwives Leave", and will give us an insight into what keeps midwives in the NHS. We are confident that there will be transferable practices that can be applied across the NHS.

Of course, pay is an important issue, and I was encouraged by the strong support of the Royal College of Midwives for "Agenda for Change". We are testing the new pay system in 12 early implementer sites to ensure that it delivers the intended benefits for staff and patients. Those sites began to implement "Agenda for Change" in June 2003. What is learned in the early implementation phase will be used to inform the national roll-out, which is planned for October 2004.

My hon. Friend also raised issues relating to the training of midwives. Health care professional students, including midwives, are crucial to the future of the health service, and I recognise the challenges that they face while undertaking demanding programmes of education and training. We want, and students are entitled to expect, a system that ensures that as many students as possible qualify and go on to work in the service, as well as one that provides the widest possible access to the health care professions.

Following devolution, it was acknowledged that there were differences in student support arrangements across the United Kingdom. For students, including student midwives, undertaking health professional training at colleges in England, the Department of Health keeps the support arrangements provided by the NHS bursary scheme under review. That ensures that the scheme continues to support the Government's plans for the expansion of the health professional work force and the modernisation of the service.

Mr. David Drew (Stroud) (Lab/Co-op): I congratulate my hon. Friend the Member for St. Albans (Mr. Pollard) on securing the debate. Does my hon. Friend the Minister accept that one of the problems with midwives' training is that there is now an obvious shortage of midwife-led units, because many have been closed down? I am pleased that this Government have ended that process. We have a midwife-led unit in Stroud, which was recently described in a book written by two of my friends, Tracy Spiers and Diane Harris. That book shows the love that the community has for that unit.

We have been bedevilled by the many reviews looking into the maternity-led unit's efficiency, and its role within the modern health service. It is almost a case of death by review. Will my hon. Friend the Minister assure me that we now value such institutions? Can we end the continual review cycle that saps the energy of all who love that place?

Dr. Ladyman: I am happy to give my hon. Friend that assurance. I have visited several midwife-led units, including the one to which my hon. Friend the Member for St. Albans referred. I found the standard of care and the atmosphere of calm and professionalism that pervades those places inspiring. If I were ever to have a baby, I would want to go to a midwife-led unit, so I understand why such units would be the first choice of many women.

There have been differences of opinion. There are obstetricians across the country who do not think that midwife-led units other than those co-located with

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obstetrician-led units are safe. However, midwife-led units are increasingly being developed away from such centres, and they are proving safe and effective, so long as proper careful decision-making is made in the run-up to labour. As long as women are being given the proper information, and know whether there is any particular risk from their birth, they can make the right choice about whether they want to go to a midwife or obstetrician-led unit.

I strongly support the development of more midwife-led units. We allocated £100 million of capital to the development and refurbishment of maternity services across the country. I am pleased to say that in quite a few places people chose to use that £100 million for the development of those maternity-led services. I certainly want more such units to be developed where local services identify that there is a benefit to be gained from them.

We have increased the support provided through the NHS bursary scheme, both by the basic bursary and other elements of the package. Bursary rates have increased every year since 1998, and by 10.4 per cent.—well above inflation—since September 2001. Moreover, NHS-funded students are eligible for a tuition fee contribution, worth £1,125 for this academic year, without means-testing.

The Government believe that, overall, the NHS bursary scheme, supported by the further improvements that we have made, continues to provide effective support for students, as evidenced by the increasing numbers of students embarking on health professional training programmes, including midwifery. However, we are keeping the matter under review.

I now come to maternity services, and I thank my hon. Friend the Member for St. Albans for describing his aspirations for a midwife-led unit in his constituency. I am sure that he would not expect me to comment on that specifically, because it is a matter for the local health organisations. I am sure that his views are well known. I have now expressed my support for such midwife-led units and, from my visit to the midwife-led unit in Hemel Hempstead, I know that the high-quality care provided there, and the benefits to the users who deliver there, will be well known in the local health community. The lessons will be learned by those who will make decisions about whether a midwife-led unit should be built in my hon. Friend's constituency.

Like my hon. Friend, I want health communities throughout the country to give consideration to this model of care. Midwife-led care should be considered as one of a range of options available to women when they are choosing where to give birth. Having a range of care allows people a meaningful choice. As my hon. Friend knows, choice is central to our plans to reform health services across the country. Today we published a document called "Building on the Best; Choice, Responsiveness and Equity in the NHS", which sets out the main themes emerging from the consultation that we conducted during the autumn. The consultation reached 110,000 people—the biggest response since the NHS plan.

Clear and consistent themes emerged from the consultation. Patients want to be more involved in decisions about their health care. They want more and better information to help them to make decisions and choices about their care and treatment, they want services to be shaped around their needs, instead of being expected to fit the system, and they want choice to be genuinely available to everyone. Those themes are just as important in maternity services. We will be asking local services to publicise details of how women can access midwives directly, as my hon. Friend requested in his speech. We will promote the use of birth plans, which record women's preferences for the birth of their child. We will also ensure that the response to the consultation, including the task group recommendations for maternity services, are taken into account in the development of the national service framework for children, which we plan to publish in 2004.

The children's NSF, including the section on maternity services, will be a key statement on the way in which we expect maternity services to develop in future. I look forward to discussing the children's NSF with my hon. Friend and the Royal College of Midwives when it is published—and I particularly look forward to his, and its, support in implementing it.

Mr. Drew: I thank my hon. Friend for his generosity in giving way. He mentioned earlier the view of some consultant obstetricians. Would he also accept that it is vital that we continue to engage with general practitioners, because more often than not they are the person whom a pregnant woman would contact for professional advice? The GP's role is to offer a degree of choice, at least, when that is sensible. It is sometimes put to me that GPs tend to be rather conservative in their recommendations to women about where they should have their children. Perhaps that is not necessarily the best way of putting things.

Dr. Ladyman: My hon. Friend is right. We must ensure that GPs are fully aware of the options available to women, and can give them proper counsel and advice. As I have just announced, we will try to make it possible for women to go directly to midwives in future, if that is what they want, and to get advice from a midwife's perspective. However, my hon. Friend is right. I suspect that pregnant women will, more often than not, contact their GP first. If we are to ensure that there is a comprehensive, high-quality information service, without which choice is just a figment of the imagination, and make it available, we must make sure that all the professionals women can contact, including GPs and midwives, have a full range of quality information and the time to provide the support and advice that women need to make choices.

In addition to setting that out in the national service framework for maternity services, and setting the standards that we want to achieve in maternity, other work will be going on at the same time—including the National Institute for Clinical Excellence guidelines, which are in development. We already have a number of clinical guidelines from NICE on antenatal care, induction of labour and the use of electronic foetal monitoring. We are awaiting further guidelines on caesarian sections, which will be published next year. I have no doubt that those will lead to a further improvement in clinical care in the NHS for women during pregnancy. These guidelines will complement the national standards that will be set out in the national service framework. It is still intended that the national service framework for children will be published in spring 2004.

Just over 600,000 babies are born in the UK each year. The NHS spends around £1 billion a year on maternity services. That area of the NHS has not been afraid to modernise and respond to the needs of users. Improvements are needed in many areas, but maternity services represent one of the success stories of the NHS. That is due in no small part to the contribution made by midwives. Over the past 50 years childbirth has become much safer for both mother and baby. The latest confidential inquiries into maternal deaths report covering the years 1997–99 found that the overall maternal mortality rate was down. There were 11.4 deaths per 100,000 maternities, which is a decrease from the 12.2 per 100,000 maternities in the previous report.

There have been similar improvements for babies. The perinatal mortality rate—still births and deaths within seven days of birth—was just under 40 per 1,000 births during the period 1946–50, and has reduced to fewer than eight per 1,000 births in 2001. There is clear evidence that pregnancy is far safer today that it has ever been, and much of that improvement is due to the excellent care provided in the NHS. There is also a much greater range of choice in maternity services. As I announced today, the Government intend to extend that range of choice even further with the help of midwives and professionals throughout the NHS.

We can all be proud of the maternity care that is provided for women in this country. It is a prime example of partnership between the midwives and doctors who provide the service and the women and their families who use it. The Government will continue to keep maternity services high on our agenda, and will ensure that we have the right number of skilled personnel to maintain a high quality service.

Once again I congratulate my hon. Friend on his endeavours in this area, and I look forward to further opportunities to debate these matters with him in the coming months.

11.27 am

Sitting suspended until Two o'clock.

Affordable Housing

2.10 pm

Mr. Edward O'Hara (in the Chair): I apologise to the House for the delay in starting the debate; I had a domestic emergency.

Andrew George (St. Ives) (LD): I am pleased to have the opportunity to lead the debate on affordable housing. I was becoming concerned that Members on the Government Benches were so worried about the case that I was going to make that they nobbled you, Mr. Deputy Speaker, to disable us from going ahead. Once I had secured the debate, I apologised in advance to the Under-Secretary of State, Office of the Deputy Prime Minister, the hon. Member for Corby (Mr. Hope), in case I need to attend the fisheries debate in the main Chamber later, although I hope that that circumstance will not arise.

The purpose of the debate is to address perhaps the greatest social crisis facing communities in constituencies in many, albeit not all, parts of the country. My constituency in west Cornwall is certainly affected, as are the Isles of Scilly. Some 10 or 15 years ago, the issue would undoubtedly have been high unemployment. There has always been the residual problem of a large mismatch between earnings and house prices in the area owing to high second home ownership and low private and rented sector accommodation, but that has never been the case to the current extent.

To be fair, the Government are not in complete control of the way in which the housing market operates; that is not in their gift, but they can pull on some fiscal and policy levers to influence how the market works and the private rented sector operates to ensure the availability of social public rented accommodation.

I want to raise several issues, but I know that many other hon. Members want to contribute, so I shall try to be brief. The first issue is housing need and how it is assessed. The second—high levels of second home ownership—has a significant impact on my area. I will then talk about some of the initiatives that have been introduced in recent years, and their impact on housing availability.

I am aware that the Government considered housing need and, through their starter home initiative for key workers, which was announced in September 2001, identified housing need in the south-east of England as their primary concern. A three-year, £250 million programme was announced, 63 per cent. of which money was to be spent in London and 28 per cent. in the south-east with the remaining 9 per cent. to be divided between the eastern and south-western Government zones. In September 2002, the right hon. Lord Rooker announced the challenge fund—a fund of £200 million—which is intended to deliver 4,000 new homes for rented and low-cost ownership in the south-east.

I am in no way diminishing the very serious housing problems in London and the south-east, but there are equally severe housing problems in many communities in other parts of the country. The impression is that the Government have been blinkered; they have focused largely on the south-east of England and seem to have

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turned their back on some of the serious problems affecting many other parts of the country, particularly the rest of the south of Britain where house prices are very high.

The housing problems in my constituency are as severe as ever. There is a significant mismatch between very low earnings—people in my constituency have been on the bottom of the earnings ladder pretty much since records began—and very high house prices. The arrangements are clearly inadequate for families in my area whom public authorities cannot house. I appreciate that the Government have targets for ending the practice of putting people in bed-and-breakfast accommodation next April, but such families will inevitably live often in very cramped and entirely inadequate temporary accommodation, away from where the main income earner works and where the children go to school.

Mr. David Drew (Stroud) (Lab/Co-op): The hon. Gentleman and I have discussed housing numerous times. Does he accept that one way of dealing with the problem is to examine the structure of housing? Older people often live in houses that are larger than they want. We seem to have lost sight of the fact that the market no longer wants to build bungalows or appropriate accommodation for older people. If such accommodation were provided, however, that could free up family housing in our communities.

Andrew George: That is true. The hon. Gentleman takes great interest in the issue, and I am grateful to him for making that important point. Incentives can be provided, particularly in the public sector. Some housing associations and local authorities try to use incentives to attract single, older people out of very large family housing that is no longer appropriate to them and into single-person bungalow accommodation with one or two bedrooms, where available. Such properties need to be available.

My part of the world has seen high rises in house prices in the past seven or eight years, as exposed in recent editions of the *Western Morning News*. One study showed that in the past eight years, house prices in many communities in Cornwall have risen by more than 250 per cent.—faster than they have in London during the same period. Many people in London and the south-east complain about, and are shocked by, the house prices and the rate at which they have increased. However, house prices have increased at a much faster rate in Cornwall, and most properties on the market are simply well out of the reach of local people on local wages. In addition, we must recognise that the proportion of public sector housing in Cornwall has historically been very low—between 10 and 12 per cent., depending on the district. In most urban and metropolitan areas, the proportion is significantly higher—in the upper teens and even over 20 per cent. The public rented sector is also significantly lower; it is sometimes as low as 8 to 14 per cent. in many districts, although, again, the proportion is much higher in many urban areas.

There is a very large waiting list on the Isles of Scilly, in Kerrier and in Penwith. Penwith has 28,500 homes, but 1,359 households are registered as being in need, which is close to 5 per cent. of households in that district. Many people have taken a strange view of house price increases. For example, yesterday, a Cheltenham and Gloucester press release entitled, "How Much Have You Made?" celebrated the fact that house prices are still increasing. If one is moving between properties, the money is toy-town money, but in many areas the bottom rung of the ladder is being taken away from local people.

I said that I would mention second home ownership. It is at a high level in my part of Cornwall, and it seems to be increasing as a proportion of stock ownership. That is understandable: partly because of the failure of many pensions schemes, those who have spare cash want to invest in an appreciating asset, which gives them a recreational benefit and, whether or not they stick entirely to the 120-day rule for letting, can make them a tidy annual rental income as well. One can see the attraction for those with the money of buying a second home in west Cornwall or the Isles of Scilly. In Penwith alone, 10 per cent. of the housing stock is second homes, and in the Isles of Scilly the figure is above 25 per cent. All the indications are that those proportions are growing.

With 1,300 or more families in need on waiting lists, that level of second home ownership and the fact that the opportunity to buy second homes in the west of Cornwall and the Isles of Scilly is celebrated and promoted in the Sunday supplements of some of the heavier newspapers are seen by many as an obscenity. They are deeply offended by it.

To be fair to the Government, when I was elected in 1997, I brought to their attention the arguments against the use of taxpayers' money to subsidise the second homes of the wealthy. Even now, 50 per cent. of the council tax of those with second homes is met by the taxpayer, so those people are subsidised to enjoy the advantage of the income and investment and the recreational benefit of their second homes. Various parliamentary questions have demonstrated that although it is difficult to identify the exact sum—perhaps the Minister can advise us—if we extract those properties that are used as second homes, as opposed to charitable and other uses that are entitled to 50 per cent. subsidy, some £200 million of taxpayers' money is used to subsidise wealthy people's ownership of second homes, while many thousands of people on very low incomes in areas such as mine cannot afford to have a first home. I argued that point with various Ministers, by letter and in meetings and debates, and I am pleased to say that the Under-Secretary of State for Foreign and Commonwealth Affairs, the hon. Member for Sunderland, South (Mr. Mullin), who was the responsible Minister at the time, accepted in a debate on 9 February 2000 that the situation was no longer acceptable, and agreed to review it. To the credit of the Government, they produced the rural White Paper and have, in the Local Government Bill, introduced measures to reduce the subsidy by 40 percentage points or more.

That is welcome, but there is a great deal more to do. Certainly, the Government should do a great deal more than they are doing about the 40 per cent. additional council tax that local authorities can levy from second home owners. In my area, the district councils have clearly made the case—as I did with Ministers—that the main consequence of high levels of second home ownership is lack of affordable housing for local people. If local authorities are to take advantage of their ability to levy further council tax, they should use the majority of the money that they raise to address that problem, so that local people can benefit. The problem is that in places such as Cornwall, the levying bodies—the district councils—receive only 14 or 15 per cent. of council tax income. They are arguing with the higher-tier authorities—the county councils—that they should receive a higher proportion. It would be helpful to have an indication of the Government's view. When I have asked Ministers previously, they have refused to intervene and have left it to local authorities to sort themselves out. At the moment we are close to a squabble between the district councils and county councils. I hope that they can resolve the issue amicably, but some kind of intervention from the Minister would be welcome.

Mr. Simon Thomas (Ceredigion) (PC): As the hon. Gentleman knows, in Wales, council tax has been levied at 100 per cent. on second homes for a long time. He has fought valiantly for a similar arrangement in England. Would he go even further and support what is being talked about in Wales, where it is acknowledged that, as he has just said, second homes not only receive a subsidy if they are not charged 100 per cent. council tax but are a cost to the community in that they make communities less sustainable in terms of schools, shops, post offices and so forth? He has made an argument for using some of that money for housing; we would suggest that there is also an argument for empowering local authorities to increase council tax beyond 100 per cent. on second homes, rather than fixing it at the 90 per cent. or 100 per cent. that he has long advocated.

Andrew George: I am grateful to the hon. Gentleman for raising an interesting point. It is one of the arguments that the county council in Cornwall is constructing. The lack of people living in some of its communities during many of the autumn, winter and spring months undermines the viability of a number of rural services, such as schools, shops and village halls, so one could make a case for using some of that income for other purposes.

The primary result of the high level of second home ownership is the lack of affordable housing for local people. I have made proposals to previous Ministers, and I hope that this Minister will listen to me, as his predecessor did, on the issue of council tax and second home ownership. I do not believe that just because I have been rebuffed once by a Minister, I will always be so rebuffed on the possibility of using the order on planning use classes to define the distinction between permanent residents and non-permanent residential use. Local planning authorities should be given the tools not to outlaw all second homes but to outlaw excessive second home ownership in many parts of the country. I am thinking of communities in west Cornwall such as Helford, Cadgwith, Sennen, Mousehole, St. Ives and Porthleven, where levels of second home ownership sometimes exceed 50 per cent. I would like local planning authorities to be given the power to stipulate the number of second homes that they are prepared to tolerate in the local community, thus constraining people's ability to purchase second homes there.

Mr. John Hayes (South Holland and The Deepings) (Con): It is unusual for me to have the opportunity to be more liberal than the hon. Gentleman—I do not really have a liberal bone in my body. Is he suggesting that we tell people whether they can sell their house to the person of their choice or buy a house in the place of their choice? That would require an extraordinary imposition on people's freedom and choice, things in which I thought the Liberal Democrats at least pretended to believe. While the hon. Gentleman is talking about such issues, perhaps he can comment on the idea of local income tax, which his party advocates. If a young couple were to buy a small house to get on the housing ladder, they might pay considerably more in local income tax than they would in council tax.

Andrew George: I shall resist the temptation to extend the debate and talk about the clear, strong case for local income tax, although perhaps my hon. Friend the Member for Kingston and Surbiton (Mr. Davey) will take that up later.

The hon. Member for South Holland and The Deepings (Mr. Hayes) says that my proposal would constrain people's liberties. However, local people on low incomes are already having their liberties and choices constrained, and it is their liberties and opportunities that we should address. Of course anyone can sell any property to anyone, and they would continue to be able to do so under the change in the use of planning orders that I have suggested. The use to which a property is put is the important thing. In other words, the hon. Member for South Holland and The Deepings could come down and buy a property, but if he rented it to local people, he would benefit from the investment in that property, local people would use it and a local need would thereby be met. That is not the same as using a property for recreational purposes, which is a significantly different use of a valuable resource. Such properties are a limited commodity in areas such as mine. The planning system cannot allow properties to be built absolutely everywhere or the very landscape and environment that many people come down to enjoy will be spoilt. The supply is limited, so there must inevitably be rationing. The question is how we provide it.

Mr. Edward Davey (Kingston and Surbiton) (LD): If I have understood my hon. Friend's argument correctly, he is talking about the notion of saturation in the planning use order system. I note that New York uses such a concept with respect to excess licensed premises, for instance. Has my hon. Friend considered whether we as legislators could play with the concept of saturation to develop planning use orders in that regard?

Andrew George: My hon. Friend is absolutely right. I do not say that people should not have second homes. My point is simply that the relevant mechanism should be available to local authorities that can prove to the Government that using it would be a prudent and appropriate way of tackling high levels of housing need.

[Andrew George]

In some communities, the rate of second home ownership would be so high as to be beyond saturation. That needs to be addressed.

The Minister's predecessor, the Under-Secretary of State for Transport, the hon. Member for Harrow, East (Mr. McNulty), responded to me following an offer that the local authority on the Isles of Scilly made to test the initiative there. Within the existing legislation, the Minister could pilot a new planning policy on the Isles of Scilly, establishing a use class order for second homes, without setting a precedent for anywhere else in the country. I urge the Minister to consider that offer carefully. On many of the islands, the rate of second home ownership is at least 20 per cent., and sometimes 25 per cent. or more. Allowing the authority to implement the policy would demonstrate whether it works. The policy could then be rolled out across the country—a favourite Government expression, I believe.

I realise that time is marching on, so I should like to make some brief general points about the planning system. Many people see the planning system as a means of delivering private wealth rather than public goods. To be fair to the Government, there is a debate in the Chamber today about matters relating to PPG3 exception sites and so on. However, the Government could further strengthen policy by enabling registered social landlords to bring forward exception sites in rural areas, or even market towns, where the planning policy has been drawn up tightly and the planning committee sticks to it tightly. In those circumstances, an exception could be made on the edge of the town or village to meet a local housing need, which, in many cases, would be managed by a registered social landlord in the long term. That would help to deliver land at significantly below market value, which is essential to develop affordable housing for local people. Otherwise, registered social landlords end up buying land at £500,000 or more an acre, which puts affordable housing out of reach.

There should be support from the Government for developing a new intermediate market, particularly for shared equity and leasehold properties. Intermediate markets are necessary in rural areas such as mine, which have low wages and high house prices. People on local incomes recognise that the availability of rented accommodation is limited. Shared equity accommodation should be developed and perhaps managed by registered social landlords. At present, however, people who want to move on from a property where they own, say, 50 per cent., cannot take advantage of other shared equity properties, because there is an insufficient supply. Also, many people who purchase such properties have difficulties raising mortgages, so intervention from the Government on that would be helpful as well.

In previous debates the Government said that they had established regional housing boards, which are quangos and are established over surreal planning areas. Although the boards are supposed to match planning priorities with housing priorities, they have prioritised principal urban areas in the south-west Government zone. The secondary areas relate to Government targets to deliver rural housing in communities of less than 3,000. Many small market towns have been left out altogether, which is a matter of concern.

Time is moving on, so I shall not take up any more of it. I have written to the Minister with questions that I have not had a chance to raise today. I look forward to the rest of the debate.

2.39 pm

Ms Oona King (Bethnal Green and Bow) (Lab): I am pleased to contribute to such an important debate. I want to raise two key issues: how we deal with overcrowding as part of the Government's strategy both to create more affordable housing units and to reach the decent homes standard, and how we free up more units for affordable housing. I would also like to consider the future of council housing, which in many areas will be through stock transfer.

In my constituency, the council has carried out a detailed review of its housing stock, using PricewaterhouseCoopers to do an option appraisal. In trying to determine how best to bring our housing stock up to a decent standard, the council has determined that the only realistic way forward is through partial stock transfer. However, the problem is that, although money is attached to the other means available to councils to bring their stock up to standard—such as arm's length management companies and the private funding initiative—there is no clarity as yet about how we would deal with gap funding to bring houses up to a decent standard. Might the Minister be able to talk briefly about how we can deal with that problem?

Many tenants in Tower Hamlets have backed a review and further consideration of stock transfer. However, if registered social landlords are unable to engage in the programme because the risk appears too great, we will obviously not be able to move that programme forward. We will be unable either to bring our housing stock up to a decent standard or to guarantee the numbers of affordable housing units that we would wish to see reaching that standard.

I am pleased that we have reversed the £19 billion backlog on housing in the affordable housing sector since we came to power, and that some authorities will be able to reach the decent homes target when dealing with their affordable housing stock through their own resources. That is not the case, however, in areas with significant negative values. Tower Hamlets is one of those areas. Following a recent intervention in a debate on overcrowding, I was pleased that the Minister undertook to write to me about the moves that the Government will make to deal with the issue.

I am glad that the Government have decided to undertake research into overcrowding. It is a huge problem in Tower Hamlets, and it affects everything about a child's upbringing. It affects their health, education and employment prospects. Research by Shelter has shown, as one would expect, that if a child is brought up in overcrowded accommodation, they are more likely to have respiratory tract infections. There are other simple consequences; they are more likely to be prone to accidents and less likely to do well in their education.

On a personal note, I see many families every week who are either unable to access decent homes or feel that they cannot afford to enter the private market to look to access decent homes there.

Mr. Andrew Love (Edmonton) (Lab/Co-op): I apologise for arriving late for this important debate. Does my hon. Friend agree that since the Government have set a standard of halving child poverty within the next 10 years, not addressing overcrowding would make it much more difficult to achieve that target?

Ms King: I agree wholeheartedly. That is why I raised the issue of overcrowding within the scope of the Government's target on the decent homes standard. The definition of decent homes should be widened to include overcrowding and the issues that local people in areas such as my own get upset about, such as lack of security and maintenance of communal areas. If we do not expand that definition, we will risk missing an opportunity of achieving the target that my hon. Friend mentioned. Reducing the numbers of children living in poverty is a key plank of Government policy.

Specifically, will the Minister say whether the new regional housing boards will be directed to take the problem of overcrowding into account, especially when determining how they are going to allocate their resources? Supplementary to that, and to the issue of child poverty, we should recognise that the 2001 census showed that 1.5 million children live in overcrowded conditions. The vast majority of those live in families under the poverty threshold. I know that everybody assumes that the streets of London are paved with gold, and Londoners are not the first to win sympathy when we talk about problems relating to poverty. However, 48 per cent. of the children in England who live beneath the poverty threshold live in inner London—children whose lives are crippled by poverty. I would be particularly grateful if the Minister might elaborate on what the Government will do to ensure that overcrowding, which affects £1.5 million of the poorest children, is dealt with.

I will end by returning to stock transfer. It is important that tenants understand what the process involves. They need to be engaged in the decisions and options. It is important that they understand that housing transfer is not privatisation and that if stock is transferred to registered social landlords, at least one third of the housing association board members would have to be tenants. Could the Minister outline what other assurances residents can have about stock transfer? I was speaking to someone recently, for example, who wanted to know what the worst-case scenario was, and what would happen if the RSLs went bankrupt. I explained that that was not a likely scenario, and that I was unaware of any circumstances in which it had taken place in the past. However, I could be wrong and would be grateful if the Minister could outline the pitfalls as the Government see them?

I hope that the Government will continue to ensure that increasing the number of affordable housing units is at the top of their agenda and that money follows housing need.

Mr. Edward O'Hara (in the Chair): Order. For clarification, the debate will last a full one and a half hours and the wind-up speeches will start at ten past three.

2.49 pm

Mr. Mark Hoban (Fareham) (Con): I congratulate the hon. Member for St. Ives (Andrew George) on securing this debate. We have heard from him and from the hon. Member for Bethnal Green and Bow (Ms King) about the housing issues that affect their parts of the country.

I want to talk about affordable housing in the context of my own constituency, which is on the south coast of England. There is a lack of social housing, because of the structure of the housing stock in the constituency. Even a relatively small one or two-bedroom flat will cost a six-figure sum. With an average wage across the country of £24,000, that sort of flat becomes difficult for a single person to afford. In the constituency, because of the relative expense of private housing stock, there is a relatively small and expensive private rental sector.

When I talk to constituents about trying to find private rented housing, they often tell me that they cannot afford it in their circumstances. Consequently, affordable housing in Fareham tends to be social housing. That is the main source of properties in that category. Fareham district council has 2,450 council houses and has nomination rights to 900 housing association properties across its area and just outside it. At the end of September, the housing waiting list, which includes people waiting for a transfer to a larger property, was more than 2,100. In the last year, only 170 vacancies arose from the total housing stock of 3,500—taking into account the properties for which the council has a nomination right.

There are 123 families in temporary accommodation, 23 of whom are in bed-and-breakfast properties. The council is well aware that its priority over the next few months is to reduce to zero the number of families in bed and breakfasts. However, it also expects that by the end of March 2004, some 25 families will become homeless and will end up in bed and breakfasts, and that they too will need permanent accommodation. Therefore, it needs to rehouse just under 60 families and move them out of bed-and-breakfast accommodation in order to meet the Government's deadline.

The council is taking steps to tackle the issue. It is considering leasing properties from the private sector in Fareham and adjacent areas to house some of those homeless families. It provides rent deposits and rent guarantees to help families find accommodation in the private rented sector, but the expense of such housing makes it difficult for those families to afford that. Some 18 units, which are being built by the Portsmouth housing association, will come on stream in March 2004. The priority for nomination rights for those properties will go to those families who are currently homeless.

The council is making progress towards tackling the bed-and-breakfast problem, but it considers it a difficult issue and is looking at how other forms of social housing can be provided. It identified a scheme to create more social housing on the site of an existing homeless shelter in Fareham, but the application for funds for the replacement shelter was turned down by the Office of the Deputy Prime Minister for three reasons. The first reason was that the site was privately owned, although that was rectified in 2002. The second reason was that the commercial occupants were still in residence, but

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they moved out in December 2002 and the site is now clear. Thirdly, the ODPM said that the scheme did not have planning permission and that there were likely to be local objections. Indeed, there were local objections, but they have been resolved, and the planning committee has voted to accept the homelessness scheme. Of course, there has still been no money from the ODPM, so the existing homeless shelter, which I have visited and which is in dire need of replacement, is still there, occupying a site that could be used for social housing, and the site for the new shelter remains vacant. That site is being cleared, but the money to fund the new shelter is not available. I ask the Minister to consider that scheme in particular. I have corresponded with his colleague, the Minister for Housing and Planning, and I await a further response from him. We need long-term imaginative schemes such as that to tackle the shortage of affordable housing in my constituency.

I now move on to the role of the development of large sites in resolving some of the social housing problems in my area. Fareham has undergone rapid expansion in recent years. Where there is large-scale development, there is benefit to the local community, given that the developer will contribute towards the building of social housing. However, the Department's guidance of recent years, which has focused development on brownfield sites—in Fareham that means focusing development on relatively small brownfield sites—has meant that that dividend does not emerge any more. Very few new houses are built on large sites, so relatively little social housing is being funded through planning gain. Applications for development on greenfield sites have often been called in by the ODPM. As a consequence of the call-in process and the wait for a response from the inspector, provision of social housing has been further delayed. Where sites have been identified for social housing, the size of those sites and the number of dwellings to be built that have been forced on those sites is an issue.

A scheme is currently proposed for Laburnum road in the centre of Fareham, in the midst of a residential area where there are many two-storey houses. In order to try to accommodate the number of people on the housing waiting list, the developer, Portsmouth housing association, has been forced to consider building a three-storey block of flats. Flats are not ideal for families, and I would rather that families could be accommodated in houses with a garden, but I appreciate that the pressure on land and finances is such that they sometimes have to be accommodated in flats. The scale of the development in relation to the surrounding housing has caused a great deal of concern among local people.

Underpinning a lot of this issue is the funding available from central Government for affordable housing in my constituency. The council is concerned that the abolition of local authority social housing grants and the transfer resources to the regional housing board will penalise places such as Fareham, where there is moderate affluence but pockets of deprivation. It believes that resources will be sent either to older urban areas or to the new housing developments that are projected for Ashford and places such as Milton Keynes.

Will places such as Fareham receive a fair allocation of the moneys that are being made available to the regional housing board by the Department? I would welcome the Minister's assurance that places such as Fareham will not miss out on a share of those funds, because it is difficult to see how the council will continue to meet the Government's housing targets without those funds, or how it will meet the deadline for the clearance of families from bed-and breakfast accommodation by the end of March 2004.

Fareham district council has made tremendous strides towards coping with the problem of homelessness and affordable housing in my constituency, but it is aware—as am I—that there is much to do to tackle the problem. I hope that the Government will think again about the impact of their policies on development and on the funding of social housing in areas such as mine, and that they will consider what contribution they can make to resolve some of the problems that affect my community and those of hon. Members who have spoken today.

2.58 pm

Ms Candy Atherton (Falmouth and Camborne) (Lab): I congratulate the hon. Member for St. Ives (Andrew George) on securing this debate, and I remind him that we have the honour of sharing west Cornwall.

As I am unsure how long I have to speak, I will speak briefly on an issue relating to my constituency. When it comes to affordable housing, money is important. I welcome press reports that the Chancellor may make housing a priority in tomorrow's pre-Budget report. Imbalances in the housing market need to be addressed, and money helps. I am glad about restrictions on the right to buy and that the Government are tackling the much maligned second homes council tax discount.

As the hon. Member for St. Ives said, there are more second homes than first homes in some parts of Cornwall. Recently, I asked local town and parish councils if they wanted money gained from the abolition of the second homes discount to be earmarked specifically for affordable housing. Every single one that replied said that it did. I ask the Minister to send a strong message to Cornwall and to the town and parish councils that the Government strongly support their corner and that the county council should not use the money that it raises from the abolition of the discount for other parts of its budget, but to put the money back into affordable housing to tackle that great problem.

Getting rid of the discount is not the answer to the problem; it is one answer, but it is not the complete answer. Those who can afford a second home can usually pay the tax, and it will be interesting to explore ways to influence the market. Perhaps we could think about utility bills and higher standing charges for people with second homes. If they can afford a second home, they can afford to pay a higher charge. Currently, the rest of the community subsidises them.

We all know the age-old problem of the nimby. In the Camborne, Poole and Redruth area, there is an urban regeneration company. We are planning for 2,000 homes of mixed tenure, but we need Government support. I do not have time to explore this issue as I wanted to, but I hope that Ministers come and see our plans, because we have brownfield sites, and we can build on them. There is no nimby factor. The attitude is, "Yes—in our backyard", because we need the housing: 1,500 people are on the housing list in the Camborne, Poole and Redruth area alone. I strongly urge my hon. Friend the Minister to come and see what we are doing and give us a hand, because our area has a "Yes, can do" attitude.

3.1 pm

Mr. Edward Davey (Kingston and Surbiton) (LD): I congratulate my hon. Friend the Member for St. Ives (Andrew George) on securing the debate and on the way in which he has championed in Parliament the policy of removing council tax discounts for second homes. I do not think that the Government would have taken such a measure were it not for his dogged persistence and determination. Although he was modest enough to praise the Government, he, too, should take hon. Members' praise for the work that he has done for his constituents in Cornwall and for the rest of the country.

This is a timely debate, not least because it is taking place on the eve of publication of the interim report of Professor Barker's review of the supply of housing, which was commissioned by Her Majesty's Treasury. There is a bizarre aspect to housing in this country. We have high house prices, but often the market does not respond to them quickly by producing new houses. That is why the Government set up the review, and many of us are waiting to see Kate Barker's conclusions.

According to various stories in the press, there will be changes to the planning system. It is rather ironic that the Planning and Compulsory Purchase Bill is taking an awfully long time to go through Parliament. Whether the new ideas that we are about to hear will run counter to current ideas or build on them, we have yet to see.

One idea that has been leaked in the press—whether the Barker review will come up with it, we do not know—is that we should adopt the proposal from the review by Lord Rogers several years ago for equalisation between VAT on repairing existing homes or homes that are in disrepair, and VAT on new build. Currently, no VAT is paid in respect of houses on greenfield sites. Liberal Democrat Members have argued that there should be equalisation between VAT on new build and VAT on repair, not to generate extra revenue for the Treasury, but to remove the perverse distortion against reusing and recycling existing homes. It will be interesting to see whether the Barker review makes that proposal.

When one considers the numbers, one wonders whether the Treasury was right to focus so much on this issue. Let us consider the numbers being produced by the private sector in respect of new build. Over several decades, the numbers have been pretty constant. There has not been a massive increase or a massive trough in private sector house building at any time over that period. The reduction in the number of new homes being built really comes from the social sector and the fact that Governments of differing political hues have taken a lot of money out of that sector over a number of years. I simply question whether the Barker review will be able to find a solution, given the true macro picture of funding of that sector.

I hope that the review will consider real reforms on the planning side. Local authorities must be far more proactive in the way in which they use the planning system. They must encourage developers to build more homes that are affordable for people in their communities. We need to consider pre-application consultation, so that developers learn about the community's needs from the community. There is no reason why the private sector will not meet those needs. Sometimes the issue is poor communication.

Lembit Öpik (Montgomeryshire) (LD): Is my hon. Friend aware of the work of Mick Bates, a Liberal Democrat Member of the Welsh Assembly? He has been promoting four things: a definition of affordability; accurate assessment of housing needs; greater rural exemptions where appropriate; and community housing trusts. That ensures that there is joined-up thinking about supplying affordable housing, especially in rural areas.

Mr. Davey: I am grateful to my hon. Friend for that intervention. I was not aware of the excellent work being done by our colleague, but I will certainly get hold of a paper on it.

When we consider affordable housing—perhaps this is similar to the work happening in Wales—we decide that one size does not fit all in respect of the needs of different areas and communities and of different groups of people. Many of the key workers in London whom we are discussing are young professionals who want to rent only for a time. They want affordable rents for high-quality, well maintained apartment blocks—one might call them condominiums. If we can encourage that type of building, the private sector will go into that market, because it can make a commercial return on it, and we will be able to deliver the types of property that those key workers want. Once they have saved enough to move on and buy their own home, they can meet their own needs, so we must try to persuade the private developers to consider the needs of particular groups.

Mr. Love: The hon. Gentleman mentions professional groups in the private rented sector, but I argue about whether that is affordable according to the current definition. He also mentioned owner occupation and the social sector. Of course, the private rented sector has a great role to play. Does he expect the Barker review to say something about how the private rented sector can provide affordable accommodation for those in need?

Mr. Davey: I certainly hope that it will. I hope that the hon. Gentleman does not misunderstand my use of the word "professionals". I was talking about health care professionals, police officers and teachers. They are professional people who need housing, but because of the current structure of the private rented sector—certainly in my constituency, and I imagine that the same is true in the hon. Gentleman's constituency, given that he is a London Member—sometimes they cannot afford private sector rents. The proposal that I was trying to back, which comes from research by the Joseph Rowntree Foundation, says that if we think about the issue more imaginatively than developers have done in the past, we can meet that need through the market, but pointers and encouragement are needed from Government.

The really difficult sector in terms of affordable housing is those very low-income workers who will never move on. They may be elderly. They may be in

[Mr. Davey]

jobs that mean they will never move up the scale. The Government need to produce subsidies in that area, as is currently the case, through housing associations and housing authorities.

One issue on which the Government have been dragging their feet and could take immediate action is empty homes. There are many empty homes in the public and private sectors in areas of high housing demand. In London, more than 100,000 properties have been empty for a considerable time, 83 per cent. of which are in the private sector.

In my constituency, several streets have empty homes that have been sitting idle, unused and unoccupied, for years. If one goes off the A3 at the Hook junction to Gladstone road, Haycroft road and Brook road, one will find 29 family properties that have been empty for more than a year. Indeed, some have been empty for several years. I have been working with the local councils to see whether we can persuade the owner of those properties to bring them back on to the market. The gentleman happens to be very elderly and seems not to take the advice of some of his advisers, so there are difficult problems. However, when more than 1,000 families are in temporary accommodation in the royal borough of Kingston while 29 large family homes sit empty, people can see the need to act on this issue.

What have the Government done? In a debate in Westminster Hall on 19 June, I urged them to have a consultation on new compulsory leasing powers for local authorities. The Government reacted to that and, just before the summer recess, or perhaps during it, they published a consultation paper, which I welcome. The problem is that they are being slow on the consultation. The Housing Bill contains provisions for orders that will allow local authorities to make quite severe interventions in their local communities to try to ensure that some of their problems are dealt with. However, the Government are not minded at the moment to bring into the Housing Bill some of the empty property management orders in the consultation paper.

When will the Government get another chance to legislate on the issue? Given that the Select Committee was sympathetic to the proposal, I hope that the Minister will give us some explanation of why the Government are failing to act, even though they have the chance to do so and the ideas are ready to go. I hope that they will consider that again.

Time is short, so I will bring my remarks to a close. The Government have been slow to react to the affordable housing crisis. In previous parliamentary Sessions, my hon. Friends and I, particularly those with constituencies in London, have talked about the problem time and again. The Liberal Democrats have warned the Government that they are undermining their public service reform agenda because of the skills shortage in public services in London and elsewhere. I am glad that they are addressing it at long last, but they must be far more imaginative and ambitious if they are going to make an immediate impact.

3.10 pm

Mr. John Hayes (South Holland and The Deepings) (Con): This has been a wide-ranging and useful debate, and I hope that the Minister will draw on all his expertise to deal with it in as wide ranging a response.

It is important to note that a broad-minded approach is required. The issue of affordable homes is not just about the simple matter of outright home ownership, but about the possibilities of shared or part ownership and the rented sector. Affording to rent, let alone being able to afford to buy, is a big issue for many of our countrymen. In large parts of Britain, people cannot get on to the first rung of the housing ladder even though they want to.

Addressing the problem requires the kind of innovative schemes mentioned by my hon. Friend the Member for Fareham (Mr. Hoban), who talked about some of the experiences of his constituency, and the Government need to reflect that in their policy approach. We need to be more creative in bringing affordability back into the marketplace, and we hope that the Barker report and the proposals that will follow from it will reflect a broad-minded approach.

The problem is not universal. It is felt strongly in particular areas—certain types of areas and certain parts of the country. In rural communities, affordability is a massive problem, as I know from my constituency. It is profoundly felt since many young people are unable to stay in the communities in which they were born and bred and in which they work because of the prices of local housing and the lack of rented housing from either local authorities, housing associations or the private sector. That is driving them into having to travel long distances to see their families, go to work and engage in all the normal things that people do in their social lives. It is fragmenting communities in an unacceptable way.

There are also problems in particular parts of the country. We know that there are massive problems for key workers and people who need to live close to their work, especially in the south of England. Ironically, in some other parts of the country, supply outstrips demand. That irony lies at the heart of the debate, and it must be addressed by a policy that is sufficiently targeted to tackle differing problems in different parts of the country and in different types of area.

As we know from what has already been said, the Barker review will undoubtedly focus heavily on that. Before I came to the debate, I was looking at the Chartered Institute of Housing submission to that review. It tries to answer the question posed by the review, which is why the private housing sector has not expanded to replace the provision of social housing. That is partly about housing for rent, but also about the building of private housing at prices that people can afford. The Government can do something about that, and I shall shortly ask the Minister some specific questions to elicit the Government's intentions.

The Chartered Institute of Housing submission suggests that there are real problems concerning the demographic profile of tenants. It states that there is strong evidence that young social housing tenants often aspire to leave the sector at some point to become private home owners or private tenants but cannot because of a series of problems. One problem is mortgage eligibility, as people have problems getting on the ladder because they cannot afford to borrow. The second is that the mismatch between supply and demand means that people often want to buy a house where they can least afford to do so. There are also concerns about housing benefit rules and the private rented sector, to which the hon. Member for St. Ives (Andrew George) referred. Problems of security of tenure also particularly affect young people.

As well as the Barker review, it would be remiss of me not to pay attention to both the Planning and Compulsory Purchase Bill, which is being debated in the main Chamber as we speak, and the Housing Bill, which was published yesterday. There are worries that the changes to section 106 agreements in the Planning and Compulsory Purchase Bill may make the building of affordable housing even less likely. Much of the affordable housing now available, especially the social housing, has been built through planning gain and as a result of negotiations that have taken place around section 106 agreements when a developer applies for planning permission from his local council. If the changes in the regime prevent sufficient opportunity to insist on specific types of developments, they may dry up the supply of affordable housing to an even greater degree. I will be interested to hear the Minister's comments on that.

On the Housing Bill, will the Minister comment on the effect of the seller's pack on the market? Some groups, including estate agents, representative bodies and, to a lesser extent, the Royal Institution of Chartered Surveyors, claim that the seller's pack will slow down the market and reduce the number of houses on it at any one time. That would affect the people who want to get on to the ladder, move into a house for the first time and fulfil their dream of becoming home owners.

We must also consider the standard of housing, which the hon. Member for Bethnal Green and Bow (Ms King) rightly mentioned. That will be covered in the Housing Bill, and we will have more chance to debate it at length at a later stage, but it should not be ignored in debates about affordable housing or policy for it. It is no use taking an approach on affordable housing if we do not simultaneously look at its quality. I am sure that the Government will want to pay proper attention to that when the Bill comes before the House.

Given the necessity for brevity, I will sum up by posing a series of questions to the Minister. What aspects of mortgage eligibility have the Government examined, and how do they fit into future policy? What role will changes to and Government influence on mortgage eligibility play in making housing more affordable, particularly for young people?

What planning guidance have the Government considered for mixed developments? They have said that they are in favour of mixed developments, but one problem is that the instruments that local authorities have to bring that to bear are relatively slight. They have to rely on housing needs assessments, which are not always specific enough in terms of the sites that might be considered for mixed development and affordable housing.

What will the Government do for the special needs of disabled people in relation to affordable housing? That point has not been raised today, and time does not permit me to elaborate, but it is an important issue.

What specific ideas do the Government have on shared and part ownership? One important way of making progress on affordable housing would be to be much more creative in considering the ways that people can get on to the ladder through shared or part ownership, perhaps working with a housing association or local authority.

What is the Government's strategy for empty homes? It is nonsense that there are 720,000 empty homes throughout England and Wales yet that resource is not being developed. Those empty homes provide an opportunity for many people to afford a home for the first time, but there is no financial incentive to encourage it. Local authorities do not fully understand their powers and have not had sufficient training for their role as financial institutions. The housing benefit proposals may do even more damage. The Government's empty homes strategy will be critical and I want to hear from the Minister precisely how he intends to take it forward.

3.21 pm

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): We have had a stimulating and full debate this afternoon and during the nine or 10 minutes remaining, I may not be able to do justice to all the contributions that have been made.

Andrew George: On a point of order, Mr. O'Hara. I seek your guidance on whether the debate will finish at 3.40 pm because of the late start.

Mr. Deputy Speaker: I stand corrected. The debate will finish at 3.30 pm, which is why I advanced the wind-up speeches to start at 3 pm.

Phil Hope: My hon. Friend the Member for Bethnal Green and Bow (Ms King), the hon. Member for Fareham (Mr. Hoban) and my hon. Friend the Member for Falmouth and Camborne (Ms Atherton) raised concerns that came from the heart. Different concerns were raised by Members from the furthest parts of the south-west, Wales, London and the south-east. We have had a tour of the country's housing needs and problems and some good debate on the solutions with interventions from the hon. Members for Montgomeryshire (Lembit Öpik) and for Ceredigion (Mr. Thomas)—I apologise if I pronounced that wrongly—and my hon. Friends the Members for Edmonton (Mr. Love) and for Stroud (Mr. Drew).

A major aim of Government policy is to tackle social exclusion and to provide increased quality of life. The provision of good-quality housing is a key element in that, but, as my hon. Friend the Member for Bethnal Green and Bow said, it is about the impact on people's health and educational attainment.

We have made good progress. Public funding to address the problem is, inevitably, limited and difficult choices must be made, but around £4 billion has been allocated for mainstream housing investment in 2003–04. That is well over twice the amount allocated in 1997–98. Having inherited a £19 billion backlog in housing repairs when we came to office in 1997, our release of a huge amount of capital receipts to improve social housing has been an important part of our programme.

[Phil Hope]

The hon. Member for St. Ives gave a graphic description of the housing problems in his constituency, many of which I recognise. We understand the need and the problems, not just in his constituency, but in other parts of the south-west and the rest of the country. We know that sometimes the attractive chocolate-box exterior of some rural communities hides serious problems of rural deprivation.

Mr. Drew: Before coming to the Chamber, I attended the Calor Gas village of the year lunch. I hope that my village of Coaley wins, but I do not yet know if it has. The point was made—Stephen Wright, who represents Gloucestershire community council, has made the same point—that the Government should understand that they do not want changes to the exceptions rule or the raising of the minimum level of a community from 3,000 to 10,000 because that would make a huge difference in small rural villages. I hope that the Minister will pass that comment on.

Phil Hope: I am sure that when my right hon. Friend the Minister for Housing and Planning reads the debate he will take account of that contribution.

I am pleased to say that real progress is being made in Cornwall. The West Cornwall Together partnership is taking a real step forward in tackling problems in the constituency. Some £6.5 million of neighbourhood renewal funding has supported people with problems in those neighbourhoods and in the constituency of my hon. Friend the Member for Falmouth and Camborne, who referred to the urban regeneration company. I have an urban regeneration company in my constituency and know the value of such partnerships in bringing together different players in district and county councils, local redevelopment agencies, English Partnerships and other private sector players into a partnership to bring about progress. I shall consider her comments about the importance of taking that forward.

The hon. Member for St. Ives asked about second homes and was right to do so. He acknowledged the change that has been made to the council tax rules to reduce the 50 per cent. discount for second homes. The hon. Gentleman and other hon. Members who referred to the matter would like Government intervention to tell district and county councils how to use the proceeds, but he probably knows that the Local Government Association wants more freedom and flexibility for local government to make decisions. *[Interruption.]* I was not going to point out the contradiction that that is also Liberal Democrat policy, but my hon. Friend the Member for Edmonton made that point well from a sedentary position. I understand the difficulties, but we believe that it is for local authorities to decide how to use additional income raised in the light of local needs and priorities. In areas such as St. Ives where there is a shortage of housing, we expect careful consideration to be given to the use of funds to provide additional affordable housing.

The hon. Member for St. Ives said that building more homes might reduce house price inflation and thereby solve the problem with changes in the market. To reduce house price inflation to zero would involve a level of provision not seen in this country for some time. There are huge problems of environmental constraints and pressure on achieving such provision. We must make choices, prioritise needs and plan carefully to meet those needs if we are to make real progress.

The Government recognise the need for affordable housing, and we are endeavouring to deal with the problem in different ways in different areas. We are spending more money specifically on affordable housing and have given no less than a 30 per cent. increase in funding under the main approved development programme for social housing amounting to £20 million extra for housing in the south-west. That brings the total to £81 million and will deliver 2,000 new, affordable homes for the region in this financial year. We also aim to deliver 350 new affordable homes in villages in the south-west in this financial year and increase that on average to more than 380 a year during the following two years.

The hon. Member for Fareham asked about local authority social housing grant. I understand his concern, but we believe that as that money has been fairly taken, put into a central pot and distributed to regional housing pots, it is important that the regional housing boards should assess housing needs in their region—that is part of the Government's devolution policy—and then reflect action to respond to those housing needs in their funding proposals. Devolving that decision and providing those extra resources means that the provision can meet local needs as defined by local people.

In the brief time available to me, I want to mention PPG3, which is an important piece of planning guidance that addresses one of the issues also raised by the hon. Member for St. Ives about the need for a better mix of housing. PPG3 will give local planning authorities the ability to reject housing developments that do not broaden housing choice. We do not want large housing developments of one sort or another. We want a mix of size, type and affordability. We shall give local authorities the tools to deliver that and will back those local authorities in that direction when necessary.

My hon. Friend the Member for Bethnal Green and Bow raised a number of different problems in her area in London. We recognise that gap funding for negative value transfers or partial transfers is a significant issue for authorities such as hers. The regional housing boards must consider the need to fund those if their overall regional strategies are to work effectively. The local authority and the regional housing board must address that issue.

On assurances for council tenants who are transferring to housing associations, the transfer process requires a statement of the services and investment that will be provided by the new landlord on transfer. The transfer can take place only when tenants are happy with what will be provided. No transfer associations have gone bust, and surveys show that tenant satisfaction rises after transfers.

NHS Management

3.30 pm

Mr. Archie Norman (Tunbridge Wells) (Con): First, I should like to draw Members' attention to my declaration in the Register of Members' Interests. Secondly, I thank the Minister for making time available to respond to the debate. I have a high regard for his expertise, and he has a reputation for being one of the less partisan Ministers. I hope that he can respond to my remarks in the spirit in which they are made, and can perhaps cast away his pre-prepared script and respond directly to my points.

Management in the health service need not be a party political issue, because it concerns how we can deliver effective results for patients. In 1983, Sir Roy Griffiths stated in his landmark study of management in the NHS:

> "One of our most impressive observations is the lack of a clearly defined management function throughout the NHS. The NHS requires enormous resources ... it demands top class management."

The world has moved on since then, and the NHS has moved on substantially. With larger NHS trusts the challenge is greater than ever. We have aggregated groups of hospitals into single trusts, which are more complex and technologically advanced than before and are under intense financial pressure. They are complex people-management organisations that depend on the attitudes, motivation and good will of the nurses, doctors, administrators and others who work in them for their success.

That people-management challenge has also moved on in the outside world. People's attitude to employment, whether it is within public or private service, is different from that of 20 years ago. The days when people went to work to earn a daily crust and hung up their brains at the door when they arrived are gone. People are no longer motivated regardless of how they are treated, and they expect their bosses to show them respect.

The world of employment has moved on substantially, but it is not clear whether it has moved on commensurately within the NHS. The Government's policy on the health service is clear: simply put, there has been a substantial increase in funding. In order to get value out of the funding, the Government have sought to retain accountability through a network of targets.

3.33 pm

Sitting suspended for a Division in the House.

3.43 pm

On resuming—

Mr. Norman: The Government's model for delivering value from the new investment in the health service has been built around a network of targets and performance measures, which are designed to ensure that patients and the taxpayer get value for money. However, it has been motivationally blind. The emphasis has been on mechanics and finance. There has been relatively little emphasis on the motivation of people and the need to attract talent for what is an increasingly demanding task.

The results are well publicised and are a matter of fact. Hospital chief executives now have 420 different targets. According to my research, which uses answers to parliamentary questions, there are 151 different performance indicators, which is up from 86 last year. There has been an enormous increase in administrators and senior managements, which is not necessarily a bad thing in itself, but the scale is out of proportion with what must be delivered. Between 1995 and 2001, there was a 48 per cent. increase in senior managers and only a 7.8 per cent. increase in nursing staff over that period. The increase in senior managers and middle managers has continued since that date.

Dr. Ian Bogle, the British Medical Association chairman, has said:

> "We now have a healthcare system driven not by the need of individual patients but by spreadsheets and tick boxes."

Nobody would criticise the Government for making sure that we get value for money by measuring outcomes. The question is the management culture created within the health service and the productivity that it delivers. All the evidence shows that the productivity outcome is depressing.

Between 1999 and 2001, we spent 21 per cent. more on health care for a 1.6 per cent. increase in completed operations. The Minister may say that that is not the whole story, but the challenge is not to spend taxpayers' money—anybody can do that—it is to achieve successful outcomes and to create a health service that is more capable in the long term. I fear that we have put a donkey into the Derby. When the Government came to power, the management structure was not capable, but they invested with money rather than investing in people. Having put the donkey into the Derby, they attached performance targets to it and wondered why it did not go fast enough. The charge facing the Government is not whether they invested in health care but whether they invested in the people with leadership and motivational characteristics to deliver a worthwhile outcome for the money invested.

The evidence shows that there are few more demotivated and demoralised institutions in Britain today than our struggling NHS trusts. A recent MORI poll sought the views of NHS chief executives. The Minister will know the results: 62 per cent. of chief executives think that their role is becoming increasingly unattractive and that it is harder to recruit people into the profession. Some 66 per cent. of them—two thirds—think that the NHS risks losing its best leaders, and 69 per cent. think that negative perceptions of the NHS make it hard to attract clinicians into management and leadership roles.

The Minister will know that the models of success elsewhere are very different from the model that the Government have pursued, and I shall give three primary examples. First, successful hospitals the world over tend to have fewer administrators and clearer management accountability. Research by Solutient in the United States shows that the 100 best US hospitals employ on average 25 per cent. fewer managers and administrators per hospital, yet they deliver better health care by US standards—let alone by our standards.

Studies in the private sector conducted both over here and elsewhere also show the need for absolute clarity of accountability. Obviously, private sector hospitals in

[Mr. Norman]

the UK tend to be much less complex and are less likely to have acute services, such as accident and emergency, than hospitals in the NHS, but none the less the point is clear—it is not only a question of resources. National health service chief executives are unusual by world standards in being bereft of the powers to manage. A conspicuous example of that is their inability to move staff who have underperformed in their duties out of the hospital. They also cannot manage and deploy their own team of consultants.

Last week's announcement of the new methicillin-resistant Staphylococcus aureus tsars in every NHS trust shows how little the Government have changed. It must have been greeted with a groan by every chief executive up and down the country, all of whom will be hoping that it is just another shallow political initiative and not something that will impose extra costs and extra administrators on them. The management of MRSA is centrally a line management responsibility, and not something that can be dealt with by sticking on an elastoplast in the form of an extra administrator.

We should collapse the 420 targets into six or seven rounded measures of performance, which would give an effective audit while allowing chief executives the discretion to manage and interpret which of those targets they can exceed and beat and to focus on local clinical priorities.

A characteristic of successful health care models all over the world is the deep clinical involvement in management. In the United Kingdom, the best performing hospitals typically have a shared clinical vision between doctors, consultants and administrators, which they work hard to achieve. That is true in Great Ormond Street hospital in this country and in the John Hopkins University hospital in the United States. That common clinical vision depends on the intense involvement of clinicians and consultants in management, and on their understanding management pressures.

The *British Medical Journal* study of the Kaiser Permanente network in California, published in January 2002, demonstrated the same point: it delivers better care at the same costs partly through superior integration of clinical management. That study found:

> "Today, the mutual commitment to an exclusive partnership between the physicians and management is deeply ingrained in the organisation. Many factors may be credited for this success, but three stand out."

Those are joint leadership between administrators and clinicians, alignment of objectives and management training for physicians—all characteristics on which this country lags seriously behind.

Worse than that, the culture of targets and the stress that that places on local priorities and on chief executives drives a wedge between consultants and clinicians, and administrators. That is why there is a serious problem, creating huge resentment among clinicians. They do not like the sight of large amounts of money being spent on administration and additional staff, particularly as many consultants are extremely highly qualified and very able people, often with views on management. Some are much more capable than we would allow of moving in and contributing to the management process.

I refer again to the *British Medical Journal* article of 22 March, which studies the attitude of clinicians to management and chief executives to clinicians. It cites just short of 60 per cent. of clinical directors as disagreeing with the statement:

> "Doctors have confidence in management leadership capabilities".

I do not have time to go through all that survey, but it is very clear that in this country there is a growing divorce between clinicians and management, which is exactly the opposite of what we need. Commission for Health Improvement reports show time and again that the most frequent causes of failing hospitals or serious service failures—where there is the highest correlation—are poor team working among clinicians, lack of clinical leadership and poor doctor-manager relationships. Those are CHI's words, not mine.

The Government have not invested substantially in the development of management talent in the NHS. I know that latterly, in 2001, we had a new initiative in the NHS leadership centre, apparently costing £150 million. It is not easy to discover exactly what goes on in the leadership centre for our £150 million, but I am sure that some of it is welcome. However, we are aware that, of nine skill development courses for chief executives, five are essentially to do with public services and politics, including relationships with the media, Government, Whitehall and Westminster, rather than with the management and involvement of clinicians and the management of the hospital.

We know that what chief executives say is very disillusioning. The recent Centre for Policy Studies report quotes one chief executive as saying:

> "More and more I realise what my job is really about is politics. We are an extension of the civil service".

That is not very encouraging. So little interest have Ministers shown in how we are attracting people into management, and what their quality and backgrounds are, that, as my parliamentary questions reveal, they do not even know the background of most of our chief executives or what qualifications they have for the job.

According to the answers that I have received, we have no data on the career background of 60 per cent. of chief executives. If that were the slightest priority for the Government, one would have thought that they would at least be tracking the small, elite group of chief executives to see if we are getting the quality that we need. However, they do not even know where 60 per cent. of those chief executives have come from, what degrees they have and whether they have clinical qualifications or outside experience. Of the 40 per cent. on whom the Government do have information—which is pretty depressing—only 1.5 per cent. have any medical background, and 3 per cent. come only from the private sector. That shows what a narrow career path this must be. It is very introverted, with very little attempt to bring in people from outside and very little emphasis on the quality and calibre of leadership being introduced.

Furthermore, according to parliamentary answers, Ministers have no information on career progression, turnover and wastage rates, and no systematic tracking of career succession. The Minister may want to correct me, but whatever he has to say, it appears that to all intents and purposes the Government have negligible interest in the quality of management that is developing. Yet a stated objective in the 2001 NHS plan was:

"To deliver a step change in the calibre of leadership."

Since then, it is evident that nothing has been done to follow that through.

Many other issues are involved in NHS management, which I do not have time to address, including the fact that many of the wrong things are centralised or decentralised. However, there are also some welcome developments. If I had time I would discuss the new investment in information technology systems. I know that that has attracted some criticism from some of my colleagues but I think that, generally speaking, it is a welcome development.

The major NHS trusts are complex, intensely pressured organisations that depend fundamentally on people. We have not moved on with management culture, and given managers the ability and power to make things happen, within a framework of decentralisation. A very different culture and approach are required. We must move with the times and enable hospitals to create a collegiate organisation with clarity of responsibility and the freedom to deliver the real changes in people and approach that are needed.

We need substantial reduction of administrative costs and redeployment of resources to the front line. We need clarity over what is decentralised and what chief executives are entitled to do. We need some job security, because according to Hoggett Bowers, most chief executives have a life expectancy of 700 days in their job, which means that many are so insecure that they cannot make the bold moves that are needed. We need a strong emphasis on people, motivation and attitude, all of which should be measured regularly in every NHS trust and reported back. If there is one measure of leadership, surely it is the attitude and motivation of the people who work in the team. NHS trusts must be protected by a firewall against the corrosive interests of capricious political initiatives, which simply cut across their powers and degrade and erode morale throughout the health service.

3.57 pm

The Minister of State, Department of Health (Mr. John Hutton): First, I warmly thank the hon. Member for Tunbridge Wells (Mr. Norman) for his kind words at the beginning of his speech. He described me as the least partisan Minister in the Government; I am not sure whether that will help me at all, but I thank him very much for it.

I shall probably discard most of my notes, but not all of them because I do not want to make a mistake on the substantive issues that the hon. Gentleman raised. All the issues that he raised are substantive. At the risk of embarrassing him, may I say that I thought that the thrust of his remarks was constructive and that I agreed with a great deal of what he said on the importance of good management in the national health service, not as an end in itself but as a means to an end? The end, as I am sure that he would agree, is a better health service, which can deliver for the people of our country—his constituents and mine—the sort of service that we are entitled to expect in the fourth largest economy in the world. Clearly, we have much work to do in that regard.

For the record, I want to contest one or two assertions that the hon. Gentleman made. The first is his claim at the end of his remarks that the Government have a negligible interest in the quality of national health service leadership. I strongly take issue with him on that. Improving the quality of leadership, including the motivational skills of senior managers, is of the utmost importance to the NHS. I agree that the problems and challenges that the NHS faces are not entirely down to resources but are about how those resources are used, how we motivate key staff at all levels in the organisation and how we constantly strive to make our services more responsive and to give patients in England more choice over what their NHS is capable of delivering for them locally.

Much of that is, of course, dependent on the overall amount of resources available to the service locally and nationally but a great deal, in my experience over many years in the Department, comes down to good management at local level and good performance management at the level above that. The hon. Gentleman has extensive experience in all those regards—much more extensive than mine. The Government would be remiss if they failed to take into account some of his constructive remarks today, and I shall say later how I intend to go about that.

Given the long list of initiatives that we have taken, I disagree strongly with the hon. Gentleman's claim that we have negligible interest. I shall go through those, although perhaps I could deal with that point by writing to him instead. Some of those initiatives emerge from the leadership centre, some from other parts of the Department and some locally, from primary care trusts and NHS trusts themselves, which is a good thing. Not everything has to be dictated and managed from the centre. There is a great deal of activity going on.

I would say to the hon. Gentleman and critics of NHS managers and management that we have a better framework for improving the quality of NHS management now than at any time in the history of the NHS. The hon. Gentleman will probably say that that is not saying very much because we started from a low base. I agree about that, but it would be remiss of him, in the spirit of fairness and balance that characterised most of his remarks, not to at least nod in the direction of the fact that the Government have spent a significant amount of time—not just money because I agree that that is not the main issue—focusing the efforts of the local NHS and strategic health authorities on that issue.

Based on my own experience—I hope that the hon. Gentleman's experience will confirm this—I sincerely believe that the NHS has some of the best managers in the country. I agree with him strongly that NHS organisations such as acute trusts and primary care trusts are highly complicated organisations to run. They have large numbers of staff and high turnover, and they operate in an environment of intense public scrutiny and accountability, which, to be fair, is not directly analogous to the private sector. It is an intense and robust environment in which we expect a lot from the NHS and we demand a lot from local managers.

It is a sad tradition in this place—it has become something of the folklore—that the first people we bash around the head in relation to such issues are NHS managers. There are times when NHS management fails the service and we need to act robustly to deal with that failure. The attempts we have made in NHS franchising where poor management is simply shipped out and new managers—some from the private sector—are brought

[Mr. John Hutton]

in to replace failing managers is part of the right response to the problem. The growing portfolio of initiatives and courses in the leadership centre will help deal with that, and there are other initiatives, which I shall go through quickly.

My view is that NHS managers do a tremendously difficult job and many of them do it brilliantly, but the performance of some NHS managers is not good enough. The challenge for any Government, and Ministers of this Government in particular, is not to pass the buck on that. For too long in the NHS, we have not acted when we should have done to correct failing management. The result may have been a quiet time, but it led to a poor service for our constituents, which is not acceptable. It goes with the territory of being in Government that one cannot avoid making some difficult decisions about intervening on, and replacing, failing management.

The main focus should not be on remedial measures, but on how we can constructively engage with the many thousands of committed, able, talented and skilled brilliant young men and women who will be the next generation of managers in the NHS. We need to improve the performance at the very top of the organisation and I shall set out in a moment how we intend to do that. I take great comfort from the fact that the NHS management graduate scheme is the most popular of its kind in the country. It has been voted as such by university graduates, and our financial management scheme was the fourth most popular management training scheme operated by any employer in this country. The signs are that people see NHS management as a constructive career, which contradicts the thrust of the hon. Gentleman's argument that people are worn out, burnt out and want to quit. I do not think that that is a fair or accurate description of most NHS managers.

I would be the first to acknowledge that things are difficult for many managers because the pace of change in the NHS has increased. We are often criticised by Opposition Members for not reforming the NHS enough. If one put that point to any NHS manager, one would quickly get a brush-off. Most NHS managers to whom I have talked complain about the process and the pace of change—the depth, breadth and scale of the changes that have taken place in the NHS. I shall give one example of that to the hon. Gentleman because he mentioned repeatedly the issues of motivational leadership and human resource management. That has been an issue on which the NHS has not been as effective as I would have liked for many years, and we are trying to make progress on that.

There have been expansions in capacity, an effort to make the NHS more responsive so that people have more choice and efforts to improve the health of the poorest at the fastest possible rate and raise the quality of care. If all of those were not sufficiently large management challenges, on top of them, during the next 18 months, the NHS is to introduce three major new contracts regulating the employment of its staff covering general practitioners and primary care, hospital consultants and doctors, and every other group of staff—from nurses to porters, from cooks to cleaners, and managers. In any organisation—I suspect the same would hold true for Asda—one would think, "Goodness me. That is an awfully tall agenda." We are redesigning every aspect of the service during a very short period of time and we are asking a relatively small number of managers to do that.

The hon. Gentleman drew an analogy between the NHS and health care in the United States. We could argue the toss about that; all the evidence I have seen suggests that in the United States the overall cost and burden of administration in the health service is significantly higher than it is here. The burden of the cost of management to the NHS is falling as a percentage of the overall NHS budget, not rising. One might have thought that the hon. Gentleman was saying that the costs were going up as a proportion of the overall budget. Those costs stood at 5 per cent. when we came to office, and they are about 3.9 per cent. now. Most people would regard that as a sign of progress in any well-run organisation.

The motivational side of human resource management is very important, and we have an opportunity through the contract modernisation to engage some of the skills of NHS managers in trying to turn that around. I agree with the hon. Gentleman that we need to place more emphasis on motivational management. I would take issue with his comments about productivity and how we measure it in the NHS because, as he knows all too well, the number of operations in the service is simply one measurement of that. We are dealing much more with health prevention—people are seeing their GPs more quickly and receiving treatment in accident and emergency departments more quickly. We are treating more patients according to every objective measurement, which is a result of the investment going in.

I shall make my last general point about the hon. Gentleman's remarks before I move on to the substantive comments that I have to make in the last two or three minutes. I agree with him that we should learn, and be prepared to learn, about best management practice from other countries, including the United States. I have been to California and talked to senior managers in Kaiser Permanente, and I have no doubt whatever that the NHS can learn from some of their management approaches, particularly in the area of chronic disease management, which is one of the biggest health care challenges that the NHS faces. We have to up our game in relation to chronic disease management, and there is plenty of evidence to suggest that Kaiser Permanente has some of the solutions to that problem.

I want to draw attention in the substance of my remarks to the following points. A huge amount of change is going on in the NHS at the moment, and in relation to management those changes can best be described as taking place on two levels. First, there is organisational change of a substantive nature to ensure that the management function adds value at all levels of the service. Secondly, there is a systematic drive under way to raise management standards in order to deliver all aspects of the NHS reform programme. In organisational terms—I do not intend to spend a lot of time on those today—the Department is changing the way that it manages the NHS.

We are halfway through an 18-month programme to change radically the way in which the Department works. It is moving the institution away from attempts to manage the NHS daily—the hon. Gentleman described that as not being a terribly good idea—and towards providing effective leadership in a much more devolved health and social care system. In future, the job of the centre should be to set the overall direction, ensure national standards are set, ensure the appropriate resources and best value are in place and oversee major investment decisions. However, I do not think that we should be in the business of micro-managing the NHS. As a result, we shall be losing about 1,400 posts from the centre by October next year. That is a major change by anyone's standard.

Management at trust level is focused on service delivery. Managers are working side by side with clinicians to improve the services provided to patients, and in the process ensure effective levels of patient safety. By way of an illustration to the hon. Gentleman, let me point out that in the past 13 months we have introduced new programmes to attract middle and senior management levels. We have introduced the first career development and succession planning scheme called "NHS Leaders". The hon. Gentleman said that we were not doing enough about that; I would acknowledge that we have not done so in the past, but we are attempting to remedy that.

Incidentally, the NHS Leaders programme is tracking the progress of all of our chief executives. The hon. Gentleman said that we had no effective tracking mechanisms; I do not think that that is true, but perhaps I should write to him and set out the position in more detail, if that would be helpful. That tracking is linked to a more systematic executive search function. We have also introduced the first national performance review scheme for chief executives, a new programme to draw on management talent from black and minority ethnic backgrounds, and a range of programmes where clinicians and managers work together to deliver improved services.

I do not think that good management is just about those at the top. The NHS leadership centre, with the Modernisation Agency, is working to develop effective leadership and management skills at all levels in the service. Our priority has been to strengthen managerial and clinical leadership in all NHS organisations to improve patient care. We are doing that and involving not just managerial grades, as many people would have thought, but also nurses, allied health professionals and doctors, all of whom are involved in the programme.

The popularity of graduate recruitment programmes in the NHS, to which I have already referred, is an encouraging sign. I also said that it is important to learn from other parts of the public sector and, indeed, the private sector in developing future strategy. The new gateway to leadership programme was developed to do that by attracting good managers from other sectors, and the NHS has recruited significant numbers from the private sector.

I have not been able to respond to all the hon. Gentleman's points. In the time that has been available to me, I have tried to point to areas on which I believe he and I probably could reach agreement and to assure him that it is our intention to invest in NHS management.

Teesside Centre of Excellence and Cancer Research

4.11 pm

Dr. Ashok Kumar (Middlesbrough, South and Cleveland, East) (Lab): I have been trying to secure this debate for a year and a half. It has taken a long time, on and off, but I have finally secured it. I am happy to have the opportunity to debate such an important issue, and I am delighted that my hon. Friend the Minister is in her place. She is familiar with Teesside, which she has visited many times on the campaign trail and at other times post-election, so the issues that I shall raise today will be no surprise to her.

This is my second debate in the House on the subject. I first spoke about it in January 2001 during a debate on the Science and Technology Committee's report "Cancer Research: A Fresh Look". My comments today will follow on from the spirit of what I said then, but I shall try to extend the debate in two ways. First, I shall spell out the sheer depth of the problem of cancer on Teesside. Secondly, I hope that the Minister will be sympathetic to what I have to say and will examine the case for setting up a new centre of excellence based in Teesside for the research and treatment of cancer.

Cancer is one of the greatest, if not the greatest, scourges of our times. It has yet to be eradicated. One person in four will at some time be diagnosed as suffering from a cancerous condition, so every family in this country will almost certainly experience the loss of a close member from cancer. One third of all cancer sufferers will die of the disease.

The disease has no natural borders of class, race, country or gender. However, it affects some groups more than others; for example, women, people who have worked in polluting industries, people who live in areas with significant levels of deprivation and poorer people who live in areas near industrial processes. Those last three factors make up much of the social demography of urban Teesside. Teesside itself is set within the north-east region of England, which has the highest premature death rate in the country for all cancers.

Tragically, the incidence of cancer in my area is very high. I wish to cite a few figures provided to me by the County Durham and Tees Valley public health network. They show that in 1999 and 2001, the number of deaths due to cancers of all types was well above the national averages. In those two years [illegible],164 people from a population of 0.5 million died on Teesside. That is equivalent to the entire population of one of the villages in my constituency or one of Teesside's council estates.

The standardised mortality ratio figures, for which 100 is the national average, show the divergence between urban Teesside and the rest of the country. SMRs for all cancers are 128 for Hartlepool, 123 for North Tees and 129 for Middlesbrough. The gap is even wider for specific forms of cancer. For lung cancer among women, North Tees has a staggering SMR of 205, Middlesbrough 162, Hartlepool 169 and Langbaurgh 114. I am told by the South Tees Hospitals trust that one figure—deaths from lung cancer for women under 50—is particularly frightening. For that group, the SMR is 350. That means that the chance of dying from lung cancer for a woman in that age group who lives on Teesside is three and a half times the national average.

The figures continue remorselessly. For female stomach cancer, Langbaurgh has an SMR of 154 and Middlesbrough 121. The SMR for cancer of the cervix among females in the Langbaurgh PCT area is 169, and in Hartlepool it is 165. In neighbouring Middlesbrough, it is 184. Only in five isolated instances across all Teesside's PCT areas and across all the spectra of cancers are the figures below the national averages.

Interestingly, Dr. Mark Reilly, the strategic health authority's epidemiologist, tells me that the figures, bad as they are, are not totally representative of the real level of suffering in the area, as they measure only deaths. The number of new cancers now being detected and treated significantly outweighs the deaths. Although they will not register on the SMR index, they represent a tidal wave of suffering, prolonged hospitalisation, treatments that are sometimes painful and family grief.

Ms Dari Taylor (Stockton, South) (Lab): The figures that my hon. Friend has given are frightening for the people whom we both represent. When he considers the details, does he believe that one cause of the stark figures is the lack of research on Teesside? We spend about 3 per cent. of the research finance that is available, whereas Oxford, Cambridge and London spend more than 60 per cent. of it. Does he believe that with greater finances and research we would have greater competence to handle the problems that he is outlining?

Dr. Kumar: My hon. Friend makes a very good point, which I shall address a little later. I concur with her analysis that the issue is very important in the debate about the setting up of such a centre. I am thankful to her for drawing attention to the subject.

The link between poverty and illness is also graphically shown in the geography of Teesside, which includes areas of comparative wealth and social mobility and areas of high social deprivation. The index of multiple deprivation shows that there are sharp differences in the domains of deprivation. Eleven wards in the Tees valley are in the top 100 of the overall index of multiple deprivation, and 25 are in the top 300. It is in those wards that the majority of cancers are found.

There are, of course, personal as well as social and ecological reasons for the high incidence of cancer on Teesside. Smoking and drinking, particularly so-called binge drinking, play their part. Moreover, people from poorer areas have a poorer diet. A consumer culture in which people rely on street corner, eight-till-late mini-supermarkets and convenience foods sold from local delivery vans does not bring about a balanced diet. Sugar and salt intakes are high, and there is no real balance because of the lack of fresh vegetables and fruit. Housing standards in some areas of Teesside are poor, which leads to ill health. We have a high incidence of estates with a large number of void properties, and a large number of old, Victorian terraces. We have homes that are substandard, and estates and neighbourhoods in which there are few social and health-related amenities such as clinics and GP surgeries. It is therefore no surprise that we have a cancer problem.

So far I have tried to highlight the magnitude of the problem, but I want to move on to the centre of excellence. I hope that my hon. Friend the Minister, from listening to my arguments, realises that there is a need for a new centre of excellence for cancer research and treatment in my area—a centre that can back up the work of local cancer charities and organisations. A well-developed network of cancer trusts and charities is working in the wider Teesside area, and I pay tribute to the work of those organisations. I have met many of those groups, and they wholeheartedly and strongly support my call for a new centre of excellence.

Where could such a centre be based? Crucially, the South Tees area has one of the most modern hospitals in the UK, if not the most modern: Middlesbrough's James Cook University hospital. It was due to the excellent planning of the officers and members of the South Tees Hospitals NHS Trust that that hospital was conceived.

4.22 pm

Sitting suspended for a Division in the House.

4.33 pm

On resuming:—

Dr. Kumar: It was due to the excellent planning of the officers and members of the South Tees Hospitals NHS trust that the James Cook University hospital was conceived and built with a physical research centre. The centre's standing is high. It is a division of the hospital in its own right, and it has equal footing with the clinical groupings and equal representation on the hospital's management committee. It is staffed by a multidisciplinary team whose work now pervades the whole trust.

From the outset, the hospital was also designed to have links with universities in the north-east, and most notably with the new Stockton campus of the university of Durham. The campus houses the Wolfson research institute, which is home to the Northern and Yorkshire public health observatory and to a wide range of medical specialisms, such as the north-east's health development agency.

I have spoken on several occasions to Professor Rob Wilson, director of research at the James Cook University hospital. He passionately believes that more could be done to make the hospital and its research facilities a centre of excellence for cancer treatment and investigation in the UK. However, as my hon. Friend said, he has also observed that there are massive disparities in funding in cancer research and treatment.

At its inception, the South Tees research base was allocated £192,000 of research income. Other centre's get far more. As a former member of the Science and Technology Committee, I recall working on a report on cancer research and treatment in 2000. In that report, the Committee called for a greater spread of funding across the nation and for 12 new centres of excellence. That call is still valid, nearly three years on. As much as 60 per cent. of cancer research funding is spent in London, Oxford and Cambridge, but the area between Leeds and Newcastle gets hardly any direct funding. Those disparities mean that talented people may not get the best backing for their competencies.

The South Tees trust employs some 270 consultants, and although only between 10 and 12 have a research element in their job description, many of the others have done academic and applied research and could easily do so again. They are willing to face the challenge. It was the only European recruiter to run trials on behalf of the United States national cancer institute. It now collaborates with the regional universities of Newcastle, Durham and Teesside on a large number of key research areas, including cancer and cell biology.

A mark of the esteem in which those consultants are held is shown by the fact that they have recently won £4 million from academic sources to build an extension to their clinical academic centre. That will allow the teaching of an increased number of medical students, and it will incorporate new purpose-built laboratories. I believe that that track record, that talent and that expertise could become a base for a regional cancer research centre for the north-east. It could also be part of a wider regional partnership.

As well as the universities, we also have new projects such as the Newcastle-based international centre for life. There is no reason why that centre should not have a Teesside presence. For instance, it could work with James Cook University hospital in cutting-edge research in the entire field of life sciences, which includes cell research—something that could ultimately benefit cancer sufferers and the medical profession.

The work with regional universities would expand naturally and organically if more funding were in place. That work would complement what is being done now, and could provide high-quality research focused on the needs of a community, as argued for in the NHS plan. I guarantee that any Department of Health funding made available for that purpose would attract other funding, and would be matched pound for pound. Properly applied, it could grow to be a major source of investment.

Quite simply, if a centre were built on Teesside it would have immense symbolic importance. It would be entirely fitting for such a centre to be based in an area where the killer condition is at its worst. The work of the centre, visible to the community and supported by a proud region, would also be a tremendous instrument for health awareness and education. It would be a focus for civic pride, and it would improve the health of local people.

The time has come for the establishment of a centre of excellence, and I look forward to hearing the Minister's reactions to the proposal. I wish to take the matter further, and I hope that this debate represents the beginning of a dialogue between the people of Teesside and the Department of Health. Such a dialogue would be of immense benefit to the people of Teesside, as more people would live longer, healthier and more satisfying lives. It would be a hard task, but believe me it would be well worth attempting.

4.40 pm

The Minister of State, Department of Health (Ms Rosie Winterton): I congratulate my hon. Friend the Member for Middlesbrough, South and Cleveland, East

[Ms Rosie Winterton]

(Dr. Kumar) on securing the debate, especially as he has been trying to do so for a year and a half. His background in research at Imperial college London and British Steel makes him especially well placed to talk about research issues. I also congratulate him on the passion and eloquence with which he talked about social deprivation and its impact on health. We need to get that point across much more clearly, so that people understand that several factors may contribute to poor health. That is very important if local communities are to engage in the process of examining how they spend their resources on alleviating health problems. He spoke about the devastating effect of cancer on the lives of people in Teesside.

My hon. Friend will be aware that we published the NHS cancer plan in 2000, and produced a three-year progress report this October, which showed that cancer remains a top priority for the Government. We are making great improvements. Prevention, screening, diagnosis, treatment and care are all improving due, I must say, to the hard work done by staff in the NHS and elsewhere, which has been backed up by millions of pounds of new investment. As a result, death rates have fallen by more than 10 per cent., which is halfway to our 2010 target. Lives are being saved and patients are receiving better care.

My hon. Friend highlighted the dreadful mortality rate for lung cancer in Teesside, especially among younger women. I am pleased to report that NHS smoking cessation services have been especially effective in the north-east. The figures will be of interest to hon. Members. The highest proportion of people in England who have successfully given up smoking through those services is in the north-east. Some 740 people per 100,000 in the north-east quit in 2002–03 compared with 312 per 100,000 nationally. Last year in Middlesbrough, 1,049 people successfully quit through an NHS smoking cessation service. Those figures are incredibly impressive.

We are also making real progress on research, as my hon. Friend the Member for Stockton, South (Ms Taylor) highlighted. I should add that the national cancer research network is designed to bring the benefits delivered to patients participating in research to all parts of the country. The amount of funding allocated to Teesside, South Durham and North Yorkshire per head of population is the same as that allocated in other areas, but I take her point on board.

In the past three years, we have managed to double the number of patients entering clinical trials. The cancer plan identified two key weaknesses in cancer research: insufficient high-level strategic planning and co-ordination between different funders, and an inadequate infrastructure for clinical research. We have made major steps forward in both those areas with the establishment of the National Cancer Research Institute, the National Cancer Research Network and the National Translational Cancer Research Network.

The National Cancer Research Institute was launched on 1 April 2001. It brings together the major funders of research, including the Government, the voluntary sector, which my hon. Friend the Member for Middlesbrough, South and Cleveland, East mentioned, and industry, together with cancer patient representatives, to ensure that we have a national strategic approach to identifying and supporting cancer research. The NCRI oversees two research networks, both funded by the Department of Health: NCRN, which provides infrastructure for larger, multi-centre clinical trials; and NTRAC, which leads on translational research.

The NCRN is already achieving its aim to provide a world-class base for the conduct of clinical trials. The percentage of cancer patients participating in trials in England is now twice that in the United States of America. Teesside has played its full part in that success. The Cancer Care Alliance of Teesside, South Durham and North Yorkshire joined NCRN in October 2001. Its clinical lead for research is Professor Robert Wilson, to whom my hon. Friend referred. This year, Department of Health funding to that research network is £250,000, and the network has put it to very good use: last year, only 3 per cent. of cancer patients in Teesside, South Durham and North Yorkshire were entered into clinical trials of new cancer therapies, but this year the figure has doubled to 6 per cent. That is an impressive achievement.

With regard to translational research, NTRAC was established in May 2001 to help to improve the quality of cancer care by speeding up the process for bringing scientific breakthroughs from the laboratory bench to the patient's bedside. It will ensure that a greater number of patients are able to take part in early clinical trials of the newest diagnostic agents and treatments.

That was the national picture, but I should like to consider in more detail the contribution that is being made to cancer research in my hon. Friend's area. He highlighted the track record of the local NHS and academic organisations in cancer research, and made particular mention of the work of South Tees Hospitals NHS trust in collaboration with the universities of Durham and Newcastle. The trust receives £368,000 per year in NHS research and development funding from the Department of Health, of which £120,000 is used to support its ongoing programme of research on cancer cell biology. The programme is led, as has been said, by Professor Robert Wilson. I was pleased to note that the trust has attracted a further £200,000 of research funding from other sources, including Cancer Research UK.

I know that the programme based at James Cook University hospital in Middlesbrough is making progress in the fields of colorectal, ovarian and prostate cancer, and my hon. Friend also mentioned the Queen's campus at Stockton, which is the focus for Durham university's new school for health and the home of the Wolfson research institute. Professor Pali Hungin, whose clinical practice is based in Teesside and who has been active in NHS research and development for many years, has been appointed dean of medicine at Durham university.

My hon. Friend suggested that Teesside should become a centre of excellence for research into and treatment of cancer. I reiterate that the contribution that Teeside has made—and continues to make—is incredibly impressive. I hope that, through the debate, we have acknowledged the strides that have been made. We congratulate those in the area on their hard work and encourage them to continue to build, in collaboration with near neighbours, towards a centre of excellence such as my hon. Friend described. We will watch developments with interest. Both my hon. Friend the Member for Middlesbrough, South and Cleveland, East and my hon. Friend the Member for Stockton, South made particular mention of the voluntary organisations that work so hard in the area. It has been impressive that many organisations have come together and have been able to access funding.

I shall ensure that my ministerial colleagues are fully apprised of all the points that have been made today, particularly the comments about the centre of excellence and the progress that is being made, of which we are all very proud.

It being nine minutes to Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Wednesday 10 December 2003

[MR. FRANK COOK *in the Chair*]

Financial Services Jobs (Outsourcing)

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Ainger.]*

9.30 am

John Barrett (Edinburgh, West) (LD): I am delighted to have secured this important debate because it highlights not only a local concern for my constituents and those living throughout Scotland's capital, but a national concern, as shown by the number of hon. Members who contacted me before the debate. I am grateful for their interest.

That said, I hope that hon. Members will understand if I concentrate part of my speech on the impact that outsourcing has had on my home city of Edinburgh, which is heavily dependent on the financial services industry. One term that we shall hear a number of times today is "offshoring". That relates to jobs that were formerly done in this country but which have now gone abroad. Local newspaper headlines along the lines of "City hit as 2,350 Aviva jobs go east" and "50,000 jobs lost to India" have, understandably, heightened local concerns, as shown by the number of letters, telephone calls and e-mails that my constituency office is receiving. The issue will also be the subject of debate during tomorrow's meeting of City of Edinburgh council on a motion tabled by the Liberal Democrat group leader, Jenny Dawe.

I want to mention the work of my constituency neighbour, the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz), who is present. I hope that he will contribute to the debate. We have already had a joint meeting with interested parties, a practice that I hope can be continued, because one thing is clear: there is cross-party concern on this issue and the concerns are spreading to many homes throughout the country in the run-up to Christmas.

I accept that this is not just a local concern for Edinburgh or even Scotland as a whole; most UK call centre jobs remain in the south-east, and the Lloyds TSB losses will have a massive effect on Tyneside. This is far from just an Edinburgh problem, so I look forward to hearing contributions from other hon. Members on issues local to them. I also accept that outsourcing is not exclusive to the financial services industry. However, the announcements by HSBC, Lloyds and Aviva, which stand out from the rest, show the particular relevance of outsourcing to this industry. That is why I mention it in the title of the debate.

A number of other jobs have already gone overseas, and that has been the case for many years. Last week, I read about sporran and kilt production in India, which is even considering producing whisky and exporting that to Scotland. Today, however, I shall concentrate on the financial services industry.

Much has been written about what is happening in the global marketplace, why jobs have moved in the recent and distant past, who will be the winners and losers, and why our colonial past and the spread of the English language have resulted in particular risks for our country. I hope that this debate will add to the debate that is already taking place up and down the country on an issue that will affect thousands of individuals and their families in years to come.

Last week's announcement by the Secretary of State for Trade and Industry about setting up a study of the call centre industry is warmly welcomed. I hope that this debate will allow hon. Members to feed into the early stages of that study. The announcement is welcome partly because it contrasts starkly with the Prime Minister's comments last Wednesday. If he thinks that by saying that the job losses are just the way of the world he will soothe the fears of the people he serves, he is sadly mistaken. The Government, the Department of Trade and Industry and the Secretary of State must not downplay these issues, although admittedly the study recognises that there is a problem that needs to be addressed. Of course, the Government are right to say that we are not in a panic situation yet. However, the problem is part of a trend and we need to address it now, or we will face a very serious crisis in the not too distant future.

Why is the outsourcing of jobs, and financial services jobs in particular, so important? The UK call centre industry employs more than 790,000 people in more than 5,000 call centres. It employs almost 4 per cent. of the working population of Scotland, with nearly 100,000 people working in such centres. The figures for other parts of the country are just as stark. More than 4 per cent. of the employed population work in contact centres in the north-east and north-west of England. In many cases, the rise of the service sector, financial services and contact centres has occurred in parts of the country that suffered from a serious fall in manufacturing. The thought of yet another upheaval in industry in those areas brings dread to many people.

The first Adjournment debate that I secured was on the manufacturing industry in Scotland. In that debate, the former Secretary of State for Scotland, the right hon. Member for Airdrie and Shotts (Mrs. Liddell), made the point that the decline in manufacturing could be tolerated because of Scotland's booming service sector. I did not buy into that argument, but if it is true, the movement, or at least the beginning of the movement, of service sector jobs from Scotland to the Asian subcontinent should deeply concern us.

Answers to my parliamentary questions have revealed a 16,000 net decrease in manufacturing jobs north of the border in the past year. Without question there is greater dependence in Scotland on financial services, and the future of that industry is key to the future of the country. I accept that jobs move and that little in the global market remains the same. I am also aware that it is not all one-way traffic; there are benefits to companies in terms of cost reductions. We will naturally try to encourage jobs to come to our country, and it would be naive to think that other countries will not do the same. We welcome improved opportunities in the developing world so that those ravaged by hunger and poverty can hope that one day their lot will improve.

I would not advocate building barriers and pretending that the outside world does not exist. We have gained much over the years from becoming an

[John Barrett]

international trading nation. A new set of problems must now be tackled so that the financial service industry does not become a victim of those who seek short-term financial gain instead of long-term security.

The figures on outsourcing show, perhaps contrary to some comments by the DTI, that people are right to be concerned. Firms have outsourced more than 50,000 jobs that serve UK customers to India over the past two years. India is not the only destination for jobs; South Africa, Malaysia and the Philippines have also gained from outsourcing.

In many cases, the job transfers have formed part of a pilot, but any experiment is carried out for a reason. Steve Tatlow, the assistant general secretary of Lloyds TSB Group union said:

> "You don't spend money on a pilot if you don't think it's going to be a success."

If companies find the pilot to be successful, as some already have, surely they will follow it up. What will follow remains the big question and we will have to wait for the answer.

Outsourcing of call centre work is expected to increase by 25 per cent. over the next five years. Andrew Stewart, the managing director of the industry consultant Troika, has warned that 40,000 jobs in life and pensions and general insurance, along with 60,000 in banking, are likely to be moved abroad within the next few years. The announcements made last week by three financial giants—HSBC, Lloyds TSB and Aviva, owners of Norwich Union—have rightly received much publicity. The combined intentions of those companies amount to the transfer of about 7,000 jobs abroad. Those companies stand out because of the numbers involved, but it would be wrong to say that they are alone. The list of companies that have transferred jobs overseas, or are considering such a move, is extensive and includes Powergen, British Airways, British Telecom, Vertex, Thomas Cook, Prudential, Citigroup, JP Morgan, Scottish Widows, National Rail Enquiries, Tesco, Abbey National, Barclays, BSkyB, Royal Sun Alliance and Churchill Insurance. That extensive list shows the scale of the trend.

As was recently reported by the business section of the BBC, the list of processes that can be moved to the Asian subcontinent is almost endless and includes customer reservations, telemarketing, payroll processing, insurance claims and credit card and loan applications. Many contact centre jobs have already gone. Yesterday there was an announcement about legal jobs moving. Tomorrow it will be accountancy. Accountants should be warned that they are next.

It is not difficult to work out the reasons for this turn of events. British Telecom's workers in India are paid approximately 75p to £1.25 an hour compared with the £5 to £10 paid to contact centre staff in the UK. All the evidence suggests that labour costs are on average 40 per cent. cheaper than those in the UK, despite the fact that many call centre workers on the Asian subcontinent have two university degrees.

It would be wrong to suggest that we can compete with such low wages, and we should not try to do so. The Government are to be commended for the work that they have done to improve worker pay, and that progress must not be squandered. There are, however, other ways in which the Government can help. I will talk about those in a moment.

As I mentioned, the outsourcing of jobs has taken its toll on workers in Edinburgh. Some 60 of the 187 jobs at Norwich Union in the capital will be lost. That follows earlier job losses in July when the company shed 900 jobs nationwide. Abbey National has plans to move an estimated 100 Scottish Provident jobs from Edinburgh and Glasgow, and last month Lloyds TSB-owned Scottish Widows revealed plans to move several back-office processing jobs to India. All the evidence suggests that in the event of further outsourcing, Scotland in particular will be hit hard. Contact Babel, the call centre industry analysts, produced a report that concluded that Scotland was especially vulnerable to the trend that we are now seeing. It stated that the spectre of "mass unemployment" now hung over Scotland—hardly the backdrop that we want in the run-up to Christmas.

I should make it clear that not all financial companies have taken the decision to outsource. Standard Life, for example, one of the biggest employers in Edinburgh, with around 8,000 staff, has been firm in its commitment to keep jobs in the city and the country. Its director of human resources, Marcia Campbell, said:

> "We have no plans to move any customer service roles overseas. We believe that having customer service operations at the heart of the organisation in Edinburgh delivers a real competitive advantage for Standard Life. We have one of the lowest staff turnovers in our industry and the depth of experience which has been built up could not be replicated by moving jobs elsewhere."

Similarly, the Royal Bank of Scotland, which will open its new headquarters in my constituency, employing around 3,000 staff, has confirmed its intentions to keep its call centre and other staff based in the UK. The Bank of Scotland, which employs some 7,000 people in Edinburgh, said after piloting the offshoring of some operations:

> "After considering all the facts, we have decided not to pursue this option. We concluded that the best outcome for our staff, shareholders and customers is to continue to employ people in countries in which we operate."

I applaud those views and have carefully filed those comments away should the suggestion of a U-turn ever come about. On the positive side, it does show the corporate responsibility for which many of us in this place push so strongly. The success of large and, in some cases, multinational companies has come from the ability, tenacity and hard work of their UK staff. It is easy to understand the anger of those who feel betrayed when that hard work is repaid by the transfer of their jobs overseas. It is not only the company that deserves the loyalty of its employees; the employees who build it up also deserve its loyalty.

The big question is what we, and the Government, can do. I accept that these questions are not easy to answer, but we must have a strategy and a mechanism to deliver job protection, rather than the void that has existed so far. The study announced by the Department of Trade and Industry comes on the heels of a similar effort in Scotland—the setting up of the financial services strategy group, chaired by the Scottish Deputy First Minister and Minister for Enterprise and Lifelong Learning, Jim Wallace. The group's membership is impressive and includes the chief executive of Standard Life, the Bank of Scotland governor, George Mitchell, and the chairman of Scottish Enterprise Edinburgh and Lothian, Jim McFarlane. It is important for the group and the Government to work closely together to formulate a thoroughly integrated strategy for the protection of Scottish and UK financial services jobs.

The Secretary of State for Trade and Industry rightly said that we have a competitive international market. Our heads must not be in the clouds. We must not think that there is a magic solution or, as I said, that we can compete with low wages. I also oppose the view expressed by some that trade barriers should be erected to try to prevent the drift of jobs to places like India. We have a good trading relationship with that part of the world, which benefits us far more than it damages us. We must learn from the experiences of companies like the ones that I mentioned earlier, which have, for whatever reason, decided against outsourcing. What works well for them must be replicated to ensure that the business market remains competitive. Clearly some businesses see the UK as having lost that competitive edge. We need to work towards understanding how and why that has happened and what can be done to regain our pole position.

The various polls of public opinion on the issue of outsourcing have proved interesting. The research group Mitial found that 60 per cent. of the UK public were opposed to the idea of outsourcing jobs and a similar poll found that 78 per cent. believed that companies had not clearly addressed customer opinions on the migration of jobs. That may not be too surprising. However, the survey delivered by the TUC last September found that 63 per cent. of respondents would take the location of jobs into account before making a purchase.

The potential for consumer power is considerable. Several constituents have already contacted me, telling me that they have already cancelled or intend to cancel their policies with a certain financial company not only because of its decision to outsource a substantial number of jobs, but because of the way that the announcement was made. We will have to see whether that attitude and type of action will increase over time.

I am keen for other hon. Members to have an opportunity to contribute to the debate. However, as I have said, there is concern that what we are seeing now may be the thin end of a large wedge and that more substantial outsourcing and job losses will occur soon. The Government take pride in the levels of employment in the UK. Although I accept that such an accomplishment is important, I have to warn the Minister that if she responds to the debate merely by trumpeting the well documented employment figures, she will leave those concerned about the future of their jobs feeling let down.

In the run-up to Christmas, I can imagine the best possible present for the thousands who work in the call centre industry and financial services industry would be a commitment from the Minister that her Department and the Government take the matter seriously, perhaps more seriously than the Prime Minister suggested last week, and that a strategy for the future protection of such UK jobs will be a priority in the new year. I assure the Minister that many hon. Members and many thousands outside this place will listen closely to her words.

Several hon. Members *rose—*

Mr. Frank Cook (in the Chair): Order. Those hon. Members who are well versed in the protocols of this Chamber will not be surprised to hear the following announcement. This is a 90-minute Adjournment debate and normal practice is to commence the three winding-up speeches 30 minutes before termination—in other words, at 10.30 am. Seven hon. Members seek to catch my eye, four of whom wrote to alert me beforehand that they wished to speak. I appeal to everyone to make their comments pertinent and as brief as possible, and to be judicious in accepting and responding to interventions. In doing that, hon. Members will help the Chair to allow everyone to speak.

9.47 am

Hugh Bayley (City of York) (Lab): I believe that politicians should tell the truth, even if it makes them unpopular when they are the bearers of bad news. The sooner that we face an unpleasant reality—the reality that India can now do some office jobs more efficiently than we can in Britain—the sooner our businesses will start to adjust to the new competition and the more British jobs we will save.

I regret the loss of financial services jobs, whether those jobs are lost in my constituency—where, following the recent announcement by Norwich Union, the number of redundancies will thankfully be few—or elsewhere in the UK. I want the financial services industry to minimise the number of redundancies and to retrain and redeploy the maximum number of staff, but simply wringing our hands and blaming the companies, or the Government, will not help the workers. That is as useful as shouting at the driver of an express train when it is racing towards us, and asking the driver to stop. We should not pretend to ourselves, or to the public, that protectionism provides an answer. If we put barriers in the way of trade, it is like putting concrete blocks on that railway line. It may derail the train, but it will crash where we are, not where it started the journey, and we are likely to get hurt as well.

So what can we do? We can slow the process if we help financial services companies in this country to operate in an efficient environment. Companies in India get a lot of help from the Indian Government, who are creating new cities and industrial parks to house the new call centres and back-office administration jobs. They are investing to make their IT revolution happen. Norwich Union Life Insurance, which has its headquarters in York, in my constituency, says that City of York council helped it to find new premises when it recently expanded its operations at Monk's Cross and at Clifton, which are both in York, and when it needed to dig up a road at short notice to lay a communications cable. It has a good working relationship with the local authority. However, in some of the other cities in which it operates, it does not have such a helpful and flexible response from the local authorities. It would help industry if York's attitude were more common.

We need to argue through the World Trade Organisation for a level playing field. I read in *The Sunday Times* a few weeks ago that the Indian quango,

[Hugh Bayley]

Software Technology Parks of India, has been given a corporation tax holiday until 2010. We need to amend the general agreement on trades in services, or GATS, to ensure that such unlevelling of the playing field cannot take place. To do that, we need to achieve a deal in the Doha trade round, and to do that, we, as a developed country, need to make concessions to developing countries on agriculture trade reform, which is where developing countries gain most from world trade. It is in our interests to make concessions to developing countries in the trade round so that we get the benefits that we need in GATS at the high-tech end of trade negotiations.

We need also to adjust now; later will be too late. We can already see the train on the track, or as Gary Withers, chief executive of Norwich Union Life, told me earlier this week, we can see the tide coming in. Those who respond early and plan changes at their own pace can avoid many redundancies. For example, earlier this year Norwich Union established 1,200 jobs in call centres in India, which resulted in just 21 redundancies in the UK. The alternative to globalisation is to watch costs in one's company rise, to lose UK customers as a consequence and to end up making emergency job cuts to try to balance the books. That could cost thousands of jobs.

How can it be that one can outsource thousands of jobs to India and lose far fewer in the UK? Suppose that a company wants to create 2,300 administrative jobs. Taking into consideration such factors as the salary, the cost of the premises and the tax paid by the employer, that might cost £19,000 per job in the UK, a total of some £45 million. The same exercise in India might cost £4,000 per job for salary and on-costs, or £10 million in total. To that, one should add the same again, some £10 million, for telecoms links to the UK. A saving of some £25 million could be made, but where would be the benefit to Britain? First, it would be in the telecoms. They might well be provided by BT or Cable and Wireless, so half of the cost of a relocation might come back to the UK. Secondly, the saving of £25 million could be used by the company to develop and market new products in the UK or in other markets overseas in which it has subsidiaries and from which it repatriates profits to the UK.

The expenditure in India could help the British economy, too. If a British company pays sterling for the resources that it buys in from abroad, that sterling will eventually be spent by somebody abroad to buy goods or services from Britain. Even the spending power of the Indians who are earning in the offshore subsidiary will buy goods and services, such as mobile telephones and insurance policies. Aviva, the parent company of Norwich Union, has set up an insurance sales subsidiary in India and the profits from that can be repatriated.

The insurance industry is going through a period of great restructuring. I believe that in 10 years or so, we will end up with six or eight massive global companies. I would like some of those leading companies to be British—perhaps the Pru or Aviva—but if our companies do not retain their competitive edge, they could be swallowed by others. I would rather see Norwich Union still in the driving seat, with its headquarters in York, than it becoming a subsidiary of a company with its headquarters in Baltimore or Berlin.

Finally, we parliamentarians should spare a thought for India. When I was a child, our image of India was of a country facing endemic famine: of a man wearing a loincloth and holding a begging bowl. India still has more people living in absolute poverty—on less than $1 a day—than any other country. However, it is changing fast. India's skills and hard work, its enterprise and its investment in education, together with our aid, and investment, are turning India into a development success story. It is in our interests that India should prosper, as we would be paying the country less in aid and we would export more goods there. India would benefit from development, but so would we. We do not make ourselves richer by keeping Indians poor.

Several hon. Members *rose*—

Mr. Frank Cook (in the Chair): Order. That was a move in the right direction, but it was not tight enough. We now have 34 minutes to accommodate the six hon. Members who seek to catch my eye. I call Mr. Peter Luff.

9.56 am

Mr. Peter Luff (Mid-Worcestershire) (Con): Thank you, Mr. Cook: five minutes it is.

I agree with every word spoken by the hon. Member for City of York (Hugh Bayley) save for one. India does not want our aid. It is already an economically successful country, and it can develop its own way to success. I speak as chairman of the Conservative Parliamentary Friends of India. I was there recently on a two-week visit, and I saw many of the issues at first hand.

I agree with the hon. Gentleman that there are three basic reasons why we should resist the seductive arguments and tell the truth. First, it is in the interests of the survival and success of British companies. Secondly, it is in the economic self-interest of the United Kingdom. Thirdly, it is about morality—helping India out of the poverty that has afflicted it for far too long. Indeed, the openness of the IT sector in India stands in stark contrast to the many sectors that are still too heavily protected, particularly the retail sector. The success of IT in India is an exemplar to the Indian Government and the Indian people, showing that free trade can bring real benefits; it has been responsible for driving the liberalisation process in India.

I must tell the hon. Member for Edinburgh, West (John Barrett) that that is not a problem, as he said, but a challenge. I concede that it poses a challenge to the British economy, but it is not a problem. That is a big difference. As the Government have said, we need to drive up skills in the UK to enable us to compete in the globalised economy. There is no point in crying over spilt milk or trying to pretend that we can put that genie back in the bottle; it has happened. However, if we do not respond appropriately, our constituents will pay a heavy price.

There is a mythology about India. People say that it is has a low-skill economy. That is not so; highly skilled jobs are now going to India. For instance, Indian bankers are returning from New York, where they earned £500,000 a year, to work in Mombai; they are on lower salaries but have a much higher standard of living because of the country's low labour costs. India is changing fast, and those dramatic developments surprise those who are not familiar with the country. In a few years, India and China will rule the economic world. We need to understand that reality and adapt to it. We must not try to resist it. We need to engage with India, not to treat it as a problem.

As the hon. Member for City of York said, through our monstrous agriculture policies, we have for years forced India to export agricultural jobs. For many years before that, during the time of the British empire, we forced India to export its manufacturing jobs to Britain. The boot seems now to be on the other foot, but as the hon. Gentleman said, there is a mutual benefit to be had from responding appropriately. The correct response will lead to gains for all. The hon. Member for Edinburgh, West told us that Tesco's chief executive, Sir Terry Leahy, had spoken about investing in India. Sir Terry said:

> "Indeed, by remaining competitive and innovative, we will create an additional 13,500 jobs in the UK this year, and over 2,000 jobs specifically in Scotland."

So a zero sum game is not being played. Of course it is painful for the individuals who from time to time lose their jobs, but more people will gain jobs if we respond appropriately.

Businesses cannot just stand by and watch their global competitiveness being eroded. The US economy has already benefited to the tune of some $16 billion in cost savings, while the British economy has saved only $1 billion. The nightmare scenario of the hon. Member for City of York will come true unless we respond appropriately and achieve the same cost savings. That is the way to maintain effective corporate strength and job creation in the UK. Companies have to make a difficult choice. If they do not outsource, they will probably go under. Some jobs may be lost in the process in the short term, but the gains are considerable.

In the specific context of Scotland, I ask the hon. Member for Edinburgh, West whether he has seen the report by Professor Phil Taylor of Stirling university and Professor Peter Bain of Strathclyde university. It noted that Scotland has had a net growth of 10,000 jobs in call centre employment during the past three years, while in the same period, the number of call centres in Scotland grew from 220 to 290. Of those approached by the authors, 92 centres said that they expected to add more jobs by 2006. Doom and gloom should not be preached. The job losses always make the headlines, and the successes are often ignored.

It is also important to remember that in Britain we are gaining from the outsourcing of call centre jobs from the continent of Europe to Britain. We are gaining employment from other European countries, and I have a word of warning to the Minister on that. We need to maintain not only our skills but job market flexibility, which is also key to that process. What is more, Indian businesses are investing heavily in the UK, including in a call centre in Belfast, and generating jobs in many other sectors too.

My message is simple: we have nothing to fear from the process. We must regard it as a challenge to address honestly and openly, and if we do, India and Britain both gain.

10.1 am

Mr. Jim Cousins (Newcastle upon Tyne, Central) (Lab): I congratulate the hon. Member for Edinburgh, West (John Barrett) on securing the debate, which is not simply about call centres, but our future knowledge base, because where the call centres go, many ancillary services will follow. We are talking not just about what my hon. Friend the Member for City of York (Hugh Bayley) described as office jobs, but about a great prospect for the future.

Some 1,000 jobs have been lost at Lloyds TSB in Newcastle. We are not losing our old economy, but our new economy—an economy that we have had for only 18 months, announced in the presence of the then Secretary of State and accompanied by a snowstorm of booster press releases. Those employed at the Lloyds TSB centre in Newcastle are largely young people and disproportionately from the British Asian community. The passion for opportunity, coupled with the lack of opportunity, especially in Newcastle, is a feature of that community. I always bear that fact in mind and want to stress it in debates.

Certain features of the financial services sector are of great importance. My hon. Friend the Member for City of York said that all the tax would come back to us, but the Government need to consider the corporation tax situation for companies that relocate. Will we face a major problem with future corporation tax revenues when companies relocate, particularly if that is accompanied by us losing a great part of the knowledge base that is associated with them?

We need to consider what data protection issues arise as a result of relocation because information about British consumers will be held on a massive scale in another jurisdiction. We also face regulatory issues. Every time I ring Lloyds TSB as a customer, I am asked whether I want to buy my gas from the company. In future, changes to financial services will allow banks to sell insurance and other products. What is the regulatory position of sales made over the phone from another jurisdiction? That applies especially to some of the relocations that directly affect insurance, which has important regulatory implications. As someone from Lloyds TSB explained to me at a meeting in the City only last week, call centres are in the front line of our defence against financial crime. How will the relocations affect that? How will British legislation on financial crime be reflected and carried out in relocated call centres?

Parliament recently passed draconian legislation—correctly, I thought at the time—on terrorism that involves money laundering. What implications does that have for the relocation of major information and service delivery centres for finance, banking and insurance services to other jurisdictions? The Government need to apply their mind to such issues rather than simply deliver rather old new Labour lectures on the need for workers to face change.

10.5 am

Annabelle Ewing (Perth) (SNP): I congratulate the hon. Member for Edinburgh, West (John Barrett) on securing this important and timely debate. He set out clearly and concisely the importance of the financial services sector to the Scottish and UK economies and,

[Annabelle Ewing]

therefore, the importance of call centre and back-office jobs in that sector. Like him, I have a direct constituency interest because Norwich Union, or its parent company Aviva, has a significant operational base in Perth. It was previously the headquarters of General Accident. Sadly, however, with all the subsequent amalgamations in the insurance business, that is no longer the case.

Aviva's announcement last week of its intention to offshore 2,350 jobs next year caused some alarm in Perth among both the Norwich Union staff and the wider population. Fortunately, this time we were assured that there will be no direct impact on jobs in Perth. None the less, the staff remain fearful about what lies ahead.

Financial services sector companies that are offshoring jobs say that it brings great cost savings—40 per cent. in some cases—and that that is good news for everyone. I wonder if, and to what extent, those savings will be passed on to the consumer. The process appears first and foremost to be shareholder driven, not consumer driven.

Given the time constraints, I shall focus on giving the Minister some helpful suggestions. The Government's response to date has been somewhat disappointing. An initial period of silence was followed by some hand wringing, then the Prime Minister said, "Well, that is the way of the world", and finally, last Friday, the Secretary of State for Trade and Industry was forced to act. The Minister shakes her head. She will have the opportunity to comment when she responds. In any event, it is welcome that the Secretary of State is to commission a study into the sector.

I understand, however, that the study is limited to call centre jobs and offshoring. Will the Minister at least assure us that she will speak to the Secretary of State with a view to making representations to widen the remit of the study to include back-office IT and administrative jobs? That is crucial. As the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) said, it is the added-value jobs that are increasingly being shipped offshore. He also said that we should consider the extent to which the offshoring of jobs in the financial services sector is compatible with legislation, in particular the plethora of European Community single-market financial services legislation, to which all such companies are subject.

The Minister should consider the implications for data protection. Life insurance and health care insurance work are increasingly being offshored. Such work involves extremely sensitive information. Companies are moving from a paper-based approach to scanning paper online, and crucial issues of data protection should be examined. I urge the Minister and the Government to take on board what I think are helpful, constructive suggestions to consider how we can stand up for jobs in Scotland and throughout the UK in the important financial services sector.

10.10 am

Mr. Mark Lazarowicz (Edinburgh, North and Leith) (Lab/Co-op): I declare an interest as the unpaid chair of a parliamentary group for Scottish Financial Enterprise. I congratulate the hon. Member for Edinburgh, West (John Barrett) on securing this debate. Not surprisingly—I am his constituency neighbour—my constituents have expressed the same concerns on this issue, which he set out very well.

I want to take up a couple of points made by my hon. Friend the Member for City of York (Hugh Bayley) and the hon. Member for Mid-Worcestershire (Mr. Luff) about the response that we should make to the move towards outsourcing jobs in the financial services sector and other sectors. It is not my position and, I suspect, that of other hon. Members in the Chamber, that every job that is outsourced should be regarded as a retrograde step. I recognise that in many cases that option makes the best business sense for companies and is in the interest of the remaining employees in this country. However, I cannot accept the argument that outsourcing is always inevitable and that nothing can be done about it. We accept, as an objective of the Government, that we must try to defend our manufacturing industry. As I understand it, decisions taken on the defence industry are specifically designed to maintain employment in this country, and we have heard that the Indian Government do not care to protect employment. Like other hon. Members, I am suggesting that our response to outsourcing should be more discriminating. We should not assume that there is nothing we can do in every case and that outsourcing is an inevitable effect of the global market.

A number of considerations have a bearing on our approach to the loss of jobs and outsourcing. First, when companies choose to outsource jobs, they should be bound by the same rules that would apply if they were transferring their business within the UK or the European Union. They should be prepared to pay the extra costs of the loss of pension rights and other benefits that they would probably have faced if they were transferring jobs within the UK. The same rules should apply if companies are outsourcing jobs outside the European Union. That may mean that some outsourcing would not take place. It would certainly mean that the workers whose jobs would go if companies moved abroad would get better compensation for their loss of employment.

Secondly, it is noticeable that the financial services companies that have made it clear that they do not intend to outsource are extremely successful and have shown a strong commitment to this country. So companies do not need to outsource to be successful. The hon. Member for Edinburgh, West mentioned the Royal Bank of Scotland, which has its headquarters in Edinburgh, and Standard Life, a mutual company. It is clear how important it is for the Government to take decisions to encourage companies to stay owned and headquartered in this country. They should not intervene to prevent people from entering the market, but should encourage strong UK-based companies, particularly in the regions and nations of the UK.

We must encourage new businesses. That applies to Edinburgh and Scotland in general, where the business formation rate is too low. It also applies to part of north-east England. Above all, there must be a recognition of the scale of the threat to the financial services industry in Edinburgh, where it is a major private sector employer, and in other parts of the UK. I welcome the decision taken by the Scottish Executive and the Secretary of State for Trade and Industry to set up a working group on the subject because the issue is important, particularly for Edinburgh. I want an action group to be set up for Edinburgh, involving the Scottish Executive, the Government, the city council and industry, to determine the best response to the challenge that we face as a result of outsourcing.

On the morality of responding to the outsourcing of jobs to India or elsewhere, the problem is that such policies will not benefit the landless poor or the urban poor who are on $1 a day or much less. Instead, those policies sometimes benefit the highly educated sectors in those economies and, above all, the financial services companies themselves. Such moves do not necessarily result in sustainable development in those countries. We already know, for example, that some of the jobs that have been outsourced to India are now being subcontracted to China.

I am not arguing in favour of protectionism, but my comments emphasise what a complex phenomenon globalisation is. The issues are not as simple as they sometimes first appear. However, let us not assume that the process is inevitable or that there is no response other than simply sitting back and accepting that such moves will take place. We should recognise that the issue is complex and that Governments in countries such as India are trying to support their jobs and economies. Let us also ensure that we are as proactive in defending our jobs and interests as those other countries are in their own way.

10.16 am

Mr. Robert Key (Salisbury) (Con): I congratulate the hon. Member for Edinburgh, West (John Barrett) on raising such an important issue. I have no intention of going over ground that has already been covered in this excellent debate.

A constituent of mine, Kate Williams, drew my attention to the serious impact that outsourcing jobs in the financial services sector has had in my constituency. She e-mailed me on 17 September, saying that she worked in the insurance sector and that the company that she worked for was involved in outsourcing. She said:

> "I feel worried for my job, which is sad because I am only 21. Many employers in Salisbury are in the position where outsourcing is a feasible and real option."

She worked for Friends Provident, which has 900 employees in my constituency. It is an excellent company with a record in corporate social responsibility that is second to none. I am grateful to the chairman, the chief executive officer and the Amicus branch secretary for educating me a little on the problem of outsourcing in financial services.

The big conversation now should be about where the new jobs are coming from. In the 1970s and 1980s we lost 4 million jobs in steel, shipbuilding, railways and coal, but the UK defied the prophets of doom and we ended up with lower real unemployment than in 1967. I am old enough to remember the reaction of previous Labour Governments to the winds of economic change, as are other hon. Members in the Chamber. The policy was to subsidise declining industry and technology and to tax sunrise industries and jobs. Who can forget the selective employment tax and the Wilson-Castle fiasco, "In Place of Strife"? Perhaps no-one in that era really believed that the nation's whole economy could be transformed in a generation. Well, it was, and we had better believe that it can be again.

In the 1980s and 1990s, the new jobs came from service industries, including financial services, and information technology. Millions of new jobs were created. It was all made possible by the introduction of supply-side reforms in the economy, which made UK plc competitive at home and abroad, and the deregulation of industry and financial markets. The answer to the outsourcing problem for this country does not lie with new regulations or Government-imposed labour market rigidities, yet that is exactly what is happening. The Government are forcing financial services out of the country.

EU employment legislation such as the working time directive is starting to bite in the financial services industries. Growth in the housing market at the same time as a downturn in equity markets has brought new business to the protection market, which is operated by insurance companies and underwriters. There have been huge shortages of trained, senior underwriters. Companies have had to bring people out of retirement to cope, but it is much easier to source the new demand from India. For example, physicians in India are trained to the same standards as our own, are half the price and are quicker to train in assessing medical risk.

The demand does not just affect call centres or clerical jobs, however. India is producing 1 million graduates a year who are hungry for work. The Indian economy has a glittering future. We should also keep an eye on China, as it is not far behind.

The Treasury's new capital regulations for the financial services industries mean that insurance companies have to hold more capital. That leads to rigidity and inefficiency in resource allocation, and to companies becoming internationally uncompetitive. That is a mistake.

The problems have been accelerated by the stakeholder price caps. Ron Sandler's report in summer 2002 criticised the financial services industries for being inefficient, but the price caps that were imposed forced companies to put costs first, even if that meant outsourcing. That shows a failure to understand the financial services market.

The products sold by the financial services industries are now very similar, but what differentiates them for the consumer is the service offered by the company. The harder the Government squeeze companies on cost, the more jobs will be outsourced. The risk-takers running the industries recognise that there is a limit to outsourcing. In India, call centres train their work forces in accent—whether it should be British or American—and in the cultural backgrounds of the markets that they serve. However, for the customer, a policy is often a once-in-a-lifetime purchase, and a good insurance company, such as Friends Provident, wants to stay customer-based, in close contact with and in full understanding of its customers' needs.

The Treasury is sitting on the fence over price capping. The industry wants to know what the new regime will be, and the uncertainty is not helping it. Will the Chancellor please make up his mind? Will he also roll back the 1997 plundering of the financial services

[Mr. Robert Key]

industries, and restore the £5 billion a year that he took away in dividend tax? Perhaps he will tell us something about that in his pre-Budget statement later today.

It is said that the French and German Governments protect their financial services industries, but I suspect that that is fanciful. Let us talk about language. The Germans, and many other EU nations, are naturally protected against outsourcing, because German is not spoken by people in China, India or anywhere much else. The French may use francophone Africa to outsource some jobs. For the British, however, the world, particularly India and, in future, China, is our oyster. It is ironic that the genius of the English in exporting our language has become our Achilles heel.

Amicus does not advocate protectionism any more than I do. It reasonably asks employers and the Government where the new jobs are to come from. It also fights for employees in the financial services industries whose clerical jobs are at risk and who will not be able to cope with information technology. As the Salisbury branch officer said, "When their jobs go to India, where will they work—McDonalds?"

The big conversation must be about where the new jobs will come from. I have an informed hunch about that—science. The UK is not just resistant to science; it is anti-science. Powerful pressure groups and the ostrich-like media rant and rave against progress in science and technology, yet science makes the UK a cutting-edge contributor to a new world order. Instead, public opinion and prejudice forces scientists and businesses, especially those in biotechnology and nanotechnology, away from the UK, and discourages young people from studying science at school and university. That trend must be reversed. Future jobs will depend on science education, science education, science education.

Mr. Frank Cook (in the Chair): Thank you, one and all, for maintaining such splendid momentum; it has made my job so much easier.

10.23 am

Paul Flynn (Newport, West) (Lab): Thank you, Mr. Deputy Speaker, for ensuring that we all have a chance to speak, by giving us timely reminders on the limits imposed.

My reason for speaking is that, in my constituency, 1,700 people work for Lloyds TSB, and there are several other call centres. The current position is worrying for those workers. I congratulate the hon. Member for Edinburgh, West (John Barrett) on securing the debate. The problems that we experience in Wales are similar to those that he mentioned; my hon. Friend the Member for Preseli Pembrokeshire (Mrs. Lawrence) experiences a similar situation in her constituency.

We have lost the long-established manufacturing jobs that were highly skilled and permanent, and that we thought would last until our grandchildren's time. Those jobs have been replaced by jobs in call centres, which have always been candy-floss jobs—they look wonderfully attractive when they come in, but quickly disappear, leaving a sickly taste in the mouth. Such jobs are not well rooted, and it has always been a concern that the agencies that attract new jobs into the area place far too much reliance on the long-term nature of call centre jobs. I will not repeat the many worthwhile points that have been made by hon. Members. We all see that there is a sad inevitability about what is happening. However, I will take up a point made by the hon. Member for Salisbury (Mr. Key), as he made it political.

When Tony Benn was a Minister, an enterprise was set up in my constituency through the National Enterprise Board. Does anyone remember that far back? The company was known as Inmoss and for nearly 20 years it provided highly skilled, cutting-edge jobs in the high technology business. It was a world leader, and it was set up through a Labour Government enterprise. Sadly those jobs were siphoned out of my constituency. They exist now under a nationalised French company in Grenoble. It is sad that one cannot equate this between one party and another.

I believe that what has been said is right. No one has argued that we should apply protectionism. Many have argued against it. We have protectionism for one industry, farming, and it has a doubly bad effect on developing countries. It subsidises our production, sells it below price to the developing world and puts up barriers to their production. It is unfair to tell workers in our constituencies who face the prospect of losing their jobs, particularly at this time of year, that there should be one rule for agriculture but an entirely different set of rules for them and that they are to be exposed to the full blizzard of international competition and to take the consequences.

It is right to support the Amicus campaign. There is a special value in call centres where we can have direct contact with someone who lives in these islands, and accents and cultural backgrounds are understood. Progress can be made. One accepts that there is a highly competitive business out there, but the rules that were imposed on the financial service industries are correct. There was a long period in which they behaved in a way that could not continue in many areas. For the past 20 years the financial service industries have behaved in a cavalier way towards their customers.

Judging by how their pensions and endowments fared during that time, many people may have concluded that they were more likely to be robbed by someone sitting on the other side of a polished desk, speaking in a soft voice and wearing a pinstriped suit, than by a burglar or a mugger. Unfortunately, if one loses out on pensions, endowments or other financial services, the theft goes on for a much longer period. We have a serious problem here, and the answer must lie in enterprise and innovation, which can ensure that we have jobs with added value.

I am concerned about vulnerable areas such as my constituency, where there have been heavy losses in manufacturing jobs. However, there has not been a drop in employment. Probably more people are employed in my constituency than at any other time in the last 50 years. It is extraordinary how resilient the economy becomes. We must ensure that we at least give the same kind of protection to those jobs as other countries clearly do. We cannot write this off as an inevitable force. We cannot stop the train—it is coming—but we can slow it down, and we can ensure that the destruction that it leaves behind is not as serious as it might be.

10.28 am

Brian Cotter (Weston-super-Mare) (LD): First, I congratulate my hon. Friend the Member for Edinburgh, West (John Barrett) on initiating the debate. It has clearly brought out many interesting points. He produced an enormous number of statistics showing how serious the problem is not just in his constituency, but in many other parts of the country. I am pleased to see that the Secretary of State has initiated an investigation into this. I shall look forward to seeing what comes out of that. There are many issues to be addressed, including the competitiveness of our own service industry.

Although it is regrettable that businesses choose to move their operations overseas, we should draw a few lessons from what is happening. First, we must meet the challenge by identifying how we, as politicians, can make the UK a more attractive place for companies to invest in. Cost is a major factor for many companies choosing to outsource their operations abroad, and many choose to move to places such as India because of the availability of a highly skilled, highly trained work force.

To get businesses to invest in Britain, it is imperative that the Government invest in the British people and equip them with the skills that are needed to keep the UK as a leading international competitor. Despite being the world's fourth-largest economy, we rank 12th out of 15 EU countries and 18th out of 30 countries in the Organisation for Economic Co-operation and Development in GDP per head, which is the best single measure of living standards and competitiveness. The training gap is affecting British productivity, and unless we act to boost the skills of our workers, companies will continue to look abroad to access the skills that they need to make their companies competitive.

Secondly, we must ensure that those who are unfortunate enough to lose their jobs as a result of the announcements have access to maximum support from the relevant Government agencies to help them to find alternative employment as soon as possible. It has been said that call centre workers are today's miners, and many colleagues have referred to manufacturing, where many jobs have been created but in which there is a risk, once again, that those jobs will go. The service industry provides an important boost to many communities where jobs are disappearing, especially in manufacturing.

Our job is to create sustainable communities in different regions of the country, so that the outsourcing of jobs does not have a disproportionate effect on local communities. The Government stressed that the regional development agencies should play a key role in achieving sustainable economic growth in the regions, and the Liberal Democrats supported that, so why are the Government not allowing the RDAs to get on and do it? Why do they have to spend valuable time and money complying with Whitehall diktats? As outlined in a recent National Audit Office report, the Department of Trade and Industry forced one RDA to write a £500,000 corporate plan that was so irrelevant to the agency's needs that it had quickly to draw up another. Would not that time have been better spent actively promoting the region's long-term economic expansion rather than wasting time and resources complying with the orders of the vast army of Sir Humphreys in the DTI? As the Minister knows, my party is very concerned about the DTI and centralisation.

Thirdly, despite the distress caused when companies choose to move their jobs overseas, we must resist the urge to plump for protection. It is no use our lecturing other countries on the merits of free trade within the WTO if we restrict the right of British businesses to purchase labour from other nations. Rather than protecting jobs, such an approach would make workers more vulnerable by damaging the long-term competitiveness of British industry and undermining foreign investment. Furthermore, the United States' experience has shown that commercial investment can pay dividends at home. A recent report by McKinsey Global Institute found that every dollar that a US company invests abroad boosts the US economy by $1.45 to $1.47, a point to be taken on board. By investing abroad, UK companies can consolidate their interest in Britain, allowing them to create more jobs at home and attract increased levels of trade and investment, which will sustain the economy in the long run.

We should remember that despite the announcements, Britain retains a strong trade in services, with service exports currently at £82 billion—a situation that we must continue to promote—and imports at £69 billion. It is also likely that the continued outsourcing of jobs to India will force up wage rates there and make the area not quite so attractive in the long run.

Fourthly, although we must ensure that businesses are not hampered by restrictive constraints, we must recognise that they have responsibilities towards both their staff and customers. As such, it is essential that companies wishing to relocate should consult fully with their employees about any proposed changes and offer as many voluntary redundancy packages as possible.

Furthermore, companies wishing to relocate must remember that consumers will vote with their feet if they object to their corporate policy—an issue that we are addressing at the moment. Research by Amicus, which has been referred to already, shows that 68 per cent. of customers take into consideration the location of call centres when purchasing services, and 70 per cent. feel that businesses have a moral duty to remain based in the UK. That is something for businesses to consider.

A British company will have to consider carefully whether it wants to risk its corporate reputation by making such a move—a factor that will influence the market much more effectively than the introduction of restrictive Government regulations. The other point is that customers are unlikely to support the outsourcing of call centres if they believe that the company fat cats, to use a common expression, will be the only beneficiaries of any savings. The companies concerned would be foolish not to pass on savings to consumers.

The chief executive of National Rail Enquiries recently claimed that outsourcing the service to India could save the train operating companies up to £25 million over several years. If the jobs at the two

[Brian Cotter]

existing Newcastle call centres move abroad, there will be an understandable public outcry if passengers do not see the benefit of savings in reduced ticket prices.

Many companies have found that far from improving customer service, the outsourcing of services has upset many consumers, who have been unable to communicate effectively with call centre staff in far-flung corners of the globe. We must accept that the outsourcing of financial services is a phenomenon that is likely to continue if British businesses are to maintain their competitiveness within the global economy. However, the challenge for politicians is not to prevent that happening by protectionist means, but to build an economic and skills base that will make British firms never want to leave.

10.38 am

Mr. Henry Bellingham (North-West Norfolk) (Con): I should like to declare my interest as stated in the Register of Members' Interests and to congratulate the hon. Member for Edinburgh, West (John Barrett) on securing this debate. We have had an excellent, wide-ranging discussion and a lot of contributions.

Several companies have been mentioned, including British Airways, Barclays, Aviva, HSBC and, most recently, National Rail Enquiries. I agree with the Liberal Democrat spokesman, the hon. Member for Weston-super-Mare (Brian Cotter), that there is a special dimension to National Rail Enquiries, as taxpayers' money, in the form of grants to the train operating companies, has arguably been used in exporting jobs.

I want to refer to the point about onshoring. I have been contacted by about a dozen constituents who are IT consultants. They are struggling to find work as a result of the extra work permits that have been issued to IT consultants from the Indian subcontinent, and there is certainly an argument that too many permits have been issued.

There is no doubt that the Government's reaction in announcing the study is to be welcomed, but the Secretary of State's comments at the CBI conference were complacent. She appeared to be relaxed, and indifferent to the problems of those individuals. I agree with my hon. Friend the Member for Mid-Worcestershire (Mr. Luff) that this is a challenge rather than a problem, but it is certainly a problem for people who have lost their jobs.

The Leader of the House and part-time Secretary of State for Wales said in the House last week that

> "companies that outsource part of their work create a big return for this country".—[*Official Report*, 4 December 2003; Vol. 415, c. 658.]

He welcomed the jobs exodus, saying that it was good news for India's economy and the poor. That is insulting to the people who have lost their jobs and who will have a miserable Christmas. The Government are right to set up the study, but they should listen to what businesses are saying. Towns and cities in east Anglia are also affected, and every business that I have spoken to or corresponded with has made it clear that there are two main reasons for the problem: the skills shortage, and the huge increase in red tape, regulation and employment legislation.

The skills problem has already been mentioned, especially by the hon. Member for Weston-super-Mare. Despite the Government's claims, the problems of literacy and numeracy are not being resolved fast enough. The Ofsted report published yesterday says that nearly half of teaching in English primary schools is inadequate, mainly because teachers do not know enough about literacy and numeracy, and that a quarter of all 11-year-olds—more than 150,000 children—move on to secondary school without reaching the expected levels in English and mathematics. The Government missed their targets last year and will almost certainly do so again this year. Unless we can sort out these basic problems in literacy and numeracy in schools and address some of the vocational skills shortages, we will not deliver to British businesses the pool of skilled labour that they need and deserve.

As my hon. Friend the Member for Salisbury (Mr. Key) pointed out in an interesting and historical discourse, this Government inherited an economy that was in very good shape and a supply side that was the least regulated in Europe and the envy of the world. By 1997, the balance between employer rights and employee rights was probably fair. The work-life balance was also probably just about right. Above all, the previous Government secured an opt-out from the social chapter.

Since then, however, there has been an avalanche of burdens and extra pressures. Individually, those burdens and regulations are not show-stoppers or deal-breakers. It is the combined weight now bearing down on business that is starting to destroy entrepreneurial growth and that, above all, will destroy jobs, especially in small and medium-sized enterprises. The problem has been hidden to some extent by the large number of extra jobs that have been created in the public sector. The result is simple: Britain is no longer the best place in Europe in which to do business.

A recent CBI survey contained worrying findings. Some 70 per cent. of business leaders believe that in the past five years the UK has become a less attractive place in which to do business, and that the situation has worsened since 2002. Two thirds of business leaders believe that the Government place a low priority on delivering a favourable business environment, and 75 per cent. believe that the Government are less business-friendly than they were five years ago. Ministers should certainly take note of those beliefs.

Some 44 per cent. of business leaders are under pressure to outsource activities abroad. That indicates just how globally mobile businesses have become, but it also illustrates the scale of the problem that we are discussing today. The Government must examine some of the home-grown legislation that is being introduced. In the past few years, we have had employment legislation that includes the right to flexible contracts—another home-grown measure—and we now have the Employment Rights Bill. That represents another shift away from management's right to manage. I hope that the Minister of State does not share the Secretary of State's seeming obsession with the work-life balance agenda; they should be talking about skills, lifting the burden of regulation and, above all, listening to business and giving businesses the climate that they want.

As for Europe, since we gave up the opt-out from the social chapter we now face the agency workers directive. If temporary workers are given full contractual rights after six weeks, that could be damaging: it will add to the pressure on businesses to move abroad. We shall be equally powerless to do anything about the information and consultation directive, which will also put more pressure on business. As my hon. Friend the Member for Salisbury pointed out, although the working time directive does not come under the social chapter because it deals with health and safety, we secured an opt-out for individuals, who can opt out of that directive by agreement with the employer. That is a satisfactory arrangement, and it suits everyone extremely well.

Every business organisation and trade association to which I have spoken has been completely unequivocal about the fact that the individual opt-out is vital to the general health not only of their competitive position but of business generally. It is pretty well mission-critical to the health of British business. Although the Greek presidency tried quite hard to push for the removal of the individual opt-out, it did not reach the agenda of the last Employment Ministers Council. However, it remains in the background and is almost certain to come back at the next Council meeting.

I find it depressing that we are getting mixed messages from the Government. First, Socialist MEPs are pushing hard to have the UK's individual opt-out removed. Stephen Hughes, the secretary of the group of European Socialist MEPs, together with Alejandro Cercas Alonso, has helped put together an "own initiative" report on the subject. The Government have said that they are keen to keep the opt-out. Where do they stand? Do they support their MEPs in Brussels? Will they support the initiative to have it removed, or will they listen to our business organisations, particularly those that represent smaller businesses, who have been pushing hard to keep it? The opt-out is popular with firms and employees alike.

As my hon. Friend the Member for Salisbury pointed out, the supply side of the economy is vital. Unless that is right, and it is maintained at its current level, the atmosphere for business will become a great deal less favourable. Unless the Government, and particularly the DTI, get a grip not only of the skills problems but of the overall regulatory framework, the steady flow of jobs offshore could become a torrent. We need a fundamental change of approach. I hope that the Minister is going to tell us that there will be such a change. If not, the results of next year's CBI survey, "Is Britain a good place to do business?", will be considerably worse than this year's, and those were a great deal worse than last year's. We look to the Minister to take action, and we hope that she will listen to what business is saying.

10.48 am

The Minister for Industry and the Regions (Jacqui Smith): I am grateful to the hon. Member for Edinburgh, West (John Barrett) for leading this useful and constructive debate on an increasingly important subject.

I reassure hon. Members that all Ministers and the Government take the matter seriously. We share the concerns of those immediately affected by plans to send financial services work offshore. We know that such announcements are painful, and that they affect many of the communities left devastated by the loss of manufacturing industry 20 years ago. We also take seriously their effect on local employment, not least because, as my hon. Friend the Member for Newcastle upon Tyne, Central (Mr. Cousins) pointed out, they fall disproportionately on certain groups. However, we need to put the matter into perspective.

I agree with the hon. Member for Mid-Worcestershire (Mr. Luff) that this is not a zero-sum game. Headlines do not always tell the whole story. They miss the thousands of jobs created or safeguarded by companies choosing to locate in the UK. They also miss the many companies that consider offshoring but choose to stay in the UK. Headlines report the jobs relocated to Asia and other developing countries, but not the 1 million people employed in the UK financial services sector.

Despite the words of doom from the hon. Members for Salisbury (Mr. Key) and for North-West Norfolk (Mr. Bellingham), I must pause to note that, judging by the latter's contribution, Opposition policy on developing the financial services sector mainly comprises people seeing less of their children and working longer hours. I am not sure that that is the most appropriate way to develop the sector. In 2002–03 alone, it saw inward investment creating more than 5,000 jobs. The recent decisions by a number of firms to offshore their back office operations must be set in that context.

As several hon. Members said, the decision about where to locate operations is a commercial matter for companies. Labour costs are one issue that companies may well consider, but there are others. Falling communication costs, coupled with the spread of technology, have made it easier for some services to be provided across long distances and international borders, including in developing countries. However, even if services could be undertaken abroad, companies may also, and many do, factor into their considerations the need or desire to be located close to their customers. For that reason, many companies choose not to offshore.

Those companies, and in particular those that took the decision to offshore but now wish that they had not, say that they failed to envisage the difficulty of managing staff, of maintaining standards when staff are thousands of miles away and of offering proper customer service if staff, however good their education, have never been to the UK. Companies weigh those issues seriously in making their decision.

We do not yet have the information that we need about the scale of or motivation for offshoring. We see examples of activity, but we need to open up the debate on offshoring to understand better what is happening and what motivates both companies that offshore and companies that do not.

Annabelle Ewing: Will the Minister give way?

Jacqui Smith: No.

We must also deal with some fundamental misunderstandings. The first is that the UK call centre industry is in terminal decline. In reality, we have more call centres than any other European country and new

[Jacqui Smith]

centres are opening all the time. Estimates vary, but industry experts suggest that there are about 5,500 UK call centres, employing almost 400,000 workers. The skills and vital local knowledge of our work force, the stable economic background created by the Government, and the UK's strong IT and telecommunications infrastructure mean that we remain well placed to attract call centre jobs in a competitive market. Given our language, location, infrastructure and customer service skills, Britain remains in a strong position to attract, in particular, high added-value call centre work.

The second misunderstanding, which was ably identified by my hon. Friend the Member for City of York (Hugh Bayley), is that protectionism offers a solution. Protectionism is clearly not the right response. UK exports are worth £270 billion a year; that includes £86 billion of service exports. Many jobs depend, as my hon. Friend outlined, on open markets abroad. Given our leading position as a global exporter of services, we must keep pressing for further opening up of markets for our exports. We are doing that in Europe through the proposed new services directive and in the wider world through the Doha round of the World Trade Organisation.

We cannot at the same time have a protectionist response to offshoring by companies at home, and nor should we. As we saw when the EU expanded to include poorer countries such as Ireland, Greece, Spain and Portugal, as they have grown, so have we. Our exports to them have increased, generating jobs and profits here, as has their investment in the UK. There will be opportunities to enable developing countries to develop further.

I agree with my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) and with parts of the contribution made by my hon. Friend the Member for Newport, West (Paul Flynn). Instead of taking protectionist measures, we must enable and encourage firms in the UK to invest in new technology and work force skills. I agree with the hon. Member for Salisbury that we must ensure that our excellent science base is translated into business success. We must also move into advanced, high-value activities. We should continue to make the UK an attractive place in which to invest and do business. Our response to competition is not to be complacent, but to recognise the arguments that have been made about protectionism. There are three arguments.

First, we should be raising our game, ensuring that companies and their staff continually upgrade their skills and technologies. That is why in July we published our White Paper entitled "21st century skills—Realising our potential", which outlines the strategy of the DTI and the Department for Education and Skills for tackling the skills challenge. It firmly links skills to productivity, competitiveness and economic performance at national, regional and local levels. It details, for example, the way in which e-skills and other skills have developed, and how that will continue to make the UK an attractive place in which to base that work.

Secondly, I agree with the hon. Member for Weston-super-Mare (Brian Cotter) that, where jobs are lost, we must do everything that we can to help people to find new jobs, and new skills, if necessary, as quickly as possible. We shall call on the services of the reformed Jobcentre Plus, particularly its rapid response service, which focuses on redundancies where particularly intensive work is needed.

Thirdly, we are taking action to do even more to build strong and sustainable economies in all regions of the UK. I ask the hon. Member for Weston-super-Mare to return to the NAO report on RDAs, particularly the section that emphasised the progress and success of RDAs over the last five years. Those successes include raising the business birth rate, forging strong partnerships between the regions, universities and business, developing the skills that the regional economy needs, attracting more inward investors and improving local infrastructure.

All that success is important but, as I suggested, there is much more that we need to know and do. That is why, last Friday, my right hon. Friend the Secretary of State announced in her speech to the CBI Welsh conference the publication of a DTI consultation paper entitled "The Impact of Increasing International Competition in Services". Copies have been placed in the Library of the House. The paper outlines the main issues, and highlights areas for further research, and is intended to lead an informed debate giving all stakeholders an opportunity to contribute. We should bear in mind the fact that the consultation will be an important way of addressing some of the issues, such as data protection and financial crime, raised by my hon. Friend the Member for Newcastle upon Tyne, Central, and by the hon. Member for Perth (Annabelle Ewing).

The Secretary of State also commissioned a new call centre competitiveness study to ensure that we maximise the advantages that I have outlined, as we compete worldwide for more high-skill, high-value and high-wage call centre jobs. Our record shows the priority that the Government have given to job creation: there have been more than 1.7 million new jobs since 1997. We know that we cannot rest on our laurels, and our policies will continue to be geared to our long-term economic interests, based on our ability to innovate, to produce high-value added goods and services that need a highly skilled work force, high-calibre managers, forward-looking unions and knowledgeable consumers.

The Government take seriously the issues that this interesting and informative debate has raised. As well as taking the initiatives that I have outlined, we shall be discussing the issues with all interested parties, including employers, trade unions and businesses—both those who have decided to offshore and those who have decided not to—in a round-table seminar in the new year.

The Government will be focusing all their efforts on keeping the UK economy strong and stable, generating more and better jobs by raising skill levels, supporting enterprise and raising business innovation and productivity. We will also be vigilant as regards the impact of globalisation on regional and local economies. We will ensure that the UK economy is best equipped to respond to such challenges and that it has the successful individuals that it needs.

Berkshire Healthcare NHS Trust

11 am

Mr. Andrew Mackay (Bracknell) (Con): I commence by thanking Mr. Speaker for granting this extremely urgent debate. It is much appreciated by the people of Berkshire, who are deeply concerned about the financial position of the Berkshire Healthcare NHS trust. Secondly, I convey the apologies of my hon. Friend the Member for Maidenhead (Mrs. May), who is at the Children of Courage awards. She would have been here otherwise, because she takes a keen interest in the problem.

I will put a number of points to the Minister and I trust that she will answer them fully. First, which is the most vulnerable group of people in our society? I suggest that it is the mentally ill and those with mental health conditions and problems, closely followed by their carers, who do an outstanding job, and whom we should commend.

Vulnerable people in my constituency and throughout Berkshire are at their wits' end and are deeply distressed. The reason for that is very simple: it was revealed earlier this year that the new mental health trust that was set up for the county in April 2001 had overspent by £11.9 million and that the deficit had to be made good quickly. That means that there will be cuts of £8.1 million this year. My constituents cannot understand why Ministers are telling them every day on radio and television and in the newspapers that more taxpayers' money than ever before is going into the NHS, when there will be cuts of £8.1million at the sharp end—where trusts are having to deal with mental health and mental illness in Berkshire. The Minister must tell us why we need the cuts if all that extra money is going in.

The trust has come up with one or two ideas as to where the cuts will fall. It has suggested the drugs budget. If it can make large cuts in the drugs budget, that will imply that it was wrongly prescribing over-expensive and unnecessary drugs, which would be a public scandal. However, I suspect that the drugs that people desperately need will no longer be available and will be replaced by cheaper, weaker and less effective substitutes.

We are told that patients who receive treatment out of area will be brought back into area. In principle, I am in favour of that. However, if patients can be brought back into area, will that, too, mean that there has been a scandalous waste of resources and that patients were unnecessarily going out of area? On the other hand, does it mean, as I suspect it does, that many of my constituents will get inferior treatment because it will be cheaper to look after them in area, even where specialties are not properly available? That would be a disgrace.

We are told that there will be a staff freeze. We all know what that means—when people leave, their positions will not be filled. That is fine if there has been unnecessary over-staffing. However, I suspect that the staff are as necessary as they were when the trust was set up and that reducing staffing levels will mean that certain services and care are no longer available in my constituency. That is deeply unsatisfactory.

We need the Minister to say why the huge deficit and overspend occurred in such a short space of time—less than two years. Two reasons, or excuses, have been given. One is that the trust had no idea that the deficit and overspend were rising because accounting and auditing were done nationally, and the computer was not working. We have all heard the excuse about the computer being wrong rather than the people, so I have some doubts about that. However, I want the Minister's comments.

The second reason, or excuse, is more feasible. We are told that the trust was not funded properly when it was formed from entities taken from a lot of other organisations and trusts. We are told that, as a result of creative accounting, those other organisations and trusts kept more assets and income than they should have done and, therefore, that the trust never stood a chance. If that is true, whose fault is it? The answer is that it is the Secretary of State's fault. When the Government start changing trusts and creating new trusts, it is the Secretary of State's duty and responsibility to make sure that they are properly funded and set up and that deficits do not occur. So the Minister must tell us why we are in this situation. We need to know who was responsible and what will be done.

We also need to know what will happen next. It cannot be right that, through no fault of their own, vulnerable people and their carers will suffer for other people's mistakes and incompetence. I will not stand idly by and watch the cuts take place. Nor will the people of Berkshire, huge numbers of whom have signed petitions organised by the mental health voluntary action alliance and others. It is essential that the Minister tell us that the Government will intervene to ensure that the cuts do not take place. At a time when, as I said, more money is going into the NHS from taxpayers than ever before, it is inconceivable that vulnerable people should suffer such cuts in services.

Another concern that the Minister must address is accessibility. She will appreciate that access to mental health facilities, treatment and services is vital. Under strategic health authority proposals, most services will be concentrated at Prospect Park in Reading, which is a long way for my constituents and those who live in Windsor, Maidenhead and Slough to travel.That is most unsatisfactory.

There are also suggestions that vital wards—wards 12 and 14—at Ascot's Heatherwood hospital, which serves most of my constituency, will be reduced or abandoned altogether. Today, we want an undertaking not only that the cuts will be reversed, but that there will be good local access and that the very wrong plan to concentrate all resources at Prospect Park will be turned down. The Minister will have had reports of the huge meeting at the Madjeski stadium in Reading just a month ago. All sorts of stakeholders attended and they rejected the proposals virtually unanimously.

I paint a very bleak picture indeed. The county's Members of Parliament, who represent all three political parties, are broadly united in their disgust at what has happened and they are demanding action. There are some very frightened, vulnerable people who do not know what Christmas and the new year will bring. We are all looking to the Minister for an appropriate response.

[Mr. Andrew Mackay]

In that respect, I should tell the Minister that her colleague, the Minister of State, the hon. Member for Doncaster, Central (Ms Winterton), woefully failed at Health questions recently, when she told me that there was no problem in Berkshire. One can imagine how disgusted the people of Berkshire were when they read the *Hansard* report of those exchanges. I should also tell the Minister that the written response from the Minister of State, the right hon. Member for Barrow and Furness (Mr. Hutton), failed to address any of the questions that I put to him then or any of those that I am putting to her now. I therefore sought this debate out of desperation.

I intend to sit down two or three minutes early, so that, in the remaining 18 minutes, the Minister has every opportunity to reply in detail to the very serious questions that I have raised.

11.12 am

The Parliamentary Under-Secretary of State for Health (Miss Melanie Johnson): I congratulate the right hon. Member for Bracknell (Mr. Mackay) on securing this debate. I obviously listened carefully to his concerns about the financial position of the Berkshire Healthcare NHS trust. I should say at the outset that I agree that there are significant challenges ahead and that the local NHS needs to respond to them.

Before I deal with the specific issues raised by the right hon. Gentleman, I want to place in context the circumstances faced by the trust in delivering quality services. I am pleased that he did not criticise the quality of those services, but merely the financial position and the issues arising from it. As he will know, the trust provides secondary mental health care, learning disability and substance misuse services for Berkshire and it serves a population of 900,000.

The trust continues to perform well in meeting mental health targets, particularly in its development of crisis resolution teams, which are working across east and west Berkshire and making a real difference to people. The community services have also extended their working hours, including evenings and weekends, so that patients and their carers can access help and support when they need it.

The right hon. Gentleman opened his remarks by saying that vulnerable people were involved. Nobody would disagree with that, least of all me. He also said that carers were concerned about the situation. I understand that, faced with such financial difficulty, people—particularly such vulnerable people—receiving the services and their families will be concerned.

The right hon. Gentleman asked why we are in this situation. He is right that record sums of money are going into the NHS, and the NHS in Berkshire is no exception. In the 2002 Budget, the Chancellor announced the largest sustained increase in funding in any five-year period in the history of the NHS. The plans mean that between 2003–04 and 2007–08 expenditure on the NHS in England will increase, on average, by 7.4 per cent. a year above inflation—a national increase of £34 billion. For the three-year period that I have mentioned, Bracknell Forest primary care trust will receive an increase in its revenue allocation of some £20.8 million—29.52 per cent. I am sure that the right hon. Gentleman will agree that substantial extra sums are going to the NHS in his area. The issue is not the amount of cash not going into the system. The right hon. Gentleman is right that what we say about money going into the NHS is borne out by the fact of the extra investment.

Our policy is to devolve much of the money to local trusts so that they can buy health care for their populations. Primary care trusts have specific local knowledge and expertise. They are the key drivers for improving health, securing the provision of all health services and integrating health and social care. To reflect that greater responsibility, they now also control 75 per cent. of the total NHS budget.

Before I talk about the general financial position of the trust and what has led to the present circumstances, let me respond to the right hon. Gentleman's comments on drugs budgets. We are not aware of any cuts to drugs budgets. That is not part of the financial recovery plan for the trust.

As to the current position of the trust and the concerns that have been raised, it has already had significant additional resources. Annual expenditure must remain within the resources that have been allocated by Parliament. I am sure that the right hon. Gentleman would not urge on the Government any less discipline than we wish to impose ourselves. It is now the responsibility of strategic health authorities both to deliver overall financial balance for their local health communities and to ensure that each body achieves financial balance. There is a degree of flexibility as to how that is managed locally. Where financial balance cannot be achieved in the current financial year, SHAs can agree to recovery plans that phase the recovery of deficits over a longer period.

Thames Valley SHA has been working closely with Berkshire Healthcare NHS trust since June, and they agreed an outline recovery plan in July. The SHA has also provided interim support for the trust, so that it has more than one year in which to return to financial balance. The trust has made significant efforts to bring its financial position under control, and it needs to continue to do so. I understand from the Thames Valley SHA that the trust is on course to bring down its deficit to around £5 million by the end of March 2004. That is a significant achievement, considering that an overspend of about £11.9 million was projected in June. I cannot disagree with the right hon. Gentleman: the task is challenging. However, I should make it clear that I expect the challenges to be met with a minimum impact on local people. Indeed, both Thames Valley SHA and the trust assure me that, despite the problems, the trust will maintain delivery of safe and secure mental health services and key service targets.

How did the trust come to be in the position that it is in? I can outline some of the key issues for the right hon. Gentleman in that regard. The trust had not signalled any forthcoming financial difficulty, nor, I understand, did any of its papers before the end of the financial year in March 2003 indicate that there were any financial difficulties. It was therefore a surprise when the trust found itself in that position. We could speculate on whether that was appropriate—I would almost certainly share the right hon. Gentleman's view that it was not. I understand that the then director of finance has since left the post.

The deficit appears to have been caused by a number of factors: the move of the learning disability homes to the independent sector, poor financial controls, investment in the modernisation of services such as the assertive outreach and crisis resolution services, the transfer of the management and provision of services for the people of south Oxfordshire to Oxford mental health trust, and the development of improved services through the transfer of services from Fair Mile hospital to Prospect Park hospital.

Faced with the deficit, the SHA has agreed a recovery plan and, broadly speaking, the trust is on target to deliver on it. Obviously the bulk of the deficit will be reclaimed—recovered, as it were—this financial year. The rest will have to be reclaimed in the next financial year. The right hon. Gentleman did not mention the report that PricewaterhouseCoopers issued and I do not know whether he has seen it.

Mr. Mackay *indicated dissent.*

Miss Johnson: The right hon. Gentleman shakes his head—I am told that the report is available and was part of the public papers of either the SHA or the trust. Berkshire Healthcare NHS trust commissioned the company to undertake a financial review of the process and procedures in the trust, following the emergence of the deficit. As a result, the recovery plan has been agreed. It is leading to the recovery of the substantial part of the deficit, which is expected by the end of March 2004. That should reassure the right hon. Gentleman that the matter is being taken in hand again.

Mr. Mackay: It is all very well to say that the deficit is being reduced. Fair enough, but that is not the problem. The problem is that services have been cut. The only way to make such huge reductions in the deficit is to cut services to the most vulnerable people.

Miss Johnson: I have already said that I expect the challenges to be met with the minimum impact on local people. I am afraid that the right hon. Gentleman has not supplied me with any details about the impact that the recovery of the deficit has had on local people, with which I could address the points. If he wishes to write to me or to the Minister of State, my hon. Friend the Member for Doncaster, Central (Ms Winterton), we shall look at the points in more detail.

There has been a public consultation on the issue, involving a meeting in Reading on 6 November, to which the right hon. Gentleman referred. Around 120 people attended that meeting, where they looked at the options for the proposed new model of care for people with mental health problems in Berkshire. That was an all-day session; it brought together service users, carers, primary care trusts and local authorities. The work focused on a range of possibilities for a hub-and-spoke model, with local services supported by specialised hospital care. Twelve options, using five criteria, were considered. The Reading PCT and the Windsor, Ascot and Maidenhead PCTs together, as the lead commissioners for mental health services in the county, are considering the findings of the day to agree the best way forward. Due process of further consultation will be followed, and a full report will also be made to the Thames Valley SHA, which will discuss the options in early January. There is an ongoing process in respect of significant changes—or even more minor ones—to the service configuration.

I shall now discuss the local services in more detail. The main aim of the recovery plan is to bring mental health services even closer to where people live in the community—the hon. Gentleman made the point about the distance of some parts of the county from, for example, Reading. That includes bringing back to Berkshire patients who have been receiving treatment in other parts of the country so that they receive care closer to their families and friends. In response to the financial challenges, the trust is looking more radically at the provision of mental health services locally and how they can be improved.

The trust has developed a vision for local mental health services that will enable the provision of services locally, with a centre of excellence for those needing in-patient care. That model, which was discussed, involved, for example, the possibility of more community support in terms of day care, enhanced crisis services, expansion of community health schemes, closer liaison with accident and emergency, more community rehabilitation, extra support for older people and more day hospital services. That was the type of thing discussed at the meeting on 6 November. All the models were discussed and the comments made are being considered.

There is a lot more work to be done, but hon. Members, including the right hon. Gentleman and the hon. Member for Maidenhead (Mrs. May), can be reassured that work is in hand and that there will be an opportunity for them to express views on behalf of local people as part of that process.

In conclusion, I have taken serious note of the concerns raised by the right hon. Gentleman on this important subject. He and I agree that there are challenges ahead for the Berkshire Healthcare NHS trust. I hope I have reassured him that a lot of extra money has gone into the trust. I expect the health community to respond to the challenges and significant efforts to be made to achieve financial balance. I am sure the right hon. Gentleman will agree with me that that is necessary to achieve sustainable services and to deliver key targets. The Thames Valley SHA and the local health community must continue to support and guide Berkshire Healthcare NHS trust during this period. I am sure they will welcome the interest, concern and support of their local Members.

11.28 am

Sitting suspended until Two o'clock.

Consumer Credit

2 pm

Mr. Mark Lazarowicz (Edinburgh, North and Leith) (Lab): It is a pleasure, Mr. Cook, to speak in a second debate in Westminster Hall today. I begin by drawing attention to my declaration in the Register of Members' Interests. I am also an unpaid director of the Centre for Scottish Public Policy, which recently received sponsorship for a project from Co-operative Financial Services.

Hon. Members who know of my interest in these issues will be aware that I have spoken from time to time on debates on this subject, and have put my name in the ballot for the draw for Westminster Hall debates. Perhaps I should now start doing the lottery regularly, given that I have managed to come out of a ballot only two days after the publication of the White Paper on consumer credit and at the same time as the pre-Budget report. It certainly makes the debate timely, even if it faces competing attractions elsewhere.

The White Paper has been a long time coming, but that is understandable given the complexity of the proposed measures. I am glad that the time was taken to ensure that the package is comprehensive and will go a long way to tackling the problems that many of us have raised here. The White Paper is valuable not just in what it proposes, but for the information it provides about the impact of heavy levels of debt on individual consumers. Getting into debt does not just affect people's pockets; it can have severe personal consequences. The stress can affect people's health. High levels of debt can cause marriage and other family breakdowns.

The consequences of over-indebtedness are often worse for the lowest income groups who are more likely to have debts with serious repercussions such as eviction, imprisonment, disconnection or repossession. The consequences of getting into debt can be much worse for such people because they are less able to reorganise their lives in the way that people on higher incomes can.

Debt affects the affluent and the poor alike; but escaping the jaws of debt can be much harder for the poor, particularly if they fall prey to loan sharks. Some legal lenders focus on the poor and charge excessive rates of interest. In any debate on debt or credit it must be emphasised that debt is not bad by itself. Most of us now have a mortgage and as a result live in accommodation that we could not have enjoyed unless we had been saving for 20 years or more. Borrowing and lending is at the heart of economic activity. The problem is not debt but over-indebtedness, with people being dragged into debt that they cannot sustain and which has serious consequences.

People get into debt for many reasons and there are many solutions to the problem, but too many people are encouraged, or enticed, into entirely unsuitable credit arrangements and that is a major cause of excessive levels of debt. Cracking down on the businesses and the business practices that bring that about is a major solution to the problem. That is why I welcome the White Paper, and why I wanted to raise the issue of consumer credit again in Westminster Hall.

In the time available, it would not be right for me to comment on every aspect of the White Paper. I shall highlight four areas in which I support the proposals in principle, and suggest ideas—and how they might be implemented—that can be developed in detail. I hope my hon. Friend the Minister will consider them; if he cannot respond today, I hope that he will do so on another occasion.

First, I strongly welcome the proposal to make lenders provide standard information, such as the so-called honesty boxes. It is vital that information should be provided in that way. I am glad that the Government and the industry have taken that initiative, and I congratulate the Nationwide building society, which is the first institution to take up the idea. Customers need to know the real rate of interest that they will pay on a loan or a credit agreement and the real cost to them of buying goods or services on credit. They need to be able to compare like with like, and they should not be bamboozled by clever language or glossy advertising designed to obscure the reality of the financial deal that they are being encouraged to sign.

The key is that the information provided must be simple and easy to understand. It is important to be transparent, but transparency loses much of its appeal if it is accompanied by excessive complexity. There is little point in producing so much information that few people bother to read it, and it cannot be effectively drawn to people's attention. I hope that the Government and the industry take that on board when the proposals are developed in the next few months.

There is an argument that if products are so complex that the essential details cannot be set out and explained simply, clearly and succinctly, they should not be on sale to the general public. I should like the Government at least to consider that point.

I am pleased that, in the White Paper, the Government are proposing to widen the current definition of extortionate credit terms. The law already allows loans of that type to be struck down but, in 25 years, few successful challenges to credit agreements have been made. It is disappointing that there are no proposals in the White Paper for extending the definition, but I welcome the fact that the Government have set out a clear timetable for introducing such proposals.

How the definition of extortionate credit is extended is crucial to the success of the strategy in the White Paper. If the redefinition is broad enough, it will encourage lenders to exercise their own self-discipline, which would go beyond any formal regulation by the regulators or by Government. Lenders will be much less likely to risk advertising and selling products that they know are, to be blunt, dodgy—even if they fulfil the strict terms of the rules—if the products are at risk of being struck down later. Extending that definition is crucial to the success of the Government's package.

Malcolm Bruce (Gordon) (LD): I apologise for missing the start of the hon. Gentleman's speech. I have just struggled in after taking two hours to get from Heathrow. He makes an important point. Does he acknowledge the Government's difficulty in this matter? They want a definition that deals with cowboys who rip people off but does not destroy the cash, small-debt market. Interest rates are not the only measure, and the Government must get the balance right.

Mr. Lazarowicz: I accept the hon. Gentleman's argument. That balance must be struck, which is no doubt why the consultation on the details has still to take place. However, I was talking about the type of offer or arrangement that everyone knows is wrong or dodgy, but which does not lend itself to the type of solution that the law provides. We must make it clear that such an agreement will not stand up and can be challenged successfully.

What is described as a "stakeholders group" will be consulted on the proposal. I hope that because I have mentioned that group, my hon. Friend the Minister will give an assurance that when he sets it up, it will include representatives of consumer and advice organisations from Scotland, given that the financial sector in Scotland is so important and, of course, the separate Scottish legislation and legal system covering some of this sphere.

The Minister for Employment Relations, Competition and Consumers (Mr. Gerry Sutcliffe): I do not want to stop the discourse that my hon. Friend is unleashing on us, which is welcome, given the White Paper. On the point about the body and Scottish representation, I can give that undertaking now.

Mr. Lazarowicz: I welcome that assurance, which will be welcomed also by the sector in Scotland.

Something must be done about the way in which some lenders market their products. If we spend any time watching daytime television and reading adverts in newspapers, time and again we will see advertising that is designed to prey on the poor and vulnerable. I strongly welcome the Government's proposal in the consultation documents accompanying the White Paper to tighten the rules on consumer credit advertising, but again I have one or two doubts as to whether the proposed new regulations will go far enough. These suggest, among other things, that advertising must be in plain English. With some adverts, the problem is not that they are not in plain English; they are often very plain indeed. The problem is the way in which they are set out and the practice of giving the impression that the service offered—perhaps, say, by a debt management company—is a public service rather than a commercial offer.

I am worried that it is the nature of the shadier end of the business that people will always try to get round, whatever rules are designed to prevent that practice. I wonder whether powers should be given to an appropriate regulator—be it the Financial Services Authority, the Office of Fair Trading, the Department of Trade and Industry or even local councils—to step in and issue a stop notice to end such advertising, in the same way as stop orders can be made in respect of other trading practices.

Last but not least, there must be much wider provision of financial education and free debt and money advice. The White Paper recognises that, which is one of the very good points in it. Much good work has already been undertaken by the industry, as many hon. Members will know. An exhibition in the Attlee suite in Portcullis house shows the work being done on financial education by many financial institutions and advice agencies. I invite hon. Members to visit that exhibition later this afternoon.

Good work is being done, but we must ensure both that there is provision throughout the country and that what is provided nationally fits in well with local advice and education. We do not want so much advice to be provided that the public are not sure which is bona fide, which is supported by the independent agencies and by the Government and which is simply commercial marketing masquerading under the cloak of advice. Perhaps there should be a national brand to which independent advice service providers can sign up, so that the public know where to go when they want independent advice and education, as that is so important.

These comments are made in the context of my general welcome for the White Paper. Reforms are urgently needed. I am sorry that they will not be taken forward in the current year's programme. However, I understand why; the measures are complex and it is important to get them right. I welcome the fact that the proposed statutory instrument will be taken forward as soon as possible.

It is essential that the reforms that require primary legislation are included in next year's legislative programme. I understand that the proposals have received wide support across the sector and across parties. I hope that the welcome that they have received will make it easier for my hon. Friend the Minister and the Secretary of State to achieve the necessary time in the Queen's Speech and the Government's programme in the next legislative year.

Mr. Frank Cook (in the Chair): Order. I feel that it might be advisable for me to remind those hon. Members who have not been in Westminster Hall for some time that it is the practice to commence the first of the three wind-up speeches 30 minutes before termination, which means 3 o'clock. I am sure that hon. Members will bear that in mind when making their contributions and accepting and responding to interventions.

2.15 pm

Ross Cranston (Dudley, North) (Lab): I congratulate my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) on securing the debate. I hope that after the debate he will give me some advice on how to be as lucky as he has been in recent times.

I also congratulate my hon. Friend on the work that he has done in setting up the all-party group on debt and personal finance—a group that is much needed in this place. I also congratulate him on hosting this afternoon's exhibitions by a group of agencies that focus on financial education and information, a topic that he emphasised in his speech.

I welcome the White Paper; it is high time that such measures were taken. As early as 1978, I was publishing pieces criticising measures such as the rule of 78. Over the years, I have criticised the Consumer Credit Act 1974 and pointed out the need for it to be amended to accommodate it to the modern credit industry. I congratulate the Minister, and hope that the necessary legislation will be introduced in the next parliamentary Session. It is certainly needed, although a certain amount can be done by means of statutory instruments.

I shall highlight a few issues. The first issue—the need to ensure that credit providers lend responsibly—was raised a number of years ago when Lord Borrie was the director general of fair trading. There is much concern

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at present about over-indebtedness, and it is certainly the case that some parts of the community, generally the lower-income groups, are taking on a burden which may become too great, if, for example, there were illness or family tragedy, and which might, in some cases, lead to personal bankruptcy. The White Paper is useful in bringing together information that demonstrates that such problems are faced particularly by low-income groups.

The British Bankers Association, in the briefing that it produced for the debate, makes the point that over-indebtedness is not generally a problem, and I accept that point. We have a healthy economy, with low inflation and high employment, and over-indebtedness is not faced by the majority of people. However, there are vulnerable people in the community who are potentially over-indebted and so, as my hon. Friend the Member for Edinburgh, North and Leith said in his opening remarks, it is important that financiers and credit providers lend responsibly. I therefore welcome the notion that guidance will be provided. It seems to me that that must be taken into account in the licensing process by the Office of Fair Trading so that if lenders, even reputable lenders, are advertising credit irresponsibly they must be brought to book.

Mr. David Drew (Stroud) (Lab/Co-op): I congratulate my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) on all his work on this subject. I received the memo from the British Bankers Association but I must say that its view that it only engages in responsible lending is completely contradicted by my local citizens advice bureau. It makes it clear that even the most reputable banks often approach people who are clearly in debt on the basis that the bank will be able to secure the money that it is owed regardless of other debts that are being paid. That is a serious problem, and I hope that my hon. Friend will comment on it.

Ross Cranston: I did not completely accept the BBA briefing. As my hon. Friend rightly says, all lenders must ensure that they lend responsibly. The brief produced by Citizens Advice and the work that it has done over several years, particularly the detailed report on over-indebtedness that it produced two years ago, pointed out that even high-street names sometimes promote credit irresponsibly. We must consider the problem across the board.

The licensing system is a powerful tool. It is proposed that we move away from five-year licensing, and I had initial doubts about that. However, I have been persuaded by the White Paper that it is better to award a non-renewable licence as long as there is constant monitoring of all credit providers, as my hon. Friend the Member for Edinburgh, North and Leith rightly said, and action is taken if they step out of line. It is also pointed out in the White Paper that some exemptions, which are no longer defensible given the development of the consumer credit market, will be removed. Powers of investigation comparable to those of the Financial Services Authority are necessary and are proposed in the White Paper, and I welcome that.

I shall now move on to the topic of extortionate credit bargains, which my hon. Friend the Member for Edinburgh, North and Leith mentioned. The White Paper addresses the issue of whether there should be an interest ceiling. I am sympathetic to the idea of an interest ceiling. Having seen some cases that Citizens Advice has brought forward, with interest rates of more than 1,000 per cent., I understand the argument for a ceiling. However, any ceiling will be arbitrary. I can accept the proposals in the White Paper as long as the extortionate credit bargain provisions are properly enforced.

Historically, the measures in the Consumer Credit Act 1974 have not worked, and that has been a failure on the part of the courts. In outrageous cases, in which interest rates and credit practices were completely unacceptable, the courts found that the tests for unconscionability set out in sections 139 and 140 of the Act were not satisfied. If there were variable interest rates, the courts found that the tests were not satisfied. In a commercial context there must be variable interest rates, but the consumer context is different. None the less, the courts found those to be acceptable under the provisions.

I welcome the proposals in the White Paper to update the 1974 Act and to introduce a broader test of unfairness, and we look forward to seeing the detail. In particular, I welcome the proposals, already included in the Enterprise Act 2002, to enable consumer groups to take collective action on behalf of individual consumers to pursue unacceptable credit practices.

I understand that there is a disagreement between the Department and the National Consumer Council about redress mechanisms. It is important to provide a redress mechanism for individual consumers who get into problems. In other comparable jurisdictions, there is provision for credit tribunals. The courts here have failed, so we must provide another mechanism. What will that be? The National Consumer Council is keen that the financial services ombudsman should provide that service. The White Paper addressed the issue, although it does not come down on one side or the other.

Mr. Sutcliffe: On that matter, we are still consulting. My hon. Friend will know that there is a review of the financial services ombudsman and that discussions with the consumer groups are continuing. We want to be clear about what the redress mechanism will be. We are speaking to the National Consumer Council.

Ross Cranston: I thank my hon. Friend for that. I welcome the Government's commitment to a new redress mechanism, and I hope that a clear conclusion on what that will be can be reached as soon as possible. The financial services ombudsman provides a suitable mechanism that is cheap and quick for consumers in that area. I should like my hon. Friend to consider whether that model, or something based on the ombudsman service, is to be introduced.

I should like to talk about some of the specific provisions. Penalties for early payment are subject to the rule of 78 that I mentioned earlier. The White Paper usefully points out the benefit of abolishing that rule, especially for lone parents and low-income families. I was disappointed that the director-general of the

Finance and Leasing Association was very critical about that proposed abolition. He has a technical point about the securitisation of consumer credit receivables, and I understand why the problem of retrospectivity concerns him. He says:

> "These changes could lead to a trouble-makers' charter where all agreements could potentially be challenged."

He goes on to criticise the removal of existing penalties retrospectively. I welcome the comments of both the British Bankers Association and of the director-general of the Consumer Credit Trade Association, who said:

> "I don't think anything in this paper is a surprise."

The issue of early penalties has been raised over many years, so the proposals in the White Paper cannot be a surprise to the industry. As in the book of Daniel, the writing has been on the wall for the rule of 78 for some time; the industry has been found wanting in this area and judgment day has arrived.

Finally, I shall say a few words about new mechanisms. The White Paper mentions in passing the promotion of credit unions. The Economic Secretary to the Treasury, my hon. Friend the Member for Wentworth (John Healey) recently visited the Castle and Crystal credit union in my constituency, which was celebrating its tenth anniversary. That union is developing collection points all around the borough. One in the Castle and Priory ward, which is a deprived ward in my constituency, involves the possibility of using a post office as a collection point.

The big surprise about credit unions is why they have not taken off in this country as they have in other comparable jurisdictions. The Treasury has been doing useful work in trying to promote them. In my constituency, a theatre company called Urban Voice recently visited the Castle and Priory ward to perform an hour-long play called "Living on the Never Never", which highlighted some of the difficulties that people can get into with certain ways of borrowing money. That work is necessary, and we have to promote the idea of credit unions. We need people in deprived communities to be switched on to the notion of putting savings into credit unions and borrowing from responsible bodies such as them.

I want quickly to mention two other institutional changes. The OFT must be an effective enforcement body, but in recent years, competition policy has dominated its agenda. It has responsibilities for consumer protection as well, and it is vital that the resources and commitment of the OFT are addressed to that area. The other institutional change is with legislation. We need amendments to the Consumer Credit Act 1974 on the statute book as soon as possible.

2.31 pm

Mr. Wayne David (Caerphilly) (Lab): I began to take an interest in indebtedness and consumer credit soon after I was elected because I visited my citizens advice bureau in Bargoed for a meeting with its manager. I asked him point blank what issue was brought to the citizens advice bureau more than any other, and without hesitation, he said that the real problem facing people in that community was massive indebtedness. He explained how hundreds of people came in with the most pitiful tales of how they had got into dire situations.

Soon after that, I began to hold constituency surgeries and have similar cases brought to me by my constituents. I should like to cite two examples that reflect a much wider problem. The first example is of a young woman, who came to my surgery and explained that she was an unmarried mother whose son was on drugs. He had been having difficulties with his local suppliers in paying for his habit, and with the law. She had been in touch with the police, who had been helpful, and then came to me because she was having enormous difficulties with a local loan shark, whom she had met in her local club. She explained how one night, when she was with her friends and feeling upset, someone suggested that she should have a word with this nice, helpful young man, who could provide some ready cash.

Rather naïvely perhaps, the young woman accepted £200 from the man with a vague verbal agreement about her paying it back when she was able. A couple of weeks later, he turned up at her house and started making threats to her, demanding not just the original £200, but a further £200 as interest. There had been no agreement other than a verbal comment and a nod and a wink in a club. Then, when she was unable to pay back that money, the threats, intimidation, bullying and physical violence began. In desperation, she came to me, and we managed to sort something out with the assistance of the police and citizens advice bureau. I suspect that that is just one case among many and will be replicated time and again not just in Bargoed but in many other communities throughout the country.

A second woman who came to my surgery explained that she had taken out a loan of £20,000—a significant sum. She did not have a prosperous background, but she signed a credit agreement to pay an interest rate of only 1.97 per cent. a month. That did not sound much to her, or to me. She did not realise that that is an annualised percentage rate of some 22 per cent. Before she knew it, she was paying back well over £70,000 for a £20,000 loan. She could not meet the repayments and found herself in court, with a bill around her neck of well over £100,000, which was completely beyond her means. She had had no idea that she could possibly get into such a situation. The transaction was perfectly legal as the company that loaned her the £20,000 was properly registered.

I feel strongly about the issue, and very much welcome the Government's initiative. In 2002, the Welsh Consumer Council conducted an in-depth survey of levels of indebtedness in greater Gwent. It concluded that indebtedness was greatest in some of the poorest communities in Wales, mainly in the heads of the valleys. Uncomfortably for me, it confirmed that some of the worst cases of indebtedness and borrowing from unregistered moneylenders were in a Caerphilly borough, part of which I represent. The report concluded that some 7 per cent. of the respondents in the Caerphilly borough who had used credit in the two years before the survey was conducted borrowed from a moneylender, compared with only 4 per cent. overall. The figure of 4 per cent. is bad enough, but 7 per cent. is extremely worrying.

As a result of that survey and my experience, I ran a campaign with my local newspaper, the *Rhymney Valley Express*. The campaign had three objectives. The first was to alert people to the activities of loan sharks and unscrupulous registered moneylenders. We were simply

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encouraging people to be less trusting and to ask lenders more questions before they got themselves into difficult situations. The concept of public education is very important.

The second objective was to let people know that there are alternatives to moneylenders and loan sharks. We stressed the fact that there are, for example, two credit unions in the Rhymney Valley, which are expanding and proving to be very effective. I am glad that the White Paper refers to credit unions, because they are the alternative to loan sharks for many ordinary people in working-class communities. I encourage the Government to do as the National Assembly for Wales has done and give every possible support to the development of credit unions in this country. The National Assembly has given excellent support to credit unions in Wales through objective 1. That was a tremendous fillip for the movement in Wales, and we are making progress because of it.

The third part of our campaign was arguing the case for legislative changes, especially to the Consumer Credit Act 1974. We made several suggestions to the Government in a seven-point plan, some of which reflected ideas that were mooted nationally and centrally by citizens advice bureaux, and others that arose from our practical experience. The first of our seven points was that the Consumer Credit Act should be changed to outlaw extortionate interest rates. The second was that serious consideration should be given to an interest rate ceiling, which would mean that interest could not be charged above a certain rate. The third was that all credit agreements should be required to show the total amount to be repaid by the borrower over the term of the agreement. Fourthly, we suggested that credit agreements should show the average interest rate for a particular type of loan, alongside the interest rate figure actually charged in the specific agreement.

The fifth point was that all lenders should be obliged to recommend that the potential borrower take independent advice before agreeing to end a loan agreement. The penultimate point was that there should be provisions to make the early settlement of loans fairer and easier. Finally, we said that when the Consumer Credit Act is modified it should be simplified and made more straightforward and understandable.

I recognise that not all those seven points were accepted in the White Paper. On my evaluation, it seems that four of the seven were. That is a significant step forward. As my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) mentioned, there is the crucial reference to replacing the term "extortionate test" with a wider "unfairness test". That is important. However, I would be grateful if the Minister could clarify what it means. I understand that the European example has been taken on board and that we are taking European legislation into account. Given the importance of the terminology, I would appreciate some clarification.

The White Paper is a milestone. There has already been a great deal of consultation and a long gestation period. Many people throughout the country will welcome it. It is a huge step for the Government to take, and I would like to see it firmed up as legislation as quickly as possible.

No matter what legislation we have, what alternatives to loan sharks there might be or whether loan sharks are outlawed, at the end of the day we need a greater understanding of what indebtedness means. I would like to see greater discussion of credit and indebtedness in schools.

2.42 pm

Malcolm Bruce (Gordon) (LD): I will ensure that the other two winding-up speakers have at least an equal share of the time. I congratulate the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz) on the work that he has done on this initiative, which is extremely timely given the publication of the White Paper and the development of public concern about the statistics, which have been a matter of debate in recent months.

I hope that we all recognise that credit is a vital component of a healthy economy. There has been a huge development in credit and the varieties of credit, giving many people more choices and opportunities. Clearly, that has also led to a situation in which some people have been forced, seduced or have in some other way got themselves into a position where they are out of their depth, to use the jargon. It is worth reflecting on one or two statistics that bear that out. Over the last year, 33,945 people have been served with bankruptcy orders; almost the end of the line in terms of failure. That figure is 13 per cent. higher than that for the previous 12-month period. The increase in the latest quarterly statistics is 17 per cent. compared with the equivalent period the year before.

Personal debt has risen by 50 per cent. The average person now owes more than £5,300 in unsecured loans; the average annual household debt stands at more than £37,000. The focus of attention has been on two things—apart from some ill-chosen responses to Select Committees by certain people that should know better—that concentrate the mind. First, there are products that are appropriate and not appropriate for different sorts of debt. Secondly, people do not always realise what they are paying and what it is costing them.

In a way, Mr. Barrett did us a favour—even if he did not do himself a favour—when he admitted before the Select Committee on the Treasury that he would not borrow from his credit card company because it is too expensive. That revelation was compounded when the Office of Fair Trading revealed only two or three weeks later that it had forced Barclays to withdraw its credit card advertisement of 0 per cent. interest for life. It occurred to me that there might have been a change of policy, because if 0 per cent. for life meant what it said, even Mr. Barrett would surely borrow on his bank's credit card. The fact that he chose not to do so was a further reinforcement that the bank did not mean what it said, but something quite different. It is such practice that the White Paper is trying to address—successfully, I hope—by setting up measures and responsibilities that will enable people to be protected and better informed.

It is important that the first recommendation of the White Paper is the duty to lend responsibly. The Minister will be aware that, on the matter of fair trading policy, the Liberal Democrats have suggested that we ought to discuss the duty to trade responsibly. Although we did not succeed in getting that point into the Enterprise Act 2002, the concept is being considered by the European Commission and may yet form the foundation of a general trading standard. It would not preclude the need for other specific regulations, but it would give a peg to demonstrate where someone had clearly traded unfairly and, in the context of credit, lent irresponsibly.

As the hon. Member for Edinburgh, North and Leith has said, there are some stark examples in the White Paper of people being drawn into taking out loan after loan, thus compounding their debt until the interest ends up being about five or six times the total capital payment. That is extortionate, even given that long-term loans have a high multiplier. The steps that the White Paper proposes will be effective if we can really work with the grain of the operators in the market, and identify the rogues—the problems and practices that we are trying to eliminate—without destroying the variety of products that people want and can choose responsibly.

I shall mention briefly the role of credit cards, as opposed to bank loans and mortgages. I am astonished by the number of people, even among those who one would think were reasonably confident about financial services, who have significant amounts of credit that they repay monthly on a credit card, but who clearly have access to cheaper forms of credit. One argument is that it serves them right; if they cannot be bothered to use the facilities available to them, perhaps they should pay the extortionate rate. However, helping people by making the comparators and the real costs clear helps the market to operate. That is a proper role for the Government; to give people information to enable them to work in the marketplace with confidence and surety. If something sounds too good to be true, it probably is, but if the regulation that we are putting in place is effective, it might mean what it says. That will be the real test; whether a bargain really is a bargain, rather than a come-on. If we can get that right, it will be extremely beneficial.

I hope that the Minister will not take that amiss because, in other contexts, my colleagues and I have expressed some concern about the cost and size of both regulation and his Department, which has more than 10,000 staff and a budget in excess of £5 billion. I do not say that those services are not required. The right hon. Member for North-East Hampshire (Mr. Arbuthnot) and I have discussed this matter. Have the Government assessed whether they would require extra staff, or a redeployment of staff, and what cost might be involved? I do not say that there is no role for the Department, but it is important that we should know what we are letting ourselves in for.

I should like to address the small loan and cash-based borrowing at what is patronisingly called the lower end of the market, that which involves small amounts of borrowing. I am a strong supporter of credit unions. Although I am not directly involved with one in my constituency, I attend meetings of the very active Strathbogie credit union, which operates over an extensive rural area and to which I am happy to give support. They serve a useful purpose, enabling many people to save, borrow and manage the fluctuations in their incomes. They feel that some FSA regulations are restrictive in their scale of operation, but it is necessary to maintain a balance. I would give wholehearted support to any measure that the Government might take to strengthen, deepen and broaden access to credit unions across a wider community.

One of the cash debt collection companies regarded by the Consumer Credit Association as extremely reputable has told me that it is concerned that the measures might adversely affect it. It explains that there are those for whom even a credit union requires too much of a commitment; in particular, one has to save with a credit union before one can start to draw money out. People can find themselves in a situation in which they need money immediately. They are vulnerable and can fall into the hands of people who will exploit them as illustrated in the White Paper; they are locked into a cycle of debt at a disproportionate interest rate, and they are taken for the little that they have.

We have to deal with that, but we must also take account of those who work in the cash-based credit market who maintain that they are giving a genuine service to such people. They do so at a high cost with good reason; they regularly send people to collect debt because—to use movie-type jargon—they have overheads. However, those overheads are real; they have to employ the people to make the collections.

I do not suggest that those firms should not be subject to regulation or investigation, but they have expressed to me their concern that if they were over-regulated—if simple interest rates were attached to some of their agreements, for example—it might make them sound extortionate and make them fall foul of the regulations. If that were the case, they would withdraw from the market. That would leave their clients with nowhere to turn but to criminal money lenders who, it has been suggested, profiteer on contraband cigarettes and alcohol. They have cash that they can use to make more cash by lending it to people who have none and putting the heavy twist on them, both physically and by getting an extortionate amount of money.

Mr. Sutcliffe: I agree with what the hon. Gentleman is saying about small loans and protecting people in the marketplace. I am aware of representations that have come from the licensing agency about which he is talking, and I will take them into consideration.

Malcolm Bruce: I am grateful for that assurance, because I am certain—even without having heard the Conservative contribution—that all of us would like there to be a climate in which lending is open, transparent, understood and fair, and that credit is not operated in a way that is abusive, extortionate and on the margins of reputability. At the same time, we do not want to destroy a vital, viable and diverse market. The figures for the extension of credit are a matter for concern, and could become a serious issue, not just for people at the lower end of the income scale. I am still interested to know what developments the Government expect in the information and education that influence people's understanding and use of credit.

I am amazed, as I have already said, that people whom one would expect to have a reasonably good handle on how to obtain and use credit still manage their finances wrongly. Many use the wrong products and even have wrong balances, either because they do not

[Malcolm Bruce]

regularly review their finances or because they do not have enough understanding. As the hon. Member for Caerphilly (Mr. David) said, 1.5 per cent. per month works out at more than 20 per cent. a year. Although most people understand the difference, they do not always make the calculation.

Of course, the credit card companies are constantly pushing us. I do not know how many letters I receive a week, but they all go unopened into the bucket. However, I guess it is different for people going through a bad patch when a letter arrives saying that £10,000 is available or that they can transfer their balances. On the other hand, some sharp people can do very well out of transferring balances every six months. One need never pay interest if one shops around, but how many people have the time to do that? The credit companies are hoping for inertia. They want to seduce people into using that money or transferring their balances and accumulated debt onto one card; they want people to build up debts and to pay a heavy rate of interest. We cannot ban or outlaw that, but we can help people to understand the information that they receive. It should be transparent; comparisons should be made on the same basis, and people should understand their rights.

That brings me to the escape and penalty clauses. I raise two slightly contradictory points. People who are paying a reasonably competitive rate of interest—good from the lender's point of view—and who pay regularly may find that their circumstances have changed for the better. They may wish to reduce their indebtedness; it seems wrong that they should face a penal redemption rate, particularly if they are paying a flexible rate of interest. It would be commendable if the Government were to address that issue.

My overhanging concern relates to fixed mortgage rates. That is being discussed in the newspapers, but people are reluctant to go for fixed interest mortgages, particularly if they have experience of lower interest rates. One of the deals that mortgage providers offer is a fixed-interest mortgage for a significant time, but we want that to be longer than two or three years. It should be five years or even 10 years, but borrowers will have to make a risk assessment of what the interest rates will be over those 10 years. However, one consequence of the fixed rate is that people often want to exploit the situation. They will say, "Well, things have improved. I have decided that the flexible rate is cheaper, and I want to opt out." There has to be some balance to the deal; those who take the risk of a fixed rate should share the benefits, but it must be done fairly and equitably

In that context, the White Paper and today's debate are timely. I hope that interest rates do not go up much, but we may be seeing the beginning of an upwards turn. It is clear that if interest rates go up by 1 or 2 per cent., the figures that I gave on the rates of bankruptcy and indebtedness will rise sharply. That could cause problems for the British economy; such a move could result in a significant downturn or slowdown. We need to ensure that when people take out loans, particularly mortgages, they build in a margin for an increase in the interest rate. They must not borrow right to the limit, so that an increase of even 1 or 2 per cent. tips them into a position where they simply cannot manage their borrowing. Of course people should be responsible, but the mortgage providers and the regulators should ensure that the information that they make available to the public helps them to be responsible.

2.58 pm

Mr. James Arbuthnot (North-East Hampshire) (Con): I echo the congratulations given to the hon. Member for Edinburgh, North and Leith (Mr. Lazarowicz). The debate is suspiciously timely; it is almost as if he knew the White Paper was coming. I congratulate him on his prescience and on being so highly informed; the opening of the debate was worthwhile and useful. He gave an interesting analysis of the problem.

I also echo the hon. and learned Member for Dudley, North (Ross Cranston), who congratulated the hon. Member for Edinburgh, North and Leith on his work in the all-party group on debt and personal finance and on the e-mail that he sent us all today about the day of financial education. I am looking forward to visiting the citizens advice bureau, the Financial Services Authority, the British Bankers Association, the personal finance education group and especially "then add the rest", as it says at the end of the e-mail.

Today's debate is worthwhile and timely and we have heard some interesting speeches. The hon. and learned Member for Dudley, North dissected many of the White Paper's details in his usual highly experienced manner. The hon. Member for Caerphilly (Mr. David) gave two moving constituency examples of why the issue is so important. I particularly appreciated the comments that the hon. Member for Gordon (Malcolm Bruce) made about credit unions and the need to strengthen and deepen them. He also expressed fears about people being scared into the arms of criminal money lenders, which we must be careful to avoid in any action taken on this important issue.

There has been a huge shift, in this country and in the world, in the way we run our finances. We used to save money in order eventually to spend it on something that we had decided in advance that we needed. Now, much the more usual course of events is to spend money and then try to work out how to pay it back. If one thinks about it, there is no particular reason why the course we take now should be more fashionable than saving. There is a lot to be said for saving. At some stage we might be able to return to the savings culture that we used to have. However, with tuition fees, the likelihood of graduate debt being about £33,000 by 2010 and the prospect of the savings ratio halving, it might take a long time to do so. I should very much like to see a savings-based society rather than a debt-based society. We can achieve that only gradually, but we should move towards it.

We are now a debt-based society, as the hon. Member for Gordon said. He set out how much debt we have and said that for most of us debt is not a problem. On the contrary, it is a huge convenience and in many ways powers the economy. For all too many individuals, however, the consequences of getting into debt can be devastating, as the hon. Member for Edinburgh, North and Leith said. A quarter of the people who go to citizens advice bureaux with debt problems have visited their doctors because of stress and anxiety. Many people do not even know to go to the citizens advice bureau, while many others find themselves in debt through failures in the benefit or child support systems or for reasons that are none of their doing.

For such people credit cards are often the way through the problem in the short term, but the expense of credit cards can create much larger problems in the longer term. The hon. Member for Caerphilly said that such people are the most vulnerable in other ways—he was referring to people who live in the heads of the valleys—and he is absolutely right. Those people are likely to suffer most as a result of debt.

I should like to pay particular tribute to the people in citizens advice bureaux, who are the front line of dealing with debt. In my constituency we have two excellent citizens advice bureaux, in Fleet and Bordon, but they are the same all over the country. MPs and the population of the country rely heavily on people in citizens advice bureaux. Those highly trained volunteers are very successful in dealing with problems caused by debt, out of which they are utterly dedicated to helping people. I admire and sympathise with citizens advice bureaux all over the country; many other voluntary organisations do the same thing. I do not know how we would cope without them.

The White Paper, rightly, has been the main subject of today's discussion and a great deal in it is welcome. At first sight, I particularly liked the section on transparency. We would like to see the proposals on easily comparable rates and terms translated into action. The abolition of rule 78 and the penalties for early repayment is welcome. Transparency is essential to understanding debt.

I wonder about some of the details in the White Paper. Will the increase in the size of print mean that people receive masses of large-print bits of paper, which they will not want to wade through, instead of a small illegible piece of paper? A way of not telling somebody something is to tell them so many other things that they get drowned in the mass of paper.

I should like the Minister to address the question of the programme. Page 97 of the White Paper states that the primary legislation is subject to the parliamentary timetable as soon as parliamentary time is available. It is a shame that the White Paper came out a mere two weeks after the Gracious Speech. I wonder whether that means that the legislation will not get into this year's programme.

I do not necessarily want all the points to be dealt with by legislation as opposed to voluntary codes of practice. The Opposition would like to see as much as possible of this creditable move towards transparency being achieved through voluntary codes rather than burdensome regulation. We will, of course, examine the fine print of the primary and secondary legislation. The Government have a history of producing 15 new regulations a day. Although many aspects of the White Paper have been welcomed by the businesses that must respond to it, we want to look at the detail of the regulation and legislation.

Several Members have raised the issue of financial education. The hon. Member for Gordon referred to Mr. Barrett's remarks to the Select Committee. Mr. Barrett's decision not to accumulate debt on his credit card is fine by me, and the Secretary of State's decision not to have a credit card at all is also fine by me. We need the dissemination of knowledge and informed judgments to the whole community. The Consumers Association would like to see a radical overhaul of financial education, which must be right.

Sir Howard Davies said that we needed to improve financial literacy. We also need a national strategy for improving people's knowledge of their finances and the way in which they work. We must remind people that they should not believe everything they read in an advertisement; if something sounds too good to be true, it probably is.

3.9 pm

The Minister for Employment Relations, Competition and Consumers (Mr. Gerry Sutcliffe): I am delighted to respond to an excellent debate and to contributions from all hon. Members. We may disagree on political issues, but there has been a general welcome for the White Paper.

I congratulate my hon. Friend the Member for Edinburgh, North and Leith (Mr. Lazarowicz) on securing the debate. It is not suspicious; he is clearly a lucky man. I hope that he has the same success in the national lottery. I also congratulate him on his activities on wider consumer affairs issues, because not only has he facilitated the work of the all-party group and work on financial education, he has worked tirelessly on behalf of consumers. When I became the Minister for consumer affairs in June, one of the first letters I received came from my hon. Friend on hallmarking. He was to the forefront of the debate about hallmarking, and I congratulate him on his efforts. He now knows that the Government have been successful in protecting British hallmarking.

One of the reasons I came into politics was to protect, help and support people in our communities and to ensure that they are not exploited. The White Paper has been a long time coming and there has been some criticism about that, but we were right to take the time and to consult widely with a variety of organisations. As was said during the debate, the British consumer credit market is the most mature in the world and has developed greatly over the years. A figure that interested me was that before 1974 there was one credit card—Barclaycard—and annual debt was around £32 million at today's prices. There are now 1,300 credit cards and billions of pounds of debt.

It is important to consider the White Paper in the context of a changed market. I want to put on record my grateful thanks and that of my Department for the work done by many groups in contributing to the White Paper, including consumer groups, citizens advice bureaux, the National Consumer Council and many other organisations that gave the consumers' point of view. I thank also the industry for the way in which it participated and supported the White Paper.

The White Paper is vital to our manifesto commitment to deal with loan sharks. Hon. Members have told us about illegal lending and pressure on individuals.

Ross Cranston: I wish to ask about the hit squads that are foreshadowed in the White Paper. Will they operate against illegal lending? Will they operate in my area of the country, the west midlands?

Mr. Sutcliffe: The good news for my hon. Friend is that the answers are yes and yes. The pilot programme of loan shark hunters will take place in Glasgow and the

[Mr. Sutcliffe]

west midlands. It will involve cross-agency working and bring together the police, trading standards officers and local authorities. Part of the problem, to which my hon. Friend the Member for Caerphilly (Mr. David) alluded, is that people do not come forward because they feel threatened. There is a criminal element; some inappropriate lenders use illegal lending to launder money and for various other criminal activities.

The loan shark hunters will be in place—the pilot scheme has received £2 million of investment—and we will ask local authorities and others to consider possible ways of rolling out such schemes across the country to ensure that other people are given that opportunity. The issue is important to the Government and to many MPs. We know of many cases in our constituencies in which people—usually the vulnerable and those on low incomes—are threatened by unscrupulous lenders.

As I said, the White Paper reflects the maturity of the industry and how things have progressed. I was grateful for the contributions made by the hon. Member for Gordon (Malcolm Bruce) and the right hon. Member for North-East Hampshire (Mr. Arbuthnot), to which I shall return in a moment. The British Bankers Association memorandum to us is an example of how things have changed. I cannot resist the opportunity to mention its third point:

> "Lessons have been learnt from the last recession. In the late 80s, the UK had enjoyed an economic fool's paradise with: artificially low interest rates followed by a Budget which threw cash at the middle classes in tax breaks, and threw fuel on the blazing housing market by setting a future date for removing dual tax relief—a consumer gold rush to joint ownership concluded the folly in late 1988."

Lessons have been learnt, but I do not know whether the right hon. Member for North-East Hampshire has learned them, as I did not hear him make the point that we are in the situation that we are in partly because of the previous Government's policies.

I was proud to be in the Chamber today for the pre-Budget report and to hear the Chancellor set out the macroeconomic conditions faced by the UK. More people are in work than ever before, which helps credit-related issues. I agree with the right hon. Member for North-East Hampshire that there has been a culture change in how people deal with credit, and I accept and understand that a savings culture is vital. But Britain's progress means that legislation must reflect the current situation. The Consumer Credit Act 1974 is 30 years old, and it is time to ensure that we have a credible Act and a credible regime that meet the requirements.

Individual agreements must be clear, and people must be able to understand what they are letting themselves in for. On the other side of the equation, we must have an effective enforcement regime. New powers have been given to the Office of Fair Trading, which now has the opportunity to investigate to see whether people are lending appropriately and responsibly, and the credit licensing regime is being overhauled. We are telling people that we want a fair marketplace that is still competitive, and the White Paper deals with that.

Every national newspaper carries advertisements for loans, and it is hard to determine how much one must pay back. The idea behind the honesty, or summary, box is to make that clear and simple. There are two ways of calculating the APR, which confuses people. The White Paper also considers the possibility of obtaining an agreement to ensure that there is only one way of calculating the APR.

Summary boxes make it clear how much people are borrowing, the length of time over which they must pay and how much they will have to pay back at the end of the period. They will also tell people how much longer it will take them to pay back the loan if they pay only the minimum each month, and how much more they will pay over the lifetime of the loan. We are also consulting on the size of print. We want to ensure that we do not overburden the industry but, for the sake of transparency, it must be clear at the start what people have to pay back and how much they are borrowing.

The form and the content of the credit agreement must be easy to understand. Some forms are very complicated, and people do not understand them. When people are hard pressed, they sometimes enter into loans and agreements that they do not fully understand. All they want to do is to obtain the loan and get the money. We have worked with the industry and with consumer groups to produce credit agreements and forms that are easy to understand.

My hon. and learned Friend the Member for Dudley, North made a good point about the early settlement of loans. I had never heard of rule 78 until I went into the detail. How can it be right to penalise people who want to pay off a loan early? That cannot possibly be appropriate, and I am quite sad that although the White Paper has generally had a good welcome, certain elements in the industry are against the proposals on early settlement of loans. We will return to that because it is important to get it right. Some 70 per cent. of people want to, and do, pay off their loans early and they should not be penalised and charged for that. We accept that there is an administration element and that it is important to have an accommodation for any administration costs, but that rule clearly needs to be changed.

Malcolm Bruce: I agree with the Minister, particularly on short-term, medium-term and variable-interest loans. However, does he accept that there is a potential problem in trying to get people on to fixed-interest loans if they can get an easy early repayment as soon as the market has moved favourably? Clearly, people will not offer fixed-interest loans if they are not equally balanced.

Mr. Sutcliffe: Yes. The Chancellor referred to that this morning, and there will be a survey and report by a group set up to examine what can be done.

We are in an era of new technology, and people want to borrow over the internet. It is important to have online agreements that are sustainable, understandable and protect people's interests.

The credit licensing regime is vital. It is important that people who lend act responsibly and are appropriate people to lend. The details of the regime will ensure that that is what takes place. Lenders will have to make sure that they are appropriate people to lend and that the risk element is well considered. I am particularly pleased about the powers that we are going to give the Office of Fair Trading, trading standards offices and others to hold spot-checks to examine the appropriateness of what lenders do.

The loan shark hunter regime that we are introducing will enable us to tackle problems such as that raised by the hon. Member for Gordon, who said that we must not stop legitimate lenders lending at low rates, with what appear to be high APR charges. If we removed that situation, their borrowers would be forced into the hands of illegal loan sharks. That was an issue when we considered whether to have a ceiling on interest rates. The hon. Gentleman was right; if the need to collect administration or other charges built into the cost of the loan forced people out of that market, the next people that come along will be the loan sharks and illegal lenders. Although vulnerable people do not often come forward, we will enable people to be prosecuted on evidence that will be collected in various ways. That will push those people out of the marketplace. It is important that they understand that the regime is in place, so that they perhaps cease to prey on the vulnerable in our constituencies.

We are considering the abolition of financial limits, on the basis that people need protecting no matter how much they have borrowed. The issue of consumer redress is important, and the alternative dispute resolution process is something that we will look at when trying to find the best way of dealing with the matter. My hon. and learned Friend the Member for Dudley, North suggested using the financial services ombudsman. We will look at that in light of the review, and if that is the best route we will consider it. We are consulting on that at the moment.

As I have said, we are working with trading standards offices on the pilots in the west midlands and Glasgow to target illegal lenders. They are the worst loan sharks, as my hon. Friend the Member for Caerphilly said, seeking out vulnerable people. The pilot will help us to identify the extent of illegal lending and how best to deal with it in a practical way so that we offer best practice to the other authorities.

I am a strong supporter of credit unions. I have seen in my constituency how they can deal appropriately with people who are outside the normal regimes. However, there is an issue relating to the 12-week saving requirement; people have to save for 12 weeks before they can get a loan from the credit union. Some interesting alternatives have been suggested in Glasgow and elsewhere, and there may be a way of offsetting that by direct grants or whatever. We have to be careful because the aim is to encourage people to save and to play their part in a responsible way. People who are in a crisis need money quickly and must not be forced into illegal lending.

The credit union movement needs to be supported. I have worked with the Financial Secretary to ensure that we do that. Every local authority should have a credit union officer. I have a slight concern about there being two national associations and about the infighting between them, which has not helped the situation. That can be resolved. Whether a credit union is community or employee-based, it can contribute tremendously and can offer alternative sources of funding.

My hon. Friend the Member for Edinburgh, North and Leith mentioned the OFT. I pay tribute to trading standards officers. They are the Cinderella service of local authorities. They do not seem to receive adequate funding when the budget is dished out, yet we ask them to do many things; their impact on our communities is tremendous. I hope that the new powers for the OFT and the support that we give to trading standards officers and local authorities will mean that their work is helpful.

My hon. Friend the Member for Caerphilly raised many points. He was particularly moving when describing the cases of intimidation. I welcome his campaign and that of his local newspaper to try to put things right. He had seven recommendations and we have delivered four of them. I hope he feels that that is a step in the right direction. He also made the point about credit unions and how we need to develop them, and asked about the definition of extortionate credit.

The OFT will take account of responsible borrowing, and will help the adjudicator to decide whether a credit transaction is unfair. Unfair practices could include the mis-selling of products, unacceptable high-pressure selling, aggressive debt collection and irresponsible lending. Consumers will be protected in cases of excessive charges for defaulting. That will include measures such as requiring default interest to be fair and reasonable and prohibiting compound interest on cost and charges. Traders will be required to give debtors a set time to pay costs or charges before interest is charged. We are considering whether the proposal should apply also to existing agreements.

We have talked about the maturity of the credit market. The hon. Member for Gordon welcomed the White Paper and explained how he saw the need for a balance between regulation and ensuring that we deliver. Unfortunately, his press release did not quite show the same spirit of consensus on how we approach these issues. However, as these matters go through the House, I am sure that his characteristic fairness will come through and he will admit that the Government occasionally get it right. He reminded me that the Liberal Democrats wanted to do away with the Department of Trade and Industry. Clearly, we have proved that if it did not exist, we would have to invent it.

Time has run out. I welcome hon. Members' contributions. This is a good White Paper and I am sure that people will benefit from it.

Prevenar

3.30 pm

Keith Vaz (Leicester, East) (Lab): I am most grateful to you, Mr. Deputy Speaker, for the opportunity to raise in this Chamber the case of Lachlan Fewster and the availability of the vaccine Prevenar. I am also very pleased that Scott and Maria Fewster are at Westminster today. Scott and Maria Fewster lost their only son, Lachlan, to pneumococcal meningitis in April this year. They state that his death could have been prevented if he had been inoculated with the vaccine Prevenar. Before the attack in April, like all fun-loving youngsters, Lachlan had always been full of energy. He died in hospital within hours of falling ill. Mr. and Mrs. Fewster believe that if Lachlan had received the vaccine he could still be here with us today. Losing a child is one of the most devastating things that can happen to a parent, as my wife and I know only too well, and it is Scott and Maria's commitment to raising awareness about their son's case that has convinced me to raise the issue today.

Childhood immunisation has been one of the greatest successes of modern medicine. In the last half-century, previously life-threatening and disabling diseases such as polio and diphtheria and, thanks to the success of the more recent immunisation programmes, HIB meningitis and meningitis C, have been virtually eradicated in this country. Despite that success, some serious diseases remain. Pneumococcal disease is caused by the bacterium pneumococcal pneumoniae, I apologise for my pronunciation of these words, but I am doing the best I can, considering that they are so technical. Pneumococcal infection can cause a variety of different illnesses, including life-threatening serious disease such as meningitis, pneumonia and blood poisoning. The consequences of serious pneumococcal infection in children can be devastating and potentially more severe than the consequences of other infectious diseases against which children are already routinely vaccinated. Despite the availability of effective antibiotics, serious pneumococcal diseases carry a significant risk of death or severe disability.

Every year, serious pneumococcal diseases, such as meningitis, blood infections and pneumonia, devastate the lives of thousands of British children and their families. Babies and young children under two are most at risk. One of the most devastating forms of pneumococcal disease is meningitis, which is the second most common form of bacterial meningitis in the United Kingdom and among its most life-threatening. Media attention inevitably focuses on meningitis B, and children are immunised against meningitis C, but many parents are not even aware of the pneumococcal form of the condition. Some 15 per cent. of children, or one in six, who contract it will die. Despite rapid medical advances, that figure has sadly remained the same for more than 20 years. The chances of a child dying from pneumococcal meningitis are twice as high as for meningitis B and C. As I mentioned earlier, Lachlan died within hours of contracting pneumococcal meningitis. Furthermore, children who survive infection are twice as likely to suffer long-term and severe neurological complications as children infected with other forms of meningitis. A recent analysis found that one in six children who survived pneumococcal meningitis subsequently suffered mental retardation; one in seven developed epilepsy or other seizure disorders; and one in four became deaf. Another recent British study showed that one in four children suffer severe to moderate disability following pneumococcal meningitis. There are many facts and figures, but I want to go beyond the statistics and provide a first-hand perspective and insight into the disease.

The story of Lachlan Fewster was recently brought to my attention when I received a letter from his parents, Scott and Maria. Mr. Fewster is the headmaster of Whitehall primary school in Evington, Leicester—the school at which my mother, Merlyn, taught for a few years when we first moved to the city.

Lachlan was aged just two years and nine months when he died of pneumococcal meningitis in April. He had recovered from the same form of meningitis in March last year after fighting the infection in hospital for nearly a fortnight. At the time, Maria and Scott were told that he had suffered no after-effects. They never dreamed that he would contract the same disease a year later and that it would claim his life.

After Lachlan's death, Scott and Maria discovered that he had been born without a spleen and, as a result, had a significantly reduced immune system. They did not know about it because Lachlan was not screened after birth and he was not considered to be at risk after his first episode of meningitis last year.

In April, the pneumococcal meningitis was stronger and Lachlan lost his fight for life just 10 hours after falling ill. Doctors could not save him, as the bacteria spread so quickly and poisoned all his organs. His parents believe that the tragedy could have been prevented if Lachlan had been given the Prevenar vaccine, which has been licensed but is not routinely available on the NHS.

The knowledge that Lachlan could still be with us haunts the family each day. With my support and that of many others, they are currently campaigning for a routine childhood pneumococcal vaccination. They launched a petition in Leicester last week, which has already received hundreds of signatures.

At present, the NHS provides the vaccine only when a child is deemed to be vulnerable to meningitis—if their immune system is weak, for example. Had Scott and Maria known of their son's reduced immune system they would have insisted that he have an inoculation, and they would have even paid for it themselves. The current price of Prevenar is £120, which would be dramatically reduced if the vaccine were routinely available.

I am glad to say that Maria is expecting a baby in January, but she wants to ensure that her new baby son or daughter is protected. Scott and Maria urge that Prevenar be routinely given to all under-twos. The Fewsters are not alone in their suffering: four children a month die from serious pneumococcal infection such as meningitis, and each time parents are outraged to find that a vaccine is available that may have saved their child.

Research from the campaign group Raising Awareness of Paediatric Pneumococcal Infection and Disease—RAPPID—found an unequivocal response from parents with regard to pneumococcal vaccination. When informed of the facts, 92 per cent. said that they were in favour of their children receiving the extra jabs to protect them from the devastating effects of the disease.

As I said earlier, the effects of the infection do not stop at meningitis. When the pneumococcal bacteria enter the bloodstream and multiply, a particularly life-threatening form of serious pneumococcal disease can occur. Septicaemia—blood poisoning—can also cause serious organ damage and ultimately death. The disease is also generally acknowledged as the leading cause of severe bacterial pneumonia in children under two years old and overall in any age group. Many people are not aware that babies can develop pneumonia, which is a particularly dangerous condition in young children. In the United Kingdom, it is estimated that one in 200 children are hospitalised as a result of pneumococcal pneumonia before their fifth birthday. Pneumococcal pneumonia is responsible for the most serious types of pneumonia, which sometimes require surgery to repair the damage caused and, as I said, can result in death.

There is growing concern about the use of antibiotics to treat infections, which I understand. Fears about the steady increase in antibiotic-resistant strains of bacteria already seen in many parts of the world are real and becoming a major source of concern in this country. For example, recent figures from Scotland show a tripling of the rates of resistance to penicillin and other antibiotics during the past decade. The problem is twofold. First, the effectiveness of drugs vital in the line of defence against serious diseases such as meningitis is being eroded. Secondly, in an attempt to rationalise unnecessary antibiotic uses for minor viral illnesses, the more serious causes of recurrence, such as those caused by pneumococcal diseases, are being treated later.

A routine immunisation programme to prevent the most serious forms of pneumococcal disease would also produce additional benefits in reducing the amount of less serious illnesses commonly seen in young children. It could help reduce pressure on the perennial problem of NHS beds, reducing the number of GP visits, the prescription of antibiotics and demand for surgical treatment.

The efficacy and safety profile of the pneumococcal conjugate vaccine are not in question. It has been shown to be highly effective as a vaccine, with an established safety profile generated from experience of the nearly 50 million doses administered to more than 10 million children worldwide. The vaccine has been part of the routine childhood vaccination schedule in the United States since its introduction in 2000. There, it is recommended for all children under the age of two and is part of a federal childhood immunisation programme. It has had a huge, immediate and sustained impact on serious pneumococcal disease cases, such as meningitis and septicaemia. Recent data published in the *New England Journal of Medicine* detailing figures compiled by the US national Centers for Disease Control and Prevention show a 69 per cent. reduction in pneumococcal diseases in children aged under two since universal use of the vaccine was introduced in 2000.

It does not stop there, as there is an added benefit to the rest of the population. Routine immunisation of children in the United States with the pneumococcal conjugate vaccine has been shown to reduce the incidence of serious pneumococcal diseases among unvaccinated children and adults, thereby extending the benefits to parents, carers and grandparents. In fact, just a couple of weeks ago at a conference in Cardiff on infection, the potential benefits were applied to the United Kingdom population, showing that a routine immunisation programme could save 2,000 lives a year.

The European Commission granted marketing authorisation for Prevenar in all 15 EU countries on 5 February 2001, effectively meaning that it was available for doctors in the UK. However, little use of the vaccine occurred until January 2002, when the Department of Health recommended Prevenar for infants and young children up to two years of age in groups with conditions that increase the likelihood of infection and children for whom infection is likely to have a worse prognosis. That includes infants or young children without a spleen, with sickle-cell disease, leukaemia and other malignancies, diabetes or HIV, or with respiratory, cardiac, kidney or liver impairment. However, it is widely acknowledged that the vast majority of pneumococcal disease occurs in children who are otherwise perfectly healthy and happy. Through the introduction of a routine immunisation programme, a major health gain could be won for British children.

Prevenar is also recommended for use in at-risk infants and young children in a number of other EU countries, including Denmark, Germany and Italy. Those countries are also considering the introduction of Prevenar as a routine vaccine for all infants and young children in the context of their national immunisation programmes. Other EU counties, such as France and Austria, have already implemented wider use of Prevenar. In France, recommendations for its use in at-risk children from two months to two years of age are particularly wide reaching. Within the EU, Austria has become the first country to make it available.

Government experience with implementing at-risk vaccination programmes in the United Kingdom shows them to be an inefficient way of protecting vulnerable groups and individuals, as there is no established way of measuring compliance with recommendations or associated health outcomes. So why does the Department of Health appear to be so slow in introducing the new vaccine for all children under two? That would be the best way to ensure that the most vulnerable are protected. Cases of meningitis C and resulting deaths have tumbled by a staggering 90 per cent. since the programme began. With the US experience and in the face of the facts, I ask why it has not been introduced.

On the issue of recognising universal vaccination as the most effective way to achieve protection, the Department of Health should be commended for introducing pneumococcal vaccination for all adults aged 65 and over. I have already talked about the effects on young children.

It is also recognised that cost might be a consideration with this particular vaccine. However, on inclusion in the national routine immunisation schedule, the NHS public service agreement would negotiate a contract price for Prevenar outside the basic NHS price for the Department of Health, as it does for all other routine vaccines. Furthermore, considering the widespread benefits of vaccination—not only to those immunised, but to their families and to society as a whole through

[Keith Vaz]

the herd immunity observed in the US—the programme is clearly cost-effective. Ultimately, what price can we put on a baby's life or a child's damaged future?

Can the Minister put on record when the Department of Health intends to introduce the Prevenar vaccine for all children under two as part of routine immunisation? An obvious first step would be to say whether the new immunisation programme is in the Department's identifiable spending plans for 2004–05. If so, when will it be introduced? May I meet the Minister to discuss these matters?

The death of this little boy from Leicester will be with his parents, their family and friends for ever. I hope this short debate, in a small way, can prevent further deaths from happening.

3.47 pm

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): I congratulate my hon. Friend the Member for Leicester, East (Keith Vaz) on securing today's debate and on his interest in this matter. My congratulations also go to Scott and Maria Fewster on trying to turn a personal tragedy into a measure to protect all children. It is a tribute to them that they have taken such an interest after what happened to their family.

The Department takes seriously the subject of how best to prevent pneumococcal infections in children. It is of great concern to us. I would be happy to meet my hon. Friend to discuss the matter further. If he contacts my office, we can arrange a meeting as soon as he likes.

We take all vaccine-preventable childhood illnesses seriously. Our vaccination programmes have been enormously successful. Nowadays in this country, we never see a child crippled by polio and wearing callipers, which was not an uncommon sight when I was a schoolboy. That is because polio has been eradicated from Europe through vaccination. Smallpox has become a disease of the past. Cases of diphtheria in children are rare, and tetanus infections in infants are also a thing of the past. We have not seen a death from acute measles in this country for 10 years.

All those diseases used to put children at risk. Immunisation has protected them from those and other preventable diseases for years, and continues to do so. An example of our commitment to childhood immunisation was the introduction of the meningitis C vaccine in November 1999. We were the first country in the world to introduce it, and it has been a huge success: cases of meningitis C in children have been reduced by 95 per cent. since the campaign began.

We were the first country to introduce that vaccine because of the collaborative work of agencies such as the Public Health Laboratory Service—now the Health Protection Agency—the National Institute for Biological Standards and Controls, and the Institute of Child Health, which form the Department's vaccine evaluation consortium. That is a unique collaboration of Government-funded, but independent, organisations and institutions. The consortium was able to carry out the studies needed to show that the vaccines were safe and effective.

That said, the Department is very careful when considering the introduction of a new vaccine into the childhood immunisation schedule. We have to be sure that it is safe and effective in preventing disease. We must know the number of doses that children need to be protected, and at what age the doses should be given. We need to be confident that introducing a new vaccine into the childhood immunisation schedule will not interfere with the other vaccines being given.

I caution my hon. Friend against drawing on experiences in other countries; such things are not directly comparable because all countries have different immunisation regimes. We have to decide what suits our country, regardless of the risk-benefit analyses of other countries.

We also have to think of the practicalities of introducing a new vaccine into the programme, such as whether that would mean extra visits to the GP's surgery, more injections per visit, or the combination of more vaccines in one injection. Also, we must constantly check that our current vaccines are keeping levels of disease down and consider whether further booster doses will need to be added to the immunisation schedule.

It is also important to remember that not all countries offer the same vaccine programmes. For example, we offer the meningitis C vaccine to infants, but it is not routinely offered in the United States. In the United States, vaccines are offered to infants at two, four and six months of age. In the UK, we use an accelerated schedule, offering vaccines at two, three and four months. Those differences between countries' immunisation programmes depend on many factors, such as the risk of a particular disease in a specific country.

I agree with my hon. Friend that pneumococcal infection in children can be serious. The Department already recommends that the vaccine be given to children among whom pneumococcal infection is more likely to be common or more dangerous. "At risk" children include those with severe dysfunction of the spleen, asplenia, chronic renal disease, immunodeficiency or immunosuppression, chronic heart disease, chronic lung disease, diabetes mellitus, and those with a cochlear implant. We already offer protection to more vulnerable children.

In some instances, the risk factors are clear from an early age, but sadly that was not the case for Lachlan. We are already seeking advice about adding pneumococcal vaccine—and Prevenar in particular—to the routine childhood immunisation schedule. The Joint Committee on Vaccination and Immunisation gives independent expert advice on vaccination issues. It has considered the available evidence, and stated that more information and underlying evidence is needed to gain a better understanding of the impact of offering pneumococcal vaccine to children. The available evidence does not allow for an accurate prediction of the burden of disease that is vaccine-preventable.

However, the Committee is aware that the Department is funding research to find out more about the vaccine. The research is assessing the level of protection that the vaccine offers infants in the UK, the optimal schedule for the vaccine in infants, whether there is a need for a booster dose in the second year of life to maintain protection, and the impact of introducing the vaccine into the childhood schedule on the protection given by the other vaccines.

Those are important questions that need to be answered. We are hopeful that the studies will provide the information needed to make a clear, evidence-based decision about the vaccine, and in particular about the benefits that it would bring, the potential risks and the best schedule for giving the vaccine to infants. Some of the trials that examine the protection offered by the vaccines in the UK schedule are close to completion, and the JCVI has been kept informed of their progress.

We are also keeping a close watch on the impact of the introduction of Prevenar on children in the United States. We are especially interested to see whether there is evidence of serotype switching—where the strains of bacteria against which the vaccine protects are replaced by strains that are not vaccine-preventable. That would reduce the effectiveness of the vaccine in protecting against the disease. We also want to assess whether vaccinating children has reduced the rates of disease in older age groups, as my hon. Friend suggested.

There are many uncertainties in the evidence, especially about the amount of disease that is expected to be prevented by a vaccine in both the short and longer term. That is why, as far back as 1996, the then Public Health Laboratory Service put in place an enhanced surveillance system for pneumococcal infections.

The purpose of the enhancement has been to provide us with the best possible estimates of the disease burden to inform our economic modelling, and to serve as a baseline ahead of any introduction of a vaccine. The JCVI is kept closely informed of all the evidence as it develops.

It is important to note that the UK is not alone in awaiting further evidence before making a decision on Prevenar. Other European countries are in the same position. I believe that the US is the only country that routinely offers the vaccine as part of its childhood immunisation programme.

We cannot ignore the financial implications of introducing new immunisation programmes. Prevenar is not cheap. The price that the US Government pays for one dose of Prevenar is about the same as that for one dose of all the other vaccines routinely used in our childhood programme. If it were to be introduced into the routine childhood immunisation schedule in the UK, it would cost millions of pounds—probably £100 million or more to protect all children up to the age of two years.

However, I am reassured to hear from my hon. Friend that the price of Prevenar could fall dramatically if it were introduced into the national programme. I should be grateful if he would let me have any relevant information that would allow us to plan for lower prices, since we have based our estimates on the present US Government's contract price, which is already discounted from the private sector price.

We anticipate the possible use of the vaccine in the childhood immunisation programme, once we are reassured about its impact and have completed the risk-benefit analysis. However, I sound one note of caution. In the US, there have been shortages of pneumococcal conjugate vaccine, so that the full recommended schedule could not be implemented, and we would want to address that issue.

We understand the potential benefits, and that is why we are funding trials and studies on the pneumococcal conjugate vaccine's possible use in the UK. Its introduction into the childhood programme has the potential to be a positive step and, as my hon. Friend pointed out, may reduce pneumococcal disease in older unimmunised age groups, particularly where the burden of disease is high. It is also likely to reduce the quantity of antibiotics used to treat infections, which is another concern.

As soon as there is good evidence that the vaccine will deliver real benefits, provision will be made for it in the Department's spending plans. I am sure that my hon. Friend will understand the importance that the Department places on basing its decisions on immunisation issues on independent scientific advice. We take seriously our responsibility to ensure that we have the safest and most effective national childhood immunisation programme. I look forward to meeting my hon. Friend to discuss the matter further.

Gulf War Veterans

3.58 pm

Mr. Paul Tyler (North Cornwall) (LD): I am pleased to have the opportunity to raise this issue again. I welcome the Minister to the debate, and remind him that I have a special interest in the subject—not a financial interest—as a member of the Royal British Legion Gulf war group.

It might be helpful to hon. Members if I were to explain why I came to be involved. There is a particularly large number of veterans in Cornwall and the south-west because there is a large population of service families in the area. However, after the eventual revelation that many British troops were doused with dangerous levels of organophosphates in 1991, I became involved in the matter as chair of the all-party group on organophosphates. Significantly, for this debate and others in this Chamber, that revelation came after two years of misleading ministerial assurances to me and other hon. Members that none of our service personnel could have been exposed to such a risk.

Throughout the 12 years since the first Gulf war, I have been especially frustrated by and ashamed of the extent to which veterans and their families have been hung out to dry by the Ministry of Defence. They have not received the care and attention that those who serve the nation in our armed forces should be entitled to expect. Surely the least they should receive is consistent support and regular, reliable information. I hope later to demonstrate the more forthcoming attitude of the United States Government and Congress.

My many colleagues across parties and I hoped that lessons had been learned before the Iraq war earlier this year. That was the subject of a similar debate in this Chamber on 5 February. In that connection, I was shocked by the parliamentary answer that I received on Monday to a question that I tabled on behalf of the family of Sergeant Steven Roberts, who came from Wadebridge in my constituency. Sergeant Roberts was the first British fatality in the recent Iraq war. He was killed on 24 March, and there were several outstanding questions about his death that his widow and mother wanted answered. For example, was he ordered to pass on his reinforced flak jacket to others thought to be more vulnerable? Exactly who fired the fatal shot? Did his gun jam?

The Secretary of State told the family in September that the special investigation branch—the SIB—of the Royal Military Police would shortly report, but they have heard nothing since, or at least they had not on Monday. The Minister of State, the right hon. Member for East Kilbride (Mr. Ingram), who is responsible for the armed forces, told me then, more than eight months after Sergeant Roberts's death, that there was still

"evidence . . . to be collected and . . . witnesses . . . to be interviewed."—[*Official Report*, 8 December 2003; Vol. 415, c. 276–7W.]

Surely the trail must be getting cold.

We have just heard of a similar shocking case. Eight long months after the family of Marine Christopher Maddison from Plymouth were told that his death was caused by an enemy attack near Basra, the MOD has admitted that he must have been killed by so-called friendly fire. What an appalling way to aggravate such a tragedy. Those whose loved ones join the services to protect us deserve better. I very much regret that the lessons of what I might call Gulf war 1 appear not to have been adequately learned for the families of victims in Gulf war 2.

On the illnesses that veterans have experienced, I hope that the Minister will save time in his reply and not bother with the usual linguistic games about the alleged difference between a single Gulf war syndrome and the more general but identifiably distinct Gulf war illnesses. I always refer to the latter, and I think that most of my colleagues do. I am happy to stick with that. The treatment of veterans remains the core issue, whatever the semantics of Whitehall.

The first subject that I shall address under that heading is pensions. My hon. Friend the Member for Hereford (Mr. Keetch) recently established that the MOD has forced victims of Gulf war illnesses to quit the Army rather than being medically discharged. The latter would mean automatic eligibility for a medical pension; the former offers nothing. That system is known as manning control. The National Gulf Veterans and Families Association has claimed that at least 400 of its members have been forced out in that way. The manning control policy is intended to allow the removal of soldiers whose services are no longer required after six, nine or 12 years. Under the policy, they are supposed to be warned 12 months in advance if they are to be discharged.

The Secretary of State has admitted that the MOD's figures for the numbers that were manning controlled were distorted. In a letter to my hon. Friend the Member for Hereford, he said that more had been affected by the manning control system than was originally suggested to my colleagues. Documents shown to *The Daily Telegraph* reveal that MOD Ministers seem to have misled Parliament over the extent of the manning control policy. Despite claims to the contrary, those leaked documents show that lists of soldiers are still being considered for manning control and sent to their units. Shaun Rusling, to whom I pay great tribute for his indefatigable efforts on behalf of veterans of the National Gulf Veterans and Families Association, rightly described the revelation as a national disgrace.

Vaccination records are an important part in the development of the problems. I draw the Minister's attention to the questions tabled as long ago as January by his noble Friend Lord Morris of Manchester to Lord Hunt, then Under-Secretary of State for Health. Lord Morris asked about the effect of combining anthrax vaccine with other vaccines. The response was that vaccines are licensed by the Secretary of State for Health; the vaccine should be used alone, not in a cocktail. That information was included in the product summary provided to doctors. It was apparent in a matter of a few days from the evidence of Captain Beverley Green, who served in the Gulf in the Queen Alexandra's Royal Army Nursing Corps, that the vaccine was not used alone. The information given by the Under-Secretary in the other place was not helpful.

Lord Morris asked Lord Bach whether the vaccine was licensed at the time of the Gulf war of 1990–91, whether the guidelines were in place, and whether other vaccines had similar limitations. The Under-Secretary in the other place promised that a letter would be written and be placed in the Library. On 7 March, my Liberal

Democrat colleague, Lord Clement-Jones, asked for a similar response and an undertaking was given. It took until 9 October for the letter to be put in the Library. I followed it up with a question in the House of Commons. It became apparent that it was only in 1998 that the instruction was given that the vaccine should only be used alone. Therefore, it obviously was not available at the time of the first Gulf war.

It was shown in a table summarising information that there was no proper co-ordination with other vaccines at the time of the first Gulf war. It was admitted, amazingly, that there were problems with vaccination records; many personnel did not carry what was described as the BMed27 forms—details recorded on either temporary nominal rolls or BMed27s—and they were often not transcribed on to F Med4s. Therefore, there were no proper records of who had been vaccinated, when vaccination had taken place and whether it was with the notorious cocktail of vaccines, simultaneously.

Perhaps most alarming, the instructions for nerve agent pre-treatment sets, the so-called NAPS tablets, which contain a special bromide, were and are not subject to restriction on co-administration. Therefore, after an eight-month delay between the original question and the answers given to Lord Morris, there was no real information about the situation in 1991 beyond the confession of ignorance and the lack of record.

That admission—the lack of adequate vaccination records—blows to smithereens the assurances given in both Houses about the effective monitoring of all those who were inoculated in the original programme before the 1991 hostilities. As the Minister knows, since 9 October Lord Morris has pursued through several other questions the discrepancies that are still apparent. I do not have time to go through them now, but I hope there will be an opportunity for a face-to-face discussion between Lord Morris, other colleagues in the Royal British Legion group and the Minister.

On the position of other official bodies in the recognition of Gulf war illnesses, the Ministry of Defence may insist that there is no inherent connection between these illnesses and service in the Gulf, but others are equally sure of the likelihood of a connection. I refer to the inquest on Major Ian Hill, the conclusion of which was reported on 25 November. While serving with the Royal Army Medical Corps, Major Hill flew to the middle east in January 1991 to help to set up operating theatres. Within four days of arriving, he was ill with flu-like symptoms. He was diagnosed with bronchial pneumonia, sent home a month later, and failed to recover. He suffered psychological profile changes: he could not sleep, he was irritable, and he had mood swings and short-term memory loss, which are common among those suffering from the Gulf war illnesses. He attributed that to the NAPS tablets that he was given before the war. Consequently, he helped to establish the National Gulf Veterans and Families Association. At his inquest in Warrington, the coroner, Mr. Nicholas Rheinberg, said that he did not

> "believe it would do justice to Ian Hill to describe his death as natural causes. I am going to describe his death as natural causes to which his military service in the 1991 Gulf War campaign was a contributing factor."

That is just the latest example of the Ministry of Defence being out of step with other authorities that are examining the issues.

I shall briefly refer to the American experience, which contrasts with the situation in this country. I am grateful to the intern in my office—she is on loan from the United States—for all the work that she has done, and I will not be able to do it justice given the limited time. The US Department of Defence and the Department of Veteran Affairs established effective counselling services immediately after the 1991 conflict. They were concerned to ensure that soldiers' illnesses were dealt with pre-emptively rather than waiting for them to become established. President Clinton set up a co-ordinating board and a presidential advisory committee on the subject in 1994.

In 1995, President Clinton issued executive order 12961 and set out a clear statement that the purpose of the committee was to

> "determine whether the government is doing all it can to discover the causes of Gulf War veterans' illnesses, and determine whether the government is delivering quality care to those veterans who are ill."

An effective programme of research, examination and monitoring of the health of veterans followed. The committee made a number of recommendations and conducted several large-scale Government research projects, eventually producing its findings in the final report of December 1996. Those findings said:

> "Prudence requires further investigation of some areas of uncertainty, such as the long-term effects of low-level exposure to chemical warfare agents and the synergistic effect of exposure to pyridostigmine bromide and other risk factors."

The final report detailed symptoms that all veterans that have suffered ill health in this country would recognise. They included stress that affects

> "the brain, immune system, cardiovascular system, and various hormonal responses."

The committee recommended that the

> "Department of Defence and the Department of Veteran Affairs should perform long-term mortality studies of Gulf War veterans appropriate for investigating cancer rates in the Gulf War veteran population in the coming decades",

and that the

> "entire federal research portfolio should place greater emphasis on basic and applied research on the physiologic effects of stress and stress-related disorders."

It concluded with the following statement, which was posted on its website:

> "Approximately 697,000 men and women answered the call to serve in Operations Desert Shield and Desert Storm. In many important ways—through medical care, outreach, and research—the nation has begun to pay its debt to these service members. It is essential, now, to move swiftly toward resolving Gulf War veterans' principal remaining concerns: How many US troops were exposed to chemical warfare agents, and to what degree?"

I wish that we had the same firm statement of purpose from the British Government.

[Mr. Paul Tyler]

There have been suggestions in the United States that all the symptoms can be attributed to post-traumatic stress syndrome. However, Congressman Bernie Sanders wrote to the presidential advisory committee to say that that clearly was not the case. He said that there could have been

> "many more signatures on that letter. I must tell you that it was not a partisan issue. Democrats, Republicans, conservatives, progressives—all responded because very few people today in the House of Representatives and I expect in the Senate as well, and I expect within the veterans community, and I expect within the United States of America, today accept the conclusion that only stress was the cause of the problems."

Others in the United States have since echoed that view.

I compare and contrast the legislative action that has been taken in the States under the Veterans Benefit Act 2001 with the lack of specific legislation here and our apparent lack of urgency in dealing with the issue. The US legislation dealt specifically with the illnesses that we are considering and tried to address them meaningfully.

Members of the US House Subcommittee on National Security, Veterans Affairs, and International Relations visited the House of Commons, and I was privileged to be one of the Members from both Houses who gave evidence. It was an interesting exchange of views. At the end of it, the previous presidential candidate, Mr. Ross Perot, who was part of the team, said:

> "This is not stress. This is troops in combat wounded by chemical agents. Our Government is now being very aggressive on this issue. But our real challenge is to get the British Government to take the same kind of aggressive attitude and get them to react."

I must conclude if I am to give the Minister a reasonable opportunity to reply, and I am happy to do so. I should say that I am not alone in expressing concern about such issues. The hon. Member for East Hampshire (Mr. Mates), a fellow member of the Royal British Legion Gulf war group, is serving on a Select Committee this afternoon but wished to be associated with my remarks. Many of us, inside and outside the House, hope that the Minister will be able to give us a comprehensive progress report today.

More important, I wholeheartedly endorse the view of my colleagues in the Royal British Legion group that continuing MOD confusion, contradictions and contortions reinforce the case for some form of independent inquiry. I appeal to the Minister to agree to meet representatives of the RBL group to explore the best way for such an inquiry to be set up, and to ensure that it is expeditious and avoids the pitfalls of yet more over-legalistic bureaucracy.

4.16 pm

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I congratulate the hon. Member for North Cornwall (Mr. Tyler) on securing the debate. I begin by paying tribute to the work of the all-party Royal British Legion group. I would be happy to attend a meeting of the group if the group's officials thought that it would be helpful and appropriate.

Without doubt, the Government have taken the issue of Gulf veterans' illnesses seriously. I do not want to reflect today on what occurred between 1992 and 1997, but I do know that the Labour party is keeping the commitments that we made to them.

More than 53,000 United Kingdom armed forces personnel deployed to the Gulf in 1990 to 1991. Only a minority, albeit a very important minority, are ill. We all want to know why. However, there is still no medical or scientific consensus on the cause or causes of ill health among some Gulf veterans. In July 1997, we published a policy statement, "Gulf Veterans' Illnesses: A New Beginning", setting out how the Government would address veterans' health concerns. Many of the commitments that we made in that document have been fulfilled, and it continues to underpin our activities. First, it makes it clear that all Gulf veterans will have prompt access to medical advice from the Gulf veterans' medical assessment programme—GVMAP. Secondly, it makes it clear that there will be appropriate research into veterans' illnesses and factors that might have a bearing on them. Thirdly, it states that the Ministry of Defence will make available to the public the information that it possesses that is of potential relevance.

I shall say a little about each of those areas. The Gulf veterans' medical assessment programme was set up by the previous Government; during the past 10 years, it has seen nearly 4,000 patients, some more than once. The programme's focus was set to provide as full a diagnosis as possible to veterans concerned about their health. The majority of patients seen were well when they were seen. A number of patients referred to the programme have concerns about mental health conditions. Since July 1999, when appropriate, the programme has referred Gulf veterans to a countrywide network of specialist psychiatrists and psychologists for their expert assessment and diagnosis. Veterans who have left the armed forces will use their GP, and any treatment recommended by the medical assessment programme will therefore be carried out within the NHS.

The Ministry of Defence remains committed to the long-standing arrangement that war pensioners should be given priority in NHS hospitals for examination or treatment relating to their pensioned disablement, subject always to the needs of emergencies or other cases that demand clinical priority as determined. I can assure the House this afternoon that my departmental officials continue to liaise with their colleagues in the health service to ensure that periodic reminders about the priority treatment arrangements are issued to hospitals, GPs and other key players in the referral process.

I am pleased to say that the responses to the voluntary Gulf veterans' medical assessment programme satisfaction questionnaires show that 96 per cent. of patients who complete them are satisfied with the service that the programme provides. I encourage all Gulf veterans who are concerned about their health to attend the Gulf veterans' medical assessment programme.

The second issue was research. There is good scientific evidence that as a group, Gulf veterans report more ill health than other comparable groups, but that the pattern of this ill health is not unique to Gulf veterans. They report the same symptoms and conditions in the same rank order as United Kingdom Bosnia veterans do, as do UK military personnel who did not deploy to the Gulf. The only difference is the increased frequency with which Gulf veterans report such symptoms. Some Gulf veterans have recognised medical conditions, but a large number of non-specific, multi-system, medically unexplained symptoms have also been reported.

It is worth reminding the House that specific diseases, disorders or medical conditions and medical syndromes each have common features such as a set of physical signs and/or symptoms that distinguish them from other medical conditions. Gulf veterans do not present with an identifiable and distinct pattern of symptoms or signs. The consensus of the international scientific and medical community following extensive research on the matter is that there is insufficient evidence to enable such ill health to be characterised as a unique Gulf-related illness or syndrome. For that reason the Government's approach must be guided by the scientific and medical evidence, which is why we do not recognise "Gulf war syndrome" as a medical condition.

I accept the point that the hon. Gentleman made; I, too, refer to Gulf veterans' illnesses. However—I want to reassure him on this point—that does not stop Gulf veterans who are ill claiming a war pension. War pensions are awarded not for a list of disorders but for any disablement that can be accepted as caused or made worse by service. At the end of June 2003, about 2,500 Gulf veterans were in receipt of a war disablement pension. That figure includes awards for both Gulf-related and non-Gulf-related illnesses.

As I said earlier, we want to find out why some Gulf veterans from the 1990 to 1991 conflict are ill. Our current research programme will cost at least £8.5 million to complete. The Medical Research Council provides independent scientific advice on the research programme. Last year my hon. Friend the Member for Kirkcaldy (Dr. Moonie) announced that we had asked the MRC to undertake an independent scientific review of all UK research work that had been carried out into Gulf veterans' illnesses in an international context, and to advise on whether there were any areas appropriate for future research. The MRC's recommendations were published on 22 May 2003.

The Ministry of Defence has taken particular note of the review's conclusions and recommendations for further research. A number of the recommendations were scientifically complex and the MOD is discussing with the MRC how they may be taken forward, the data they are expected to yield and the priorities that should be attached to them.

In that context, the Government are not convinced that a public inquiry would help answer the basic question why some Gulf veterans are ill. In the present circumstances it is only through scientific and medical research that we are ever likely to be able to establish the causes of veterans' illnesses in the Gulf.

The third strand of our approach is openness. The MOD has made a lot of information public in response to inquiries from veterans and others, and continues to do so. Information and reports are made available on our website at www.mod.uk/issues/gulfwar.

The hon. Gentleman raised the issue of my noble Friend Lord Bach's response to Lord Morris, the first paragraph of which I should like to place on the record.

> "Further to my letter of 17 September . . . I am writing in answer to your Parliamentary Question of 4 February . . . about the medical countermeasures used to protect our personnel during the 1990–91 Gulf Conflict. Again, I would like to say how sorry I am that you have had to wait for so long for me to do so."—[*Official Report, House of Lords*, 9 October 2003; Vol. 652, c. WA67.]

My noble Friend rightly gave an apology. However, in respect of what happened in 1991, it seemed as if something new had been revealed in some of the press coverage of that answer. In fact, there was no significant disclosure of any new information in that answer. The key points had been published some years earlier—they were not new.

Mr. Tyler: Why, then, did it take six months to write that letter?

Mr. Caplin: I hope that the hon. Gentleman will forgive me for saying that we have apologised to Lord Morris and he has accepted our apology. The point of the letter and the answer was to place on the record all those issues that had been referred to previously. That is what we did. However, it was nothing new, and nothing that had not been known before in the public domain.

I want to stress that the well-being of the personnel that we deploy is of the greatest importance to us. We have made some important improvements since the 1990–91 Gulf conflict. For example, we have introduced a new operational medical record form which is now in use and should ensure that health events while personnel are on deployment are recorded more systematically than in the past. We have acknowledged that the earlier Gulf conflict revealed shortcomings in our medical preparedness. A number of personnel were not up to date with their service standard vaccination. There is clearly a need to ensure that our forces are ready for worldwide deployment at all times. Vaccination status is an important aspect of such readiness. Our policy guidance has been modified to ensure that troops are routinely immunised, so there should be no need for personnel to receive a combination of vaccines on deployment.

We have improved the briefings that are given to personnel on health-related matters, and Permanent Joint Headquarters now commissions up-to-date medical intelligence briefings for those areas of the world where it is judged that UK forces are likely to operate. Our personnel who are deploying on operations receive pre-deployment and in-theatre briefings on health and hygiene matters, which are based on the assessment made by PJHQ. There are also briefings on the nature and management of combat stress reactions and other psychological stresses of conflict.

Arrangements to limit the effects of post-traumatic illnesses in the armed forces have been developed over a number of years, and they will continue to be reviewed in the light of medical developments in the field of stress management and treatment. Those measures have been applied, where it is appropriate, to Operation Telic. We have expanded the remit of the Gulf veterans' medical assessment programme to allow all regular and reservist service personnel, and MOD civilians who deployed during Operation Telic, to be seen by their doctor. I can tell the House that 13 veterans of Operation Telic have been referred to the programme and 11 have applied for war disablement pensions.

On 7 May my predecessor announced that we are to look closely at the health of personnel employed during Operation Telic. Three main studies are being conducted. First, there is a study into the physical and

[Mr. Caplin]

psychological health of Operation Telic veterans by Professor Wesseley's team at Guy's, King's, and St Thomas' hospitals. Secondly, a study is being undertaken by the Medical Research Council Institute of Environmental Health at the university of Leicester to identify, collect and analyse data on relevant exposures that might have been encountered. Thirdly, the Institute of Medicine in Edinburgh is carrying out a study to establish normative values of urinary uranium in a military population that did not deploy to the Gulf. We also intend to monitor the mortality and cancer rates of Operation Telic veterans.

The hon. Gentleman asked me about the United States. Perhaps I could write to him on my discussions with Secretary Principi. I assure the House that the Government are committed to addressing this complex and difficult issue and to understanding why some veterans of the first Gulf conflict are now ill. We have made every effort to learn from the lessons of that conflict. Of course, we cannot guarantee that deployed forces will not suffer injury or ill health, but we are doing everything we can to minimise the risks. That is our duty, and we recognise the importance of that obligation.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Four o'clock.

Westminster Hall

Thursday 11 December 2003

[SIR NICHOLAS WINTERTON *in the Chair*]

HIV/AIDS

Motion made, and Question proposed, That the sitting be now adjourned.—*[Joan Ryan.]*

2.30 pm

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): Thank you, Sir Nicholas, for finding time for what the whole House will agree is an important debate. I thank the hon. Member for Carshalton and Wallington (Tom Brake) for taking the initiative and seeking an Adjournment debate about world AIDS day. I hope that today's three-hour debate will enable Government and Opposition Members to reflect on the Government's "UK's Call for Action on HIV/AIDS", which we published on 1 December, and to consider what is needed for us to get our response right to the horrifying HIV/AIDS epidemic.

"Call for Action" makes it clear that we are thinking seriously about the next steps. We want to hear the views of hon. Members and their constituents, non-governmental organisations, partner Governments and partners in the donor community. A series of significant recent developments in the UK and overseas has signalled an increased focus on the epidemic.

The UK media were helpful with regard to 1 December. *The Guardian* and *The Observer* both printed thoughtful supplements. I also congratulate *The Sun* on its thoughtful and helpful analysis of the importance of the HIV/AIDS epidemic. World AIDS day marked a significant point in the UK's political approach to HIV/AIDS, and we are beginning to scale up our response in terms of both policy and finance.

All Members will know that the epidemic's scale is staggering. Some 60 million people have been infected since the late 1970s. There have already been 20 million deaths, and 40 million people currently live with the virus. By the end of this year, there will have been an estimated 5 million new infections—nine a minute. Sadly, we expect 3 million people to die of AIDS this year—five a minute. More than half the new infections are among 15 to 24-year-olds, and we know that women and girls have a heightened risk of infection.

HIV/AIDS has had its greatest impact on sub-Saharan Africa. Southern Africa has 30 per cent. of HIV/AIDS infections, but only 2 per cent. of the global population. Although much of the attention on world AIDS day was on sub-Saharan Africa, it is important to note the seriousness of the epidemic in other parts of the world. In Asia and the Pacific regions, 7.4 million people are infected, 4.5 million of whom are in India. In eastern Europe and central Asia, 1.5 million people are infected, which is a relatively low number in comparison with both Asia and sub-Saharan Africa, but HIV/AIDS is growing faster there than anywhere else in the world.

In the worst affected countries, HIV/AIDS has reversed 50 years of development gains. By 2010, life expectancy in many African countries will fall to around 30 years of age. Botswana is probably the worst affected country. It is currently an upper-middle income country, but it faces a decline in life expectancy from 65 between 1990 and 1995 to 40 now and, we think, to 27 by 2010. The epidemic's impact on the whole country might mean that it drops from being a middle-income country to a low-income country.

In the face of the greater demands, public services across Africa have to cope with significantly depleted resources. Education and health services are hardest hit and teacher absenteeism has dramatically cut the number of teaching hours across southern Africa. As we debated on 1 December, in Malawi, the number of teachers dying is outstripping the number of new graduate teachers. Inevitably, in such circumstances, morale is evaporating too, and that adds to the pressures.

In Botswana, evidence suggests that up to one third of health workers may have been infected with HIV/AIDS in 1999, and up to 40 per cent. could be infected by 2005. That will place massive pressure on its health care system.

HIV/AIDS also has a significant impact on economic growth and on the engine of economic growth, the private business sector. In terms of countries' labour forces, the International Labour Organisation estimates that nine out of 10 people infected with HIV/AIDS worldwide are adults in their productive and reproductive prime. Inevitably, AIDS leads to increasing costs for businesses because of reduced productivity as employees become sick or have to care for family members. It also leads to lower morale and to the loss of skills and knowledge.

In Chennai in India, a study revealed that absenteeism in large industries is expected to double in the next two years, mainly because of AIDS-related illnesses and sexually transmitted diseases. At a micro-level, one agro-estate in Kenya has seen its medical costs soar by 600 per cent. over six years because of HIV/AIDS.

It is not surprising therefore that HIV/AIDS has had such a significant impact in slowing down economic growth. In sub-Saharan Africa, we think that growth rates will have been cut by at best 0.3 percentage points, and at worst, by two percentage points per year by 2015—a massive impact considering the numbers that will continue to live in poverty. As adults become sick and are unable to work and money has to be spent on medical care and funerals, there is a considerable impact on household incomes.

The coping strategies that families use when one of their members has HIV/AIDS sadly, too often, gradually exacerbate the problems for household incomes. For example, they may stop producing high-value crops such as coffee and start producing lower-value root crops such as cassava, which are easier to grow but are of poor nutritional value. We know from the work of the Select Committee on International Development, among others, that the impact of HIV/AIDS on food security was demonstrated all too clearly during the recent food crisis in southern Africa.

Parents are unable to transfer skills to their children before they die; some households are forced to sell assets and take children out of school in order for them to provide care and a living for the family. Perhaps the

[Mr. Gareth Thomas]

most shocking impact of the epidemic is the creation of many orphans. Many children are much more vulnerable because of it.

There are currently about 14 million AIDS orphans, and we think that that figure will rise to about 25 million by 2010. Such statistics can never do justice to the trauma and misery that many young people will experience because of HIV/AIDS. Orphans are less likely to attend school; they are more likely to suffer poor health and malnutrition; and they are more vulnerable to physical and sexual abuse. As I mentioned, the impact is felt long before their parents die. Children, especially girls, have to drop out of school to become carers and to take responsibility for the farm and household chores.

The social consequences of HIV/AIDS could be enormous. Children who have suffered profound distress with little adult guidance and support face very uncertain futures, often in the wake of widespread stigma and discrimination. Such discrimination may inhibit them from accessing the care and treatment to which they are entitled. A survey conducted in 2002 among 1,000 medical staff in four Nigerian states found that 10 per cent. of doctors and nurses admitted having refused to care for an HIV/AIDS patient or having denied HIV/AIDS patients admission to hospital.

We know, too, that people with HIV/AIDS suffer discrimination in the workplace. They may be removed from their jobs, or have to experience the withdrawal of health and insurance benefits.

HIV/AIDS reinforces inequality and poverty. Women, for example, shoulder the burden of caring and are less likely to be cared for themselves. They suffer greater discrimination and poverty. Equal inheritance and land rights laws fuel poverty and the risk of HIV/AIDS in many countries.

There are clear links between conflict and the spread of HIV/AIDS. HIV rates are estimated to be rising in Angola, Burundi, the Democratic Republic of the Congo, Liberia, Sierra Leone and Sudan. Lack of access to information and the breakdown of services in those conflict zones create an environment in which HIV/AIDS is only too easily spread. Sexual relations and behaviour can change as a result of conflict. In many countries affected by armed conflict, there are even fewer sexual and reproductive health services and that seriously undermines the prevention and care efforts that we would otherwise wish to see.

The scale and the breadth—the severity—of the HIV/AIDS epidemic demand a more powerful response from the Government and the international community. The UK is increasing the priority given to tackling HIV/AIDS in the developing world. The "Call for Action" that my right hon. Friend the Secretary of State for International Development published on 1 December calls on the international community to intensify its efforts to tackle HIV/AIDS, and to achieve progress towards some of the key international targets for HIV/AIDS that the special session of the UN General Assembly in 2001 set out.

That special session stipulated that the international community should work towards ensuring that 25 per cent. fewer young people are infected with HIV/AIDS by 2005, and some 3 million people—2 million of whom are in Africa—should be receiving treatment by the end of 2005. We need one national strategy, one national AIDS commission and one way of monitoring and reporting on progress in every country affected by HIV in order to be on track to slow the progress of HIV/AIDS by 2015, the key millennium development goal in this area.

There are four key elements to the response that the UK wants to generate within the international community. First, we want much stronger political direction in the fight against HIV/AIDS. We will make AIDS and Africa a centrepiece of our presidencies in 2005 of the G8 and the European Union. We will work with the New Partnership for Africa's Development and the Africa partners forum to focus on HIV/AIDS. We shall push for a special session on HIV/AIDS at the UN Security Council in early 2004.

The second element of the strategy is to recognise that we need to make HIV/AIDS a priority for extra funding. The Secretary of State has made it clear that we remain committed to ensuring that £1 billion of development assistance goes to Africa by 2006. We will make HIV/AIDS a priority for the extra £320 million of the figure that we shall be devoting to Africa by that point. We shall also press for support for the international finance facility to help meet the funding gap for HIV/AIDS that we all know exists, as well as for the other millennium development goals. We shall continue to work with the global fund to enable it to disburse funds quickly and effectively.

The third element of the strategy is to achieve better donor co-ordination. We shall start by stepping up our co-ordination with the Americans and other donors in Ethiopia, Kenya, Nigeria, Uganda and Zambia—a taskforce was announced during the visit of President Bush two or three weeks ago. As I confirmed in a response to the hon. Member for Carshalton and Wallington, we are doubling our core funding of the Joint UN Programme on HIV/AIDS—UNAIDS—to help it to strengthen its co-ordination role in countries and also to establish an annual forum on donor co-ordination.

The fourth element that was highlighted by the call for action was the need to see better HIV/AIDS programmes in country. We shall work with developing countries and other partners to strengthen their generic health systems. We will produce a new UK Government strategy on AIDS next year, which will define how the whole Government, not just the Department for International Development, will work with countries to establish a stronger response in country. We shall issue policy guidance on the role of HIV treatment and care, and we intend significantly to increase our funding to developing countries through working with non-governmental, private and multilateral partners to improve prevention, as well as treatment and care programmes.

UNAIDS says that the UK is the world's second largest bilateral donor when it comes to HIV/AIDS. It is certainly true that our funding has increased sevenfold over the past six years from £38 million in 1997–98 to more than £270 million over the past financial year. We are working on HIV/AIDS in some 40 countries. Bilateral funding supports the national HIV/AIDS strategies of developing country partners such as

Kenya, where the main focus has been working with non-governmental organisations to provide services to marginal groups, such as commercial sex workers and users who inject drugs. In Kenya, we are funding an 18-month impact study of an existing programme that teaches teachers to teach HIV prevention in primary schools with a view to rolling out a more effective national prevention campaign; and, through a joint programme with the United States Agency for International Development, we have increased our support for the social marketing of condoms, using a distribution system that currently exists for insecticide-treated nets to expand the distribution of condoms in rural areas.

In recent months, partly because of the increasing affordability of treatment, growing attention has been paid to its importance as an essential part of a revised stepping-up of our response to the epidemic. The UK's early efforts were concentrated primarily on prevention, but in the past two years there has been an increasing focus on treatment, care and impact mitigation. Treatment needs to be delivered as part of a comprehensive approach to care that would include services such as voluntary counselling and testing, prevention of mother-to-child transmission, diagnosis and treatment of opportunist infections, psychosocial support, proper nutrition advice, proper palliative care, social support and a whole range of other services relating to community mobilisation.

Treatment needs to be recognised as part of a continuum with impact mitigation and prevention. Those things need to form a virtuous circle; they cannot be considered in isolation. There is evidence from a number of small-scale pilots that treatment can be administered effectively in poorer countries if it is integrated into a strong programme incorporating prevention, counselling, training and community mobilisation. For example, in Brazil, universal access to treatment has reduced HIV-related mortality by 50 per cent. since 1996.

Coverage of treatment is currently low in low-income countries. In Africa, only 1 per cent. of the people with HIV/AIDS who are in need receive anti-retroviral drugs. Sadly, it is predominantly the better-off who receive the drugs. We know that treatment is becoming more affordable as the price of anti-retroviral drugs continues to drop. In some cases, the price has dropped by up to 95 per cent. in the past three years. That has been helped by various initiatives by the UN and the Clinton Foundation, and by the efforts of the drug industry. There is no reason to think that further reductions in the price of drugs cannot be achieved, and we should certainly work for reductions by seeking further production efficiencies from companies, through economies of scale and through competition from generic producers.

We work extensively through multilateral organisations, including UNAIDS, the World Health Organisation and the World Bank. We also support worldwide research initiatives on HIV, sexually transmitted infections, vaccines and microbicides. We were a prime mover in setting up the global fund to fight AIDS, tuberculosis and malaria, and we have committed some $280 million over seven years to contribute to the long-term stability of its funding. We also contribute to the global fund through the European Commission and, together with EU member states, the European Commission has provided more than 50 per cent. of the funding for the global fund. That is in line with the call from our Prime Minister and President Chirac for Europe to play its part in making the global fund effective.

Countering the devastating impact of HIV/AIDS on developing countries also requires improved access to affordable medicines and good health care services. That has been a priority for the United Kingdom since we came to power in 1997 and we have provided £1.5 billion, which is significant and substantial support, since 1997 to strengthen the health systems of developing countries. We shall try to do more in the coming years.

Given the scale of the epidemic and the sense of gloom that too often descends on people who study the problem, it is important to note that a number of countries have been successful in reducing significantly the prevalence of HIV/AIDS. Uganda, Senegal, Thailand and Brazil are cited as the countries that have made most progress and it is important to mention the reasons for their success. Strong political commitment and leadership is fundamental, as we recognised in our call for action. President Museveni played a key role in leading the Ugandan effort in Kenya. Early and decisive action is crucial to getting the right response. Countries that in 1990 were in a similar position as Uganda, such as Thailand and South Africa, are in a very different position now compared with Uganda. It is also crucial that those countries have engaged a broad range of stakeholders in mounting an effective response to HIV/AIDS, including civil society, local leaders, religious groups, and people living with HIV/AIDS, as well as the public and private sectors. Those countries have often involved people who are affected by HIV/AIDS in the design of their programmes, in their response to the epidemic and in achieving effective support from international donors for support of national efforts. That is another key part of the effective response.

The "Call for Action" published on 1 December is the start of a process that will take us beyond our presidency of the European Union in 2005. We want to produce a revised strategy for our work on HIV/AIDS in developing countries at some point next year and we want to engage in consultations not only with parliamentarians, but with constituents and NGOs.

I welcome the opportunity in this debate to hear the initial response of parliamentarians with expertise in the matter to the call for action and I look forward to meeting the challenge of HIV/AIDS in the coming months and years.

Several hon. Members *rose*—

Sir Nicholas Winterton (in the Chair): Order. The House is grateful to the Minister for his opening comments. I want to be helpful, so I shall not counsel brevity today. All those who wish to speak should be able to do so. I shall call the spokesman for the Opposition, and then I shall return to the Government Benches before calling the hon. Member for Carshalton and Wallington (Tom Brake). Other hon. Members can be confident that they will catch my eye.

2.52 pm

Mr. Julian Brazier (Canterbury) (Con): I welcome the opportunity to speak in this debate and many of the Minister's comments. As this is the first time that I have had the opportunity to speak in my new capacity as shadow Minister for International Development, Sir Nicholas, I hope that it is in order to say that I feel particularly strongly about the matter. My father-in-law worked with the United Nations, as did one of my cousins, and their work often took them to sub-Saharan Africa, which, as the Minister said, is the worst focus of HIV/AIDS. Many members of earlier generations of my mother's family worked in civil administration there and I still have relatives and friends in a number of sub-Saharan countries who report back to me the sheer horror of the problem.

Much of the Minister's speech concentrated, inevitably, on the sheer magnitude of the horror that AIDS represents in many parts of the world, not just in sub-Saharan Africa. I shall repeat some of the statistics. We believe that 42 million people in the world today have HIV/AIDS and that it kills about 6,000 people each day. There are an estimated 13 million AIDS orphans in Africa alone—the Minister's figure is 14 million—and it is expected that by 2010 the total number will have almost doubled.

Many people in the prosperous west think of HIV/AIDS as someone else's problem, affecting those who are nameless, faceless and far away. That simply is not true. It was estimated that 50,000 people in this country were living with HIV by the end of 2002. Last year alone, 6,600 new cases were diagnosed. Nine out of 10 of the heterosexual cases of HIV/AIDS diagnosed last year were acquired overseas. The problem is very real, but it is our problem, too—it is coming here.

Another common misconception is that AIDS is merely a health issue. However, it affects not only the individuals concerned but, as the Minister said, it shatters families, whole communities and even in one or two cases entire countries' infrastructure. Beyond the great personal loss of losing a loved one to AIDS is the huge economic loss to the country of the growing problem. In some parts of the world, HIV/AIDS wipes out complete sectors of the work force, and not only in the health care set-up. Whole societies are affected and undermined as key groups—the Minister mentioned health care workers and teachers. I understand that in Ivory Coast 70 per cent. of deaths in service of teachers is due to AIDS. Whole generations who could be fuelling the development that, after all, the Minister's Department exists to promote are simply lost to the epidemic. UNICEF has stated:

> "Today's youth have inherited a lethal legacy that is killing them and their friends, their brothers and sisters, parents, teachers and role models."

So whose responsibility is it to tackle the global spread of HIV/AIDS? If we are to make any concrete headway in the fight, there must be serious political will in developed and developing nations. The Government are to be commended for the extra money that they have committed and for shifting overseas development funding towards AIDS. However, I suggest to the Minister that, as well as extra money, we must think a little harder about the strategy.

What would Conservatives in office do to tackle the problem? We believe that the focus must be where the need is greatest: in the developing world. We have set out five key, practical proposals for tackling the AIDS epidemic.

First, we must have a more integrated approach. We need a strong partnership between non-governmental organisations and pharmaceutical companies, as well as the World Health Organisation and other international institutions. There must be a more co-ordinated response that combines the scientific expertise in pharmaceutical companies with the practical experience of NGOs, which work on the ground. The global health fund must adopt a co-ordinated strategy when disbursing funds rather than simply funding large numbers of ad hoc projects. All sides must work with the Governments of developing countries to produce an effective strategy. I wish to focus briefly on one of the Minister's examples. The Minister was right to pick Uganda from the list of the relatively few success stories. I shall be slightly more specific about the campaign there. The Ugandan Government took the lead and, as the Minister said, did so early on. They went for what one might call a blunt HIV prevention campaign. As early as 1987, they recognised the magnitude and impact of the disease and by 1992 had established the Uganda Aids Commission.

They adopted the A, B, C approach. A stands for abstinence, which is not a popular word today. B stands for being faithful to one's partner, and C for the use of condoms—an interesting hierarchy. The national strategic planning exercise mobilised Government Ministries, NGOs, faith-based organisations, the business sector, the media and cultural institutions, as well as all available assistance from the UN. The impressive result was a reduction by more than half in HIV seroprevalence in just four years. Surely, we should encourage other countries with AIDS problems, not just in sub-Saharan Africa but throughout the world, to look at that model. It is particularly impressive because Uganda is a very poor country.

Secondly, we believe that it is vital to build up the infrastructure necessary to administer medical care. Most countries in the developing world do not have the infrastructure to deal with the HIV/AIDS crisis. If people do not have the benefit of anti-retroviral treatment for HIV/AIDS, they must have access to proper medical care. For that, we need to strengthen primary health care systems and take really basic action such as improving access to clean water, sanitation and basic services. Coming from a long line of engineers, I always like to trumpet the great claim of the engineering community: that the Victorian introduction of drainage did more for health care in this country than the entire medical profession. Tackling HIV/AIDS also requires more education in developing countries to enable people to understand how AIDS is spread and treated.

Thirdly, we would like to ensure that a significant proportion of the UN global health fund is spent on purchasing the anti-retroviral drugs needed to treat people with HIV/AIDS. I welcome the Minister's comments on providing more on that. Bernard Pecoul, director of Médecins sans Frontières, has expressed concern in the *British Medical Journal* that

> "because donors and some in the international health community traditionally favour prevention at the expense of treatment, patients already infected will be written off as not sufficiently cost effective to treat".

That is a chilling thought.

Many countries cannot afford the necessary drugs to treat their populations. The global health fund should help poor countries to purchase those drugs. Already pharmaceutical companies are selling their drugs far more cheaply in Africa than in Europe. For example, all six of GlaxoSmithKline's HIV and AIDS medicines are available in certain poor countries at discounts of up to 90 per cent. compared with the amounts charged in rich countries—less than one tenth of the price. I hope that the Minister will take the opportunity in his winding-up speech to congratulate that company on setting a remarkable example in corporate social responsibility. It is not alone, but it has set a remarkable example.

Fourthly, we believe that the global health fund should purchase anti-retroviral drugs to be administered to pregnant women. More than 600,000 infants worldwide are infected with HIV from their mothers each year. Transmission rates are as high as 35 per cent. when there is no intervention but below 5 per cent. when anti-retroviral treatment and appropriate care are available. According to the World Bank, the cost of drugs to prevent maternal transmission of the virus could be as little as 8 cents per capita for drugs and replacement feeds, which is a tiny, tiny fraction of the cost of trying to do something for that baby after it is born.

Fifthly, we propose that the global health fund encourage research and development by pharmaceutical companies into diseases in the third world. The Minister mentioned that. The global health fund must pledge to respect the intellectual property rights of manufacturers. Pharmaceutical companies invest hundreds of millions of pounds in drugs. One of the world's largest is Fisons, just outside my constituency. Many hundreds of my constituents work there. It is an excellent company, which also has a very good record of corporate responsibility in our own local community, not least in the local health care and education systems.

Most drugs produce no return, and most projects that start in a pharmaceutical company—often expensive ones—do not produce any payback at all. Those least likely to make a return on their investment are those in developing countries. Unless the global health fund is willing to guarantee that it will uphold intellectual property rights—we can discuss afterwards how to make the drugs affordable for the people who most need them—the required investment simply will not happen in many cases. If the global health fund pledged to buy effective vaccines, that would encourage companies to invest in vital research programmes. The fact is that most of the research and development that needs to be done will be done in the private sector if it is done at all. Thinking that through—having joined-up government, to borrow the phrase—is important.

Investment in effective drugs and vaccines is the only long-term solution to the diseases of the developing world. An affordable and effective HIV vaccine could be developed within seven to 10 years if rich and poor countries co-operated on research and development. Improvements in drugs to treat influenza, which killed about 20 million people in the winter following the first world war—some countries lost more people in the epidemic than they did in the war itself—have ensured that the number of fatalities from influenza is now very small, except among the most vulnerable people, despite NHS overstrain most winters. Other diseases, such as measles, whooping cough, rubella, diphtheria, tetanus and tuberculosis, have been curbed by vaccines and in some instances have virtually disappeared in the developed world and even parts of the undeveloped world.

To conclude, if we are to reverse the spread of HIV, there must be serious political will in both developed and developing nations. We must break down the stigma and discrimination that is fuelling the global HIV epidemic. All Governments must use their voices to educate and enlighten people about the realities, dangers and consequences of AIDS.

3.6 pm

Tony Worthington (Clydebank and Milngavie) (Lab): I welcome the hon. Member for Canterbury (Mr. Brazier) to his post and thank him for what he said.

I welcome this debate in Government time. When I look back, I find that one of the great weaknesses of this place is how little we discuss big events in world; somehow, we do not find time. I welcome the Government's new document on AIDS and the declaration that we have become the second largest bilateral donor in the world. The world seems gradually to be ratcheting up its response to AIDS. That has taken a long time, but it is important.

I want to devote my remarks to the policy aspects of our approach to AIDS. The document is not really about what we do; rather, it states what the problem is and how much money we give. I am pleased to hear that another document on how we tackle the problem is on the way, which is crucial. If the Minister cannot respond to my points at the end of the debate, perhaps he could do so by letter.

Sir Nicholas Winterton (in the Chair): Order. If there is sufficient time, with the permission of the House, I shall certainly call the Minister to wind up the debate.

Tony Worthington: There can be no doubt that the world community's policy to date on Africa has been a dismal failure. One cannot look at the figures and disagree with that. Unless we make policy changes, we will be incapable of facing what is on the way in China, India, Russia and eastern Europe. It is said that within two to three years there may be tens of millions of sufferers in India alone. We will not stop that with what we have done so far. We must remember that Africa is a sparsely populated continent and the numbers are relatively small compared with Asia.

In some respects, we have been unbelievably amateurish and even malign. Unprotected sex has had a serious impact, yet the only protection against the virus is the condom. I have no quarrel with what the hon. Member for Canterbury said about ABC—abstinence, being faithful and the condom—but we must remember

[Tony Worthington]

that the condom is essential. However, the supply of condoms is not mentioned in the report, and I was disappointed that the Minister did not go into the subject. He talked about social marketing, but not about the supply of condoms to the developing world. Surely the first action should be to ensure a plentiful supply of condoms. After all, the price of a condom supplied by the United Nations Population Fund is a mere 2p, which is what we spend each year on condoms for each man in Botswana, the most infected country in the world. The average man in Botswana is supplied with one condom a year, yet an estimated 40 per cent. of the country is infected. That is shattering and must be put right. We spend billions of dollars on the valuable pursuit of developing anti-retroviral drugs, but we are not willing to spend a pittance on the only proven protection for people who would otherwise have unprotected sex.

The refusal to supply condoms kills thousands of people through both AIDS-related deaths and pregnancy-related deaths. The US has stopped providing condoms to 29 countries since 2000. The refusal to supply condoms is, in some cases, not just stupid and mean in the fight against AIDS, but malign as well. The first President Bush supplied 800 million condoms a year to Africa. The second President Bush is supplying 300 million condoms a year to Africa despite the explosion of AIDS throughout that continent. That is a result of him withdrawing funding from the UNFPA on the spurious ground that it is involved in enforced birth control in China, despite the fact that countless investigators, including representatives from this House, have gone there and have found no evidence of that practice whatsoever. However, although he has withdrawn about £28 million a year from the UNFPA, that does not relieve the rest of the world of the obligation to ensure that all poor people have access to condoms to protect them from HIV/AIDS.

I take my spiritual advice from the bishops of Mozambique. I have quoted this before, but it is a splendid statement, so I shall quote it again. They said:

> "if you are HIV and you have unprotected sex and you infect someone you have in the eyes of God committed murder. If you are HIV negative and you have unprotected sex with someone who is infected and they infect you, you have in the eyes of God committed suicide. So my children wearing a condom is not a sin . . . but not wearing one is."

That is my kind of pro-life bishop, and I wish that there were more of them.

President Bush, in his proposed anti-AIDS programme, is obsessively funding programmes that emphasise abstinence and exclude contraception. I do not disagree that abstinence and behaviour change are crucial, but we should remember what the hon. Member for Canterbury told us about Uganda, where a Government-backed information campaign promoting condom use saw the incidence of HIV among 15 to 49-year-olds drop from 21 to 10 per cent. in just four years.

Given the dire situation with regard to condom supply, it is strange that the document does not mention how important it is. I hope that that will be put right. It beggars belief that Africa, with such a high percentage of AIDS victims, is being supplied with fewer condoms than it was at the beginning of the 1990s. That one condom in Botswana is nearly worn out.

I congratulate the Department for International Development on its contribution to microbicide research. Like the condom, microbicides act as a barrier to stop infection. Crucially, however, that barrier method is under the control of women. One of the wretched features of the AIDS pandemic is that it has made clear the extent to which women in Africa are not in control of their destinies in sexual matters and how they are so often the victims of the power relationships between men and women. Most women are infected by their husbands.

It is an interesting reflection of our values that, faced with this crisis, the major pharmaceutical companies invested huge sums in finding drugs to manage the disease in the prosperous world, which is where the profit lies. Huge congratulations must go to countries such as Brazil and South Africa for cracking the power of the big pharmaceutical companies. They did not give up their power voluntarily. They would have clung to their profits while millions died if they had not faced the new power of the poorer countries and worldwide condemnation had their control of the drugs not been broken. It is astonishing how prices have tumbled since the power of those companies was cracked in the weeks leading up to Cancun. The pharmaceutical companies invested much less in the search for a vaccine to cure the disease. Next to nothing has been invested in finding a barrier method for women. That is where DFID, the Rockefeller Foundation and the Bill and Melinda Gates Foundation have stepped in, and all credit to them.

I would welcome the Minister's comments, either now or in writing, on a *Financial Times* article of 28 November entitled, "Microbicides: Big advances in low-tech treatments", on the progress that is being made in microbicide research. Is that claim true? The article did not back up the headline with much substance. If progress is being made, it will be enormously important.

There must be a co-ordinated effort between donors. How will that be achieved? The document says that DFID will step up its co-ordination with the United States and other donors, starting with Ethiopia, Kenya, Nigeria, Uganda and Zambia. The United States programme has promised an extra $10 billion dollars to twelve sub-Saharan African countries and two countries in the Caribbean. When that money eventually turns up, those countries will receive a large sum. The five countries that DFID lists are also on the United States list. Co-ordination is good, but about 40 other sub-Saharan African countries are not mentioned by either the United States or us. How will they be dealt with?

Another strange aspect of the document is the lack of a complete commitment to the global health fund, which was founded just two years ago with our enthusiastic support. It was to have a major catalytic and co-ordinating role in tackling AIDS, tuberculosis and malaria, as the hon. Member for Canterbury wants it to. It is difficult to understand DFID's reticence on that issue. I expected the global health fund to be right at the centre of the document.

Through the auspices of the all-party group on AIDS, and my hon. Friend the Member for Walthamstow (Mr. Gerrard), I have met the head of the global health fund, Dr. Richard Feachem, several times, and I find him very impressive. The global health fund's performance is getting better, but it desperately needs funding for the next round. The document's statement,

> "We will continue to work with the Global Health Fund to enable it to disburse funds quickly and effectively",

is ambiguous. I would have thought that more could be said about the role of the global health fund.

On other policy areas, such as working with young people, the international community has been relatively slow to recognise the scale of the problem. The hon. Member for Canterbury mentioned the devastating number of orphans, many of whom members of the Select Committee on International Development see when we go about our work.

We have the largest generation of young people in history. All over the world—the problem is not confined to this country—people are squeamish about talking to the young about sex. We have an extraordinary belief in education, education, education, except when it comes to sex, for which we hold the strange belief that ignorance is bliss. That ignorance is killing thousands and thousands of people. We must find different ways of working with young people. We must focus on the young, however young they might be—they almost cannot be young enough. A few weeks ago, a South African group gave a presentation. When one considers the age at which people are being infected, information about altering behaviour must get to them when they are very young.

We also hope that the extended families of orphans can be helped to cope, but we need bold new programmes that make older children leaders in self-run communities. The Secretary of State and I were privileged recently to meet a group of young people from all over the world. The event was organised by Plan International, a non-governmental organisation, which urged us to stop considering children and young people simply as recipients of development aid. In some circumstances, older children must be seen as leaders. They will have to run their own businesses, farms and activities, and should be assisted in doing so. We have not focused enough on that. I want NGOs, such as Plan International, to advance such proposals.

The Minister mentioned palliative care. Many of us, including my hon. Friends the Members for Putney (Mr. Colman) and for the City of York (Hugh Bayley), have had the dismal experience of visiting African hospitals that are overrun with AIDS victims. The wards are dingy and dirty, with several people to a bed and relatives all around trying to give what support they can. Those hospitals have nothing to give to those people. They do not have the drugs or the expertise. Palliative care is needed.

I have also seen work carried out in the back streets of Nairobi by a group of volunteers, led by an inspirational nun from the west country in Britain, which was achieving miracles in supporting people in their homes. The other side of the problem is, of course, that the hospitals cannot get on with the rest of their work because of the presence of AIDS victims. They are unable to help the people whom they could otherwise have assisted.

My final point is my main one: we continue to make a great mistake in our approach to the prevention and treatment of AIDS. When AIDS first appeared, the stereotype of the AIDS sufferer was of a reasonably well off, white, gay male or an intravenous drug user. Now, the stereotypical AIDS sufferer is a desperately poor black, heterosexual woman. Our approach to AIDS has not changed to reflect that. If the disease had been seen as starting with poor, black, heterosexual women, we would have seen AIDS as it is—a reproductive health issue. Overwhelmingly, AIDS is a heterosexual sexually transmitted disease. That was recognised at the 1994 Cairo conference on reproductive health, at a conference that I attended in Ottawa last year, and by the World Bank, which says:

> "Integrating HIV prevention into mother and child health and family planning programmes addresses missed opportunities to curb the HIV epidemic."

If we had conceptualised HIV as something to which women in poor countries were particularly vulnerable, we would have taken a dramatically different approach to AIDS. We would not have been so obsessed with anti-retroviral drugs. At whatever price, anti-retroviral drugs will not be sufficiently cheap or sustainable in many African situations. We should put far more resources into reproductive health and preventive work because behaviour change is required, and clinics would be better equipped to cope with the huge problem of mother-child transmission. There are no symptoms to indicate that a person is HIV-positive. That can only be found out by testing. In many cases, people find out too late that they are HIV-positive, and, as the hon. Member for Canterbury said, that is disastrous for a child on the way.

We could have ensured that enough condoms were available, the drug companies could have shown more interest in vaccines and microbicides, and we could certainly have concentrated on women's gender empowerment. However, we initially saw AIDS as affecting mainly affluent gay males in the developed world, which distorted our approach to the problem. I hope that the forthcoming DFID paper addresses that and considers how changing the AIDS paradigm could introduce new and helpful approaches.

3.25 pm

Tom Brake (Carshalton and Wallington) (LD): I congratulate the hon. Member for Canterbury (Mr. Brazier) on his maiden speech in his new role. I also congratulate the hon. Member for Clydebank and Milngavie (Tony Worthington) on raising the important issue of condoms and the position adopted by the US. I find its attitude less than helpful. He could have mentioned also the position that the Vatican has adopted, which is equally unconstructive, if not destructive.

I thank the Minister for referring to the debate that took place on 1 December; I will try not to go over too much of the same ground. A half-hour Adjournment debate is not sufficient to discuss the matter, and it is therefore entirely appropriate that the Government have made more time available. I hope that we will return to the matter on a regular basis.

I will touch on five or six key areas: funding, to which the hon. Member for Clydebank and Milngavie referred in relation to the global fund; the issue of overlapping initiatives that I raised in the debate 10 days ago, which concerns Government policy in the Department for

[Tom Brake]

International Development that is undermined by policy in other Departments; orphans, to which several Members have referred; questions that were still up in the air after the Adjournment debate on 1 December; and the critical issue of the leadership that the Government and others will provide.

On funding, many Members are members of the all-party group on AIDS, or receive its excellent briefings. One briefing confirmed that, if one were to consider UK wealth, the contribution that the UK would be expected to make to the global fund in 2004 is about £107 million. It would be interesting to know whether the Minister agrees with that figure and whether there are any negotiations within the Government about the level of funding for the global fund. Clearly, there was an opportunity yesterday in the pre-Budget statement to make an announcement, but I am not aware of any having been made.

The overstating of funding is another issue, particularly in relation to condoms. Depending on the circumstances, the spending on condoms is accounted for in relation to initiatives related to birth spacing and as funding in relation to HIV/AIDS. There may be some double counting on which the Minister could comment; or he could guarantee that it is not taking place and that the funds are clearly allocated to one fund or to the other. It may be that he would like to state the circumstances where it is appropriate for the condom to be used in both cases. I cannot foresee circumstances in which it would be appropriate for it to be used in both cases. Perhaps the Minister could comment on that.

As for solutions, it is one thing to identify a funding issue, but hon. Members will have followed yesterday's Prime Minister's questions in relation to the Liberal Democrats' funding pledges. My role in the party is to fight for additional AIDS funding, and the global fund is a priority. I hope to bring forward good news on that front. However, one source of funding is already available, and I would like the Minister to say what the Government are doing about funds from the European Union. I understand that about $2 billion of unspent funds are available from the EU. The problem is that the developing countries have to apply for those funds. Will the Minister confirm that the Government are working with developing nations to help them gain access to that money, which could increase the funding for HIV/AIDS initiatives?

The Government see the international finance facility as a mechanism for bringing forward investment to tackle HIV/AIDS. We support that concept, but can the Minister tell us something about the reality of it? Is there a target for the funding that is to be raised through that mechanism? What has been the response from other countries to the initiative? Have any of them signed up to it? Is there a deadline by which contributions have to be made for that facility?

I spoke about overlapping initiatives at some length in the Adjournment debate on 1 December and I do not intend to dwell on the issue to the same degree today. Suffice it to say that the Government support the idea of the "three ones"—one commission, one strategy and one method of reporting. I wonder whether that is sufficient, and whether we need an individual organisation to take the lead within a country. Clearly, having one commission and one strategy is good, but if two major organisations are active in a country, the risk is that initiatives will overlap. I hope that the Minister can say more about that.

I wonder whether the Minister believes that the "three ones" will be able to resolve some of the problems that I understand from today's *Financial Times* have been experienced in Nigeria. They seem to have the funding, but there has been a problem in the supply chain. As a result, people have started anti-retroviral treatment but the supply of drugs has been held up somewhere, thereby putting the programme at risk.

On the question of initiatives being undermined by activities of other Government Departments, it is worth dwelling briefly on the situation in Ethiopia. Ethiopia's epidemic started in the early 1980s; it now has the 16th highest prevalence rate globally, with an estimated 5,000 people being infected every week. Nearly 3 million people are infected, and nearly 1 million children have been orphaned. However, one should look at the activities of the Department of Trade and Industry in relation to Ethiopia.

Notwithstanding the Prime Minister's comment on 9 December that we already prevent the sale of small arms in Africa, the arms export licences that have been granted by the Government to Ethiopia include licences for chemicals that could be used as precursors for toxic chemical agents, for aircraft and air equipment, for imaging equipment such as radar and infrared, and perhaps more alarmingly, for production equipment to manufacture arms. The Minister said in the debate on 1 December that he would talk to other Government Departments as part of the consultation process, which was very welcome. He should be discussing quickly and seriously with the DTI whether providing arms export licences to Ethiopia, a country where there is a conflict with Eritrea, is appropriate. I hope that he will report back on those discussions in the near future so that hon. Members can be reassured that the discussions between the Department for International Development and other Government Departments such as the DTI are meaningful.

The Minister will no doubt be aware that Save the Children issued a statement after the call for action on HIV/AIDS was published, which said:

> "The absence of a priority focus on orphans and other children made vulnerable by HIV/AIDS is alarming, given the scale of the impending crisis".

It went on to congratulate the US Administration as

> "the only Government to specifically allocate funding to AIDS affected children."

I invite the Minister to comment on that. Does he believe that there is an issue there and that it would be appropriate to identify separate funding for children and orphans, specifically for priorities such as education, food and protection? I would welcome his comments on that.

In the Adjournment debate on 1 December, I mentioned Canada's patent laws. The Minister did not respond to that, but he is going to today. He had an opportunity to do that on 1 December in that the Government had already written to me confirming that they were actively pursuing that idea, but the letter was unfortunately lost in the mail. I hope that the Minister will set out how he sees the idea being taken forward. Is there a need for primary or secondary legislation?

Mr. Gareth Thomas: Let me try to put the hon. Gentleman out of his misery now. I apologise for not having covered the point in my response to him on 1 December. Our colleagues in the Department of Health are examining that system and the legislative change needed to effect it in the UK at the moment. It is an issue of shared competence, so we are also discussing with the European Commission what changes are necessary in European directives. Work is under way to sort out the issue

Tom Brake: I thank the Minister for his extremely useful clarification. That is good news, although anything involving the European Commission may take rather a long time to get resolved, and clearly we do not have time. I am sure that the Minister will throw his weight around as much as he can to try to get that sorted out as quickly as possible.

On leadership, there is an issue on which the Minister might not be able to comment unless he does so with help from his officials, discreetly or through thought transfer. Has the internal reorganisation in the Department for International Development helped to provide leadership on HIV/AIDS or has it in some respects made that harder to tackle? I understand that a small core of people have taken over all responsibility for the issue and are now examining it. It may be that other people who previously had some involvement now do not see it as their role to be involved. Perhaps the Minister could comment on that, or if anyone wants to write to me anonymously, that is fine.

Mr. Thomas: Ultimately, it is the responsibility of Ministers to make decisions on how one responds to particular development challenges. I know that there has been concern about reproductive health. One of the groups of officials in the Department is tasked to work on the millennium development goals and on reproductive health. Our internal reorganisation is helping us to generate a more effective response, and I hope that hon. Members will accept that in the light of the call for action that we have published and in the light of the recognition that we need to do more work to get our strategy right. Ultimately, however, that is the responsibility of Ministers, not officials.

Tom Brake: Clearly, I understand that, but it would be useful for hon. Members if stated objectives for that reorganisation were placed in the public domain so that we could assess whether they had been met.

Returning to the issue of leadership, the call for action document says:

> "We will engage directly with leaders for example at the Commonwealth Heads of Government Meeting."

I hope that the Minister will be able to set out exactly what—apart from the Mugabe incident—happened in relation to HIV/AIDS at the Commonwealth Heads of Government meeting. Was it discussed, and if so, what was the outcome of the discussions?

The document also refers to the annual forum on donor co-ordination, as have other hon. Members and the Minister. The first meeting is planned for early 2004, and I wonder whether the Minister will tell us when the meeting will take place, who is likely to attend, and what sort of items will be on the agenda. In the debate on 1 December, I referred to the priority that the Government have stated will be given to HIV/AIDS when they take over the G8 and the European Union presidencies. That is something I welcome. However, at the time I said that the Government had also decided that trade was to be a priority of the G8 and EU presidencies, and a couple of days ago, the Prime Minister said that climate change was going to be a priority of the G8 and EU presidencies. There is a point where everything cannot be a priority. I do not know whether there is a hierarchy of priorities that will be discussed under those presidencies, but I hope that the Minister will do all he can to ensure that the issue of HIV/AIDS is not lost because of the other priorities that will be discussed while the UK holds the presidency of those two groupings.

There is clearly a crisis in Africa with HIV/AIDS. The infection trend in the UK is worrying. There is the threat of a pandemic in Asia, which has not really kicked off yet. The Government's call for action is a strong start to the process, but there is still more room for consistency in relation to interdepartmental Government policy. We shall need to return to this subject again and again, because if we allow our attention to be diverted, millions more will die and millions more will be orphaned.

3.43 pm

Hugh Bayley (City of York) (Lab): I congratulate the hon. Member for Carshalton and Wallington (Tom Brake) on proposing and securing the debate.

HIV/AIDS is clearly the greatest humanitarian challenge facing the world today. It is killing more people than wars or famine, and many, many more people than terrorism. In the west, because of medication, it is mainly now a chronic illness. In developing countries, HIV is a death sentence. In developing countries, its victims are so weakened by the disease, so poor, so often stigmatised, ostracised and isolated, and so widely dispersed around the world that they have not attracted the attention of television cameras in the same way as wars or famines. As a result, their plight has been overlooked for far too long.

I warmly welcome the Government's publication of their "Call for Action" on HIV/AIDS. It sets out important objectives, reminds us that the UK is the second biggest bilateral donor—after the United States of America—and it commits the UK to formulate a new Government HIV/AIDS strategy in 2004. I know that many Members, including those here today, will want to make a contribution to that strategy.

In the new year, the Africa all-party parliamentary group will hold an inquiry into HIV/AIDS. It will examine the social, economic and political consequences of this unprecedented epidemic, which in some countries is likely to kill at least a quarter of the adult population. It will address the actions that could mitigate those dire consequences and the preparations that need to be made now to deal with the social and economic consequences in 10 years.

The group has already put out a call for written evidence, and I hope that the Government will submit a draft of evidence. It intends to hold oral hearings in the

[Hugh Bayley]

spring, and we have invited the Secretary of State for International Development to appear before our group. We intend to produce a report and conclusions, which we will forward to the Government, and which we hope will contribute to the policy development process for their new strategy. We also hope that the report will provoke questions and debate in both Houses of Parliament. As the chair of the all-party group, I should declare an interest. The group receives from the Royal African Society the benefit of the work of a part-time researcher.

I will now offer my initial comments on the Government's work on their new strategy: I should emphasise that they are my comments, not those of the group. The strategy must relate the initiatives funded by the Department for International Development and the multilateral agencies that we support more closely to the outcomes that the Government wish to achieve than does the "Call for Action" document. We need to estimate the impact that each initiative is likely to have on those outcomes and regularly to audit the progress towards them.

The global fund annual report for 2002–03 projects that its current funded programmes will increase over the next five years the number of Africans receiving anti-retroviral drugs from 50,000 at present to 400,000, and the number of people in the world receiving voluntary counselling and testing will rise from 3 million to 31 million. The United States also sets out explicit goals in its strategy: its funding is intended to prevent 7 million new infections and to care for 10 million HIV-affected persons and orphans.

The biggest change in UK policy, which is highlighted in the excellent "Call for Action" document, is the Government's decision to commit resources to treatment. I welcome that. I used to be a sceptic: I thought that the cost of anti-retroviral treatment in developing countries was too high and that the same amount of money spent on prevention would save more lives. I changed my mind at about this time last year when, as a member of the International Development Committee, I visited Malawi during the famine that that country was experiencing. That famine was greatly intensified by the HIV/AIDS epidemic. We discovered that drugs that cost £10,000 per person per year in Europe were available to a very small number of people in Lilongwe for £360 per person per year.

In the 12 months since that visit, the cost of anti-retroviral drugs has fallen further. The Clinton Foundation has negotiated contracts with suppliers to produce anti-retroviral drugs for 38 cents per day, or something like $140 a year. That is still an enormously high sum for most developing countries—the average health spend in sub-Saharan African countries is $20 per person per year—but it is not the unimaginable figure that $10,000 per person per year, the western cost of those medicines, would be. When one considers that $140 per year is less than the cost of providing insulin for a diabetic in Africa, the figure becomes affordable and feasible. One would not suggest that diabetics in Africa should receive no treatment and be allowed to die.

In Malawi too, members of the International Development Committee saw the devastating effect of AIDS on the number of teachers, nurses and civil servants. We were told that 6 to 8 per cent. of all the teachers in Malawi die each year, and that the cost of returning their bodies to their home villages and of their funerals absorbs a major slice of the education budget. One third of the top officials whom we met at the Ministry of Agriculture and Irrigation—the people responsible for leading the country's response to the famine—were HIV-positive. Some will have died in the past year. The rest, without treatment, will die in the next two or three years.

That raises a question; what will Malawi do if it faces another famine in two or three years' time but has lost a third—maybe more—of its top agricultural experts? If some of those people could be kept alive to use their expertise and knowledge and to pass that knowledge on to other people, that would be worth $140 per year. Although this should not be merely an economic matter, that is also far less than the cost of retraining other people to take their place.

I warmly support the Government's decision to spend money on anti-retroviral drugs in Africa. The "Call for Action" document envisages that, by 2005, some 2 million out of the 29 million people who are HIV-positive in sub-Saharan Africa will be receiving anti-retroviral drugs, which raises a difficult ethical question. How does one choose whom to treat? I urge the Government—better still donors and recipient countries working together—to establish and take advice from a medical ethics committee that consists of doctors who specialise in the disease, ethicists and health economists.

A number of criteria need to be assessed to ensure that the allocation of anti-retroviral treatment is not arbitrary and does not merely favour the richer urban elites. The committee should examine the clinical impact—for instance, it might make a decision to treat people at a later stage of HIV, when their immune system is depleted and when people are at the greatest risk of opportunistic infection, and to set that as a criterion. It should also consider the social impact. Perhaps it might decide to protect carers—for instance, a surviving parent of dependent children after the other parent dies. It would need to consider the economic impact, and the argument for preserving key workers such as teachers, nurses and agricultural specialists. The committee might also consider the epidemiological impact. For example, it could intervene in areas of highest prevalence, if it can be shown that treatment encourages others to come forward for voluntary testing and counselling, and if that voluntary testing and counselling changes behaviour about safe sex.

Finally, the committee could possibly look at the risk and danger of creating a drug-resistant strain of HIV/AIDS. That could occur if people who were allocated drugs did not stick rigidly to their drug-taking programme. There are many reasons why people might not do so. Their supply of drugs could be disrupted. The side effects might influence their decision. They are not pleasant drugs to take, and the temptation if one feels that one's HIV status is under control is to miss some of the drugs. They might not take them because of generosity to friends, giving the drugs to those who were not chosen to receive drugs, or possibly because they were so poor that they were selling their drugs on the street corner. If such things were to occur, that could lead to the development of drug-resistant strains of HIV infection, so it might make sense to limit the provision of the drugs to areas with health infrastructures that are adequate to supervise the drug regime.

Médecins sans Frontières is currently testing that theory in rural parts of the Democratic Republic of the Congo. It is seeing whether effective anti-retroviral treatment can be provided in areas without that health infrastructure. If Médecins sans Frontières proves that such treatment can be provided, my worries would be unfounded. These are not issues for politicians to determine; it is for a medical ethical committee to draw up clear guidelines so that the allocation of drugs is rational and fair, and not arbitrary and skewed towards those who are more powerful.

The new emphasis on anti-retroviral treatment should not divert attention or resources from less heroic, lower-tech, but possibly more effective, medical therapies such as vitamin A supplements. When the Select Committee visited the Kintampo health research centre in Ghana, we learned about work supported by the Department for International Development and carried out in partnership with the London School of Hygiene and Tropical Medicine, the John Hopkins university in the United States and other clinical centres. It had been discovered that six-monthly supplements of vitamin A given to infants between the age of six months and five years reduced child mortality by 23 per cent. If we are concerned about saving lives, that is a highly effective intervention that costs about 1 cent per dose—1 cent every six months. The same centre is carrying out randomised controlled trials with pregnant women following a study in 1999 in Nepal that showed that a slightly different regime of vitamin A supplements produced a 43 per cent. reduction in maternal mortality.

We need to continue research to find a safe and effective microbicide, as my hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) suggested. It was reported in the *Financial Times* last week that even a partially effective microbicide could prevent 2.5 million infections over three years. DFID is funding microbicides and the Bill and Melinda Gates Foundation has made an extremely generous $60 million donation to the International Partnership for Microbicides. As my hon. Friend so rightly said, that sort of intervention would bring particular benefits to women, who often find it difficult to negotiate safe sex in Africa. We should remember that 60 per cent. of all new infections in Africa are among women.

We need to consider the benefits of using anti-retroviral drugs not to control HIV infection, but to reduce mother-to-child transmission, as the hon. Member for Canterbury (Mr. Brazier) pointed out. Some 600,000 African children each year are infected with the HIV virus by their mothers. They have a very short life expectancy—on average less than two years. The South African Treatment and Action Campaign believes that the use of anti-retroviral drugs to control mother-to-child transmission could save 20,000 South African children a year from acquiring HIV-positive status.

We also need to increase funding for the supply of simpler drugs, including antibiotics, to deal with the opportunist infections that those with HIV/AIDS face. When the Select Committee was in Malawi a year ago, we saw that Lilongwe Central hospital was under acute stress. It had fewer staff, because so many had died from the epidemic, and many more patients to care for. The hospital estimated that a vulnerable person who in the past might have been admitted once a year with pneumonia could be admitted six or seven times if they were HIV-positive. That has had a devastating effect on the hospital's drug budget and the availability of drugs for treatment. We need to focus on the need to treat sexually transmitted diseases other than HIV, because of the increased risk of HIV transmission from unprotected sex to those who suffer from such diseases. Possibly most important, we need to look at the availability of food, because a healthy diet is the first line of defence against HIV infection.

I have an administrative point for the Minister. The United States has appointed a top executive to lead its programmes to combat AIDS globally, Randall Tobias, who is a former chief executive of the pharmaceutical company, Eli Lilly. The UK is the second biggest bilateral donor. According to "Call for Action", we provided 28 per cent. of world bilateral aid to fight HIV/AIDS globally this year, compared with the 35 per cent. that the United States provided. Although we provide a little less than the USA, our expenditure is in the same league. Perhaps we also need to appoint a high-powered executive to carry forward our programmes.

In the debate on Africa in the House a month or so ago, I said that even if we had a magic wand and could tomorrow prevent all further HIV infection, the death toll among those already infected would continue to rise, at least until the end of this decade, with enormous social, political, economic and security consequences for Africa. That is the issue that we in the all-party Africa group wish to address in our report. If we—the donor countries and Governments in Africa—do not address those consequences now, how will we care for the millions of orphans in 10 years' time? How will we educate them? How will we create a viable economy and an effective public sector? How will we stop failed states that become refuges for terrorists? How will we address all those problems? The simple answer is that unless we address them now, by 2010 it will be too late.

4.2 pm

Mr. Neil Gerrard (Walthamstow) (Lab): I am pleased that we are having this debate, and I welcome the Government's document, "Call for Action". I do not propose to repeat all that has been said about that already, but I am sure that we would all support the points that the Minister highlighted about funding, better co-ordination and better programmes. Having read the document and listened to the Minister and the Secretary of State, I am also glad that we are not going to promote the simplistic message that abstinence is the only way of tackling HIV. Given what my hon. Friend the Member for City of York (Hugh Bayley) said about the American attitude, that is important.

It is pleasing to see that over the last two or three years, HIV/AIDS has moved up the international development agenda not just in the UK, but across the world. Five or six years ago it was not there, and was not given the priority that attaches to it now. That is essential, because we know—we do not have to guess—that political leadership is necessary to intervene and make a difference. We know from Uganda, Senegal and other countries that have been successful, that political leadership at the country level is important. We know

[Mr. Neil Gerrard]

that it made a difference here too, and we should give credit to the Ministers who were responsible for health in the UK in the 1980s. They responded quickly to an emerging epidemic and made a big difference. It is important that that happens internationally as well. Although, as will always be the case in such debates, much has been said about the massive scale of the problem, and the fact that we have never seen an epidemic on this scale before, some current developments can give us encouragement and provide real opportunities.

My hon. Friend the Member for City of York has referred to changes in treatment, and it is true that two, three or four years ago many people were saying that drugs could not be delivered in poor countries. Things have changed—and it is not only people's attitudes that have changed; there have been important changes on the ground, for example in the price and in the sort of drug regime available. There are simpler drugs and treatments, perhaps requiring just one or two tablets a day, rather than some of the complicated regimes that we are more familiar with. The pharmaceutical companies, perhaps because of some of the pressures that they have been under, are seeing the need to do something to change their policies. I agree with what my hon. Friend said towards the end of his remarks: this is not just about drugs and treatment, and there is no one simple answer telling us what we have to do.

The main issue that I want to concentrate on is resources and the mobilisation of resources. "Call for Action" refers to the United Nations General Assembly special session. I was privileged to be a member of the UK delegation to UNGASS, and before this debate I looked back at the UNGASS declaration. It was there that the vital decision to establish the global fund was taken. We can discuss what ought to be done on treatment, what ought to be done on care and what ought to be done on the provision of drugs, but the root of all those is the provision of resources. It does not matter what policies there are; if there are not the resources to implement them, action will not be taken.

We know a great deal about what needs to be done. We know that we do not have a cure, that we are some way off a working vaccine and that a lot more needs to be done on protection methods such as microbicides, but we also know much that will work, both in treatment and prevention. It is not difficult to find projects to put money into that we know will make a difference. We have seen such things and we know that they can work.

I shall quote what my right hon. Friend the Chancellor had to say about resources, which related to the international finance facility and went a little wider than just HIV. In evidence to the Select Committee on International Development, he said that

> "we would not meet the millennium development targets on primary education for Sub-Saharan Africa, given the current rate of progress, until 2129 and we would not meet the millennium development targets on extreme poverty until 2147 and on child mortality until 2165."

He went on to say that

> "the need for extra resources is obvious."

Those comments in themselves demonstrate what needs to be done on resources.

I have heard what hon. Members have said about the global fund, but I am not sure whether the hon. Member for Canterbury (Mr. Brazier) was quite clear about what it does and why. He mentioned the need for it to purchase drugs, but the global fund does not purchase drugs; it does not purchase anything. It is a financing mechanism, as it was set up to be. It does not take action itself, but finances other people to do so. The key feature of the global fund is that it does not try to dictate to people in individual countries what they should do. It looks at projects and programmes that are put forward, carries out assessments to see whether those programmes look as if they will succeed technically, and then decides whether to finance them.

When we consider all that has happened, we must remember that the global fund came into existence only in January 2002, since when we have had three rounds of grant approvals, with £2 billion approved for 224 programmes in 121 countries. The money is now being distributed: £155 million has been disbursed so far, and the speed of disbursal is increasing.

When I compare that rate of progress in less than two years with the normal rate of progress of Governments and large institutions, it strikes me as pretty good that things are happening at that speed. The resources are being disbursed to the right places: so far 60 per cent. of the approvals have gone to Africa, 20 per cent. to Asia, the middle east and north Africa, and 20 per cent. to Latin America. HIV/AIDS has received 20 per cent., 23 per cent. has gone to malaria and 17 per cent. to tuberculosis.

We could argue about the exact balance and whether a particular initiative should or should not have been funded, but I would not argue with the fact that the fund is making real progress and starting to target money in the right areas. My hon. Friend the Member for City of York pointed out some of what is expected from those first three rounds after five years.

The pledges that have been put in place for the global fund since 2002 include $1.6 billion from the US, $627 million from France, $428 million from Italy and $340 million from Germany. For 2004, just over $1 billion has been pledged so far; the fund needs $3.3 billion to do what it would really like, and it would like two rounds of funding in 2004. It is $300 million short for the first round, although it will almost certainly obtain that. The question is: will it get the extra money to meet the $3.3 billion that it would like to spend in 2004? In 2005 the fund will certainly need $3 billion, because by then, as well as there being new projects to fund, some of the first grants will be up for renewal. What will we do to ensure that it hits that target?

It is important to remember how the fund obtains its money. The US is obviously the biggest donor, but the US Congress has required that contributions be no more than 33 per cent. of the total global fund. The US is putting in money but it is asking others to put in money as well. There is a danger that if we do not obtain matching funding from the rest of the world, the global fund will not get all that the US has been prepared to put in. Given the points that my hon. Friend the Member for City of York made about the attitude of the US to some bilateral funding, and the fact that it may withhold funding from a particular country because it does not like its birth control policy, for example, the more we encourage the US into adopting multilateral funding, the better.

I hope that we shall consider the contributions that we, too, make multilaterally as well as as an individual country. The point has been made about the European Union and our presidency in 2005, and we know that there is money sitting in the European development fund that is not being spent. We should consider whether we could get our hands on that and disburse it to the global fund or other initiatives.

On the question of the international finance facility, the Chancellor said that, as we would all accept, there was a need to obtain more money to meet the internationally agreed millennium development goals. The aim of the international finance facility is to increase the amount of development aid from $50 billion to $100 billion over 10 years, to double the amount of international finance aid. The money will be raised not only by countries donating money, but through the international capital markets. The intention is that 80 per cent. of the IFF will be raised through market borrowing. That is a shift in the way in which money is raised, which means that significant amounts of debt will be incurred. That raises several questions about how the IFF is intended to operate, to which I hope that the Minister will provide answers. If he believes that it is the Treasury's responsibility, perhaps he will draw it to the attention of Treasury Ministers. If large amounts of debt will be incurred over the next 10 years through the international capital markets, how will that debt be repaid after 2015?

I am still unclear about other aspects of the IFF. The other significant issue is how the money will be disbursed. Who will decide where the money raised through the IFF will go, and what the systems of accountability will be? We more or less know what is happening with the global fund and the systems of accountability and monitoring that are being set up. We will be able to see the effects of those, and obviously we want to see the effects of our own bilateral aid. If, however, the IFF raises a great deal of money, how will it be disbursed and who will monitor the process? Who will be accountable? Will the money be distributed only through the Government, or will it be distributed to non-governmental organisations or to civil societies?

Many questions remain that are still unclear. A question that has been asked several times is how the distribution of the money will be co-ordinated. How does the IFF fit in and co-ordinate with other significant initiatives such as the global fund and multilateral initiatives organised by the World Health Organisation and UNAIDS? We want more money, but we also want to ensure that we know how and where it will be spent.

There are many other initiatives, but I will not dwell on them as they are not the direct responsibility of the Department for International Development. We should support the WHO's initiative to improve access to treatment, to establish drugs and diagnostic facilities and to advocate funding. We should also support the work done by the Clinton Foundation, and support the bilateral aid donated under the US emergency fund and the World Bank. Many initiatives make me optimistic that we are starting to push HIV/AIDS further up the international agenda, which we have not managed to do before.

Since DFID produced "Call for Action", many more people are taking an interest in the issue and are seeing the importance of it, which is to be welcomed. DFID produced a strategy some three or four years ago, but we should see its new updated strategy early next year, which is also very welcome.

I want to make two final points. First, this is not a short-term problem. My hon. Friend the Member for City of York made that point, as have other hon. Members. There is no quick fix for HIV/AIDS. Politicians are pretty useless at long-term commitments. We tend to look for quick fixes and quick answers, but there is no quick fix or easy answer for this problem. When we commit resources, we need to commit them not only for 2004 or 2005, but for years and years to come. Long-term commitment is necessary. Now there is increased interest and HIV/AIDS is further up the international agenda, we must ensure that in two or three years' time it does not slip back to where it used to be.

Then there is the question of what we can afford, both as individual countries and through the international institutions. My hon. Friend the Member for City of York said that in the UK, HIV/AIDS had become a chronic illness. I am a little wary of being that confident. People are still dying of AIDS in the UK; somebody with whom I worked through the all-party group died of an AIDS-related illness just a few weeks ago. We have only had anti-retrovirals for a few years. Although we can be hopeful, none of us can be sure that in 20 years' time the drugs will still work for the people who are taking them now. The drugs do not work for everybody, either, and we know that drug resistance can occur—there have been examples of that in the UK. Therefore, we should be cautious about assuming that we have cracked AIDS in the UK, and we no longer have a problem.

On the subject of resources, I looked at some of the figures in the Chancellor's pre-Budget report yesterday. It says that by 2006, the UK alone will be spending £15 billion a year more than we do now on education, and by 2008 we shall be spending £41 billion more on health. Yet we are arguing about whether we should put £40 million or £107 million a year into the global fund. When we think about international development issues, we should put things in perspective. This Government have done more than any Government have done for many years in increasing our contributions to international development. We can be proud that we have increased the aid budget significantly. However, when we compare £40 million or £107 million with an extra £41 billion for health in the UK alone by 2008, can we really say that we cannot afford more resources? The truth is that we cannot afford not to find more resources, because if we do not, the impact will not be just in Africa or Asia, but here, too.

4.22 pm

Mr. David Borrow (South Ribble) (Lab): I am pleased that the debate is taking place this afternoon. Four years ago, I made my first visit to sub-Saharan Africa, when I was part of a delegation that visited Botswana. I remember meeting its then Minister of Health and raising the question of HIV/AIDS. I was told that it was not a major problem, and that people who became ill were looked after at home. Several days later, we visited

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a diamond mine and the company township. I asked the general manager about HIV/AIDS. The company had just completed an anonymous survey of its work force, which had revealed an infection rate of some 30 per cent. That led the company to review its entire recruitment and staffing policy and the resources that would have to be put into health care for the work force. Twelve months later, some colleagues from this House went to Botswana, and found that the whole approach had changed. The Government had become very proactive, and that has been the case ever since.

In 2000, I visited Uganda, the country that had been affected first and had taken a proactive approach. Even so, the infection rate was nearly 20 per cent. Lots of people were dying and ill, a lot of foreign and non-governmental organisation money was going in, and many workers from outside Uganda assisted in dealing with the epidemic. However, despite all that good work, the epidemic was still progressing—although the infection rates were beginning to fall.

If I were asked then, or even 12 months ago, what our priority should be I would have said that we should do what we could to assist with the basic health care. I agree with what my hon. Friend the Member for City of York (Hugh Bayley) said about that. However, our priority now should be the development of a vaccine. Two or three years ago, we were told that vaccine development was about five or 10 years away. It is still five or 10 years away—and in another five or 10 years it will probably still be the same. At that point, it seemed that the key priority in the international response was putting money into the development of a vaccine. The pharmaceutical companies had developed anti-retrovirals, which were generally available in the developing world, and also in Uganda, if people were prepared to pay for them. There was a weekly clinic at the Mildmay hospital in Kampala, which shows that those were available to people who could afford to pay. At that time, however, they were not regarded as something that should be made generally available throughout sub-Saharan Africa.

My view changed after a meeting towards the end of last year, at which Botswana was discussed. Botswana is a country of just over 1.5 million people, but it has a 39 to 40 per cent. infection rate and within the next few years it faces the prospect of the whole of its middle-range population being wiped out and a whole generation of children being left without parents. There is no way that a society facing that can survive, because there will be no role models, no parents, and the whole family structure will fall apart. Even if drug therapy can keep parents alive for only 10 or 20 years to allow those children to be brought up to adulthood in a different environment, that is a price worth paying. The alternative is too horrible to think about. However, that is not the long-term answer. I shall return to that later on.

Two or three years ago I was invited to a UNAIDS and Inter-Parliamentary Union meeting in Geneva, where a handbook on the human rights approach to HIV/AIDS was developed for parliamentarians. I had many discussions with parliamentarians from the developing world. It came home to me that we will tackle HIV/AIDS only if we face up to what is happening in our societies. HIV strips away the pretence in societies. We pretend that we are living smug, 2.2-children family lives, but the reality of relationships is different. Unless people face up to those differences, there will be no chance of dealing with HIV/AIDS.

Earlier this year I was invited on a study tour. I visited Peru, New Zealand and Ethiopia—three very different countries—to study HIV/AIDS. I had an interesting meeting with the New Zealand human rights commission and the New Zealand AIDS Foundation in Auckland. We discussed how New Zealand had tackled its HIV problem in the 1980s. The country realised that the groups most at risk were gay men, intravenous drug users and sex workers and it had to do something to enable proper prevention work with all those groups. Gay sex had to be decriminalised and equal rights had to be brought in for gay men in New Zealand. New Zealand had to allow needle exchanges and recognise all the political and legal difficulties of such a measure and tackle them. Earlier this year, as part of a human rights approach that recognised the reality of what was going on in society, it passed legislation to make prostitution legal.

It was interesting that in New Zealand the prevention budgets went to organisations set up to work with client groups. The New Zealand Aids Foundation is run by and for gay men in New Zealand and is the delivery arm of the prevention services in New Zealand. Similar organisations operate for drug users and prostitutes. New Zealand may be atypical, but that was its approach.

We also visited Peru where the infection pattern is very similar to that in most western countries and arises among men who have sex with men. The approach of the Peruvian Government during the 1980s and 1990s was progressive. They worked with a gay rights group based in Lima to implement much of their prevention work, involving the use of condoms and recognition of the problem. The legal issues concerning the age of consent and criminality had already been removed. Two and a half years ago, the Government appointed a new Health Minister who was a member of Opus Dei. He reversed the prevention approach involving condoms and so on and advocated abstinence instead of providing the tools to deal with prevention in the real world. HIV prevention took a big step backwards. However, a few weeks before I visited Peru, a new Health Minister, who was a health professional, was appointed. I met him and he was in the process of changing and reviewing that policy because he recognised the difficulties and what had gone wrong. The human rights approach, which recognises the realities of what happens in the community, is essential, but that is sometimes uncomfortable and in parts of Africa it is often uncomfortable.

I was in Ethiopia in December last year and spoke to a number of people there about marriage, how women and men meet and the age difference. Women in Ethiopia are married very young, but if a woman says no and does not want to marry a man, it is not uncommon for that woman to be raped because the man knows that no other man would marry her after that. The law in Ethiopia is progressive and there has been a lot of good work. My hon. and learned Friend the Member for Redcar (Vera Baird) visited Ethiopia twice doing human rights and women's issues work with the judicial police there. The legal framework is progressive, but the reality on the ground is that its society is regressive, anti-women and male-dominated.

I have some figures from a survey by Voluntary Service Overseas in South Africa in 2000. It covered 37,000 young men and found that one in four had had forced sex with a woman by the age of 18. Such gender issues are uncomfortable for society, but their role in the way which the disease is transmitted is central to tackling the spread of the disease.

Mention was made of the fact that most women who become infected are infected by their husbands. A survey by the Positive Women's Network in India estimated that 75 per cent. of women in India with HIV/AIDS were infected by their husbands, who were their only sexual partner. We must recognise the reality of what happens and the difficulties that must be faced. Drugs are important, but it is also important that, under the Government's initiative, we work with our partner Governments in the developing world to face up to some of the issues concerning the spread of the epidemic which are uncomfortable and worry me.

In western Europe, north America, Australia and New Zealand we think of men who have sex with men as being the main group at risk, and most—if not all—of those men would consider themselves to be gay. I asked questions about transmission in Peru, and was told that 30 per cent. of young men under 25 in Peru had a bisexual lifestyle. In India, despite the denial that men have sex with men, it is not uncommon, but those men do not regard themselves as being gay. They are married and have children, but have relationships with other men. In India, a lot of the work being done on prevention is done with female sex workers. It is not uncommon for those in India to believe that one can get HIV from a female sex worker, but not from a man.

Those are uncomfortable issues that have to be faced. In India, out of 1,000 million people, a million people are already infected. In cultures in south America, there is much more ambiguity concerning sexuality. However uncomfortable those issues are, AIDS strips things down and reveals the reality of the relationship. What we think is happening is not necessarily what is happening. Societies have to go through some trauma in introducing legislation and practice that recognises the reality of sexual relationships in their communities. That will be the challenge in much of the developing world if the disease is to be beaten.

I want to touch on one or two other issues briefly. One issue raised in the last year is the question of transmission through medical procedures. There was some controversy about the suggestion that a large part of the HIV infection in sub-Saharan Africa resulted from hospital treatment. When in Ethiopia, I examined some of the figures on infection rates. In the figures relating to children aged from one to four, up to the age of 14 or 15, there is no point in the middle age range where there is no infection rate. Therefore, there are youngsters too old to have got the disease from their mothers and too young to have got it through sexual activity, who are still picking up the infection. Having visited some of the hospitals, I recognise some of the risks surrounding the use of syringes and various other instruments—or their improper use. I think that there is a problem of transmission taking place between patients in medical facilities. If we can help to improve the cleanliness and proper procedures of medical facilities, that will have some effect.

I visited the Mother Teresa AIDS orphanage in Ethiopia. There were 250 youngsters in that orphanage up to the age of 11 or 12. Every child was infected. When we went round the facility, I saw many who were quite seriously ill. That brought home to me the fact that those youngsters did not all get the disease from their mothers—they must have picked it up somewhere else. That is a real issue.

Mr. Brazier: I have been listening very carefully to everything that the hon. Gentleman has said, and he has made some telling points. However, the point that he makes about recognising the world as it is somehow carries an implication that he does not want to see a change in behaviour. If there is a country where a quarter of the young men committed rape, there has to be a change in behaviour. He gave the example of children getting infected. In many of those countries, child prostitution is the reality, and it is a reality that we have to work to change, not just accept.

Mr. Borrow: I hope that the hon. Gentleman has not misinterpreted the gist of what I am trying to say. There is evidence that transmission can take place without sexual activity. Obviously, child rape and child prostitution is a significant matter. Sex at a very young age is not common, but where it is we must get society to recognise it and do something about it.

My last point may tie in with what was said by my hon. Friend the Member for Walthamstow (Mr. Gerrard). Anti-retrovirals are not the solution. Most western societies are now on the sixth, seventh or even eighth drug to be used in the cocktail. After a time, the drug cocktail becomes less and less effective, and other drugs have to be developed to add to the cocktail. Only 80 per cent. of those who are HIV positive respond to the drug treatment, which means that 20 per cent. do not respond. Resistance to the drug therapy is inevitable, and we continually depend upon more drugs being developed. However, we cannot assume that the new drugs will be as effective.

I saw some interesting statistics when I was in New Zealand, which reflect what is beginning to happen in many western societies. Effective prevention programmes—condom use, safe sex and so on—can bring down the rate of new infection within at-risk groups. However, over the past four or five years, even with ARVs being available, the group of people who are infected is growing because, every year, more people become infected. Whereas five or six years ago, a certain number would die, the cohort of infected people in the community continues to expand. The time will come when the prevention work that reduces the number of deaths will be defeated by the fact that we have a bigger pool of infected people.

Infection rates here, in the United States and in western Europe—and in Africa once ARVs are used more often—will dip and then go up again. Not only we but millions of people throughout the world will then be dependent upon an expensive drug treatment that needs to be changed regularly to respond to the changes in the disease. The only long-term solution is to invest in the

[Mr. Borrow]

development of vaccines. The drug treatments merely give us breathing space. In Africa, it is crucial to help keep those societies together.

Mr. Kerry Pollard (St. Albans) (Lab): I entirely agree with my hon. Friend. However, we should accept that some simple things can be done. I was recently in Zambia, and went to Chirundu on the border between Zambia and Zimbabwe, where there is much cross-border traffic. Lorries can take three days to get across the Zambezi river, because they are held up by bureaucracy. During that time, lorry drivers indulge in sex day after day. We should speed the process up by getting them across in five minutes; it could be done if the drivers and lorries were registered on a computer. That would make a singular difference, and it would cost absolutely nothing. It is nothing to do with anti-retroviral drugs; it is a simple matter of bureaucracy.

Mr. Borrow: My hon. Friend is right in recognising that although treatments and drugs are essential, the way in which the disease is spread is important. In eastern and southern Africa, the disease has been spread along the lorry route and, in the early stages, by sex workers at lorry stations on the way. That pattern needs to be recognised, which is uncomfortable for those societies to do, but they have largely done so, and action must be taken to avoid some of those pitfalls.

If the world community got its act together, ARVs could enable Africa to avoid complete disaster. However, a long-term solution to the problem can be achieved only if the rich developed world does something that the pharmaceuticals would be reluctant to do on a profit-and-loss basis: put investment, year after year, into the development of vaccines to deal with the various strains of the disease.

Several hon. Members *rose*—

Sir Nicholas Winterton (in the Chair): Order. We still have plenty of time. Two further hon. Members seek to catch my eye, but we should give the Minister 10 minutes or so to reply to the important points that have been raised in this interesting and important debate.

4.45 pm

Ms Sally Keeble (Northampton, North) (Lab): Thank you, Sir Nicholas.

I am grateful to have the opportunity to take part in this debate. I agree with everything said by previous speakers, particularly my hon. Friends the Members for Clydebank and Milngavie (Tony Worthington) and for City of York (Hugh Bayley) on the gender issue, which we perhaps had not recognised. It was interesting and inspiring to hear my hon. Friend the Member for South Ribble (Mr. Borrow) talk about human rights, which we may also overlook somewhat.

I will deal with two particular issues: HIV/AIDS in orphans, and anti-retrovirals, which colleagues have also spoken about. First, I welcome the Government's call to action, the announcement of extra money and the support for the provision of ARVs. It is an enormously welcome injection of funds and an important recognition of the need for strategies of treatment as well as prevention and education.

However, I am concerned about the lack of attention given to HIV/AIDS orphans. They are one of the biggest challenges of the AIDS epidemic. If we in this country had the equivalent of a city the size of Birmingham consisting entirely of orphans, what would the Government do? How would we ensure that those children were fed, clothed, educated and, perhaps more importantly, socialised and turned into functioning adults—or prevented from becoming dysfunctional adults? That is the challenge facing Zimbabwe, which has up to 1 million AIDS orphans. We all know the difficulties that that country has in a whole range of areas, which are overlaid by that particular social dimension.

In other southern African countries, one in five children have been orphaned by AIDS. That figure is due to almost double as the AIDS death toll unfolds. Previous speakers have talked of the profile of the deaths as a result of AIDS. Whatever happens in the future, a generation of orphans already exists. As the founder of a home for orphans in Zimbabwe said to me, "These children are literally a time bomb."

Last month, I went to three of the worst-affected countries—to Lesotho and South Africa with World Vision, and also to Zimbabwe. Both World Vision and UNICEF produced excellent reports on the position of AIDS orphans, which I recommend to colleagues.

I found the visit traumatic. People in those countries know what is needed, they have policy frameworks and there are some inspirational examples of child care—I met outstanding and dedicated professionals—but there is a complete lack of money for any rolling out of services. Of course, there is also a lack of food, which is critical.

The situation is heartbreaking. I spoke to a family of six orphaned boys, who had managed to live together in extraordinary circumstances for several years since their parents' death. The eldest was only in his teens. I met a 68-year-old widow, who was caring for her 15 orphaned grandchildren in a hut in a remote part of Lesotho. I also met a young girl who was living with her baby sister and recently widowed mother. Her mother was still traumatised by her husband's death a week earlier. The mother and baby were both HIV-positive and unwell so the little girl was going to be completely orphaned and lose her sister. There was no money, and they had few possessions: just a tiny stone hut in the middle of nowhere in Lesotho.

I met children who had lived on the streets before being taken into a children's home. Those children came with all the problems associated with the street: glue sniffing, child prostitution and a tendency to antisocial behaviour. The home that they were living in was run by an elderly vicar and it was trashed by some of the boys. Former street children are not dear little orphans but some of the most difficult children that one could find. There was a shortage of money to put right what had happened, quite apart from all the difficulties in feeding and clothing the children.

I gave a detailed report of my visit to my right hon. Friend the Secretary of State, so I shall just a pick out a few points. First, there is a big difference between announcing headline spending and providing front-line services. What the children need are front-line services, and they need them quickly as they will soon be grown up. There is an issue about the length of time that it takes for funding to go through the international system, and we must ensure that money is spent effectively and quickly. The focus needs to be on service delivery and community-based services, which often come in below the radar of the international system. I hope that that will be looked at in developing strategy. From what I saw, there are many ideas at local level about how to achieve that. There is, however, a shortage of money.

Secondly, the services needed are not just health services; indeed, they are mostly not health services. I went to speak to the Zimbabwe National Council for the Welfare of Children, which is a non-governmental organisation that pulls together other NGOs—I must add that it did not realise that it was talking to a British MP. It said that the priorities for the children are: protection of property rights; access to certificates and legal guardianship because if children cannot prove when they were born, they cannot get access to all kinds of things; protection from abuse, including abuse in care; housing; payment of school fees; purchase of school uniforms; access to food and medicine; and, something that is often neglected by us, counselling and psychological services.

Thirdly, any strategies for orphans must also deal with carers. I met a 68-year-old widow who was a stroke victim and was caring for her orphaned grandchild. When she went out to forage for wild vegetables to supplement their mealie meal, she had to carry the little orphan boy on her back because she could not leave him. One has to ask oneself what the prospects are for that child, the woman and the three other grandchildren that were about to be orphaned by AIDS and who would end up living with her. We should be familiar with that syndrome from our experiences in this country. Vulnerable people—usually women—end up being carers for even more vulnerable people.

That brings me to my second point, which relates to any anti-retrovirals. I take on board the point raised by my hon. Friend the Member for South Ribble that those are not cures and should not be seen as any kind of panacea, and that there is still the need to look for vaccines. I welcome the initiative to get 3 million people on to anti-retrovirals by 2005, but I think that that is doing too little and it will not keep pace with what is already unfolding in southern Africa in terms of the scale of the epidemic and, importantly, people's aspiration to live. The professionals whom I met said that anti-retrovirals should be part of any strategy for dealing with AIDs. They also said that any strategy would have to recognise the survival needs of carers, especially of mothers, because, as they put it, the death of the mother predicts the failure of the child.

The specialists at the Baragwanath hospital in Soweto expected the availability of anti-retrovirals to drive improvements in primary health services, not the other way round. Much more is needed, and I echo the comments that have been made about the cost of it all. It does not all have to be desperately expensive. I saw the programme for treating pregnant women in Baragwanath. I was given one of the pills that is provided. I thought that I would bring it back as a souvenir of my visit, and I am holding it up now. When I said that I did not want to take away an expensive pill, I was told that the plastic bag that it had been put in was probably more expensive. After a woman has been to the clinic, she takes the pill with her—it is put in a bag and clipped to her notes. She takes it when she goes into labour, and she gets a second pill when she delivers a baby. That simple programme can, of itself, roughly halve the number of babies who are born HIV-positive, which represents great progress in tackling the epidemic. Although the drugs are cheap, there are issues about delivery: there is not enough money to roll this out nationally, let alone regionally.

We also need to face up to the public response to these drugs. Although anti-retrovirals are not cures, many people regard them as the new miracle drugs. They want them. If we in the affluent part of the world do not fund proper strategies for provision of these drugs, people will find ways to get them by hook or by crook, and then, at some stage in the future, we may have to deal with the consequences of their interrupted use, which some doctors consider to be misuse. My hon. Friend the Member for City of York raised this issue: I do not know whether interrupted treatment will be a great problem in the future, but it certainly can be in the short term for individuals.

Maluti hospital is one of the leading hospitals in Lesotho for dealing with HIV/AIDS. In conjunction with a pharmaceutical company, it was providing six-month courses of anti-retrovirals, because it could provide people with only six months of treatment, which is just enough to stabilise them.

In Lesotho, I met a young girl called Mamphaso who had had one of those six-month courses of anti-retrovirals. She and her mother were HIV-positive, and they had been taken into hospital earlier this year. One morning, she woke up to find that her mother's bed was empty. The community nurse, who is very fond of her, got her a six-month course of anti-retrovirals, which pulled her back literally from the brink of death. When I met her, she was living again in a hut in a remote area with her grandmother. When that course is finished, Mamphaso's health will deteriorate again. There might be some more money in the future for anti-retrovirals, until—the nurse expects—at some stage she will have a reaction against them, which I am told is one of the risks of interrupted courses of treatment, and she will die. Of course, without the drugs she will die, too—and probably quite quickly.

I have a daughter of about the same age as this little girl, and I have worked out that the cost of her anti-retrovirals is about the same as the cost to the NHS of treating my child for a simple complaint that she will outgrow. Therefore, I challenge what is said about the cost of the drugs. There are enormous pressures on us to ensure that we can provide these treatments on a proper and consistent basis.

One of the saddest moments on my visit was when I asked the little girl what she thought Governments should do for HIV/AIDS orphans. She was a mature little girl, and she had talked me through all the problems that she had faced with that wisdom that some small children have, so I expected her to say something about money or medicine. However, she spent a little time thinking, and then she said, "I think that the Government should give toys to the children."

[Ms Sally Keeble]

That is a reminder that we are talking about children. If we are going to do justice by them, we need to fund policies and strategies that will meet the developmental needs of children. We are not very good at that in this country. We have just got a Green Paper on children, but that is the first one that we have had since 1997.

The last time that we faced a big challenge of dealing with orphans, we sent some of them off to what is now Zimbabwe. There is an issue about sowing the wind and reaping the whirlwind: with the HIV/AIDS orphans, the legacy will be ferocious if we do not get the strategies in place to meet all the needs of this generation. I urge my hon. Friend to put more emphasis on the strategy that has developed on the needs of orphans, in line with the proposals that have come from UNICEF and World Vision, and to push the international community, because we cannot do everything ourselves. We must push our international partners to ensure that they massively increase the funds for antiretrovirals.

Several hon. Members *rose—*

Sir Nicholas Winterton (in the Chair): I call Tony Colman, and congratulate him on his patience and equanimity in waiting so long.

5 pm

Mr. Tony Colman (Putney) (Lab): It is a privilege and an honour to take part in this debate, to follow so many of my esteemed colleagues and to have heard their words of wisdom. I hope that I will be able to rise to the excellent standard of the debate so far. The debate is supposed to be about accelerating the UK's response to the HIV/AIDS epidemic, and I always believe that before one looks abroad one should perhaps address the situation in one's own country, albeit briefly. In the excellent information pack that we received from the House of Commons Library is an article from *The Independent on Sunday*, dated 30 November. It says:

> "The number of people living with HIV in the United Kingdom rose by 20 per cent. last year to 49,500. So far 15,000 people have died from Aids. The epidemic is accelerating, not declining here. There were 5,711 new diagnoses of HIV to the end of September last year, the highest since records began in 1987. The number of new cases was 15 per cent. up on the 4,982 diagnosed in 2001 and is expected to rise to 6,400 when all reports are received. The rate of infection has more than doubled since 1997."

Clearly, those figures are extremely low compared with those in many countries that we have spoken about today, but it is important that we take on board the need to deal effectively with the situation in our country. I have six children aged between 22 and 37, and I would want them all to use condoms when they have sex. It is extremely important that we do not shy away from that topic with our own children. We must accept that this is a problem not only abroad but here. Great praise is due to the Methodist Church and the United Reformed Church in the United Kingdom for publishing on world AIDS day, for UK consumption, a booklet called "Speaking out about HIV/AIDS". It is important to see what is happening in the UK.

Like other hon. Members, I welcome the hon. Member for Canterbury (Mr. Brazier) to his role. When I was doing some research for this debate, I looked up the very good article that his colleague the hon. Member for Buckingham (Mr. Bercow), the shadow Secretary of State for International Development, wrote for *The House Magazine*. Like the hon. Member for Canterbury, I shall follow the structure of that article, which is headed, "Escalating the war on AIDS".

The first point raised by both hon. Gentlemen is the need for a strong partnership between NGOs, pharmaceutical companies, the World Health Organisation and national Governments. We have heard from my hon. Friend the Member for St. Albans (Mr. Pollard) about the amazing work that World Vision does in Zambia and elsewhere in southern Africa. I, too, on a separate occasion, visited the Chirundu lorry stop and was appalled to hear that so many of the sex workers there, who were in their early teens, would be infected within two weeks. It is appalling to see that situation. One of the Health Ministers, who is working on the simple idea of speeding up the lorries, accompanied me there.

I have to say that the problem lies more on the Zimbabwean than the Zambian side, but World Vision is doing excellent work on its cross-border initiative and I strongly request the Department for International Development to get involved in funding World Vision to help to open up lorry routes into Angola from the south. Angola is currently largely free of HIV/AIDS compared with other countries in the region, and it is important that that work be done now, rather than our having to pick up the pieces subsequently. There are many other NGOs in this area, but I pay tribute to World Vision in particular.

Secondly, it is important for Governments to deal with the issue. It concerns me that in many countries the campaign to deal with HIV/AIDS has stayed within the president's area, largely, perhaps—I hope—because of the importance of the issue, but perhaps also because of the large amounts of funds that are available. The work should go to the Health Ministries, if possible. I pay particular tribute to Charity Ngilu, who is the Health Minister of Kenya. I know that he finds it difficult to get joined-up government between the President's office and the Health Ministry.

Mr. Pollard: Does my hon. Friend accept that as well as presidents taking an interest in such matters, countries themselves must acknowledge that HIV/AIDS exists? I visited Iraq about 18 months ago and spoke to the Health Minister. I asked him how many HIV/AIDS sufferers there were in Iraq, and he said that there were none. I cannot believe that that is true. Governments themselves must recognise the problem before any progress can be made.

Mr. Colman: I entirely agree with my hon. Friend.

As I said, I was pleased that the Minister was able to accompany me and see with his own eyes what was happening. In opening the debate, he spoke about the shortage of doctors, nurses and teachers caused by HIV/AIDS. I am proud to have the organisation Voluntary Service Overseas in my constituency, and it supplies just those workers on an entirely voluntary basis. It is amazing that in many countries of the world there is a problem in getting work permits for people to go in and do that work. I would be happy to give the Minister chapter and verse on that. It seems slightly bizarre that there are shortages, and there are people willing to volunteer and devote one, two, three or four years of their life to countries where there is a great crisis, but they are unable to do so. Work is being done under mode 4 of the general agreement on trade in services of the World Trade Organisation that may help move that situation forward.

The third area of partnerships is the private sector. I worked in the private sector before entering the House, and it is good to see the work being done by companies such as Anglo American and many others, which are committing themselves to providing anti-retroviral treatments not only for their staff and the families of their staff but for the countries in which they work. I strongly applaud that.

My wife raised her eyebrows when she found a condom in my toilet-bag after I returned from Cameroon, but I told her that I had picked it up in the hotel in which I was staying, because I thought that it was such a good example of the private sector coming up with practical ways forward. In this case, a major hotel chain was providing condoms along with the shampoo and the shower caps. I hope that my wife believed me. *[Interruption.]* In response to that comment from a sedentary position, yes, there was just the one. I asked and was told that it was replaced every day. One can jest about such issues, but that is a good example of real partnership and looking for ways to deal with the epidemic.

The next point in the list is the need to ensure that there is infrastructure for administering medical care. My hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) rightly said that we have seen many dirty, dingy wards on our journeys as members of the International Development Committee. I was particularly pleased that my hon. Friend the Member for South Ribble (Mr. Borrow) mentioned dirty needles, which is something that people find difficult to discuss.

I take the *New Scientist*, and I was astonished to find in that esteemed periodical on 6 December an interesting article, headlined, "WHO accused of huge HIV blunder". The following edition on 13 December contained no letters correcting the article, and I have not seen it corrected elsewhere. It follows up the points raised by my hon. Friend the Member for South Ribble. Apparently, last week

> "the group Physicians for Human Rights based in Washington DC sent an open letter to the WHO and UNAIDS. It calls for more resources to be spent on preventing infection by dirty needles."

It is said that

> "Using the WHO's estimate that 7.6 per cent. of infections in 1988 were from dirty needles or blood transfusions . . . healthcare is to blame for 10 million infected people today. If needles cause closer to half of all infections . . . tackling the problem would have kept the epidemic confined to high-risk groups".

The article continues:

> "UNAIDS drew up a report, which has been seen by the *New Scientist* . . . Based on a review of 23 studies, it concludes that in sub-Saharan Africa, 'contaminated injections may cause between 12 and 33 per cent. of new HIV infections'. That is far higher than the accepted 2.5 per cent. figure."

It is said that

> "hundreds of studies have reported significant numbers of children who . . . have contracted the disease despite having HIV-negative parents or parents with a different HIV strain. A study of nearly 10,000 South Africans released last year, for instance, found that 5.6 per cent. of children aged between 2 and 14 were infected. Most children infected by their mothers die before their second birthday, so the surprisingly high figure points to infection routes other than sex being important."

That backs up what my hon. Friend the Member for South Ribble said.

The issue is important and difficult, but at the end the article says, again quoting Physicians for Human Rights, that,

> "compared with trying to promote safe sex . . . Clearing up the medical system is not such a major task."

If those are the facts, that issue must be dealt with and not swept under the carpet. Dealing with it should be a major call on the money available from the UN global health fund.

The third point is that a significant proportion of the UN global health fund's money should be spend on anti-retroviral drugs. As my hon. Friend the Member for Walthamstow (Mr. Gerrard) said, the choice on how to spend the money lies with Governments—the global health fund does not spend it on their behalf. However, it is good that the money is becoming available, and I agree with my hon. Friend the Member for Clydebank and Milngavie that it is impressive to see the commitment of the senior management of the fund to following the initiative through. I am also pleased to hear that we are a prime mover in the fund.

That brings me on to the fourth point, which is the difficult issue of mother-to-baby transmission of HIV/AIDS. For the last two years I have said a lot about the free availability of the Boehringer Ingelheim drug Nevirapine, to which my hon. Friend the Member for Northampton, North (Ms Keeble) referred. Interestingly, the *Financial Times* surveyed a large number of countries, including the whole of Africa, and found that the only two countries using the drug systemically were Ethiopia and Botswana. I repeat that Nevirapine is free and that there is no reaction to it, so mothers who are HIV-negative as well those who are positive could take it, and it could be administered to all the babies. I understand that the drug has an 85 per cent. efficacy rate, so huge numbers of children without HIV could be born to HIV-infected parents.

We face an extraordinary state of affairs. My hon. Friend the Member for City of York (Hugh Bayley) is due to lead hearings as the chair of the excellent all-party group on Africa. When he does so, I hope that he will ask Governments across the world why they are not taking advantage of Nevirapine, which has been made available free and could stop mother-to-baby transmission. I have attempted to talk about the issue again and again. I hope that the reason is not to do with replacement feeds. That can be a factor, because an HIV-infected mother cannot breastfeed her non-infected child; otherwise the child would be infected. I look forward to the Minister's response on that subject.

We are approaching the moment when the Minister must be allowed time to respond, so I shall make my last few points. The hon. Member for Carshalton and Wallington (Tom Brake) mentioned intellectual

[Mr. Colman]

property rights, and it is extremely important that they are supported. If anything, I would like there to be longer licence periods for IPR. The hon. Member for Canterbury touched on that matter. I do not understand why there is as yet no legislation before the House dealing with the agreement of 30 August. Three and a half months have passed, but nothing has happened.

The International Development Committee's very good report was published today, and in it, we back Oxfam's call for action now. I understand the fact that we must work with the European Commission because this is an area of so-called mixed competence. The Department's response, which has already made its way to me, and to the hon. Member for Carshalton and Wallington, states:

> "We are encouraging the EC to move as rapidly as possible."

All I would say is that three and a half months is not as rapidly as possible.

Canada has passed the legislation, but the United States and Switzerland have not—I am talking only about the countries with major pharmaceutical companies. It is extremely important that we be seen to take a lead; those who are suffering this epidemic demand no less.

Sir Nicholas Winterton (in the Chair): With the permission of the House, I call the Minister to reply.

5.16 pm

Mr. Gareth Thomas: I will try to do justice to the interesting and thoughtful contributions of all those who have participated in the debate. I will certainly need to reflect further on them as we work up our strategy for next year. I was particularly interested to hear from my hon. Friend the Member for City of York (Hugh Bayley) that his all-party group will conduct an inquiry into this issue, and I will look with interest at what it has to say.

I, too, congratulate the hon. Member for Canterbury (Mr. Brazier) on his new post. He made a very interesting speech, and I will pick up on three of his points. Perhaps the most important related to the need for an integrated approach to treating HIV/AIDS. Hon. Members have touched on a whole series of different aspects of the HIV/AIDS crisis. The point of an integrated approach is to emphasise that every sector of Government and society must play its part in finding solutions to the problem. That is why, as part of our call for action, we re-emphasise the need for one strategy, which NGOs, civil society, Governments, donor communities and others can take part in formulating—one AIDS commission to deliver that strategy and, crucially, one monitoring and evaluation framework. That integrated framework is central to the response to HIV/AIDS, and it has been at the heart of the strategy in countries where we have been successful in reducing prevalence rates.

The hon. Gentleman asked me for more detail about the vaccine and the wider research effort. My hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) also raised the issue. We are working through the International Aids Vaccine Initiative, which is a global non-profit making organisation that is working to speed the development and distribution of preventative vaccines. We have funded a five-year programme of support for IAVI. It began in January 2000 and is worth £40 million. IAVI has eight vaccines under development for use in the developing world. The candidate vaccines are being developed by the Medical Research Council and by the universities of Oxford and Nairobi. They are aimed at combating the HIV strain that is most common in east Africa. The most significant progress seems to have been made in the Oxford and Nairobi trial. We will all continue to support that work and hope that it leads to a successful vaccine.

My hon. Friend the Member for Clydebank and Milngavie also talked about microbicides and asked how the research effort was progressing. The products that have been developed are entering phase 3 trials, but there has been no breakthrough yet. There will be a bi-annual conference in London on microbicides in March 2004. I hope that researchers on those programmes will be able to give us some good news.

I join the hon. Member for Canterbury in congratulating GlaxoSmithKline on its sense of corporate responsibility. I also congratulate other members of the accelerated access initiative—Merck, Boehringer Ingelheim, Bristol-Myers Squibb, Hoffman-LaRoche and Abbott Laboratories. However, I re-emphasise that we need to work with them further to see whether we can continue to push down the price of drugs and consider other aspects of the pressures such as the inability to secure proper access to medicines for people in rural and urban areas.

I agree with my hon. Friend the Member for Clydebank and Milngavie that providing access to condoms must be a fundamental part of our response. The UK already devotes considerable resources to bilateral funding programmes to support the provision of condoms. For example, we give £2 million to Ethiopia and £8.6 million to Kenya. My hon. Friend touched on the work of UNFPA, which estimates that there will be a 50 per cent. increase in demand for condoms. The UK clearly needs to do further work on funding such programmes and convincing the wider international community to get behind the need for greater access to medicines.

My hon. Friend also touched on the issue of co-ordination, to which several hon. Members have referred. The five countries with which—during the visit of President Bush—we and the Americans agreed to work closely on donor co-ordination are just the beginning. We need to learn the lessons of that process and roll them out in order to improve donor co-ordination across the rest of sub-Saharan Africa and the other countries where HIV/AIDS is a particular problem.

I was interested in the idea of a drugs tsar proposed by my hon. Friend the Member for City of York, although the role is best left to UNAIDS. Indeed, one reason why we have extended our funding of UNAIDS is to help it improve donor co-ordination. Every country needs to make its own decisions about how to organise its response. I think that the Department for International Development taking the lead is the right response; we do not need a drugs tsar. However, it is crystal clear that donor co-ordination is nothing like as effective as it needs to be. We will work with UNAIDS to develop that further. We are also working with our European partners and have just begun discussions with France. We want to continue to make HIV/AIDS a priority in European Union discussions. It is interesting that each of the next four like-minded presidencies of the European Union—that includes our own—wants to make HIV/AIDS a priority. I hope that that engenders confidence in the hon. Member for Carshalton and Wallington (Tom Brake) that there will be a sustained EU focus on HIV/AIDS.

My hon. Friends the Members for Clydebank and Milngavie, for Walthamstow (Mr. Gerrard) and for Putney (Mr. Colman) touched on the issue of the global fund and the UK's attitude to it. Uncharacteristically, my hon. Friend the Member for Clydebank and Milngavie suggested that we are more sceptical about the global fund than is fair. We were a leading supporter of its establishment. Along with President Chirac, the Prime Minister has campaigned for further funding from the European Commission and EU member states. At the moment, Europe provides the majority of funding for the global fund.

However, we have been cautious partly as a result of reports from staff of in- country offices in Africa about the additional bureaucracy generated by the global health fund and increased transaction costs for partner Governments. Those reports have been echoed in our discussions with Government officials in those countries. There have also been problems with consistency and transparency of some of the global fund processes, and with how some of the mechanisms can be harmonised effectively with country procedures.

We have been working closely with the global fund to try to resolve those issues. I share the views of its director, Richard Feachem, who is a very impressive person, as hon. Members will be aware. We have good relations with him and his team. It is the UK Government's responsibility to work closely with the global fund to resolve problems when they are pointed out to us. I alluded to the fact that part of our strategy will involve examining the issue of financing, and the global fund will be considered as part of that. Several funding instruments can be used in our response to AIDS: not only the global fund but bilateral country programmes. HIV/AIDS will be a priority for the further funding that we are committed to spending in Africa, for example, in the run up to 2005–06, as it will in our generic funding of the development of health systems.

The last point that my hon. Friend the Member for Clydebank and Milngavie raised was the importance of involving young people in organising responses to the HIV/AIDS epidemic. The crucial point is that we must ensure that young people are involved at an early stage in the development of a strategy, that they have an input into the work of national AIDS commissions and that they are consulted on the effectiveness of in-country responses to HIV/AIDS.

The hon. Member for Carshalton and Wallington asked whether I agreed that there is a funding problem in the international response to HIV/AIDS—I do. Some $4.7 billion is being generated internationally, but UNAIDS estimates that $10.5 billion is needed by 2005 and $15 billion by 2007. Therefore, the international community needs dramatically to scale up its financial and policy response. I should add one note of caution: as a result of a reduction in drug prices, UNAIDS is re-examining its figures and will be publishing its conclusions in early 2004.

My hon. Friend the Member for City of York also touched on the possibility of a medical ethics committee. That is an interesting idea, but it is a matter for individual countries to address as part of their thinking on how strategies and AIDS commissions will work. Clearly, it is important for countries to examine how they ensure in the fairest way that treatment reaches those who most need it.

Importantly, my hon. Friend the Member for South Ribble (Mr. Borrow) highlighted the need for a human rights response to HIV/AIDS. He usefully drew attention to the importance of tackling stigma as well as discrimination and the gender dimension to it. That needs to be a fundamental part of countries' responses. If a series of other issues is not tackled, HIV/AIDS will just get worse. That must be at the heart of countries' responses and explains why political leadership is so important. We should examine not just the necessary headline issues and strategic responses, but the wider responses to discrimination, which often prevent people from gaining access to medicine.

My hon. Friend the Member for Northampton, North (Ms Keeble) discussed the detailed report on her visit, which I have had a chance to glance through but will read a little more thoroughly. She is right that we must do further work on the problem of orphans. Free primary education and strengthening our support to community-based care for orphans and vulnerable children as part of a broad multi-structural response to HIV/AIDS are fundamental. We have worked with UNICEF and UNAIDS to examine that in more detail.

My hon. Friend the Member for Putney highlighted the issue of Nevirapine and mother-to-child transmission. In the past, he has referred to Botswana, where only 15,000—

Sir Nicholas Winterton (in the Chair): Order. I am afraid that time is up. I am sure that the Minister will reply by letter or by other forms of communication in response to the questions with which he has been unable to deal.

It being half-past Five o'clock, the motion for the Adjournment of the sitting lapsed, without Question put.

Westminster Hall

Tuesday 16 December 2003

[SIR NICHOLAS WINTERTON *in the Chair*]

Supreme Court

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Heppell.]*

9.30 am

Mr. Alistair Carmichael (Orkney and Shetland) (LD): I am pleased to have secured this debate. I was greatly assisted in my deliberations by the investigation, and the evidence taken during it, carried out by the Select Committee on Constitutional Affairs, which is chaired by my right hon. Friend the Member for Berwick-upon-Tweed (Mr. Beith). I understand that the Committee is due to sit at 10 o'clock this morning, which may account in part for the sparse attendance in the Chamber.

I started with a clear view on several matters relating to the topic, but then I read the evidence received by the Select Committee from several erudite and learned sources and found myself questioning some of the simplest and most straightforward aspects of the proposal. I mention that because it is important to put it on the record that the subject is of immense constitutional significance.

Ever since Montesquieu wrote his seminal work, "De l'esprit des lois", there has been fairly widespread acceptance of the desirability of separating powers among the three pillars of the state: the judiciary, the Executive and the legislature. In our own way, we have managed in the United Kingdom's constitution to respect that principle, but our acceptance of it has sometimes been muddled and messy. The office of the Lord Chancellor and the House of Lords as an appellate court is perhaps one of the best examples of that muddle.

I do not know whether lofty legal principles or lofty legal personnel first spurred the Prime Minister to embark on his consultation in June, but I suspect that it was the latter rather than the former. My one reservation about consultation on the proposal, which I broadly favour, is that we might be biting off more than we can chew because a number of substantial issues that could be considered are not being considered, or are in danger of not being considered properly. My basic thesis is that I would rather get it right than get it quick. I am concerned that a rush to legislate in such an important sphere will, if we do not get the legislation right, have profound and severe implications.

My approach to the subject arises principally from my concerns relating to the position of Scots law. I wish to register my mild irritation that the Advocate-General, the Secretary of State for Scotland and the Under-Secretary of State for Scotland are not in the Chamber for this debate. I am delighted that the Under-Secretary of State for Constitutional Affairs, the hon. Member for Shipley (Mr. Leslie), is here, and I am sure that he is more than equal to the task of answering any questions that I shall ask, but the matter will have a profound effect on the conduct of Scottish business here. Despite that, the Scotland Office, notwithstanding its continuing substantial presence in Dover house, cannot find the time or personnel to attend. Frankly, that is not good enough.

The separation of judicial business from the House of Lords is welcome, although in evidence to the Select Committee, Lord Hope of Craighead said that being able to mix with MPs and other peers and to walk the corridors of Westminster was an important way for him to stay in touch. That is an interesting perspective from a man who is an exceptionally capable judge, and whose father and, I think, grandfather were also judges, and who, notwithstanding his immense talent, typifies the sort of person who becomes a judge. That is how he stays in touch. I feel that I am in danger of being out of touch when I am in Westminster and I go home to my constituency to get in touch, but it is all a matter of perspective. In passing, I point out that if we are to get the judges out of the House of Lords, the Church of England bishops must surely be the next to go.

Principally, I shall discuss the Scottish aspects of a supreme court, but there are two issues of wider importance that I would like to touch on first: the appointment of members of the supreme court and whether a broader range of constitutional issues should be within the court's remit or jurisdiction. Who appoints judges to the supreme court strikes at the heart of the independence of the judiciary. People have struggled for centuries with the question, who judges the judges? Time has moved on and now we have to ask who appoints the members of the independent appointment commission. The Government seek to pursue a policy that involves minimal change, whereby the Prime Minister, following consultation with the First Minister in Scotland and the First Minister and Deputy First Minister in Northern Ireland, will make suggestions on appointments to Her Majesty. Concerns have been expressed that that formalises a process that gives the Executive undue influence in judicial appointments. If judges can be appointed by the Executive in that way, there is a question about their overall independence.

I commend to the Minister the proposals made in response to the Government's consultation by the Law Society of Scotland, which opposes the direct line of appointment from the Prime Minister to the sovereign. It suggests that the chair of the Judicial Appointments Board in Scotland, the Commissioner for Judicial Appointments for Northern Ireland and the chair of the Commission for Judicial Appointments in England and Wales, together with three supreme court judges, should be appointed as members of an appointments panel. My initial concern about that proposal was that it might tend to continue the self-perpetuating appointment of small "c" conservative men by small "c" conservative men, but, in fact, if one applies to that process the Nolan principles of openness and transparency, there is a great deal to be said for it. It balances the need for independence on the one hand with the obvious need for that degree of transparency that we now seek in all public appointments. If the three supreme court judges were, as a matter of fact, if not of law, drawn from each of the jurisdictions in the British Isles, we would have on the appointments commission two members from Scotland, two from England and Wales and two from Northern Ireland. That would go some way to addressing some concerns that have been expressed

[Mr. Alistair Carmichael]

north of the border and, no doubt, in Northern Ireland that the proposed system will, in effect, be an English court.

The important question of the constitutional matters that might come before the supreme court is not properly considered by the Government's consultation paper. When one speaks of a supreme court, one of course immediately brings to mind the model in the United States, where the Supreme Court exists primarily to adjudicate on questions of constitutional propriety. However, there is now a very strong case for saying that a stronger role could be given to the judiciary in the United Kingdom, especially in respect of the implementation of human rights legislation.

At present, Acts of the Scottish Parliament can be struck down by the courts on the ground of their non-compliance with the Human Rights Act 1998, whereas Acts of the UK Parliament can only be made the subject of a guidance note advising of a lack of compliance with the 1998 Act. That is an obvious difference between the two systems. To my mind, the 1998 Act introduces to United Kingdom law, probably for the first time, the notion of a hierarchy of legislation. The idea that ordinary legislation, if I may call it that, can be struck out by human rights legislation is fairly novel, especially to the constitutional practices and theories that have been followed south of the border.

The proposed supreme court is of huge importance, as it would represent a significant shift in the balance of power between the judiciary on one hand and Parliament and the Executive on the other. It requires more substantial and careful consideration than it has so far been given with the somewhat rushed nature of the consultation. At the same time, however, the measure is necessary. If it is not in the Bill to be introduced early next year, it will almost certainly be in a Queen's Speech two, three or four years down the line—or at some stage. There is an inevitability about it. The fact that an Act of the Scottish Parliament can be struck out by a court puts a foot in the door. If we go down that road, however, the power that we give the judiciary must be very carefully prescribed and defined. It is a missed opportunity that the Government's consultation process does not allow that to be done in the time scale set.

The other point of some significance for me as a Scot is the current practice whereby devolution issues come from Scottish courts to the Judicial Committee of the Privy Council. Like many Scottish lawyers, I viewed that with great suspicion at first because, in effect, it brought Scottish criminal cases within the jurisdiction of a court in London, which had never been the practice hitherto. However, having observed it for the past six years, I have to say that it has worked well.

None the less, the Government should exercise caution before they move from a position in which such cases go to the Privy Council to one in which they are placed under the jurisdiction of the supreme court. The Minister may be aware that Lord Hope of Craighead made a very good point in his evidence to the Select Committee: there is a degree of flexibility in the composition of the Judicial Committee of the Privy Council that allows extra, almost ad hoc, judges to be imported from north of the border to sit on such cases. That arrangement has worked exceptionally well. As things stand, the supreme court would not have that degree of flexibility. For that reason if for no other, the retention of devolution issues within the Judicial Committee of the Privy Council is devoutly to be encouraged.

A number of items of Scottish business arise from consideration of a supreme court. I am interested in the view of Lord Hope of Craighead on one matter, and I will be very interested to know what advice the Minister has had on it. I quote from Lord Hope's answer to question 300, which is on page 13 of the transcript of evidence to the Select Committee, which I understood was to be placed in the Library or the Vote Office. He says that

> "the whole issue of Scottish participation in the new court is a matter which is devolved, because, if you look at Section 126 of the Scotland Act, the whole of Scots private law and criminal law is a matter for the Scottish Parliament unless it touches on reserved matters. That suggests to me that what we are talking about, when we are talking about a final court of appeal in Scottish cases, is an amendment of the Court of Session Act, which is a Scottish Act, which really is under the supervision of the Parliament. Certainly it will be dealt with by a Sewel motion, which would require a vote in Edinburgh, but the ideal position would be for the matter to be debated fully by the Members of the Scottish Parliament."

Does that coincide with the Minister's understanding of the situation? Does the measure constitute an amendment to the Court of Session Act, and will it be taken from the Scottish Parliament by way of a Sewel motion, or dealt with by the Scottish Parliament under its own powers? The Minister may wonder what will happen to the Government's time scale if the Scottish Parliament declines to pass such a Sewel motion. I find it more than slightly alarming that we have reached the middle of December and an issue of that fundamental importance does not appear to have been dealt with, at least in public.

Lord Hope of Craighead also raised several practical considerations—I hesitate to call them objections. He made the point that situating a supreme court close to the Strand and the Inns of Court would send a rather poor message to those of us who are not subject to the law of England and Wales, as it would appear somehow to subsume Scottish business within the greater mass of English and Welsh business. Given the difficulties experienced by my colleagues in Edinburgh, I hesitate to suggest the creation of a new building, but there is a lot to be said for keeping the supreme court closer to this place than to the Strand, and wherever it is, it should not be seen as an adjunct to the English and Welsh system.

Mr. David Heath (Somerton and Frome) (LD): Would my hon. Friend consider the Middlesex guildhall, a building close to here, an appropriate place, given that it would symbolise proximity to the UK Parliament?

Mr. Carmichael: I shall not get drawn into a debate on the relative merits of different buildings at this stage. Apart from anything else, besides the Palace of Westminster, its surrounding satellites and my flat in Kennington, I do not really know many buildings in London, such is the nature of the life that we lead, but I am sure that the Middlesex guildhall is delightful.

In passing, I wonder why the supreme court has to be in London at all. Why are we pulling yet another aspect of Government business into London? I am sure that Manchester, Birmingham, Edinburgh, Belfast or Cardiff could easily provide suitable facilities. Why should there be an assumption that the court comes to the capital? I merely float that idea, but if we are to start with a blank sheet of paper—apparently we are—why not take advantage of that? If we are looking for value for money and best value, as we are encouraged to do, surely best value would be found in the property market elsewhere in the country.

Substantial concern has also been expressed about the proposed administration of the supreme court by the Court Service of England and Wales. That would be an unfortunate signal to send to the rest of the country. Again, if the court is to be seen as truly independent, it has to be independent in all its structures. It would be a missed opportunity if the supreme court were seen to be dependent on the court system in England and Wales.

I turn to the question of the business that would be justiciable by the supreme court. At present, all civil cases relating to statute or Scottish civil law can go from Scotland to the House of Lords; there is no right of appeal to the House of Lords on criminal matters. Devolution issues can be taken to the Judicial Committee of the Privy Council. We should perhaps consider the matter afresh. My gut instinct is to say that the present arrangement works pretty well. I do not favour the repatriation of common law civil cases to the Court of Session in Edinburgh; that is unnecessary and undesirable. Taking statutory law but not common law cases to the supreme court artificially divides the law and is unhelpful.

Interestingly, some thinking north of the border says that there is a case for taking Scottish criminal cases to the supreme court on appeal. I can see some advantage to that, but I remain to be convinced that Scots criminal law, which is a much smaller branch compared with the totality of Scots civil law, could survive being subsumed in that way. The principles of Scots civil law are broadly similar to those south of the border, particularly in relation to cases that go to the House of Lords, which tend to be the larger commercial cases. In an article in *The Scots Law Times* on 31 October, Professor George Gretton described the procedure as

"a mere historical anomaly that few would seek to defend."

However, it is an historical anomaly that has worked rather well. I would not close the door on bringing appeals from criminal cases to the supreme court, but I would require further persuasion. That is another issue that might have been considered by a fuller and lengthier consultation period, but it will not be done properly now.

I am aware that others wish to speak. I am pleased that we are at last seeing some meaningful reform of the conduct of judicial business within the House of Lords. I hope that the Minister will take it from one who is broadly supportive of the Government's aims that there are big issues to consider and there are still opportunities to do things better.

Mr. Dominic Grieve (Beaconsfield) (Con): *rose—*

Sir Nicholas Winterton (in the Chair): Order. I see the shadow Attorney-General rising. It is not entirely appropriate for him, as an Opposition Front-Bench spokesman, to participate in the debate.

Mr. Grieve *indicated dissent.*

Sir Nicholas Winterton (in the Chair): I have the hon. Member for Rutland and Melton (Mr. Duncan) down to speak for the Opposition. Clearly, the shadow Attorney-General can intervene, but, prior to taking further advice, I am not prepared to call him in the debate.

Mr. Grieve: On a point of order, Sir Nicholas. I ask you to take advice, because I wish to participate in the debate. I shall stand corrected by any ruling you may give, but my understanding is that, as a Member, I am entitled to participate, and I wish to do so.

Mr. Alan Duncan (Rutland and Melton) (Con): Further to that point of order, Sir Nicholas. It may assist you in appreciating the structure of the Opposition Front-Bench team if I were to explain that I am the official spokesman on this issue. Given the fluid structure of the Opposition, my hon. Friend the shadow Attorney-General would speak as if from the Back Benches. Therefore, I trust that you will see fit to call him, as I am the official Opposition spokesman for the purpose of this debate.

Sir Nicholas Winterton (in the Chair): The hon. Gentleman is always extremely courteous, but what he has said about how the Opposition organise their Front Bench is not the business of or a matter for the Chair. I shall take further advice, but I intend now to call the hon. Member for Perth (Annabelle Ewing).

9.56 am

Annabelle Ewing (Perth) (SNP): Thank you, Sir Nicholas. I am pleased to be called to speak in this debate. I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing this extremely important debate, which neither the UK Government in London nor the Government in Edinburgh appear to want to have in their own time—at least, not to date. I am not entirely sure whether I am required to declare an interest, but I am a qualified Scots lawyer and, hence, a member of the Law Society of Scotland.

Mr. Carmichael: I believe that the hon. Lady is required to make such a declaration. Perhaps I, too, should have made such a declaration, but I did not because I do not hold a practising certificate, although I am an enrolled solicitor.

Sir Nicholas Winterton (in the Chair): The hon. Gentleman's courtesy is noted.

Annabelle Ewing: I felt that I should make that declaration, as I do hold a full practising certificate, although I am not practising at present.

[Annabelle Ewing]

I also join the hon. Member for Orkney and Shetland in noting with some astonishment and, indeed, dismay that no Scotland Office Minister is here today, nor is the Advocate-General for Scotland or any Scottish Labour Back Bencher. That speaks for itself and for their commitment to uphold the integrity of Scots law.

As far as Scotland is concerned, the proposals for a supreme court represent a missed opportunity to end the 18th century anomaly whereby final appellate jurisdiction in civil cases in Scotland lies south of the border. As we have heard, the final appellate jurisdiction over Scots criminal law, leaving aside the particular instances of devolution cases, lies with the High Court of Justiciary in Scotland and not, thankfully, the House of Lords. Therefore, the question must be posed as to why in post-devolution Scotland the final right of appeal in civil cases should lie south of the border.

Both the announcement and the substance of the proposals to create a new supreme court with jurisdiction in Scotland attracted fairly strong criticism from those in senior legal circles in Scotland. Of course, the announcement followed the Prime Minister's botched reshuffle in June and was preceded by no consultation whatever with the Scottish First Minister, Scottish Executive Ministers or the Scottish Parliament. I raised the matter in a point of order in the Chamber on 1 July and argued that that cavalier approach to Scots law showed breathtaking contempt on the part of the Prime Minister towards the Scottish Parliament and democracy.

On the lack of prior consultation, Scotland's estimable First Minister said simply that there was "absolutely no reason whatsoever" for the Prime Minister to have consulted him on such a major constitutional change. That speaks volumes about the limited length to which the estimable First Minister is prepared to go to stand up for the Scots legal system and the interests of his country.

Mr. Grieve: The hon. Lady will appreciate that the First Minister was in good company. The Secretary of the Cabinet was given 20 minutes' notice of that proposal, the Lord Chief Justice of England and Wales was not informed about it and no member of the judiciary was informed—nor were the Law Officers.

Annabelle Ewing: I thank the hon. Gentleman for his intervention. He is correct in saying that the way that the proposals were dealt with—their announcement and the prior consultation—was a disgrace. I hope that the Minister will reflect on that in his winding-up speech.

Many concerns have been raised by senior legal figures in Scotland on the substance of the proposals for a UK supreme court. The hon. Member for Orkney and Shetland referred to Lord Hope of Craighead—a senior Scottish Law Lord—who raised serious concerns at the outset about whether the proposals would fall foul of the treaty of Union of 1707. Those concerns were raised in the light of the fact that Scottish cases could be heard on appeal south of the border only in a court that was entirely separate from the English legal system.

As the Minister will be aware, that key issue was the nub of the response by the Faculty of Advocates in Edinburgh to the Department for Constitutional Affairs consultation paper. The Faculty of Advocates concluded that the proposals were both unconstitutional and unlawful in their present form. That conclusion has been widely regarded in Scotland as a devastating critique of the proposals and was based on the fact that they did not meet the requirements of the Act of Union. Indeed, they contain no provision for the new supreme court to be run, administered and—importantly—funded separately from the DCA, which is also responsible for the administration of legal services in England and Wales. That is the key issue—the nub of the matter.

The Government may not have realised initially that the treaty of Union of 1707 had implications for their proposals. They may not have been aware of that issue—indeed, they may prefer to regard it as unimportant—but it remains the key constitutional matter regarding the application of the proposals to Scotland. Aside from the constitutional implications, that raises the question whether the proposals would be in breach of the Act of Union if they go ahead in their current form, which is the view of senior legal figures in Scotland. What validity would a judgment handed down by that new body have in Scotland, when the Government have clearly breached the founding constitutional document setting up the Union between Scotland and England? The fact that the UK Government and the Government in Edinburgh do not appear to have grasped that key constitutional dilemma is difficult to fathom and alarming.

I had the great pleasure of attending the Scottish Grand Committee on 12 November 2003, along with the hon. Member for Orkney and Shetland, whom I hear muttering. Nevertheless, it is always a pleasure to attend that Committee. During that sitting, the Secretary of State for Scotland replied to the debate on constitutional arrangements for Scotland. I shall quote the whole of his enlightening statement:

> "The question of who pays for the supreme court and whether the money comes through the Department for Constitutional Affairs would, perhaps, be of extreme interest in a rarefied debate in the Court of Session, or somewhere similar. In practical terms, however, for money to come to a particular organisation, it must go through one Department or another. There is no escaping that."—[*Official Report, Scottish Grand Committee*, 12 November 2003; c. 25.]

That statement, by no less a person than the Secretary of State for Scotland, reflects a breathtaking lack of understanding of the key constitutional issues involved. Thank goodness that, in the absence of the Government, we in Scotland have defenders of the integrity of Scots law and strong voices in the legal profession that are prepared to stand up and be counted.

For the record, we in the Scottish National party are in favour of the general principle of the separation of the judiciary from the Executive and legislature. Of course, as democrats, we are also in favour of a written constitution and a Bill of Rights for our citizens.

As far as Scots law is concerned, the proposals represent a missed opportunity. The renowned and well-respected professor of Scots law at Edinburgh university recently described the present system of sending final civil appeals to the House of Lords as "crazy". He went on:

> "I've always thought that civil appeals should be decided in Scottish courts . . . A UK supreme court should only be for constitutional issues."

That quote was taken from the *Holyrood* magazine of 6 October 2003. I entirely agree with Professor Black's statement, with the proviso that, on Scotland's regaining the normal status of independence, the UK supreme court will have no writ whatever over constitutional matters or anything else in Scotland.

In conclusion, in post-devolution Scotland, the 18th century anomaly of final appellate jurisdiction in civil cases lying south of the border should be brought to a timely close.

10.6 am

Mr. David Heath (Somerton and Frome) (LD): I congratulate my hon. Friend the Member for Orkney and Shetland (Mr. Carmichael) on securing this debate, which is a valuable curtain-raiser to the Government's proposals. Oddly enough, we have not yet had the opportunity to debate them either on the Floor of the House or in Westminster Hall. Clearly, there are some big issues on which we should at least express some view before we move to legislation, which, I suspect, may not be far away in the new year.

In constitutional terms, nothing could be more significant than the Government's proposals for the supreme court. I suspect that that was lost on the Prime Minister when he made the initial announcement; things were not thought through. A matter of such importance should not be essayed on the back of a rather botched reshuffle and the need to move one Secretary of State into another role.

My hon. Friend the Member for Orkney and Shetland started the debate in a high tone of academic brilliance—as is his habit—with a reference to Montesquieu. He is quite right that the concept of the separation of powers, although not explicit in the British constitution as it is in the constitutions of other countries with comparable jurisdictions, is nevertheless a theme that has been well understood by jurists, politicians and the general public. That makes anomalous the position in this country, where a single individual sits as a member of the Cabinet, the Executive and the legislature and as head of the judiciary. That point has been raised many times.

My hon. Friend said that on the whole that system has worked okay. I am inclined to agree, although, in history, there have been many examples of Lord Chancellors who were anything but impartial in their political outlook and in the actions that they undertook. At times, the post has thrown the question of the role of the Lord Chancellor into very sharp relief.

Mr. Grieve: Will the hon. Gentleman give way?

Mr. Heath: I give way to the hon. Gentleman, who has returned to the Back Benches, although I hope not on a permanent basis.

Mr. Grieve: I thought that I was on the Back Benches anyway, because I did not think that this Chamber had a Front Bench and Back Benches as Committees do.

Does the hon. Gentleman agree that, in the past 50 years, no questions have been raised about the impartiality of judicial appointments made by Lord Chancellors, whether they are from one party or another?

Mr. Heath: I am inclined to agree. I am trying to remember whether there have been problems with judicial appointments, but I do not believe that there have. However, that does not alter the fact that it is a constitutional anomaly—I would say, to use the mildest terms, a constitutional outrage—to have that mixing of roles in the Cabinet embodied in the present post of Lord Chancellor. We have argued that for a long time. Indeed, we have argued that case in the face of blank rejection from the Government in previous years. I recall several occasions on which the point was put to Ministers occupying the post held by the Under-Secretary of State for Constitutional Affairs, the hon. Member for Shipley (Mr. Leslie), only for it to be met with the blank assertion that all was well and the Lord Chancellor right. It is difficult to reconcile that with the present policy direction, but I welcome the change in tone.

If the Government are right in principle, why have they made such an unholy mess of the process, which, frankly, is what they have done? This fundamental reform to our constitution and legal system has been introduced in such a manner that it has caused the maximum upset, disagreement and loss of confidence. That is extraordinary.

My hon. Friend the Member for Orkney and Shetland concentrated, for obvious reasons, on some Scottish aspects of the proposals. That is the right thing to do from his point of view, and he will forgive me for not being as expert in those aspects as he or the hon. Member for Perth (Annabelle Ewing). I agree that it is odd that the Advocate-General for Scotland did not feel that examining this matter might be a profitable use of her time. I know that she is busily engaged in her duties; we regularly discover that at Advocate-General's questions. However, I had hoped that she might spare a little time from her busy day to understand more fully the concerns of hon. Members about the Scottish aspects of the supreme court.

There is a fundamental issue. Is this going to be a supreme court of England and Wales or a supreme court of the United Kingdom? The Government's proposal is that it will be a supreme court of the UK. If that is the case, why were discussions not opened at an early stage to examine the consequences for Scotland? Scotland has a separate legal identity and system. If the supreme court is established, it will have an appellate function on matters that come in some instances from the High Court of Justiciary and in others from the Court of Session, but it is unclear whether that can be effected without primary legislation being passed in the Scottish Parliament. I tend to the view that that will be needed. If so, it surely would have been better to examine those consequences in depth before embarking on over-hasty legislation.

That haste is at the core of many objections that have been raised. It is deplorable that splits have now occurred among the Law Lords on this issue: it is sad that the Government have been unable to take with them the highest echelons of the judiciary in England and Wales or in Scotland or in Northern Ireland. One of the first problems was the haste to which the hon. Member for Beaconsfield (Mr. Grieve) referred. The Lord Chief Justice was not consulted before the proposals were brought forward. It is deplorable that the Lord Chief Justice was not given the opportunity of expressing a view on those matters before they were announced. Indeed, as we recall, the original

[Mr. Heath]

announcement was that the Lord Chancellor's post no longer existed. A few hours later, we discovered that it did, because otherwise the House of Lords could not sit. So we have the spectacle of the Secretary of State for Constitutional Affairs having to don a wig and sit on the Woolsack in the full post of the Lord High Chancellor, despite having disavowed it only a matter of hours earlier.

Mr. Grieve: Let me enlighten the hon. Gentleman further; there was a famous e-mail in which the Lord Chief Justice, on hearing what happened, told his brother judges that he felt that, in the circumstances, he had to take over as head of the judiciary. When that reached the Secretary of State for Constitutional Affairs, as he then was, he was rather upset, and said, "No, no, no; I'm still head of the judiciary." It was only at that point that the Secretary of State decided that it was inevitable that he would have to maintain the title of Lord Chancellor. That is the extent to which the Government have messed up the system through complete arrogance and lack of consultation.

Mr. Heath: I tend to agree. It reminds me of the shooting of President Reagan, and of Al Haig not being able to decide whether he was in charge of the country. He first said that he was, and then that he was not. The matters that we are discussing do not have quite the same consequences for the freedom of the western world, but it is none the less important to decide who is in charge of the judiciary.

I do not accept the second argument against the supreme court, which is simply one of reaction. It is the view that everything works okay so we have no need to reform or change—a traditional Conservative position. The role of the Lord Chancellor was unacceptable, and I see great merit in a supreme court. I would not die in a ditch to preserve the term of Lords of Appeal in Ordinary. If one were to ask average citizens what a Lord of Appeal in Ordinary was concerned with, they would have some difficulty in identifying the fact that the title referred to the supreme appellate court of England and Wales—and of the United Kingdom, in some cases. The term "supreme court" is not new, of course; in fact, there is a question about what we do with the existing supreme court's nomenclature: it is, of course, the higher court in England and Wales. Nevertheless, there is a strong argument for moving forward.

There is a more substantial argument about judicial independence, and that has to be grasped. Under the proposals, the role of the Lord Chancellor as the underwriter of judicial independence in the Cabinet has effectively been lost, and that has to be replaced, whether by statute, as I attempted to do through amendments to legislation in the last Session, or by other means. We have to ensure, in the absence of a written constitution, that the concept of judicial independence is clearly delineated. It is just too easy for senior Ministers to get on their high horses and start judge-bashing—they do it with monotonous regularity—and undermining the concept of judicial independence.

A less valuable argument is that judges rather like sitting in the House of Lords. I noted the references to Lord Hope of Craighead and his evidence; he thought it was rather a good idea to mix with the common people in the House of Lords to gain life experience. I do not think that that is a good enough reason. There is an argument for what we have—an appointed part of the House of Lords—although I hope, for heaven's sake, that we do not continue to have that because I would like an elected second Chamber. However, if we have an appointed section, there is a case for making sure that retired Law Lords or lords from the supreme court are appointed, because the value of their judicial experience is evident. There is no obvious reason why a sitting judge should be a Member of our second Chamber.

I must draw my remarks to a close, but there are still a number of unanswered questions about the appointments system. I am concerned that the Government are attempting to preserve an influence in the appointment of the judiciary that their rhetoric suggests they wish to remove. That needs to be looked at closely.

There is the issue of funding the supreme court. I agree that it should have independent funding, and I believe that that has to be ring-fenced from the generality of English and Welsh courts. I particularly take the point made by Scots colleagues that, if it is to be a wholly owned subsidiary of the courts of England and Wales, it will have less value as a supreme court of Scotland.

Premises are important, and the betting seems to be on Somerset house. There are various reasons why that is not the ideal solution. I had not appreciated the strength of feeling in Scotland against placing the supreme court so clearly within the purview of the English and Welsh court system because of its proximity not only to the Royal Courts of Justice, but to the Inns of Court. As a genuine suggestion, I believe that the Middlesex guildhall would be a suitable place; it looks out across Parliament square at the Houses of Parliament, yet it represents the independence of the judiciary. I hope that that suggestion will be seriously considered.

Lastly, there is the question of the Judicial Committee of the Privy Council. I do not accept that it must be preserved simply as a last court of appeal for those countries in the Commonwealth, principally, to which we provide that service. Logic suggests that if we have root-and-branch reform, we should lose it, gain a single appellate body—the supreme court—and make it available to other people. We must take into account the suggestion for a panel of judges that can support the supreme court in matters of Scots law, where appropriate, and on matters involving jurisdictions that look to Britain for their final court of appeal.

The problem is that we have a rushed proposal with huge consequences that has not been thought through. It emanated from a Prime Minister who was trying to carry out a reshuffle on the back of an envelope rather than considering the constitutional round and putting forward sensible proposals that we would support. In its present form, we have serious questions about it.

Sir Nicholas Winterton (in the Chair): Before I call the next speaker, may I help the House? First, I apologise for the rather confused structure of this very important debate in Westminster Hall. There has been a lack of communication between the authorities in the House, resulting in this important debate taking place when the Constitutional Affairs Committee is meeting upstairs. I hope that the authorities will take note and ensure that it does not happen again. I am sure that the Minister will take that on board.

Secondly, in so far as Members can sit where they like here, this is a more informal Chamber than the main Chamber of the House. Perhaps the atmosphere is less confrontational, but I must say to the hon. Member for Rutland and Melton (Mr. Duncan) that the rules of the House apply in Westminster Hall as they apply in the House. In the House, we do not have two Front-Bench spokesmen. Quite exceptionally, because of the time that is available, and without setting any precedent, I am prepared to call the hon. Member for Beaconsfield (Mr. Grieve) as a Back-Bench Member to participate in the debate.

10.24 am

Mr. Dominic Grieve (Beaconsfield) (Con): Thank you, Sir Nicholas. It was not my intention to sow confusion on proper procedure. However, if this situation helps to clarify matters, it will have been helpful.

One merit of the post that I hold in my party is that I am asked to engage in independent thinking; I thought it might therefore be useful if I were to participate in the debate. The subject is of interest to me, as a practising barrister; however, I am also a pragmatist. If somebody were to propose to me that improvements could be made to the judicial system, I would be prepared to listen and, as it might turn out, to work with the Government to try to achieve a satisfactory outcome.

The proposals we are discussing started off in a most extraordinary fashion—extraordinary because of the way in which the Government launched the reform as a diktat back in the summer. They pronounced on the form that they wanted, did so without any prior consultation or warning, including with those parties most intimately connected with the situation, and tried to implement the proposals in a way that was total nonsense: they were impossible to implement because the post of Lord Chancellor could not be abolished without primary legislation. Serious questions were raised about the underlying motive behind the Government's proposals.

I listened carefully to the hon. Member for Orkney and Shetland (Mr. Carmichael) and I congratulate him on prompting this debate and, in particular, on his comments about Scotland. From his participation in debates, I know of his expertise. He raised important issues that we are going to have to consider. I hope that he will forgive me for widening the scope a little to one or two other matters.

The hon. Gentleman started by referring to the doctrine of the separation of powers and Montesquieu. As I am half French, I have some interest in that doctrine. Constitutionally, I do not believe that it has ever existed in this country. It is a philosophical principle that has been widely adopted on the continent and that undoubtedly commands and deserves respect. It is something that we must take into account in deciding what arrangements to have here. However, it is worth pointing out that in the country where Montesquieu lived, wrote and died, and where his maxims are applied as far as possible, it is the unfortunate truth that, far from the public perceiving that there is a true separation of powers between the judiciary and the Executive, there is a widespread perception that the Executive can influence judicial decisions.

In a country that, on the face of it, has put the relevant structures in place, not a week goes by without the newspapers reporting instances of examining magistrates having been placed under improper pressure during their conduct of investigations in a judicial capacity. There are also allegations that the French court system comes under political influence. I make that point because we need to contrast it with the bizarre, archaic, curious system that we have in this country. I have never come across allegations of political bias against the judiciary in this country, especially the higher judiciary, about the way in which they make their decisions, notwithstanding the fact that the Law Lords sit in an assembly.

I read what the Government had to say in their reform document. The preamble—I always pay some attention to preambles—is a woolly piece of writing. For example, it says:

> "The considerable growth of judicial review in recent years has inevitably brought the judges more into the political eye. It is essential that our systems do all that they can to minimise the danger that judges' decisions could be perceived to be politically motivated."

The growth of human rights legislation makes almost inevitable the risk of political motivation being attributed to judges being realised. That will continue irrespective of whether there is an Appellate Committee of the House of Lords. We have a lot of evidence already that, with the changes to Kilmuir rules, judges are being obliged to speak out more frequently and to justify their decisions. That worries me; I am not sure that it is desirable. If I had to choose between that and a senior judiciary whose members have the ability occasionally to participate, with great restraint, in debate in the House of Lords, I would prefer the old arrangement.

The Government then tell us in the preamble:

> "It is not always understood that the decisions of the 'House of Lords' are in practice decisions of the Appellate Committee and that non-judicial members of the House never take part in the judgments."

I have to say to the Minister: come off it. I have never heard it suggested that decisions taken by the Appellate Committee are taken by the House of Lords generally. That is a fantasy, yet it is the fantasy that underpins the preamble on which the Government build their arguments.

Towards the end of the preamble, the following statement is made:

> "In proposing that the time has come to change these arrangements, no criticism is intended of the way in which the members of either Committee have discharged their functions. Nor have there been any accusations of actual bias in either the appointments to either body or their judgments . . . The arrangements have served us well in the past. Nonetheless, the Government has come to the conclusion that the present position is no longer sustainable."

I am prepared to accept that it is no longer sustainable, but I need more persuasion than is contained in this document that that is the case.

[Mr. Dominic Grieve]

What will be the consequences of the proposals? The House of Lords might be turned into a supreme court. The expression "supreme court" is wrong, and I think that the Government are halfway to acknowledging that. We cannot have a supreme court in this country because the court system is not the supreme body, as is the case in the United States. If a supreme court exists anywhere, it is in this Parliament. If the Law Lords are set into a separate body and are unable to take their seats in Parliament, the cross-fertilisation between them and senior Members of the legislature will be lost. I suspect that that is one of the ingredients that has made the independence of the judiciary from the Executive so successful in this country.

What mechanisms will be put in place to ensure that that independence can continue? The risk to the judiciary's independence comes not from the legislature but from the power of the Executive, who manipulate the media by making hostile pronouncements on judicial decisions that are intended to influence the judiciary thereafter. The great protection that the judiciary has always had in that respect comes from the office of Lord Chancellor, because he takes the judge's oath and he is a judge within Government. It is a unique institution that has served this country very well. The office of Lord Chancellor might need to be reformed: if he does not sit as a judge but still takes the judicial oath, the independence of the judiciary would be strengthened, whereas the Government's proposals raise a great fear that it might be weakened.

Cost is a small matter in the context of the totality of the Government's proposals. I accept the comments of Lord Bingham of Cornhill that the Law Lords are under-resourced. Apart from judicial salaries, they cost about £600,000 a year and recoup £400,000. In administrative terms, therefore, the cost to the taxpayer of this extraordinary court with a worldwide reputation is £200,000 per annum.

One thing we can guarantee—everything might be shoved off to Somerset house. I can tell the hon. Member for Somerton and Frome (Mr. Heath) that Middlesex guildhall has already been ruled out. My understanding—the Minister might tell me more about it—is that Middlesex guildhall is a grade I listed building and its main court would have to be changed, because as currently constituted it is wholly unsuitable for the Appellate Committee's sittings. The hallmark of the Appellate Committee is that it has informality. The Minister might not have been to have a look at Middlesex guildhall, but I assure him that its main court has everything except informality; it is a very grand room. Therefore, there are cost implications. We are entitled to know whether we are going to get value for money, or whether we will spend £50 million on building a new court complex with many hundreds of thousands of pounds of running costs.

If the Government want to introduce changes that command widespread acceptance, they must start arguing from basic premises about the basic philosophical ideas underlying the proposals. Saying, "We have an idea and you can provide a few steers on the detail," is not enough. I am unconvinced of the need for the changes, although I am open to be convinced. However, one thing is clear: a system that has served us very well for a long time does not need to be changed overnight—there is no urgency. If the Government would like to start the process properly, we might end up with a satisfactory outcome.

10.35 am

Mr. Alan Duncan (Rutland and Melton) (Con): Sir Nicholas, thank you for your earlier guidance on how this Chamber works. It showed the confusion that can arise when established practices are disturbed and was a microcosmic and useful example to us in our debate today.

All of us thank the hon. Member for Orkney and Shetland (Mr. Carmichael) for securing the debate. It was mentioned earlier, and all hon. Members can see, that the proposal for a supreme court was born of a botched reshuffle. It came out of the blue—none of us knew that it was coming. It is as if the Government were forced to make the proposal by accident, on the back of ill thought out proposals for the reform of the upper House. Although the Government's stated objective is to make the upper House more democratic and representative, perversely they want to appoint all its Members and, doubly paradoxically, they want to remove the Law Lords.

There has been no debate. There is no consensus. As a former Law Lord said in *The Spectator*:

> "I can understand the argument that the Lord Chancellor as a member of the executive should not sit as a judge"—

incidentally, we Conservatives can, too—

> "But I can see no reason at all why the law lords, who are not members of the executive, should not sit as members of the Upper House."

The Liberal Democrat view was expressed in the upper House by their spokesman Lord Goodhart, who said, as if with a flick of the hand, that the proposals would

> "do no more than put an end to what is now an historic anomaly."—[*Official Report, House of Lords*, 8 September 2003; Vol. 652, c. 129.]

His analysis is wrong. The present arrangement is, perhaps, anomalous in some respects—although I would challenge that—but it is fundamentally wrong to say that the proposals would simply put an end to that anomaly and formalise the position. In fact, they would do much more.

Perhaps across this horseshoe Chamber there is a fundamental political difference in our approach to change. For a socialist, a clean sheet of paper and abstract thinking are permissible. A conservative, however, prefers evolution, rather than revolution, in any change that we oversee. We believe in tests of practicality, rather than mere conformity to abstract thinking, and although we are always happy to make changes, we prefer them to be made gradually. Teachers have commented on many a student's great proposals by saying, "Well, that might work in theory, but it does not work in practice." The House of Lords and the existing judicial system work in practice, but not in theory. We regard that as an adequate reason for retention.

The proposed changes are based on a flawed concept. The hon. Member for Orkney and Shetland and my hon. Friend the Member for Beaconsfield (Mr. Grieve) touched on that. They made a distinction—which exists—between the independence of the judiciary and the separation of powers. However, there is confusion in this debate around the Government's defence of their reforms. Although they claim that the changes are about the judiciary's independence, they deploy arguments about the separation of powers. Let me quote a Law Lord, Lord Hobhouse of Woodborough, who encapsulates so much of our thinking in two paragraphs:

> "It is important not to confuse the United Kingdom's constitutional principle of the independence of the judiciary with the United States of America's principle of the separation of powers."

One might mention Montesquieu at that point. Lord Hobhouse continues:

> "The latter is a doctrine based on a mistaken analysis of the British constitution developed by French thinkers in the 18th century. It involves the complete and balanced separation of all three branches of Government—the Executive, the legislature and the judiciary—from each other. Thus in the United States, the President and other members of the Executive are debarred from being members of the legislature whereas in the United Kingdom the position is the reverse. It is the serious flaw of the Consultation Paper that insofar as it adopts any constitutional principle, it appears to choose the doctrine of the separation of powers not the independence of the judiciary."

As such, the entire project is, intellectually, profoundly flawed. Lord Hobhouse says:

> "It is convenient, at this stage, to mention"

a matter that has

> "been used to justify the proposal and . . . shaped some of the questions asked."

That is

> "the level of public understanding of the existing structure. The general public are often ignorant of the structure of the court system and, in particular, by the terminology used. Some still believe that an appeal to the House of Lords is determined by the political peers. If this is the cause of the Department's concerns, the correct solution is clear and long overdue. There should be a better education, and dissemination of information, concerning the British constitution. This lack of knowledge and the solution lie in the hands of the Executive and are not a reason for introducing potentially damaging constitutional changes."

So says Lord Hobhouse, even though our young, vibrant and no doubt intellectually acute Minister jeers.

Another aspect of the argument is supposedly the untenable position of the Lord Chancellor. One argument subliminally deployed but never properly put is that his having multiple roles is somehow inconsistent with the convention on human rights. I contend that that is not true. It is the responsibility of the Minister to challenge my contention if he believes that I am wrong. The Lord Chancellor sits in a judicial capacity extremely rarely. It has never been suggested formally that that contravenes the convention on human rights. In any event, it would be part of the Conservative party's proposals that the Lord Chancellor, while retaining his existing position, should cease to sit in any judicial capacity.

Far worse than any supposed conflict now is the danger that may lie ahead if the Government's proposals go through. Ultimately, it is what they are proposing rather than anything that exists now that could lead to the politicisation of the judiciary. At the moment, it has a reputation of total independence. Paradoxically, that independence is well guarded by the Lord Chancellor in his peculiar hydra-headed role. If anyone doubts that, I ask— the Government may be slightly uncomfortable about this—that if we want an inquiry, to whom do we turn first but a judge? That is because of judges' well-established reputation of independence, which by the middle of January the Government may have cause to regret.

What could really politicise the judiciary are the notions that the Government embrace in their criteria for appointment. They say that judges must be representative—not a judicial notion, but a political one. I shall paraphrase an argument put in another place by Lord Mayhew. He said that he did not want his surgeon to be representative and did not care about his background; he wanted him to be good at cutting him up and sewing him back up again. So it is, in a slightly different professional capacity, with a judge. Judges are not there to be representative; they are there to apply and interpret the law. The Minister scoffs at that, but he has to put a clear argument as to why judges have to be representative; merely sneering at my argument will not suffice.

I alluded to the Liberal Democrats' view. Essentially, they argued in another place that the proposals are simply about removing an anomaly and giving the judiciary good facilities. However, let me quote from an interesting article in the *Financial Times* that cites his honour George Dobry:

> "The only practical reasons for the immediate abolition of the appellate committee of the House of Lords are that its position as part of the House of Lords has 'inevitably limited the resources that can be made available to it'".
>
> It is not clear what this means and there is no detailed discussion in the consultation paper of the resources that are thought to be needed. Nor is there any evaluation of the need compared with other priorities for the court service.
>
> No case is made out for treating the reform of the House of Lords in its judicial capacity as a matter of particular priority."

As my hon. Friend the Member for Beaconsfield said, the existing system costs only about £200,000 a year, net. In suggesting evolution rather than revolution, we would say that if judges need a bit more money, support and better accommodation, let them have it. What they do not need is a whole new edifice and budget under a new structure, as the Government propose. As George Dobry QC points out, there is no assessment of other competing priorities. If there is another, better priority, it is that we should have a proper commercial court in London. If the Government want to spend money on improving the court system at this level, we should have a commercial court before we have a supreme court.

The legal community is astounded and perturbed by the Government's agenda. The sudden end to the post of Lord Chancellor—albeit delayed, it would seem—an end to Queen's Counsels, a questionable system of judicial appointments and the setting up of a supreme court have caused great turmoil in the legal community. I urge that community to have the confidence to make its voice clear in challenging what the Government are doing, as many of its members are already doing. We will certainly try to pitch the debate at a higher level than has the Prime Minister, who degraded it when he said in the Chamber that the aim was to get rid of the man in tights. The debate must be pitched much higher.

[Mr. Alan Duncan]

The Prime Minister is undertaking yet another piece of what I would describe as teenage radicalism, which will give the British legal system a new building, but will not deliver better justice. The Law Lords have served this country expertly for centuries, but the Government seem prepared to restructure them and consign their existing structure to the history books. The Prime Minister seems to think that anything old is bad. He does not understand that it has probably become old because it is good. His arguments in favour of judicial independence are vacuous when that independence already exists and has done for ages. The plan will not secure the independence of the judiciary; it will lead to its eventual politicisation. We all say, spare us from that.

10.46 am

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): First, I congratulate the hon. Member for Orkney and Shetland (Mr. Carmichael) on securing the debate. I regret the fact that the House authorities did not find it possible to have the sitting of the Constitutional Affairs Committee at a time that did not coincide with this debate in Westminster Hall.

Annabelle Ewing: Will the Minister give way on that point?

Mr. Leslie: No, because I have many substantive points on which to comment. There are some significant constitutional issues and it is important that we have an opportunity to debate them completely, certainly before legislation is considered by the House.

Our proposals on the supreme court have been sent out for consultation, and the core proposals were made in the consultation paper. It stated that the Appellate Committee should be taken out of the House of Lords and set up as a separate free-standing supreme court, taking with it all its current functions; the devolution jurisdiction of the Judicial Committee of the Privy Council should be transferred to the new supreme court; and the sitting Law Lords should become the first members of the new supreme court.

The consultation paper sought views on those issues and related matters, such as whether holders of high judicial office should cease to sit and vote in the House of Lords while actively sitting as judges; whether we should take the opportunity to separate the judiciary from the legislature by removing all the judiciary from the House of Lords; the number of permanent members that the court should have; how to secure proper representation from all three jurisdictions; how to develop a transparent appointments process; what the qualifications for membership of the court should be; and whether the court should sit in panels or with all the members together on every case. I intend to address many of those points individually.

The consultation period closed on 7 November and we received more than 160 responses, which we shall carefully consider when finalising our proposals for reform. I expect to announce our final policy early in the new year. A number of those who responded, not least hon. Members here today—including the hon. Member for Somerton and Frome (Mr. Heath)—have asked what the rationale is for the creation of a supreme court, and why it is so important for us to create one now. The answer is simple: this is a modern democracy that needs constitutional arrangements that meet the demands of this century. We can no longer continue with arrangements that have evolved over such a long period and, in the case of the Appellate Committee, were largely put in place nearly 130 years ago.

Mr. Grieve: This is all fascinating, but the Minister's peroration does not explain—I am prepared to be convinced—why the present arrangements would be unworkable in future. Indeed, the Government's own consultation document does not do that, and the subject has never been debated or put to the electorate in a manifesto. Will he explain, if he can, the philosophical problem that underpins the Government's main decision, because that must be the starting point of the debate?

Mr. Leslie: I am sorry that the hon. Gentleman, unlike many other hon. Members, cannot see the glaringly obvious. If we are to ensure that our judicial system meets the requirement of independence that would be expected by any mature democracy, the blurring of judicial, Executive and legislative responsibilities must be brought to an end. That is the simple principle.

Mr. Duncan: Why?

Mr. Leslie: Saying that we need reform does not imply criticism of the Law Lords or dissatisfaction with the quality of their work. They are respected the world over for their expertise and have always acted with the utmost integrity and honesty. There has never been any question that they do not act impartially or are not objective.

Mr. Duncan: Exactly.

Mr. Leslie: Nevertheless, the Law Lords have had to find a means of dealing with the constitutional difficulties of their position, which is the point that I am trying to communicate clearly to hon. Members. The Law Lords' solution has been to impose a self-denying ordinance that they will neither speak nor vote in the House of Lords on matters that might come before them in their judicial capacity. However, is not the fact that they have to limit the extent to which they can participate in the business of legislating the clearest signal that something is wrong with the arrangements? If they feel it necessary to impose a self-denying ordinance to clarify the fact that they do not have any dealings in the legislative business of the House, it follows that the present arrangements, which allow for potential conflicts of interest, are flawed.

Mr. Nick Hawkins (Surrey Heath) (Con): This really will not do. The Minister is merely asserting things while paying tribute to the House of Lords instead of answering the question put by my hon. Friend the Member for Beaconsfield (Mr. Grieve). We are asking for the philosophical underpinning for what the Government are doing. Mere assertion is not good enough.

Mr. Leslie: I do not wish to—

Sir Nicholas Winterton (in the Chair): Order. I deplore the intervention of the hon. Member for Surrey Heath (Mr. Hawkins), who has not been here for anything near the whole debate. Furthermore, he is another Opposition Front-Bench spokesman. Without setting any precedent, I established that the hon. Member for Beaconsfield (Mr. Grieve) should speak, but I hope that the Minister will give way only to those who have been present during the debate.

Mr. Leslie: You make a fair point, Sir Nicholas. We have already heard about the fluid nature of the Opposition Front Bench. It is becoming more like liquidation as the debate goes on.

The time has come to reform our constitution and settle the anomalies that all people recognise. The Opposition look set to oppose a supreme court, as is their right, but it is vital that we make the judicial system more comprehensible and create more transparency in our institutional arrangements.

Mr. Grieve: Will the Minister give way?

Mr. Leslie: If the hon. Gentleman will listen for a moment, I shall explain my point precisely. The House of Lords Appellate Committee is, in effect, a separate court and should be openly acknowledged as such. A UK supreme court will be a far more visible and distinct entity than is the Appellate Committee. It will reflect and enhance the judiciary's independence from the legislature and the Executive. That really is the nub of the matter.

Mr. Grieve: May I take up the Minister's comment about the need for self-denying ordinances for the judiciary in the House of Lords? He is a Minister of the Crown. He is also a Member of Parliament. He must exercise a self-denying ordinance daily when he says in the House, not what he thinks or believes, but what he as a Minister of the Crown must say as part of being a member of the Government. Surely, when he considers that and thinks it through, he will immediately realise that that is no different from the position of members of the judiciary in their self-denying ordinances. It is a convention. There is nothing wrong with conventions unless it can be shown that they do not work. In this case, they do.

Mr. Leslie: It is quite clear that Conservative Members have taken it into their heads that what is proposed is some isolated separation of the powers of the Executive, the legislature and the judiciary. That is not the proposal. We have a constitutional anomaly whereby there is blurring and confusion between the judicial, the legislative and the Executive, not least in the form of the office of Lord Chancellor. It is important not only to secure the integrity of each branch of our constitution, but to have a clear and transparent system for members of the public, who need to see greater independence for our judiciary from the Executive and the legislature. That is the proposal. We do not have a proposal for an absolute, clear separation of each branch, because of course they will all always be related, but we must always have an eye to improving the independence of the judiciary. That is precisely the rationale behind our proposal to create our new supreme court.

Mr. Carmichael: Will the Minister give way?

Mr. Leslie: If the hon. Gentleman will allow me, in the five minutes that I have left, I should like to answer some of the points that have been made.

The hon. Member for Somerton and Frome asked about the impact of the reform on the House of Lords. I do not believe that the other place will suffer greatly should a new supreme court be established separately. There is a great deal of other legal expertise in the House of Lords, enough to ensure that, although the Law Lords will not be present, there are many others who bring a legal perspective to debates and Committee work.

The hon. Member for Orkney and Shetland sought to scrutinise the implication of the proposals for devolution and the devolved powers. Although we are open to consultation, we have expressed our preference that the devolution issues currently heard by the Judicial Committee of the Privy Council should be moved to the supreme court. I believe that that would be consistent with the strong arguments that I have already advanced on the need to establish a visible separation between the highest court of the land and the second Chamber of the United Kingdom legislature. It cannot be right that cases that might turn on a dispute between the UK Parliament and the UK Government on the one hand and devolved institutions on the other should be argued before a Committee of the UK Parliament. That argument would not apply to a supreme court, so its creation would give the perfect opportunity to rationalise the situation and remove potential conflicts of interest.

I know that hon. Members, including the hon. Members for Orkney and Shetland and for Somerton and Frome, have raised issues about location. No conclusions have yet been reached on where a new supreme court should be housed. All options are open for consideration, although there is a strong likelihood that it will need to be located in the UK capital city to reflect its UK-wide jurisdiction. However, subject to the results of consultation, I am keen to allow the court to sit around the United Kingdom when hearing devolution matters, if need be. That could enhance the public perception of the supreme court as a UK court. It seems only right that where possible and subject to logistics, cases relating to Scottish, Welsh or Northern Irish devolution could be heard in Scotland, Wales or Northern Ireland respectively.

As I have already stated, it is vital that the supreme court is a UK body and viewed as such by the public. The court, like the Appellate Committee, will have judges from each of the three jurisdictions.

Mr. Carmichael: Briefly, does the Minister agree with Lord Hope of Craighead who says that the legislation can be implemented only with at least the concurrence,

[Mr. Carmichael]

if not in fact the active participation, of the Scottish Parliament through amendment of the Court of Session Act 1988?

Sir Nicholas Winterton (in the Chair): A perfect intervention—brief.

Mr. Leslie: To give the devolved institutions adequate input to our overall proposals, they have all been consulted in the preparation of the consultation paper. My officials have been liaising with officials from the devolved Administrations and we will ensure that the final package takes proper account of the devolution arrangements. We are fully aware of the historic importance of an independent legal system in Scotland and of the requirements of the devolution legislation in relation to Scotland, Northern Ireland and Wales.

The Scottish Executive have announced their broad support for a supreme court. On the point about the Sewel motion, I can assure the hon. Member for Orkney and Shetland that we are working closely with Scottish Ministers to identify any legislation in Scotland that needs amending and to bring before the Scottish Parliament any necessary Sewel motion.

I remain firm in my view that the establishment of a supreme court is a vital step forward for our constitution. It will mean more institutional transparency and it will be more clearly independent and more comprehensible to the general public than the Appellate Committee is. We are working hard to analyse the consultation responses to ensure that we make the right and proper decisions on the detailed policy issues. We are talking about historic changes, and I am proud to be involved in making such a landmark change to the UK legal system.

Uzbekistan

11 am

Mr. Simon Thomas (Ceredigion) (PC): I am pleased to initiate this timely debate, which provides the House with a perhaps overdue opportunity to examine Government policy on Uzbekistan.

I start with two quotations. The Minister will recognise the first, because he referred to it in a speech on 25 November:

> "There is no such thing any more as a quarrel in a faraway country which is indifferent to our interests . . . States where human rights are gravely violated, because the rule of law has broken down or because only repression and violence can sustain a ruling clique in power, are the main source of risk to our and our allies' security . . . So promoting democracy, human rights and the rule of law is right at the heart of working for our interests."

The second quote is from one of our ambassadors, who said:

> "We believe there to be between 7,000 and 10,000 people in detention whom we would consider as political and/or religious prisoners. No government has the right to use the war against terrorism as an excuse for the persecution of those with a deep personal commitment to the Islamic religion, and who pursue their views by peaceful means."

The Minister was speaking in general terms, but the ambassador was referring to a real situation—that in Uzbekistan. I want to examine the assessment that the ambassador made of human rights in that country in a speech that I understand was sanctioned by the Foreign Office. That assessment should be taken more seriously by the House and the Government in their dealings with the Uzbek authorities. I also want to ensure that, having captured one tyrant this week in Iraq, we do not allow or encourage another to rise in Uzbekistan.

Although, of the former Soviet Republics, it is Georgia that has captured our attention in the past few weeks, it is perhaps Uzbekistan that should give us the greatest concern about human rights and democracy in the long run. It is an authoritarian state with limited civil rights, and neither the January 2003 referendum to extend the president's term of office, nor previous elections, were judged to be free or fair by international standards. The Parliament consists almost entirely of officials appointed by the president and members of parties that support him, and meets for just a few days a year. The Government influence the courts heavily in both civil and criminal cases.

The human rights record remains very poor, with both the police and the national security service—the former KGB—committing numerous serious human rights abuses, including causing the death of several citizens in custody, torture and beatings. The UN special rapporteur on torture visited the country in November 2002 and found poor prison conditions and arbitrary detentions by the police, often for bribes, particularly of Muslims suspected of "extremist"—that is, non-state sanctioned—sympathies. There was also planting of evidence on persons. Some 6,500 persons were in prison for political or religious reasons.

The Government in Uzbekistan restrict freedom of speech and press, and ban unauthorised public meetings and demonstrations, and the police forcibly disrupt peaceful protests. Internal passports are required for movement within the country and permission is required to move from one city or district to another. The Government restrict freedom of religion. Members of domestic human rights groups are abused and targeted for arrest. Only one such domestic group has been recognised to date. In short, citizens cannot exercise their right to change their Government peacefully.

That damning criticism comes not from Human Rights Watch or the much-maligned Amnesty International, but from the 2002 country report on Uzbekistan by the US State Department bureau of democracy, human rights and labour. Those are comments to which we should pay a great deal of attention. Perhaps we should add to them another matter that, for understandable reasons, may not concern the US Government so much: the use of the death penalty in Uzbekistan. Its use is a state secret, but Human Rights Watch has identified at least 22 people who were sentenced to death last year. When that is taken with the report of the UN special rapporteur on torture, who found that torture was systematic and that

> "many confessions obtained through torture and other illegal means were then used as evidence in trials,"

including

> "in trials that are leading to the death penalty or to very severe punishment",

its use becomes even more abhorrent.

Independent human rights organisations such Human Rights Watch and Amnesty International have scores of examples of the abuses faced by peaceful opponents of the Uzbek regime. Let me share just two examples with the House. Two women, Larisa Vdovina and human rights defender Elena Urlaeva, were forcibly confined in a psychiatric hospital to stop their human rights activities. They were detained on 27 August 2002 during a demonstration outside the Ministry of Justice building to protest against human rights abuses. They were transferred to Tashkent City psychiatric hospital the next day. Elena Urlaeva was released at the end of December 2002. The whole episode is horribly reminiscent of the way in which the old Soviet system abused the psychiatric hospital system.

I will continue with the evidence that, at least in Uzbekistan, Soviet-style suppression continues under another name. The second example is even more grisly. In August 2002, the body of Muzafar Avazov was brought from Jaslyk prison to his family for burial. He had been imprisoned for membership of a proscribed Islamic party. In May 2002, Human Rights Watch reported that prison authorities had beaten Muzafar Avazov and put him in a punishment cell for stating that nothing could stop him performing his prayers. Prisoners are often placed in such cells for praying or refusing to ask for forgiveness from the Uzbek president. A 35-year-old father of four, Avazov's body showed signs of burns on the legs, buttocks, lower back and arms. Some 60 to 70 per cent. of the body was burned. Doctors who saw the body reported that such burns could have been caused only by immersing Avazov in boiling water. They also reported that there was a large, bloody wound on the back of the head, heavy bruising on the forehead and side of the neck, and that his hands had no fingernails.

Uzbekistan has perhaps a worse human rights record than Zimbabwe—I know that that will interest you, Sir Nicholas—but it has received little attention in this House. Its importance is due not only to the perspicacity of the Minister when he reworded John Donne for a globalised world, but to the fact that both the US Government and the UK Government have regarded Uzbekistan as an ally in their war on terrorism. I understand that, to that end, the country has received more than $200 million of aid from the US Government, including some $70 million used directly to support its state security system, which, as I have made clear, is oppressive to say the least. Uzbekistan has also been given favourable treatment under the UK arms sales regime, which I will consider later.

Hon. Members may well be aware that certain countries, such as Zimbabwe, Burma, Argentina, Cyprus, India and Pakistan, feature on the Foreign and Commonwealth Office list of territories in respect of which arms restrictions of one sort or another apply. All told, some 40 countries are on the list, but unfortunately Uzbekistan is not one of them. Indeed, despite the prevalence of internal repression, Uzbekistan is one of those favoured few countries for which open individual export licences are granted. In 2002, five such licences were granted, mainly for dual-use equipment.

Uzbekistan is also supported by EU overseas aid. The EU-Uzbekistan Co-operation Council implements a partnership agreement. However, the EU and the UK seem to have missed an opportunity to wring from the Uzbek Government specific commitments on human rights, allied to that partnership agreement. Similarly, both the Organisation for Security and Co-operation in Europe and the European Bank for Reconstruction and Development have seen their meek criticisms of the Uzbek Administration treated with disdain, to the extent that, at the meeting of the European Bank for Reconstruction and Development this year in Uzbekistan, the president did not condemn the use of torture, as he was expected to do.

Baroness Symons, in the other place, has described the relationship between the UK and Uzbekistan as one of critical engagement:

> "We must proceed with the Government's policy of critical engagement; it is through such dialogue that we hope to bring Uzbekistan to a better understanding of its obligations."—[*Official Report, House of Lords*, 11 November 2003; Vol. 654, c. 1214.]

To date there has been precious little dialogue and little understanding of obligations, certainly on the part of the Uzbek Government. Only two weeks ago, they cancelled an expected conference on the use of the death penalty.

I conclude with some specific questions for the Minister on our relationship with Uzbekistan and offer some suggestions as to how we might improve that relationship to the benefit of human rights. First, I understand there will be a further meeting of the EU-Uzbek Co-operation Council early next year. Will the Minister confirm the location and date of that meeting and state what specific obligations under human rights he expects the council and the partnership agreement to set out as a condition of further EU support for Uzbekistan?

[Mr. Simon Thomas]

Will the Minister take the opportunity to look at the words of Baroness Symons, who said that

"the fact is that Uzbekistan has not been a traditional market for UK defence exporters—primarily because of its human rights record"?—[*Official Report, House of Lords*, 11 November 2003; Vol. 654, c. 1213.]

Although I accept the validity of those words, I ask the Minister to consider the fact that they are an inadequate safeguard against unwelcome exports under the open licence system. In other countries—Israel comes to mind—we have seen exports with dual use used in a military manner and an offensive way against a civilian population. We should not allow exports from this country to be used in that manner in Uzbekistan. Will the Minister review the open licence system and confirm that the Government find the Uzbek record on human rights so poor as to demand an arms embargo?

Will the Minister pressure the Uzbek Government to ensure that the conference on the death penalty, which is scheduled to take place on 5 December, goes ahead, and that civil rights groups in Uzbekistan have the opportunity to take part without harassment? Will he urge the Uzbek authorities to make public their statistics on the use of the death penalty and to disclose the locations of prisoners' burials, which are often withheld from families, and to release their bodies to their families?

Will the Minister ensure that the UK takes a leading role in the EU, the International Monetary Fund, the European Bank for Reconstruction and Development and the Organisation for Security and Co-operation in Europe in setting firm standards and a timetable for improvement on the record of human rights, to be met by the Uzbek Government as a condition of any further aid? I believe that the answers to those questions are, at least in part, key tests of the Minister's claim, made in his speech on 25 November, that

"human rights and the rule of law is right at the heart of working for our interests."

I have yet to mention the name of the Uzbek President, Islam Karimov. He has dominated the leadership of Uzbekistan since 1989, when he was the Communist party leader of what was then the Uzbek Soviet Socialist Republic. The following year, he became Uzbek president and he continued in the post after independence. He has won every election on grounds that are dubious by any international standards. He won his first election with 88 per cent. of the vote. In 2003, his Parliament, filled with his supporters, passed a law granting him immunity from prosecution for his activities as president should he cease to hold the post. The Uzbek president, Islam Karimov, maintains a Soviet-style dictatorship over his country. In Uzbekistan, we see the continuation of the malignant human rights record that existed under the USSR.

I hope that the Minister will assure the Chamber that in the future we will not have cause to be ashamed of our support of and co-operation with the Uzbek president, and that all steps necessary will be taken to ensure that the human rights record of Uzbekistan—which some would argue has improved slightly over the past few months—continues to improve and that Uzbekistan meets the standards that we should demand of it as a country that receives aid from both the UK Government and the EU.

11.15 am

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): As I have indicated both to you, Sir Nicholas, and to the hon. Member for Ceredigion (Mr. Thomas), I apologise for the fact that I shall conclude my remarks before the normal end time of the debate owing to the fact that I have, for want of a better parliamentary phrase, to leg it to the Chamber to answer the first question at Foreign Office questions.

I congratulate the hon. Gentleman on having initiated the debate. The discussion is timely, given that there has been significant parliamentary and media interest in Uzbekistan, and I welcome the opportunity to put on the record the Government's position and policy.

Our relations with Uzbekistan are generally constructive—the characterisation of constructive engagement put forward by my noble Friend Baroness Symons in the other place is correct. However, despite that constructive relationship, we have serious concerns about human rights and the lack of economic and political reforms. Uzbekistan became an independent state only when the former Soviet Union collapsed in 1991, so the relationship is relatively young and is developing.

Uzbekistan is developing its relations with us through multilateral forums such as the European Union. In addition, it is a member of international financial institutions including the International Monetary Fund, the World Bank and the European Bank for Reconstruction and Development, which held its annual meeting in Uzbekistan in May 2003. There was some criticism of that move at the time, but the meeting, chaired by our then Secretary of State for International Development, my right hon. Friend the Member for Birmingham, Ladywood (Clare Short), provided an opportunity for a free and frank discussion between the international community, the Uzbek authorities and Uzbek civil society about the importance of economic and political openness. Before the meeting, the EBRD agreed a country strategy for Uzbekistan; it set seven key benchmarks for progress on economic, political and human rights reforms. The clear implication of the strategy is, rightly, to warn the Uzbek authorities that insufficient progress against the benchmarks could lead to the EBRD adopting a reduced lending strategy. We support that stance. The benchmarks are due to be reviewed by the EBRD in early 2004 and we are strongly encouraging the Uzbek authorities to make substantive progress against them.

The hon. Gentleman referred to our relationship with Uzbekistan and the war against terror. We are grateful for Uzbek support, particularly in relation to Afghanistan. Uzbekistan was also strongly supportive of the coalition efforts in Iraq. The important role that Uzbekistan has played in the war against terror is reflected in high-level exchanges of defence visits—most recently, that by the Uzbek Defence Minister in October. That provided an important opportunity for us to encourage further reform in the Uzbek armed forces and Uzbek participation in international peacekeeping operations. A memorandum of understanding that was signed will enable our armed forces to assist the Uzbeks with those goals. I am sure that the hon. Gentleman would support that initiative.

Uzbekistan is a key player in a region of increasing strategic importance to the UK, so defence co-operation is important. However, while bilateral defence co-operation is effective, it is important to note that the Uzbek armed forces are not implicated in human rights violations.

The hon. Gentleman mentioned defence exports. Uzbekistan has not traditionally been a market for UK defence exporters. I have seen a number of press articles—I think that he quoted from them—accusing the Government of breaking their own arms export guidelines and selling weapons to Uzbekistan. It is necessary to answer that accusation by stating clearly that the UK has not sanctioned arms sales to Uzbekistan. The equipment covered in the export licences that have been granted consists of replacement components for civil passenger aircraft, goods for the oil and gas industry—those were sent for rental purposes only to companies operating in Uzbekistan—and goods to be used by a named UK exporter in Uzbekistan.

Relations with Uzbekistan are also developing well in a number of other areas—for example, education and culture. In May, we signed a memorandum of understanding on education at the opening of the British-Uzbek university in Tashkent. The British Council is also active in Uzbekistan: it has helped more than 200 Uzbek scholars to study in the UK. Through the Chevening scholarship programme, which is a flagship initiative for the Foreign Office, the Government have funded more than 40 Uzbek students to study in the UK.

Importantly, we are developing a dialogue on trade and economic issues. Uzbekistan is an attractive potential market and has substantial resources, including gas, oil, gold and silver. The previous high-level British visit to Uzbekistan, focusing on trade and investment, was undertaken in September by the lord mayor of London. As well as promoting the City of London's financial and business services, the lord mayor raised with Uzbek Ministers some challenges that face British businesses in doing business in Uzbekistan. In terms of deepening business-to-business contacts, which is a driver of necessary reform, that was an important initiative to undertake.

There has been progress. In October, the Uzbeks signed an agreement with the IMF that commits Uzbekistan to full current account currency convertibility. We welcome that, although for the move to bring benefits to the Uzbek economy the authorities need urgently to complement it with other essential economic reforms. We raise that issue in all our bilateral relations. A well managed and open economy is important not only for Uzbekistan and the prosperity of its people; it is equally important for its neighbours. Regional trade and transport co-operation need development. High tariffs and import duties, along with the unpredictable border closures that I mentioned, mean that Uzbek consumers are forced to pay higher prices for goods than they would otherwise have to. Those policies also adversely affect the well-being of Uzbekistan's smaller neighbours—the Kyrgyz Republic and Tajikistan—yet creating the conditions that allow trade to flourish would benefit not only those neighbours but Uzbekistan itself. There is genuinely a mutual interest in these issues.

There has been progress on some issues of regional co-operation, notably security. An example is the establishment of the Shanghai co-operation council. Regional security is important in countering the threat posed by Islamic extremists in central Asia—a threat that we would do well not to underestimate.

The Islamic Movement of Uzbekistan has called for the overthrow of President Karimov's Government. In 2000, that movement made armed raids into Uzbekistan. IMU fighters received training and support from the Taliban and al-Qaeda in Afghanistan. Although the IMU suffered serious losses during Operation Enduring Freedom, it is still active in central Asia. We support efforts to curtail the activities of the IMU, which we proscribed in October 2002. It is a threat to Uzbekistan's internal security and, through its links to al-Qaeda, to British interests and those of the wider international community.

It is important to point out that our concern about Islamic extremism in Uzbekistan and central Asia more generally does not mean that we turn a blind eye to human rights abuses or regard perceived threats to security as justification for imprisoning young men simply on religious grounds—far from it. On that point, I concur with the hon. Gentleman.

We want a prosperous and stable Uzbekistan, based on the rule of law and an open and democratic society, but Uzbekistan's respect for human rights has been poor. On that, I agree with some of the hon. Gentleman's comments. We acknowledge and support the small steps forward that the Uzbek Government have taken—for example, inviting the UN special rapporteur on torture to visit Uzbekistan. We now need to see the Uzbek authorities fully implementing his recommendations. It is welcome that the Uzbek criminal code has been amended to define torture and that a draft national action plan on torture is being drawn up. We shall look closely at the detail of that plan, and we hope to have open and constructive dialogue with the Uzbek authorities to ensure that it is implemented. I am also pleased that the Uzbek Government have granted access to prisons to western ambassadors and the International Committee of the Red Cross.

As the hon. Gentleman mentioned, there have been many well-documented cases of human rights abuses in Uzbekistan. We have used every opportunity to press those with the Uzbek Government. Earlier this year, I went into detail about the concerns over human rights in Uzbekistan at the Foreign Affairs Committee when it discussed the Foreign Office's international human rights report. I made it clear that we had

> "concerns about the deterioration of the human rights situation in Uzbekistan, particularly in relation to torture".

We shall continue to press those issues at every opportunity.

I now move to another issue to which the hon. Gentleman referred. Last week, staff at our embassy in Tashkent publicly expressed concern that a scheduled conference in Tashkent on the death penalty, which we were jointly sponsoring with Freedom House, was not allowed to go ahead because the non-governmental organisation that was organising it was unregistered. We will continue to push for the abolition of the death penalty and the registration of political parties and NGOs.

[Mr. Bill Rammell]

We are also monitoring the persecution of religious minorities in Uzbekistan. We understand that there are 7,000 religious and political prisoners—that is 7,000 too many. Of those prisoners, many are simply devout Muslims, whom we believe are often unfairly convicted of being extremists. We will continue to stress to the Uzbek Government the fact that falsely accusing citizens of extremist activity is likely to foster rather than discourage extremism.

It is worth taking this opportunity to put on the record the situation with our ambassador. There has been much comment and speculation in the press, and it has been suggested over the past few months that we do not support our ambassador to Tashkent, and that we have recalled him from that post because of pressure from our allies. Neither assertion is true. The ambassador is in the UK for private medical reasons. It would be inappropriate for me to comment further, other than to confirm that he remains our ambassador and to say that we endorse his comments about the human rights situation in Uzbekistan; I explicitly endorsed them at the Select Committee on Foreign Affairs.

I will now briefly deal with some questions raised by the hon. Gentleman. As regards the EU-Uzbek Co-operation Council, I am not yet aware of the date and place of that meeting. That has not been settled. Certainly, continuing European Union engagement depends on Uzbekistan's progress on human rights.

The hon. Gentleman asked about the death penalty conference. I have made clear our stance on the death penalty, both generally and with regard to Uzbekistan. We will continue to pursue that issue. He also discussed pressing the Uzbek authorities to publish statistics on the death penalty and burials. I will consider putting some of those points to them.

The subject of defence sales was also raised. I made it clear that the UK has not sanctioned arms sales to Uzbekistan. There have been indications to the contrary in some of our national newspapers, but it is important to make that point clear.

Both the Government and the EU continue to lobby for the abolition of the death penalty. With our support, the EU recently criticised six executions that took place in Uzbekistan. The EU, the UK and our embassy will continue to lobby for a moratorium on the death penalty.

To sum up, it is clear that Uzbekistan faces many difficult challenges. There is much work to do, but we should bear it in mind that it is only 12 years since the collapse of the Soviet Union. We are engaging constructively with Uzbekistan, and will continue to press our human rights concerns and give what support we can to the Uzbek authorities. There are difficult concerns and challenges, and it is critically important that we remain engaged on them.

11.28 am

Sitting Suspended.

Antisocial Behaviour

2 pm

Mr. Frank Field (Birkenhead) (Lab): If I am fortunate enough to secure another debate in this Chamber in the future, Sir Nicholas, I hope that by then I will be able to address you as Mr. Deputy Speaker again. That day cannot come too soon. I also thank whoever decides which debates are chosen for giving us the opportunity to examine what is, for many of us, the single most important issue facing our constituents. I apologise for the absence of my hon. Friend the Member for Mitcham and Morden (Siobhain McDonagh), who is normally present at these debates. She has an engagement that was put in her diary long before we knew that we had secured the debate, and, quite rightly, she has kept her engagement.

This is the first time that I have debated this subject with the Minister, whom I am immensely glad to see here. I know how committed she is to examining the issue of antisocial behaviour in different ways. I shall later explain how I would like Government policy to develop. I am also pleased to see other hon. Friends present.

In developing policy further, we need to think about immediate redress for antisocial behaviour. I make a plea for the Government to think outside the box of the criminal justice system in dealing with the problem, and I shall explain why. I shall talk about the root causes of the plague of antisocial behaviour, and I shall end by saying that we require not only the lead that we are getting from the Home Office, but a concerted effort across Government.

I want to stress why this issue is the new politics. Next year, I will have been a Member of this House for the constituency of Birkenhead for 25 years. During that time, my role as an MP has changed dramatically. My role can best be summarised as one that has witnessed and tried to respond to the movement from class politics to the politics of behaviour.

When I became an MP the issues that I dealt with for my constituents may have been complicated, but usually they either had an answer or they did not. If one examined the various pieces of legislation assiduously enough, one could usually, if not always, find redress for one's constituents. There were queries such as, "Why am I not eligible for this benefit?" and, "Why have I been denied that benefit?" and constituents might want to transfer from one house to another. There were employment questions, as well as the big questions with which all Members on both sides of the House have become familiar as Britain has lost its manufacturing base, despite the noble efforts that you, Sir Nicholas, and others have made to try to reverse the tide.

About nine years ago, a group of very respectable working-class constituents came into my surgery and described the life that they were experiencing. They had young lads running across the roofs of their bungalows, peeing through their letterboxes, trying to break their windows when they were watching television, and jumping out of the shadows at night to see whether they could give someone a heart attack. Those elderly residents explained to me that of course they had been to the police, but that the police knew the limitation of their powers, as did the young culprits. After conversations with the police, and again with my constituents, I realised that a pattern was beginning to emerge from what I had previously wanted to see as isolated incidents of appalling behaviour. That was when my interest in the politics of behaviour began, and I started to try to discover how we as politicians could respond to this new area of politics.

Because this is a new area, it is difficult for us to deal with. It is not like passing Acts to nationalise or denationalise whole industries. For most of our history, Governments have not had to be involved with behaviour. Other great powers in the land have determined how people behave, and the character each of us has. Since at least the 1950s, we have been living off capital put in place by previous generations, which emphasised what common decencies were and how they were learned in families. Because people learned in their families, they were provided with the map and compass to negotiate the wider world beyond the family successfully.

In a growing number of families, that has ceased to happen. In Birkenhead—and, I am sure, in other Members' constituencies—there is a rise in dysfunctional families who do not see any place for trying to teach their members about how the group can get along together, despite the fact that each member is stained with original sin and thinks that the world centres around them. It is not possible to run a family—or a society—if everybody thinks that they will be the centre of the world all the time, and how their behaviour impacts on surrounding members is of no importance to them.

In the past, families taught their members that they were the most important people in the world, but that they were also surrounded by other people who were also the most important people in the world. Happy families know how to negotiate that frontier between people. We have taken it for granted that families will do that, but increasing numbers of them have ceased to do so.

This is a new area both for constituency Members and for the Government, and I make a plea for the Government to continue the approach that they have begun. They should not simply come out with the politicians' hackneyed phrase about being in listening mode—although that is necessary. As we cannot draw on any previous experience from politicians about how to negotiate this new area, it will be down to luck—and only sometimes judgment—if we get all our measures right in the first instance.

Our constituents are not asking the impossible from us, but they do ask us to try. When some measures to deal with antisocial behaviour do not work as we wished them to and thought that they would, or if they have consequences that we did not foresee, we need to change our approach quickly. There ought not to be any stigma attached to politicians, including Ministers, saying, "I honestly got this wrong." Our constituents would cheer us if they heard that from us more often. In an area in which politicians have never before had to be involved—the politics of behaviour—it is inevitable that in our first attempts to get things right our batting average will be lower than usual.

Mr. Tim Boswell (Daventry) (Con): The right hon. Gentleman is making a fascinating and compelling argument. Does he agree that the problem may be aggravated if society and its forces, which are represented by the Government, councils and other people in authority, are not seen to care and respond? Might that not give rise to vigilante action—as it has in certain cases—which none of us would wish to see?

Mr. Field: I agree with the first part of that. In the past, there were what are euphemistically called strong community ties, which included clear knowledge about what happened to people if they crossed certain boundaries. Many of us led more peaceful lives then, because we did not investigate too carefully how those common rules were enforced. Of course, I would not wish to go on the record as giving any support for, or making claims for, vigilante groups. It is significant, however, that in my constituency, and perhaps in other constituencies, too, the common decencies upheld by local force—if need be—generally ceased. Even some of the youngest members of the community know their rights under the law and what aid they will get under the legal aid scheme should anybody box their ears—that is what would have happened in the past, and it would have been helpful in guiding their actions.

In Birkenhead and elsewhere we have also lost the role that heavy industry played in disciplining people. People could not misbehave in the steelworks or the shipyard, because although they might have damaged themselves, the likelihood was that they would endanger one of their workmates too. Tough discipline operated regarding people who played around and risked other people's lives or limbs. Sometimes disputes in the town got settled in the shipyard, with the result that there was a more peaceable community. We know that we cannot create that world again, but there has been a loss, and it needs to be taken into account when we are trying to understand the behaviour we are now seeing. If all the checks built up over centuries are quickly stripped away, people should not be surprised if the bag of potatoes takes on a different shape.

I shall mention four issues to my colleagues and the Minister: the need for immediate redress, the need to think outside the box of the criminal justice system, root causes, and a plea for the Government to respond across Departments.

I ask the Government to think further about how we might devise means that bring redress to our constituents much more quickly than we have done so far with antisocial behaviour contracts and orders, or curfews. Nobody in the debate today has more praise than me for what the Government have done. However, although we all know from our constituencies that we are just beginning this great initiative, sadly we are not seeing the end of it.

One of the problems for our constituents is that it takes time to use the galaxy of measures that the Government have properly introduced. Even if the Government have not realised it, the subconscious model for many of their counter-measures against antisocial behaviour is the criminal justice system, which quite properly takes time, is careful, collects and weighs evidence and weights it in favour of the person

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who is accused, rather than those who are making the accusations. I question whether that is the right approach to antisocial behaviour.

Our constituents are crying out for immediate action. In a little book that I published recently, which I called "The Politics of Behaviour" but the publishers retitled "Neighbours from Hell", I defined antisocial behaviour as separate from criminal activity. Generally speaking, antisocial behaviour, on the odd occasion that it occurs, is a nuisance but no more than that. However, peeing through people's letterboxes is too much. When such nuisances are perpetrated by large numbers of people hour upon hour, day after day, and recipients of that viciousness never know whether they will get respite from it that particular night, that uncouth behaviour moves into the category of antisocial behaviour. We need measures to act quickly against that, because our constituents need redress.

From observing what is happening it is clear that some—maybe many—of those who indulge in antisocial behaviour not only get a buzz from it, but want an increasing buzz. If such behaviour goes unchecked, it encourages people to think of more uncouth and wicked ways of behaving to get more thrills next time than they did last time. Sometimes, that behaviour acts as a recruiting sergeant for people to get a criminal record. At all costs, our counter-measures should prevent people from coming to court, becoming part of the criminal justice system and getting a record.

Because the root cause of antisocial behaviour is the failure of a small but growing number of families to teach their offspring what I call the common decencies, or social virtue, we need to consider who could act in the place of parents when the real parents cannot or will not. The police are the one body that can do that. I have advocated that they should have powers like those of a football referee. They should be able to warn people, and if they did not stop their behaviour, the police would have the power immediately to impose a contract or an order, which individuals could challenge only if they went to the courts. The police would not have to go to court to get the order in the first place, because they need it quickly.

Above all, we do not want people in the courts—although there are those who might go to court, because in any institution people abuse their power. The check against that would be that some people would go to the courts, and chief superintendents and chief constables could see whether there was a pattern, with one or two police officers being too regularly involved in cases of people challenging decisions.

Mrs. Annette L. Brooke (Mid-Dorset and North Poole) (LD): Does the right hon. Gentleman consider that there is a sufficient uniformed presence, whether that is police, neighbourhood wardens or community support officers, to provide that support and help?

Mr. Field: I hope that the Home Affairs Committee will do two things soon, and one of those is to examine how the police spend their time. I must tell the hon. Lady that when it was respectable in the Labour party to attack the police, I did not—I supported them. That does not mean that I am not anxious for them to perform better. In London, each police officer gets on average three convictions a year—one every four months. Outside London, that figure is about one every two months. I am interested in what the police do with their time. I am not suggesting that they are sitting at home playing cards, but it would be interesting to have a proper audit.

We might be able to use existing resources better, but I hope the Home Affairs Committee will address the fact that we need more police. In an age where no one can get elected by advocating a rise in direct taxation, we need to determine how we can create contracts so that local people can pay more to see more police on the beat. I agree with the hon. Lady that that is required. I am looking for people who will behave as surrogate parents.

Of course, we need to think about the longer term. If some families are failing to teach the common decencies, why does that happen? Last year, I spent part of the summer attending practically all the reception classes for four-year-olds. Two things struck me above all. First, there are pupils who cannot sit still, but run around madly all over the place. How can one begin teaching anything unless the children can sit still? Secondly, when children were collected or brought to school, it was deeply shocking to note that some four-year-olds already knew how to bully their parents. It is not therefore surprising that by the time the offspring are as tall as their parents, the parents find it rather daunting if their children decide that they will not do as they are told and will not abide by the common decencies.

I found a note of hope in the most difficult school. When I was discussing the school contracts that pupils would like to see, and how they would draw them up, there was a demand for parenting classes as part of the national curriculum. One could not describe what 40 per cent. of those young people had received as parenting, yet they wanted to be good parents themselves.

I make a plea for thinking across Departments. There is a need for extraordinary co-ordination when trying to intervene in different ways and at different points of people's lives if we are to be successful with the new politics. Because I have touched on other themes—I got slightly carried away with what I was saying, but I am very mindful of the time—I wish to emphasise before I conclude why we are in the present position.

This is a new area for politicians. My constituents started me thinking about the question nine months ago. I wanted to find out why we had originally become a peaceable kingdom. What were the causes, and in what ways could that success be replicated in the new millennium? I could not but agree with what Noel Annan wrote in his great book on Leslie Stephen. He said that the evangelical revival changed Britain, and that almost nobody was untouched by it. What it did, among many other things, was give people a real sense of self-respect and responsibility. No one could properly be a self-respecting person unless he or she equally and willingly gave self-respect to other people as well. In the areas that the evangelical revival did not touch or where it needed strengthening, a welfare state grew up from friendly societies, trade unions and mutual societies, through which rules about behaviour were ruthlessly enforced because of the risk that if they were not enforced, misbehaviour would bring the whole welfare initiative down around the ears of the contributors.

The values of those two great forces imbued families, and the standards of behaviour of those two great revolutions were taught to offspring. For the past 50 years, we have been living off the social capital that families somehow knew how to teach their children the common decencies, but we have never applied ourselves to the question of how that capital should be replenished. Therefore, part of my plea to the Minister is about how we can act more quickly to nip antisocial behaviour in the bud and prevent it from escalating, so that other people do not join in because they see it as the norm. We also need to think about the fact that there will not be another evangelical revival. Sadly, we will not have a welfare revolution that puts responsibility back on groups rather than the state, either.

We must therefore look elsewhere for great teaching forces. It is clear that schools are one great teaching force that we all have in our constituencies. We cannot put yet more pressure on our schools without taking some pressure off the national curriculum. After Christmas, I shall start to engage much more seriously with young pupils in Birkenhead about the contract that they wish to see in their schools. It will be interesting to see how many wish to see their abilities as parents developed, whether they believe that such skills can be achieved by osmosis and whether some practical knowledge can be taught to them.

Welfare, although it is largely nationalised, is the other great teaching force in our society. As a Government we need to begin a conversation—indeed, we have already begun it—aimed at moving away from the false system of welfare that is rights based to contract-based welfare. Each time we claim, it should be clearly spelled out what society is doing for us, and what society expects in return.

In the first world war, practically everybody who was sent to France had been baptised, but of the thousands of troops sent to the recent war in Iraq, only one third had been baptised. For two thirds of children, there is no public ceremony whereby we welcome them into our community and say, "Welcome. You are now part of something wider than your family." I therefore hope that the Government will consider making the registration of birth a public ceremony and a public event, in which we as society say, "Welcome. This is what we are going to provide for you, with Sure Start, medical help, day care and nursery education, and this is the framework within which we expect your parents to operate." That is not because we want an interfering or bullying society, but because most of us respond better when we know the rules of the game and the framework within which we should operate.

I am pleased to have opened this lengthy debate, and to see my colleagues in the Chamber ready to participate in it. I hope that I have put over the reasons why I see this as the beginning of the new politics that will dominate our lives as politicians, as the old class politics dominated for 50 or more years in our neighbouring Chamber.

Of course we need for our constituents to consider immediate redress; we also sometimes need to use such debates to reflect on why behaviour is going wrong in so many areas. What are the root causes and what can we do, however limited, as politicians to reverse the tide of disorder that our constituents feel? They feel that disorder and, consequently, they do not make a clear distinction between antisocial behaviour and crime.

One reason why the Government find it so difficult to get over their message that crime is falling in most areas is because people see growing disorder in their neighbourhood and they equate it with crime. If we begin to get on top of that issue, the issue of crime will also settle into a better perspective.

Several hon. Members *rose*—

Sir Nicholas Winterton (in the Chair): Order. It is my intention to start the winding-up speeches at 3 o'clock, so simple arithmetic indicates that there is about 30 minutes for the three Back-Bench Members who wish to catch my eye. That means that there is about 10 minutes each, if hon. Members need to take that much time.

2.30 pm

Mr. Michael Foster (Worcester) (Lab): Thank you, Sir Nicholas, for giving me the opportunity to speak in this debate on antisocial behaviour. I begin by thanking and congratulating my right hon. Friend the Member for Birkenhead (Mr. Field) on securing the debate. As always, he showed himself to be extremely thoughtful, if a tad provocative, when dealing with social issues, which is to his credit. To take on board his comments and debate them properly is a matter worthy of Parliament and this Chamber.

I shall make some brief remarks on how we could do better in tackling antisocial behaviour in our communities. That is not a criticism of the local police, the crime and safety partnerships or the local city council, but I think there is room for improvement in all our public services. It is on those aspects that I should like to focus attention, and I look to the Minister for guidance and support where appropriate.

Worcester is not the crime capital of the west midlands; it never has been and I hope it never will be. However, as with every other community up and down the land, there are issues relating to antisocial behaviour that cause my postbag to bulge and which cause utter misery on some of our estates. The relatively low crime rate in the city as a whole brings antisocial behaviour more sharply into focus, because that is what people can see day in, day out, as crime in their local community.

I fully understand that incidents of antisocial behaviour will not rank highly for emergency response from the police, nor would I expect them to be compared to the assaults and burglaries that are committed in my area. However, a problem that my constituents can have is the long response time from the police to a reported incident. A report is made and a number given, but it may be one or two days or even a week before the police get round to talking to that constituent about the incident. There is no immediate response, a point that my right hon. Friend made. Someone affected by antisocial behaviour wants an immediate response. Improvements could be made locally in dealing with

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that, which may require extra resources. I hope that the Minister takes keen note of any plea for resources that I make later in my contribution.

Antisocial behaviour orders are, without doubt, one way in which we can get a grip on the antisocial behaviour in our communities. However, in Worcester they are the fourth and final stage of an approach that tries to nip antisocial behaviour in the bud with early intervention. That involves providing distraction and alternatives, and dealing with parents to explain what the behaviour of their youngsters has been and why it is unacceptable in the local community.

An example of an area where that has taken place and come to prominence in Worcester is a local playground at the back of Barley crescent in the Long Meadow estate and Warndon villages. It is designed for primary school children. The estate has matured and grown up, but the playground is still geared towards the children who are not on the estate any more, and it has become a focal point where young people gather. Although I do not wish to condone the actions of those young people, what starts as boredom leads to mischief making and moves on to antisocial behaviour. That is when misery for local people begins. It might take the form of cars being vandalised in the neighbouring streets and closes, eggs or stones being thrown or fires being lit in the playground deliberately designed to draw attention and to show what mischief the young people are getting up to. That is the behaviour that needs to be tackled, ideally through early intervention and moving the young people into something more fruitful and positive.

When talking to my colleagues about ways of tackling such problems, I have seen that there is some good practice in dealing with antisocial behaviour in this country. One idea that came up in a discussion that I had with my hon. Friend the Member for Leigh (Andy Burnham) is a system that works in Wigan with the co-operation of the Greater Manchester police. There, a leaflet was printed and distributed to the local community containing a picture of four youngsters who had all been given antisocial behaviour orders. The leaflet described what those young people had done and set out the conditions of the antisocial behaviour order. The final page of the fold-up leaflet explained what residents should do if they saw young people in breach of their antisocial behaviour orders and gave telephone numbers and so on.

That is a positive way of involving the local community and empowering people to do something within the law to tackle what they know is a problem in their area. I am keen to see the scheme move forward and I would like West Mercia police to embrace it. They have promised to consider the data protection and human rights issues, and I would welcome the Minister's clarification of whether local police could produce and distribute such leaflets.

All that got me thinking about how to involve and respond to local communities when positive action has been taken on antisocial behaviour. I have raised with the local city council issues concerning young people—for example, the Barley crescent playground—and it has asked its detached youth team to investigate the problems and to discuss with young people why they become involved in behaviour that causes a nuisance to everyone. I have had full responses from the city council and they have been warmly welcomed when I have passed them on to my constituents. Occasionally, I have had a letter back saying, "Thank goodness someone has told the parents," or that action has been taken and it is good to know that people are listening. That feedback from constituents suggests that there is a real need for local police, through the Safer Worcestershire partnership, to let constituents know more formally and more regularly what is happening in their neighbourhood.

Whenever people are asked what they want, they say that they want more bobbies on the beat, but police officers are rarely seen on the beat because people must be outside or in the garden when the officers walk past to know that they are in the neighbourhood. That will not always happen, but one way in which the visibility of the police presence can be improved is to provide regular information to constituents, perhaps in a newsletter, about issues that they have reported, such as antisocial behaviour orders. That would overcome the visibility issue and provide information about what the police are doing. One of the great problems facing the police is that they feel Joe Public does not value them or their work, and that is one way of moving forward.

Without doubt, one way to deal with antisocial behaviour is with positive distractions for young people. We have seen a decline in youth service provision in our communities over a number of years, but I saw it in operation on Friday evening at the Angels in Exile in Worcester, which is a centre where young people can congregate and the police can distract them and involve them in doing something positive. Funding is an issue because the youth service has never been a statutory service, and when finances have been tight the youth service and facilities have been squeezed. It is time that society took on board the important role that youth facilities provide in our communities. If we want to tackle antisocial behaviour—people always say that they do—we must improve the facilities that we offer to our young people.

The final way we can help to improve how we tackle antisocial behaviour in West Mercia is to examine police funding. The Minister moved smartly to attention at the mention of that topical matter. West Mercia as a whole—it covers the city of Worcester—has a low crime rate and no one would argue with the statistics. My fear is that that means it does not trigger the same police resources as some higher crime areas do. I fully understand the importance of tackling more serious crimes, but a debate will crop up on whether we should provide an ambulance at the bottom of the cliff to deal with the emergencies or funding for a fence at the top of the cliff to prevent people from falling over the edge. It is the preventive side of tackling antisocial behaviour that I think will lead to fewer resources being used up in dealing with the emergency aspects of police work.

So, there is an issue with police funding but, having said that, West Mercia has record numbers of police—the most since the constabulary was formed in 1967. That has to be good news, if people can feel that the police are dealing with the antisocial behaviour on their doorstep.

We need a big conversation on finding other ways of financing and resourcing the police. An example would be to consider placing a levy on nightclubs to pay for the extra police time and effort that we know nightclubs use. Anyone who has been to somewhere such as Worcester on a Friday or a Saturday evening knows that extra resources go to such places. While those resources are being used in Worcester city centre, they are not available in the suburbs for dealing with the antisocial behaviour issues that crop up.

Finally, over a number of years, there has been a change in police housing. One idea that I have discussed with the West Mercia branch of the Police Federation is the impact that police houses would have on some of our tougher estates, and the impact of police being seen, even just going to work and coming back. I have discussed whether such a police presence and having someone in the local neighbourhood as a port of call for information would help deliver a safer community and one less blighted by antisocial behaviour.

I hope that I have made a couple of contributions that are of use to the Minister. I would welcome a few comments on issues such as the newsletters and leaflets that I have mentioned, because the issue will not go away, as my right hon. Friend the Member for Birkenhead said. It will be a measure of us, as Government Members and as politicians generally, to see how we tackle the issue, which is individualised but affects communities across Worcester.

2.42 pm

Hugh Bayley (City of York) (Lab): I congratulate my right hon. Friend the Member for Birkenhead (Mr. Field) on securing the debate. He made a thought-provoking contribution. He was way ahead of the times when he said that the Labour party needed to confront its Trotsksyist entryist problem in the 1970s and 1980s and when he talked about the need for welfare reform, and I think that he is ahead of his time in posing solutions to the serious problem of antisocial behaviour, which we all face in our constituencies.

I take a slightly different line from my right hon. Friend: I believe that everyone should have the right to enjoy social order and security. Everyone should have the right to sit in comfort and safety in their home, to feel safe when walking down the street, and not to feel intimidated by people lurking on the street corners. It should be safe for children to go out and play, and for people to park their car outside their house and expect to go out in the morning and find it undamaged where it was left.

My right hon. Friend is right that we need a contract. In return for rights, everybody—and it has to be everybody—has responsibilities. Everyone has a personal responsibility to their neighbours and a responsibility to ensure that their children respect the neighbours and the neighbourhood. Everyone should also have a responsibility to join others in the neighbourhood in confronting problems, through organisations such as neighbourhood watch or tenants or residents associations, and a personal responsibility to report problems to the authorities, including the police. Too often, that is a difficulty. People come to me complaining about the breakdown of order in their neighbourhood, yet they feel intimidated or unable to approach the police. Rights and responsibilities need to go together.

It takes only a very few shirking their responsibilities to create a serious problem for the many. That is why antisocial behaviour is a problem in so many parts of the country, not just in run-down estates and inner-city areas. It is because so few people can cause so much trouble for so many that antisocial behaviour is a problem in places such as Worcester and my constituency. I cannot hold a surgery or open my postbag in the morning without receiving complaints from constituents about the problems that we are discussing.

York's tourist industry benefits from the city's reputation as a beautiful, historic city, and the city centre is safe and clean, but in some ways York also suffers from that reputation. People forget that it is also a northern city with low wages and some serious social problems, as Seebohm Rowntree documented 100 years ago. There have been two drug-related murders in York in the past fortnight. To deal with those problems, we need more help, not just for services funded by the Home Office, but for other services, such as education. Two weeks ago I called a public meeting in Tang Hall. In common with estates in other parts of York—Clifton, Foxwood and the Groves—Tang Hall faces quite serious problems of criminal and antisocial behaviour. We gathered together the police, the Safer York partnership, magistrates, the probation service, councillors, council officers, residents associations, neighbourhood watch groups and churches.

In passing, I should say a special word of thanks to the Home Secretary, with whom I discussed the problems when he came to York early in November. He sent me a detailed letter responding to the queries that had been put to me by my constituents. Those attending the meeting were impressed by a hands-on Home Secretary who not only responded constructively to their questions and complaints but did so quickly—speed of response is of the essence.

At the meeting, we identified some good practice. In the past year, magistrates in York have issued 11 parenting orders. Magistrates issue such orders, and supervision is carried out by York city council—a good partnership is working between them. The parents who are the subject of those orders usually respond quite angrily. They say, "I have got enough problems with my children already without the courts coming down on me like a ton of bricks." However, after they have been through a parenting course, they support the system. They find that they are better able to communicate with their children to resolve conflict situations and to do things that might be second nature to some parents, such as praising their children when they do something well. Such behaviour does not necessarily occur naturally in society, and some people need help to find ways to be a more effective parent.

However, some powers that Parliament has passed in legislation are not being used locally. A common complaint made to me is that children under 10—the age of criminal responsibility—brag that the police cannot touch them. That is no longer true, because of legislation that passed through this House. Children below that age can be taken to court and made subject to a child safety order. If a child's parents are unable or unwilling to

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enforce the terms of a child safety order, it can be coupled with a parenting order. That coupling has yet to be used in York—so some additional powers are available.

Although police numbers in York are at an all-time high and the police have a new communications centre, when people phone up to report incidents, the response time is often far too slow. I know that there are technical problems with the new control room, but I hope that the Minister will have a look at what is happening in North Yorkshire, and ask what targets for response times are being set locally and when the police think that they will be through the teething problems and able to meet them.

My right hon. Friend the Member for Birkenhead is right to emphasise that this is a problem not just for the criminal justice system. In view of the time, I want to touch briefly on one set of agents for change that need more support—schools. At the meeting that I called, the head of a primary school said that it was easy when children come into the nursery at the age of three to identify which will become problem children in years to come. There are children who display a lack of socialisation—those who cannot sit down and who run about and disrupt activities for others. Getting support urgently for those children and their parents is extremely important. A local education authority, such as York's, which performs extremely well in the league tables, does not get the education resources that allow for sufficient educational social workers and other specialist support to be provided to schools.

I am particularly grateful to one head teacher who wrote me a long report after the meeting. He highlighted the fact that schools are both victims of antisocial behaviour and stand in the front line of the defence against youth offending. In the past week, that school has faced two assaults, four bicycle thefts, a gang fight outside the youth club, the site manager being threatened by a group of children aged between eight and 13, the head being threatened by intruders, verbal abuse from many trespassers, criminal damage, theft, intimidation, threats from unsupportive parents, and many phone calls from other parents and community leaders asking it to do more to help them in the fight against crime.

This is not a question of burdening schools with additional responsibilities; it is a question of putting in resources to help them deal with the problems that they face. Schools need both additional educational resources—an educational social worker, or perhaps an additional member of the school leadership team to deal with these day-to-day crises so that the head teacher can focus on the strategic direction of the school—and better liaison with the police. Perhaps we need a special police-school contact service, which could deliver a quick response. I cannot go into details because of the time, but there was a serious incident involving a bit of stolen property. The police were called and could, had they responded in time, have apprehended the child responsible. A number of police officers or community support officers could be attached to schools to provide direct support.

2.53 pm

Vera Baird (Redcar) (Lab): I, too, congratulate my right hon. Friend the Member for Birkenhead (Mr. Field) not only on securing the debate, but on the imaginative way in which he has yet again perceived a problem and applied intellectual rigour to analyse it and look for a solution. As we all know, antisocial behaviour is a huge problem. There is simply no need to describe how it impacts on the people of Redcar every day—it has an impact there, just as it does in Birkenhead, York and other places. He presented an interesting model about welfare being part of a contract, where the other part related to enforcing social duties on people.

I have read some publicity attached to my right hon. Friend's recent book, and I would be a very happy Christmas recipient of a signed copy. He says that

> "crucial to any success on this front is the removal of the so damaging belief that no matter how badly the person behaves the right to welfare is inviolate. This link has to be broken whereby continual offensive behaviour leaves that individual's right to benefit untouched."

He gives an attractive example, which is also cited in the publicity, of a contract shaped so that the registration of a child's birth becomes a public event or initiation ceremony into the wider society beyond an individual family.

The contract would outline society's duty to provide support, and the registration would become the gateway to child benefit. The contract would detail the rights that parents had to natal care and other NHS care and to Sure Start, nursery and school facilities. It is attractive to set out what people can get and its purpose, because that could help a person be a responsive and complete member of society. As an educational process that is attractive because it breaks down the enforcing of social duties by removing welfare benefits. We have only to look back to the contract that my right hon. Friend set up to see which welfare benefits we are going to remove when somebody does not behave.

Let us consider Sure Start, which is not a welfare benefit in a financial sense, but a benefit primarily for poorer people who, through no fault of their own, are not likely to be able to give their children the best start in the world. People can be taught such diverse things as literacy, parenting skills, speech therapy, ways to deal with difficulties with children, and breastfeeding. There are many sorts of support and assistance to try to enable the kids who come from such homes to overcome the innate deficiencies that poverty, perhaps, puts into their background.

So what are we going to do? Should we take Sure Start away if people break that contractual responsibility, which is the logical consequence of what is being suggested? If not, why not? We do not want to do that, because we want our citizens to have such things to improve and support them and to help with the next generation. We do not want to say, "All right, there is no logic to it, but we will confirm this enforcement through a welfare contract to remove financial support." Of course, in doing that we would increase poverty at a stroke. People get financial support from the state to keep them out of poverty. Immeasurable damage would be done, even if the logic were lost and the financial support removed.

The model that has mostly been considered by the Government, and cited by my right hon. Friend, is the removal of housing benefit, which shows three problems with the notion of enforcement through a welfare contract. First, which benefits are removed and who, outside a court, decides when they are to be removed? Secondly, how is the punishment to be confined to the individual, when most people live in families and have dependants around them? Thirdly, however wide the model of welfare benefits is cast, there are people outside it who cannot be punished in that way. How can we avoid a two-tier system of administrative justice?

I recognise that the threat to withdraw housing benefit is designed primarily to deter people from antisocial behaviour, and I accept that it is capable of succeeding with some people. However, research for the Joseph Rowntree Foundation and the Chartered Institute of Housing on tackling antisocial behaviour found that two thirds of people involved in such activity have special needs of one kind or another, which is no surprise. Some 18 per cent. had mental illness; 18 per cent. had experienced physical or sexual abuse—that figure only reveals those who talk about it—9 per cent. had a physical disability; 23 per cent. had drug and alcohol problems; and in 15 per cent. of cases kids were out of control and parents did not have the skills to deal with them.

Many households had been evicted before, but they were not able to change their behaviour or control that of their children. Such households need intensive, specialist support to encourage them to challenge their behaviour. When people have received such support, their conduct has improved. If the Dundee family project were made available to anyone facing a housing benefit sanction of the kind mooted in the Government's consultation paper and frequently mentioned by my right hon. Friend and the threat of such a sanction were accompanied on every occasion by intensive support and counselling of the kind available in very few families projects, I should have a less rooted objection to it because the threat of removing housing benefit would be a lever to push people into taking on more support. However, the resources are not available—they are very few.

What are we to do? We are to take people off housing benefit and cast them into poverty. The obvious outcome of withdrawing somebody's housing benefit is likely to be rent arrears—although the consultation paper minimised that—eviction and homelessness. I suppose that a good deal more poor women would be engaged in crime. A lot of women who are already engaged in necessity crime would get pushed into crime in an attempt to hold their home together.

Housing benefit is only paid to those who cannot meet their housing costs in any other way. Even if we are talking about a reduced rate of deduction, we cannot say that that would not inevitably cause hardship. There will be times when that cannot be done—

Sir Nicholas Winterton (in the Chair): Order. I must interrupt. A Bill is being discussed in the main Chamber and a vote has been called. May I suggest that we break for only 10 minutes? If Members co-operate, we can return at 10 minutes past 3, when the hon. and learned Lady can continue her interesting speech.

3 pm

Sitting suspended for a Division in the House.

3.10 pm

On resuming—

Vera Baird: I think that I was discussing the inevitable consequences of removing housing benefit, which is given only to people who cannot pay their housing costs in any other way. There will inevitably be eviction, homelessness and the intolerable burden on a local authority of having a duty to support people even when they are intentionally homeless, which it could find impossible to fulfil.

On the question of where those people go, my right hon. Friend the Member for Birkenhead has frequently said that his constituents do not care where antisocial behaviour families are moved. I understand that, and I would probably share that sentiment if I were suffering antisocial behaviour. As legislators, however, we have an obligation to be fair, and if there is no positive input to help the antisocial behaviour families change their behaviour, it is not fair to impose them on another community that is just as vulnerable as the one from which they have been removed.

There are problems with the administrative enforcement of a welfare contract of the kind that has been conceived. First, which benefits will be removed? How does one marry them up? I hope that I have demonstrated that benefits in kind, such as Sure Start, could not conceivably be removed. If one discusses financial models, such as housing benefit, however, one is in danger of throwing poorer people further into poverty. No one should present a solution without presenting a matching positive input at the same time.

Secondly, how is such a solution confined to the individual responsible? The consultation document on removing housing benefit discussed doing so only where the antisocial behaviour was caused by the individual or by someone whom people could reasonably expect to control. It is a very difficult model and it is not the kind of decision that should be taken by a local authority officer on an administrative basis or by a 22-year-old police constable who has trained for different duties. It requires not so much speed as the careful consideration and evaluation of evidence, for which the courts are primarily intended. The question of who takes the decision is extremely difficult in that kind of welfare contract.

I will leave an unanswerable question in the air: how do we deal with the inequity that there are people who are not on welfare benefits who cannot be punished in such a way? How do we avoid one justice for the poor and one for the rich? Although the suggested model is attractive as part of a programme for educationally and socially cementing progress and as a method to enforce acceptable behaviour, it needs a good deal more thought.

3.13 pm

Mrs. Annette L. Brooke (Mid-Dorset and North Poole) (LD): I congratulate the right hon. Member for Birkenhead (Mr. Field) on securing the debate, because this has been a fascinating discussion. It has not quite taken the route that I expected, but that makes it all the more interesting. All of us would agree that antisocial behaviour and its effect on others is the most frequently raised issue in our constituency postbags. I too have

[Mrs. Annette L. Brooke]

come across incidents of climbing over roofs, such as those that the right hon. Gentleman mentioned, and although I might not agree with his conclusions, I am passionately committed to tackling antisocial behaviour. The question is: what is an effective way of dealing with it?

I am committed to the idea that we should have respect for others, and that we should value them. Early intervention has been mentioned this afternoon, and that is important. We must consider antisocial behaviour at different levels. If we consider it at a societal, community and individual level, we will see that what has emerged from this debate is that enforcement measures against the individual will never be enough. We have heard the analysis of how society has changed, and few of us would fundamentally disagree with it. What we must take from this discussion is the fact that some solutions have to be used at the societal level.

I concur with others that if we are to make changes in society, education is the most important feature. Every time I speak about antisocial behaviour, I congratulate the Government on Sure Start, which has been an excellent innovation. However, it is a pity that some very deprived areas are missing out until it is extended over a wider area to cover the next tranche of the most deprived communities. Within, let us say, the bottom 15 per cent. of deprived communities, there are pockets of extreme deprivation that Sure Start is not getting to yet. Doing things is going to take a long time, but doing anything at societal level takes a long time. Although we are all impatient, the Government do not have unlimited resources.

I asked earlier whether there was sufficient uniformed presence. I use the term "uniformed presence" rather than the word "police" because my constituency is probably similar to others in that its antisocial behaviour is not often serious enough to need fully qualified police to deal with it. We must give more credit to the Government by recognising that we have a record number of police. However, there is a lack of uniformed presence, and communities need that, because without it nothing can really work.

Some valid comments were made about communication involving the police and the community. That is a two-way process. Like everybody else, I frequently get complaints: people say, "I rang about that behaviour but nothing happened; nobody bothered to get back to me." Surely we can sort that out with better use of civilians, antisocial behaviour hotlines, and people understanding which telephone line to use out of hours. People do not like to dial 999, but they do not know what to dial to deal with the less serious troublesome situations.

We need to give leadership. The only way in which we can change society and values is by giving political leadership; that is incumbent on us all. We live in a more caring society than we did 10 years ago, but we have a long way to go to overcome basic selfishness and individualism.

I like the idea that the community should be involved in the solutions. People should know what is happening. A parish council could determine what reparations should be made in the community, or whether something useful could be done involving area committees. If that were made very local and based on the community, some societal problems could be overcome.

As the hon. and learned Member for Redcar (Vera Baird) said, we are dealing with individuals who have their own characteristics. They often have serious needs. The roots of what we call antisocial behaviour often lie in many factors that we have not addressed for years. We know that there is not enough investment for autism, for example, and that child mental health care has been terribly neglected. Those are long-term problems that we need to put right.

At the individual level, we ought to be thinking of changing behaviour. A real change can come about only through a voluntary contract and a genuine understanding. We must have the supportive measures that other hon. Members talked about. We have some tough measures, which I question. I accept that we need enforcement, but I worry about the counter-productive elements. I support antisocial behaviour orders, but I am wary about naming and shaming people. For example, three teenagers in Kent had ASBOs put on them for life; it may or may not be related, but one has committed suicide. That individual clearly needed support, as well as the ASBO. We must all agree with that conclusion, and we must not forget those supportive measures.

There is so much that can be said in this debate, but I planned to talk about housing and antisocial behaviour, probably because I thought that the question of cutting housing benefit would emerge. The hon. and learned Member for Redcar made a strong case, arguing that cutting housing benefit is not the answer. That would only scratch at the surface and not tackle the underlying problems. It is surely most important to have supportive measures alongside the demoted tenancies that have been introduced, which involve the ultimate threat of losing one's house. We have heard about the Dundee project, and there is an excellent scheme running in Rochdale, as well as other examples around the country. How much of that work to support and change behaviour is going on—

Sir Nicholas Winterton (in the Chair): I am sorry to interrupt the hon. Lady, but I have to remind the House that we must finish the debate at 3.41 pm. The shadow spokesman has yet to speak for the Conservative and Unionist party, and the Minister will need time to reply. I am not in any way seeking to short-circuit what the hon. Lady is saying, but I am sure that the House would be grateful if she appreciated the time factor.

Mrs. Brooke: Thank you, Sir Nicholas; I was conscious that there was not quite 10 minutes for me to speak. The record of the supportive measure schemes for families undergoing them is excellent. I conclude by saying the same as the antisocial behaviour unit. We must, for goodness' sake, spread best practice across the board—best practice with housing and young people, for example—and ensure that we herald and celebrate the successes. Before we introduce draconian measures that could make things much worse for everybody and make society a worse place, please let us get it right.

3.22 pm

Mr. Tim Boswell (Daventry) (Con): I, too, begin by congratulating the right hon. Member for Birkenhead (Mr. Field) and all those who have participated. Without exception, they have made thoughtful contributions. Antisocial behaviour clearly affects us all; it is a universal problem. The town of Daventry, the largest town that I represent, has greatly expanded since the 1960s. There are, within those early developments, areas of significant social pressure where, as the right hon. Gentleman said, the infrastructure is run down. Their community spirit and community capital have run out, and require refreshing. The problem also arises in rural areas, where transport is difficult, particularly for young people, and access to leisure and sports facilities is extremely limited. Sometimes a group of troublemakers from the town goes out to one of the villages some miles away, and creates trouble there. It is clear from my regular constituency surveys that my constituents feel strongly about that.

Many hon. Members, including the Minister, will be familiar with the American experience, and the famous "broken windows" theory of Wilson and Kelling. Some of us, including myself, were lucky enough to hear William Bratton—the former police commissioner of New York, now commissioner for Los Angeles—lecture on the subject in London last week. Untended, unrepaired and unloved assets signal an erosion of local values, which is soon followed by the kind of behaviour that afflicts our constituents. The areas and the perpetrators are not typecast, and neither are those who have to put up with them. The problem affects not just the affluent, but significant numbers of poor and young people. Almost half of students report that they have been the victims of theft during their time at college.

The diagnosis of the right hon. Gentleman and others, and the Government's concern, are entirely appropriate; I would not argue about that. I am less happy about the efforts to find a solution. The Home Office initiatives, characteristically described by the Prime Minister as "eye-catching initiatives", do not necessarily bear the weight of expectation that has been laid on them. The ASBO system, even to my relatively inexperienced eye, is bureaucratic and clumsy, as is borne out by the figures. Ministers were talking in terms of 5,000 ASBOs a year—but although we had the first of them in Northamptonshire, there are still only 12 in the county. If we applied a percentage test, that would suggest that they are running at about a quarter of the number projected. Undoubtedly aided by the work done by all parties—such as my hon. Friend the Member for Surrey Heath (Mr. Hawkins), who is speaking in the Chamber today, and former Labour Home Office Ministers who have expressed concern—the Government have tightened the system with the new legislation. I hope that the Minister will have time to tell us about progress in that area.

At the same time, it is becoming clear that there must always be reservations, and limits on legislation that relies on restraint orders and naming and shaming, or the possibility of moving on to welfare sanctions directed at behaviour that, although recognisably offensive to the ordinary citizen, is difficult to tie down legally. In a largely positive article about ASBOs in the December edition of *Youth Justice Board News*, Paul Horrocks, the editor of the *Manchester Evening News*, made it clear that his colleagues do not trawl through old orders naming and shaming people, and they do not write about people who have not appeared before the courts. Those are proper restraints. I suppose that—the Minister might wish to comment on this—there is always the possibility of clever legal challenges to orders within the scope of the Human Rights Act 1998. There must be restrictions on the ready recourse to those.

In any event, ASBOs by themselves are not going to solve the problem. There have been a number of other constructive suggestions. They might help, and it would be useful to hear where the Minister thinks we are going. However, there must be reservations about whether what has happened so far has had any discernable impact on the wider issues of behaviour and culture that the right hon. Member for Birkenhead spoke about.

To help the Minister, I shall finish after making two general points. The first is that a great deal of this is about public reassurance. We need to convince the public that somebody is on their side, and that they are not unloved or uncared for. A visible police presence is important, particularly in areas of difficulty such as town centres on a Friday night. Five police officers have had to be taken from the western area of my county to parts of Northampton that the chief constable judges to have greater crime problems. That has gone down very badly. We need more police officers. My colleagues on our home affairs team have suggested a way of securing a further 40,000, as that is a major area of complaint.

The second issue, which is more a matter of culture, is that of rights and responsibilities. A strong message has emerged: both are required. If people are to be offered rights, there should be matching responsibilities or understandings. Those do not come automatically; they have to be fostered. It is clear to me that there is no chance of securing improvements without offering young people something constructive and interesting to do, and there is no question of rebuilding participant communities without some positive gear on the motor. Community policing and law and order cannot be improved from the outside without an equivalent commitment, fostered in the community, from local people. The two have to go together, and the problem will not go away until they do.

Sir Nicholas Winterton (in the Chair): Before I call the Minister, I thank the Front-Bench spokespeople for their co-operation in cutting their speaking time to allow the Minister adequate time to reply.

3.29 pm

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): I, too, thank hon. Members for restricting their speaking time. A huge number of issues have been raised that go to the heart of the dilemmas that we as politicians face; some are deep and complex, and some very practical. I hope to be able to respond to them all.

I thank my right hon. Friend the Member for Birkenhead (Mr. Field) for securing what, as has been illustrated by the standard of the contributions made by every Member today, is a vital debate. We all consider this to be an important issue in our communities.

[Ms Hazel Blears]

My right hon. Friend made a plea to the Government to consider specific areas, such as immediate enforcement and root causes, and to look across the whole of government to see what we can do. That is what we are doing with policy making, the legislation that has been enacted, the launch of the Together campaign, the action plan and the funding. Everything happening in government is designed to address that agenda.

It is right that, so as to have immediate enforcement, we have introduced fixed-penalty notices for disorderly behaviour. That was a controversial step, but it provided an immediate sanction for disorderly behaviour, intimidation and harassment. We have been piloting the use of fixed-penalty notices in six forces. Today I saw an evaluation of how that trial has gone, and we shall trial further powers in relation to 16 and 17-year-olds after Christmas. A new area of policy is being developed, in which there can be immediate sanction without going through the whole panoply of court prosecution, which sometimes takes far too long for the community to see results.

I hope that hon. Members accept that root causes are being addressed through Sure Start, the many other schemes that have been put in place and the new parenting fund that we have brought into being. Some £25 million has been set aside for parenting orders, to try to ensure that parents get support and learn skills. Unfortunately, far too many parents have not had the opportunity to learn the fundamentals of bringing up a family. Money is in place to help with that process. That is essential, in terms of cross-Government effort, which is why the antisocial behaviour unit, although situated in the Home Office, has a complete cross-Government brief.

Unless we engage with the Department of Trade and Industry—as with the fireworks menace, when we worked closely with that Department for robust proposals and legislation to clamp down on fireworks—and with the Department for Education and Skills on what we can do in schools to change attitudes, simply having enforcement tools will not be enough for our campaign to change the way we live so as to reduce antisocial behaviour.

I ask hon. Members to put the situation in perspective. We have made considerable gains over the past few years in reducing crime, which is down 25 per cent. I entirely take the point raised by hon. Members, however, that convincing people that crime is down is a bigger issue, because they do not necessarily feel safer when they are out and about in their communities on their lawful business. That is why tackling antisocial behaviour and increasing reassurance are the key. We can keep driving down the volume of crime—burglary is down 40 per cent., vehicle crime is down 30 per cent., and robbery is down 17 per cent.—but, unless people feel safe going about their day-to-day affairs, they will not connect that with their real lives. That is why this agenda is central to everything we do.

The agenda is not just about crime or intimidating behaviour, it is about graffiti, fly-tipping, fly-posting, and all those things that lead to neighbourhoods looking run-down, and to people feeling threatened. The hon. Member for Daventry (Mr. Boswell) mentioned the broken windows theory. Dealing with the whole range of such environmental crime is vital to our proposals. That is why the Anti-social Behaviour Act 2003 contains innovative new powers to deal with graffiti, fly-tipping and other such environmental problems. That is also why I am working closely with the Office of the Deputy Prime Minister on the liveability agenda, which underpins our policies.

It is important that we give our public services the tools to do the job. That is why we brought in antisocial behaviour orders as long ago as 1998, and why we listened to people who said that it was difficult to get them through the courts initially, when the use of ASBOs was a new tool. It was a new discipline, and people were not used to such powers. We have streamlined the process dramatically—and I can say that from personal experience. There are 50 ASBOs in my constituency, and 25 of those have been granted since last December, when we brought in the power to make ASBOs on conviction. The new procedure is much simpler. People do not have to listen to two sets of evidence, and the order can be made at the same time as the conviction. That has been a tremendous help to the police and the local authority, and has ensured that the orders are obtained and enforced.

For the first time, magistrates are agreeing to sentencing guidelines in relation to the breach of such orders. The inconsistency of sentencing has been a real problem, and people have been given a caution or a conditional discharge when they have breached the order. Getting sentencing guidelines in place so that breaches are taken seriously helps to build the confidence of the community that it was worth while coming forward and giving evidence because the order has been obtained and will be enforced.

The big issue is the confidence of the community, which brings me to a question that several hon. Members have raised about the publication of the fact that orders have been obtained. I acknowledge that the hon. Member for Mid-Dorset and North Poole (Mrs. Brooke) has reservations about—as she puts it—naming and shaming. I think that it is absolutely right that communities should know when orders have been made and what the conditions are. My hon. Friend the Member for Worcester (Mr. Foster) made a clear case for that. The community can then take action and feel empowered in connection with what is happening on their doorstep, in their local area. That publication should be proportionate and should not demonise people. It is a question not of humiliation, but of letting the community know that when it is prepared to take a stand against antisocial behaviour, the orders will be made.

I do not know whether any of the hon. Members here were present at the "Taking a Stand" awards that we introduced in the House two weeks ago. We brought together people from all over the country who had taken a stand in their communities. They had been prepared to go to court and give evidence. We acknowledged their contribution and rewarded them with a small amount of money that they could spend on community project to ensure that we repair some damage done to them and their neighbourhoods by antisocial behaviour. We shall do that annually, and I am sure hon. Members will want to make nominations for future awards from their own areas.

One of the interesting political debates that we have had this afternoon concerns changing how people view the state, so that we can move from a dependency culture to a welfare state that enables people to help themselves. That has been reflected in the contributions from several hon. Members. We have embarked on that big political change throughout government. How do we involve local people in coming up with solutions and empower them to take action in enforcing the standards of the common decencies—to use the phrase used by my right hon. Friend the Member for Birkenhead? I have no doubt that that debate will run and run throughout many of our policy areas.

The other fascinating issue that emerged was reflected in the comments of my hon. and learned Friend the Member for Redcar (Vera Baird) about the extent to which conditionality can be part of our welfare system. She made the point that some people would comply if conditionality was introduced. I attended a fascinating seminar a few months ago, full of academics, learned lawyers and all sorts of knowledgeable people from different backgrounds. We took part in an enormous exercise about conditionality, examining where the cost benefit was, and debated whether it would punish the most vulnerable and the poorest.

The idea was that if we got as many people as we could to comply, there would always be a group of people who did not comply. What would be the effects of that? I posed the question to my colleagues, who had worked out a big empirical method, but their only answer was, "That's a matter for politicians to decide." That is a stark and graphic way of illustrating some intensely difficult issues that we have to deal with when we think about how far to put tools in place to shape people's behaviour, and what are the implications of doing so. Hon. Members have raised a complex issue, and we shall be directing our minds to it during the coming months and years.

I want to say a little about spreading good practice, a subject that has been raised by hon. Members. The Prime Minister, the Home Secretary and I launched the Together action plan a couple of months ago, which shows how far up the political agenda the issue is. A key part of that action plan is the setting up of the Together academy, in which we shall bring practitioners together in the new discipline of coping with antisocial behaviour. They will examine how to use the legislation and the tools, how to get ASBOs in place and how to use the acceptable behaviour contracts in a more flexible way. The Together academy will bring people from the front line together and train them to use the tools that we have provided through legislation.

The Together action line will be a hotline, so that people who have a problem in their area can get immediate help from the antisocial behaviour unit. I recently visited Kendal in the Lake district. That is not a place that we would naturally associate with antisocial behaviour, but in one estate there one family was causing huge problems for people in the community and no one had a clue where to start. If they were in Salford, they would know and would have the skills and experience to deal with the problem. We can help that to happen through the antisocial behaviour unit. If my hon. Friend the Member for Worcester has a problem with his local authority or police being reluctant to act, the antisocial behaviour unit can empower them to use the tools that we have put in place. I certainly commend it to him.

I accept the support of the hon. Member for Mid-Dorset and North Poole for dealing with antisocial behaviour. However, I say again that it is a great pity that her party did not support the Government's legislation to tackle such issues, which is essential to people in our communities. I hope that even at this very late stage she might repent of her party's decision and support the methods that we have introduced.

My hon. Friend the Member for City of York (Hugh Bayley) spoke about child safety orders. He will know that we are actively considering the matter. I am grateful to him for his contribution on an important subject for children of 10 and under—

Sir Nicholas Winterton (In the Chair): I always hesitate to interrupt the Minister, but time is up. We must now move to the next debate. I must tell the hon. Member for Twickenham (Dr. Cable) that we are about 11 minutes behind because of a Division in the House, so he is here exceptionally early for his debate.

Traffic Management

3.41 pm

Mr. David Kidney (Stafford) (Lab): Compliments of the season, Sir Nicholas. Without in any way wishing away the festive season that everyone is about to enjoy, I ask you and the Minister to look ahead to Parliament's first day back in January, when we shall debate the Traffic Management Bill, part of which will move the Highways Agency from being just a road builder and maintainer to a network operator. Highways authorities and traffic officers will patrol trunk roads and motorways, manage traffic flows and respond to incidents. That is relevant to this debate.

To put this debate in a broader context, in a speech to the Automobile Association awards ceremony on 26 February 2003, the Secretary of State spoke of the Government's commitment to investment in all modes of transport, to expanding the highways network of the country, including major investments in widening the M1 and M6, and to making better use of the existing network. It is that last commitment that brings me to the Government's plans to allow vehicles to use the hard shoulder of motorways as an extra running lane.

Motorists will already be familiar with driving on the hard shoulder, but only at certain times, such as when road works are in progress or during construction. In fact, there has been wider use of hard-shoulder running in other countries, including Australia, Germany, the Netherlands and the United States of America, but the debate is about the UK's plan to allow for the first time driving on the hard shoulder to reduce congestion on motorways. It began on 27 July 2001, with the Government's announcement of a pilot scheme, called active traffic management, on a stretch of the M42 between junction 3A, which is the M40 junction, and junction 7, which is the M6 junction. The Government then announced on 9 July this year that hard-shoulder running would be considered for other motorways.

I should like to check with the Minister whether the active traffic management scheme on the M42 will be the only pilot or whether the Government envisage a larger pilot. The Highways Agency refers to all the motorways around Birmingham as the Birmingham box. It would be interesting to know whether there will be one pilot scheme or more than one.

I raise this subject because of the concerns that have been expressed. Several of my constituents have taken the trouble to contact me to say that they are worried about the safety aspects of the proposal. Several road hauliers, both within and without my constituency, and individual members of the emergency services have expressed concerns. In addition, the RAC recently provided a written submission to the Transport Committee, in which it detailed NOP research that it had commissioned, which found that 83 per cent. of motorists think that using the hard shoulder to reduce congestion is a bad idea and 84 per cent. of them think that it would make roads less safe. In requesting this debate, I intend to investigate what is involved in the pilot and discuss the safety issues raised. I hope that the Minister and I can reassure motorists that the pilot is safe.

We should start from the premise that the UK has an excellent road safety record compared with most other countries. Too many people—about 10 a day—still die on our roads. Nevertheless, our roads are safer than most, and our motorways are the safest of all. It is fair to say that many people think that the system of having a hard shoulder next to the carriageway contributes to that excellent safety record, so it is understandable that any proposed changes to that system would cause motorists anxiety.

It might be helpful to establish the safety record of our motorways and the current casualty records for people on the hard shoulder. In the RAC's written submission, it is claimed that between 200 and 250 people a year die or are injured on motorway hard shoulders. However, in a written answer, the Minister said that

"in road accidents involving vehicles parked on motorways for the three-year period from 1999 to 2001",

the figures were

"62 people killed; and 118 people seriously injured."—[*Official Report*, 15 July 2003; Vol. 409, c. 166W.]

Those figures do not even add up to 200 over three years. Such a disparity makes it difficult to rely on any of the figures. Does the Minister agree that it would be helpful to establish a more accurate baseline before the project begins to ensure meaningful evaluation?

The Minister's advisers have studied overseas experiences and examined the subsequent research. The pilot schemes in the Netherlands, on the A27 and A28 at Utrecht, were reported to the House of Commons in a paper that the Minister placed in the Library in March 2003. Those pilots and a third of those on the A50 at Arnhem involved permitted use of the hard shoulder at fixed, predetermined times, and vehicle detection equipment in place to check that the hard shoulder was clear of obstructions before the start of hard-shoulder running. The scheme was not run through motorway junctions, only on continuous stretches between junctions. The Dutch operators claim a reduction in journey times as a result of the pilots, and a 75 per cent. reduction in rear-end collisions.

I suggest to the Minister that motorists will have two obvious fears about the scheme. First, in the event of a breakdown or damage to a vehicle, there will be no safe refuge if the hard shoulder is used by other vehicles. Secondly, if the motorway is snarled up by a major incident and all traffic, including that on the hard shoulder, is stationary, how will emergency vehicles get to the scene of an incident? It may be a serious incident, with people trapped in vehicles, a fire raging, or toxic substances released, and it would be desperately urgent for the emergency services to get there.

I shall set out my understanding of the components of the active traffic management pilot. There should be frequent overhead gantries and signs to advise motorists when to use the hard shoulder. There should be clear signs above the motorway—the green arrow and red cross system that we are already familiar with. It is also essential to apply a reduced speed limit across all lanes of the motorway before allowing hard-shoulder running.

3.49 pm

Sitting suspended for a Division in the House.

3.59 pm

On resuming—

Mr. Kidney: I understand that the components of the pilot will also include effective monitoring equipment, a constantly staffed control centre and, most importantly, a new network of emergency refuge areas adjacent to the existing hard shoulder. That is my understanding of how the scheme will operate. At times of heavy congestion—I have seen suggestions that on weekdays that will be two and a half hours during the morning and four hours during the evening—the green arrows above the hard shoulder will indicate that it may be used as a running lane.

The green arrows will be switched on only after the control centre staff have satisfied themselves that the hard shoulder is clear of obstructions and that a lower speed limit for all traffic has been set. The staff at the control centre would then have the benefit of CCTV cameras and a closely spaced inductive loop to detect rapidly any incident on the motorway. In the event of a breakdown or damage, the vehicle would have to make it to the nearest emergency refuge area.

In addition to the CCTV cameras and the induction loop, every emergency refuge area would have an emergency telephone. The control centre, by one means or more, would be alerted to the incident. I believe that a recovery vehicle would be dispatched and a decision would be made whether to close the hard shoulder in the vicinity of the emergency refuge area for safety reasons. In any event, if a recovery vehicle were to come along to assist a vehicle in exiting an emergency refuge area, signs would be operated to close that part of the hard shoulder, as it would clearly be dangerous to emerge into moving traffic from a standing start. In a major incident, I understand that the control centre staff would close off all the hard shoulder in order to allow access to the site for emergency vehicles.

Will the Minister confirm whether my understandings are correct and whether he wants to make any alterations or additions? Could he answer some queries to allay motorists' fears? Clearly, when traffic is running in more than one lane, it will not be easy to get to one of the emergency refuge areas. How frequent will they be alongside the motorway? Will they be big enough for the biggest heavy goods vehicles and their recovery vehicles to fit into without protruding on to the hard shoulder? Will they be clearly indicated for people who might need them? Will entry to an emergency refuge area be detected automatically by control centre staff? Will all the areas have an emergency telephone?

I want also to ask about the legal status of the hard shoulder signs. Will they be advisory or mandatory? The highway code tells us at paragraph 238:

> "You must not drive on the hard shoulder except in an emergency or if directed to do so by signs."

The law that backs that up is the Motorways Traffic (England and Wales) Regulations 1982. Will a new offence of driving on a hard shoulder when the sign says not to do so be created? If so, what will be the punishment for doing that?

What does the Minister think about the issue of non-compliance by motorists? I understand that the Netherlands' experience was that 40 drivers an hour drove on the hard shoulder when they were instructed not to. That amounts to one every one and a half minutes. Does the Minister think that that rate of non-compliance in the pilot scheme would be dangerous? Will the pilot scheme apply not to motorway junctions, but only to continuous stretches of motorway between junctions?

I take it that the control centre technology will be tried and tested, and available in sufficient quantity for staff to be alerted immediately, so that they can respond immediately to problems. Is that correct? Will a recovery vehicle be dispatched in the event of an incident, and if so where from? Will it come from somewhere nearby? Crucially, are such services from the Highways Agency free? Organisations such as the RAC are concerned about the motorist's choice of recovery operator.

Is it correct that in serious incidents control centre staff will be clearly instructed to clear all the hard shoulder of running traffic? The question must arise of whether there will be room in the carriageway for those vehicles, assuming that a major incident has already caused a backlog of traffic. In such an event, will emergency vehicles come from the opposite carriageway? If so, will traffic running on the hard shoulder on that side of the motorway be stopped? Communication between the emergency services and the control centre staff is clearly crucial in such situations. How closely will they communicate?

Consultation is a great concern, so I should be grateful to the Minister if he mentioned what consultation has taken place so far and what will take place in the future. Groups such as the emergency services, the Health and Safety Executive, other road safety organisations, motoring organisations and road hauliers all have a keen interest in the subject. Does the Minister agree that it will be important nearer the time to ensure that individual motorists are well aware of what is going to happen?

Most helpfully, the Minister handed me a new leaflet about the pilot scheme at the start of the debate, which I am sure would help many of the public to understand what is involved. Will he confirm a start date for the first pilot? Will there be a special rule about the number of lanes that heavy goods vehicles may use? I have asked that before in a parliamentary question. At the moment, on a three-lane motorway, they may not use the outside lane for overtaking. If the hard shoulder is in use, are heavy goods vehicles restricted to two lanes or three lanes? Is he aware that the RAC, which I have already mentioned several times, is still steadfastly opposed to the pilot? It says that there is a safety hazard for motorists and those working on the hard shoulder.

I hope that the Minister will appreciate that I am not speaking in opposition; indeed, if the measures provide a better way to manage the network, the pilot is a responsible way to proceed before ensuring a more general application of such practices. Clearly, there are safety issues, and some people have concerns about the scheme. I hope that the Minister welcomes this opportunity to make public reassurances about, and explanations of, the scheme, as do I.

Sir Nicholas Winterton (in the Chair): I call the Minister to respond to this interesting debate.

4.6 pm

The Parliamentary Under-Secretary of State for Transport (Mr. David Jamieson): Thank you, Sir Nicholas. I hope that my contribution does not make the debate less interesting.

I congratulate my hon. Friend the Member for Stafford (Mr. Kidney) on the way that he presented his argument and commend him on his excellent record on matters of road safety. He always speaks with great authority on the subject, both in and out of the House, and is well respected for his views, so it is a pleasure to respond to the debate. I will answer as many of his points as possible in the time available.

I know that the issue is important to my hon. Friend's constituents, but I think that he spoke for the much wider audience of those involved with the pilot that he mentioned in the west midlands and those from outside the area who will use the roads in that area. He rightly pointed out that this country has an enviable road safety record. I think that I am right in saying that we have probably the best record in the world, given the number of miles travelled and the number of people who travel on our roads. Our motorways have an extremely good record, even in the context of the general good record in this country.

I welcome this opportunity to discuss this innovative and exciting project that we have embarked on in the west midlands. My right hon. Friend the Secretary of State and I feel that the active traffic management pilot project could provide significant benefits for road users and the nation as a whole. It would contribute to our policy of removing some of the bottlenecks on our roads and to the improvements that we are making. Importantly, the project would enable us to make better use of the road network, and help us to see what additional capacity we can safely squeeze out of it.

I assure my hon. Friend at the outset that safety has always been, and will continue to be, the top priority in managing traffic for any project. As part of the active traffic management pilot, we are developing a wide-ranging safety strategy to ensure that the concept develops with safety at the forefront of what we do. The ongoing safety work is facilitated by our commitment to sustaining our long-lasting and fulfilling partnership with the police service and the emergency services, who are all too often on the front line of incident management on our motorway and trunk road network. Those services' commitment to the pilot project, and in particular that of the central motorway police group responsible for that section of network, has been instrumental in ensuring the successful progress of the work.

I am aware that my hon. Friend has concerns about how we will deal with the management of incidents on the hard shoulder when it is being used by traffic, and I assure him that the issues that he has properly raised today are being given the fullest attention. The emergency services deal with emergency access every day when they attend incidents on high-speed trunk roads, which do not have hard shoulders. Sometimes, access is through road works or on motorways with gaps in their hard shoulders. In such circumstances, the emergency services will seek to establish whether any traffic can pass the incident. If not, the approach may be at the next available junction.

The active traffic management pilot will provide more traffic cameras. I stress that those cameras will not enforce speed limits, but will send information back to the Highways Agency, which will help the emergency services to monitor the situation, to take decisions using the enhanced detection method, and to speed up their reaction to any major incident on that particular stretch of road.

In the past few years, we have become increasingly aware that we need to make better use of our road space. We have made strong advances in technology to support our roads management, and we have successfully implemented several innovative traffic management measures throughout the country. For example, the controlled motorway section of the M25, which has operated successfully for several years, has shown that managing speed limits in response to the prevailing traffic conditions has created a safer and more comfortable driving environment.

As my hon. Friend said, we have paid close attention to our overseas partners' development of the active traffic management concept. In particular, we have forged close partnerships with the Dutch, who have operated a similar system for several years. Their extensive experience has proved that such innovative projects can significantly benefit road users. They have reported consistent reductions in the number of serious accidents by using the hard shoulder, owing mainly to a reduction in queuing and congestion following the introduction of the system.

My hon. Friend may be interested to know why we chose the M42 on which to pilot the project. As I am sure he will know from his journey to and from the House, the M42 regularly suffers from congestion, especially in peak periods. Accident rates are higher on certain parts of it than on other parts of the national motorway network. It is also a route of strategic national significance, as it forms part of a key cross-country route and provides direct access to the national exhibition centre, Birmingham international airport and Birmingham international station.

My hon. Friend asked whether this is the first pilot. Yes, it is, but a second is being developed in south-west Yorkshire. We will examine the experience of those pilots to see how they can be rolled out in other parts of the country, although he will be the first to appreciate that there will be limitations on where they can be rolled out on our motorway network, because the hard shoulder is not consistent in certain parts of it, as he knows. There are breaks in the hard shoulder on much of our motorway network, and it would therefore be inappropriate to use the system on parts of it.

The issues that I believe are of the greatest immediate concern to my hon. Friend relate mainly to the use of the hard shoulder as a running lane. I stress that the hard shoulder will be opened only if it is safe to do so and, even then, only under carefully controlled conditions. Trained active traffic management operators will take the decision to open the hard shoulder, which will not be opened during bad weather. When the hard shoulder is open, all traffic will be subject to a mandatory speed limit of 50 mph, or less if appropriate, to improve safety, and will be able to use the hard shoulder only between traffic junctions, not through them.

When the speed limit on the carriageway is reduced, a red cross will be shown if the hard shoulder is closed to traffic. If it is open, the speed symbol will be used to indicate the speed limit that has been set. Green arrows will not be used. In the event of a breakdown, there will be safe refuges called emergency refuge areas, spaced at approximately 500 m intervals. I am sure that, as he drives along the M42, my hon. Friend has noticed those being constructed. The hard shoulder will be opened to prevent the onset of congestion and may also be used during incidents as appropriate once the emergency services have reached the scene.

We shall use the latest enforcement technology to ensure that drivers adhere to the speed limits that we set and to ensure that we minimise any abuse of the hard shoulder outside the times of operation. I stress that for most of the day, the hard shoulder will remain a conventional hard shoulder as we all understand that term.

I think that my hon. Friend said that there would be no safe refuges. Of course, emergency refuge areas, which will be similar to lay-bys, are being provided along the length of the scheme to give a safer area for vehicles in an emergency. Even when the hard shoulder is closed to use, those refuges will be a huge advantage. As my hon. Friend said, when motorists pull up on the hard shoulder in an emergency now, the likelihood of being hit by another vehicle from behind is, alas, very high. That is why we advise people to get out of their cars and get behind the barrier. The refuges, notwithstanding any policy decision that we take about hard shoulder running, will substantially enhance safety on the motorways where they are placed.

The refuges will be available at all times, not just when the hard shoulder is open, and will be equipped with detection technology and emergency telephones to alert control centre operators as to the presence of a vehicle. A dedicated team of people will work on the system to see who is in the refuges. They will look specifically on this stretch of motorway to see what is happening and alert the police or, later, traffic officers to go and give assistance as necessary.

As part of the project, we are providing improved incident detection techniques and technologies. That includes comprehensive CCTV coverage to allow monitoring of traffic conditions, more sensors in the road to speed up the detection of traffic queues, and more message signs and lane signals to give better information and instruction to drivers. I am sure that my hon. Friend has seen the variable message signs that have been fitted to this stretch of road. Those detection technologies will be used by operators before opening the hard shoulder to ensure that it is safe to do so. They will be able to see whether something is blocking the hard shoulder.

The signs and signals provided over each lane of the carriageway will be spaced at much more frequent intervals than is the case on other motorways in the network. As soon as an incident occurs, an operator, using the signs, can close the affected lanes to protect those involved in the incident, and warn road users before they reach the incident. The closed lane can then be used by the emergency services to secure access.

I am sure that my hon. Friend will be interested to hear that we have consulted on our proposals for the M42. In addition to the good partnership that we enjoy with the local police, we have discussed the project at length with the other emergency services in the area and are now drawing up detailed operational plans and agreements with them for the operation of the scheme.

We are also about to embark on a wide-ranging consultation exercise on the changes that need to be made to the road traffic regulations for the project to be implemented. That exercise will include more than 100 consultees who may have an interest in the project and our proposals. In addition, we have been talking to vehicle recovery operators and transport and maintenance organisations about the detailed development of our proposals.

A key aim of the project has been to ensure that the signs and signals that we provide are as intuitive as possible to ensure that road users can use the scheme with care and confidence. My hon. Friend will know that we have held a number of local exhibitions on our proposals for the M42, as well as appearing at national events such as the motor show.

We shall continue to raise awareness of the project among the public as we move to the start of operations. My hon. Friend asked about that. We may be able to give better guidance on it later in the year. There is some ongoing work. We want to be assured that all the safety precautions are in place first. Once that is the case, we can make an announcement.

My hon. Friend also asked whether emergency vehicles would approach in the opposite lane in some instances. Yes, that will still be possible on occasion, but of course if the other carriageway is closed, it is a total closure. We could not have emergency vehicles approaching the wrong way down a stretch of motorway, with other traffic still trying to use the hard shoulder and so on. It would be a total closure, as now, removing part of the central barrier and gaining access. That will be no different from the system that applies now.

My hon. Friend will, I hope, be reassured to hear that we are not implementing our proposed traffic management measures all at once. We will be taking a phased approach during the next few years to allow road users to build understanding and confidence in what we are doing and the Highways Agency to learn from the experience. Once the measures are implemented, we will benefit not only from less congestion but from safer roads. I am grateful to my hon. Friend for giving me the opportunity to outline some details of the proposal.

Police Funding (London)

4.21 pm

Dr. Vincent Cable (Twickenham) (LD): I am delighted to have the opportunity to introduce a debate on this subject and, because of the staggering of the debates, to have broadened my education on British motorways. I have introduced this debate for two reasons. First, I have a long-standing interest in police matters. I chair the all-party group on police, and I hosted the meeting on 15 October at which the Association of Chief Police Officers and the Association of Police Authorities gave a preliminary airing to some of their concerns over the looming financial difficulties of some authorities, especially the Metropolitan Police Authority.

Secondly, I am raising the subject as a London Member of Parliament. My particular part of London, the borough of Richmond, is by most indicators the most law-abiding in London. Although it is not law-abiding by the standards of many other parts of the country, by London standards it is considered to be a relatively low-crime area, and I accept the relative indicators on that. None the less, there is a major fear of crime, and much of that has burst to the surface during the past year.

I hosted a public meeting about a year ago in Hampton in my constituency, where the attendance was in thousands rather than hundreds—we had to turn people away and have the meeting in shifts. Part of that public anxiety was triggered by a particularly alarming murder, that of Marsha MacDonnell, but even before that a growing worry about crime was building up. That was underlined by the fact that most people in most parts of my constituency had not seen a police officer on the streets for many years. In that sense, my area was typical of many parts of London. Particularly in the early and mid-1990s we saw a quite catastrophic decline in police numbers; in aggregate London terms they fell from 29,000 to just over 25,000 in 1997–98. In my borough, the decline was from 336 in 1990 to 267 in 1998, a loss of more than 20 per cent. of the force. Street policing simply disappeared.

The situation has stabilised since then, and in the last year we have seen an increase to about 280, a slight improvement. For the first time, people are beginning to note a visible police presence, helped by the police community support officers, a welcome development. My borough commander has recently introduced a system of allocating a beat officer to every ward. That is a big change and a welcome improvement.

I have introduced the debate because I worry that that turnaround, which, if not dramatic, improves the visibility and numbers of police, may be undermined by the overall position of the Metropolitan police and the consequences of the local government finance settlement. The calculations that the Metropolitan Police Authority has made are provisional, so the Minister may want to correct or explain them, but its assessment is that London will lose in the order of £56 million in the next financial year, compared with what it would have received had the formula applied as before.

The reasoning behind that number has several elements. First, the growth for funding for London is apparently 3.3 per cent., as opposed to an average of 4.2 per cent. None of us can understand why London's growth is less than the average. Any needs-based system would presumably reflect the fact that London has an intensification of many law and order problems such as gun crime. Any system based on costs would take into account the fact that labour and property costs in London are rising relatively rapidly. Yet for reasons that are unclear, London seems to have done less well than it would have done under the earlier needs-based formula.

The second reason for concern relates to the funding of those elements of the police budget that are described as national and capital city functions. There are a large number of tourists in the city, as well as the monarchy and the diplomatic service. A whole set of functions accrue to the Metropolitan police on account of our being the capital city. Quite properly the Government funds them separately. The growth rate here is about 2.5 per cent., which is even lower than the overall funding allocated to the Metropolitan police.

Again, the figures are difficult to explain. The rough notional sense that many borough commanders are getting is that abstractions, particularly from suburban areas into the centre, are growing rapidly. I was informally given an estimate of a 9 per cent. annual growth last year. These are police officers who, to maintain public confidence, are being removed from routine duties and transferred to the centre of London for those national capital city functions. Yet that has not been allowed for in the funding formula.

Mr. Mark Field (Cities of London and Westminster) (Con): In view of the constituency that I represent, I am well aware of the problem relating to capital city funding element within the Metropolitan police area. The hon. Gentleman will appreciate that, for historical reasons, the City of London police have a level of independence. I pay credit to the Government: the City of London police have received a good settlement this year to take account of terrorism and fraud. However, terrorism, and the fear of terrorism, are quite large factors. Does the hon. Gentleman have any thoughts not just about police numbers, which have been used as the big idea by both the Mayor of London and the Government, but about the management of the police in the Metropolitan police area? That is of grave concern to my constituents, and to his in a more suburban area.

Dr. Cable: There has been an enormous improvement in the management of the Metropolitan police in the last few years. I will shortly give a few indicators that show that. I certainly accept that the Metropolitan police were notorious for the inefficiency of some of their operations a few years ago. That has greatly changed. The hon. Gentleman referred specifically to terrorism. There is a query about how the Government will approach that. That is not a criticism. As I understand it, some 257 new security posts were to be created in London specifically to deal with the problem. The Metropolitan Police Authority and the police have no indication of how they are to be funded. The impression they have gained is that there is to be no additional funding for that purpose.

In addition to the difficulties of the basic national formula and the national duties allocation, there is a set of queries relating to the special grants. It would be better—I know that the Government are moving in this direction—if some of those special grants were simplified and consolidated. What seems to be happening is that existing special grants are being increased far less substantially than the London police have been led to expect. This is a further source of concern.

The community support officers are a welcome addition and have made a major difference to policing in the capital. Some 40 per cent. of them are women or from the ethnic minorities. They are making a big change to the face of London police. However, the funding that has been made available for them for next year is substantially less than London was led to expect. The Airwave project is key to efficiency and better communication. Again, there is a big drop in funding that will be made available for it. The crime-fighting fund, which is key to recruitment, is not being extended next year. The funding of existing officers is being reduced. The funding being made available for a whole set of specific grants is less then London was led to expect. That is on top of the losses from the overall funding allocation.

What are the potential consequences? As I understand it, there is a consultation process in which the Minister will be involved. It may produce a different outcome from the one that I am trailing here. There is a set of decisions to be made by London's elected members. It is not for the Government or me. That is right. They have to decide their own priorities. But it is clear on the basis of the provisional numbers that some painful decisions will have to be made. It is quite possible that the London authorities will steam ahead with their plans for expanding the number of police officers on the ground. If they do that they will have to increase substantially the council tax precept. A figure of 20 per cent. growth has been quoted but given the overall inequity and unpopularity of the council tax system, I suspect that that would not be acceptable to many boroughs.

The alternative is for the police in London to trim back some of their plans. In particular, I am worried that the Metropolitan police may be forced to abandon or seriously postpone their step change initiative, which was to give a new dimension to policing in London by introducing ward-based beat policing across the capital. The first stage was to involve three wards per borough, including mine. My understanding is that the funding is precarious and depends on an optimistic outcome to the negotiations with the Government.

Of course, the Government could say that the Metropolitan police could become more efficient. That point was made in an intervention. They could ask why the Metropolitan police do not save money. I remember being part of a delegation that went to see the Home Secretary—now the Foreign Secretary—about four or five years ago. He produced all kind of indicators of inefficiency in the Metropolitan police to explain why he was not being more generous to them, but since then there has been a big change. The Metropolitan Police Authority has been able to demonstrate that, over the past three years, it has made, I think, effective cuts of £100 million in expenditure, through improved productivity. According to most indicators of performance, when the Metropolitan police are compared with West Midlands or Greater Manchester police, which are comparable forces, they come out relatively well on things such as days lost and crime reduction. I am talking about burglary, car theft and many other key crimes. Public perception of and trust in the Metropolitan police ranks higher than for comparable metropolitan forces. There has been a big turnaround in the Metropolitan police, and the old argument about not trusting them with more money because they will not use it properly is becoming rather invalid.

To draw my thoughts to a close, I have two specific points. First, how it is possible to get a simple and more transparent system of Government funding for the Metropolitan and other police services? One of the points that people in the police service make is that they currently negotiate with six or seven Departments, and the European Commission. They deal with the Treasury, the Home Office, the Office of the Deputy Prime Minister, the Department for Transport—for the British Transport police—the Department of Trade and Industry and others. Can those different negotiations and streams of funding not be consolidated in a much simpler way? That ties in with the broader argument about the need for targeting to be reduced because it merely adds to the complexity and rigidity of funding. I know that the Government are moving in that direction this year, but targeting remains a major problem.

My other point is about the funding of major events. It is estimated that the Metropolitan police spent £4.2 million on the Bush state visit. Much of that was opportunity costs—police who could have been employed doing other things—but the sum is substantial. It is assumed that that will all be covered with the national and capital city funding formula, but there is an argument for treating big events separately. I suggest that that particular event could, and perhaps sensibly should, be covered separately by the Government. It was an entirely national activity and a one-off event, and should be separately funded rather than assimilated into the costs of the Metropolitan police. London has already paid for the visit in other ways because robbery rose 20 per cent. on the day in question. Many areas, such as mine, were denuded of their police officers. Londoners have already been asked to pay once, and they are being asked to pay twice.

On major events, I have another suggestion. I understand that the argument is not simply about asking taxpayers to pay more for policing. There is an argument, in some cases, for getting commercial operators to pay more. My constituency is host to the Rugby Football Union, as we are all aware, and I am proud of that, but I often question why the Metropolitan police should be expected to provide police officers outside the ground, at overtime rates, when there are major events. I did some costings about a year or so ago, and the cost is about £35,000 or £40,000 a time. Taking into account the major events over a year, the cost is probably £500,000. If the cost of events at Stamford Bridge and Highbury is added to that, we are talking about quite a large sum of money, and that is just for sporting events, not other events. There is an argument for asking the organisers, most of whom are now highly profitable owing to television revenues, to make a contribution to that. It should not just be down to the taxpayer.

[Dr. Cable]

The major question is why London, despite its exceptional needs and costs relative to other parts of the UK, appears to have suffered disproportionately in the allocations for the coming financial year and seems to have lost a lot of money for reasons that are not clear.

4.35 pm

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): As a former Twickenham girl, I am pleased to respond to this debate, and I congratulate the hon. Member for Twickenham (Dr. Cable) on securing it. I also welcome the hon. Member for Cities of London and Westminster (Mr. Field) to the debate.

Such debates are always opportunities to air local concerns about issues around crime. The hon. Member for Twickenham raised the important matter of people's concerns about crime throughout the UK—in Richmond, Twickenham, London and the rest of the country. A major incident, such as a murder, is bound to induce people's concerns and fears about its handling in their local community and about how safe they feel. Much has been done on a number of fronts to tackle crime. In more recent times, the general public have welcomed the reality of our need for police officers. However, we need other people to be engaged in fighting crime, whether they be community support officers or neighbourhood wardens. Tackling antisocial behaviour comes top in my postbag and in my surgeries—it is the issue that people raise daily. People realise that unless we tackle that problem, it can develop into far more serious crimes committed by people who are engaged in such activity. Such matters are important, and I take them seriously as an MP, a Minister and a member of the Government.

As the hon. Gentleman will be aware, the 2004–05 provisional police funding settlement was announced on 19 November. Details were circulated to all police authorities and forces and have been communicated to hon. Members. The closing date for representations on that settlement is 9 January. Expenditure on policing supported by Government has increased by 30 per cent. since 1999–2000. That was indicated in the hon. Gentleman's comments on how police numbers had plummeted for a time, but were now stabilising, with the trend moving upwards. That is welcome. Next year that expenditure will be increased by a further 4 per cent., which covers police formula spending, specific grants and Home Office direct expenditure. Under the provisional settlement all police authorities will receive, within that total, an increase of police authority general grant of 3.25 per cent above inflation. To set a single rate increase is an exceptional step. I shall elaborate further on that, because it is at the heart of the hon. Gentleman's questions this afternoon.

The Metropolitan Police Authority was allocated a general policing grant of £1,764 million for the current year as part of the overall grant to the Greater London authority. That is an increase of 5.2 per cent., or £87.73 million, which places it at the grant ceiling level. It remains a ceiling authority for the next year, when its grant increases to £1,822 million—an extra £58 million. The GLA also received up to £140 million in grant for specific initiatives in 2003–04. The main items included £70 million for the crime-fighting fund to support more than 2,000 officers and £62 million for counter-terrorism. That is substantially more than the sum received by any other force. Specific grant allocations for 2004–05 are still being calculated, but we have already announced that the force will receive £73 million for the crime-fighting fund. It will also receive a range of other grants.

Specific and targeted grants were introduced as a direct response to what the police service and the public told us they wanted. The general police funding formula is not sufficiently flexible to allocate some funding streams or funds that may not be relevant to all police authorities. Specific grants enable us to target funds in the areas where they are needed. London is a beneficiary in that arrangement.

The hon. Gentleman and other hon. Members spoke about the impact of transferring the specific grant, which was previously earmarked for Airwave menu services funding, to the general grant. That does not increase the total grant, but was done to offer police authorities increased flexibility and scope to use their grants. However, it has become clear to us that a large proportion of the Airwave menu grant was already committed for long-term services. In the circumstances, we have agreed with the Association of Chief Police Officers and the Association of Police Authorities to consider again how to reduce any relative disadvantage to forces. We have written to both bodies suggesting a way forward that includes £30 million of additional funding. Those discussions are under way.

The hon. Gentleman talked about the mechanics of the formula and about providing for grant floors and ceilings and how it disadvantages the Metropolitan Police Authority. In the provisional funding settlement, we provide for a standard level grant increase for all authorities of 3.25 per cent. That requires authorities that would otherwise have received more to contribute towards bringing others up to the average increase.

The MPA would have received considerably more grant—about £56 million more for 2004–05—in the absence of floors and ceilings or standard increases. The GLA contributed about £10 million in 2003–04. The main cause of the difference is the grant formula review in 2002, which moved spending need assessments towards urban and metropolitan authorities, but the shift would have destabilised the finances of losing authorities. Several metropolitan authorities are net contributors to the 2004–05 standard 3.25 per cent. pot, and we are not trying to run away from that. In the absence of a large grant increase overall, it is simply impossible to give the full benefit of formula change to the winners without unacceptable damage to the losers. For example, without a floor, several authorities would lose 5 to 6 per cent. of this year's grant in 2004–05. The situation is difficult because London representatives feel that they have a case to make and lobby for. However, so do many other colleagues around the country who know that to go below the floor would have been unacceptable.

We will continue to keep the grant formulas up to date, so that if and when floors can be lifted, the MPA will be in a fair position to take an increased share of grant. For example, the provision in the formula for national and capital city functions, which the hon. Gentleman raised, was increased from £202 million to

£207 million in 2004–05. The gain is locked into the formula and will be realised in terms of grant increase when grant can be eased.

The Metropolitan Police Service increased its budget to £2.208 billion this year: an increase of £170 million or 8.3 per cent. in line with the 8.5 per cent. average increase across police authorities generally. The precept was increased by £28.5 million or 21.9 per cent. I acknowledge the pressures, and hon. Members have referred to the inescapable pressures on precepts and to the possibility of having to tackle issues relating to police authority budget capping. I have no doubt that authorities will need to look at that matter responsibly when considering precepts for next year. They will make well-justified cases for any increases; it is important that they are accountable to local people so that they can explain why increases are necessary. They should want to consolidate the recent gains in police numbers that command universal public support.

In a number of areas, London benefits more than other parts of the country because there is recognition of need. In one of my areas of responsibility—drugs—the Met has been allocated £1.9 million for adult arrest referral, which is committed funding for the next three years until 2005–06. The Home Office is funding the Met to conduct drug testing on charging in selected basic command units—there are 12 at the moment, and another five will be added after April next year. That, along with other specific grants, should be recognised as part and parcel of the fight against crime and the effort to support communities. It also recognises the particular needs of London.

On police numbers, I would like to take the opportunity to congratulate the MPS on reaching record police strength. There were 28,845 police officers on 31 August 2003, some 861 more than in March 2003, and 2,168 more than in March 1997. That is an important part of ensuring police numbers in London, and I am pleased, too, that police support staff numbers increased by 905 in the year to March 2003. Many of the extra staff will be used to free-up police officers from paperwork.

I was pleased to visit Southwark police recently; they provide support to victims of crime who can ring in and discuss their case with civilian personnel. Victims do not therefore have to wait for the police officer involved to come on shift or to come back from leave or from being off sick; a civilian member of staff will act as case manager and give the victims vital support and up-to-date information on their case. There are plenty of good examples of the family of policing growing daily. It should not be forgotten that the Government pay considerable money to support recruitment and retention: 75 per cent. of the cost of the London allowance and £2.4 million towards free travel for Metropolitan police officers. They also try to tackle the problems of housing and additional costs involved in retaining and recruiting police officers in London.

The MPS received capital grant and credit approvals of £41 million in 2003–04, which may be used for capital investment at the authority's discretion. I cannot say more now, but we hope to announce capital allocations for 2004–05 in a few weeks. We are funding the bulk of the capital cost of the MPA command, control and communications information system. The costs up to 2005–06 are estimated at about £160 million, of which the Home Secretary has agreed to meet up to £140 million. That will provide a centralised "one-stop" call handling despatch operation, improve performance in responding to 999 calls and provide more efficient command control, which is to be welcomed. It will reduce call handling centres from 32 to three and the use of civilians in that process will release about 800 police officers for other duties.

The hon. Gentleman mentioned the state visit of President Bush. I congratulate the MPS on its handling of the security for that visit; I understand that about 5,000 officers were involved and the extra cost was about £4 million. Unlike other forces, the MPA receives an annual grant of just over £200 million for its specific national and city functions, and I have indicated that that will rise next year. It includes extra work for state visits. The £4 million for supporting that event represents 0.2 per cent. of the force's annual budget.

The hon. Gentleman also mentioned further security; there is an element for security in the formula. In addition, in 2003–04 we provided £62 million for the MPS, £6 million for community support officers and £9 million for CSOs to be more widely used. I will get further information on the terrorist situation if the hon. Gentleman wants it, as I do not have it to hand. We are considering the issue of the role of the MPS and other agencies in tackling terrorism on the streets of the capital city.

I hope that the hon. Gentleman feels that we recognise the strength of the MPS and what it does in the city of London. However, there must be a balance; we must ensure that we take into account all forces in the United Kingdom and provide accordingly for special grants and the recognition of special needs. In a number of areas, London is receiving considerable funds for that purpose.

Finally, on asset recovery, I am pleased to say that a multi-agency asset recovery team incorporating a money-laundering team will be established in London, paid for from the proceeds of crime, to the tune of £5 million. A very good job has been done in London with Customs and Excise in respect of Operation Payback, which has been a great success. I am considering incentivisation for police forces, not just in London but elsewhere, to ensure that they look at criminals' assets, to ensure that where we can do so we get those back and use them for good rather than for bad purposes.

Question put and agreed to.

Adjourned accordingly at eleven minutes to Five o'clock.

Westminster Hall

Wednesday 17 December 2003

[MR. EDWARD O'HARA *in the Chair*]

Democratic Republic of the Congo

Motion made, and Question proposed, That the sitting be now adjourned.—*[Mr. Kemp.]*

9.30 am

Ann McKechin (Glasgow, Maryhill) (Lab): I am grateful for the opportunity to initiate a debate on an area of the world that rarely receives much media or political attention in the west, but that in recent years has been the scene of one of the most bloody and terrifying conflicts in world history, with huge loss of life and horrendous human suffering. The complexity of the conflict and the numerous players within it have led to its being called Africa's version of the first world war, but there has been little perception in the west of the sheer scale of the human misery that the conflict has caused. I am talking about an estimated 3.5 million deaths, some 3.4 million displaced persons and the almost complete destruction of an already weak state infrastructure and economy. The effects have been particularly severe on women and children. Sexual violence is endemic, and armed groups continue to recruit children as soldiers, porters and cooks.

The history of the Democratic Republic of the Congo since independence in 1960 has been marked by continual civil war and corruption. The regime of the late President Mobutu between 1965 and his overthrow in 1997 saw institutionalised corruption to such a level that it has been called the world's first kleptocracy. Despite the country's enormous mineral wealth, the infrastructure crumbled and the state lost any form of authority over most of the country. Only the steadfast support of the west during the cold war kept Mobutu in power but, following the end of the cold war, the United States lost interest, leaving the regime increasingly vulnerable.

In 1996, a rebellion broke out in the Kivus in the eastern DRC, led by Laurent Kabila and backed by the Rwandan and Ugandan armies. All those parties wanted to overthrow the Mobutu regime and neutralise the threat of the various foreign militias operating in the eastern DRC, which threatened conflict in the wider great lakes region. Although the rebellion was successful, problems of regional security continued. Relationships between the Kabila regime and its former allies of Rwanda and Uganda quickly deteriorated as the latter accused the Kabila Government of failing to deal with the militias and even of arming them.

In August 1998, a new conflict broke out, with the Rwandan and Ugandan Governments providing support to the Rassemblement Congolais pour la Démocratie. Loosely attached to the RCD was the Mouvement pour la Libération du Congo based in the province of Equateur. In response, the Kabila Government, claiming that their sovereignty was threatened, called on the support of fellow south African Governments. That led to troops being sent from the Governments of Zimbabwe, Angola, Namibia and Chad, with Burundi joining to support Rwanda and Uganda.

After an attempt at a peace agreement in Lusaka in 1999, the front lines became relatively static, with the RCD and Rwanda controlling the east, the MLC and Uganda the north, and the Government and their allies the south and west. However, fierce fighting continued, with clashes breaking out between former allies Rwanda and Uganda, as well as fighting among the various militia groups.

In January 2001, Laurent Kabila was assassinated, bringing his son Joseph to power. That change in leadership led to much greater progress on a peace process and eventually to the inter-Congolese dialogue in March and April 2002. From then on, we have witnessed the first steps, we hope, to a genuine movement for peace in the great lakes region, with the official withdrawal of Ugandan and Rwandan troops from the DRC in the past 12 months.

This summer saw the inauguration of a two-year transitional national Government, who include members of the existing DRC Government and of the RCD-Goma and the MLC. The challenges faced by the transitional Government are immense, and the next year will be crucial in establishing a permanent peace in the area.

In that context, the full-scale involvement of the international community, and particularly the UK Government, is vital if the efforts for peace are to succeed. The transitional Government strongly believe that the UK can play a key role in the months to follow and in October they extended an invitation to the all-party group on the great lakes region and genocide prevention, of which I am vice-chair, to visit Kinshasa and meet Ministers and parliamentarians. Unfortunately, I was unable to join the delegation, but I am pleased to see that several of the delegates are present today; no doubt they can add their own comments on that important visit. Later today, the all-party group will publish its report on the visit. I hope to touch on a number of important issues that it considered to be priorities for future UK policy.

In the words of a recent report from Amnesty International, all sides need

> "to bridge the reality gap between their aspirations for reconciliation, justice and security and the devastating cycle of violence and human rights abuses, which continue to affect the east and threaten to bring these aspirations to nought".

The UK needs to intensify its political support for, and encouragement of, the transition. That is why I welcome my right hon. Friend the Secretary of State's visit to the DRC just last week, and his commitment to providing substantial additional support over the next three years. I am sure that he would agree that it is more important than ever that we remain focused on the DRC until the proposed elections in 2005.

It is essential that the eventual elections at the end of the two-year transition be free, fair and well managed if they are to provide the necessary launch for a permanent Government. That is why I urge my right hon. Friend to ensure that we offer financial and material support for the preparation of the elections through the UN and the other international agencies, and that we offer support, training and expertise to the new Congolese

[Ann McKechin]

parliamentarians. Also, I hope that he will consider sponsoring a visit by Congolese parliamentarians to the UK as part of that. Having met one of the new senators a few days ago, I know that they would really appreciate the opportunity to engage with the international community.

I also welcome the Department for International Development's proposed engagement in supporting the transitional Government in their economic governance and, in particular, in enabling the DRC to clear its deficit with the African Development Bank. Can my right hon. Friend advise me on how soon our Government expect the transitional Government to benefit from relief under the heavily indebted poor countries initiative? Has the country reached the decision point in that process? As he will know, most of the debt was accrued, and most of the money squandered, under the Mobutu regime. The HIPC relief could eventually wipe out more than 80 per cent. of the debt, giving an added boost to basic health and education provision, which is crucial for the development of the country.

Even after debt relief, the DRC, by current forecasts, will need almost 40 per cent. of its revenue to service the remaining debt. Does my right hon. Friend agree that, given the very sad history of the country, there is a compelling argument for providing additional debt relief to allow it to work towards the millennium development goals? Also, can DFID support the customs agency, a vital element in tax collection for the nation, either directly or via a third-party agency?

The fragility of the peace cannot be ignored. The strengthening of the MONUC mission, with UN Security Council resolution 1493 covering all actions under chapter VII, is very welcome. After the massacre of civilians in Bunia in May, the UN Secretary-General, Kofi Annan, acted decisively in setting up an interim emergency multinational force and extending the MONUC mandate in July. Thankfully, for once the international community acted quickly in response to the appalling atrocities in that region.

The UN troops, led by the French, are to be congratulated on their efforts, which almost certainly prevented further massacres and human rights abuses. Among their biggest assets was their ability to speak French. That allowed them to communicate easily with the population and, just as importantly, to gather vital intelligence. I hope that the international community will learn the lessons from that exercise, particularly about the need for UN troops to be able to communicate directly with local populations whenever possible, and to be sufficiently powerful to effectively stop or slow the rate of violence in areas of conflict.

However, continued low-level conflict jeopardises the political process, with killings continuing in the Ituri district and the Kivu provinces. Amnesty International reported that, during its visit in October, 65 people were killed in a village near Bunia. The overwhelming majority of them were women and children. All the survivors that the organisation met bore horrendous injuries. Amnesty International also reported that the number of MONUC troops in the Kivus is so small as to make implementation of their mandate almost meaningless. It is worth noting that in Liberia, which is one twentieth the size of the DRC, and which has a population almost seventeen times smaller, the UN mission has 6,000 more troops than MONUC has in the DRC. If the monitoring of rebel groups, as well as the policing of the arms embargo and the support of the enormous disarmament process are to be effective, it is essential that MONUC has the capacity that the task demands.

Mr. David Drew (Stroud) (Lab/Co-op): My hon. Friend is making an excellent case. I declare an interest, as I was part of the delegation that included my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) and my hon. Friends the Members for City of York (Hugh Bayley) and for Bethnal Green and Bow (Ms King).

I totally concur with what my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) says about a lack of power. We were surprised at the limited number of British Army personnel that we saw in the DRC. I know that quality is important, and the people whom we met are of the highest standard, but their numbers are small. I hope that she agrees that if we are serious about keeping the peace in the DRC we should, through my right hon. Friend the Secretary of State, talk to the Ministry of Defence about its obligations.

Ann McKechin: I entirely agree. Given the expertise of the UK defence forces, which has been drawn from conflict situations across the world over many years, they have a special contribution to make. I would welcome the Secretary of State's assurance that the Government remain willing to finance any necessary extension of funding to MONUC to allow it adequately to fulfil its mandate, and to consider with the MOD whether the UK armed forces can contribute to that very important task.

I also welcome DFID's support for the disarmament and demobilisation scheme and its commitment to spend £16.5 million on the programme over the next five years. My right hon. Friend will be aware that there are currently estimated to be about 200,000 armed men at large in the DRC. Some are from non-Congolese forces and will require repatriation to their country of origin. The disarming and resettling of 2,500 troops to date is a positive sign, but it is estimated that there are still up to 20,000 fighters from Rwanda, Uganda and Burundi in the jungles of the eastern DRC. The challenge of bringing them into the process is enormous.

If, initially, the remaining Congolese militias were to be enrolled in the armed forces of the transitional Government, the cost of paying, feeding and housing them would be huge and it would overwhelm the Government. Downsizing to the 40,000-strong army considered proportionate for such a country would then have to follow as a matter of urgency. As I am sure that my right hon. Friend would agree, in such circumstances it is particularly vital that the remaining troops who are offered a long-term military career are given a proper disarmament incentive, returned to their own province, fed and given a realistic opportunity of paid employment.

The all-party group has recommended a work-for-food programme, and I ask my right hon. Friend what discussions, if any, have taken place within the international community about how to provide the necessary financial and logistical support for such a process. Would the UK Government be prepared to sponsor an independent work-for-food programme to spur others in the international community to contribute? If there is no offer of paid work for those men, we will inevitably see a return to banditry, rebel activity or lawlessness. It should be remembered that unpaid soldiers carried out widespread looting in the last years of Mobutu's regime. We must not repeat past failures that have caused so much misery.

Many child soldiers have also been recruited into the militias, mostly by force. A UN report in February estimated that in some cases up to 35 per cent. of front-line soldiers are children. I should be interested to hear whether DFID is able to offer any specialised assistance to rehabilitate those young people, many of whom have witnessed dreadful horrors during the years of conflict.

Earlier, I mentioned the involvement of Rwanda and Uganda and, to a lesser extent, Burundi in supporting rival militias in the eastern DRC. Substantial evidence exists to prove that foreign forces, together with groups in the DRC, have engaged in the systematic plunder of the country's natural resources and that the plunder was organised at the highest levels of state and military command.

Despite the formal withdrawal of troops from the DRC, there are numerous reports that Rwanda and Uganda continue to support, train and arm various militia and rebel groups still active in the DRC. Rwanda is also reported to be extremely close to the governors of North and South Kivu, both of whom are accused of building up substantial private armies.

In its last report published on 30 October, the UN panel of experts established that revenues from diamonds and gold, in addition to money raised at customs border posts, have enabled military and political actors to fund their military activities, including the purchase of arms. Amnesty International found that the warring factions committed serious human rights abuses, including unlawful killings, forced population displacement and torture, in order to control and profit from the DRC's natural resources. Congolese citizens, including children, have been forced to work in the mines as slave labour. International commercial traders, transporters and retailers, knowingly or unknowingly, have fed that cycle of abuse for their own profit and benefited from the lack of transparency in international business dealings in precious metals. The flow of arms, the exploitation and the continuation of conflict are inextricably linked. Breaking that vicious cycle will be the key to ending both the conflict and the illegal exploitation.

Given the existing partnership agreements and the level of aid flows to those countries from DFID, the UK Government are in a unique position of influence with regard to the involvement of both Rwanda and Uganda. As the Secretary of State will be aware, both countries have undertaken in their memorandum agreements to respect human rights and the sovereignty of the DRC. I urge the Government to use all their influence to stop those states from re-engaging in the DRC, either directly or indirectly through proxies, and to insist that they abide by the terms of UN Security Council resolution 1493, which imposed a military embargo on the areas. Will the Minister assure the House that the UK Government will enforce aid conditionality linked to human rights obligations?

The report of the UN panel of experts identified at least eight British companies that may have breached Organisation for Economic Co-operation and Development guidelines for multinational enterprises, and a number of dossiers have been forwarded to the Department of Trade and Industry to be followed up. I welcome the recent comments from the DTI as reported in *The Independent on Sunday* on 30 November. The report stated that the DTI has been in contact with those companies and is pressing them for information. It is vital that we set a strong example at home, and I urge the Government to issue at the earliest opportunity a comprehensive official reaction to the conclusions of the report and to ensure that appropriate action is taken to prevent future abuses.

Finally, I again emphasise the scale of the humanitarian crisis. It is essential that the Congolese population, who have suffered so much, see some quick gains if there is to be any hope of stability in the next couple of years. In last month's report on the DRC to the UN Security Council, Kofi Annan stated:

> "Despite the strenuous efforts of the international community, the humanitarian situation is catastrophic. Much more work—and substantial funding—is required to ensure the implementation of the Transitional Government's road map for economic and social reunification and reconstruction".

For too long the international community has failed to provide the resources, and the political will and attention, to achieve tangible peace in this troubled area. For now, we have an opportunity to redress that deficit and I strongly urge our Government to continue and add to their efforts to secure progress for the Congolese people, who deserve our support, and who also deserve peace and justice.

The Secretary of State for International Development (Hilary Benn): On a point of order, Mr. O'Hara. My hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) requested that the Government make a response to the UN panel report. The Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Sunderland, South (Mr. Mullin), has today tabled a written statement to the House, which I understand has been available in the Library since 9.30 am. I have some copies with me. Would it be in order to circulate them to Members in the Chamber, if that would assist our debate?

Mr. Edward O'Hara (in the Chair): There are means within the Chamber of distributing the documents without interrupting the debate.

9.49 am

Mr. Tom Clarke (Coatbridge and Chryston) (Lab): Although I shall be brief, I trust that I will be allowed a little injury time for that important intervention.

I congratulate my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) on obtaining the debate, on her excellent introductory speech and on allowing some of us time to make a contribution. She has done marvellous work in this field. I know that she would want to join me in thanking and congratulating

[Mr. Tom Clarke]

our hon. Friend the Member for Bethnal Green and Bow (Ms King), who is unfortunately unable to be with us today, on the work that she has done on the all-party group and on leading the important delegation in which my hon. Friends the Members for City of York (Hugh Bayley) and for Stroud (Mr. Drew) took part. I am sure that they would agree that we were greatly assisted by the one-person secretariat, in the shape of Mr. Ben Shepherd. We all wish him well in his new responsibilities.

This is an important subject, and it is being raised at a significant time. I agree with my hon. Friend the Member for Glasgow, Maryhill that the regional problems that she described require regional solutions. Although it is right to analyse the problems and challenges in individual countries, it seems pointless simply to address what is happening in Uganda, Burundi or Rwanda, although I shall refer briefly to Uganda and Rwanda.

That point is underlined by the strong feeling that there is both a great challenge and tremendous potential in the region, which, if there is an international strategy, can offer hope for peace for the rest of the world. Britain is in a strong position to act because of DFID's excellent contribution. As a result of the resources that we are making available to individual countries in the region, as well as for other reasons, we are entitled to look afresh at the region's problems and challenges as the year ends, and at the opportunities for reaching a satisfactory conclusion.

I want to refer briefly to two countries that are pivotal in achieving that solution. We are looking forward to hearing from the Secretary of State about these matters, given his recent visit to the region. I was greatly troubled by comments reported in Ugandan and Kenyan newspapers on 14 November that were attributed to the United Nations official responsible for humanitarian aspects. I am sure that the comments were well informed and that the language was carefully chosen. We read that the UN Under-Secretary-General for Humanitarian Affairs, Jan Egeland, said after visiting northern Uganda that the humanitarian situation was worse in the region than anywhere else in the world, including Iraq or Palestine. That is a profound view, and if it has an influence in the region, it is well worth considering now. We are entitled to ask what the UN's response is to the advice that it is undoubtedly receiving.

As my hon. Friend the Member for Glasgow, Maryhill said, we are at an historic moment of opportunity for the great lakes region. There is a transitional national Government in the region, and security appears to be slowly returning in the east. The largest Burundian rebel group has signed a peace deal and joined the Government. Rwanda held elections this summer, for the first time since the genocide. It has come an enormously long way since the terrible genocide in 1994—a point to which I shall return. Given that that situation has been reached, we should be proud of the support given by the United Kingdom.

Three issues relevant to Rwanda deserve to be mentioned. Manifestly, the international community failed Rwanda in 1994, allowing 800,000 people to be killed in three months. As a permanent member of the Security Council, the United Kingdom must bear a burden of responsibility for that failure. Not only did the Government of the day fail Rwanda, but Parliament failed in its duty to hold the Government to account. It was not until six weeks after the genocide started that a debate about it was held in the House, by which time 500,000 people had already died. My hon. Friend the Member for Clydebank and Milngavie (Tony Worthington) called an Adjournment debate and, as he said at the time, it is unthinkable that an atrocity could kill half a million people, but not be debated in Parliament. It is to be hoped that Parliament will take the opportunity of the 10th anniversary of the genocide in April 2004 to recognise those failings. At the very least, there should be a debate in the House on the prevention of genocide and the events of 1994.

Secondly, Holocaust memorial day in January 2004 is to be partly dedicated to Rwanda, and that is to be welcomed. Efforts are also being made to commemorate the genocide on the 10th anniversary itself. The Aegis Trust, a British charity, is raising funds to increase awareness and educate people about the genocide. It is also raising funds to preserve five of the most important genocide sites in Rwanda, some of which my hon. Friend the Member for Glasgow, Maryhill and others visited. They include the church at Ntarama, which lacks adequate funding and which the Inter-Parliamentary Union delegates visited in October 2002. Two sites are sponsored by donors, including the Governments of Sweden, Holland and Germany, and they will be ready by April 2004, in time for the 10th anniversary. The other three sites, including the church at Ntarama, are without a sponsor. It must be acknowledged that the Department for International Development provided £40,000 from the development awareness fund for educational materials, and that is to be welcomed.

However, it is a shame that a British charity, despite being supported by other European Governments, should receive such a low level of support from the United Kingdom. The Foreign and Commonwealth Office is considering giving £50,000, which is a positive step, but just £250,000 would preserve for ever the memory of the 5,000 people who died at Ntarama as well as allow the building of a facility to teach the children of Rwanda about their past. I hope that the Secretary of State will give some thought to that important matter.

Thirdly, Mr. Deputy Speaker—

Mr. John McWilliam (in the Chair): Order. We have not been appointed yet.

Mr. Clarke: I am very grateful to you, Mr. McWilliam. I keep saying that we learn something new in the House each day, and your advice is my learning experience for this morning.

Since 1997, the United Kingdom has been a loyal friend to Rwanda, and if we did not know that before we went to the Democratic Republic of the Congo, we know it now. Given the problems involved, we should be commended for that. However, being a loyal friend does not mean being uncritical. It is the reverse. Rwanda deserves the sympathy, attention and assistance of the world, but the international community should not turn a blind eye to concerns about that country's conduct.

Those worries are twofold. I refer first to this year's elections. Holding elections only nine years after the trauma of genocide is to be commended, and those elections were technically well organised. However, the monitors reported serious irregularities, which cannot be ignored. The EU monitoring team reported that the best placed opposition candidate was eliminated from the electoral contest before the start of campaigning and is currently in prison. Other opposition representatives simply disappeared. That is clearly unacceptable. Suggestions of ballot-stuffing, alterations of electoral rolls and intimidation on polling day are also extremely serious. The incumbent, Paul Kagame, won with 95 per cent. of the vote. That might be a convincing result, but I am sure that the hon. Member for Buckingham (Mr. Bercow) would agree that not even his tremendous charisma would produce such an astounding result, which gives rise to questions about its credibility.

All those issues fit with allegations of increasing authoritarianism, control and the closing down of political space in Rwanda. One respected analyst spoke of

> "a formal election painted on top of an increasingly totalitarian state."

That is very worrying in the light of the progress that can be made. Rwanda has unique social pressures, and fears about open political life are understandable. Such a backdrop is simply unacceptable, given that Rwanda is capable of moving much further and faster towards genuine and acceptable democracy. The UK is the largest donor and is entitled to make its views known, as my hon. Friend the Member for Glasgow, Maryhill would agree.

My hon. Friend mentioned Rwanda's involvement in the DRC. The recent détente between Kigali and Kinshasa is very welcome, but reports continue to be received of the Rwandan army's presence in the east of the DRC. There are also continuing allegations of support for various armed groups in the Congo. We must get the matter sorted out. The situation was unacceptable when we visited the DRC. There must be much more transparency, and we are closely watching the role of the United Nations. If the transitional Government in the Congo failed or fell due to Rwandan engagement, the attendant chaos would be disastrous for Rwanda as well as the Congo. It is incumbent on the UK, as a genuine friend of Rwanda, to use all its influence to see that that does not happen.

I am grateful for the consideration that my colleagues have given me. I am deeply worried that many of the traumas, conflicts and aspects of warfare, which my hon. Friend so eloquently outlined in her opening speech, revolve around the great mineral wealth that is not being widely shared among the very people whom we have in mind when we seek to reduce poverty. Sadly, the situation will continue until we have a strategy that ensures that that wealth, be it oil, diamonds or copper, is used to benefit the many and not the few. There is, however, no reason why the situation should continue in a rational, well-informed world.

10.3 am

Mr. David Drew (Stroud) (Lab/Co-op): I will keep my remarks brief, as I am sure that all of us who have been involved with the all-party group on the great lakes region and genocide prevention would like to leave as much time as possible for my right hon. Friend the Secretary of State to talk about his recent visit to the DRC. I am sure that it was as illuminating as our visit to the country a couple of months ago. I declare an interest as one of three hon. Members present who visited the DRC at the invitation of its transitional Government.

When one looks back on such visits, one realises how much one has to learn by visiting other parts of the world. I make no apology for following on from where my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) left off and talking about the security issue. As he said, there was consensus when we met parliamentarians from the DRC, who overall were a very impressive group of people trying to effect a democracy where there has never been any opportunity to have one before.

At that meeting we were given a message in no uncertain terms: the parliamentarians perceive the British Government as being far too close to the Government of Rwanda and failing to appreciate how much the people in the DRC feel that they are still under the cosh because of Rwandan infiltration. My hon. Friend the Member for Bethnal Green and Bow (Ms King) conducted herself very well in that difficult meeting. It is a pity that she is not present to hear that in person, but perhaps she will read it in *Hansard.* As parliamentarians, we are all used to difficult meetings, normally in our constituencies, but many of us have never experienced the intensity of feeling that was made abundantly clear at that meeting. However, we must move on from the security situation.

Jeremy Corbyn (Islington, North) (Lab): In that meeting, were any questions asked about the relationship with Uganda or its alleged support for different movements in the Congo?

Mr. Drew: It could equally be said that there was Ugandan influence. It was interesting that the group of people who came along to lobby us were very clear about their attitude towards Rwandans, but one did not have to tear away much of the veneer to understand that the Ugandans were also involved but were influencing the situation in a slightly more subtle way. The simple fact is that we want all foreign troops, apart from peacekeeping troops, out of the DRC. I hope that the Secretary of State will deal with that point.

One thing that I took away from the meeting with the parliamentarians was how strongly they all felt about the territorial integrity of the DRC. One goes to Africa and expects to be shocked to some extent by the artificial constructs of the nations that have been created and to find that tribal or other loyalties are much more important than the nation state. In the DRC, however, we have to throw away the rule book, because its people are passionate about their country. They may have many differences, and not many months before, some of them were at one another's throats—that was inevitable, as they come from warring factions—but they taught me that their nation mattered to them and that they wanted an independent nation that was not subject to influence from other countries, much as they welcomed the presence of the peacekeeping troops.

[Mr. Drew]

As I said in my intervention on my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin), the parliamentarians asked for more troops, to the extent that they wanted the border with Rwanda to be completely controlled by the British Army. We had to tell them that it was not likely that we could bring that to bear, given Britain's other obligations in Iraq and so on, but that we would certainly pass on the need for more support.

As part of the visit, we went to Kisangani in the eastern part of the country. There we met several people from the chamber of commerce. If one wants to meet business people who thrive in adversity, they are the ones; somehow, they keep the spark of enterprise going in the most impossible of situations. Again, the security issue came up, but another message was that the DRC is bedevilled by the lack of investment in basic infrastructure. The simple fact is that the only way to get to Kisangani—unless one goes in by aircraft, which is not, of course, within the means of many Congolese—is to use the river, but the river has been unsafe. The business people were pleading for the roads to be rebuilt. They are keen to re-open their businesses but it is almost impossible for them to get out their wares, and that severely constrains how they can operate.

The Secretary of State may want to talk about his experiences and about how we start to rebuild enterprise. We discussed other issues to do with rebuilding the tax system and giving the DRC macro-economic assistance—measures that will enable its Government to re-engineer the economy. However, only so much help can be given through Government; individual enterprises must also be encouraged. That can be done only if ways in which we can support their infrastructure needs are examined.

My next point is a result of a visit we made on our last day in the DRC. We met some of the country's children. The sight of non-governmental organisations and the Church intervening in the most desperate situations is always heartening. We were able to make that visit because of an invitation from the War Child UK charity, which is doing very good work in the capital city, Kinshasa, and elsewhere in the country. We need to recognise that long-term peace will become embedded in that country only if we are able to find ways to support civil society. We went to see children who were orphaned either directly by the war or as a result of AIDS or the other things that afflict Africa, and in particular that part of the continent.

Frighteningly, we also came across the concept of child witches. Children had been expelled from their families because their families were undergoing bad luck. That got associated with one or a number of members of the family, and they were put out on the street. That is the sort of situation that War Child UK faces. It is supporting measures to get those children under a roof and to give them some form of education. We must appreciate that civil society in such countries can be rebuilt—or built, in some cases—only with a lot of support in the form of both money and people. That has to be the way forward.

Nobody would disagree that security is the most important issue at present, but the economy has to be given an opportunity, too. The DRC is probably the richest country in the world—we can forget the United States. If the wealth in the DRC could be made to offer some form of national opportunity, many of its problems would be overcome, but for all the reasons that we know about, those resources are being pillaged and are not going where they should.

The third area that we must concentrate on is how we can help the civil society. Children and women must be helped in particular, and people must be brought back from the fighting and into civil society. Their future must be properly invested in.

Several hon. Members *rose*—

Mr. John McWilliam (in the Chair): Order. I have no power to impose time limits but, bearing it in mind that the object of the exercise is to allow the Minister to answer the debate, I would like Members to be brief.

10.13 am

Hugh Bayley (City of York) (Lab): Like other hon. Members, I must declare an interest. In October, I went to the DRC with the all-party great lakes region and genocide prevention group. Although the programme was put together by our embassy—I am grateful for its support—the flights and accommodation were paid for by the DRC Government.

From the slave trade onwards, the Congo has been dealt a bad hand by history. The Belgian colonisation was particularly harsh. The first Prime Minister after independence was murdered shortly after he came to office. The country went through the Mobutu kleptocracy, and it has now emerged from five years of civil war. The establishment of the interim Administration is a fragile but precious moment in the country's history. They are the DRC's only hope of emerging from years of conflict and exploitation of its people by a succession of harsh and ruthless leaders.

We met President Joseph Kabila, who is intensely aware of the importance of maintaining the quadripartite alliance between the various groups that were until recently engaged in civil war. He knows that, were he to succeed in the elections in June 2005 and become elected as president of the country, he would need to find senior positions in a power-sharing Government for leaders of the other factions: Jean-Pierre Bemba, Zahidi Ngoma, Azarias Ruberwa and Abdoulaye Yerodia. Without the maintenance of that alliance between factions from different parts of the country, there is no hope for peace or for retaining the integrity of the Congo.

I would like our Government to provide technical assistance to the presidency—not just the president—so that all factions see that they are getting benefit and support from Britain. Technical assistance is required in three areas in particular: security reform, economic development and governance. Those of us who went to the Congo attended the state opening of the National Assembly and the Senate. This is a country with no tradition of parliamentary democracy at all; people arrived to represent the various factions in a grand Parliament building, built by the Chinese for the dictator Mobutu, without really knowing that the job of a Member of Parliament is to represent their constituency.

We in this House could give help through the Inter-Parliamentary Union and the Westminster Foundation for Democracy, and our Government could give help by bringing some Members of the DRC Parliament to London to work with us and see what a Parliament does. It is particularly important, before divisions emerge, to get MPs from the different factions working together in study groups and committees.

The single most important issue is the disarmament of the rebel groups. It would be extremely valuable, in terms of confidence-building, if Members of the Senate and the National Assembly from the different factions were brought together in a team and flown by MONUC, because that is the only way to get around the country, out to the east and north-east to see what is happening with disarmament and resettlement. They could then report back to Parliament, and people from one part of the country would see that others, formerly their enemies, are disarming under the MONUC umbrella. They could then return to their own part of the country with people from the faction to which they were formerly opposed, who would see that disarmament is happening there as well. That is a practical job for the new Parliament.

While I was in the DRC, I was surprised by the enormous communication difficulties. One third of the budget of the UN peacekeeping mission, MONUC, goes on air transport, which is the only way to get about the country. No roads or railways are left. The river is open, but it is not a highway from one end of the country to the other because parts of it are impassable. Rebuilding roads and the crucial rail links connecting the navigable parts of the river must be a development priority.

The most immediate priority must be disarmament. I spent time talking to a British official called Peter Swarbrick who works for MONUC on that issue. He has experience of disarmament in post-civil war situations in Africa. When he worked in Sierra Leone, he was able to offer cash as an incentive to ex-combatants to hand in their weapons. Indeed, he had a tariff and would pay more for a better weapon. For example, he would pay the same for a good rifle as for two grenades or 50 rounds of ammunition, and that encouraged people to bring in more weapons. If someone came with a clapped-out rifle he would send them away and say, "Come back tomorrow with something worth while."

Now, Mr. Swarbrick can offer people nothing more than a receipt, which most people do not find attractive because it does not help them to eat. Cash as a direct incentive would be helpful. US Aid has provided MONUC with $650,000, which is not a great deal of money given that there are 20,000 irregular fighters who need to be disarmed and returned to neighbouring countries such as Rwanda and Uganda. A relatively small sum, such as £1 million, provided by DFID as an incentive to hand in weapons would be money well spent.

I know that the Government provide the multi-country demobilisation and reintegration programme with $25 million of support. That is a larger-scale project dealing with the wider costs of demobilisation, and every cent is needed because those costs are high. When a small group of irregular forces from Rwanda come and give up their weapons, it is MONUC's policy, quite rightly, to get those fighters out of the Congo as soon as possible—within 24 or 48 hours—before they change their mind. As there are no roads, the only way to do that is to charter an aeroplane, which costs $15,000 to $20,000 a time. The $25 million is therefore vital, and I hope that, if the disarmament process goes well and the money is used up, the Government will consider supplementing it.

Good progress has been made. When we were there in October, 2,600 combatants from neighbouring countries had been disarmed and returned to their countries. That figure is now 3,600. MONUC hoped to reach 4,000 by June 2004. That target will clearly be met, and I hope that it will be revised upwards to about 6,000. Peter Swarbrick thinks that once the figure goes above 5,000, people will begin to realise that MONUC means business and its credibility will improve.

I shall briefly say a word about AIDS. I was extremely impressed by the way that MONUC integrates attempts to combat AIDS into its work. Every soldier and civilian who works for it receives an AIDS policy identification card. Every military contingent that contributes to MONUC's forces is trained, before arrival, about the consequences and nature of AIDS in the DRC. Each unit is required to be properly supplied with equipment and must prepare to deliver at least one project working with the community to deal with the epidemic among the Congolese people. I recently read in the newspapers that Médecins sans Frontières is carrying out a small-scale pilot scheme to treat HIV infection with anti-retroviral drugs. If that can be done in rural, remote parts of the DRC, it can probably be done anywhere in Africa. However, treatment opportunities must not divert attention from work on prevention, without which the appalling epidemic will get much worse.

Finally, I shall make a comment about politics. As my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) and my hon. Friends the Members for Glasgow, Maryhill (Ann McKechin) and for Stroud (Mr. Drew) said, there is great resentment in Kinshasa about the role played by irregular and regular forces from Rwanda and Uganda in destabilising their country. I am sure that in Rwanda and Uganda there is also resentment towards elements from the DRC that are destabilising their countries. It would be impossible to draw up an effective economic development strategy for the DRC unless it was compatible with the strategies for neighbouring countries, and vice versa. I therefore ask DFID and the Foreign and Commonwealth Office to work with all the Governments in the region to draw up a joint strategy for the region to which they all subscribe.

Rwanda, for example, wants to boost tourism, and I wish it well, but it will not get tourists to visit unless it stops supporting irregular forces in the region. Rwanda would have something to gain from a joint strategy, as would all the countries in the region. A joint strategy would need to address first the issue of security, secondly, that of resource exploitation, and thirdly, the economic development of the region, because in parts of the eastern Congo the trade routes are not to the Atlantic but to the Indian ocean through neighbouring countries. Finally, such a joint strategy would have to address the question of human rights.

10.26 am

Jeremy Corbyn (Islington, North) (Lab): First, I apologise to hon. Members for missing the greater part of the contribution to the debate made by my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin). I will make a few brief points.

The history of the Congo is possibly one of the most tragic of all the tragedies in African history, going back to the Belgian royal family's personal ownership of the country, the appalling exploitation and enslavement of people from that country in the 19th century and early 20th century, and the brutality of the numerous civil wars and insurgent conflicts that have taken place since the beginning of the 20th century. Independence was finally achieved in 1960, and the assassination of Patrice Lumumba in 1961 was one of the great tragedies of African history—he could have contributed so much to African development.

My constituency has a link to that history. After the death of Patrice Lumumba, some of his family fled to the UK and settled in Finsbury Park, in my constituency. There has been a significant Congolese community in the constituency ever since then. The community is still growing, and I meet its members regularly. I hold a monthly advice bureau in a local church, with French translation available, to do my best to assist them.

I have had a number of lengthy discussions with members of the local Congolese community, who are very well informed and knowledgeable about the history of their country. Many of those people are very well qualified. Some were teachers, lawyers, doctors or public servants and some worked in private industry, but all were forced out of the Congo by a succession of dictatorships. The behaviour of those dictatorships has moulded the history of the country, and it moulds the attitudes of a large number of people. The excesses, the brutality, the executions and the corruption of those regimes is now known, and a number of western Governments and companies were complicit in that corruption. There are no clean hands in respect of relationships with the Congo.

There are some specific points that I want to put to the Chamber, to which I hope the Secretary of State can respond. First, I thank him for a copy of the written statement tabled today by the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Sunderland, South (Mr. Mullin). The statement is interesting and important because it deals with a number of issues that have been raised with me by members of the Congolese community.

I shall deal with those issues quickly. The first is the presence of European peacekeeping forces under the aegis of the United Nations. There is concern that there are not sufficient numbers of them. There is also concern about the longevity of the operation, and whether there is a serious commitment to bringing about peace and disarmament.

I have been asked by members of the community in my constituency to raise the question of the disarmament of child soldiers when the militia groups have been run out of Goma and other cities. I understand the need to run the militia groups out of the cities, but I think that child soldiers should be disarmed and, if possible, taken into some kind of protective custody where they can rebuild their lives and get through the horrors of their experiences. I have met former child soldiers from Uganda; they live their lives with a series of flashbacks of being given guns at the age of eight or nine and told to go out and kill people. We have a specific responsibility to try to do something to rebuild the lives of those children.

I should like also to raise the question of the leakage of arms into the Congo from Rwanda, Uganda and Zimbabwe; it has been going on for a very long time. I welcome the Minister's statement and the intentions behind it. However, I wonder what will be done to police the operation effectively on the ground. It seems that the Rwandan and Ugandan Governments are sending out a series of mixed messages. They convey to the European Community and to western Governments the message that they are not in favour of intervention, that they want peace within the region and that they want to co-operate, but I suspect that the reality on the ground is very different. A blind eye is being turned to all kinds of insurgent groups, which are going into the eastern Congo and causing mayhem.

In the statement, the Minister specifically asks the UN to provide more detailed information about the link between the sale of natural resources from the Congo and the supply and development of arms in that country. I hope that that information can come to light. If specific, sustainable allegations can be made against any western companies, they should be vigorously pursued in the courts here and in the international and European courts. I suspect that that will not happen because the blue-chip companies that buy raw materials emanating from the Congo are not the exploiters. The exploitation is done by somebody else: the mining of gold, diamond and other minerals, and the logging that takes place, is done illegally by fairly shadowy groups that eventually sell the materials on to somebody far more respectable.

I have picked up a feeling from my local Congolese community that this is a war as much about minerals ~~and exploitation~~ as about anything else. That is the tragedy of the history of the Congo. At the end of a recent, lengthy meeting at the local church, one person laconically said to me, "This is the first war for mobile phones," and there is some truth in that. The minerals that the west craves, because they are so precious, are obviously extremely valuable to people in the Congo.

Although I welcome this debate and the statement, I get the feeling that we will have to go a lot further on the question. We must prevent the flow of arms into militia groups, prevent the continued destabilisation of the country and ensure that the minerals that we enjoy in this country have come here legitimately. We should ensure that the benefits from the sale of those minerals legitimately flow to the people of the Congo rather than to the shadowy world of middlemen, arms brokers and mineral dealers. That world is making a huge amount of money out of the horror, misery and devastation of a lot of very poor people in a country that has suffered so grievously over the last 200 years, largely at the hands of European exploiters.

10.34 am

John Barrett (Edinburgh, West) (LD): I, too, shall try to be as brief as possible to allow the Secretary of State to respond. It has been an interesting debate and all the contributions were of a high quality. I congratulate the hon. Member for Glasgow, Maryhill (Ann McKechin) on her success. This is the third debate recently on the great lakes region. We have had two very thoughtful debates on Rwanda, and the contributions so far have been excellent.

I share the concern of the hon. Member for Islington, North (Jeremy Corbyn). Having read the ministerial statement, I think that the issues are clear: corruption is endemic and there are problems with the funding of arms. I hope that the Minister will explain what part DFID will play in taking western countries to court to proceed with a criminal investigation. I hope that we will not see a whitewash, with business as usual for many of the western countries that have contributed to the nightmare of the past. It is important to remember the scale of the task ahead.

I shall not dwell too much on history, because a number of hon. Members have already gone over that. The DRC has 52 million people spread over a land-mass the size of western Europe. Peace and democracy are being pursued against a backdrop of dictatorship and violence. Between 3 million and 4 million people have died in the past five years, owing not only to war, but to AIDS, disease and famine. A report by the United Nations humanitarian assessment mission issued last Thursday serves to remind us of the problems and challenges faced by the DRC. The Government and the international community should know that in the eastern region there is malaria, malnutrition, water-borne disease and, more worryingly, that in the southern regions there are ongoing, disturbing reports of the pillaging of crops, and rape and violence against women and young girls.

Although much has been done in the past, it is important to recognise that various efforts are making a significant contribution to the way forward. I warmly welcome the World Bank's announcement last Tuesday of a $100 million programme to tackle HIV/AIDS in the DRC. According to recent surveys carried out this year among organisations fighting AIDS, the epidemic could threaten more than half of the DRC's 50 million people in the next 10 years.

Like so many of its neighbours, the DRC is gripped by this crisis, but it differs from its neighbours in the prevalence of AIDS in young people, among whom the incidence is almost 20 per cent. higher than in any of the neighbouring countries. Infection begins very early—from just 10 years old. There is a requirement for better health care, but the stigma that surrounds AIDS must also be dealt with. The calls for abstinence and preaching against the use of condoms are not working, and a new approach will have to be devised. I hope to hear from the Secretary of State about what more we can do through DFID.

I welcome the commitments that the Government, and DFID in particular, have given to the DRC and the surrounding region. I also welcome the press conference given by the Secretary of State, which was mentioned earlier, and announcements of further support. The adherence to basic human rights and the disarmament, demobilisation and reintegration programme, about which we have heard much in the past hour, are all important causes that must be supported. We must move towards full democracy; the pressure must be kept up.

As with any country, there is also a role for civil society and, within that, a vibrant free press. There is some room for optimism here. The 2003 annual report of the national media watchdog, Journaliste en Danger, found an improving situation. Incidents of journalists being detained for more than 48 hours have fallen sharply, and this year has been particularly significant because, for the first time in six years, no journalist was imprisoned for their work. There is, however, further room for improvement. It will be interesting to see the response to any success by the new campaign to decriminalise press offences in the country.

There is clear consensus about the fact that the integration of various groups, whose battles have marred the DRC for so long, must be a priority. The DRC must be a country for all its people, not just any one group. People must be involved and consulted as part of that process. The commencement, just over a week ago, of the integration of former rebels into a new, unified force is a good example of that process in action; it must be replicated throughout the DRC and, more importantly, it must be sustained. There were clear symbols of reconciliation and good will in the ceremonies that were held: soldiers handed over the scarves that showed their subscription to various groups, specifically the Movement for the Liberation of the DRC and the Congolese Rally for Democracy. Many of those new soldiers will work with forces in Ituri, which is one of the most troubled regions. Other hon. Members have mentioned the problem of child soldiers, and I hope to hear the Secretary of State say what can be done to deal with that.

The importance of the DRC in Africa and the world, as has already been mentioned, lies not only in its geographical importance and mineral wealth but in the fact that it has borders with nine countries. Rather than being its strength, its mineral wealth—its diamonds and gold—has too often been its weakness and has helped to fuel wars. Despite the official end of the occupancy of the eastern DRC by Rwandan and Ugandan forces, there are ongoing reports that troops remain for the exploitation of diamonds and other minerals.

Those concerns were shown to be justified by a leaked UN report, which accused both Rwanda and Uganda, as well as parts of the new transitional Government, of continuing to arm rebels to retain control over diamond and gold fields. That is highly damaging information that provides sobering evidence for all those interested in the DRC and its future. Perhaps worst of all are the reports that Etienne Tshisekedi is preparing a rebellion with the military and training support of Rwanda. There is evidence of arms shipments to the Congolese national army from Rwandan officers, in direct contravention of the UN arms embargo. Similar allegations have already been made about Uganda.

As with any new Government and new structures, much will be based on a foundation of trust. If the report that I mentioned is correct, certain elements in Rwanda continue to face problems from the past. We must look to, and be optimistic about, the future. We are all aware of the special relationship that seemed to exist between the previous Secretary of State for International Development and Africa, and we hope that that special relationship can continue.

[John Barrett]

Behind the politics, international relations and even the arms trade—if that continues—are the people of the DRC, who deserve a bright, more peaceful, and less impoverished future. For too long, they have suffered at the hands of war and disease. The investment being made in the DRC is a start, but we know that it depends on the success of democracy and the preservation of peace. The UK Government's role in helping the DRC with those two tasks is clear: they must put all their energies into that role.

10.42 am

Mr. John Bercow (Buckingham) (Con): In opening the debate, the hon. Member for Glasgow, Maryhill (Ann McKechin) spoke with knowledge, authority and compassion. She was followed by the right hon. Member for Coatbridge and Chryston (Mr. Clarke) and the hon. Members for Stroud (Mr. Drew), for City of York (Hugh Bayley), for Islington, North (Jeremy Corbyn) and for Edinburgh, West (John Barrett), all of whom made wise and thoughtful speeches. I am keen, as is everyone else, to hear what the Secretary of State has to say, so I shall try to create a precedent of brevity.

There is a moment of hope, what with a transitional Government in the DRC, a peace deal in Burundi and elections last summer in Rwanda, but the fragility of that arrangement has already been commented upon. Of course, I would welcome an overview from the Secretary of State on what the Government are doing, both alone and in concert with others, to sustain that fragile peace.

In all, there have been four reports from the UN Security Council about the exploitation of natural resources. There is the all-party parliamentary group report on the subject, and a plethora of non-governmental organisation group reports, too. Until now, there has not been an official Government response. I welcome the fact that today there is a written ministerial statement on the subject, and I hope that the Secretary of State will not take it amiss when I say that there will almost certainly need to be a further airing of the issues in the main Chamber and an opportunity for parliamentary scrutiny.

In the terrible crisis that we are debating, Burundi has often been ignored, yet 300,000 people have been killed there in the 10-year civil war. The fact of the power-sharing deal between the Tutsi Government and Hutu rebel forces is welcome, but the Secretary of State will recognise that there is now a requirement for the demobilisation of former fighters and for the repatriation of some 800,000 Burundian refugees in Tanzania. There is, of course, an African Union presence, but that presence is both under-resourced and inexperienced. Many observers with knowledge of the subject believe that there is a need for a UN mandate and a UN force. I shall welcome the Secretary of State's comments on that point.

The all-party group on the great lakes region and genocide prevention has welcomed the report of the UN panel of experts on illegal exploitation of natural resources and other forms of wealth in the Democratic Republic of the Congo. Will the Secretary of State give a commitment today that the Government will make a statement on the subject and ensure—this is critical—that any report is acted on both by the European Union and the UN?

I urge the Secretary of State to commission evaluations of the implications for DFID country programmes of Ugandan and Rwandan involvement in the DRC. He will be well aware of the memorandum of understanding between the Rwandan and British Governments. Although aid is vital, and it would be chronically irresponsible to suggest its removal, it is both reasonable and sensible for the Government to use aid as a lever to ensure proper behaviour, including the nurture of democracy and respect for human rights.

Many of us believe that the UN should seek an expansion of its personnel and resources in the DRC. Faster demobilisation and resettlement in line with the example of the quick start programme is required and, of course, there is a need for a UN arms embargo on the entire region. I would welcome the Secretary of State's remarks on that front, too.

During the Secretary of State's recent visit, he referred to the $38 million that the UK Government are providing to fight poverty and counter disease. That is very welcome, and I certainly do not cavil at it for one moment but, for the purposes of clarification, I would appreciate it if he would make it clear whether that is the $38 million that has already been referred to on previous occasions or a new tranche of funding.

The Secretary of State will be aware—the hon. Members for Glasgow, Maryhill and for City of York referred to the matter—of UN Security Council resolution 1484, which was passed on 30 May, which demanded cessation of all support to armed groups and militias, in particular the provision of weapons and any other military material. What assessment has he made thus far of the effectiveness of the enforcement of that decree? Child soldiers have been referred to, and I also want an update from the Secretary of State on what progress has been made on that point.

Democracy building, the pursuit of good governance and respect for political pluralism are clearly of the essence; they are prerequisites of sustainable progress. I wonder whether, in addition to the idea of a delegation of Congolese parliamentarians coming to the UK, the Secretary of State would in all seriousness consider a group of ex-parliamentarians from this country—who perhaps have a little time on their hands—going to the DRC and making their expertise available. I know that he will take it in the proper spirit when I say that I can think of nobody better to lead that delegation than someone whose career in the House spanned half a century: his father. Natural self-effacement may prevent the right hon. Gentleman from responding to that point, but I hope that it will not, because I make a serious suggestion and I would appreciate his reply.

There is economic work to be done. I make two suggestions that have also been made by others. First, DFID should collaborate with the Department of Trade and Industry to fund a permanent representative at the UK embassy in Kinshasa to encourage direct British investment in the DRC. There are huge commercial opportunities if only they can be properly exploited. Secondly, the UK should offer its expertise in construction, surveying, engineering and road building to help reconstruct the DRC's transport infrastructure. We all want to hear what the Secretary of State has to say—I certainly do—and I look forward to his reply.

10.49 am

The Secretary of State for International Development (Hilary Benn): I join hon. Members in congratulating my hon. Friend the Member for Glasgow, Maryhill (Ann McKechin) on securing this important debate. I echo what the hon. Member for Buckingham (Mr. Bercow) said about the speeches that we have heard. They reflect the outstanding job done by the all-party group on the great lakes region and genocide prevention. I also join Members in paying tribute to my hon. Friend the Member for Bethnal Green and Bow (Ms King) for her chairing of that group.

The debate has shown clearly that the challenges facing the Democratic Republic of the Congo are, frankly, enormous. It has a population of about 55 million, is located in the very heart of Africa and has a miserable history of conflict, war, dictatorship, corruption and exploitation, often illegal, of its great national resources. It also has enormous levels of poverty.

One of the DRC's problems is that there are few reliable statistics. However, the best estimates are that 80 per cent. of its population live on less than $1 a day. My hon. Friend the Member for Glasgow, Maryhill set out with great clarity the history, which I do not intend to go back over. I will simply say that the level of suffering experienced by the DRC's people is hard for us to imagine. If, prior to the TV cameras entering Bunia, most people in this country had been asked to name the place where between 3 million and 3.5 million lost their lives over the last five years, I doubt that many could have identified the site of what has been described as "Africa's hidden first world war."

That history means that it is all the more important that the international community now offers support to the transitional national Government, whose inauguration in July brought together the different factions and was a significant event. They are working towards implementation of the global accord and particularly towards presidential and parliamentary elections in two to three years.

I learned very forcefully during my visit last week that the depth of the DRC's crisis over the past decade means that the scale of the challenges facing the TNG is too difficult for us to appreciate. My hon. Friend the Member for City of York (Hugh Bayley) was right to talk about the fragility of the situation and the "preciousness" of the TNG. That point was also made by the hon. Member for Buckingham. For the DRC to establish itself as a state and to be capable of bringing its people security, a concentrated long-term effort is required.

President Kabila said to me, and it was echoed in the debate, that it is not a question of restoring people's faith in the Government. He said that the task is to persuade people that there is such a thing as a Government, who can provide for them. It is not about rebuilding the country; it is about constructing a state for the very first time in the history of a place that is the size of western Europe and where many of the things that we take for granted as representing the signs and institutions of a functioning state do not exist.

Establishing those institutions, encouraging economic activity, weaving together a social fabric where one does not exist and ending the culture of impunity, which has been such a feature of the DRC's history, will take time. We must recognise that in dealing with that challenge the TNG must take on powerful and established interests that dislike change and will resist it.

On parliamentary links, the hon. Member for Buckingham made a serious point, as others did, about the importance of giving the benefit of our expertise and enabling parliamentarians in the DRC to learn how they might go about the job. Later this week I will meet the Westminster Foundation for Democracy, and I will put to it his extremely important suggestion.

Historically, the UK has not had a great presence in the DRC, but we are stepping up our involvement. We are looking to establish a long-term development partnership similar to those that we have developed with other countries in the region, such as Uganda and Rwanda, with whom we have had a close historical relationship. We recently finalised the DFID country engagement plan, which sets out our proposals. In a sense, we anticipated the all-party group's very good report, which will be formally launched later today. It asked the Government to step up their involvement in the DRC, and we have done so, as I said when I was there last week.

The size of our current programme is $38 million, or £23 million. That is on top of the approximately £70 million contribution that we make through multilateral institutions such as the EU, the IMF, the World Bank and others. We have already announced that, but we are looking to increase our involvement. When I was in the DRC, I described our involvement as support for success, because the international community, the TNG and the people of the DRC must march forward together, step in step, to address the country's problems.

Our work will involve two main tasks: ensuring a successful transition and helping the TNG to establish basic systems of governance. That means supporting the transition institutions, which we are doing, demobilising and reintegrating ex-combatants, which is fundamental to the country's future—I shall come in a moment to the subject of child soldiers—and reforming the army and the police.

We are offering specific support for peace-building. In the east, where there is no question but that things are extremely difficult, the UK contributed £3 million to the interim emergency multinational force. We also pushed for the inclusion in the UN resolution of text on blocking arms supplies, although I am the first to say that enforcement is difficult in a country where many state institutions do not exist. We are contributing about £2.5 million to support community-based peace-building programmes, including those managed by Christian Aid and CAFOD—the Catholic Fund for Overseas Development—in the eastern DRC.

On child soldiers, we are funding a UNICEF child disarmament demobilisation and reintegration programme to the tune of £2 million. We are doing that now, before the funding for the multi-country demobilisation and reintegration programme, which we will also support, kicks in.

My hon. Friend the Member for Glasgow, Maryhill mentioned debt. The DRC has an interim poverty reduction strategy paper; that has reached decision

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point, and we hope that it will reach completion point in 2005. The UK has agreed to write off the debts that it is owed, and we have also released the $4.8 million that we pledged towards an international financing package to enable the DRC to clear its arrears to the African Development Bank.

The hon. Member for Edinburgh, West (John Barrett) alluded to HIV/AIDS. The infection rate is about 6 per cent., but, again, statistics are hard to come by. I visited a project run by Fondation Femme Plus in Kinshasa, which cares for women with HIV. The stigma that they experience is a real problem in the country, but the foundation does outstanding work. The visit was a very moving occasion. We are also funding a condom distribution programme.

A number of references were made to the UN panel report and to the written statement tabled today by the Under-Secretary of State for Foreign and Commonwealth Affairs, my hon. Friend the Member for Sunderland, South (Mr. Mullin), which sets out the Government response. I understand that hon. Members, having reflected on it, will wish to pursue some of the points in it. I simply say that the situation in the DRC has been a major problem, as everyone has identified. However, as the statement forcefully illustrates, one needs evidence to pursue those responsible and to deal with the culture of impunity—one needs a complainant and specific instances. Frankly, part of the difficulty with the UN panel report has been the lack of specific evidence.

Mr. Bercow: Is the right hon. Gentleman not able, in conversation with people in the UN, to elicit any commitment to provide such evidence?

Hilary Benn: We have repeatedly made that point to those who worked on the report. Everyone understands the problem, but there must be sufficient evidence to pursue specific individuals and companies. The problem so far has been the lack of evidence.

There has been a huge international effort to end the conflict, and it is important that members of the international community come together to consider the great lakes in a wider context. The great lakes conference, which is planned for next year, will provide a chance to do so.

I reassure my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) and other hon. Members that, in our relations with Uganda and Rwanda, we make it very clear that, having withdrawn their forces, they should stay out because the DRC needs its integrity and stability. I also recognise my right hon. Friend's point about the serious situation in northern Uganda.

I met several people in the DRC. Expectations are very high but few people would have thought five years ago that we would have reached the point that we have today. That is why we should stick with the TNG. It matters that we should be involved, as there is now a window of opportunity to build a different future for the country. I welcome today's debate for all those reasons.

Mortgage Regulation

11 am

Mr. Barry Gardiner (Brent, North) (Lab): This is not the first time that I have risen in the Chamber to speak in a debate called "Mortgage Regulation". I am sure that the Minister and her officials entertain the hope that it might be the last—a hope that I freely admit to sharing.

The subject of mortgage regulation is better when it is in the background. When it is to the fore, it almost certainly means that a large number of people are being taken for a ride. Only one central principle informs my remarks today: if it looks like a horse, smells like horse, bites like a horse and kicks like a horse, then it is a horse and should be treated like a horse. Applied to mortgages, the message translates like this: if it looks like a mortgage and loans money like a mortgage, and if that money is secured against a house like a mortgage and does not have to be repaid until some time in the future like a mortgage, then it is a mortgage and should be regulated like a mortgage.

My remarks relate mainly to the market for the financial products commonly known as equity release mortgages. That market requires comprehensive, simple and transparent regulation, because the products on sale are multifarious, complex and opaque. In short, this is a high-risk market. How and why has this market developed, and why does it present such a high risk of mis-selling? Let us consider the good news. Despite rises in house prices, inflation in the United Kingdom is the lowest that it has been for more than 30 years, and our interest and mortgage rates are the lowest for more than 40 years. That means that the average mortgage payer is saving £2,750 a year under this Government compared with the previous Conservative Administration, and is spending 10 per cent. less of its disposable income on housing costs.

However, all that has a dramatic effect on the market. As yesterday's *Evening Standard* reported on its front page:

> "House prices in the south east of England are predicted to rise by 8 per cent. next year."

That phenomenon is not restricted to London. The front page of *The Western Mail* today predicts that prices in Wales will rise by an astonishing 14 per cent. next year. For anyone who is still upwardly mobile in the housing market, and who is buying a larger house, the money that they are saving on their mortgage payments does not go into their bank account, but accrues to them in the form of equity in their home. Only those who are static or trading down receive the full benefits of the reduced mortgage rates over time.

We therefore have a market in which the following have come together: a dramatic increase in property prices at the same time as a low in equity performance; an ageing population at the same time as a savings crisis of £27 billion; and increased confidence in the housing market just when confidence in the stock market has dipped. Those indicators all point to an increase in the equity release market, which appears to be the perfect solution to these problems and just what is needed for a property-rich but cash-poor older generation. Estimates put the unmortgaged equity of pensioners at some £459 billion, so it is clear that there is a market to be tapped.

The Council of Mortgage Lenders estimates that that market could be worth more than £50 billion over the next 10 years, from a starting point of what Prudential estimates was only £850 million taken out in equity release schemes last year.

It is clear that we are entering new territory. Who is entering that territory? It is not the young or even the middle-aged couple who still dream of moving up one more time to their perfect home, but the couple who have found that their pension pot did not quite buy them the annuity that they had imagined it would. They may be the victims of pension mis-selling or of the Equitable Life debacle, who are finding that life in retirement on less than half their projected income is not at all comfortable. They have a lovely big house but they cannot afford its upkeep.

Equity release is then suggested, perhaps to people who are getting on in years, who may be impatient with long forms or contracts and complicated explanations. Some may have got to the stage in life where they are not as sharp as they once were, and are therefore vulnerable to those who would sell them a product that does not correspond to their real needs. Equity rich, cash poor and slightly senile: the perfect victim for a whole new generation of financial service vultures.

My attacks are not aimed at the industry as a whole. Equity release is a valuable product, and in a carefully regulated environment with informed consumers, it is a worthwhile one. It can be a good and efficient way to ease financial worry for those in retirement who want to top up their pensions and for those with additional savings who understand the dangers associated with the product. Disreputable companies are in the minority, but we are discussing high-risk products, and with such products a proper regulatory structure is essential. That structure is even more important when it is clear that the industry will face great changes over the next few years.

We are on a new frontier with the equity release market. The next few years will see the industry drive hard into that territory. Increased longevity, an ageing population and a shortfall in pensions contributions make it a fertile land that is increasingly attractive for companies speculating on the fortunes that lie ahead. It is therefore essential to put in place a regulatory system that will prevent the cowboys from exploiting that market.

There is good news: the Financial Services Authority has already come to the rescue. Mortgage regulation by the FSA starts next year and lifetime mortgages will be included in it. I welcome that move. It will come as no shock to the Minister to hear me welcome the Treasury decision to hand over the regulation of mortgages to the FSA; she knows how hard I campaigned for it. Sadly, however, that is where my praise stops, for the simple reason that that is where the regulatory approach stops and where things start to get a little confusing.

Although the FSA will regulate lifetime mortgages, second charges, which consumers regard as no different from equity release products, will be regulated by the Consumer Credit Act 1974. Well, no, that would be too simple. If one's second charge is more than £25,000, I am afraid that for now and the foreseeable future, it will have no regulatory framework because there is a £25,000 limit in the 1974 Act. The bigger the second charge on one's home, the less regulation is in place for one's protection. I am confident that the Department of Trade and Industry is committed in principle to lifting the limit, but since it requires primary legislation, we cannot expect to see it for some time.

In that time, we can expect to see many people fall foul of the cowboys and through the gaps in the regulatory system. There is an exception to that: where the second charge has been taken out through one of the main high street banks that are already regulated by the FSA, the constraint in the 1974 Act will not apply and those people will continue to enjoy the protection of the FSA. As far as second charges go, all is clear as mud. A transaction is not regulated by the FSA but by the 1974 Act, unless more than £25,000 is taken out, in which case it is not regulated by anyone, unless it has been done through a high street bank, in which case it is regulated by the FSA. That is perverse. Companies that have good reputations and wide public confidence are subject to the strict regime of the FSA for second charges of more than £25,000, but companies that do not have good reputations and are most likely to pose a threat to the consumer in a high-risk market are encouraged by being exempt from all regulation to pick off second charge customers.

Our story would be simple if it ended there. Sadly, it does not. We now turn to home reversion schemes, which are typically marketed at the elderly, whereby people sell a percentage of their property for an agreed amount. In return, they receive a lump sum, an income or both. On the death of that person, the company still owns a share in the property and will take it when the house is sold. The company will have benefited from any increase in property prices in the intervening years. Therefore, the transaction is largely predicated on an ever-rising property market, so that the equity released when the house is sold is greater than the initial money put in.

The great difficulty with such schemes is that there is no clarity about the true cost of the money that is released. Let me give an example. A home is worth £100,000. The owner agrees to sell to the reversion company 75 per cent. of the property for £30,000. He receives £30,000 now and, when he dies in 15 years' time, the property is sold for £200,000. The company takes £150,000—its 75 per cent. share—and the estate receives £50,000. Against the company's notional profit of £120,000 must be set the interest on £30,000 for the 15-year period, which would be just over £47,000 at 6.5 per cent. interest. The company's true profit is just under £73,000. That is a terribly expensive deal when compared with interest-only or rolled-up interest equity release products. Of course, it depends on how house prices change during the intervening period. In principle, that is unknowable, but it makes for a product that is highly opaque.

Home reversion is regarded as a property sale and not akin to the standard equity release products, although it is based on similar principles. Sadly, it is not regulated in a similar way; in fact, it is not regulated at all. There is no regulatory structure for home reversion policies—no regulatory authority, no recourse for bad selling and no compensation.

We must remember that the target market for the product is the old and the infirm, who are often the most easily persuaded. That is pure cowboy territory. The current regulatory system leaves us with the good, the

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bad and the ugly. The good is the properly regulated system for lifetime mortgages, which will come under the powerful gaze of the FSA next autumn. The bad is the patchwork regulation that is offered for second charge products. It is an over-complicated and under-regulated system. The ugly is the situation in which many people will find themselves if they turn to home reversion schemes, which fall under an unregulated part of the market that will, by its very nature, attract the less reputable and most despicable characters in the industry.

The attraction of home reversion schemes will only increase as the FSA rides into town to regulate lifetime mortgages and kick out the cowboys. Those cowboys will turn to the unregulated section of the market, in which there is no need to consider the consumer's needs and no recourse for consumers if they are offered the wrong product.

My customary role is that of a critic of the financial services industry for burying the details in the small print. Sadly, we are one step ahead of that today and I must criticise the regulatory system itself for its lack of clarity and transparency. How can the Government seriously turn to the industry and ask for clarity and transparency—the hallmarks of a properly regulated industry—if they cannot even create a regulatory structure that is simple, transparent and comprehensive?

My fear is that as the market grows, it will attract less reputable companies. We are talking about the least regulated areas of the market and clients who will be some of the most vulnerable people. We have seen that combination before and it is not a good mix. I share those views with many others, including the Council of Mortgage Lenders, which wants home reversion schemes to be regulated; Age Concern, which wants to see the elderly protected; and even John Tiner, the chief executive of the FSA. In a recent speech to the CML, John Tiner pointed out that

"confused customers are more susceptible to a heavy sales pitch."

He asked the rhetorical question:

"how many borrowers actually understand the value of the product features they have been sold?"

As the CML notes, the current regulatory regime is likely to lead to confusion among consumers, who will not appreciate the difference between regulated and non-regulated equity release products.

The Treasury is examining the area and has a consultation document on home reversion schemes, but to me it seems all too clear that all the products should be regulated as one under the same regulatory umbrella. If 77 per cent. of consumers complain about confusing advertising and 68 per cent. complain that they cannot understand the term "APR", how will they understand the regulatory structures of equity release products, let alone the products themselves? The products are allied to properties and the buying of properties. To the consumer, that is simple. If it looks, smells, bites and kicks like a horse, it is a horse and should be treated like a horse. If it looks like a mortgage and loans a person money like a mortgage, and if that money is secured against their house like a mortgage and they do not have to repay it until some time in the future like a mortgage, it is a mortgage and should be regulated like a mortgage.

11.18 am

The Financial Secretary to the Treasury (Ruth Kelly): I must congratulate my hon. Friend the Member for Brent, North (Mr. Gardiner) on securing another debate on this important subject. I will respond to some of his more general comments before turning to the specifics of the regulation of equity release. He will acknowledge that, since the Government came to power in 1997, the new framework for regulation has been substantially and radically improved. The setting up of the FSA, which brought together nine sectoral regulators and created a single ombudsman scheme and a single financial services scheme, has clarified the landscape for the typical consumer and made it much easier to negotiate what used to be complicated decisions. We have moved a long way forward in the past six years.

Of course, it is always difficult to draw boundaries, and my hon. Friend points to the operation of consumer credit. He will be aware that, last week, the Secretary of State for Trade and Industry launched the consumer credit White Paper, which introduces greater transparency and simplicity of rules on advertising. It will ensure that consumers understand credit agreements both before they enter into such an agreement and after one has been concluded. It will introduce standardised rules for calculating terms such as the APR. People will have the confidence of knowing the amount that they have to repay. It will enable, for the first time, the conclusion of on-line agreements, making the process much easier for consumers. It will introduce a strengthened licensing regime to enable the Office of Fair Trading to fine rogue traders and to establish whether a firm is fit and proper to be in the consumer credit market. The £25,000 limit will be abolished under the terms of the White Paper. I think my hon. Friend will agree that that will be a significant move forward and will clarify the existing situation.

Mr. Gardiner: I am grateful to the Minister for giving way. The abolition of the £25,000 limit will make a difference, but can she shed any light on the time scale in which that will take place? One of the most worrying concerns that people have is that it may be long enough for some serious mis-selling to take place.

Ruth Kelly: As I am sure my hon. Friend is aware, the timing will depend on primary legislation. I could not possibly pre-empt the contents of any future Queen's Speech, but he will realise that this whole area is a priority for the Government. The Consumer Credit Act 1974 had not been reformed for 30 years. We spent considerable time working on the details of the White Paper to ensure that the proposals were sensible and workable, and that we got them right. As soon as parliamentary time allows, we will legislate. That will be a move forward for consumers.

My hon. Friend will also recognise that all banks and building societies are already regulated by the FSA. Irrespective of the value of the loan, consumers still have recourse to the financial ombudsman service. I hope that that goes some way to meet his point. He also, rightly, raised the issue of macro-economic stability, which brings huge benefits for consumers who are planning their future finances. Although the level of debt has risen in recent years, the level of assets has also risen sharply and net household wealth is up by more than 50 per cent. since 1997. The household financial balance sheet has not slipped significantly into the red as it did in the late 1980s. The macro-economic environment is much more conducive to long-term planning.

I turn now to the specific points that my hon. Friend made about mortgages. Of course, he is right to point out that a mortgage is one of the biggest financial decisions that a consumer makes. Equity release falls into that category too. These are significant financial decisions. It is absolutely essential to protect consumers adequately. Indeed, I should point out that the FSA is the only statutory regulator in the world, as far as we aware, that has consumer protection as one of its statutory objectives. As he knows, there will be better protection for consumers when the regulation of mortgages and mortgage advice comes into force on 31 October 2004. The new regime will give the borrower greater confidence in the decisions that he or she is making.

Regulation of mortgages, alongside the regulation of general insurance, will also simplify the regulatory landscape by ensuring that there is a single regulator for mortgage advice, general insurance and retail investment business. As my hon. Friend said, the FSA will regulate the selling of mortgages by first legal charges on UK property where at least 40 per cent. is residential accommodation to be occupied by the borrower or their immediate family. That definition was derived following consultation and is designed to protect loans when a person's home may be at risk as a result of being sold an unsuitable product.

As my hon. Friend will know, equity release schemes allow home owners to release the value of their property above any amount owed on a mortgage, and as he pointed out, the market is not only fairly large at the moment, but is set to grow even further in the future. Many people would argue that that is good and that people should be allowed to release equity from their homes. Whether one agrees or not, it is probable not only that today's generation of the elderly will want to release equity, but that today's generation of young people will try to build up equity in housing as an alternative to traditional pension provision to secure a decent retirement income. That could prove a risky strategy, but as a Government we must acknowledge it and design sufficiently robust policy to ensure that if it happens, it does so in a secure environment.

As my hon. Friend pointed out, there are two basic schemes: mortgage-backed equity release schemes, which are also called lifetime mortgages, and home reversion equity release plans. The first type, lifetime mortgages, will be regulated by the FSA from 31 October 2004, but the second type, home reversions, are sale and purchase arrangements rather than financial services products. As such, they fall outside the scope of the Financial Services and Markets Act 2000.

The pensions Green Paper, "Simplicity, Security and Choice: Working and Saving for Retirement", which was published in December 2002, stated that the Treasury would be

"looking at options to create a level playing field for the regulation of equity release and home reversion plans to protect consumers and make the market work better".

In the wake of that Green Paper, my officials held a number of discussions with stakeholders in the first half of this year. Although stakeholders were unable to provide any evidence of significant consumer detriment at present, they were concerned about the projected expansion of the home reversion market and the potential for consumer detriment in the future.

It was in the light of those concerns that we announced that the Government would carry out an open consultation on whether home reversion equity release plans should be regulated by the FSA. We published our consultation paper on 11 November, and responses are expected by 13 February 2004. The primary purpose of the consultation will be to arrive at a more in-depth analysis of the costs and benefits of regulation. As I am sure that my hon. Friend knows, we never extend the scope of regulation without considering the costs and benefits extremely carefully.

We hope that the consultation will provide evidence on consumer detriment in particular, and on the basis of that evidence, we will need to establish whether regulation would be appropriate.

Mr. Gardiner: Does my hon. Friend accept that one of the most difficult aspects is that because the scheme's maturity is evident only when the person dies, ipso facto, no one who remembers what was said when the contract was made can make a complaint? In such a situation, it is much more difficult to show the fault.

Ruth Kelly: That is precisely the sort of issue that we hope the consultation will draw out. We are also interested in evidence as to whether the current system of voluntary protection works or whether, as my hon. Friend is suggesting, it does not protect consumers adequately. It is only right that we ask people to submit evidence so that we can make an informed judgment on the issues. He is right to draw attention to the issue, and in the interim period, the FSA is already working on information that it can provide to consumers on the pros and cons of engaging in equity release, so that they can make an informed decision without having to wait for any subsequent regulatory decision that the Treasury may make.

11.29 am

Sitting suspended until Two o'clock.

School Funding

2 pm

Mr. Adrian Flook (Taunton) (Con): I commence by thanking Mr. Speaker for granting this most important debate. I know that that is much appreciated by many people involved with education and schooling and by communities as a whole.

As hon. Members will know, the Government announced their provisional settlement for local education authorities, and therefore for schools, at the end of October. They then added to what they had to say in the middle of November and added to that after the pre-Budget report. I am sure that the Government hope that they have learned the lessons from last year, after which most local education authorities, teachers and schools were left frantic with worry about how they were to balance their budgets.

I am sorry to disappoint the Minister, but in the south-west—England's most rural region—the LEAs still appear to be hard done by. There are two reasons for that. Traditionally, little account is taken of rurality in allocating the funding. I accept that some account is taken of rurality, but ministerial answers that I have examined about how the figure is arrived refer to a "sparsity factor" in the

"primary sub-block and LEA central functions sub-block"—[*Official Report*, 8 December 2003; Vol. 415, c. 92W.]

whatever that means. I would appreciate it if the Minister could shed some light on that.

The other reason that the south-west appears to be badly served by this year's and previous years' funding is that, as the National Association of Schoolmasters Union of Women Teachers informed me, the south-west area attracts many experienced teachers who, by definition, are more expensive than younger teachers working in inner-city areas outside the south-west.

My county, Somerset, has particular problems. I shall examine in detail the settlement for Somerset in respect to education, which was very poor relative to other counties and LEAs. The county council referred to its funding level from the Government as being "on the floor", with overall funding per pupil at £2,832, compared with an English average of £3,097. There is no denying that, on Government calculations, Somerset was meant to spend £250 less per pupil than the national average in England and—believe it or not—this year it is expected to spend £265 less than the national average.

Last year, all moneys in Somerset LEA were passported, as they were meant to be, and I am pleased to tell the Minister that it has been decided that that will also be the case for the forthcoming year. He may be aware that there is a debate raging in our county about how well or efficiently the LEA spends the meagre money that it is given by the county. It is fair to say, however, that historically the county has spent more on education than it needs to. I hasten to add that that is at the cost of the quality of the roads, and it is to the tune of £20 million a year. However, that matter can be debated another time.

Some of us, particularly my hon. Friend the Member for Bridgwater (Mr. Liddell-Grainger), question how efficient the administration of central resources are in Somerset's LEA. However, I believe that that is also a debate for another time.

Mr. Ian Liddell-Grainger (Bridgwater) (Con): My hon. Friend is being very kind in his words—I shall certainly not be. Does he agree that the Liberal Democrat-controlled county council has put up the cost of running county hall from £433 million two years ago to £549 million now? There are 500 extra employees. Those controlling the council are passporting the money because we have said that if they do not, we will make their lives hell.

Mr. Flook: My hon. Friend makes a good point about the fact that the Liberal Democrat-controlled council has seemed to be rather free with council tax payers' money. That said, there is all-party agreement on a number of aspects of funding in Somerset. Indeed, the Minister's party has joined my party and the Liberal Democrats in combating what they regard as a meagre funding settlement.

Apart from the low base level of funding that Somerset has had, there are severe pressure points, on which there is universal agreement in the county. Let us first consider transport, which is £8 million over budget. It looks as if inflation in the demand-led school transport budget will go up again next year, as new contracts negotiated between the county and the bus companies look as if they will rise by 16 per cent. Pressures elsewhere in transport also impact on the education budget.

Much work also needs to be done on special educational needs. As a hospitable county, Somerset seems to attract more and more youngsters with learning difficulties and severe learning needs. I am informed that the fact that the formula on which the Government rely includes information about children with low birth weight partly contributes to the gap between what the county is given and what the Government expect us to provide for. I point that out because a significant number of families move to Somerset from elsewhere and some have children with extreme levels of need. That means that the budget is estimated to have to rise by some 10 per cent. for next year.

With regard to the severe pressure points, Somerset has a problem with early-years funding. The Government are looking towards funding for three and four-year-olds. They are considering increasing the funding that they provide to some LEAs that have a large increase in the number of three-year-olds who are expected to be funded. Somerset has a large increase, but it is not quite large enough to qualify for the grant that some LEAs are receiving.

Lembit Öpik (Montgomeryshire) (LD): I apologise to the Minister because I may have to leave the debate early as a result of unbreakable commitments later today, but I shall make a fairly non-controversial point. Does the hon. Member for Taunton (Mr. Flook) agree that one problem is that rural areas have to cope with the existence of small schools? They are very important to local communities and perhaps contribute to their economic regeneration. Nevertheless, all the economic regeneration benefit comes from the education budget. It sounds as if his constituency might be experiencing the same sort of pressures as in Powys.

Mr. Flook: One could add that there is a fourth pressure point, although it is only on the horizon in Somerset; it might already be there in Powys. Two small schools in my constituency—Langford Budville and Nynehead—which are on the edge of a smallish town, Wellington, are being asked to consider whether they can justify having 26, 27 or 30-odd pupils. The hon. Gentleman makes an excellent point about rurality. Both schools provide a focal point for their community. He is right to say that the community receives that benefit from the education budget.

One way of making education part of the community is through the use of computers. I am told that although one of those schools has an excellent computer suite, something is missing. Initially, the villagers were keen to get involved and to go to the school and learn about computers. As time goes on, more and more families have computers, but they treat them purely as typing machines or use them only for internet surfing, although much more can be done with them. Local authorities could consider how to provide intermediate and advanced courses and enhance the skills of people in rural areas. That would be very important.

There is a further point on the rurality angle, and the hon. Gentleman's constituency may also suffer from this problem. Both the villages I mentioned are close to a town. They are lovely villages, but young families cannot afford to live in them even though their parents still live there. The children of those families use those schools, however, not because the schools in Wellington are poor, but because they get an extra element of child care by being in the same village as their grandparents. A large social element would be destroyed if those schools were closed down. The hon. Gentleman's main point is a good one.

Mr. Roger Williams (Brecon and Radnorshire) (LD): I too apologise for the fact that I may have to leave the debate. On the issue of rural schools, does the hon. Gentleman agree that much of the cost of educating children in small schools is enlarged because of the overheads of bureaucracy? Innovative schemes could be put in place to cut the overheads and the cost of education in small schools.

Mr. Flook: That is true. I am sure that there are many innovative schemes whereby a number of small schools could club together. They could put in an administration level for all the schools involved and therefore justify a top-quality professional management. I am sorry to say that, with the large amount of paperwork that the Department for Education and Skills hands out, it is difficult for heads to process that paperwork and find time to teach. I know that that happens in Somerset and, I am sure, in the hon. Gentleman's local education authority as well. I am aware that the Government are making money available, but it would be helpful if the Minister could explain—perhaps not in this debate, but in writing to me—how initiatives are working in the south-west. I should appreciate that.

As I said earlier, we all welcome the fact that the funding announcement was made earlier in the financial year than was the case last year. The very late funding announcements last year meant that schools up and down the country suffered problems. Schools were unable to deal efficiently with the budget problems that arose. I appreciate that the Government have said that they do not want to re-run those problems, and I do not blame them. Judging by the amount of humble pie that the Secretary of State has had to eat in recent months—his Ministers too, I assume—when apologising for the problems of earlier this calendar year, I can understand why the Government do not want a re-run of the funding fiasco. They trumpeted an 11.6 per cent. increase last year; on anyone's terms, that looked generous. However, according to the independent study conducted for the National Union of Teachers, half of all primary schools and two thirds of secondary schools lost staff. That is 9,000 teachers and 12,000 support staff—21,000 trained individuals taken off of the total school staff roll.

This year, the Government estimate inflationary costs of 3.4 per cent. Last year, they estimated a similarly low figure, but it came out at 8 per cent. All hon. Members want to know how that level of miscalculation will be avoided this year. Schools had to prune expenditure on books, equipment, extra-curricular activities, special needs, training and maintenance. They used up their reserves and had to set budget deficits and use creative accounting. They launched fund-raising appeals among parents. That is a voluntary, localised stealth tax, as schools demanded more and more from parents, who thought that their children's education had already been paid for in their taxation.

Despite such fund-raising, according to the NUT, class sizes rose in half of secondary schools, numbers of lessons were cut, vocational courses were abandoned, and teachers taught subjects for which they were not best qualified. Senior teachers were replaced by junior teachers, purely for financial reasons. As someone who was never very good at any of these subjects—I preferred to concentrate on history—I am sorry to say that science, modern languages and maths were the losers. I should hate to see someone with my lack of capability at those three subjects failing because, sadly, no effort in schools was put into those three main subjects. I think that we all accept that they are vital to this country's future economy.

This year's rescue package, as somebody unkindly called it, is a shuffling of the same pack of cards. Teachers that have left schools—certainly those in Somerset—will not return under the settlement, nor will classroom assistants suddenly return to the classroom. I am sure that the Government will protest that they have been generous with taxpayers' money, and have given what they could to LEAs and schools. However, the flat-rate funding in place will have a perverse impact. The more pupils that a decent, growing school attracts, the smaller funding increase it will receive.

Will the Minister explain what the letters sent to LEAs mean, and whether some of what has appeared in the press is scaremongering or fact? *The Guardian*, which is no friend of my party, has said that the way in which the Government have put together the formula is a return to old Labour, because it removes the incentive

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for schools to build up their numbers and excel. One of the letters sent to LEAs on the 10 December acknowledges:

> "We recognise there is concern in some authorities about appearing to reward schools with poor financial management, or penalise those who have taken harsh decisions to stay within budget this year."

The letter, which is on the website of the Department for Education and Skills, continues:

> "It may be necessary in effect to write off parts of those schools' deficits."

That is most definitely a return to the old Labour style of running a Department. I am further intrigued by another letter from the DFES, which says:

> "If any LEA can put forward a compelling argument that additional transitional funds are needed in the short term, then the Government will bring forward grant payments."

In the light of that, what is Somerset's position?

The impact on Somerset of the past few years' funding has been interesting and I have asked several questions of Ministers in the Department for Education and Skills. In 1997, 67 per cent. of pupils in Somerset achieved level 4 or above in English key stage 2. That figure is now 74 per cent. Even taking into account grade inflation, that appears to be good. However, the national average has risen from 63 to 75 per cent. In mathematics, the figures in Somerset have risen from 63 per cent. attaining level 4 or more, to 72 per cent. However, the national average has risen from 62 to 73 per cent. Therefore, we have gone from outperforming to underperforming.

I know that the relative decline is not due to the excellent teaching staff in Somerset—comparing LEA to LEA on a teacher-for-teacher basis, we have many more excellent, experienced teachers. It is certainly not due to the pupils or parents. It can be due only to the fact that Somerset receives below-average funding, which discriminates against it. That is also the case in many LEAs in the south-west.

The Somerset schools forum feels strongly that the problem is inadequate funding rather than poor budget management in schools. After six years, the institutionalised manipulation of funding levels is beginning adversely to affect Somerset. Calculations made by Somerset's LEA show that, although it will receive £10.2 million next year, the cost pressures on Somerset will leave it more than £2 million short. Only two other LEAs are in such a poor position. The Minister's settlement, which he has trumpeted as fair, has provided many LEAs with headroom. Unfortunately, Somerset has negative headroom. That cannot be allowed to continue.

Several hon. Members *rose*—

Mr. John McWilliam (in the Chair): Order. I have no power to limit the length of speeches, but hon. Members should remember that the object of the exercise is to give the Minister sufficient time to reply to the Member who began the debate.

2.19 pm

Mr. David Kidney (Stafford) (Lab): I congratulate the hon. Member for Taunton (Mr. Flook) on securing a debate on what is an important subject for our constituents. A debate on school funding should start with the "thank yous". I visit schools in my constituency frequently, and in every school I see hard-working and dedicated members of staff doing tremendous work. I refer to the teachers, the growing numbers of teaching assistants, those who work in the schools' offices, which are still dreadfully under-resourced, caretaker staff and, if the school has kitchens, the kitchen staff. They all contribute to the quality of the education. I would also add a "thank you" to the pupils, who apply themselves and work hard, and their parents, who support them in their learning.

Sue Doughty (Guildford) (LD): The hon. Gentleman mentioned classroom assistants, who do such a valuable job, so does he agree that the difficulties over funding have limited schools' opportunities to develop the careers of classroom and teaching assistants, some of whom want to go on to teaching? There is no money to promote them, pay them extra or even encourage them to stay in the job.

Mr. Kidney: I thought that the hon. Lady was going to ask me to thank Members of Parliament for their support for education too, which I am glad to do. Just a month ago, I asked a parliamentary question about the pay and training for teaching assistants, so she can see that I share her concern and endorse what she says. It is important that there is proper support in their training, pay—which is vital—and career path for the future.

I must not overlook the governors, who manage schools and wrestle with the difficult problems—which the hon. Member for Taunton mentioned—of balancing their budgets. I also add a "thank you" to the Government, and not only because I am a supporter. The capital increases in our schools are indisputably noticeable. Every school that I visit has received investment for new developments, and even teachers who give me a hard time about school funding give credit for that capital investment. A lot of that is traditional public sector spending on capital investment, but it is accompanied by innovative schemes for private finance initiatives. In my constituency, the brand new Sir Graham Balfour high school and the modernised Cooper Perry primary school are prime examples of delightful developments resulting from the additional funding provided by PFI.

Those are my "thank yous". I should like to add a "thank you" for the increase in the revenue budget for education, but that is where the wheel falls off and I join the other hon. Members who are going to complain about funding. Much of the problem is with the distribution mechanism that the Government use to send funding to local education authorities. I want to concentrate on that aspect on behalf of both Staffordshire LEA and all the local authorities that are at the bottom of the funding pile year after year, in particular the 40 worst funded authorities, which collectively call themselves the F40 campaign group for fairer funding.

Although we are disappointed with the distribution process, the change in formula this year represented some success for the F40 campaign. We asked for a minimum funding for each pupil wherever he or she is educated, and we have that now. In next year's budget, wherever a pupil goes to school in England, the basic funding will be £2,111.59 per primary pupil and £2,826.23 per secondary pupil, unless the pre-Budget report takes those figures slightly higher. Those figures can be found in a written answer from the Secretary of State on 11 December at column 609W.

The written answer also refers to some figures that the Secretary of State put in the Library, which helpfully give a breakdown of the average per pupil that each LEA has received on top of the basic amount for additional education need and in additional cost allowances and sparsity payments. That provides valuable source material for those who want to argue about the relative weights given to the additional factors.

That brings me to a second point on which the F40 campaign has already been successful. We argued for fewer add-ons to the basic amount and less of the complexity of the old calculation and, in that sense, we were successful. Many of the old add-ons were scrapped, and we now have only the three that I just mentioned: additional educational need, additional cost allowance and sparsity. What has gone wrong this year with the new formula, leaving aside other cost pressures, such as additional pension fund and national insurance contributions, is that, as there is a transition from an old system to a new system, the Government have slipped in some transitional measures, such as budget support grants, which have confused the situation. I believe that many such measures will fall out over time. The big debate for the future is whether the system of having floors and ceilings, so that no one gets below a minimum increase or above the maximum increase, will continue indefinitely or, again, fall out over time.

I would like to talk about Staffordshire and the complaint about how the formula is affecting us. On the overall settlement for the country, I still see, as is traditional, Staffordshire down near the foot of the table showing the richest and poorest authorities. However, the gap between the bottom and top is wider this year under the new formula than it was last year. That is a disappointing development. In the last year of the standard spending assessment, the bottom authority got 73 per cent. of what the top authority got; this year, under the new system, the bottom authority got only 66 per cent. of the formula spending share of the highest.

Of course, the complaint of hon. Members in the south-east is different to the complaint raised in Staffordshire. I would say that the south-east has had an advantageous funding system for 10 years; its complaint is that this year, under the new formula, it has lost that. The benefit went completely over the heads of those in Staffordshire, and went in the main to metropolitan authorities. Certainly, shire counties missed out on it.

In Staffordshire, I recently met all secondary head teachers in one group. Under the new system, they repeated the disappointment that they had expressed in previous years about poor funding, the difficulty that that causes them in managing their budgets, and the effect that that has on the morale of those who work in their schools. I give the Minister a couple of examples of what they are up against as a result of the new formula. We should bear in mind the fact that Staffordshire is next door to Stoke-on-Trent in the north and Wolverhampton in the south, both of which benefit from excellence in cities funding, education action zones and specific grants. Stafford gets none of those.

I was told the following story by the head teacher of Walton high school, which, according to academic league tables, is the best public school—*[Interruption.]* Sorry, best public sector school in Stafford. Is not the terminology confusing? That school lost two young teachers this year, one to a Wolverhampton school, and one to a Stoke school, both of which offered additional responsibility allowances that the head teacher of Walton could not justify paying the new teachers on grounds of experience—they were brand new, although good, teachers. Equally, she could not match from her budget the figures offered and pay the extra. So the school lost two promising young teachers because of the additional funds that the next-door neighbours had.

I was told a shockingly worse tale—although I realise that it is just an anecdote—in which a head teacher went to see a neighbouring school in Stoke-on-Trent to look at its facilities. The head teacher was very impressed with the extra funding that the school had been given to develop its information and communications technology programmes. The other head teacher said, "Yes, we bought absolutely everything that we needed for our school's ICT requirements, and we still had some money left over from the Government grant, so we bought billiard tables for year 11." That shocking story was told to a head teacher who is struggling from one year to the next.

It is no surprise that, when schools were given the short-term ability to use money from capital funds in their current account to tide them over difficulties this year, 59 schools in Staffordshire took advantage of it, to the tune of nearly £1 million. The upper pay scale is encouraging for teachers' career development, but there are schools in Staffordshire that just cannot find the money for their contribution to the extra pay for teachers who get through the threshold and on to the upper pay scale. The national work load agreement is worrying schools that cannot make ends meet because they will now have to find more money soon.

The Minister should take back to his Department the complaints made in Staffordshire. That situation is replicated across the local authorities involved in the F40 campaign. The F40 group met at Lutterworth on 11 October to review the new formula and to decide whether it could announce that its campaign was complete and that all its members could retire from campaigning work. I am afraid that its members decided unanimously that the new arrangements were not good enough, so the campaign goes on, as my hon. Friend the Minister for School Standards well knows from the correspondence that he has received since then.

F40 would like not just a minimum funding increase—that, effectively, is the floor at the moment—but minimum funding, with a reduced, and not expanded, gap between the highest and lowest-funded authorities. F40 will now work on a model to try to achieve that, so that when the Government are next willing to look at changes to their formula, the arguments of F40 can be fully taken into account. I hope that the Minister finds that constructive approach appealing. In the meantime, I ask him to look at the

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examples of unfairness that I have given him, and see what can be done this year, and for each of the next three years, to try to stamp them out.

2.30 pm

Mr. Peter Luff (Mid-Worcestershire) (Con): May I begin by expressing my appreciation of my hon. Friend the Member for Taunton (Mr. Flook) for securing this important debate and for opening it so skilfully? I thank also the hon. Member for Stafford (Mr. Kidney) for his remarks.

I will need to read the record carefully, but I think that I agree with almost everything that the hon. Member for Stafford said. I certainly agree that there has been a significant increase in capital expenditure in Worcestershire—which is appreciated. The Minister knows that I am a fair man, and that I do not want to score party points where there are none to be scored. Where the Government deserve congratulation, I shall offer it. I appreciate the increase in capital expenditure, which has borne significant fruit in my constituency. I say "thank you" for that.

I should also like to thank the Government for this year's settlement for schools, which removes the appalling pressure that schools were under last year. Budgets this year will be a great deal easier to manage.

It was a little galling to sit through Prime Minister's questions today, however, and hear a Warwickshire Member pay tribute to his schools' achievements. If we in Worcestershire were given the extra money that Warwickshire gets, there would be similar improvements in Worcestershire schools. I entirely agree with what the hon. Member for Stafford has just said: the distribution of resources simply is not fair and does not work.

Last year, there were particular difficulties—there are party points to be scored here. The Government's problem was that although they gave a generous cash increase to school funding, their own changes put up costs even further. Instead of saying that it was a generous settlement, Ministers should have said, "We've given you quite a lot of money—all that we can afford—but we know that your costs have gone up too. It is going to be tough this year, but bear with us." They did not say that, but tried to pretend, as Ministers have done under different Governments, that their settlement was frightfully generous. It was not generous given the extra costs that schools had to bear.

I freely acknowledge that this year is a bit different. This year, there is real-terms growth in funding in my county. I shall not make unfair points, but the basic problem remains—as the hon. Member for Stafford said so clearly during his very fine speech—that a number of counties, particularly shire counties, are being left behind.

A few weeks ago, I was at a meeting of head teachers in my constituency, and we heard a story of a teacher who had moved from Birmingham to a local first school. On the first day, the teacher asked, "Where are the laptops for every member of my class?" The head teacher said, "We can't afford laptops for every member of the class." On the second day, the teacher asked, "Where is my laptop?" The head teacher said, "I'm afraid you'll have to buy it out of your salary." The third day, the teacher asked, "Where's my classroom assistant?" The head teacher said, "There isn't one; we can't afford one."

Worcestershire is surrounded by better-funded authorities. Many of the teachers who teach in those better-funded authorities live in Worcestershire, and they write to me to say how much better funded are the authorities where they work. Teachers who teach in Birmingham tell me that they do not know what to do with the money that they have got for their schools. I see a look of disbelief on the Minister's face, but it is true and I can show him the letters. I could show him the article from *The Birmingham Post* a couple of weeks ago, which talked about the huge cash balances that many Birmingham schools have. Worcestershire schools, however, do not have huge cash balances; they have run them down over the past couple of years because of the severe financial pressure from which they suffer.

We find it difficult to understand why we are so uniquely disadvantaged in Worcestershire. There are national pay scales, except of course for London where there is a particular issue about weighting, which I fully accept. It is quite right that London schools should get significantly more money than schools elsewhere in the country—I have no argument with that. Employment costs are higher in London; teachers get London weighting and that is reasonable. However, teachers elsewhere get the same salary wherever they are because national pay scales apply. The ancillary costs related to education for things such as textbooks, heating, lighting and the building are broadly the same. The national curriculum also had a big impact on levelling authorities' expenditure on education over their historical levels. I accept the case for London weighting—I do not challenge it for a minute—but there are some interesting questions for the Minister to answer about area cost adjustment.

Sue Doughty: I apologise to you, Mr. McWilliam, because I am not able to stay until the end of the debate.

There are also problems in the high-cost areas. For example, in Surrey housing costs are as much as, if not more, than in some parts of London. We are losing 25 per cent. of our staff every year. Surrey is a training county without a training budget. Additional costs accrue to such cliff-edge areas. We are spending some £50 a year on training alone—and yet we have to do all those things.

Mr. Luff: I am interested in what the hon. Lady said. I half agree with it. I acknowledge that the Audit Commission said recently in its review of local government finance that the Government had shifted resources from the south-east to elsewhere in the country. I agree with that finding, I have read that report, I am interested in it, and it is true. Counties like Surrey have suffered. They have, however, received an area cost adjustment for a long time. Teachers' salaries are modestly higher in my constituency than in the hon. Lady's—although I should not make too much of that. Nevertheless, they are certainly in line with the salaries paid in Surrey. I accept that in the hon. Lady's constituency higher salaries still are, perhaps, needed to retain teachers. The actual costs incurred by schools are marginally higher in Worcestershire and Staffordshire than in counties in the south-east.

My theory is that the area cost adjustment is a device used by civil servants to favour their own schools. This is not and should not be a party political debate. Civil servants live in the south-east of England and they want their schools to be well funded for a long time. Ministers of both Conservative and Labour Administrations have gone along with that for too long. It is time to recognise that schools outside the south-east deserve a fairer deal than they have had so far.

Ministers in debates like this often respond by saying that similar children in similar circumstances get the same level of funding—I suspect that that is in the Minister's script today—but that is not true or right. It is, perhaps, true of the basic funding formula, but school funding does not stop there. Funding is also affected by the area cost adjustment and the other top-up sources of funds from central Government, which the hon. Member for Stafford enumerated during his speech, which was good. The problem in Worcestershire is that historically, before the days of the national curriculum, the Conservative-controlled Administration were able to spend relatively low sums on education, compared with elsewhere in the country, and deliver an adequate outcome. However, with the national curriculum, the pressures on education have changed all that. If the Conservative Administration of the 1980s had faced the problems of the 21st century, they would have spent a great deal more money.

The old funding formula reflected historic patterns of expenditure. A history of low spending would be used as the base on which the percentage increases were built. A new funding formula was introduced last year. I was delighted about that. Sadly, however, that has enshrined the old status quo. I am not normally cynical, and I apologise to the Minister for being so, but my cynical judgment is that the per pupil entitlement and the deprivation-sparsity top-ups were rigged to deliver roughly the same outcomes as the old formula. Therefore, Worcestershire did not benefit from the new formula as it should have. The gap between our neighbours and us has grown in cash and relative terms since 1997. Although I chose that date quite arbitrarily, the Minister probably appreciates its significance. The gap has grown because the formula has not been amended as I had hoped it would be, because top-ups—which we do not get—have been paid from central funds to neighbouring authorities, and because of the area cost adjustment.

It is important to recognise that the rules of compound interest apply to school funding formulae. In other words, if a school starts from a low base and gets 6 or 7 per cent., that is welcome because it eases the budgets. However, if the neighbouring authority—let us say Birmingham or Warwickshire—gets the same percentage from a higher base, they get more and the gap grows. Worcestershire is grateful for this year's settlement; it would not be bad if the county were an island. However, it is not. It is joined on every side by other local education authorities that are fishing in the same pool for teachers—and often, at the boundaries, for pupils. The LEAs around Worcestershire can offer a better deal on equipment and facilities for pupils and teachers alike. That is getting worse, and I am concerned about it.

I am delighted that the Minister for School Standards will meet a group of nine members of the Worcestershire head teachers forum on 27 January to examine the issues. The Minister listened to Worcestershire's case in a marvellous way, and I am grateful to him beyond words. He answered at length questions that were often bad-tempered—because we feel strongly about this matter in Worcestershire—and he responded with his usual intellectual honesty. I am grateful to him for that. However, we are getting to crunch time in Worcestershire. The gap between our neighbours and us grows and grows, making it increasingly difficult for Worcestershire to offer the quality of education that it should, compared with Warwickshire, Gloucestershire, Birmingham and the black country.

This is not the Minister's job, but the matter is made worse by the view of the Office of the Deputy Prime Minister on resource equalisation: not only do we lose area cost adjustment because our salaries are apparently not high enough to merit that but, miraculously, our house prices are too high and therefore it is judged that we could raise more in council tax. To have an area of the country where house prices are high and labour costs are low is challenging to say the least. I read economics at university and although my knowledge of it is now a bit ropy I know that it is difficult to sustain high house prices on the basis of low wage costs. That suggests that what I have been saying to Ministers for some time is true: people live in Worcestershire but work in Birmingham—or Warwickshire or Gloucestershire. Many teachers do that.

House prices are high and labour costs are low, so we lose both ways. We lose about £10 million on area cost adjustment and £13.4 million on resource equalisation—a total of nearly £24 million a year. If the county were to get its hands on even some of that, it would make a big difference. The rules are not joined up; they are not delivering the right outcome for schools in my constituency and throughout the county.

I have expressed my reservations about the formula, which gives the wrong balance of weights—it gives too much to deprivation. That should be reformed. I have also expressed my views about area cost adjustment. The hon. Member for Worcester (Mr. Foster) is interested in that, and it is a shame that he is not present because he has criticised Conservative Members for not attending past debates, but that is another matter. The Government have two choices: either area cost adjustment goes—which there is now a case for—and every LEA outside London, where there is London weighting, gets a similar level of resource and similar children in similar circumstances are truly valued equally, or Worcestershire gets it, because it is surrounded by counties that get it, and that is putting us at a huge disadvantage.

The other issue is top-up funds—excellence clusters, excellence in cities, leadership incentive grant, education action zones and pathfinder projects. I have tried to find out what these bring to the county. I have had two sets of answers from the Department for Education and Skills. One of them was about pathfinder projects, which promised that a table was enclosed but it was not. I have yet to see it so I do not know what the situation on pathfinder projects is. I am sure that that table will be produced. I raised the matter with the Department in a

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question—reference No. 141463—asked on 8 December. I would love to know the situation with regard to pathfinder projects, but I do not.

I have asked questions on education action zones, excellence clusters, excellence in cities and the leadership incentive grant. The hon. Member for Worcester has taken me to task for not asking about specialist schools. I will be asking about them now. As for other direct sources of funding, I shall ask about early years, excellence challenge, behaviour and attendance, and standards funds moneys too, because I want to debate the facts.

Let us consider the answers that I received to questions on several issues—reference Nos. 141460, 141424, 141425 and 141426. I congratulate the officials who deal with the leadership incentive grant because they answered my question about it. The officials whose attention was drawn to the other three issues did not. The Minister should have looked before he signed the answer to the question. The information that I received was complete gibberish. The Table Office has allowed me to re-ask the question. I have asked the hon. Gentleman to respond to the points in the questions with reference Nos. 141460, 141424 and 141425, in the manner that was used to answer the one with reference No. 141426. I look forward to receiving that answer. Frankly, the answers had been stuck on a word processor without captions, titles or explanations and were not in the requested form. I received a scandalously inadequate response.

I am not a conspiracy theorist, but there are those of us in Worcestershire who believe that the answer was given in such a form to deny us information. That worries me. The matter is subject to revision when I receive the answers to the other questions, but the Worcester head teachers forum has considered the answers that I have received so far and about £300,824,000 is paid in top-up moneys, of which Worcestershire receives £375,000 under the leadership incentive grant moneys, which is 0.1 per cent. of the total. That destroys the Minister's argument that similar pupils in similar circumstances are funded similarly; they are not. Area cost adjustment of top-up funds makes a big difference.

In press releases, members of the governing party in Worcestershire say, "Funding gap closes again". I do not know how they reach that conclusion. The funding gap has not closed again; it has widened again. I have challenged the hon. Member who wrote the press release to withdraw it from his website, because his statement is not true. I have given the game away as there is only one male Labour Member in Worcestershire. The funding gap has widened. Yes, I am pleased about the extra money. Yes, I am pleased that school budgets will not be pressurised, but Warwickshire and Birmingham, in particular, have again done better than us. We cannot continue in such a way. Head teachers, parents, governors and pupils in Worcestershire are paying a heavy price for the steady erosion of Worcestershire's relative position in the funding table.

It is also true that the Labour party is trying to make such matters a party political issue in Worcestershire. I have tried to avoid doing so. Legitimate arguments can be advanced about how education is funded nationally. I am willing to stand up and defend my position on the funding of public services, especially the health service. I had real worries about the Government's strategy of pouring in money without first reforming the service. Pouring money into Worcestershire's education service is a thoroughly good action to take. It needs more money to bring us up to the levels of the neighbouring authorities.

Party politics should not be involved. Yes, here in Westminster we should argue about the total quantum and how it is raised. We should argue about public-private structures, organisation and so on. As local Members of Parliament in Worcestershire, we should be determined and clear about the fact that our county deserves a fair share of whatever a Conservative, a Labour or—God knows—a Liberal Democrat Administration might offer. I say to the Minister that the situation is deteriorating day by day, year by year. Worcestershire demands and deserves a fairer deal.

2.49 pm

Dr. John Pugh (Southport) (LD): I congratulate the hon. Member for Taunton (Mr. Flook) on initiating the debate, which will surely not be the last such debate. It is certainly not the first debate that we have had on school funding. The Government's reaction to the issue passed through three distinct phases. First, they were surprised that there was a problem. Secondly, they confessed that they had some part in the problem and had not expected it, and they currently want amendment of life and an intention to do better hence forward. There was a degree of repentance on their part. That is all very welcome. I will not rehearse the reasons why the problem arose in the first place, because all hon. Members present are fairly familiar with them. In a nutshell, they were a combination of unexpected school costs and a rejigging of the local authority formula.

As the hon. Member for Mid-Worcestershire (Mr. Luff) mentioned, rejigging the local authority formula was a highly contentious act. It was an attempt to arrive at a more equitable and fair formula, but it clearly has not satisfied many hon. Members or their constituents. None the less, it was planned and its effects could have been anticipated, and [illegible] Government are remiss for not having done so.

Recently, however, the Government have given a great deal of reassurance in various ways over fixed periods. First, reassurance was given that the formula spending share was going to increase by between 5 per cent. and 6.8 per cent. per pupil, and a vigorous announcement was made that the local authorities would have to passport fully the schools' funds. The Minister made it clear that if that did not happen, he would ensure that it would. Subsequently, a ministerial announcement guaranteed broadly 4 per cent. per pupil. There are variations, depending on whether the school roll goes up or down, but the increase was good so far as most schools were concerned. The general figure seemed to exceed the headline figure that the Government gave for increased school costs.

There was also the reversal of the previous policy on standards funds and the restoration of standards funds to schools. There was the offer of transitional support—a limited, possibly insufficient amount—to areas that had especially difficult problems, and the opportunity for local authorities to knock on the open door of the Secretary of State to ask for money if they really needed it and could not cope without it. I understand, however, that that was in the form of a loan rather than a direct grant. There was the promising development of an early settlement of all these finances so that schools could anticipate their financial situation, however good or bad it might be, and of an early, and fairly extensive, settlement of teachers' pay.

The Government have done much to give schools some of the reassurance that they did not have last year. However, fundamental uncertainties remain about the implementation of the workload agreement, and about exactly how schools will use their balances and how they used them last time. There are new rules about balances, which will affect how schools dispose of their funds. There is also the continuing and contentious nature of what we used to call the rate support grant, which has a greater adverse effect on county areas than on, say, metropolitan areas, which must be recognised. It must be recognised that county areas have a particular problem with that grant. None the less, the Government attempted to smooth things over with the local government settlement—more reassurance. They offered £300 million to authorities that would have specific problems in funding education in full without damaging other services. That was followed by the December pre-Budget statement, which promised extra money yet again.

On the face of it, it is hard to tell whether the Government have done the job that they intended to do. They have made certain moves, but the $64,000 question is, "Are they out of the woods and have they resolved their problems?" I suspect that the Government team will ask themselves that question over Christmas, and will continue to ask it until the school budgets pan out later in 2004. This is a nail-biting time for the Department for Education and Skills, which has taken steps to ensure that there is no repetition of 2003 but is not entirely sure that that will happen.

Mr. Kidney: The jury is still out on several matters. We can say with certainty that the Government have made all these announcements very early to help schools and LEAs this year and have done their best to indicate figures for two years, not one. Does the hon. Gentleman welcome those factors unequivocally?

Dr. Pugh: It is certainly preferable for schools to have an early statement about what their future financial affairs might be like. Bursars and head teachers throughout the country will be happier with the situation in 2004 than the one at the start of 2003. That can only be good, and the Government are to be applauded. However, it is fair to summarise what the Government have done as a series of ad-hoc adjustments. It has been a scissors-and-paste job. Schools, and everyone else, would like a permanent fix. I do not see how the Government can arrange such a permanent fix, although it may be broadening the scope of the debate to say that they are on the horns of a dilemma.

One solution, which would to some extent avoid a repetition of the same events in 2003, 2004, 2005 and 2006, is to move rapidly in the direction of new localism. The Government could roll things back, fix a generally fair level of support for local authorities and let them get on with it. In other words, they could simply set standards and back out. I am sure that they have absolutely no intention of doing that because, like the previous Government, they seem to have decided that education, and certainly schooling, are far too important to be left to local authorities, and so they want more levers to direct and control the process.

Clearly, the Government could go in the reverse direction. They could go the whole hog and adopt a command-and-control version of education similar to that adopted in France. They do not want to go down that road either, and so they are left with a somewhat awkward system that is difficult to manage and which will never guarantee schools the financial stability that they would hope for and that would be the best possible scenario.

The system involves resources being channelled into education via local authorities—with disputes over whether that is done fairly—through various versions of school formulae, and could involve disagreement about whether the arrangements are as adequate as they could be. There is also a range of special schemes, as the hon. Member for Mid-Worcestershire mentioned. The effects of those schemes are difficult to assess and they can give rise to grievances in schools that do not benefit from them.

A high degree of central prescription underlies the distribution of resources, and a necessary consequence is that there will always be local anomalies and unjustifiable differences that people cannot defend intellectually—they simply observe that they occur. What the Government have done means that if a school had a windfall funding increase to deal with the circumstances of this financial year, that would be incorporated into its budget. If a school had an unfortunate variation this year that was not systematic, but occurred because of a temporary adjustment that it had to make, that would be bolted into its budget. That has been acknowledged and, in a sense, tolerated by Ministers.

Issues related to fairness, equity and the way in which the system pans out on the ground in areas such as Somerset and Worcestershire will always be around and will be almost unavoidable until the Government choose to empower local authorities as before and to introduce greater local discretion, or go in the other direction and divest local authorities of their residual powers.

Mr. Luff: Is the hon. Gentleman aware that in Worcestershire the local education authority has already decided to spend more than the Government recommend? It is already spending above the formula spending share reckoned by the Government, and still the shortfall exists. There is some empowerment already, but at a heavy cost to the council tax payer.

Dr. Pugh: I quite agree. I have a lot of sympathy for what has been said about Worcestershire because I used to serve on a local authority that, unlike Worcester, traditionally and habitually, over decades, spent above what Governments recommended, and we found it extraordinarily difficult to maintain educational expenditure at the required level given the nature of the

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rate support grant each year. Often other services had to be cut and reduced to maintain the funds for a school, and in some cases add to them.

I suggest that the Minister should seriously review the possibility of adopting a solution for the funding of schools that is something more than the scissors-and-paste job that we experienced this year, because, sure as eggs are eggs, the same details, data and offers from the Chancellor of the Exchequer and other sources will not be around in subsequent years. Schools genuinely want stability, continuity and a good level of funding for decades to come.

2.59 pm

Mr. Mark Hoban (Fareham) (Con): I congratulate my hon. Friend the Member for Taunton (Mr. Flook) on securing the debate and introducing it so eloquently. He spoke with real passion about the problems that affect his community in Somerset, the way in which the funding formula may have penalised that area and the impact that that has had on the local education authority. I was particularly interested in his comments about some of the central costs of LEAs, such as school transport costs, which are a real burden in many rural communities.

The hon. Member for Stafford (Mr. Kidney) made a characteristically "yes, but" speech. He thanked everyone lavishly in the style of an Oscar winner, and then expressed his qualifications. I have a lot of sympathy with what he said. Representing a constituency in south-east England, I am perhaps a beneficiary of the delay in fully implementing the changes to the funding mechanism announced last year.

As a beneficiary, the question arises of when the transitional process will restart. This year it would appear that, given the narrowness of the gap between the floor and the ceiling, the process has stalled. When do Ministers expect the transition to be completed? If we are to plan staff numbers and the development of schools in the long term, we need a clear timetable for the completion of the transition. The hon. Gentleman also made a point about work load to which I will return later. He hit on an issue that affects many schools to which I have spoken over the past few weeks.

I turn to the remarks made with typical passion by my hon. Friend the Member for Mid-Worcestershire (Mr. Luff), in which he expressed the concerns of Worcestershire and made some very telling points. His point about area cost adjustment is interesting because we should see whether the Chancellor extends his commitment to introduce regional pay bargaining in a national formula to greater issues arising on that front in the future. The distribution of funding causes many people concern because it is difficult to understand the disparity in allocation between neighbouring LEAs. It is a concern that we have heard expressed by Members up and down the country over the past year.

I was also taken by the numbers mentioned in the Department's allocation of direct funding to local schools to which my hon. Friend referred. I think that 0.1 per cent. of direct funding went to Worcestershire. There is a lot of concern that that money has been targeted away from shire counties and at inner-city areas. There is also concern over whether schools in shire counties are receiving an adequate level of resources to improve educational standards.

Mr. Luff: I am sure that my hon. Friend would wish to confirm that we have no argument about schools in deprived areas receiving additional funding; it is the extent of the discrepancy that concerns us.

Mr. Hoban: My hon. Friend makes a fair point. We also need to remember that schools in those areas have had more funding, but that the gap between the best and the worst schools has continued to widen rather than narrow under this Government. I know that all too well, having looked at the numbers for the north-east of England—the area that I come from—and seen the increasing disparity between the best and worst schools and how even people in deprived areas are losing out.

The hon. Member for Southport (Dr. Pugh) made a very good summary of why we are currently where we are. He envisioned that as long as the system is in existence we would be trapped in debates about school funding for years to come. The Government know that next year they must have no repeat of the problems that have bedevilled the 2003–04 financial year.

I am the first to acknowledge that the Government have taken great steps to try to remedy some of the problems that we saw in 2003–04. The transitional funding of £121 million to help schools that are in deficit is an important aspect of that. The relatively high increase in the schools formula spending share per pupil is much higher than that envisaged by the Secretary of State when he made his announcement in October. The narrowness of the gap between the floor and the ceiling has greatly helped those LEAs that would lose out if the redistribution of funding were to happen again this year. My concern is whether that is enough.

One reason why we had so many problems in the 2003–04 financial year was that the Government underestimated the cost pressures facing schools. The Secretary of State referred to cost pressures of 3.4 per cent in his statement on 29 October. Some of the correspondence that I have had from schools across the country states that they believe that number to be optimistic. One primary school in Dorset said that it needed an increase of 6 to 7 per cent. but the formula spending share per pupil went up by only 5 per cent. in that county.

A high school in Norfolk—not in the constituency of the Secretary of State for Education and Skills, I am pleased to say—needs an increase of 7 per cent., yet the county's LEA increase this year is 6 per cent. In Northamptonshire, a senior school needs an increase of some 6.5 per cent., but the county's increase is only 5.8 per cent. Schools are uncertain whether the money that has been promised by the Government will be sufficient to cope with the cost pressures that they predict for the 2004–05 financial year.

Let me return to transitional funding, which is an important tool in the Government's armoury for trying to improve the deficit situation faced by so many schools. The hon. Member for Southport expressed concern that the transitional scheme will actually reward schools that have not managed their books properly. That is prompted by a comment that came out of the questions and answers produced by the Department for Education and Skills at the time that transitional funding was announced. Schools that have taken steps to manage their way out of the problem need more support, but we are in danger of rewarding the poor performance of those schools that have not done that. I am not sure that any of us would like that to take place.

Transitional funding does not tackle the problems of schools that managed their way out of the current financial year's situation by using reserves or devolved capital expenditure. Let me give some examples: a school in Northamptonshire used £46,000 of its reserves to balance its books, but it will not benefit from the targeted transitional funding, which is meant to go to schools that had a deficit, and a community college in Northamptonshire has used £90,000 of reserves to tackle its problem. The list goes on and on. Many other schools have been identified. I am sorry that the hon. Member for Guildford (Sue Doughty) is no longer in her place, because schools in her constituency are affected as well. One primary school in Guildford had to use its reserves, as well as the capital expenditure that was earmarked for that year, to balance its books.

Surrey county council estimates that schools have used some £10 million of their reserves to balance their books, but they will not get any transitional target grants for 2004–05. It appears that there is no way in the forthcoming financial year to protect schools that have taken such action. Teachers in my constituency express to me their concern that, although they avoided redundancies and staff losses in 2003–04, the pain will hit in 2004–05 if the spending increase is not sufficient. That is a real concern for many schools that managed to tide their schools over this financial year because of prudent financial management in earlier years.

Let me raise a matter that is important to schools, although it may appear to be a point of detail. The Secretary of State announced that KPMG were to provide hands-on support to schools with budgetary problems. Will the Minister confirm that that will be limited to half a day per school? I believe that schools had originally been given the impression that there would be two days per school. Having worked for a firm of chartered accountants myself, I suspect that half a day will not be enough to get to grips with some of the complex issues affecting our schools.

The issue raised by the hon. Member for Stafford, to which I wish to return, is the work load initiative. There is a real concern that the money in the 2004–05 settlement will not be sufficient to implement some of the much-needed work load reforms that are so fundamental to retaining good teachers in our system. I shall repeat some remarks that schools have made to me. A school in Guildford said:

> "We may have to cut some teaching jobs in the school in order to provide sufficient funding for the employment of Teaching Assistants to comply with the new Workforce Reforms."

What a perverse world we live in where, in order to make the work load reforms work, we must reduce the number of teachers in a school. I think that many people would scratch their heads and wonder whether the work load reform initiative has been properly funded.

A school in Northampton, which was a pilot for some of the reforms, pointed out that when its pilot money runs out on 31 March 2004, it will have to make redundant some of the teaching assistants employed as part of the pilot project. I am sure that that is not the Government's intention, but it is the unintended consequence of the way in which funding works. It echoes the point made by my hon. Friend the Member for Mid-Worcestershire about the amount of money that is funded directly to schools from the DFES. Quite often, that money is for a finite period, but the expectation is that those schools will continue to provide that service once the initial pilot money has gone. In its submission to the next spending review, the Local Government Association said that it is difficult for LEAs that are on the floor of their settlement to envisage how they will meet the costs related to some of the work load reform initiatives proposed by the Government.

I want finally to touch on the implications of the formula for spending share per pupil—a methodology that the Government have set out. It is becoming more and more difficult for LEAs to devote additional resources to schools that have particular needs. Money cannot be transferred between schools as easily, if the expectation is that schools will get, in the example of Barking and Dagenham, some 5 per cent. extra per pupil. There are limits to schools' discretion. Perhaps we are witnessing a move by the Government to introduce national funding of schools. The fair funding formula, showing the average amount per pupil plus various allowances, would indicate that that may be where the Government are heading. Will the Minister comment on that? He has, perhaps, more time than he initially imagined to respond to hon. Members' queries.

As the hon. Member for Southport said, the Government are watching and waiting, having heard loud voices of complaint arising from the inequities of the 2003–04 spending review. It is clearly important for the Minister, as well as for schools, teachers, heads, governors and LEAs, that the spending formula is right. I am concerned whether the Government have understood, after last year's debacle, the problems of cost pressures facing schools. Have they properly appreciated that, if such pressures are not properly addressed, what might appear to be a minor shortfall of, for example, £20,000 on a school budget, means two thirds of a teacher? Have they tackled the issue facing so many schools of how to bail themselves out using their reserves or capital expenditure? Those problems might bite in 2004–05, not in the current financial year. It is a question that we cannot answer today, but we shall watch how schools respond to the financial settlement.

3.13 pm

The Parliamentary Under-Secretary of State for Education and Skills (Mr. Stephen Twigg): We have had a very good debate in a constructive spirit. Colleagues on both sides of the Chamber have sought, quite properly, to represent their constituency concerns and to raise some of the broader issues that we undoubtedly face on school funding. I should like to echo the comments of hon. Members who have spoken during the debate in thanking all those who work so hard in our schools: the teachers and head teachers, other school staff, and parents, pupils and governors. Regardless of party politics, there is much for us all to celebrate in the achievements that we see in our schools.

I shall seek to respond to some of the specific concerns that have been raised in the debate. I apologise to hon. Members if I do not address every concern, but I shall

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endeavour to write to all those to whom I am not able to respond fully today. I shall then conclude by making some general remarks.

I join in congratulating the hon. Member for Taunton (Mr. Flook) on securing this debate. He raised several important and challenging issues related to schools funding, with particular reference to the situation in his county of Somerset. My starting point in addressing what he said is that I do not underestimate some of the difficulties that have occurred this year.

Schools and LEAs in all parts of the country are confronted with a number of issues. Some of the cost pressures about which hon. Members spoke apply to both rural and urban areas, and to the north, the south and the midlands. However, the combined changes that were made last year have had a different impact in different parts of the country.

The hon. Member for Taunton spoke, in particular, about rurality, and about how to address the needs of rural schools. He was right to do so, although that goes some way beyond the specific focus of today's debate. He also mentioned the question of school transport. I am acutely aware of the cost pressure that that issue incurs, and of the frequent inequity for children and their parents in the system for getting access to school transport. That is why we announced in the Queen's Speech that we intend to publish a draft Bill to examine and address that specific issue.

I have responsibility in the Department for work with rural schools. We now have a rural schools group, which brings together head teachers from secondary, primary and special schools to examine particular issues, such as transport, and access to information and communications technology, to which the hon. Member for Mid-Worcestershire (Mr. Luff) referred when making the contrast between the situation in his constituency and that in a city such as Birmingham.

The hon. Member for Taunton, in responding to an intervention, made a point about small schools. It is important that we have sufficient flexibility to recognise the particular circumstances of small schools, especially those in rural areas. That is why we introduced the important presumption against closure of rural schools. Earlier this year, I visited a school in Cornwall, which had only 17 pupils in the entire school. I was struck by the excellence in that school, and how that was achieved. I would prefer that we only closed schools in extreme circumstances, and accept the his point that one implication of that is that we need to examine the funding arrangements.

We said this year that we want to have a minimum per pupil increase in every school. Part of the reason for that is that we want to give a guarantee of stability. However, we also recognise that in many schools, and particularly in primary schools, pupil numbers are falling significantly. We want to ensure that sufficient flexibility is given to those schools for them not to suffer as a result of their decreasing pupil numbers. I endorse the point made by the hon. Member for Taunton about the importance of some of our initiatives, for example the relevance of specialist schools to rural as well as to urban areas.

The hon. Gentleman mentioned the undertaking that we have given that authorities can apply to bring forward future years' grant into this year, and asked whether Somerset would be eligible to do that. I understand that no approach has been made to the Department by the authorities in Somerset, but that there is still sufficient time for them to do so if they wish to make use of that provision.

In Somerset, there has recently been a significant increase in the numbers of teachers and of other staff working in schools. I want to strive for that position to be sustained in the future rather than being reversed. I understand that Somerset has an excellent record on education, which has been recognised in many ways by Ofsted and the comprehensive performance assessment process.

The hon. Gentleman referred to the fact that progress made in primary schools at key stage 2 is slightly behind national progress. However, at secondary level, good progress has been made in recent years. The figures for the five A* to C GCSE measure are above the national average. Somerset does particularly well in the value added measure between key stage 2 and key stage 3. I would be happy to examine that further, but I understand that the Department has a positive view of the progress that Somerset is making and we want that to continue.

Several hon. Members referred to the increases in capital investment in schools in recent years, and I appreciate the non-partisan way in which the issue was addressed. There has been significant improvement. Capital investment in 1997–98 in Somerset was just below £4 million, whereas this year it is just below £20 million. I do not underestimate the scale of the challenge that we face in ensuring that school buildings and equipment are fit for the 21st century. We must accept that all Governments over the decades have failed to address that sufficiently, but I am pleased that we are now seeking to do so.

My hon. Friend the Member for Stafford (Mr. Kidney) raised several issues, including the ongoing F40 campaign. I understand his concern, which overlapped with the subsequent speech by the hon. Member for Mid-Worcestershire. It is clear that it is a difficult issue to get right. It would be difficult to address the problem with a national formula, but it would be equally challenging to leave it to local authorities and communities to determine for themselves. My hon. Friend rightly said that we have sought to identify a basic amount of money that everyone should receive, while recognising that further factors must be considered.

I acknowledge what my hon. Friend said about the contrasts between neighbouring authorities, such as Stoke and Wolverhampton, and he raised two specific issues, one of which was raised by other hon. Members. The first point was about the upper pay spine. We are acutely aware that head teachers are concerned about the affordability of the next stage of the pay reform. Following the School Teachers Review Body's announcement, we have been involved in discussions with head teachers associations and the Local Government Association on ensuring an outcome that is affordable, has clear criteria for schools, and rewards good performance by teachers so that they can make the desired progress.

My hon. Friend the Member for Stafford and the hon. Member for Fareham (Mr. Hoban) raised the issue of work load, and it is critical to get that right. There has been a fundamental change in recent years with an increase in the number of additional adults, such as classroom assistants or learning mentors, working in schools. Central Government must ensure that that trend can be sustained and afforded. Indeed, we hope that it can be increased, so that the terms of the national work load agreement can be implemented in schools and communities across the country. We are working with all signatories of the national work load agreement, including the majority of unions, head teachers associations and the Local Government Association, to see how to proceed most reasonably.

My hon. Friend the Member for Stafford and the hon. Member for Mid-Worcestershire passionately raised the position of their counties and drew contrasts with the positions of neighbouring authorities. I know that a delegation from Worcestershire is going to discuss its position with my hon. Friend the Minister for School Standards in January. I particularly appreciate that the hon. Gentleman acknowledged that there are additional costs in London that merit an uplift within the system. He also acknowledged that it is right to have a factor for deprivation, and he said that there should be a debate on how far that is weighted against others.

As hon. Members will know, the formula introduced this year is the product of detailed work that has attempted to get the combination of factors right. We have listened to the concerns of rural schools, hence the introduction of the sparsity element in the primary, central LEA part of the formula. We have listened to the concerns of urban schools about the impact of factors such as deprivation, pupil mobility, and pupils speaking English as an additional language, and incorporated that into the formula. I accept that it continues to leave gaps. I believe that we all accept that there will always be gaps in per pupil funding, for the reasons that hon. Members have acknowledged throughout the debate, but we need to continue to examine the implementation of that funding in future years. I very much appreciate the serious point made by the hon. Member for Mid-Worcestershire that the rules of compound interest apply. That aspect of the debate will continue.

I will ensure that the hon. Member for Mid-Worcestershire gets a proper and clear reply to his parliamentary questions. I understand that there are 15 specialist schools in Worcestershire, which clearly benefit from additional funding, in addition to the leadership incentive grant moneys to which he referred. In the past 12 months, my right hon. Friend the Secretary of State has said that we want every secondary school in the country that qualifies under the criteria to be able to be a specialist school. That will bring great benefit to Worcestershire, as it will to other parts of the country.

We are also considering how some of the projects that have been funded through schemes such as excellence in cities and behaviour support—the hon. Gentleman listed some of them—can be drawn out and applied to other parts of the country. Last week, I announced that the primary programme for excellence in cities is being extended to other primary schools with a high level of deprivation. That will include some rural schools and schools outside the traditional excellence in cities areas. I appreciate the concern that a focus on areas of high deprivation can have several impacts, one of which is to ignore small pockets of deprivation in otherwise fairly wealthy areas. Again, we must debate that further.

The hon. Member for Southport (Dr. Pugh) said that this would be a nail-biting time for the DFES. Certainly, we are determined to get these things right. He described the future debate as being between new localism and command and control. I am tempted to use my remaining three minutes to respond to that, but that is a broader debate, which we will need to conduct elsewhere if I am to do justice to other points raised this afternoon.

The Opposition spokesman, the hon. Member for Fareham, talked about the importance of the Government recognising some of the serious differences between areas and the discretion that local authorities may or may not have. In all honesty, we have done a mixture of things. On the one hand, we have been more prescriptive by saying that there should be a minimum increase for each school, which obviously reduces some of the discretion that LEAs used to have. On the other hand, we have told LEAs that the remaining money gives them the headroom, as we describe it, to apply it, and more flexibility about how they do so. They need not necessarily apply it through the traditional local formula. They have that ability, and we strongly encourage them to use it, as we believe that it is important that such support is given.

The hon. Member for Fareham also made a very important point about the transitional support, which is the additional money that we have identified for the LEAs that received a relatively small increase this year and to whom we plan to give a similarly small increase next year. That will ensure that everyone receives a minimum increase of 12 per cent. across the two years. He asked whether that might reward mismanagement. We do not want to do that. We want to ensure that schools that have had to exercise certain short-term measures are given the support that they need for long-term stability. He is right to say that, in some cases, that will include schools whose budgets have gone into deficit this year. However, the money is not meant exclusively for those schools. It can be used to assist schools that have had to raid their reserves in the way that he described, if the LEA and the Government agree. It can also be used for schools that have had to divert money from capital into revenue. We do not want a school to have to make a permanent shift from capital into revenue because of the obvious damage that that could do to its ability to maintain its school buildings and to do other work required to provide capital support for the school.

I assure hon. Members that the Government recognise that we have a shared responsibility to learn the lessons from this year. We have found additional funds, including funds that the Chancellor announced last week for local government, which we believe will make a difference. We have reversed the cuts that were to be made to the standards funds for the coming year and the year after, and we believe that that will be beneficial. We have sought to give a basic guarantee to schools in all communities that they will receive an

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increase that will enable them to plan for this year and the following year. Crucially, we have a two-year pay deal on the table which will make budgets far more predictable for all schools in the country.

We have had a good, constructive debate—I am sure that it will not be the last debate on schools funding in this Chamber—and I have been pleased to take part in it.

Kosovo

3.30 pm

Sandra Gidley (Romsey) (LD): I am delighted to have the opportunity to raise the subject of missing persons in Kosovo.

As with so many things, the issue was brought to my attention by a constituent who came to my surgery. He had been involved for many years with the charity Hope and Aid Direct, which delivers materials and goods to Kosovo. Over the years, he has naturally become attached to some of the families that he has met. It was because he was so obviously emotional about the subject that I thought that it was worthy of a little more attention than a standard letter to the Minister and my thinking that I had discharged my duty by doing that.

The basic problem is this: the Office of Missing Persons and Forensics—that is a bit of a mouthful, so I shall now refer to it as the OMPF—which is a part of the United Nations Interim Administration Mission in Kosovo, stated on 12 November that there are 3,638 missing people in Kosovo, of whom 2,842 are believed to be Albanian. There are also about 1,000 missing Serbians.

I do not know whether the figures are entirely accurate, because I gather that the number of missing persons changes almost daily as previously unidentified remains are identified, the fate of those missing persons is established and, from time to time, new cases are reported. I understand that the number of remains exhumed and not identified is approaching the number of missing persons. The main problem appears to be that the pace with which bodies are returned is extremely slow. Obviously, people want to know what has happened to their loved ones and without proof of their fate many people cannot properly move on in their lives.

According to a statement published by Amnesty International in August, the OMPF's current priorities are

"the exhumation and examination of grave sites, and the return of positively identified bodies to their families for burial".

As most of the work on the former has been more or less completed, unless more sites are found, clearly the emphasis should be on identification.

On 8 May, the first group of remains that were identified using DNA analysis were handed over. The bodies are handed over to UNMIK at the administrative border between Serbia and Kosovo. The bodies had been identified, but were then handed over to the OMPF for further forensic examination, and even then the families had to wait until 1 August before they were able to bury friends and relatives. At that time, the families had been waiting for the first release of bodies for four years after the war had ended, and only 37 were released at that stage. Recently—early in December—there was a further handover of bodies, when another 44 were released.

The handing over of bodies in dribs and drabs is adding to the anguish felt by those families. I am told that each release has the effect of reawakening some of the old tensions. I may be wrong, but I am told that a lot of people go to the site where the bodies are released to check whether anybody they know or any family member is there. If not, it adds to the anguish. That may not be the situation, but that is the way it has been put to me, and I should be interested to receive clarification from the Minister if possible.

To date, only 157 bodies have been returned to their families. It would be in the best interests of everyone if the process was speeded up in some way. Last week, my constituent and I met a couple of officials from the Foreign and Commonwealth Office. The meeting was useful, but worryingly, it was apparent that no one really understood why all the bodies had not been transferred and what had caused the delay. I am pleased that officials undertook to try to establish where the blockages in the system are, the reason for them and any possible solutions. I therefore hope that the Minister will enlighten us further, but I understand that, because of staff changes, that might not be possible.

In order to understand why feelings are running so high, it is worth putting the matter in its historical context. Many of the bodies were originally found in mass graves. One of the most famous locations is Batajnica, where some of the graves contained as many as 300 bodies. The bodies were exhumed and examined, and the initial task was to try to establish the cause of death. The process included taking many photographs to help identification and gathering bone samples that could be used for subsequent DNA analysis. Much of that work took place more than a year ago. It is believed that the bodies in Batajnica were victims of atrocities committed in the Kosovo conflict two years earlier. The "clean-up", as it is sometimes referred to, is understood to have been organised by Slobodan Milosevic's officials to destroy evidence of the widespread massacres that Serbian forces committed in Kosovo in 1999.

Prior to that, a refrigerated lorry was discovered. It was pulled out of the Danube at Kladovo in eastern Serbia in April 1999. The Serbian Government tried to hush up the story, but the news spread very quickly as it was the first known incidence of Serbian atrocities. Admittedly, the Serbian Government set up a working group to investigate the matter, but that investigation met with only limited success. Several similar incidents followed, but according to the Institute for War and Peace Reporting, the Serbian Interior Ministry under Milosevic is believed to have blocked all investigations into the first lorry load of corpses.

Milivoje Srzentic, the prosecutor from Negotin, said that he asked the state prosecutor at the time why no investigation was taking place. Majstorovic apparently answered, "Because nothing has happened." It has since been reported that Vlajko Stojiljkovic, who was Milosevic's Interior Minister, and Vlastimir Djordjevic, then chief of public security, instructed the district chief of police to refrain from launching any investigation. They ordered him to transfer the bodies to Belgrade and the case was declared a state secret. However, evidence to The Hague tribunal shows that the day after the discovery of the lorry on 7 April 1999, the corpses were taken by truck to the police training compound in Petrovo Selo in eastern Serbia and destroyed by 30 kg of explosives.

The director of the Belgrade-based Humanitarian Law Centre, Natasa Kandic, condemned the affair as a heinous crime. She believes that the people in the freezer lorry were likely to have been on the list of Albanians who had been missing since the Kosovo conflict, and she has called for an investigation into the removal of evidence. She stated that there were serious indications that the Serbian police and the Yugoslav army jointly destroyed evidence of atrocities committed against Kosovo Albanians during the NATO bombardment.

An investigation by Kandic concluded that between 24 March and 12 June 1999, the bodies of at least 800 murdered Albanians were transported from their initial burial sites to secret locations in Kosovo and Serbia, where the corpses were then burned or reburied. I stress that we are talking not just about active young men, but about old people, women and children. After the conflict, the Yugoslav army launched an investigation into the conduct of 245 soldiers. Charges for crimes were brought against 183 of them, but none of them related to the more high-profile cases—including those involving refrigerated lorries. Officers in the new regime and new members of the judiciary were expected to comment on the freezer lorry affair, but the Serbian Justice Minister and the Police Minister both declined to do so.

In May 2001, the Serbian Interior Ministry announced that a special police investigative unit had been set up to investigate the case under the guidance of Dragan Karleusa. Hopes were high that the names of those involved in the apparent cover-up would be revealed in days. Karleusa told a press conference at the end of May 2001 that his team had established that a working meeting was held in Slobodan Milosevic's office in March 1999 and that at that meeting Milosevic had ordered the then Interior Minister to take measures to cover up all traces of the crimes.

The working group questioned several police generals, but all of them denied involvement in or knowledge of the mass graves. Karleusa has not said whether efforts were made to interrogate Colonel Zivko Trajkovic, the Serbian SAJ police commander who was in command of the Batajnica and Petrovo Selo bases in which the mass graves had been discovered. Sadly, since those statements were made, some time ago, no arrests have been made, no charges have been pressed and the police force has turned a deaf ear to most questions asked. Understandably, there is a great deal of anger that the issues do not appear to have been adequately investigated, and the fact that the identification issues are still rumbling on is not helping matters.

It is known that the authorities can move swiftly when it suits them. It might be useful to point out the case of the Bitici brothers, Albanians who happened to have American citizenship. They were each sentenced to 15 days in prison for illegally entering Yugoslavia. They served their sentence but a year later their bodies were discovered in one of the two mass graves at a police training camp at Petrovo Selo. The bodies were wrapped in wire, there were blinds over their eyes, they had head wounds and they had clearly been shot. They were discovered on 8 July 2001 and their identity was determined very quickly, by August 2001. They were identified by FBI pathologists working at the Belgrade forensic institute, so admittedly they were part of a different system.

However, it is worth mentioning the speed of identification of those bodies in order to highlight the fact that the delays are not due to science. If suitable samples are available for cross-referencing—these are usually obtained easily—there is no scientific reason why the identification of the bodies is taking so long.

[Sandra Gidley]

Indeed, this week, Saddam Hussein was positively identified within 24 hours, so identification is not always a prolonged process. All of this leads people to believe that the reasons for the delay are political. Allegations have been made that the bodies are being used as bargaining counters in some macabre political game. That is the nub of the issue, and it is what concerns me most.

I have visited Kosovo as part of the armed forces parliamentary scheme. Part of the reason for that visit was to witness the role of the British Army in peacekeeping. I visited at an interesting time, because the Queen's Royal Lancers were handing over their chunk of the country to a Czech peacekeeping unit. The different reactions of the public to the British and Czech soldiers were fascinating. It was very clear to me that some of the tensions in Kosovo are bubbling dangerously close to the surface.

As a result of that visit, I am aware of the great capability that the British forces have in providing the necessary infrastructure wherever they are. They are probably second to none in that respect, as I hope the Minister agrees. Even though there are now fewer troops in Kosovo, it strikes me that there is a great deal of expertise.

Clearly, the first step is to establish through UNMIK the precise reasons for the delay. In some respects, it is difficult to suggest what to do next if one does not know the reason. If the reason turns out to be infrastructure limitations, I would urge the Minister to try to use the resources that I have mentioned to provide the facilities to clear the backlog of bodies quickly. It could be that the delay is due to human resources, so it might be helpful to try to establish how long the process of identification takes for any particular individual, because I appreciate that with mass graves there is some sample contamination.

It might be helpful to come up with a clear timetable showing how many bodies can be released and by when so that expectations are not unduly raised and are managed positively. I ask the Minister to consider whether there is any expertise that we can lend to speed up the process and what could be done in that direction. The bigger picture is that Kosovo is a country that we went to war with for real humanitarian purposes, and so much has been done there already that this request seems almost like a drop in the ocean; but to the families, many of whom will be facing a fifth Christmas without their loved ones, the resources would be well spent, and very timely.

There might be fears that once the bodies were returned there would be immense political pressure to identify the perpetrators of the crimes. That may well be so, and I can understand that, but I sincerely hope that that is not being used as an excuse to duck the issue. It is too late to do anything for this Christmas, but I urge the Minister to do all that he can to ensure that there will not be a sixth Christmas of uncertainty.

3.45 pm

The Minister for Europe (Mr. Denis MacShane): This is an important debate on a fundamental issue, and I am grateful to the hon. Member for Romsey (Sandra Gidley) for initiating it. She has visited Kosovo, and she has responded to a constituent much involved in that field of work who has come to see her. It is entirely to her honour as a hard-working constituency Member that she has found time to raise the issue.

The broader subject of forensic pathology and the identification of remains is, tragically, a pressing issue throughout the world. I have visited the forensic pathology laboratory in Guatemala City, which is partly supported by Her Majesty's Government. There, one sees young men and women examining the exhumed skulls and bones of people killed in massacres 20 years ago. I fear that there will be years and years of agony in Iraq as the victims of Saddam Hussein's torture and mass murder are exhumed from the mass graves into which he flung them.

Although not directly germane to that point, it is entirely to Britain's credit that we took the lead in using military force to free the people of Kosovo from the terror that they faced from Milosevic, and that we were prepared to use military force to free the people of Iraq from Saddam Hussein—in both cases, of course, without UN authorisation. However, I hope that, after this weekend's discovery, the whole House will unite in backing the Government and the Prime Minister, who showed courage in being prepared to use our authority and military forces in both Kosovo and Iraq to take things forward.

The hon. Lady raised many valid points about the continued suffering of the many families in Kosovo who lost relatives during the 1999 conflict. No one can fail to be moved by the humanitarian catastrophe and the blood shed across the Balkans and in the rest of Europe and our own country in the 1990s, and there can be no hon. Member who has not, in his or her constituency advice surgery, met asylum seekers and others displaced as a result of that violence, which was without parallel in Europe after the second world war.

Since becoming a member of the Government in 2001, I have sought to visit the Balkans regularly, and I am happy to report that each time I am struck by the fact that it feels less and less like a region that has suffered brutal repression and war. Real progress has been and is being made, not just in rebuilding economies, but in the healing and reconciliation process. For example, last week, another war criminal was sentenced for his part in the massacre at Srebrenice. A dialogue was launched between Belgrade and Pristina on 14 October 2003, and that was a key step in beginning the normalisation of the difficult relationship between Kosovan Albanians and the Serbs who live in Kosovo, as well as the Serbian nation and its capital city of Belgrade.

The war is still there, however. It continues for thousands of families who are unable to put the events behind them due to the simple fact that their husbands, sons and daughters were taken away and have never come back. In this country, we have a doctrine of habeas corpus, which we apply to arrests and criminal investigations, but there is also a sense that until families know the location of the body of a missing person to whom they were close, and until there is a body to grieve over, they are trapped in the continual emotional torment of wondering, "What if my son, my father or my uncle is still alive?" That is the tragic situation faced by many families from all ethnic groups and communities throughout the Balkans.

From the moment that the UN entered Kosovo in June 1999 and established its mission, UNMIK, it has been a key priority to try to find those who went missing in the conflict. That was never going to be an easy task, and until 2000 it was made more difficult by the fact that Milosevic was still in power in Belgrade. After the fall of Milosevic, UNMIK set up a dedicated Office of Missing Persons and Forensics to pool the expertise of those working on the task in Kosovo. The OMPF is creating a combined database of statistics and files on missing persons from the International Criminal Tribunal for the Former Yugoslavia in The Hague, the International Committee of the Red Cross and police data. It also has an outreach office in Belgrade to facilitate closer co-operation with the Belgrade authorities.

The scale of the issue is immense. In June 1999, the UN estimated that 6,000 people of all ethnicities were missing as a result of the conflict in Kosovo. The latest version of the consolidated list of missing persons, issued by the OMPF on 9 December, states that 3,638 are still reported missing.

Missing persons is one of the most highly politicised and deeply divisive issues in post-conflict Kosovo. Obtaining accurate information about the location of mass graves is a problem. The wounds from the conflict are still very raw—we are only four years on from it. The hon. Lady referred to the tension that she could feel as one contingent of national troops replaced another. I have experienced that, too. There is still a sense of two communities finding it difficult to live in peace with each other.

It is possible that those who have information are afraid or unwilling to pass it on to the authorities. We therefore need to assist UNMIK and what is called its pillar I, which is responsible for law and order: any witnesses who come forward must be supported. That becomes logistically difficult if entire families have to be moved outside Kosovo. That is why we must work with the UN and the Kosovo provisional institutions of self-government—the PISG, in the jargon—to build a safe and secure environment in Kosovo so that all its citizens feel protected.

A credible local police service is an important contribution to that. I have had the pleasure of meeting serving UK police officers in Pristina who are helping to train and lead the new Kosovan police service: 122 of our police officers are attached to UNMIK. That is an important British contribution to this work.

There is also the issue of the identification and return of remains to Kosovo. Progress has been made, but UNMIK and Belgrade have more to do on that. In 2000, the International Criminal Tribunal for the Former Yugoslavia and the Organisation for Security and Co-operation in Europe reported the existence of 4,392 bodies from the conflict in Kosovo. Since then, another 150 bodies have been found. So far, 4,019 bodies have been exhumed and 2,212 have been identified. In addition, approximately 800 bodies have been exhumed from the mass graves at Batajnica and Petrovo Selo in Serbia, the majority of which are unidentified, but 157 of those that have been identified have been returned to Kosovo.

The creation of the International Commission on Missing Persons for the Former Yugoslavia was announced long ago—at the G7 summit in Lyon in France in 1996. However, delays in this process cause great distress to families waiting for news. There are harrowing descriptions of relatives arriving on the border with Serbia to try to find their relatives among the unnamed bodies returned to Kosovo. No one should have to go through that sort of trauma, but no one should have to suffer civil war either.

The hon. Lady asked why the bodies exhumed in Serbia cannot be returned to Kosovo more quickly. In fact, bodies need to be identified and returned not only in Belgrade, but in Kosovo. There have been long delays in returning the remains of loved ones who have been identified, which cause huge distress for the families. I confirm that as a priority I am asking our embassy in Belgrade and our mission in Pristina to call upon the ICMP and the OMPF to raise that. I have not yet received responses, but I assure the hon. Lady that I shall maintain pressure and write to her when I hear of developments.

A key obstacle to the process is the fact that the Serbian police did not begin to discover or exhume the mass graves in Serbia until March 2001, with the arrival of a reforming Government in Belgrade after the ousting of Milosevic. Further delays have arisen over the best way to identify the remains. Should one use traditional forensic techniques or DNA testing? DNA testing relies on matching the DNA of a family member with that of a victim. Post-mortem and ante-mortem data, such as physical characteristics, clothing and location, can provide crucial circumstantial information, which makes finding DNA matches easier.

That has now been resolved, and the ICMP and UNMIK signed a memorandum of understanding on 26 November 2003. I hope that we now move forward, and, in passing, I pay tribute to the right hon. Member for Kensington and Chelsea (Mr. Portillo), who has been heavily involved with other organisations working in the field of forensics and in identifying victims of the conflict in the former Yugoslavia.

Is there a problem with the fact that the identification process has to be carried out twice—once in Serbia, and once when the remains are returned to Kosovo? The difficulty is that the OMPF would not be complying with its formal obligations to co-operate with war crimes prosecutors if it did not carry out a forensic examination to determine the true cause of death. However, we must look again to see whether we can have one examination rather than two.

The next question is: why are not all the exhumed remains returned en masse from Serbia to Kosovo? I am told that one reason is that if the bodies were returned to Kosovo en masse before identification, there would be greater delays in their return to their families because the local capacity for identifying remains would be further overloaded. Indeed, those of us who visit Kosovo from time to time see that the state administration is limited in what it can do.

Since taking up ministerial office and during my visits to Belgrade and Pristina, I have regularly raised the issue of missing persons and returns. Most recently, I visited in April this year. I spoke to the families of Serbian missing persons in Belgrade, and I had extensive discussions with Prime Minister Rexhepi of the Kosovan provisional Administration.

[Mr. Denis MacShane]

The international community has to take the issue seriously. It is true that the Serbian Government have exposed to their people what Milosevic had done in Serbia's name during the Kosovo conflict. That came as a shock to many Serbians, who had been genuinely unaware of the scale of the attacks on Kosovar Albanians. I do not think that the Government were using the bodies that were discovered politically—as in Iraq, it is important that we understand the crimes with which people are being charged.

The UK Government have so far provided £750,000 to organisations working to locate and identify persons missing as a result of the armed conflicts in the Balkans. We will continue to play close attention to the matter, and I invite the hon. Lady to stay in contact with me on this issue on behalf of her constituents. I congratulate her again on placing this matter in the record of the House of Commons. It will be of great interest and perhaps some comfort that she is a champion of the families in Kosovo and Serbia who are seeking to come to terms with the great losses that they have suffered.

A180 Resurfacing

4 pm

Shona McIsaac (Cleethorpes) (Lab): I am grateful for the opportunity to raise this issue in Westminster Hall today. People hear of many roads around the United Kingdom, including the M25, M1, A1 and M6. The A180 is not exactly top of the list of well-known roads, but it is the main dual carriageway to the wonderful conurbation of Grimsby and Cleethorpes, serving all the major industry and ports in that area. People should know of this road, because it must be one of the noisiest in the UK—it certainly is as far as I and the residents who live alongside it are concerned. Whether one is driving along the road or is a resident alongside it, the noise is very noticeable, to the extent that if my hon. Friend the Member for Great Grimsby (Mr. Mitchell) and I were in a car together, we would not even be able to hear each other speak. Mind you, there are times when we may not wish to hear each other.

People in our constituencies have been campaigning for many years to have the concrete surface of the road resurfaced with low-noise material. In the past, when the residents of the village of Habrough in my constituency and the residents of Great Coates in my hon. Friend's constituency were campaigning, there was no provision for funding of such a measure. I was therefore very pleased that the 10-year transport plan, which was announced in July 2000, stated that 60 per cent. of the trunk road network would be given lower-noise surfacing. That was good news for the residents of our areas. Following that, and having supported the residents' campaign for low-noise material, I embarked on a series of parliamentary questions to try to find out exactly what was happening.

I asked for a statement and, on 2 May 2001, Tim Matthews from the Highways Agency replied via the then Under-Secretary of State for the Environment, Transport and the Regions, who is now my right hon. Friend the Minister for Housing and Planning. He said that they were looking into the criteria. The answer states:

> "It is anticipated that the final set of criteria will be announced this summer and will then be applied to determine the priority of concrete trunk roads, including the A180, for resurfacing."—[*Official Report*, 2 May 2001; Vol. 367, c. 635W.]

At that point, we seemed to be getting closer to our objective.

We had further good news on 17 October 2001, when the list of priority roads was announced. My hon. Friend the Member for Great Grimsby and I were pleased that, according to the list, the A180 from Habrough to Stallingborough and from Great Coates to Pyewipe was due to be resurfaced with low-noise material. The list explicitly stated that those stretches of road were likely to be resurfaced in the following three years: 2002–03, 2003–04 and 2004–05. At least we knew that our roads were on the list and would be resurfaced and that the residents would at last have some peace and quiet.

However, every time that I asked further parliamentary questions about when exactly the A180 would be resurfaced, I found the replies increasingly confusing and sometimes evasive. We were never given a firm date—the answer was always, "It will be sometime in this period if money is available and if we need maintenance to be carried out on the road." I praise the Government for making money available, but the excitement expressed by my constituents at the initial announcement has been dissipated. They were promised that the work would be done, but as time went on, it kept getting put back.

Mr. Austin Mitchell (Great Grimsby) (Lab): I want to support both my hon. Friend's arguments and the efforts of the local people who have petitioned us both and kept up the pressure to get the noise reduction work done. I confess that I am a frequent maker of that noise, as I drive through my hon. Friend's constituency, although I always write to her as a parliamentary courtesy to tell her that I am doing that. The noise is a real problem, but there does not seem to be any sense of urgency in the Highways Agency's approach or in any of the developments that only a couple of years ago the Government led us to believe would be delivered.

Shona McIsaac: As ever, my hon. Friend and neighbour from Great Grimsby encapsulates the essence of the debate in a couple of articulate lines. By the way, that is my Christmas present to him—being nice to him.

I received a parliamentary answer on 28 November 2002, and it demonstrates what my hon. Friend was saying. The errors in the answer were dreadful and astonishing. Habrough, one of the main villages in the area, was continually described as Harborough, which it is not. As we know, that town is represented by another MP. The answer said:

> "Resurfacing of two concrete sections of the A180, between Harborough"—

which should be Habrough—

> "and Stallingborough and between Great Coates and Pyewipe, is due to be undertaken by 2001."

According to that, the work should already have been done, but I presume that it meant to say that work was due to be undertaken by 2010 under the 10-year transport plan. The answer then said that

> "current indications are that maintenance work will not be needed between Great Coates and Pyewipe before 2005 and it is probable that this work will be undertaken later."—[*Official Report*, 28 November 2002; Vol. 395, c. 453W.]

Later than what—2005 or 2001? We could not tell.

The situation worsened when the then Minister of State for Transport, now the Minister of State, Northern Ireland Office, my right hon. Friend the Member for Warley (Mr. Spellar), announced the scheme to reduce traffic noise alongside trunk roads. That scheme was in the 10-year transport plan, but when we looked at the list of roads included, we found the A180 almost at the end, below nearly every other road in the UK. Furthermore, the stretches of road covered by the work had changed—the A180 Habrough to Grimsby and the A180/M180 to Ulceby. A whole new section had been included, which I understand goes through the constituency of my hon. Friend the Member for Brigg and Goole (Mr. Cawsey).

Mr. Ian Cawsey (Brigg and Goole) (Lab): The A180 is the road that links my constituency to those of my hon. Friends the Members for Great Grimsby (Mr. Mitchell) and for Cleethorpes (Shona McIsaac). These days, I use it largely to go to see Grimsby Town play at Blundell Park, and driving home on that noisy road can only add to the gloom and despondency that I feel after coming home from a football match.

My hon. Friend the Member for Cleethorpes mentioned the M180, which runs into the A180, and she will be aware that it has recently been resurfaced by the Highways Agency, improving the life of the people living in those villages. I received some letters from people in Belton to say how much better it is. Does my hon. Friend agree that it adds to local people's frustration when they see that one section of the road has been completed while the other end of the A180 remains to be done?

Shona McIsaac: My hon. Friend, and other neighbour, also expresses his point well. The M180 has been resurfaced, and my constituents tell me that the reduction in noise is such that it is almost as though their car engines have cut out. I am sure that they say that to my hon. Friend the Member for Great Grimsby, and to my hon. Friend the Member for Brigg and Goole before his drive from his constituency to Grimsby to watch the football match. People drive on the A180, where everything is juddering and making a noise—and they cannot hear the radio or traffic announcements—but suddenly, on the newly tarmacked section, it is quiet. They wonder what is happening to the car. I am so unused to low-noise surfaces that I once took my car in to be checked because I kept not hearing the engine. When I was travelling on the newly tarmacked surfaces I thought that the engine was not running properly.

The fact that one bit is done but another is not increases people's frustration. It was depressing to see the two stretches of road in question at the bottom of the list. However, it was more depressing for residents to read that there was a programme for the resurfacing of concrete roads from 2007–08 to 2010–11. Given that we were initially assured that that was likely to happen in the financial year 2004–05, hon. Members can appreciate the sense of upset experienced by all the people who had previously rejoiced when they were told that the A180 was to be resurfaced. That sense is beautifully expressed in an e-mail that I received from John Specht, a resident of Habrough, who has campaigned on this issue for many years. He and other residents of the village, such as Ann Standland, have been stalwarts. The e-mail is headed, "WHAT ON EARTH IS GOING ON?" It continues:

> "A report in this evening's local paper tells us that our road will not be resurfaced until 2007!! Or even 2011!! . . . We have been promised for about 3 years now that the A180 would be done in 2004–5. A very good explanation needs to be forthcoming."

I should like the Minister to provide some explanations and guarantees. We want to know when this road will be resurfaced. My staff contacted the Department for Transport and tried to clarify what was happening. We received a reply, which suggested that some of the sections were to be done in 2004–05, but it was not clear. That date is not to be found anywhere in the documents produced and put on the record in the House. That has not been corrected. If these sections of road are to be resurfaced, I want that fact and the date it will be done put on the record.

[Shona McIsaac]

I received a reply following my attempt to ascertain—as my constituent Mr. Specht said—what on earth was going on. It said:

> "A number of schemes for resurfacing of the A180 were combined in the recent announcement and included in the table for 2007–08 to 2010–11, which is when some of the later contracts will be carried out. We would not resurface the whole of the A180 in one contract and the schemes have been placed in the programme based on maintenance need, funding availability and network occupancy. It is planned to start resurfacing the A180 in 2004–05, subject to funding with the A180 Harborough-Stallingborough section."

Again, there is no mention of Habrough. I want my hon. Friend the Minister to confirm today that that will happen.

I realise that recent debates in this Chamber have been secured by other hon. Members who have experienced problems with noisy roads. I appreciate that when it is announced that money will be available for resurfacing, Members of Parliament representing their constituents will campaign for it to be allocated to their schemes. I hope that I have demonstrated that the residents who live beside this stretch of the A180 have been told for years that the work will be done. The Highways Agency has no sense of urgency, as my hon. Friend the Member for Great Grimsby said. I hope that the Minister is able to tell my hon. Friends here today, the residents of that part of Lincolnshire and me that they will have their road resurfaced in the future.

As this is the last debate in the Chamber before Christmas, I would like to wish you, Mr. McWilliam, the Minister, my hon. Friends, our wonderful constituents and staff an absolutely wonderful Christmas. The Christmas present that I want for those residents in my constituency is a little more silent night.

4.16 pm

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): I start by replying to those felicitations for Christmas and heartily send them back to my hon. Friend the Member for Cleethorpes (Shona McIsaac) and our hon. Friends the Members for Great Grimsby (Mr. Mitchell) and for Brigg and Goole (Mr. Cawsey). I cannot do much about the appalling performance of Grimsby Town but let me try to put into context some of the matters raised. Having been a West Ham fan for far too long, pots and kettles spring to mind in my decrying Grimsby Town.

I congratulate my hon. Friend the Member for Cleethorpes on securing the debate and on her assiduous campaigning for the residents beside the A180. She could not have put the problems of her constituents more starkly—I do not mean this in anything other than an endearing way—when she described how, of all hon. Members, she and my hon. Friend the Member for Great Grimsby could not hear each other in a conversation along the road. Knowing both of them, it tells me how noisy the road is on those particular sections.

Shona McIsaac: To further show how noisy the road is, I cannot hear the Minister on the "Today" programme.

Mr. McNulty: That may be a good rather than a bad thing. I must also say—purely in passing and not to offend anyone in the Highways Agency—that the mischievous little "r" has crept into the map given to me too. When I subsequently talk about Habrough to Stallingborough, that is what I mean and not "Harbrough", as it is called on the map.

Let me start my speech back to front because I have loads of pages and on the last two, it says:

> "I will now turn to the resurfacing that my hon Friend has raised on the A180 trunk road."

If I have time I will go backwards.

As my hon. Friend has said, the Secretary of State announced in April the timetable for the removal of all concrete surfaces on the motorway and trunk road network by 2010–11. The work to resurface the entire stretch of the A180 between Barnetby and Grimsby was scheduled for completion in six stages between 2007 and 2011. The six stages, with apologies for any misspelling or mispronunciation as I know that pronunciation gets dodgy when one goes north of Watford, are Barnetby le Wold to Croxton, Croxton to Ulceby, Ulceby to Brocklesby junction, Habrough to Stallingborough, Stallingborough to Great Coates, and the section to which my hon. Friend alluded—Great Coates to Pyewipe.

I am able to confirm—subject to funding—that we intend to deliver the Habrough to Stallingborough section in 2004–05. I will do my absolute level best into the new year to ensure that it does prevail.

I hope that my three hon. Friends will do their level best, by badgering me and the Under-Secretary of State for Transport, my hon. Friend the Member for Plymouth, Devonport (Mr. Jamieson)—who is currently in a Select Committee sitting and sends his apologies, which is why it falls to me to respond—to ensure that at least the Habrough to Stallingborough section is delivered in the coming year if funds are available. Inasmuch as I can reciprocate and give a Christmas present to my hon. Friends from the area, I can say that to them. I hope that that section will be delivered next year. The Under-Secretary of State for Transport and I will do all that we can to ensure delivery of that element, if funds are available.

Shona McIsaac: In order that the Minister's colleague does not get an even worse earache from my lobbying, would the Minister advise the wonderful trio who are here today of anyone else who should be lobbied to secure the funding?

Mr. McNulty: It is not for me to tell such experienced parliamentarians where to direct their fire. As my hon. Friend the Under-Secretary is in Committee rather than here, I have been introduced to the wonders and delights of the A180. Although he is the Minister with responsibility for roads, not me, the stereo is in place. We would welcome any assiduous parliamentary colleagues, which my three hon. Friends are, keeping the pressure on us. If the funding is available, we will do all that we can to ensure that at least that part of the route is delivered, with the remaining sections being delivered between 2007 and 2011 as originally scheduled.

The six schemes to resurface the A180 with low-noise surfacing will bring benefits to my hon. Friend's constituents who live and work in the many villages along the route. I am grateful for the opportunity to confirm, at least as far as I can, that the Habrough to Stallingborough part will be brought forward in 2004–05. I look forward to passing on my hon. Friend's concerns and campaigning to my hon. Friend the Under-Secretary, because the quieter roads programme is absolutely essential for some communities that are spread along key trunk roads. That was the key reason for the announcement of the programme in the first instance.

By the way, I take on board entirely—perhaps we can explore it afterwards—why the M180 being thrown into the pot was another let-down and disappointment. Actually, it is quite the reverse. It does not belong in the element at all.

Shona McIsaac: It is done.

Mr. McNulty: Precisely so. Why we are saying that it will not be done until some time between 2007 and 2011 beggars belief.

The matter is important not just because of civil amenities, quality of life and the other matters to which my hon. Friend the Member for Cleethorpes referred. Roads such as the A180 are real lifelines. Such thoroughfares are of importance to communities in this part of the country, as elsewhere, which is why we recognise that the programme must be carried through to fruition by 2011.

I suppose that the listing of priorities on a year-to-year basis will always be something of a movable feast. Many roads across the network have been—this is the wrong way to put it, but let me say it anyway—lovingly neglected over time, given what they were originally built with and the adjustments and modifications that should have been made since. As a result, some are in a greater state of deterioration than first envisaged when inspected for this programme. Therefore, priorities shift somewhat.

However, we recognise that traffic noise is a concern for many people, and we gave a commitment in the White Paper "A New Deal for Trunk Roads in England", which stated:

> "In future, whenever a road needs to be resurfaced, we shall ensure that the most appropriate noise reducing surfaces are used for those areas where noise is a particular concern."

My hon. Friend has gone through the criteria that we sought to employ to deal with that, and now the programme really is in place. It is essential that things should be delivered in the way that we anticipated. Some 5 per cent. of the trunk road network, at some 70 different locations, is constructed with a concrete surface. Clearly, given the scale of the problem, the work cannot be completed overnight. My three hon. Friends have the experience to know that.

We must ensure that cases are dealt with in order of priority—hence the criteria—and we must also ensure the effective use of resources to minimise disruption to road users. As my hon. Friend said, the Government announced the criteria in October 2001, bearing in mind need, funding and the use of the road, and we are working to ensure that things remain on schedule between 2004–05 and 2011. A number of roads have proved to be in a great state of disrepair and deterioration, to such an extent that safety as well as noise reduction has become an issue. Naturally, those roads have moved up the list of priorities.

As I said at the start, all three of my hon. Friends can be assured that my hon. Friend the Under-Secretary of State for Transport and I will do all that we can—with the single caveat "subject to funding"—to ensure that the promise that the Habrough to Stallingborough section will be delivered in 2004–05 is stuck to. All three of my colleagues will seek to ensure that the promise is kept. I would ask them to keep their eyes firmly on the ball when subsequent priority lists come out, in order to ensure that the other five elements of the A180 scheme come to fruition between 2007 and 2011. Such roads are important in terms of their interconnectivity for all communities, as well as for the peace and quiet of those who live alongside or close to them. I am grateful to my hon. Friend the Member for Cleethorpes for raising the matter.

Shona McIsaac: Very briefly, does my hon. Friend accept that, apart from its importance to the communities that live alongside it, the road is essential for all the industry in the area? The Humber ports are the busiest in the United Kingdom; we have car importing and exporting and oil refineries. The road is used by many heavy goods vehicles and the volume of traffic is expected to increase. I felt as though the Minister was portraying us as a quiet little part of Lincolnshire, whereas we are the industrial heartland of the country.

Mr. McNulty: I am enormously grateful for the clarification; I did not mean to give that impression at all. A look at the map will remind us of the geography and topography of the region, and the relationship between Cleethorpes, Sunderland and the Humber area. The A180 is important; the interconnectivity of the route is vital—far more so than that of similar routes—for the industrial and economic lifeblood of the region. I shall try to ensure that Habrough, not Harborough, and Stallingborough, not Leninborough, retain priority for funding in the next year, and I know that my three hon. Friends will work together to ensure that that is done for their constituents.

In absolute conclusion, I wish my hon. Friends very well for the break and the same to you, Mr. McWilliam, to colleagues and to staff of the House. I hope that everyone has a rest, because the only certainty is that we all need one. I know that those who live close to or alongside the A180 also need a rest and I shall endeavour to ensure, with colleagues and with the funding caveat, that they get one, at least between Habrough and Stallingborough, and subsequently in the other five sections.

Mr. John McWilliam (in the Chair): Order. I thank the Minister for his felicitations for the holidays on behalf of the staff and myself, and I thank the hon. Member for Cleethorpes (Shona McIsaac) for her best wishes. In turn, as this is the last sitting of 2003, I wish all of you a very merry Christmas and a happy, prosperous and safe new year.

Question put and agreed to.

Adjourned accordingly at twenty-nine minutes past Four o'clock.

PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 415 (Part 2)

HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FIFTY-THIRD PARLIAMENT
OF THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
FIFTY-SECOND YEAR OF THE REIGN OF
HER MAJESTY QUEEN ELIZABETH II

SESSION 2003–04

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House of Commons

Alphabetical List of Members

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A

Abbott, Diane Julie (Hackney, North and Stoke Newington)
Adams, Gerry (Belfast, West)
Adams, Katherine (Paisley, North)
Ainger, Nicholas Richard (West Carmarthen and South Pembrokeshire)
Ainsworth, Peter Michael (East Surrey)
Ainsworth, Robert William (Coventry, North East)
Alexander, Douglas (Paisley, South)
Allan, Richard Beecroft (Sheffield, Hallam)
Allen, Graham William (Nottingham, North)
Amess, David Anthony Andrew (Southend, West)
Ancram, Rt. Hon. Michael Andrew (Devizes)
Anderson, Rt. Hon. Donald (Swansea, East)
Anderson, Janet (Rossendale and Darwen)
Arbuthnot, Rt. Hon. James Norwich (North-East Hampshire)
Armstrong, Rt. Hon. Hilary Jane (North-West Durham)
Atherton, Candice Kathleen (Falmouth and Camborne)
Atkins, Charlotte (Staffordshire, Moorlands)
Atkinson, David Anthony (Bournemouth, East)
Atkinson, Peter Landreth (Hexham)
Austin, John Eric (Erith and Thamesmead)

B

Bacon, Richard Michael (South Norfolk)
Bailey, Adrian Edward (West Bromwich, West)
Baird, Vera (Redcar)
Baker, Norman John (Lewes)
Baldry, Antony Brian (Banbury)
Banks, Anthony Louis (West Ham)
Barker, Gregory Leonard George (Bexhill and Battle)
Barnes, Harold (North-East Derbyshire)
Baron, John Charles (Billericay)
Barrett, John Andrew (Edinburgh, West)
Barron, Kevin John (Rother Valley)
Battle, John (Leeds, West)
Bayley, Hugh (City of York)
Beard, Christopher Nigel (Bexleyheath and Crayford)
Beckett, Rt. Hon. Margaret Mary (Derby, South)
Begg, Anne (Aberdeen, South)
Beggs, Roy (East Antrim)
Beith, Rt. Hon. Alan James (Berwick-upon-Tweed)
Bell, Stuart (Middlesbrough)
Bellingham, Henry Campbell (North-West Norfolk)
Benn, Hilary James (Leeds, Central)
Bennett, Andrew Francis (Denton and Reddish)
Benton, Joseph Edward (Bootle)
Bercow, John Simon (Buckingham)
Beresford, Sir Paul Alexander (Mole Valley)
Berry, Roger Leslie (Kingswood)
Best, Harold (Leeds, North-West)
Betts, Clive James Charles (Sheffield, Attercliffe)
Blackman, Elizabeth Marion (Erewash)
Blair, Rt. Hon. Anthony Charles Lynton (Sedgefield)
Blears, Hazel Anne (Salford)
Blizzard, Bob (Waveney)
Blunkett, Rt. Hon. David (Sheffield, Brightside)
Blunt, Crispin Jeremy Rupert (Reigate)
Boateng, Rt. Hon. Paul Yaw (Brent, South)
Borrow, David Stanley (South Ribble)
Boswell, Timothy Eric (Daventry)
Bottomley, Peter James (Worthing, West)
Bottomley, Rt. Hon. Virginia Hilda Brunette Maxwell (South-West Surrey)
Bradley, Rt. Hon. Keith John Charles (Manchester, Withington)
Bradley, Peter Charles Stephen (The Wrekin)
Bradshaw, Benjamin Peter James (Exeter)
Brady, Graham Stuart (Altrincham and Sale, West)
Brake, Thomas Anthony (Carshalton and Wallington)
Brazier, Julian William Hendy (Canterbury)
Breed, Colin Edward (South-East Cornwall)
Brennan, Kevin Denis (Cardiff, West)
Brinton, Helen Rosemary (Peterborough)
Brooke, Annette Lesley (Mid-Dorset and North Poole)
Brown, Rt. Hon. James Gordon (Dunfermline, East)
Brown, Rt. Hon. Nicholas Hugh (Newcastle upon Tyne, East and Wallsend)
Brown, Russell Leslie (Dumfries)
Browne, Desmond Henry (Kilmarnock and Loudoun)
Browning, Angela Frances (Tiverton and Honiton)
Bruce, Malcolm Gray (Gordon)
Bryant, Christopher John (Rhondda)
Buck, Karen Patricia (Regent's Park and Kensington, North)
Burden, Richard Haines (Birmingham, Northfield)
Burgon, Colin (Elmet)
Burnett, John Patrick (Torridge and West Devon)
Burnham, Andrew Murray (Leigh)
Burns, Simon Hugh McGuigan (West Chelmsford)
Burnside, David Wilson Boyd (South Antrim)
Burstow, Paul Kenneth (Sutton and Cheam)
Burt, Alistair James Hendrie (North-East Bedfordshire)
Butterfill, John Valentine (Bournemouth, West)
Byers, Rt. Hon. Stephen John (Tyneside, North)

C

Cable, John Vincent (Twickenham)
Caborn, Rt. Hon. Richard George (Sheffield, Central)
Cairns, John David (Greenock and Inverclyde)
Calton, Patsy (Cheadle)
Cameron, David William Donald (Witney)
Campbell, Alan (Tynemouth)
Campbell, Anne (Cambridge)
Campbell, Gregory Lloyd (East Londonderry)
Campbell, Ronald (Blyth Valley)
Campbell, Rt. Hon. Walter Menzies (North-East Fife)
Cann, Jamie Charles (Ipswich) [*died, October 2001*]
Caplin, Ivor Keith (Hove)
Carmichael, Alexander Morrison (Orkney and Shetland)
Casale, Roger Mark (Wimbledon)
Cash, William Nigel Paul (Stone)
Caton, Martin Philip (Gower)
Cawsey, Ian Arthur (Brigg and Goole)
Challen, Colin Robert (Morley and Rothwell)
Chapman, James Keith (Wirral, South)
Chapman, Sir Sydney Brooks (Chipping Barnet)
Chaytor, David Michael (Bury, North)

Chidgey, David William George (Eastleigh)
Chope, Christopher Robert (Christchurch)
Clapham, Michael (Barnsley, West and Penistone)
Clappison, William James (Hertsmere)
Clark, Lynda Margaret (Edinburgh, Pentlands)
Clark, Paul Gordon (Gillingham)
Clarke, Anthony Richard (Northampton, South)
Clarke, Charles Rodway (Norwich, South)
Clarke, Rt. Hon. Kenneth Harry (Rushcliffe)
Clarke, Rt. Hon. Thomas (Coatbridge and Chryston)
Clelland, David Gordon (Tyne Bridge)
Clifton-Brown, Geoffrey (Cotswold)
Clwyd, Ann (Cynon Valley)
Coaker, Vernon Rodney (Gedling)
Coffey, Ann (Stockport)
Cohen, Harry Michael (Leyton and Wanstead)
Coleman, Iain (Hammersmith and Fulham)
Collins, Timothy William George (Westmorland and Lonsdale)
Colman, Anthony John (Putney)
Connarty, Michael (Falkirk, East)
Conway, Derek Leslie (Old Bexley and Sidcup)
Cook, Francis (Stockton, North)
Cook, Rt. Hon. Robert (Livingston)
Cooper, Yvette (Pontefract and Castleford)
Corbyn, Jeremy Bernard (Islington, North)
Cormack, Sir Patrick Thomas (South Staffordshire)
Corston, Jean Ann (Bristol, East)
Cotter, Brian Joseph (Weston-Super-Mare)
Cousins, James Mackay (Newcastle upon Tyne, Central)
Cox, Thomas Michael (Tooting)
Cran, James Douglas (Beverley and Holderness)
Cranston, Ross Frederick (Dudley, North)
Crausby, David Anthony (Bolton, North-East)
Cruddas, Jonathan (Dagenham)
Cryer, Constance Ann (Keighley)
Cryer, John Robert (Hornchurch)
Cummings, John Scott (Easington)
Cunningham, James Dolan (Coventry, South)
Cunningham, Rt. Hon. John Anderson (Copeland)
Cunningham, Thomas Anthony (Workington)
Curry, Rt. Hon. David Maurice (Skipton and Ripon)
Curtis-Thomas, Claire (Crosby)

D

Daisley, Paul Andrew (Brent, East) [*died, June 2003*]
Dalyell, Tam (Linlithgow)
Darling, Rt. Hon. Alistair Maclean (Edinburgh, Central)
Davey, Edward Jonathon (Kingston and Surbiton)
Davey, Valerie (Bristol, West)
David, Wayne (Caerphilly)
Davidson, Ian Graham (Glasgow, Pollok)
Davies, Rt. Hon. David John Denzil (Llanelli)
Davies, Geraint Richard (Croydon, Central)
Davies, John Quentin (Grantham and Stamford)
Davis, Rt. Hon. David Michael (Haltemprice and Howden)
Davis, Rt. Hon. Terry (Birmingham, Hodge Hill)
Dawson, Thomas Hilton (Lancaster and Wyre)
Dean, Janet Elizabeth Ann (Burton)
Denham, Rt. Hon. John Yorke (Southampton, Itchen)
Dhanda, Parmjit Singh (Gloucester)
Dismore, Andrew Hartley (Hendon)
Djanogly, Jonathan Simon (Huntingdon)
Dobbin, James (Heywood and Middleton)
Dobson, Rt. Hon. Frank Gordon (Holborn and St. Pancras)
Dodds, Nigel Alexander (Belfast, North)
Doherty, Pat (West Tyrone)
Donaldson, Jeffrey Mark (Lagan Valley)
Donohoe, Brian Harold (Cunninghame, South)
Doran, Frank (Aberdeen, Central)
Dorrell, Rt. Hon. Stephen James (Charnwood)
Doughty, Susan Kathleen (Guildford)
Dowd, James Patrick (Lewisham, West)
Drew, David Elliott (Stroud)
Drown, Julia Kate (South Swindon)
Duncan, Alan James Carter (Rutland and Melton)
Duncan, Peter John (Galloway and Upper Nithsdale)
Duncan Smith, George Iain (Chingford and Woodford Green)
Dunwoody, Gwyneth Patricia (Crewe and Nantwich)

E

Eagle, Angela (Wallasey)
Eagle, Maria (Liverpool, Garston)
Edwards, Huw William Edmund (Monmouth)
Efford, Clive Stanley (Eltham)
Ellman, Louise (Liverpool, Riverside)
Ennis, Jeffrey (Barnsley, East and Mexborough)
Etherington, William (Sunderland, North)
Evans, Nigel Martin (Ribble Valley)
Ewing, Annabelle (Perth)

F

Fabricant, Michael Louis David (Lichfield)
Fallon, Michael Cathel (Sevenoaks)
Farrelly, Christopher Paul (Newcastle-under-Lyme)
Field, Rt. Hon. Frank (Birkenhead)
Field, Mark Christopher (Cities of London and Westminster)
Fisher, Mark (Stoke-on-Trent, Central)
Fitzpatrick, James (Poplar and Canning Town)
Fitzsimons, Lorna (Rochdale)
Flight, Howard Emerson (Arundel and South Downs)
Flint, Caroline Louise (Don Valley)
Flook, Adrian John (Taunton)
Flynn, Paul Philip (Newport, West)
Follett, Daphne Barbara (Stevenage)
Forth, Rt. Hon. Eric (Bromley and Chislehurst)
Foster, Rt. Hon. Derek (Bishop Auckland)
Foster, Donald Michael Ellison (Bath)
Foster, Michael Jabez (Hastings and Rye)
Foster, Michael John (Worcester)
Foulkes, George (Carrick, Cumnock and Doon Valley)
Fox, Liam (Woodspring)
Francis, David Hywel (Aberavon)
Francois, Mark Gino (Rayleigh)

G

Gale, Roger James (North Thanet)
Galloway, George (Glasgow, Kelvin)
Gapes, Michael John (Ilford, South)
Gardiner, Barry Strachan (Brent, North)
Garnier, Edward Henry (Harborough)
George, Andrew Henry (St. Ives)
George, Rt. Hon. Bruce Thomas (Walsall, South)
Gerrard, Neil Francis (Walthamstow)
Gibb, Nicolas John (Bognor Regis and Littlehampton)
Gibson, Ian (Norwich, North)
Gidley, Sandra Julia (Romsey)
Gildernew, Michelle (Fermanagh and South Tyrone)
Gillan, Cheryl Elise Kendall (Chesham and Amersham)
Gilroy, Linda (Plymouth, Sutton)

Godsiff, Roger Duncan (Birmingham, Sparkbrook and Small Heath)
Goggins, Paul Gerard (Wythenshawe and Sale, East)
Goodman, Paul Alexander Cyril (Wycombe)
Gray, James Whiteside (North Wiltshire)
Grayling, Christopher Stephen (Epsom and Ewell)
Green, Damian Howard (Ashford)
Green, Matthew Roger (Ludlow)
Greenway, John Robert (Ryedale)
Grieve, Dominic Charles Roberts (Beaconsfield)
Griffiths, Jane Patricia (Reading, East)
Griffiths, Nigel (Edinburgh, South)
Griffiths, Winston James (Bridgend)
Grogan, John (Selby)
Gummer, Rt. Hon. John Selwyn (Suffolk, Coastal)

H

Hague, Rt. Hon. William Jefferson (Richmond, Yorks)
Hain, Peter Gerald (Neath)
Hall, Michael Thomas (Weaver Vale)
Hall, Patrick (Bedford)
Hamilton, David (Midlothian)
Hamilton, Fabian (Leeds, North-East)
Hammond, Philip (Runnymede and Weybridge)
Hancock, Michael Thomas (Portsmouth, South)
Hanson, David George (Delyn)
Harman, Rt. Hon. Harriet (Camberwell and Peckham)
Harris, Evan Leslie (Oxford, West and Abingdon)
Harris, Tom (Glasgow, Cathcart)
Harvey, Nicholas Barton (North Devon)
Haselhurst, Rt. Hon. Sir Alan Gordon Barraclough (Saffron Walden)
Havard, David Stuart (Merthyr Tydfil and Rhymney)
Hawkins, Nicholas John (Surrey Heath)
Hayes, John Henry (South Holland and The Deepings)
Heal, Sylvia Lloyd (Halesowen and Rowley Regis)
Heald, Oliver (North-East Hertfordshire)
Healey, John (Wentworth)
Heath, David William St. John (Somerton and Frome)
Heathcoat-Amory, Rt. Hon. David Philip (Wells)
Henderson, Douglas John (Newcastle upon Tyne, North)
Henderson, Ivan John (Harwich)
Hendrick, Mark Phillip (Preston)
Hendry, Charles (Wealden)
Hepburn, Stephen (Jarrow)
Heppell, John (Nottingham, East)
Hermon, Sylvia (North Down)
Hesford, Stephen (Wirral, West)
Hewitt, Rt. Hon. Patricia Hope (Leicester, West)
Heyes, David Alan (Ashton-under-Lyne)
Hill, Keith (Streatham)
Hinchliffe, David Martin (Wakefield)
Hoban, Mark Gerard (Fareham)
Hodge, Margaret Eve (Barking)
Hoey, Catharine Letitia (Vauxhall)
Hogg, Rt. Hon. Douglas Martin (Sleaford and North Hykeham)
Holmes, Paul Robert (Chesterfield)
Hood, James (Clydesdale)
Hoon, Rt. Hon. Geoffrey William (Ashfield)
Hope, Philip Ian (Corby)
Hopkins, Kelvin Peter (Luton, North)
Horam, John Rhodes (Orpington)
Howard, Rt. Hon. Michael (Folkestone and Hythe)
Howarth, Rt. Hon. Alan Thomas (Newport, East)
Howarth, George Edward (Knowsley, North and Sefton, East)
Howarth, James Gerald Douglas (Aldershot)
Howells, Kim Scott (Pontypridd)
Hoyle, Lindsay Harvey (Chorley)
Hughes, Beverley June (Stretford and Urmston)
Hughes, Kevin Michael (Doncaster, North)
Hughes, Simon Henry Ward (Southwark, North and Bermondsey)
Humble, Jovanka Joan (Blackpool, North and Fleetwood)
Hume, John (Foyle)
Hunter, Andrew Robert Frederick (Basingstoke)
Hurst, Alan Arthur (Braintree)
Hutton, John Matthew Patrick (Barrow and Furness)

I

Iddon, Brian (Bolton, South-East)
Illsley, Eric Evlyn (Barnsley, Central)
Ingram, Rt. Hon. Adam (East Kilbride)
Irranca-Davies, Huw (Ogmore) [*By-election, February 2002*]

J

Jack, Rt. Hon. John Michael (Fylde)
Jackson, Glenda May (Hampstead and Highgate)
Jackson, Helen Margaret (Sheffield, Hillsborough)
Jackson, Robert Victor (Wantage)
Jamieson, David Charles (Plymouth, Devonport)
Jenkin, Bernard Christison (North Essex)
Jenkins, Brian David (Tamworth)
Johnson, Alan Arthur (Hull, West and Hessle)
Johnson, Alexander Boris (Henley)
Johnson, Melanie Jane (Welwyn Hatfield)
Jones, Helen Mary (Warrington, North)
Jones, Jon Owen (Cardiff, Central)
Jones, Kevan David (North Durham)
Jones, Lynne Mary (Birmingham, Selly Oak)
Jones, Martyn David (Clwyd, South)
Jones, Nigel David (Cheltenham)
Jowell, Rt. Hon. Tessa Jane (Dulwich and West Norwood)
Joyce, Eric (Falkirk, West)

K

Kaufman, Rt. Hon. Gerald Bernard (Manchester, Gorton)
Keeble, Sally Curtis (Northampton, North)
Keen, Alan (Feltham and Heston)
Keen, Ann Lloyd (Brentford and Isleworth)
Keetch, Paul Stuart (Hereford)
Kelly, Ruth Maria (Bolton, West)
Kemp, Fraser (Houghton and Washington, East)
Kennedy, Rt. Hon. Charles Peter (Ross, Skye and Inverness, West)
Kennedy, Jane Elizabeth (Liverpool, Wavertree)
Key, Robert Simon (Salisbury)
Khabra, Piara Singh (Ealing, Southall)
Kidney, David Neil (Stafford)
Kilfoyle, Peter (Liverpool, Walton)
King, Andrew (Rugby and Kenilworth)
King, Oona Tamsyn (Bethnal Green and Bow)
Kirkbride, Julie (Bromsgrove)
Kirkwood, Sir Archibald Johnstone (Roxburgh and Berwickshire)
Knight, Rt. Hon. Gregory (East Yorkshire)
Knight, Jim (South Dorset)
Kumar, Ashok (Middlesbrough, South and Cleveland, East)

L

Ladyman, Stephen John (South Thanet)
Laing, Eleanor Fulton (Epping Forest)
Lait, Jacqueline Anne Harkness (Beckenham)
Lamb, Norman Peter (North Norfolk)
Lammy, David Lindon (Tottenham)
Lansley, Andrew David (South Cambridgeshire)
Lawrence, Jacqueline Rita (Preseli Pembrokeshire)
Laws, David Anthony (Yeovil)
Laxton, Robert (Derby, North)
Lazarowicz, Marek Jerzy (Edinburgh, North and Leith)
Leigh, Edward Julian Egerton (Gainsborough)
Lepper, David (Brighton, Pavilion)
Leslie, Christopher Michael (Shipley)
Letwin, Oliver (West Dorset)
Levitt, Tom (High Peak)
Lewis, Ivan (Bury, South)
Lewis, Julian Murray (New Forest, East)
Lewis, Terence (Worsley)
Liddell, Rt. Hon. Helen (Airdrie and Shotts)
Liddell-Grainger, Ian Richard (Bridgwater)
Lidington, David Roy (Aylesbury)
Lilley, Rt. Hon. Peter Bruce (Hitchin and Harpenden)
Linton, Martin (Battersea)
Lloyd, Anthony Joseph (Manchester, Central)
Llwyd, Elfyn (Meirionnydd Nant Conwy)
Lord, Sir Michael Nicholson (Central Suffolk and Ipswich, North)
Loughton, Timothy Paul (East Worthing and Shoreham)
Love, Andrew (Edmonton)
Lucas, Ian Colin (Wrexham)
Luff, Peter James (Mid-Worcestershire)
Luke, Iain (Dundee, East)
Lyons, John (Strathkelvin and Bearsden)

M

McAvoy, Thomas McLaughlin (Glasgow, Rutherglen)
McCabe, Stephen James (Birmingham, Hall Green)
McCafferty, Christine (Calder Valley)
McCartney, Rt. Hon. Ian (Makerfield)
McDonagh, Siobhain Ann (Mitcham and Morden)
Macdonald, Calum Alistair (Western Isles)
McDonnell, John Martin (Hayes and Harlington)
MacDougall, John William (Central Fife)
McFall, John (Dumbarton)
McGrady, Eddie (South Down)
McGuinness, Martin (Mid-Ulster)
McGuire, Anne (Stirling)
McIntosh, Anne Caroline Ballingall (Vale of York)
McIsaac, Shona (Cleethorpes)
Mackay, Rt. Hon. Andrew James (Bracknell)
McKechin, Ann (Glasgow, Maryhill)
McKenna, Rosemary (Cumbernauld and Kilsyth)
Mackinlay, Andrew (Thurrock)
Maclean, Rt. Hon. David John (Penrith and The Border)
McLoughlin, Patrick Allen (West Derbyshire)
McNamara, Kevin (Hull, North)
McNulty, Anthony James (Harrow, East)
MacShane, Denis (Rotherham)
Mactaggart, Fiona Margaret (Slough)
McWalter, Tony (Hemel Hempstead)
McWilliam, John David (Blaydon)
Mahmood, Khalid (Birmingham, Perry Barr)
Mahon, Alice (Halifax)
Malins, Humfrey Jonathon (Woking)
Mallaber, Judy (Amber Valley)
Mallon, Seamus (Newry and Armagh)
Mandelson, Rt. Hon. Peter Benjamin (Hartlepool)
Mann, John (Bassetlaw)
Maples, John Cradock (Stratford-on-Avon)
Marris, Robert Howard (Wolverhampton, South-West)
Marsden, Gordon (Blackpool, South)
Marsden, Paul William Barry (Shrewsbury and Atcham)
Marshall, David (Glasgow, Shettleston)
Marshall, James (Leicester, South)
Marshall-Andrews, Robert Graham (Medway)
Martin, Rt. Hon. Michael John (Glasgow, Springburn)
Martlew, Eric Anthony (Carlisle)
Mates, Michael John (East Hampshire)
Maude, Rt. Hon. Francis Anthony Aylmer (Horsham)
Mawhinney, Rt. Hon. Sir Brian Stanley (North-West Cambridgeshire)
May, Theresa Mary (Maidenhead)
Meacher, Rt. Hon. Michael Hugh (Oldham, West and Royton)
Meale, Joseph Alan (Mansfield)
Mercer, Patrick John (Newark)
Merron, Gillian Joanna (Lincoln)
Michael, Rt. Hon. Alun Edward (Cardiff, South and Penarth)
Milburn, Rt. Hon. Alan (Darlington)
Miliband, David Wright (South Shields)
Miller, Andrew Peter (Ellesmere Port and Neston)
Mitchell, Andrew John Bower (Sutton Coldfield)
Mitchell, Austin Vernon (Great Grimsby)
Moffatt, Laura Jean (Crawley)
Mole, Chris (Ipswich) [*By-election, November 2001*]
Moonie, Lewis George (Kirkcaldy)
Moore, Michael Kevin (Tweeddale, Ettrick and Lauderdale)
Moran, Margaret (Luton, South)
Morgan, Julie (Cardiff, North)
Morley, Elliot Anthony (Scunthorpe)
Morris, Rt. Hon. Estelle (Birmingham, Yardley)
Moss, Malcolm Douglas (North-East Cambridgeshire)
Mountford, Kali Carol Jean (Colne Valley)
Mudie, George Edward (Leeds, East)
Mullin, Christopher John (Sunderland, South)
Munn, Margaret Patricia (Sheffield, Heeley)
Murphy, Denis (Wansbeck)
Murphy, Jim (Eastwood)
Murphy, Rt. Hon. Paul Peter (Torfaen)
Murrison, Andrew William (Westbury)

N

Naysmith, John Douglas (Bristol, North-West)
Norman, Archibald John (Tunbridge Wells)
Norris, Dan (Wansdyke)

O

Oaten, Mark (Winchester)
O'Brien, Michael (North Warwickshire)
O'Brien, Stephen Rothwell (Eddisbury)
O'Brien, William (Normanton)
O'Hara, Edward (Knowsley, South)
Olner, William John (Nuneaton)
O'Neill, Martin John (Ochil)
Öpik, Lembit (Montgomeryshire)
Organ, Diana Mary (Forest of Dean)
Osborne, George Gideon Oliver (Tatton)
Osborne, Sandra (Ayr)
Ottaway, Richard Geoffrey James (Croydon, South)
Owen, Albert (Ynys Môn)

P

Page, Richard Lewis (South-West Hertfordshire)
Paice, James Edward Thornton (South-East Cambridgeshire)
Paisley, The Reverend Ian Richard Kyle (North Antrim)
Palmer, Nicholas Douglas (Broxtowe)
Paterson, Owen William (North Shropshire)
Pearson, Ian Phares (Dudley, South)
Perham, Linda (Ilford, North)
Picking, Anne (East Lothian)
Pickles, Eric Jack (Brentwood and Ongar)
Pickthall, Colin (West Lancashire)
Pike, Peter Leslie (Burnley)
Plaskitt, James Andrew (Warwick and Leamington)
Pollard, Kerry Patrick (St. Albans)
Pond, Christopher Richard (Gravesham)
Pope, Gregory James (Hyndburn)
Portillo, Rt. Hon. Michael Denzil Xavier (Kensington and Chelsea)
Pound, Stephen Pelham (Ealing, North)
Powell, Sir Raymond (Ogmore) [*died, December 2001*]
Prentice, Bridget (Lewisham, East)
Prentice, Gordon (Pendle)
Prescott, Rt. Hon. John Leslie (Hull, East)
Price, Adam (East Carmarthen and Dinefwr)
Primarolo, Dawn (Bristol, South)
Prisk, Mark (Hertford and Stortford)
Prosser, Gwynfor Mathews (Dover)
Pugh, John David (Southport)
Purchase, Kenneth (Wolverhampton, North-East)
Purnell, James Mark Dakin (Stalybridge and Hyde)

Q

Quin, Rt. Hon. Joyce Gwendolen (Gateshead, East and Washington, West)
Quinn, Lawrence William (Scarborough and Whitby)

R

Rammell, William Ernest (Harlow)
Randall, Alexander John (Uxbridge)
Rapson, Sydney Norman John (Portsmouth, North)
Raynsford, Rt. Hon. Wyvill Richard Nicolls (Greenwich and Woolwich)
Redwood, Rt. Hon. John Alan (Wokingham)
Reed, Andrew John (Loughborough)
Reid, Alan (Argyll and Bute)
Reid, Rt. Hon. John (Hamilton, North and Bellshill)
Rendel, David Digby (Newbury)
Robathan, Andrew Robert George (Blaby)
Robertson, Angus (Moray)
Robertson, Hugh (Faversham and Mid-Kent)
Robertson, John (Glasgow, Anniesland)
Robertson, Laurence Anthony (Tewkesbury)
Robinson, Geoffrey (Coventry, North-West)
Robinson, Iris (Strangford)
Robinson, Peter David (Belfast, East)
Roche, Barbara Maureen (Hornsey and Wood Green)
Roe, Marion Audrey (Broxbourne)
Rooney, Terence Henry (Bradford, North)
Rosindell, Andrew Richard (Romford)
Ross, Ernest (Dundee, West)
Roy, Frank (Motherwell and Wishaw)
Ruane, Christopher Shaun (Vale of Clwyd)
Ruddock, Joan Mary (Lewisham, Deptford)
Ruffley, David Laurie (Bury St. Edmunds)
Russell, Christine Margaret (City of Chester)
Russell, Robert Edward (Colchester)
Ryan, Joan Marie (Enfield, North)

S

Salmond, Alex Elliot Anderson (Banff and Buchan)
Salter, Martin John (Reading, West)
Sanders, Adrian Mark (Torbay)
Sarwar, Mohammad (Glasgow, Govan)
Savidge, Malcolm Kemp (Aberdeen, North)
Sawford, Philip Andrew (Kettering)
Sayeed, Jonathan (Mid-Bedfordshire)
Sedgemore, Brian Charles John (Hackney, South and Shoreditch)
Selous, Andrew Edmund Armstrong (South-West Bedfordshire)
Shaw, Jonathan Rowland (Chatham and Aylesford)
Sheerman, Barry (Huddersfield)
Shephard, Rt. Hon. Gillian Patricia (South-West Norfolk)
Shepherd, Richard Charles Scrimgeour (Aldridge-Brownhills)
Sheridan, James (West Renfrewshire)
Shipley, Debra Ann (Stourbridge)
Short, Rt. Hon. Clare (Birmingham, Ladywood)
Simmonds, Mark Jonathon Mortlock (Boston and Skegness)
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T

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Thurso, Viscount John Archibald (Caithness, Sutherland and Easter Ross)
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Twigg, Stephen (Enfield, Southgate)
Tyler, Paul (North Cornwall)
Tynan, William (Hamilton, South)
Tyrie, Andrew Guy (Chichester)

V

Vaz, Keith (Leicester, East)
Viggers, Peter John (Gosport)
Vis, Rudi Jan (Finchley and Golders Green)

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Y

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  - Pensions Unit Manager—Lucy Watson
  - Consultant on the Parliamentary Contributory Pension fund (Members) —Jo Whiterod
- Budget Monitoring Team and Members' Advice Centre—
  - Payments Manager—Dan Gorman
  - Executive Officer—Andy Gibson
- Members' and Members' Staff Payroll—
  - Payroll manager—Caroline Stockton
  - Senior Payroll Officer—Bhavna Parekh
  - Senior Payroll Officer—Nikki Drew

- Members' Staff Pensions—
  - Project Manager: Stakeholder Scheme—Neil Crawley
  - Senior Payments Officer—Julia Nellis
- Accounts Payable Team—
  - Accounts Manager—Teresa Ruewell
  - Senior Accounts Officer—Cleo Hadome
  - Senior Accounts Officer—Nicola Carter
- Members' Travel Payments—
  - Payments Manager—Andy Martin
  - Senior Payments Officer—David Phipps
  - Senior Payments Officer—Nicky Price
- Members' Allowance Payments—
  - Senior Payments Officer—Jo Lush
  - Senior Payments Officer—Alan Rowlands
- Personnel Policy Directorate—
  - Director of Personnel Policy—Susan Craig
- Trade Union—
  - Trade Union side Administrator—Will Conway
- Occupational Health, Safety and Welfare—
  - Head of Occupational Health, Safety and Welfare Services—Steve Wicks
  - Occupational Health Manager—Dawn Clifford
  - Practice Nurse—Karen St. Cyr
  - Occupational Health Administrator—Michelle Garratty
  - Office Manager—Carol Prestidge
  - Medical Adviser—Dr. David Murray-Bruce
  - Consultant Health Physician—Dr. Ira Madan
- Financial Management Directorate—
  - Director of Financial Management—Christopher Ridley
  - Business Planning Manager—Peter Lamb
  - Financial Controller—Simon Little
- Internal Review Services Directorate—
  - Director of Internal Review Services—Richard Russell

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- Director of Catering Services—Sue Harrison
- Personal Assistant/Secretariat—Belinda Woodiwiss, Louise Torry
- Executive Chef—David Dorricott
- Retail Manager—Mary de Souza
- Catering Services - Palace of Westminster—
- Operations Manager—Robert Gibbs
- Managers—Karin Hindermann, Alexandra Hewitt
- Restaurant Head Waiters—Joaquim Ferreira (Press), Toby Dyer (Acting Head Waiter - Churchill Room), Catherine Joyce (Strangers' Dining Room), Joe Vidal (Members' Dining Room)

Assistant Manager - Jubilee Cafe—Carlos Ramirez Canessa
Assistant Manager - Banqueting—Christian Purser
Banqueting Co-ordinators—Jason Bonello, Diane Elderfield
Banqueting Head Waiter—Rui Duarte
Catering Services - Outbuildings—
Operations Manager—Della Herd
Managers - Portcullis House—Abigail Holmes, Denise Durkin
Manager - 1 Parliament Street (Bellamy's)—Nathalie Viney
Manager - 7 Millbank—Sabina Barbato
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Accounts Office Staff—Karen Barnett, Alison Cutts, Hannah Scott
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Assistant Purchasing Manager—Jason Cutts

OTHER PRINCIPAL OFFICERS

Clerk of the Crown in Chancery—Sir Hayden Phillips, KCB
Comptroller and Auditor General—Sir John Bourn, KCB
Parliamentary Commissioner for Administration—Ann Abraham

Written Ministerial Statements

Thursday 27 November 2003

WALES

Powys NHS Trust

The Secretary of State for Wales (Mr. Peter Hain): Pursuant to the dissolution of the Powys NHS trust on 1 April 2003 and its absorption into the Powys Local Health Board, and the remission of the outstanding debt of the dissolved trust, HM Treasury has presented a Minute to the House on 27/11/2003 giving particulars and circumstances of the remission proposed by the National Assembly for Wales which it has approved in principle.

Departmental Expenditure Limit

The Secretary of State for Wales (Mr. Peter Hain): The Wales Departmental Expenditure Limit will be increased by £1,344,000, from £10,608,142,000 to £10,609,486,000. The increase is a result of:

(a) £1,957,000 adjustment for Council Tax Benefit and Rural Rate Relief measures;

(b) £1,368,000 in respect of Countryside Commission for Wales pensions; and

(c) Net transfers to other Government Departments from the National Assembly for Wales of £1,981,000.

These transfers are as follows:

(i) £4,168,000 to the Department for Constitutional Affairs in respect of the Wales Office;

(ii) £137,000 to ODPM for Ordnance Survey Pan Government Agreement (CCW);

(iii) £410,000 to ODPM for Ordnance Survey Pan Government Agreement (Planning);

(iv) £90,000 to ODPM for Ordnance Survey Pan Government Agreement (WDA);

(v) £395,000 from DWP for administration costs of additional financial assessments for Residential Allowances;

(vi) £97,000 from ODPM for Community Fire Safety;

(vii) £500,000 from the Home Office for Operation Tarian;

(viii) £371,000 from the Home Office for Staff Costs;

(ix) £193,000 from the Home Office for non—pay costs for regional government offices;

(x) £1,268,000 from the DTI for End of Life Vehicles.

D.E.L provision for the Wales Office of £4,154,000 (net of depreciation) including £3,330,000 for administration costs is included within the limits of the Department for Constitutional Affairs.

INTERNATIONAL DEVELOPMENT

Departmental Expenditure Limit

The Secretary of State for International Development (Hilary Benn): Subject to Parliamentary approval of the necessary Supplementary Estimate, the Department for International Development DEL for 2003–04 will be increased by £127,348,000 from £3,629,106,000 to £3,756,454,000 and the administration costs limits has been increased by £3,250,000 from £209,000,000 to £212,250,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

(£000)

Resources				*Capital*			
Change	*New DEL*	*Of which voted*	*Non-voted*	*Change*	*New DEL*	*Of which voted*	*Non-voted*
126,848	3,765,954	2,891,954	874,000	500	11,500	11,500	—

The change in the resource element of the DEL arises from:

RfR 1: Eliminating Poverty in Poorer Countries

a transfer of £10,000,000 resource from the Unallocated subhead to the Reducing Poverty in sub-Saharan Africa Grants subhead;

a transfer of £14,000 resource from DFID Reducing Poverty in Asia subhead to the Foreign and Commonwealth Office as a contribution to a British Geological Survey visit to Afghanistan;

a transfer of £3,250,000 resource from the Central Reserve to the Reducing Poverty in the Rest of the World Administration subhead;

a transfer of £1,000,000 resource from DEFRA representing a contribution to the Environmental Know-How Fund;

a transfer of £116,250,000 resource from the Central Reserve to the Reducing Poverty in the Rest of the World Grants subhead;

a transfer of £75,000,000 resource from the Unallocated subhead to the Reducing Poverty in the Rest of the World Grants subhead;

a transfer of £38,000 resource from DFID Developing Innovative Approaches to Development subhead to the Home Office as DFID's contribution to GRECO membership;

a transfer of £6,400,000 resource from the Central Reserve to the Developing Innovative Approaches to Development Grants subhead.

The change in the capital element of the DEL arises from:

a transfer of £500,000 from the Central Reserve to the Reducing Poverty in the Rest of the World capital subhead.

HOME OFFICE

Departmental Expenditure Limit

The Secretary of State for the Home Department (Mr. David Blunkett): Plans of changes to the Departmental Expenditure Limit and Administrative Cost Limit for 2003–04 are set out below.

Subject to Parliamentary approval of the necessary Supplementary Estimate, the Home Office's Departmental Expenditure Limits for 2003–04 will be decreased by £11,514,000 from £12,546,484,000 to £12,534,970,000 and the administration costs limit will be increased by £80,386,000 from £3,351,317,000 to £3,431,703,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	27,367	10,155,844	1,544,825	11,700,669
Capital	−38,881	822,573	233,546	1,056,119
Depreciation*	–	−182,725	−39,093	−221,818
Total	−11,514	10,795,692	1,739,278	12,534,970

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

Details of the changes are available in the House Library.

DEPUTY PRIME MINISTER

Departmental Expenditure Limit

The Deputy Prime Minister (Mr. John Prescott): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Office of the Deputy Prime Minister's Departmental Expenditure Limits for 2003–04 will change as follows:

(1) the Office of the Deputy Prime Minister's Main Programmes DEL will be increased by £259,342,000 from £6,655,307,000 to £6,914,649,000 and the administration costs limit will be increased by £29,268,000 from £367,110,000 to £396,378,000. Within the DEL change, the impact on resource and capital are tabled below.

(£000)

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	212,829	3,036,150	1,978,998	5,015,148
Capital	46,513	640,465	1,259,036	1,899,501
Depreciation*	1,594	−16,468	−2,000	−18,468
Total	260,936	3,660,147	3,236,034	6,896,181

* Depreciation, which forms part of resource DEL, is excluded from the total DEL, since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting. The change in depreciation is due to capital spending on The Rent Service and Planning Inspectorate Executive Agency programmes and transfer from the provision for Regional Development Agencies to the Department of Trade and Industry.

The change in the resource element of the DEL arises from:

(i) take up of End Year Flexibility of £266,254,000 comprising:

(a) £81,762,000 for the Sustainable Communities Plan;

(b) £64,727,000 for Housing programmes expenditure;

(c) £35,104, 000 for Fire Services (mass decontamination, search and rescue, firelink radio systems and the White Paper;

(d) £5,550,000 for the Fire Service College building refurbishment;

(e) £6,200,000 for Regional Policy programme expenditure;

(f) £500,000 for the Audit Commission;

(g) £300,000 for research expenditure;

(h) £7,269,000 (administration costs) for administration expenditure by The Rent Service and Planning Inspectorate Executive Agencies;

(i) £2,761,000 for programme expenditure by the Planning Inspectorate Executive Agency;

(j) £23,000 from the Evidence Based Policy Fund for Research;

(k) £41,038,000 non-voted for the Housing Corporation;

(l) £21,020,000 non-voted for Regional Development Agencies.

(ii) a net transfer of £52,925,000 to other government departments, comprising:

(a) £1,600,000 from Department for Environment, Food & Rural Affairs, £1,404,000 from Department for Transport, £8,000 from Department for Health, £125,000 from Department for Culture, Media & Sports, £58,000 from Her Majesty's Treasury, £30,000 from Home Office, £686,000 from The Scottish Executive, £177,000 from Department for Trade & Industry, £275,000 from Ministry of Defence, £244,000 from Her Majesty's Custom & Excise, £148,000 from Forestry Commission and £637,000 from The Welsh Assembly for Payment to Ordnance Survey in relation to the Pan Government Agreement for supply of mapping data;

(b) £181,000 (administration costs) from Cabinet Office following the transfer of the Civil Contingencies Secretariat;

(c) £75,000 (administration costs) to Department for Transport for the Honours Secretariat and the Equality and Diversity Unit;

(d) £162,000 (administration costs) to Department for Health, £20,000 to Department for Culture, Media and Sports, £60,000 to Department for Environment, Food and Rural Affairs, £258,000 to Department of Education and Skills, £75,000 to Department for Transport, £70,000 to Department for Work and Pensions, and £60,000 to Home Office in respect of Local Government Public Service Agreements;

(e) £502,000 (administration costs) to Department for Constitutional Affairs following Machinery of Government changes;

(f) £700,000 from the Department for Transport to the Research Team to reverse a previous Machinery of Government change;

(g) £130,000 from Home Office for Special Grants programme;

(h) £100,000 from the New Ventures Fund to the Department of Education and Skills for a joint Residents' Consultancy Project;

(i) transfers to Home Office of £2,000,000 for a joint Capacity Building and Crime Initiative, £250,000 for Community Support Teams, £1,500,000 for the Pathfinder projects and £30,000 for the Good Practice Events from the New Ventures Fund;

(j) £861,000 (administration costs) from Government Offices administration to the Department of Trade and Industry to reflect the reduction in review work;

(k) £2,315,000 (administration costs) from Department for Environment, Food and Rural Affairs to Government Offices administration for additional core agenda work;

(l) £17,104,000 (administration costs) from the Home Office to Government Offices administration in respect of Crime reduction, Active Communities Unit, Street Crime initiative, Community Cohesion, Drugs Prevention Advice, Communities Policy, Business Crime Advisors and core funding from SR2002 settlement;

(m) £762,000 (administration costs) from the Department for Culture, Media and Sports to Government Offices administration for Core agenda and funding from SR2002 settlement;

(n) £1,365,000 (administration costs) from Department for Transport to Government Offices administration for work on DfT agenda and funding from SR2002 settlement;

(o) £2,415,000 (administration costs) from Department for Education and Skills to Government Offices administration for core agenda, adult basic skills, additional Connexions funding and SR2002 settlement;

(p) £97,000 to the Welsh Assembly for Community Safety schemes;

(q) £77,169,000 from provision for Regional Development Agencies to Department for Trade and Industry.

(iii) An increase in receipts of £10,667,000 to offset similar increase in provision for Payment to Ordnance Survey and £850,000 to offset a similar increase in provision for Research.

(iv) A transfer of £500,000 to Request for Resources 2, to fund Audit Commission Performance Assessment.

(v) A net transfer of £21,844,000 from voted to non-voted provisions comprising:

(a) a transfer of £107,462,000 to non-voted DEL for the Housing Corporation;

(b) a transfer of £81,141,000 from non-voted to increase voted resource investment for the Sustainable Communities Plan;

(c) a transfer of £4,477,000 from non-voted Departmental Unallocated provision to voted provision (£2,000,000 for central administration) and (£2,477,000 for the Planning Inspectorate Executive Agency administration costs).

(vi) A reclassification of £91,462,000 New Deal for Communities resource investment provision as capital by a transfer to the Housing Corporation, non-voted provision fully offset by a transfer of capital from the Sustainable Communities Plan.

(vii) As a result of the changes to Request for Resources 1, the Office of the Deputy Prime Minister's administration provision has been increased by £29,268,000 from £379,652,000 to £408,920,000.

The change in the capital element of the DEL arises from:

(a) take up of end year flexibility of £44,093,000 comprising

(i) £21,360,000 for the Sustainable Communities Plan;

(ii) £2,994,000 for Housing programmes expenditure;

(iii) £9,647,000 Capital Modernisation Fund for fire services (New Dimension);

(iv) £1,500,000 for The Rent Service;

(v) £40,000 Capital Modernisation Fund (Evidence Based Policy Fund) for The Rent Service;

(vi) £8,552,000 for the Office of the Deputy Prime Minister's own capital expenditure;

(b) a transfer of £2,420,000 from the Department for Trade and Industry for core funding from SR2002 settlement.

Within the capital element of the DEL there is a net transfer of £66,267,000 from non-voted to voted provisions, comprising: £14,500,000 from provision to non-voted English Partnerships; £8,078,000 supplementary credit approvals for other housing programmes; £5,556,000 local authority Supplementary credit approvals for Fire New Dimension Search and Rescue and £67,133,000 to partly fund the New Deal for Communities reclassification).

(2) The Office of the Deputy Prime Minister's Local Government DEL will be increased by £27,947,000 from £41,331,545,000 to £41,359,492,000. Within the DEL change, the impact on resources and capital are tabled below.

£000

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	19,498	40,928,700	98,082	41,026,782
Capital	8,449	324,710	8,000	332,710
Depreciation*	0	0	0	0
Total	27,947	41,253,410	106,082	41,359,492

The change in the resource element of the DEL arises from:

(i) take up of End Year Flexibility of £13,298,000 comprising:

(a) £3,375,000 for Valuation Services;

(b) £335,000 for Local Government on Line;

(c) £240,000 for Electoral Law;

(d) £8,475,000 for Other Grants and Payments;

(e) £873,000 draw down from Invest to Save Budget;

(ii) a transfer of £500,000 from Request for Resources 1 for Audit Commission Performance Assessment;

(iii) a transfer of £5,700,000 from capital for Local Government on Line.

The change in the capital element of the DEL arises from draw down of £12,000,000 from the capital modernisation fund (end year flexibility), £2,149,000 from the Invest to Save Budget and a transfer of £5,700,000 to resource to increase provision for Local Government on Line.

Non-domestic Rates (2004–05)

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): On Wednesday 19 November 2003, I presented the provisional local government finance settlement for 2004–05. Included in the announcement was the amount available of non-domestic rates in England for 2004–05 to be redistributed to local authorities. This statement details the calculation of the distributable amount and announces provisionally the non-domestic rate poundage (multiplier) for 2004–05 as 45.6 pence.

The amount of non-domestic rates in England for 2004–05 to be redistributed to local authorities will be £15 billion.

The calculation of the distributable amount for 2004–05 is set out in the table below.

£ million

	2001–02 Outturn	*2002–03 Outturn*	*2003–04 Provisional outturn*	*2004–05 Estimated contribution*
1. Income from local lists				
Multiplier *(p)*	43.0	43.7	44.4	45.6
Gross rate yield in respect of current year	16,952	17,195	17,200	17,400
(i) Reliefs				
(a) Net Transitional Relief	-493	-182	-93	-110
(b) Empty or partly occupied properties	-1,049	-1,144	-1,147	-1,160
(c) Charitable	-583	-603	-616	-622
(d) Rural shops and post offices	-5	-6	-6	-7
(e) Community amateur sports clubs	-	-	-	-8
(f) Discretionary	-43	-42	-46	-49
Net rate yield in respect of current year after reliefs	14,778	15,219	15,292	15,444
(ii) Collection costs and other reductions to contributions				
(a) Costs of collection	-84	-84	-84	-84
(b) Losses on collection	-95	-106	-120	-121
(c) City of London offset	-7	-7	-7	0
Total contribution in respect of current year	14,592	15,023	15,082	15,238
(iii) Prior year adjustments				
(a) Interest on repayments	-70	-59	-42	-38
(b) Repayments	-270	-479	-472	-429
Net rate yield from local lists	14,252	14,484	14,568	14,771
2. Income from Central list				
Net central list yield	1,049	1,044	1,045	1,050
3. Income from the former Crown list				
Contributions in lieu of rates	12	8	9	9
Total yield	15,313	15,536	15,622	15,830
4. Exchequer Contributions				
Exchequer contribution towards transitional relief	262	41	0	77
Total NNDR pool payments (= 1 + 2 + 3 + 4)	15,575	15,577	15,622	15,907
5. Adjustments				
Surplus brought forward	-305	134	-915	-893
Combined total	15,270	15,711	14,707	15,014
Distributable amount	15,136	16,626	15,600	15,000
Surplus carried forward	134	-915	-893	

The above calculation involves estimating several figures that are inherently difficult to forecast accurately, such as the gross rate yield and the prior year adjustments. The resulting figure of £15.014 billion has therefore been rounded to £15 billion exactly to avoid spurious accuracy.

Notes:

For 2001–02 and 2002–03 the amounts shown are those recorded in the outturn (NNDR3) returns. For 2003–04 the amounts shown are the provisional outturn for the year based mainly upon authorities' provisional contributions to the non-domestic rating pool. For 2004–05 the estimates are based on:

1. Item 1: The gross calculated rate yield represents the total value of non-domestic hereditaments on local rating lists *adjusted in relation to previous years outturn information regarding the gross rate yield* times the multiplier.
2. Item 1(i)(a): The transitional decrease adjustment includes the estimated amount of rates that will not be recouped from local list ratepayers under the transitional arrangements made by regulations under section 58 of the Local Government Finance Act 1988 and the transitional relief scheme, announced by written PQ on 25 November 1999, *Official Report*, column 770W.
3. Item 1(i)(b): The empty property relief adjustments include voids and partially occupied hereditaments. The 2004–05 figure includes an allowance for the increase in the gross rate yield.
4. Item 1(i)(c): Charitable rate relief. The 2004–05 figure includes an allowance for the increase in the gross rate yield.
5. Item 1(i)(d): Rural Shops and Post Office relief. Figures include mandatory relief for general stores and post offices under the Local Government and Rating Act 1997. Figures for 2001–02 onwards includes mandatory relief for petrol filing stations and public houses under the Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001 (SI 2001/1345) and mandatory relief for new enterprises on former agricultural premises under the Rating (Former Agricultural Premises and Rural Shops) Act 2001. The 2004–05 figure includes an allowance for the increase in the gross rate yield.
6. Item 1(i)(e): Community Amateur Sports Clubs (CASCs). Mandatory rate relief for sports clubs registered with the Inland Revenue as Community Amateur Sports Clubs under the Section 64 of the Local Government Act 2003. This provision comes into effect on 1 April 2004. Sports Clubs that have not registered will still be eligible for discretionary relief allowed to non-profit making bodies.
7. Item 1(i)(f): Discretionary relief granted to charities, non-profit making organisations and for other reasons including discretionary relief for village shops and post offices under the Local Government and Rating Act 1997. Figures for 2001–02 onwards include discretionary relief for petrol filing stations and public houses under the Non-Domestic Rating (Public Houses and Petrol Filling Stations) (England) Order 2001 (SI 2001/1345) and discretionary relief for new enterprises on former agricultural premises under the Rating (Former Agricultural Premises and Rural Shops) Act 2001. The 2004–05 figure includes an allowance for the increase in the gross rate yield.
8. Item 1(ii)(a) and (b): The allowances for the costs and losses incurred by authorities in collecting non-domestic rates from ratepayers.

9. Item 1(ii)(c): City Offset—the amount which the City of London will not be required to pay into the non-domestic rating pool. It is the amount which will be retained by the City to meet its own expenditure. *In 2004–05, City offset is to be set to zero.*
10. Item 1(iii): net adjustment in respect of appeals and other amendments to the rating list affecting liability for previous years rates settled in that year: comprising repayments and associated interest payments.
11. Item 2: the rateable value of non-domestic hereditaments on the central rating list times the multiplier, less the net effect of transitional arrangements, and adjusted for appeals and other changes in respect of previous years.
12. Item 3: Almost all properties previously included in the Crown List are included in the local list figures at item 1.
13. Item 4: the contribution from central government to offset the amount of the Secretary of State's estimate of income foregone as a result of transitional arrangements established by regulations under section 58 of the Local Government Finance Act 1988 and the transitional relief scheme, announced by written PQ on 25 November 1999, *Official Report*, column 770W.

Town and Country Planning (Use Classes Order)

The Minister for Housing and Planning (Keith Hill): In January 2002, the Government issued a consultation document on possible changes to the Town and Country Planning Use Classes Order. Responses were to be received by 24 April 2002. We received over 2000 responses, which the Office of the Deputy Prime Minister has since been considering.

'A' USE CLASS

The consultation document proposed amalgamating the A1 and A2 Use Classes. This would have resulted in a broad Use Class, comprising of shops and premises in the financial and professional services sector. However, response from a range of sectors in the marketplace expressed anxiety and further research suggested that this proposal may not prove beneficial for business growth and would on the whole do more harm than good. As a consequence, the Government will not be taking this proposal forward, the A1 and A2 Use Classes will remain separate.

However, the Government will be making a number of amendments to the A1 Use Class to bring it up to date and ensure that it reflects Government policy on town centres. These are:

> Internet cafes will be classified as an A1 use;
>
> Warehouse clubs will be taken out of the Use Classes Order, thus becoming *sui generis*;
>
> Motor vehicle showrooms will no longer enjoy permitted development rights for a change-of-use to any A1 use.

There will be no other changes to the A1 or A2 Use Classes.

The current A3 Use Class includes cafes, restaurants, pubs, bars, and takeaways. The consultation revealed that there is widespread concern that such a broad classification, which allows change of use from restaurants to pubs without the need for planning permission, contributes to the increase in the number of licensed premises. On 4 March this year, the hon. Member for Harrow East, Mr McNulty made a statement to the House announcing the Government had considered these representations carefully and proposed to put pubs and bars into a separate class.

Although restaurants and cafes will retain their A3 classification, this class will be modified to omit the reference to the sale of hot food for consumption off the premises. Class A3 will therefore be restricted to restaurant or cafe type uses. A change of use to A1 or A2 Use Classes will be permitted but all other changes of use will require planning permission. Pubs and bars will be classified under a new Use Class A4.

Takeaways will be classified under a new Use Class A5 due to the high level of concern expressed during the consultation about the specific impacts on amenity caused by such businesses and their customers. Both A4 and A5 Use Classes will be permitted a change of use to A1, A2 or A3 classification. Any other proposed changes of use will require planning permission.

We do not propose to make any amendments to the current B Use Classes.

Neither do we propose to make changes to the current C Use Classes.

We propose to make one change to the current D Use Class, an additional Use Class D3: Late Night Leisure. Most existing late night uses are already covered by existing classes, however nightclubs do not have a clear classification within the current Use Classes Order, and the impact on amenity of nightclubs is distinct and different from other uses. We will, therefore introduce a new Use Class D3 will be the classification for nightclubs. Planning permission will be required for any change of use from or to a D3 classification.

A statutory instrument giving effect to these changes will be made in due course.

The order will be made under section 55(2)(f) of the Town & Country Planning Act 1990 and it is therefore not subject to the Parliamentary procedures set out in section 333 of the Act.

TREASURY

Departmental Expenditure Limit

The Financial Secretary to the Treasury (Ruth Kelly): Subject to Parliamentary approval of any necessary Supplementary Estimate, HM Treasury DEL will be decreased by £3,576,000 from £212,025,000 to £208,449,000 and the administration costs limits will be increased by £2,525,000 from £137,063,000 to £139,588,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	-3,576,000	178,732,000	31,104,000	209,836,000
Capital	0	7,668,000	0	7,668,000
Depreciation*	0	-9,055,000	0	-9,055,000
Total	-3,576,000	177,345,000	31,104,000	208,449,000

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

> an increase in total Treasury administrative costs of £2,525,000 resulting from:
>
> a partial draw down of eyf of £3,700,000 for the central Treasury, this increases voted central Treasury administration spend to the planned level published in the 2002–03 Departmental Report;
>
> a partial draw down of eyf of £1,500,000 for DMO;
>
> a transfer of £18,000 to the Cabinet Office for the transfer of the honours and dignities function;
>
> an increase in AinA of £1,000,000 from secondments with matching spend;
>
> a switch of £2,600,000 from OGC administration costs to OGC programme spend;
>
> a transfer of £58,000 from OGC to ODPM, for the Ordnance Survey pan government agreement, this switch was not included in the Winter Supplementary as it would have produced a negative RfR;
>
> an increase in AinA of £999,000 from OGC consultancies with £1,000,000 spend, giving a token £1,000 increase;
>
> a partial draw down of programme eyf of £300,000 for Budget documentation;
>
> a reduction in HM Treasury programme cost of capital of £7,758,000,
>
> funding of £350,000 programme spend from the Invest to Save Budget for a project on banking;
>
> a net transfer of £990,000 programme costs, for the honours and dignities function, to the Cabinet Office;
>
> an increase in OGC programme spend of £2,600,000 resulting from the switch from administration costs mentioned above;
>
> an increase in DEL CFERs of £603,000

Departmental Expenditure Limit

The Paymaster General (Dawn Primarolo): Subject to Parliamentary approval of the necessary Supplementary Estimate, the Inland Revenue Departmental Expenditure Limit will be increased by £147,821,000 from £3,079,864,000 to £3,227,685,000 and the administration costs limit will be increased by £102,094,000 from £2,932,555,000 to £3,034,649,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

(£000s)

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	103,250	2,669,864	350,440	3,020,304
Capital	44,571	182,381	25,000	207,381
Depreciation*	-2,097	-158,564	-	-158,564
Total	145,724	2,693,681	375,440	3,069,121

* Depreciation which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from the draw down of £103,246,000 administration costs EYF; draw down of £36,000 allocated funds from the Evidence Based Policy Fund and a net reduction in the forecast asset figure of £32,000.

The change in the capital element of the DEL arises from the draw down of capital EYF and other resources EYF, totalling £44,031,000 as set out in the Public expenditure Outturn White Paper (CMS884), and an increase of £540,000 to VOA costs for the book value of assets sold.

Departmental Expenditure Limit

The Economic Secretary to the Treasury (John Healey): Subject to Parliamentary approval of any necessary Supplementary Estimate, the H M Customs and Excise DEL will be increased by £69,803,000, from £1,221,392,000 to £1,291,195,000 and the administration costs limits will be increased by £58,986,000, from £1,073,736,000 to £1,132,722,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	69,803,000	1,208,359,000	-	1,208,359,000
Capital	-	81,836,000	1,000,000	82,836,000
Depreciation*	-	-52,980,000	-	-52,980,000
Total	69,803,000	1,237,215,000	1,000,000	1,238,215,000

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

> administration costs changes resulting from the take up of DEL end year flexibility of £56,563,000 as set out in the Public Expenditure Outturn White Paper (Cm 5884); a transfer of £2,500,000 from capital investment to administration costs to meet Lorry Road User Charging costs; a transfer of £77,000 to the Rural Payment Agency in respect of VAT recipe verifications; a transfer of £8,500,000 from non-voted Departmental Unallocated Provision in resource DEL to voted administration costs in resource DEL; and
>
> programme expenditure changes in respect of the take-up of DEL end-year flexibility of £5,907,000 as set out in the Public Expenditure Outturn White Paper (Cm 5884); a transfer of £4,000,000 from DEFRA for work undertaken in respect of the illegal importation of Products of Animal Origin; a transfer of £154,000 from the Cabinet Office to cover the cost of a transferred asset; a transfer of £1,000,000 from capital investment to programme expenditure to meet Lorry Road User Charging costs; and a transfer of £244,000 to the Office of the Deputy Prime Minister in accordance with the Ordnance Survey Pan Government Agreement.

As a result of the specified resource DEL changes mentioned in the above paragraph, the administration costs limit has increased by £58,986,000.

Departmental Expenditure Limit

The Financial Secretary to the Treasury (Ruth Kelly): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Office for National Statistics DEL will be increased by £3,863,000 from £141,651,000 to £145,514,000 and the administration costs limit will be increased by £863,000 from £138,960,000 to £139,823,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

(£000)

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	863	140,181	-	140,181
Capital	3,000	19,170	-	19,170
Depreciation*	-	-13,837	-	-13,837
Total	3,863	145,514	-	145,514

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from the draw down of £1,500,000 resource from the Invest to Save Budget to fund the Citizen Information Project. This is partially offset by a transfer of £637,000 in total to other government departments in relation to work to develop the Neighbourhood Statistics programme. The transfers comprise £281,000 to the Home Office, £198,000 to the Department for Education and Skills, £94,000 to the Department for transport, £59,000 to the Department of Health and £5,000 to the Department for Environment, Food and Rural Affairs. The Administration costs limit will be increased by £863,000 from £138,960,000 to £139,823,000

The change in the capital element of the DEL arises from the partial take up of DEL end year flexibility of £3,000,000 capital expenditure as set out in the Public Expenditure Outturn White Paper (Cm 5884).

EDUCATION AND SKILLS

Departmental Expenditure Limit

The Secretary of State for Education and Skills (Mr. Charles Clarke): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Department for Education and Skills DEL (including the Office for Her Majesty's Chief Inspector of Schools (OFSTED) which has a separate Estimate) will be increased by £839,929,000 from £25,302,171,000 to £26,142,100,000 and the administration costs limits will be increased by £7,517,000 from £243,143,000 to £250,660,000.

Within the DEL change, the impact on resources and capital are as set out in the following table:

£

	Resources				Capital			
DfES	*Change*	*New DEL*	*Of which Voted*	*Non-voted*	*Change*	*New DEL*	*Of which Voted*	*Non-voted*
RfR1	790,835	21,885,292	7,781,032	14,104,260	71,775	3,338,670	2,230,909	1,107,761
RfR2	-23,163	480,131	503,294	-23,163	0	27,625	27,625	0
RfR3	13	200,013	200,000	13	51	51	0	51
OFSTED	418	207,418	207,418	0	0	2,900	2,900	0
Sub Total	768,103	-22,772,854	8,691,744	14,081,110	71,826	3,369,246	2,261,434	1,107,812
Depreciation*	-4,472	-46,988	-11,291	-35,697				
Total	763,631	22,725,866	8,680,453	14,045,413	71,826	3,369,246	2,261,434	1,107,812

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

Within the Administration Cost limits changes, the impact is set out in the following table:

£000

DfES	*Original*	*Change*	*Revised*
DfES (RfR1)	200,744	+6,380	207,124
Sure Start (RfR2)	7,999	+1,137	9,136
Children's Fund (RfR3)	4,400		4,400
OFSTED	30,000	-	30,000
Total	243,143	+7,517	250,660

The change in the resource element of the DEL of £768,103,000 arises from a £683,160,000 increase in the voted element of the resource DEL and an increase of £84,943,000 in the non-voted element of the resource DEL.

Voted Resource DEL

The £683,160,000 increase in the voted element of the resource DEL arises for RfR1 from the Machinery of Government change of £648,227,000 (Department of Health £634,557,000; Home Office £7,447,000 and Department for Constitutional Affairs £6,223,000); the net transfer in from the Department for Culture, Media and Sport of £35,920,000 for the School Sports Co-ordinator Programme; the net transfer in from the Department of Health of £4,258,0000 for Standards Fund for Health; the net transfer in from the Home Office of £3,397,000 for Positive Activities for Young People, for Adult Basic Skills and for the Community Champions Programme; the transfer in from the Office for National Statistics of £198,000 for the Neighbourhood Statistics Programme; the transfer in from the Department of Trade and Industry of £108,000 for the Mutual Recognition of Qualifications Programme and the transfer in of £2,300,000 from RfR2 Sure Start for SEN Tribunal Early Support Pilot projects and Adult Basic Skills; the net transfer to the Department for Work and Pensions of £12,586,000 for Basic Skills programme through Jobcentre Plus and for the Disability Rights Commission; the net transfer to the Office of the Deputy Prime Minister of £2,057,000 for the Regional Co-ordination Unit support; the take up of existing provision of £3,140,000 for the Parenting Fund programme and the ex-TEC property provision; and the take up of Evidence Based Policy Funding of £65,000 for understanding the impact of child poverty and progression routes; the transfer to the Office of Her Majesty's Chief Inspector of Schools in England (OFSTED) of £228,000 for Specialist Schools, Evaluation of Training in Schools and for the Independent State Schools Partnership, which is departmental DEL neutral, movement of £190,000 (OFSTED inspection of FE Training) from non-voted to voted DEL is departmental DEL neutral.

Non-Voted Resource DEL

The £84,943,000 increase in the non-voted element of the resource DEL arises from a £108,093,000 increase in RfR1 from the Machinery of Government change of £94,833,000 for the Children and Family Court Advisory and Support Service (CAFCASS) Non departmental public body; the transfer in from the Home Office of £7,000,000 for the Higher Education Funding Council for England to support the Active Community Fund project; the transfer in from the Department for Work and Pensions of £5,750,000 for the Adult Learning Inspectorate to inspect Jobcentre Plus training providers; the transfer in of £1,000,000 from RfR2 Sure Start for the Learning Skills Council for the delivery of FE childcare places; the transfer out of £300,000 from the Higher Education Funding Council for England to the Department of Health for Clinician Awards; the transfer out from the Adult Learning Inspectorate to Office of Her Majesty's Chief Inspector of Schools in England of £190,000 to inspect FE training in Higher Education Institutes which is departmental DEL neutral.

The £23,163,000 decrease in RfR2 arises from the £23,300,000 transfer to RfR1 for the SEN Tribunal Early Support Pilot projects, for Adult Basic Skills and for the delivery of FE childcare places and the transfer in of £137,000 from the Department for Work and Pensions for the ongoing costs of the childcare team.

The £13,000 increase in RfR3 arises from the net transfer out of £160,000 to the Home Office for citizenship survey project; the transfer out of £30,000 to the Department for Work and Pensions for the family and children survey and the increase from the drawdown of Invest to Save Budget of £203,000 for the Children's Centre project aiming to improve the quality of partners existing services.

Administration Cost Limits

The £7,517,000 increase in the Administration Cost limit arises from a £6,380,000 increase in the Administration Cost limit for RfR1 from the Machinery of Government changes of £6,458,000 (Department of Health £4,878,000; Department for Constitutional Affairs £1,070,000 and Home Office £510,000); the transfer in of £860,000 from the Department for Work and Pensions for Employment Service contributions to shared services and for support of the Detached National Experts; the transfer in of £198,000 from the Office for National Statistics for the Neighbourhood Statistics programme; the transfer in of £108,000 from the Department of Trade and Industry for the Mutual Recognition of Qualifications programme; the net transfer out of £2,157,000 to the Office of the Deputy Prime Minister for the Regional Co-ordination Unit support and the programme to administrative expenditure reclassification of £913,000 for education in Prisons and Custodial institutions.

The £1,137,000 increase in the Administration Cost limit for RfR2 arises from the reclassification of £1,000,000 programme to administrative expenditure; the transfer in of £137,000 from the Department for Work and Pensions for the ongoing costs of the Childcare team.

Capital DEL

The change in the capital element of the DEL of £71,826,000 arises from a £62,473,000 increase in the voted element of the capital DEL and an increase of £9,353,000 in the non-voted element of the capital DEL.

Voted Capital DEL

The £62,473,000 increase to the voted element of the Capital DEL arises from an increase for RFR1 from an in year draw down of £26,750,000 to fund the Capital Modernisation Fund projects through the Standards Fund; from the £20,000,000 transfer in from RfR2 Sure Start for Nursery Education grants; from the Machinery of Government changes of £15,723,000 from the Department of Health (£45,000) for IT and furniture; (£9,500,000) for Capital Modernisation Fund Children Services and (£6,178,000) for Secure Accommodation.

Non-Voted Capital DEL

The £9,353,000 increase to the non-voted element of Capital DEL arises from an increase for RFR1 of £9,302,000 for the Machinery of Government changes from the Department of Health for Credit Approvals for Personal Social Services. An increase to the non-voted element of Capital DEL in RFR3 for the take up of £51,000 from the Invest to Save Budget for the Children's Centre project aiming to improve the quality of partners existing services.

PRIME MINISTER

Departmental Expenditure Limit

The Prime Minister (Mr. Tony Blair): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Security and Intelligence Agencies' DEL will be increased by £39,176,000 from £1,458,270,000 to £1,497,446,000 and the administration costs limits will be increased by £7,949,000 from £558,375,000 to £566,324,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	35,161,000	1,105,287,000	11,750,000	1,117,037,000
Capital	4,015,000	516,009,000	5,000,000	521,009,000
Depreciation*	-	-140,600,000	-	140,600,000
Total	39,176,000	1,480,696,000	16,750,000	1,497,446,000

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

> the take up of £10, 875,000 foi Serious Crime funding. This was allocated to the Home Office at SR2000;
>
> a claim on the Reserve of £21,300,000 for work in Iraq;

the take up of End of Year Flexibility of £3,000,000;

a transfer of £154,000 to Her Majesty's Customs and Excise (HMCE) for a building which is solely used by HMCE staff;

a switch from capital to resource of £145,000;

a decrease of £5,000 resource due to a reduction of £5,000 in the forecast loss on sale of an asset. This is a non-cash item;

a transfer from non-voted DEL to voted DEL of £2,000,000;

a further increase in resource of £5,015,000. This is offset by an increase of £5,015,000 Operating Appropriations in Aid.

The change in the capital element of the DEL arises from:

a claim on the reserve of £3,700,000 for work in Iraq;

a transfer of £460,000 from the Cabinet Office;

a switch from capital to resource of £145,000;

a further increase in Capital of £5,000. This is offset by an increase in non-operating appropriations in aid of £5,000.

CULTURE, MEDIA AND SPORT

Departmental Expenditure Limit

The Secretary of State for Culture, Media and Sport (Tessa Jowell): Subject to Parliamentary approval of the necessary supplementary estimate, the Department for Culture, Media and Sport DEL will be increased by £144,665,000 from £1,401,271,000 to £1,545,936,000 and the administration costs limits will be increased by £3,005,000 from £44,182,000 to £47,187,000.

Within the DEL change, the impact on resources and capital are as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	24,831,000	195,840,000	1,229,799,000	1,425,639,000
Capital	119,834,000	109,551,000	98,054,000	207,605,000
Depreciation*	0	-3,555,000	-83,753,000	-87,308,000
Total	144,665,000	301,836,000	1,244,100,000	1,545,936,000

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from transfers to the Office of the Deputy Prime Minister of £125,000 toward costs of reimbursing the Ordnance Survey under the Pan Government Agreement; a transfer from the Department for Education and Skills of £1,250,000 toward the costs of strategic commissioning of educational initiatives in museums and galleries and £130,000 for funding of the Club Links sporting programme; transfers to the Department for Education and Skills of £37,000,000 for funding of the School Sports Co-ordinator programme and £300,000 for funding of the schoolteachers' coaching programme; transfers from the Home Office of £2,000,000 for match funding of the Step into Sport volunteer initiative and £134,000 for match funding of the Public Library Volunteer Scheme; and £104,794,000 other Resource DEL to fund ongoing programmes.

The increase in the Department's administration costs limit arises from the transfer of £20,000 administration costs from the Office of the Deputy Prime Minister toward the costs of local public service agreements and transfer of £762,000 administration costs to the Office of the Deputy Prime Minister toward the administration costs of Government Offices; and take up of £3,747,000 of administration costs end year flexibility as set out in the Public Expenditure Outturn White Paper (Cm 5884).

The change in the capital element of the DEL arises from take up of end year flexibility as set out in the Public Expenditure Outturn White Paper (Cm 5884) of £5,000,000 for further development of Culture Online; £3,256,000 for the royal parks and £62,521,000 other Capital DEL to fund ongoing programmes.

The increases will be offset by inter-departmental transfers and drawdown of end year flexibility entitlement and will not therefore add to the planned total of public expenditure.

Tote

The Minister for Sport and Tourism (Mr. Richard Caborn): The Government remains committed to the sale of the Tote, and we plan to bring forward the necessary legislative proposals very shortly.

As part of the preparations for the sale, the Government has had to consider whether the Tote's current exclusive right to offer pool betting on British horseracing should continue once it has been transferred into the private sector. We have concluded that it will be in the public interest to open up the pool betting market to effective competition, but that a reasonable preparatory period is necessary in order to safeguard the policy aims underlying the sale.

The Government has therefore decided that if our plans to sell the Tote to a racing consortium proceed, then the current intention is to issue the Tote's successor company with an exclusive licence to operate horserace pool betting on British racing for seven years.

This licence will not be extended and at the end of that period there will be a new regulatory regime that will allow other operators to provide pool betting as well. We believe that this proposal provides necessary certainty for all concerned.

SOLICITOR-GENERAL

Departmental Expenditure Limit

The Solicitor-General (Ms Harriet Harman): Subject to Parliamentary approval of any necessary supplementary estimates, the Attorney General's DEL will be increased by £81,807,000 from £471,797,000 to £553,604,000 and the Administration Costs Limit will be increased by £78,607,000 from £350,984,000 to £429,791,000. Within the DEL change, the impact on resources and capital are set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	81,807,000	546,604,000	7,000,000	553,604,000
Capital	700,000	15,300,000	0	15,300,000
Depreciation*	-100,000	-4,573,000	0	4,573,000
Total	82,407,000	557,331,000	7,000,000	564,331,000

* Depreciation is included in both the Resource and Capital DEL figures so it must be removed to arrive at the correct figure for total DEL.

The Crown Prosecution Service's element of the Attorney General's DEL will be increased by £76,367,000 from £435,294,000 to £511,661,000 and the Administration Costs Limit will be increased by £76,367,000 from £325,207,000 to £401,574,000.

The increase of £76,143,000 in the resource element of the DEL is from the Criminal Justice Reserve to fund the CPS's core business so that it can continue contributing to meeting criminal justice performance targets.

The increase of £200,000 arises from a transfer from the Home Office to support the six-month extension to the Visual Recording of Suspects' pilots and the increase of £24,000 is from the Department of Constitutional Affairs (DCA) for the Case Preparation Project pilots.

The Capital Modernisation Fund provided £1,800,000 in 2003–04 to enable the CPS to develop a Public Key Infrastructure (PKI) that would support secure e-mail and data transfer with other CJS organisations; and barristers and solicitors in the private sector. During the planning stage, an alternative simpler solution was identified and tested and it is this initiative that will be taken forward by Criminal Justice Information Technology (CJIT). CJIT have indicated that they do not require the funding to be transferred and consequently the decrease in the capital element of the DEL arises from the CPS returning £1,800,000 capital to the Capital Modernisation Fund.

The Serious Fraud Office's (SFO) DEL will increase by £5,440,000 from £23,410,000 to £28,850,000 and the Administration Costs Limit will increase by £2,240,000 from £16,235,000 to £18,475,000.

The increase in the resource element of the DEL arises from additional costs relating to two blockbuster fraud cases; £2,240,000 relates to increased administration costs and £3,200,000 relates to programme costs—mainly investigation and prosecution costs.

The change in the capital element of the SFO DEL arises from a £450,000 increase in I.T. hardware spending, which relates to one of the blockbuster cases. These changes in DEL are supported by a claim on the DEL Reserve. This was agreed due to these cases being considered different from normal SFO cases in terms of their size and complexity and because of the strong public interest in pursuing them.

There is no change in the resource element of the DEL for the Treasury Solicitors' Department (TSOL). The increase in capital of £2,050,000 from £3,200,000 to £5,250,000 arises from major areas of capital expenditure relating to the implementation of new systems and the upgrading of the Department's I.T. infrastructure. The new major systems include a practice and case management system, (which enables the Department to more effectively manage and monitor its casework), a new electronic records and electronic document management system and, also, an upgrade to the Department's financial systems.

There is no increase in the TSOL's administration cost limit.

CABINET OFFICE

Departmental Expenditure Limit

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): Subject to Parliamentary approval of any necessary supplementary estimate, the Cabinet Office DEL will be increased by £11,446,000 from £299,843,000 to £311,289,000 and the gross administration costs limits will be increased by £10,243,000 from £213,490,000 to £223,733,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

£000

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	11,133	276,115	0	276,115
Capital	313	85,328	0	85,328
Depreciation*	0	-50,154	0	-50,154
Total	11,446	311,289	0	311,289

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from additions from the DEL reserve of £8,600,000 to support core departmental activities, additions of £2,206,000 from the Policy Innovation Fund for the newly formed shareholder executive and net transfers from other government departments of £327,000.

The change in the capital element of the DEL arises from additions of £23,000 from the Policy Innovation Fund for the newly formed Shareholder Executive and net transfers from other departments of £290,000.

HEALTH

Disabled People (Annual Report)

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): The annual report for 2002 is being published today and copies have been placed in the Library. The report covers research and development work carried out by or on behalf of any Government Department in relation to equipment that might increase the range of activities and independence or well being of disabled people.

The current report places such research in the context of national service frameworks and the Valuing People White Paper, and outlines the role of assistive technology in making independent living easier for older people and people with disabilities. The report describes the wide range of Government funded projects supporting the development, introduction and evaluation of assistive technology.

Departmental Expenditure Limit

The Secretary of State for Health (Dr. John Reid): Subject to Parliamentary approval of the necessary Supplementary Estimate the Department of Health and the Food Standards Agency Departmental Expenditure Limits (DELs) will be decreased by £287,548,000 from £66,009,788,000 to £65,722,240,000 and the Administration Cost Limits (ACL) decreased by £10,377,000 from £349,302,000 to £338,925,000.

The Department of Health DEL will be decreased by £304,400,000 from £65,887,613,000 to £65,583,213,000 and the ACL will reduced by £15,229,000 from £312,677,000 to £297,448,000. The Food Standards Agency DEL is increased by £16,852,000 from £122,175,000 to £139,027,000 and the ACL will increase by £4,852,000 from £36,625,000 to £41,477,000. The impact on resource and capital are set out in the following table.

£ million

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Department of Health				
Resource DEL	39,817	63,070.172	-141.395	62,928.777
Capital DEL	-344.217	1,214.994	1,439.442	2,654.436
Total Department of Health DEL	-304.400	64,285.166	1,298.047	65,583.213
Depreciation*	-1.752	-352.648	-44.369	-397.017
Total Department of Health	-306.152	63,932.518	1,253.678	65,186.196
Food Standards Agency				
Resources	16,840	136.368	0	136.368
Capital	0.012	2.659	0	2.659
Total Food Standards Agency DEL	16.852	139.027	0	139.027
Depreciation*	0	-2.004	0	-2.004
Total Food Standards Agency	16.852	137.023	0	137.023

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the departmental expenditure limit for the Department of Health arises from: take up of End Year Flexibility (EYF) £349.632 million as set out in table 6 of the public expenditure 2002–03 provisional outturn white paper Cm 5884 published in July 2003; a transfer from the capital DEL £318 million; additions from the invest to save budget £0.803 million; net transfers from the Home Office of £7.369 million for drug treatment and care and match funded social care projects, offset by contributions to the Home Office invest to save substance misuse project; to the Scottish Executive £-2.565 million (£0.067 million administration cost limit) for out of area treatments, offset by a contribution for the high security infectious diseases unit and national screening committee costs; transfer to the Department for Education and Skills £-637.965 million (£-4.976 million administration cost limit) mainly for the machinery of Government change for child care policy; a transfer to Department of Trade and Industry £-0.056 for a contribution to review body costs; a transfer from Office of the Deputy Prime Minister £0.154 million (£0.162 million administration cost limit) mainly for local government public service agreements; a transfer from Office for National Statistics £0.059 million (administration cost limit) for a neighbourhood survey and a transfer from Department for Work and Pensions £4.386 million for a contribution the residential allowance grant.

The change in the capital element of the Department Expenditure Limit for the Department of Health arises from: a transfer to the resource DEL £-318 million; additions from the invest to save budget £0.191 million; a transfer to the Department for Education and Skills £-25.575 million for the machinery of government change for child care policy; a transfer to Cabinet Office £-0.750 million for development of a website and a transfer to Home Office £-0.083 million for a contribution to the invest to save budget.

The changes to the Food Standards Agency resource element of the Departmental Expenditure Limit arise from: a claim for end year flexibility of £16,840,000 (£13,872,000 programme and £1,468,000 administration costs) to fund existing 2003–04 pressures; to incorporate a transfer of £1,500,000 from the Department for Environment, Food and Rural Affairs (Defra) to cover the cost of additional illegal import enforcement and inspection work; to correctly record the split of FSA income between programme and administration income; and to transfer £3,419,000 from the FSA to the Meat Hygiene Service, an executive agency of the FSA.

The Department of Health's administration cost limit has reduced by £-15.229 million from £312.677 million to £297.448 million as detailed above and by a transfer of £-10.541 million to programme costs. The Food Standards Agency (FSA) administration cost limit has increased by £4.852 million from £36.625 million to £41.477 million as a result of incorporating administration cost EYF and correctly classifying FSA income.

TRANSPORT

Departmental Expenditure Limit

The Secretary of State for Transport (Mr. Alistair Darling): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Department for Transport departmental expenditure limit (DEL) for 2003–04 will be increased by £299,876,000 from £10,342,932,000 to £10,642,808,000 and the administration costs limits will be increased by £22,838,000 from £356,423,000 to £379,261,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

(£000)

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	312,102	4,580,715	3,073,981	7,654,696
Capital	-12,226	1,816,823	1,469,442	3,286,265
Depreciation*	-	-298,153	-	-298,153
Total	299,876	6,112,985	4,529,823	10,642,808

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the voted resource element of the DEL arises from:

(i) take up of £182,000,000 reserve claim for London Underground to reflect the carry over of unspent grant from 2002–03, arising from delays in completing the London Underground Public Private Partnership;

(ii) take up of £79,691,000 end year flexibility, comprising:

(a) £18,603,000 for expenditure by the Highways Agency consisting of £14,803,000 programme and £3,800,000 administration costs;

(b) £8,400,000 for expenditure by London Underground on Canary Wharf agreement, contributions to Wembley Park and outstanding Jubilee Line contractors costs partly met by the take up of the reserve claim and internal savings;

(c) £5,317,000 for expenditure on water freight grants;

(d) £4,585,000 for expenditure by the Vehicle and Operator Services Agency;

(e) £4,359,000 for expenditure on railways, including consultancy expenditure and, in particular, financial advice on Network Rail securitisation and cross channel railways issues;

(f) £4,467,000 for expenditure by the Maritime and Coastguard Agency consisting of £3,500,000 programme and £967,000 administration costs;

(g) £3,381,000 for expenditure resulting from the extension of the Air Transport White Paper timetable following judicial review that Gatwick options should be considered as part of the South East airport consultation;

(h) £1,137,000 for expenditure for the Cycling Fund project;

(i) £129,000 for recruitment and retention and other front line costs in the Marine Accident Investigation Branch;

(j) £4,476,000 for Transport Security costs;

(k) £500,000 for increased staff and building rental costs for the Rail Accident Investigation Branch;

(l) £17,599,000 (administration costs) for expenditure by the Driver and Vehicle Licensing Agency consisting of £11,570,000 for the Motor Vehicle Registration Implementation Board and £6,029,000 for Electronic Service Delivery to provide on-line services to customers;

(m) £6,738,000 (administration costs) for expenditure by the Department for Transport; and

(iii) a net transfer of £5,089,000 to other government departments, comprising:

(a) £100,000 from the Foreign and Commonwealth Office for costs associated with the setting-up of a Register of Shipping for certain Caribbean Overseas Territories;

(b) £32,000 from the Department for Trade and Industry for the enforcement of working time directives;

(c) £94,000 (administration costs) from the Office for National Statistics for Neighbourhood Renewal Unit statistics;

(d) £75,000 (administration costs) from the Office of the Deputy Prime Minister for local Government Public Service Agreement costs;

(e) £75,000 (administration costs) from the Office of the Deputy Prime Minister for Honours Secretariat and Equality and Diversity Unit costs;

(f) £700,000 to the Office of the Deputy Prime Minister for the new Horizons programme;

(g) £1,210,000 (administration costs) to the Office of the Deputy Prime Minister for Government Offices;

(h) £155,000 (administration costs) to the Office of the Deputy Prime Minister for London Transport agenda;

(i) £1,400,000 to the Office of the Deputy Prime Minister as part of the pan-government Ordnance survey agreement; and

(j) £2,000,000 (administration costs) to the Department for Works and Pensions to assist the Health and Safety Executive to implement the recommendations of the Cullen Inquiry.

(iv) a transfer of £13,699,000 from the voted capital element of the DEL for the Driving Standards and Vehicle and Operator Services Agencies Electronic Service Delivery project.

(v) an increase in receipts of £23,025,000 comprising:

(a) £2,283,000, reclassification of interest payments from Consolidated Funds Extra Receipts to Appropriations-in-Aid;

(b) £7,142,000 Rail track Administrators fees receipt; and

(c) £13,600,000 transfer from the Scottish Executive to reflect a reduction in ScotRail access charges and ScotRail performance penalty payments.

(vi) a transfer from non-voted resource provision of £610,000 for shipping services.

Within the non-voted resource element of the DEL, there has been a net increase of £50,616,000 comprising:

(i) a take up of £44,168,000, non voted end year flexibility for the Strategic Rail Authority;

(ii) £7,142,000 use of Rail track receipts transferred from voted resource provision to offset expenditure by the Strategic Rail Authority;

(iii) £4,000 to the Office of the Deputy Prime Minister from the Strategic Rail Authority as part of the pan-government Ordnance Survey agreement;

(iv) £610,000 of Consolidated Fund Extra Receipts transferred to resource voted provision;

(v) £80,000 of receipts from ports in respect of land sales; and

(vi) £13,600,000 use of Scottish Executive voted transfer by the Strategic Rail Authority.

As a result of the above changes to the resource element of the DEL, and technical reclassification of £3,145,000 from administration to programme expenditure, there has been a net increase of £22,838,000 in the gross administration costs limit, from £356,423,000 to £379,261,000.

The decrease of £25,717,000 in the voted capital element of the DEL arises from:

(i) a transfer of £13,699,000 to the resource element of the DEL for the Driving Standards and Vehicle and Operator Services Agencies ESD project;

(ii) a transfer of £11,500,000 to non voted capital provision; and

(iii) an increase in receipts of £518,000 as a result of capital repayments following the Vehicle and Operator Services Agency's deemed loan.

The net increase of £13,491,000 in the non-voted capital element of the DEL arises from:

(i) a transfer of £11,500,000 from voted programmes comprising:

(a) £11,000,000 for de-trunking credit approvals;

(b) and £500,000 for the Strategic Rail Authority; and

(ii) a technical reclassification of £1,991,000 interest payments from Consolidated Fund Extra Receipts to Appropriation in Aid, the effect of which will be to increase capital DEL and reduce resource DEL.

NORTHERN IRELAND

Tourism Ireland

The Parliamentary Under-Secretary of State for Northern Ireland (Mr. Ian Pearson): Copies of Tourism Ireland Limited's Annual Report and Accounts 2002 were placed in the Library today.

Departmental Expenditure Limit

The Secretary of State for Northern Ireland (Mr. Paul Murphy): Subject to Parliamentary approval the Northern Ireland Office (NIO) will be taking a 2003/2004 Winter Supplementary Estimate. The effect this will have is to increase the NIO's DEL by £45,614,000 from £1,135,302,000 to £1,180,916,000. There will be no change to the administration costs limit. Within the DEL change, the impact on resources and capital are as set out in the following table:

Resources				*Capital*			
Change	*New DEL*	*Of which: Voted*	*Non-voted*	*Change*	*New DEL*	*Of which: Voted*	*Non-voted*
37,190	1,108,064	372,186	735,878	8,424	72,852	22,452	50,400

The change in the resource element of the DEL arises from the draw down of £37,190,000 End Year Flexibility.

The extra resource costs cover a range of areas within the Department such as policing + security, central administration, political, criminal justice and prisons.

The change in the capital element of the DEL arises from the draw down of £8,424,000 End Year Flexibility.

The extra capital costs cover a range of areas within the Department such as policing + security, central administration, political, criminal justice and prisons.

TRADE AND INDUSTRY

Departmental Expenditure Limit

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Subject to Parliamentary approval of the necessary Supplementary Estimate, the Department of Trade & Industry's DEL will be increased by £280,631,000 from £5,016,724,000 to £5,297,355,000 and the administration costs limits will be increased by £8,329,000 from £423,366,000 to £431,695,000.

Within the DEL change, the impact on resources and capital are as set out in the following table:

(£000)

			New DEL	
	Change	*Voted*	*Non-voted*	*Total*
Resource	198,170	980,210	3,738,490	4,718,700
Capital	82,461	289,936	288,719	578,655
Depreciation*	0	-20,841	-93,159	-114,000
Total	280,631	1,249,305	3,934,050	5,183,355

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

RfR1

(i) to transfer £2,202,000 to the Scottish Executive in respect of the End of Life Vehicles Directive;

(ii) to transfer £1,268,000 to the Welsh Executive in respect of the End of Life Vehicles Directive;

(iii) to reclassify £775,000 from voted expenditure to non-voted expenditure, to reflect the funding of Smart and Enterprise Grant Teams and Business link regional teams co-location costs, via Regional Development Agencies;

(iv) to utilise £6,900,000 from the unused balance of the Department's End-Year Flexibility entitlement for Industry Forum, Fit for the Future and Partnership Activities;

(v) to utilise £12,000,000 from the unused balance of the Department's End-Year Flexibility entitlement for Business Link core services;

(vi) to utilise £15,000,000 from the unused balance of the Department's End-Year Flexibility entitlement for Rover Task Force;

(vii) to utilise £6,000,000 from the unused balance of the Department's End-Year Flexibility entitlement for University Innovation Centres;

(viii) to reclassify £1,869,000 from voted expenditure to non-voted expenditure, to reflect funding of administration of Regional Selective Assistance via Regional Development Agencies;

(ix) an increase of £77,169,000 to reflect the transfer of non-voted, non-cash RDA budgets from the ODPM;

(x) to transfer £2,000,000 to UK Trade and Investment (formerly British Trade International) in respect of UK Global Partnerships;

(xi) to transfer £524,000 to the Department for Environment, Food and Rural Affairs in respect of the Red Meat Industry Forum under the Industry Forum Adaptation Initiative;

(xii) to utilise £7,000,000 from the unused balance of the Department's End-Year Flexibility entitlement for external financial and legal advisers in relation to British Energy;

(xiii) to implement a classification change of £1,929,000 to make a technical correction to the Department's Cost of Capital allocation;

(xiv) to utilise £2,800,000 from the unused balance of the Department's End-Year Flexibility entitlement for advisers in relation to BNFL;

(xv) to transfer £32,000 to the Department of Transport for Enforcement of the Working Time Directive;

(xvi) to transfer from the Department of Health £32,000 for the Doctors and Dentists Pay Review Body and £24,000 for the Nurses and Allied Professions Pay Review Body;

(xvii) to utilise £3,500,000 from the unused balance of the Department's End-Year Flexibility entitlement in respect of development of the MENTOR project;

(xviii) to reclassify £2,000 from voted expenditure to non-voted expenditure and then to transfer £177,000 to the Office of the Deputy Prime Minister for the Pan Government Agreement for Supply of Ordnance Survey Data;

(xix) to increase by £490,000 the non-voted expenditure of Postwatch and record an equivalent increase in voted receipts;

(xx) to increase by £2,093,000 the non-voted expenditure of the Gas and Electricity Consumer Council (Energywatch) and record an equivalent increase in voted receipts;

(xxi) an increase of £100,000 due to a reclassification in respect of non-voted accruing cost of pensions for the National Consumer Council;

RfR2

(i) to utilise £687,000 from the unused balance of the Department's End-Year Flexibility entitlement for OST initiatives;

(ii) to utilise £20,126,000 from the unused balance of the Department's End-Year Flexibility entitlement for increased non-voted expenditure of the Medical Research Council;

(iii) to utilise £3,047,000 from the unused balance of the Department's End-Year Flexibility entitlement for increased non-voted expenditure of the Council for the Central Laboratory of the Research Councils;

(iv) to utilise £44,000,000 from the unused balance of the Department's End-Year Flexibility entitlement for the Joint Infrastructure Fund;

(v) a reduction of £5,105,000 in the non-voted expenditure of the Science Research Councils to reflect the reclassification of 50% of EU receipts from non-Departmental AME to DEL;

(vi) a utilisation of £835,000 from the Department's End Year Flexibility entitlement in respect of non-voted EU DEL cover for the Natural Environment Research Council.

Also within the change to resource DEL, the changes to administration costs limit are (RfR1):

(i) to transfer £861,000 of administration from the Office of the Deputy Prime Minister in respect of Government Offices for the Regions;

(ii) to utilise £1,693,000 from the unused balance of the Department's End-Year Flexibility entitlement for Departmental administration;

(iii) to transfer £108,000 of administration to the Department of Education and Skills for Certificates of Experience and First Diploma Directive;

(iv) to utilise £5,883,000 from the unused balance of the Department's end-year flexibility entitlement in respect of UK Trade & Investment (formerly British Trade International) administration.

The change in the capital element of the DEL arises from:

(i) to utilise £2,074,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement for Rover Task Force;

(ii) to utilise £7,300,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement for University Innovation Centres;

(iii) to utilise £24,000,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement for support for the establishment of Ofcom;

(iv) to utilise £18,913,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement for the Regional Venture Capital Fund and Enterprise Fund Early Growth Funding;

(v) to utilise £15,000,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement for investment aid to the Coal Industry;

(vi) to utilise £2,737,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement in respect of implementation of the Parental Leave Regulations;

(vii) to utilise £3,811,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement in respect of the business.gov Capital Modernisation Fund project;

(viii) to utilise £113,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement in respect of the Employment Tribunals Service Capital Modernisation Fund project;

(ix) to utilise £2,000,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement in respect of expenditure on accommodation and relocation;

(x) to utilise £4,604,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement to increase non-voted expenditure of the Natural Environment Research Council;

(xi) to utilise £1,909,000 of capital from the unused balance of the Department's End-Year Flexibility entitlement to increase non-voted expenditure of the Particle Physics and Astronomy Research Council.

Departmental Expenditure Limit

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): Subject to Parliamentary approval of the necessary Supplementary Estimate, UK Trade & Investment's Resource DEL will be increased by £2,000,000 from £95,048,000 to £97,048,000. Within the DEL change, the impact on resources and capital are set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	2,000	97,048	0	97,048
Capital	0	1,248	0	1,248
Depreciation*	0	-187	0	-187
Total	2,000	98,109	0	98,109

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from a transfer of resources from the Department of Trade and Industry to UK Trade & Investment of £2,000,000 in respect of the Global Partnerships programme.

DEFENCE

Defence Science and Technology Laboratory

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The Defence Science and Technology Laboratory (Dstl) will reduce the number of sites on which it operates to three core sites: Fort Halstead in Kent, Porton Down in Wiltshire, and Portsdown West, near Portsmouth in Hampshire. Approximately 1400 Dstl staff, who are currently geographically dispersed, from Farnborough in Hampshire, Malvern in Worcestershire, and Winfrith in Dorset, as well as other minor sites, will relocate to the three core sites over the next few years. The programme is likely to be completed in 2007.

Among the benefits that will accrue to Dstl and MOD are:

- increased technical synergy and coherence;
- improved operational effectiveness;
- better integration of teams;
- enhanced development opportunities and career prospects for staff; and.
- reduced overhead costs.

MOD has undertaken a regional impact assessment to assess the effect on staff and local communities. This particularly supports the move of staff to Portsmouth, an area of economic deprivation. Of the options open to Dstl, the plans are most consistent with the aims of the review of public sector relocation being undertaken by Sir Michael Lyons on behalf of the Chancellor and Deputy Prime Minister, and have been approved the Treasury.

Operation Telic Roulement

The Secretary of State for Defence (Mr. Geoffrey Hoon): The Multinational Division (South-East) (MND(SE)) in Iraq was successfully instituted on 13 July and the UK now leads a 10-nation contingent in the southern Iraqi provinces of Basra, Maysan, Dhi Qar and Al Muthanna.

As part of our routine management of the UK's land deployment we intend shortly to conduct a roulement of our forces in theatre. This will begin with an incremental replacement of HQ 3 (UK) Division with a composite headquarters for MND(SE), the staff for which will be drawn from across UK Defence and from allies. 1 Mechanised Brigade will begin to replace 20 Armoured Brigade as the foundation for the UK's military commitment inside Iraq in April 2004. We intend that the process will be complete by the end of April 2004. We expect the level of the Royal Navy and Royal Air Force presence in theatre to remain broadly stable.

As part of this roulement forces and in line with our policy of employing the reserves as an integral component of the Armed Forces, we shall be mobilising a further tranche of around 1,100 Reservists to support operations in Iraq. We expect these personnel to deploy from mid February 2004 onwards. Although a significant mobilisation, this is both in absolute terms a smaller number than have been mobilised for previous tranches, and will constitute a smaller proportion of the service personnel deployed to theatre than previously. These Reservists will be employed in a number of roles: about a third in theatre at any one time will be deployed in the infantry role as force protection, a little under a quarter will provide reinforcement to regular infantry units deployed, about a sixth will be medical personnel and the remainder will provide a variety of specialist capabilities.

We aim to issue the majority of call-out notices around 9 January 2004 and begin mobilisation in mid February 2004. Reservist personnel will receive at least 21 days' notice to mobilise. Mobilisation will be followed by a period of individual training to confirm basic skills, theatre specific pre-deployment training, role-specific collective training, integration into receiving units and then a short period of leave before deployment. For the majority of those called-out their deployed tour will last six months; and for most the total period of mobilisation, including post-tour leave, is expected to last between eight and nine months, though for a very small proportion it may be slightly longer.

We intend to spend the period between now and January identifying for selection as accurately as possible those Reservists who are believed to be fit and available for deployment. As in previous practice, to ensure that we successfully mobilise the required number, we will need to issue a greater number of call-out notices than our actual in-theatre requirement.

We will continue to keep the size and mix of forces in theatre under careful review and we can expect to make further adjustments to our force structures and undertake further mobilisations in order to ensure that we continue to have the appropriate capabilities for the tasks in hand. While we remain determined to maintain appropriate forces deployed in Iraq and the wider Gulf region for as long as is necessary, we are equally determined that no forces should remain deployed for any longer than is necessary.

Departmental Expenditure Limit

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Ministry of Defence Departmental Expenditure Limits will be increased by £1,550,586,000 from £29,241,795, 000 to £30,792,381,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

£000s

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	1,220,784	31,597,524	375,142	31,972,666
Capital	329,802	6,455,352	2,250	6,457,602
Depreciation*	-	-7,537,887	-100,000	-7,637,887
Total	1,550,586	30,514,989	277,392	30,792,381

* Depreciation, which forms part of Resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

> The take up of the Resource end year flexibility of £80,872,000.
>
> An increase in RfR2 of £1,140,000,000 for military operations.
>
> A transfer of £275,000 to the Office of the Deputy Prime Minister as a share of Ordnance Survey costs under a pan Government agreement.
>
> An increase of £80,000 from the Invest to Save budget for quadrupole resonance detectors.
>
> An increase of £98,000 from the Invest to Save budget to introduce an alert system for pluvial flooding to complement the Environment Agency's flood warning service.
>
> A transfer of £9,000 from the Department of Work and Pensions as a contribution to the Veteran Agency's helpline.
>
> An increase in Resource Appropriations In Aid of £50,300 from an out of court settlement relating to a breach of confidentiality, which will be offset by a donation to charity of the same amount.

The change in the capital element of the DEL arises from:

> An increase in RfR2 of £256,000,000 for military operations.
>
> An advance of £73,782,000 for Landing Ship Dock Auxiliary vessels as agreed in SR2000.
>
> An increase of £20,000 from the Invest to Save budget for quadrupole resonance detectors.

Defence Communications Services Agency (Key Targets)

The Minister of State, Ministry of Defence (Mr. Adam Ingram): Key Targets have been set for the Chief Executive of the Defence Communications and Services Agency (DCSA) for financial year 2003–04. The targets build on progress already made and are as follows:

KT1 SERVICE ASSURANCE

> To meet an average of 99 per cent for measured services against agreed performance targets.

KT2 SERVICE FULFILMENT

> To commission an average of 95 per cent of new service requests on, or before, dates agreed by Customers with the DCSA.

KT3 SERVICE RESTORATION

> To restore an average 97 per cent. of interrupted services classed as Operationally Urgent within four hours of the fault being reported to the DCSA, or within other specific periods agreed with customers and to restore Business Critical services in accordance with periods as specified in CSAs.

KT4 SERVICE SUPPORT

> To achieve an average 90 per cent. success rate against standards in response to demands on all DCSA Operator Assistance Centres (OACs) and helpdesks facilities.

KT5 CUSTOMER SATISFACTION

> To achieve a Customer Confidence Index of 54 in Financial Year 2003–04. Key Target measurement has changed from last year and will be achieved by the Agency 's Customer Relationship Management staff undertaking a series of face-to-face interviews with DCS A customers. The information obtained from these interviews will be processed and a Customer Confidence Index (CCI) produced. If this measure is delivered it will represent an eight percent increased compared to 2002–03.

KT6 EFFICIENCY MEASUREMENT

> To achieve an improvement in effectively by reducing the average unit cost of output by 3 per cent.

KT7 INTRODUCTION OF NEW PROJECTS AND SERVICES

> To deliver new projects to time, cost and performance as expressed at the 90 per cent confidence level to a tolerance of 10 per cent.

Army Training and Recruiting Agency

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The Army Training and Recruiting Agency (ATRA) currently runs a 28 week course for junior soldiers at the Army Technical Foundation College (ATFC) at Rowcroft Barracks, Arborfield. The Course is aimed at recruits to the Royal Engineers (RE), the Royal Electrical and Mechanical Engineers (REME), the Royal Signals (R Signals) and the Royal Logistics Corps (RLC).

Amongst REME recruits especially the quality of output from the College has not been high enough. This has resulted in failure at Phase 2 specialist training by an unacceptably high number of individuals. ATRA has considered a number of ways of addressing this problem and has come to the conclusion that the best solution entails the closure of the College and the transfer of students to, principally, the Army Foundation College (AFC) at Harrogate, where a new technical training stream will be introduced. There will be other changes to the way in which junior recruits are trained within ATRA, but these will not involve closures of any other establishments.

No final decision regarding the closure date has yet been taken. I have given approval in principle to this course of action and ATRA is undertaking a full consultation exercise with the relevant Trades Unions. This is expected to take until January 2004, at which time I will consider the outcome, come to a conclusion and advise the House accordingly.

FOREIGN AND COMMONWEALTH AFFAIRS

Departmental Expenditure Limit

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Foreign and Commonwealth Office Departmental Expenditure Limit (DEL) will be decreased by £19,000 from £1,651,679,000 to £1,651,660,000. Within the DEL change, the impact on resources is as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	-19,000	1,432,068	219,592	1,651,660
Capital	0	51,289	5,800	57,089
Depreciation*	0	-105,994	-31,800	-137,794
Total	-19,000	1,377,363	193,592	1,570,955

* Depreciation, which forms part of Resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

(i) A Public Expenditure Survey (PES) transfer to the Department of Transport of £100,000 in respect of the setting up of a Register of Shipping by the Maritime and Coastguard agency for certain Caribbean Overseas Territories.

(ii) A PES transfer to the Department of Environment, Food and Rural Affairs of £67,000 in respect of payments due to the United Nations Convention on the Law of the Sea (UNCLOS).

(iii) A PES transfer from the Department for International Development of £14,000 in respect of costs incurred by a British Geological Survey visit to Afghanistan.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Large Combustion Plants Directive

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): The Government published a consultation paper on 30 June 2003 setting out the options for implementing the Large Combustion Plants Directive (2001/80/EC) in the UK for plants first licensed before July 1987. For these plants, there is a choice between either setting emission limit values individually for each plant, or establishing a 'national plan' under which a 'bubble' for each of the pollutants covered by the Directive (sulphur dioxide, nitrogen oxides and dust) could be shared between plants in the scheme.

Consultations closed on 30 September. We received a number of detailed submissions on the consultation paper which we have been considering. No consensus has emerged from the responses to the consultation and there are strongly held views in favour of both implementation options. The choice between the options is also sensitive to other policies on which decisions will be taken in the next few months.

The Directive requires that any national plan is submitted to the European Commission by 27 November 2003. However, we consider that further analysis is required before we can be sure which implementation approach it is in the UK interest to adopt. We are therefore submitting a national plan to the Commission at the same time as undertaking this further analysis. This will in effect keep either option open. We would withdraw the plan if this farther analysis suggested that the emission limits approach was to be preferred. A decision on whether to withdraw the national plan would be taken before spring 2004.

SCOTLAND

Departmental Expenditure Limit

The Secretary of State for Scotland (Mr. Alistair Darling): Subject to parliamentary approval of the necessary Supplementary Estimates, the Scotland Departmental Expenditure Limit (DEL) will be increased by £450,211,000 from £20,351,621,000 to £20,801,832,000.

The DEL increase takes account of the following:

the take-up of End Year Flexibility (EYF) by the Scottish Executive amounting to £391,203,000;

an increase of £25,424,000 for Council Tax Benefit adjustments;

an increase of £14,964,000 for Rent Rebate adjustments, and

an increase of £9,286,000 for safety cameras.

The DEL increase also includes the following transfers between the Scottish Executive and other Government departments, amounting to a net increase of £9,334,000. These are:

a transfer of £30,100,000 from the Department for Transport;

net transfers of £2,565,000 from Department of Health;

a transfer of £2,202,000 from the Department for Trade and Industry;

net transfers of £17,895,000 to the Department for Work and Pensions;

net transfers of £6,952,000 to the Department for Constitutional Affairs; and

a transfer of £686,000 to the Office of the Deputy Prime Minister.

Administration costs provision for the Scotland Office and Office of the Advocate General is £6,552,000, with DEL provision at £6,952,000.

CONSTITUTIONAL AFFAIRS

Asylum Legal Aid

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): Asylum legal aid costs have risen from £81.3 million in 2000–01 to £174.2 million in 2002–03. There are a number of reasons for this increase, but it remains the case that the majority of claims for asylum are refused. As we set out in our Consultation Paper of 5 June 2003, this increase in costs, coupled with concerns about the quality of some work undertaken under legal aid, and evidence of duplication of some cases, requires action from the Government to ensure that taxpayers' money is spent most effectively and efficiently.

Following the consultation, the Government will introduce measures which will:

introduce a financial threshold of 5 hours for the initial decision-making process, which can only be exceeded with prior authority of the LSC;

ensure that no legal aid work is undertaken in asylum appeal cases without prior approval from the Legal Services Commission, which will set financial thresholds in individual cases which pass a merits test for legal aid;

introduce accreditation for all lawyers and case-workers doing legally aided asylum work;

introduce a Unique Client Number to reduce unnecessary changes of solicitor.

The LSC will have the power to vary the financial threshold up or down for individual firms whose track record justifies this. The LSC will also continue to allow top quality firms with a good track record on appeal cases to proceed without prior authority up to a set financial threshold. Any autonomy granted by the LSC will have to be earned.

These measures will apply in England and Wales.

THE CONSULTATION

We outlined three proposals:

> a curb on the amount of time for which lawyers would be paid in individual cases,
>
> accreditation of lawyers and other case-workers to ensure quality representation;
>
> the introduction of a Unique Client Number to prevent unnecessary changes of solicitor.

We received 260 responses to the Consultation Paper. The House of Commons Constitutional Affairs Committee also inquired into our proposals and reported on 31 October 2003.

There was overwhelming support for the introduction of accreditation and the Unique File Number. There was widespread concern about the proposals to curb the amount of time for which lawyers would be paid in individual cases. Respondents also made many suggestions about where savings might be achieved and there was some criticism of Home Office systems and procedures. Officials from the Home Office, Department for Constitutional Affairs and Legal Services Commission are examining the initial decision-making stage of the asylum process, with particular regard to the role that legal aid and publicly funded practitioners play. This work may lead to further changes in the way that legal aid for asylum seekers is delivered beyond those now proposed. In particular, consideration is being given as to whether legal aid is needed at the initial stage in all cases. The Government will make a further announcement on any further changes in due course. We are very grateful for all the responses, and especially the report of the Constitutional Affairs Committee. We have considered carefully all the points which have been made.

OUR REVISED PROPOSALS

In our consultation paper, we proposed that there should be a cap of 5 hours' work at the initial stage, that is prior to the initial decision by the Home Office as to whether asylum should be granted. There would be higher caps for stated exceptions. We now propose that there should instead be a financial threshold for preparation time allowed for the generality of cases up to the initial decision for asylum cases. The norm for this threshold will be 5 hours. The LSC will also introduce a threshold for immigration non-asylum cases. This will normally be between 3 and 5 hours depending on the circumstances of the case. Once this threshold is reached, suppliers will only be allowed to proceed under legal aid with prior authority from the LSC. Professional disbursements and VAT will not count towards these thresholds. The LSC will introduce separate thresholds for professional disbursements which require prior authority to exceed. Extensions are only likely to be granted, on application to the LSC, in genuine and complex cases where there is a real prospect of success. The LSC propose to allow a limited number of firms, where it is confident work is to a high standard, devolved powers to self-grant to a higher figure.

In all but exceptional cases (unaccompanied minors; applicants going through fast-track initial decision processes; those suffering from a recognised and verifiable mental incapacity which makes it impractical to undergo an interview without support) funding for attendance by a representative at the substantive asylum interview will not be authorised. The LSC will introduce rules to ensure that in these exceptional cases where attendance at interview is authorised, this will be by the advisor in the case or the immigration supervisor, not by an agent or outdoor clerk, until accreditation is introduced.

Before any preparatory work can be carried out under legal aid for an asylum appeal, the LSC will need to be satisfied itself that the case merits being pursued. Currently, this decision can be made by individual firms. There will therefore be no guarantee of any legally aided work being allowed at the appeals stage in individual cases. If, however, the LSC is satisfied that the appeal case merits representation, it will set a financial threshold up to which firms will be able to work before they need to seek an extension from the LSC. Thresholds would be set for individual cases depending on the facts of the case, and the experience and previous outcomes of the firm. As now, applicants will be able to seek a review of refusal of funding by the LSC for an appeal against rejection of their asylum claim, but any such review will be considered on the papers only.

The LSC will proceed with a fixed fee of £150 plus VAT for applications for leave to appeal to the Immigration Appeal Tribunal.

The LSC is presently finalising the details of the skills and competencies required for each of three levels of accreditation now being proposed. It will then invite the Law Society to recruit independent assessment organisations which will ensure that all advisers undergo objective tests of their competence and evaluation of a portfolio of work conducted. As set out in our original proposals, those on the most rigorous advanced level will be entitled to increased remuneration as a result of their skill and experience for work they personally conduct. This we propose to be at 5 per cent. above current rates.

The Unique Client Number will be required to be used for all dealings between advisers and the LSC in a case once it has been issued, and will be submitted with all claims for payment once an initial decision has been made.

In addition, the LSC will also consult over limiting choice of representative in locations where fast-track procedures are in operation to dedicated duty representatives authorised under contract. This is intended to prevent touting and poaching of clients at centres such as Oakington and Harmondsworth which currently leads to wasteful duplication of resources. The LSC will also consult over the use of experts in asylum cases, whether it is necessary to have a separate interpreter at substantive asylum interviews for the client, in those exceptional cases where funding is authorised for attendance by a representative at the substantive asylum interview and whether there should be a fixed fee for advocacy before the adjudicators in order to ensure value for money is obtained.

Implementation

The introduction of prior authorisation by the LSC in every asylum and immigration case (with the exception of 5 hours for advice at the initial stage and any other earned autonomy granted by the LSC) will require a significant change in processes and procedure which will take some time to bed in efficiently. There will therefore be a transitional additional 2 hours at the initial stage for most firms before extensions are required from the LSC. The timetable will be as follows:

> Transitional 7 hour threshold for initial stage applies to suppliers in London on 1 March 2004.
>
> Transitional 7 hour threshold for initial stage applies to all other suppliers on 1 April 2004.
>
> 5 hour threshold for initial stage applies to all suppliers in England and Wales on 1 May 2004.
>
> Authorisation from LSC required for appeals from 1 April 2004.

The thresholds will apply to all work whether done on new or old cases started after introduction.

Accreditation will be introduced from April 2004, and will become compulsory by April 2005. The Unique Client Number will be introduced from April 2004. The requirement to apply to the LSC for prior approval to appeal an initial Home Office decision will also apply from April 2004.

Savings

These revised proposals are estimated to save around £30 million in 2004–05 against what we would be spending were we not to introduce prior authorisation.

Taken together, these measures will bring asylum legal aid under effective control and cut out unnecessary expenditure. Costs will be limited, and targeted at the most deserving cases. Quality representation will be recognised and rewarded by the new accreditation scheme, and wasteful duplication of cases will be ended.

Freedom of Information

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Secretary of State for Constitutional Affairs has today laid before both Houses and published the Annual Report on bringing into force those provisions of the Freedom of Information Act 2000 which are not yet fully in force. The Government is committed to bringing the Freedom of Information Act fully into force in January 2005. This report details what action has been taken as well as what arrangements are being made for the coming year. Copies of the report have been placed in the Library.

Departmental Expenditure Limit

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): Subject to Parliamentary approval of the necessary Supplementary Estimates, the Departmental Expenditure Limit (DEL) covering the Department for Constitutional Affairs, Northern Ireland Court Service and The National Archive will be increased by £5,280,000 from £3,124,514,000 to £3,129,794,000 and the administration costs limit will be increased by £27,600,000 from £805,243,000 to £832,843,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

All figures are £000s.

	Change	*Voted*	*Non-voted*	*New DEL*
Resource	-23,167	1.119,370	1,955,276	3,074,646
Capital	27,051.	117,893	11,016	128,909

The change in the Department for Constitutional Affairs resource DEL is the net effect of:

RfR1

Take-up of end-year flexibility of £2,293,000 administration costs; a transfer of £65,504,000 resources, of which £19,534,000 is administration costs from the Home Office in relation to the Criminal Justice System reserve; a virement of £103,722,000 resources, of which £1,069,000 is administration costs to reflect payments to the Department for Education and Skills in relation to Machinery of Government; a transfer of £502,000 administration costs from the Office of the Deputy Prime Minister; a transfer of £573,000 administration costs from HM Treasury in relation to the Invest to Save Budget; net transfers of £451,000 resources from the Home Office; a transfer of £24,000 administration costs to the Crown Prosecution Service.

RfR2

Provision of £18,528,278,000 (resource) and £100,000 (capital) transferred from the Scotland Office to the Department for Constitutional Affairs (RfR2), resulting in a transfer of £18,527,903,000 in respect of the net cash requirement. This is for administration costs of the Scotland Office and the Office of the Advocate General, provision for the Boundary Commission for Scotland and a grant to the Scottish Consolidated Fund, as part of the machinery of government changes announced by the Prime Minister on 12 June.

There has also been a transfer of £425,000 administration costs to the Scottish Executive.

RfR3

Provision of £9,306,641,000 (resource) and £766,000 (capital) transferred from the Wales Office to the Department for Constitutional Affairs (RfR3), resulting in a transfer of £9,307,313,000 in respect of the net cash requirement. This is to enable the Secretary of State for Wales to assign the administration costs of the Wales Office and grant to the National Assembly for Wales, as part of the machinery of government changes announced by the Prime Minister on 12 June.

As a result of all changes there is an increase in Total Net Cash Requirement of £1,084,485,000.

The change in the Northern Ireland Court Service resource DEL is the net effect of:

A transfer of £5,000,000 administration costs into resource.

The change in The National Archive resource DEL arises from: the take up of £1,000,000 administration costs from end year flexibility.

The change in the Department for Constitutional Affairs capital DEL is the net effect of:

RfR1

Take-up of end-year flexibility of £14,510,000 capital costs; a transfer of £9,695,000 capital costs from the Home Office in relation to the CJS Reserve; and a transfer of £111,000 capital from HM Treasury in relation to the Invest to Save Budget.

The change in The National Archive capital DEL is the net effect of: take up of end year flexibility of £1,869,000 resources.

The increases will be offset by inter-departmental transfers, increases to Appropriations in Aid, take up of End Year Flexibility entitlements and a charge to the DEL Reserve and will not therefore add to the planned total of public expenditure.

WORK AND PENSIONS

Departmental Expenditure Limit

The Minister for Work (Mr. Desmond Browne): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Department for Work and Pensions DEL will be increased by £351,387,000 from £7,877,303,000 to £8,228,690,000 and the administration costs limits will be increased by £273,071,000 from £5,778,936,000 to £6,052,007,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

£000

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	348,526	6,434,129	1,883,292	8,317,421
Capital	0	27,066	1,602	28,668
Depreciation*	2,861	-116,685	-714	-117,399
Total	351,387	6,344,510	1,884,180	8,228,690

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

> an increase in provision of £86,000,000 (administration costs) and £222,000,000 (other current) under the End Year Flexibility Scheme;
>
> an increase in provision of £70,000 (administration costs) as a result of a transfer from the Office of the Deputy Prime Minister for local Public Services Agreements;
>
> a transfer of provision of £5,750,000 (other current) to the Department for Education and Skills for costs incurred by the Adult Learning Inspectorate on behalf of the Department for Work and Pensions;
>
> an increase in provision of £18,294,000 (grants) as a result of a transfer from the Scottish Executive for expenditure on Administration Subsidy;
>
> an increase in provision of £2,000,000 (administration costs) as a result of a transfer from the Department for Transport for the costs of Cullen;
>
> an increase in provision of £11,500,000 (other current) as a result of a transfer from the Department for Education and Skills in respect of Basic Skills training courses and work carried out by Job Centre Plus;
>
> an increase in provision of £1,000,000 (administration costs) due to a drawdown from the Capital Modernisation Fund for the Supported Employment Programme;
>
> a transfer of provision of £137,000 (administration costs) to Department for Education and Skills for Sure Start;
>
> a transfer of provision of £4,386,000 (administration costs) to the Department of Health for the administration costs of additional financial assessments;
>
> a transfer of provision of £399,000 (administration costs) to the Scottish Executive for the administration costs of additional financial assessments;
>
> a transfer of provision of £395,000 (administration costs) to the Welsh Assembly for the administration costs of additional financial assessments;
>
> a transfer of provision of £9,000 (administration costs) to the Ministry of Defence for the telecom costs of the Veteran's Agency Helpline;
>
> an increase in provision of £1,946,000 (non budget) following a transfer from the Department for Education and Skills;
>
> a transfer of provision of £690,000 (administration costs) to the Department for Education and Skills in respect of Caxton House, Rent and Premises Services;
>
> a transfer of provision of £170,000 (administration costs) to the Department for Education and Skills in respect of the costs of Detached National Experts;
>
> a transfer of provision of £30,000 (administration costs) from the Department for Education and Skills in respect of the Family and Children Survey;
>
> a transfer of provision of £13,000 (other current) to the Home Office in respect of the costs of withdrawal of benefits research;
>
> an increase in provision of £17,635,000 (administration costs) for the Makinson Bonus scheme.

Jobcentre Plus

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): On behalf of my right hon. Friend the Secretary of State for Work and Pensions, the Benefit Fraud Inspectorate (BFI) follow-up inspection report on Jobcentre Plus' relationship with local authorities was published today and copies of the report have been placed in the Library.

In September 2001, the BFI published its report on the then Benefits Agency's relationship with local authorities and made 49 recommendations to address weaknesses in benefits administration and counter-fraud activity, and improve closer working with local authorities. Since then the Benefits Agency has become part of Jobcentre Plus.

Jobcentre Plus came into existence in April 2002 bringing together parts of the Benefits Agency and the whole of Employment Service. This resulted in significant changes to the organisational structure since the first BFI inspection.

It is important that Jobcentre Plus works closely with local authorities to ensure that:

> the processing of benefit claims and their ongoing maintenance are made as simple and speedy as possible with the minimum of duplication. The fullest possible sharing of information helps ensure that customers receive the highest attainable levels of service;
>
> information that could lead to the identification of fraud and error is routinely shared so that joint action can be taken to eliminate overpayments;

> the welfare of customers, and staff of local authorities and Jobcentre Plus, is protected by the sharing of good working practices and regular exchange of information.

In 2003, BFI inspected Jobcentre Plus to determine the effectiveness of its working relationships with local authorities and see how the recommendations from the first report had been progressed by the new organisation.

Particular improvements highlighted in the report include the recruitment of Regional Fraud and Programme Protection Managers to work closely with local authorities and the successful roll out of electronic transfer of data systems. Both local authorities and Jobcentre Plus reported this had a positive impact on the relationship.

The BFI did find that many of the 49 recommendations from its earlier report had not been carried out. Specific areas identified for improvement included training staff in liaison duties, ensuring that joint working with local authorities features sufficiently in business plans and securing better management information at a national level on joint working performance. However, the report found that there was variation in performance, with some Jobcentre Plus offices making greater effort than others in their relationships with local authorities.

The report finds examples of good practice and some improvements since the first inspection. However, the report makes 45 recommendations to help Jobcentre Plus address the weaknesses and to further improve the working relationship with local authorities.

Jobcentre Plus is announcing its Action Plan for dealing with the BFI's recommendations, and is to set up a Senior Steering Group, including local authority representation, to oversee the implementation of the BFI's recommendations and report progress to Ministers on a quarterly basis.

Written Ministerial Statements

Monday 1 December 2003

NORTHERN IRELAND

Fisheries Conservancy Board for Northern Ireland (Annual Report and Accounts)

The Parliamentary Under-Secretary of State for Northern Ireland (Angela Smith): Copies of the Fisheries Conservancy Board for Northern Ireland's annual report and accounts for the year ended 31 December 2002 have been placed in the Libraries of both Houses.

This document provides details of the Board's fisheries conservation and protection activities, its performance, and its expenditure for that year.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Departmental Expenditure Limit

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Department for Environment Food and Rural Affairs DEL will be increased by £230,638,000 from £2,805,184,000 to £3,035,822,000 and the administration costs limits will be increased by £7,560,000 from £532,910,000 to £540,470,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

£000s

			New DEL	
	Change	*Voted*	*Non-voted*	*Total*
Resource	164,459	2,303,085	505,563	2,808,548
Capital	66,179	332,745	75,745	408,490
Depreciation*	-	-83,495	-97,721	-181,216
Total	230,638	2,552,335	483,487	3,035,822

* Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.

The change in the resource element of the DEL arises from:

> (i) a take up of end-year flexibility of £82,043,000 programme resources and £1,453,000 administration resources as set out in the Public Expenditure 2002–2003 Provisional Outturn Paper (Cm5884); (ii) a transfer to ODPM of £1,600,000 programme resources (which includes £85,000 non-Voted resources) for Ordinance Survey; (iii) a switch of £6,780,000 capital resources to administration resources as agreed by HMT; (iv) a transfer of £2,315,000 administration resources to ODPM for Government Offices' running costs; (v) a transfer of £1,000,000 programme resources to DFID for environmental projects; (vi) a take-up of £524,000 programme resources from DTI for the Red Meat Industry Forum; (vii) a transfer of £67,000 programme resources to FCO for UNCLOS; (viii) a transfer of £4,000,000 programme resources to HMC&E for illegal imports; (ix) a transfer of £1,500,000 programme resources to FSA for illegal imports; (x) a take up of £1,500,000 administration resources and £82,500,000 programme resources for Waste Implementation as agreed by HM Treasury; (xi) a take up of £60,000 administration resources from ODPM for Local Government PSAs; (xii) the increase in Administration resources and appropriations-in-aid by £300,000 for milk quota lease recoveries; (xiii) the increase in programme resources and appropriations-in-aid by £2,983,000 for OTMS Tallow recoveries; (xiv) a take up £5,000 administration resources from ONS for Neighbourhood Statistics programme; (xv) a take up of £77,000 administration resources from HMC&E for Receipt Verification work.

Our total end-year flexibility claim for resources of £83,496,000 includes £52,593,000 former capital grants (now classified as resource under Stage 2 Resource Accounting rules), as agreed with Treasury.

The change in the capital element of the DEL arises from:

> (i) a take up of end-year flexibility of £72,959,000 capital resources as set out in the Public Expenditure 2002–2003 Provisional Outturn Paper (Cm5884); (ii) the switch of £6,780,000 capital resources to administration resources as agreed by HM Treasury.

Our total end-year flexibility claim for capital of £72,959,000 excludes £52,593,000 former capital grants (now classified as resource under Stage 2 Resource Accounting rules), as agreed with Treasury.

INTERNATIONAL DEVELOPMENT

Humanitarian Situation in Southern Africa

The Secretary of State for International Development (Hilary Benn): The humanitarian crisis that has affected six countries in Southern Africa (Lesotho, Malawi, Mozambique, Swaziland, Zambia and Zimbabwe) since September 2001 has eased in recent months. Emergency operations have largely ended in Malawi and Zambia and are working on a reduced scale in Swaziland. The position in Zimbabwe remains very serious and, while there are also significant needs in Lesotho and Mozambique, these too are now on a much smaller scale.

Efforts to support recovery operations are either underway or being planned in all six countries and DFID is examining, with partners, what further actions we can take to reduce hunger and vulnerability in the region in the long term. These efforts will need to take careful account of the widespread impact of HIV/AIDS in Southern Africa.

Humanitarian needs are greatest in Zimbabwe, largely caused by the Zimbabwe Government's disastrous policies. Foreign exchange shortages have meant that the Government of Zimbabwe has been unable to import significant volumes of food and seeds for planting, and the Government continues to prevent the private sector from importing or marketing grain. Rampant inflation and increasing unemployment has meant that few people are able to purchase the limited food available in the market. Though the needs of displaced former commercial farm workers and their families have yet to be assessed accurately, it is estimated up to half a million of them are in need of assistance. The economic collapse means that urban areas are also badly affected and vulnerability levels in the major centres have been rising steadily. A further assessment of needs in urban areas will be published shortly. In total, half the population of Zimbabwe—around five and a half million people—are likely to need food aid over the coming months.

There has long been concern about possible interference by the Zimbabwe Government with international food aid programmes. It is the agreed policy of the World Food Programme and other donor agencies working in Zimbabwe that relevant operations will be suspended in the event of such political interference. There have, however, been no significant incidents of this kind in recent months and no suspensions have therefore been needed. Minor incidents have occurred periodically but all of these have been investigated and resolved with local authorities using agreed procedures. By contrast, food distribution controlled by the Zimbabwe Government through the state Grain Marketing Board is not subject to the same monitoring procedures and there is evidence that it is distorted for political reasons.

In Mozambique, while harvests in the North remained good, there has been near total crop failure in many Southern and Central districts as a result of poor rainfall last year. This has affected about 650,000 people who are in need of food and other assistance.

In Lesotho, crop failure has also affected a significant part of the population with up to 700,000 people estimated to be affected following the failure of the winter harvest. There are considerable problems of access to many of the most vulnerable populations, many of whom comprise growing numbers of orphans and child-headed households.

To address these needs DFID will be spending over £40 million this year on immediate humanitarian assistance in the Southern African region. This builds on the £125 million that the Government has already spent since September 2001. The vast majority of the new funds this year (£35 million) will be for humanitarian assistance operations in Zimbabwe. We have also provided £3.5 million to fund emergency operations in Mozambique and Lesotho and are continuing to monitor the position in those countries closely. Resources are being channelled through the main UN agencies, notably the World Food Programme, as well as through a range of NGOs to support emergency feeding and nutrition programmes. We have also provided £500,000 for enhanced monitoring of food aid deliveries and beneficiary selection procedures in Zimbabwe. In Mozambique, DFID will also be supporting efforts led by the Ministry of Agriculture to better target humanitarian assistance in addition to providing immediate food aid and nutritional support. We are also providing £1.5 million to the UN's regional co-ordination and support office in Johannesburg to help the UN's regional planning and improve its country programmes in affected countries. The World Food Programme has responded to the concerns of DFID and other donors, as well as partner governments by stepping up efforts to increase the amount of food that it purchases in local markets. They and others are working to address remaining barriers, including import restrictions between countries in the region.

Pockets of vulnerability remain in Malawi and Zambia, but we have seen important improvements in the food security situation in both countries over the past few months. Strategic grain reserves have recovered and these will need to be carefully managed. In Malawi, our support for subsidised inputs programmes continues to provide affordable seeds and fertilisers for poorer households, enhancing household food security and allowing them to grow maize that can offer an alternative to imported commodities. In Zambia, maize is both available and accessible.

Food security will continue to be a concern throughout the region for the foreseeable future, especially given indications that vulnerability is increasing, partly due to the high rates of HIV/AIDS in Southern Africa. DFID is developing a regional hunger and vulnerability strategy for working with national Governments and regional institutions to promote food security in the future in ways that both protect and promote livelihoods for the most vulnerable communities.

UK Call for Action on HIV/AIDS

The Parliamentary Under-Secretary of State for International Development (Mr. Gareth Thomas): The Government is publishing today "World AIDS Day, the UK's Call for Action on HIV/AIDS". A copy is being placed in the Library of the House.

The call for action is the first step in increasing the UK Government's effort to tackle HIV/AIDS and global poverty eradication. It signals our intention to work for a deeper, more sustained and better coordinated international response involving high-level political leadership, pressing for more resources to be made available, and working together more effectively with other donors. We will make HIV/AIDS—with Africa—a centrepiece for our Presidencies of the G8 in 2005 and of the EU in the second half of 2005.

We are calling on the international community to work better together to achieve real progress towards the international targets for HIV/AIDS, in particular:

> Twenty five per cent fewer young people to be infected with HIV/AIDS by 2005;
>
> Three million people—2 million in Africa—to be receiving treatment by the end of 2005; and
>
> One national strategy, one national AIDS commission and one way to monitor and report progress in every country affected by HIV (the "Three ones").

This is a challenge we must all rise to, both here and internationally; governments, parliaments, NGOs, the private sector and the public. We are inviting comments from interested bodies and individuals on the Call for Action and these can be sent to: AIDS@dfid.gov.uk.

SOLICITOR-GENERAL

CPS Autumn Performance Report

The Solicitor-General (Ms Harriet Harman): The Crown Prosecution Service (CPS) autumn performance report has today been published and laid before Parliament.

Copies have been placed in the Libraries of both Houses.

WORK AND PENSIONS

Social Fund Commissioner

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I am pleased to announce that Sir Richard Tilt has agreed to serve as Social Fund Commissioner for Great Britain and Northern Ireland for a further period of three years from 1 December 2003.

Housing Benefit Subsidy Reform

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): I am pleased to report to the House the outcome of our review of how we fund local authorities for the cost of paying housing benefit and council tax benefit. This forms part of our overall programme of housing benefit reform.

My right hon. Friend the Minister for Local Government, Regional Governance and Fire, reported to the House on 19 November, *Official Report*, columns 787–89, that we had agreed with local government that it would be sensible to rationalise the funding of housing and council tax benefit subsidy. He went on to say that in implementing that transfer of responsibility we had ensured that all properly made claims will be fully funded.

The outcome of the subsidy review, and the associated transfers of funding, is that the Department for Work and Pensions will from April 2004 be responsible for funding local authorities for the payments of housing benefit and council tax benefit they make, replacing a complex set of arrangements whereby funding came from various different sources.

The Local Government Act 2003 provides for the funding of rent rebates to be taken out of the housing revenue account. As a result, we will transfer responsibility for payment of rent rebate subsidy from the Office of the Deputy Prime Minister and National Assembly for Wales to the Department for Work and Pensions from 2004–05. This Department is already responsible for rent rebate subsidy in Scotland.

The Department will also take responsibility from April 2004 for those residual elements of rent allowance and council tax benefit subsidy currently paid to local authorities by the Office of the Deputy Prime Minister, the Welsh Assembly and the Scottish Executive.

Bringing all these disparate funding streams together has provided the opportunity for a full review of the subsidy system. The aims of the review were to achieve greater simplification and rationalisation, reduce burdens on local authorities, achieve fairer incentives for performance, and achieve a cost-neutral streamlined system.

As a result, I am pleased to report to the House that, for all payments of housing benefit and council tax benefit across Great Britain, 100 per cent. subsidy will be paid for all correctly paid benefit, and the subsidy rate for properly backdated claims will increase from 50 per cent. to 100 per cent.

In addition, we will introduce a new performance-related way of funding local authorities for specified overpayments, linked to an authority's achievements against thresholds set by DWP. Local authorities will also be paid a contribution towards the cost of discretionary local schemes in respect of war pensions disregards.

A transitional protection scheme will also apply, designed to cushion the impact on local authorities of implementing the subsidy reform package.

Finally, we are planning to produce a new subsidy claim form combining all subsidy claims.

We are confident that these reforms will bring welcome rationalisation of the highly complex arrangements inherited by this Government.

TRADE AND INDUSTRY

British Energy

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): On 18 September 2003, *Official Report*, column 62WS, I informed the House that British Energy had made a further drawing on the credit facility following its repayment of all outstanding amounts in March. On 14 October 2003, *Official Report*, column 11WS, I informed the House that the company had formally agreed with creditors the terms of its proposed restructuring.

British Energy has subsequently asked for the maximum amount available under the facility to be increased from £200 million to £275 million. I am advised by the company that the principal reasons for this request are the costs of unplanned outages at Sizewell B and Heysham 1 and the impact of current volatility in wholesale electricity prices (increasing both the required levels of trading collateral and the cost of the unplanned outages) which have had an adverse impact on the company's liquidity.

We and our advisers have considered British Energy's request carefully. This is the first opportunity I have had to inform the House that, in the light of that consideration, I have confirmed to the company that I will increase the maximum amount available under the facility to the amount requested, subject to the condition that the increase will be limited to the period prior to the expected receipt of the proceeds from the sale of the company's interest in Amergen, or 22 February 2004, if earlier, whereafter it will be reduced to £200 million.

The increase in the facility is within the rescue aid ceiling approved by the European Commission last year, although as a matter of courtesy my officials are informing the Commission. The stringent controls governing drawings on the facility by British Energy remain in place, and the company's obligations under the credit facility agreement continue to be secured by charges over the British Energy Group's assets. We continue to expect any drawings on the facility to be repaid in full, including interest, as soon as the company is in a position to do so.

As I have previously informed the House, if the Government are not satisfied that British Energy will be viable in all reasonable foreseeable conditions, or if there is a material adverse change in British Energy's position, the Government have reserved the right to withdraw its support for the restructuring. The Government remain ready for administration if any of the restructuring conditions are not met.

CONSTITUTIONAL AFFAIRS

Departmental Report 2003

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The Department for Constitutional Affairs published its Autumn Performance Report for 2003 today. Copies of the Report have been placed in the Libraries of both Houses.

CABINET OFFICE

Sickness Absence (Civil Service)

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): The report "Analysis of Sickness Absence in the Civil Service 2002" prepared for the Cabinet Office by Aon Ltd. shows that the headline figure for the average level of sickness absence across the civil service in 2002 was 9.8 days per staff year. The report contains a comprehensive analysis of the 2002 figures by department/agency.

Departments have established Service Delivery Agreements, which contain their individual targets for reducing sickness absence. Overall, the Civil Service has a target to reduce sickness absence by 30 per cent. by 2003 against the 1998 baseline. The Cabinet Office is continuing to work with other departments and agencies as they take forward their plans to reduce sickness absence and meet their individual targets.

I have placed copies of the Aon report in the Libraries of both Houses.

HOME DEPARTMENT

Criminal Records Bureau

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): I have today placed in the Library of the House a copy of a consultation paper on draft regulations to be made under Part 5 of the Police Act 1997 aimed at strengthening the role of Registered Bodies in the Disclosure process. Responses to the consultation are invited by 23 February 2004.

The draft regulations will be made under new powers conferred by the Criminal Justice Act 2003. These implement key recommendations of the Independent Review Team appointed, in September 2002, by my right hon. Friend the Home Secretary to take a fundamental look at the operations of the Criminal Records Bureau. In particular, the Review Team recommended that the critical role of Registered Bodies in the Disclosure process should be upgraded by making them unambiguously responsible for validating the identity of Disclosure applicants and for ensuring that application forms are fully and accurately completed. The draft regulations achieve these objectives by attaching conditions to registration; were such conditions are breached the provisions in the Criminal Justice Act will enable a Registered Body's registration to be suspended or revoked.

The Criminal Records Bureau will put in place a Registered Body assurance team to improve the level of training and support to Registered Bodies to help them meet the standards expected of them. To meet the cost of managing and supporting the Registered Body network, the draft regulations provide for Registered Bodies to pay an annual fee of £300. The consultation paper invites views on alternative means of funding the Registered Body assurance team.

By raising the professionalism of Registered Bodies in this way we can further improve the efficiency and effectiveness of the Disclosure process. The performance of the CRB has improved considerably over the past year. It now has the capacity to process over 50,000 Disclosure applications per week, double the number of summer 2002, and is consistently meeting its service standards of issuing 90 per cent of Standard and Enhanced Disclosures within 2 and 4 weeks respectively. Moreover, the CRB has now taken on the processing of some one quarter of a million applications from staff working in the care sector.

The Government has previously made clear that the CRB must be self-financing from 2005–06. As the CRB moves towards full cost recovery, it is necessary to reduce (from £18.8 million in 2003–04 to £8.1 million in 2004–05) the substantial subsidy the Bureau currently receives from the general taxpayer and make a compensating increase in the Disclosure fee. From 1 April 2004 the fee for an Enhanced Disclosure will be £33 and for a Standard Disclosure £28. The fee payable by a Registered Body for registering an additional counter-signatory will be increased to £33. Disclosures will continue to be issued free to volunteers, saving the voluntary sector some £12 million in 2004–05.

FOREIGN AND COMMONWEALTH AFFAIRS

Entry Clearance

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I am pleased to announce the appointment of Ms Fiona Lindsley as the new Independent Monitor for Entry Clearance Refusals without the Right of Appeal. Her appointment is for two years. Ms Lindsley brings a wealth of experience in the immigration field. The Under-Secretary of State, my hon. Friend the Member for Sunderland, South (Mr. Mullin), and I look forward to working closely with her to ensure that we are offering a fair service to our visa clients.

I should also like to take the opportunity to acknowledge the excellent work undertaken by Rabinder Singh QC, the previous Independent Monitor.

I should also inform the House that the Independent Monitor's report for 2003 (which covers decisions taken in 2002) has been delayed because of the lengthy recruitment process. Ms Lindsley has agreed to complete it by 3 May 2004 and I shall of course present it as usual to the House. The timetable for the 2004 report remains the same, and will be available by 30 November 2004.

Written Ministerial Statements

Tuesday 2 December 2003

HOME DEPARTMENT

Autumn Performance Report

The Secretary of State for the Home Department (Mr. David Blunkett): The Home Office Autumn Performance Report 2003 has been published today by Command of Her Majesty. Copies of the Report are available in the Vote Office and in the Library. The Report is also available on the Home Office website.

The Report sets out the progress the Home Office has achieved towards the key targets set out in the 2002 Spending Review. This includes those targets that the Home Office is solely responsible for delivering and those targets that it owns jointly with other departments such as the Department for Constitutional Affairs and the Crown Prosecution Service.

The Department's PSA targets were published in the SR2002 White Paper (column 5571) which was presented to Parliament by the Chief Secretary to the Treasury on 15 July 2002. How progress will be measured, and the success criteria for each target, are set out in the SR2002 Public Service Agreement Technical Notes, published by the Home Office in March 2003 and updated in July 2003.

The Report sets out the latest outturn data against each of the contributory measures from the Technical Note.

The results show: crime is falling; the justice gap is narrowing; asylum is increasingly under control; we have a coherent drug strategy and our correctional services are operating effectively.

DEPUTY PRIME MINISTER

Boundary Commission for England

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): I have today appointed, for a third term, Mr Michael Lewer QC as a member of the Boundary Commission for England. His appointment is effective until 31 December 2006.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Departmental Expenditure Limit

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Forestry Commission's DEL will be increased by £1,681,000 from £82,939,000 to £84,620,000. Within the DEL change, the impact on resources and capital are as set out in the following table:

		New DEL		
	Change	*Voted*	*Non-voted*	*Total*
Resource	1,311	79,547	2,653	82,200
Capital	370	833	2,657	3,490
Depreciation*		-1,070	-	-1,070
Total	1,681	79,310	5,310	84,620

**Depreciation, which forms part of resource DEL, is excluded from the total DEL since capital DEL includes capital spending and to include depreciation of those assets would lead to double counting.*

The change in the resource element of the DEL arises from the take up of end of year flexibility for the Forestry Commission including £385,000 under the Invest to Save Budget. The change also includes a transfer of £148,000 to the office of the Deputy Prime Minister towards funding of the Pan Government Agreement for the supply of mapping data.

The increase in the capital element of the DEL arises from the take up of end of year flexibility on both the Capital Modernisation Fund and the Invest to Save Budget of £357,000 and £13,000 respectively.

The increases will be charged to the DEL Reserve and will not therefore add to the planned total of public expenditure.

DEFENCE

Service Children's Education Agency

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): I am today placing a copy of the Service Children's Education (SCE) agency Quinquennial Review Report in the Library of the House. The Review has examined the Agency in detail and concluded that SCE is delivering a good service to parents and children and that, as a core component of military life overseas, the balance of advantage lies with it remaining part of the MOD. Agency status was judged to have delivered benefits and have the scope to continue doing so through the ongoing target-setting regime. The Review identified a number of issues for further study and these will be taken forward by Chief Executive SCE who has the responsibility for overseeing the implementation of the Review's recommendations, most of which are specialist education issues.

Mental Health Services

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): As part of the Ministry of Defence strategy to modernise and improve Defence mental health services, I can announce today that we have awarded a contract to the Priory Group for the provision of in-patient psychiatric services. This is the first time that we have awarded a mental healthcare contract to an independent service provider, although individual service patients have been referred to the Priory on a case by case basis when their condition was outside the treatment offered at the Duchess of Kent's

Psychiatric Hospital (DKPH). Service patients can be admitted to selected Priory Group facilities from 8 December. The full transfer of in-patient care from the DKPH to the Priory Group will occur from 1 April 2004. This is in line with my previous statement to the House of 16 October, *Official Report*, column 324W that the DKPH is expected to close by 31 March 2004 when alternative facilities are in place.

The Priory Group can provide in-patient care locally. The awarding of this contract should be seen as part of our wider strategy to improve healthcare for Service patients by re-configuring mental health services to be community focused with the emphasis on local provision, as recommended in the Medical Quinquennial Review. It also permits Defence Medical Service mental health staff to work within their local Service community, which is more closely aligned with their operational role.

CONSTITUTIONAL AFFAIRS

Winter Supplementary Estimate

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): Subject to Parliamentary approval of any necessary Supplementary Estimate, the Privy Council Office DEL will be increased by £501,000 from £3,523,000 to £4,024,000 and the gross administration costs limit will be increased by £501,000 from £3,461,000 to £3,962,000. Within the DEL change, the impact on resources is as set out in the following table:

			New DEL	
	Change	*Voted*	*Non-voted*	*Total*
Resource	501,000	3,962,000	0	3,962,000
Capital	0	62	0	62
Total	501,000	4,024,000	0	4,024,000

The change in the resource element of the DEL arises from Machinery of Government change which transferred the post of the Leader of the House of Lords from the Cabinet Office to the Privy Council Office.

FOREIGN AND COMMONWEALTH AFFAIRS

FCO Strategy White Paper: UK International Priorities

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I am today laying before Parliament Government White Paper Command 6052, "UK International Priorities: A Strategy for the FCO".

This Strategy Paper sets priorities for UK international policy over the next five to 10 years. These have been discussed and agreed between Departments and endorsed by the Prime Minister. The paper also describes in greater detail how the FCO intends to work, with others and through its network of over 200 diplomatic posts abroad, to help the Government meet these aims. This is the first time that the FCO has published a document of this sort.

This is a time of significant change in international relations. Domestic and international policy are becoming ever more intertwined as a result of globalisation, travel and technological advance. As a consequence, what happens abroad is of more immediate concern to all of us. The FCO will need to work systematically with other Government Departments and with people outside Government including Parliamentarians, businesses, Trade Unions, NGOs and the media.

The issues are also changing. We have made great progress since the end of the cold war in achieving stability and democracy in Europe. But 11 September 2001 underlined in the starkest way that we needed to pay close attention to new problems and threats elsewhere in the world, which affect the security and prosperity of the UK and other countries. That message was most recently reinforced by the tragic events in Istanbul on 15 and 20 November 2003.

The FCO Strategy analyses the ways in which we expect the world to change in the years ahead. I shall welcome public debate of this analysis. It concludes, among other things, that our foreign policy should focus on a broad agenda of issues with global impact: they include countering terrorism and weapons proliferation, acting to prevent state failure and climate change, and dealing effectively with poverty, corruption and conflict.

We shall need to build a wider, shared international understanding of how best to deal with these problems. They affect us all. We cannot afford to stand back from them. The UK must remain diplomatically active and engaged, and be able to exert global influence through diplomacy, advice, persuasion, aid and other economic assistance—and if necessary military force.

The eight international strategic policy priorities we have identified for the UK are:

> a world safer from global terrorism and weapons of mass destruction;
>
> protection of the UK from illegal immigration, drug trafficking and other international crime;
>
> an international system based on the rule of law, which is better able to resolve disputes and prevent conflicts;
>
> an effective EU in a secure neighbourhood;
>
> promotion of UK economic interests in an open and expanding global economy;
>
> sustainable development, underpinned by democracy, good governance and human rights;
>
> security of UK and global energy supplies;
>
> security and good governance of the UK's Overseas Territories.

No country can address these issues alone. We shall need strong international institutions, and a wide network of partnerships, to achieve effective, collective action.

We will work through the UN, the EU, the G8, NATO, the Commonwealth and other groups. We shall also aim to build stronger strategic partnerships with Russia, China, Japan and India, bilaterally and through the EU. One of our top priorities will be to engage constructively with Islamic countries.

Our most significant partnerships will be within the EU and with the United States. We will work to build UK influence in the EU, which will progressively become more important for the delivery of a wide range of UK domestic and international policy priorities. We will also work to make the EU a stronger and more capable international actor.

As the world's only superpower the US will continue to set much of the international agenda. Our close alliance will remain indispensable for our security. We will use this vital relationship to serve and protect UK interests.

Above all, a strong partnership between Europe and the United States remains essential for the UK's and the world's security and prosperity. This partnership has come under strain as a result of different approaches to some areas of domestic and international policy and the erosion of a clearly understood sense of common purpose. The strategy sets the objective of working to build commitment to partnership on both sides of the Atlantic.

The public services, which the FCO provides to UK citizens abroad are an increasingly important part of our work. Through our consular services we help UK citizens abroad, issue passports and offer travel advice. Our visa services, shared with the Home Office, issue visas to people visiting the UK. Through UK Trade and Investment, shared with DTI, the FCO helps UK companies to do business abroad and attracts investment to the UK. I am determined to see consistent, high standards of public service across in all these areas.

To achieve all this, we need to maintain a highly effective diplomatic service. I pay tribute to the professionalism, dedication and expertise of FCO staff, and the contribution they make all around the world—sometimes, as we have seen, in dangerous circumstances.

The strategy is a basis for future decisions on FCO organisation and management. The FCO's network of diplomatic posts is a key asset for the nation, through which we help the Government pursue a wide range of policy priorities and build UK influence around the world. Maintaining a well targeted, adequately resourced and secure diplomatic network is the FCO's highest management priority for the years ahead.

We have also established a departmental change programme, derived from the strategy, which sets out the actions we intend to take to focus our resources on high priorities, become more flexible and responsive, improve the diversity of our people, skills and experience, and target all our activity to meet the needs of our customers—across Government and UK public.

The purpose of this strategy therefore is to clarify our priorities so we can concentrate our efforts where they are most needed and respond flexibly to unexpected events. I shall welcome parliamentary and public debate on the document. We will review it every two years inviting external contributions.

Written Ministerial Statements

Wednesday 3 December 2003

HOME DEPARTMENT

Police (Weapons)

The Minister for Crime Reduction, Policing, and Community Safety (Ms Hazel Blears): As set out in section 39A of the Police Act 1996, inserted by section 2 of the Police Reform Act 2002, I have laid before Parliament a code of practice on the police use of firearms and less lethal weapons.

The code sets out the principles for the selection, testing, acquisition and use of firearms and less lethal weapons by the police. It also sets standards for the way in which these principles should be implemented.

By providing a statement on the standards of competence and accreditation, the code aims to ensure that all officers involved in operations involving firearms and less lethal weapons are trained to a high standard.

The code also encourages the sharing of best practice between police forces on operations involving firearms and less lethal weapons.

Detailed guidance on the use of firearms and less lethal weapons by the police is set out in the manual of guidance on police use of firearms drawn up by the Association of Chief Police Officers of England, Wales and Northern Ireland (ACPO) and of Scotland (ACPOS).

EDUCATION AND SKILLS

Higher Education (Loans and Grants)

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): The level of support available to students in the academic year 2004–05 will be 2.4 per cent. higher than for 2003–04, in line with forecast price increases. I am placing two memoranda in the Library giving details of the new loan, grant and fee rates for 2004–05. Those rates set out in memorandum 1 will be incorporated in the Education (Student Support) Amendment Regulations, which cover support for eligible students under the current arrangements. Those set out in memorandum 2 will be incorporated in the Education (Mandatory Awards) Amendment Regulations and the Education (Student Loans) Amendment Regulations, which cover the small number of students who in 2004–05 will still be receiving awards and loans under the pre-1998 arrangements. These regulations will all be laid before Parliament in due course.

WORK AND PENSIONS

Draft Disability Discrimination Bill

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I have published today a draft Disability Discrimination Bill. The draft Bill would increase opportunities for disabled people in all areas of life, help to encourage diversity in society, and ensure that disabled people have a greater say in the way that services are run.

The draft Bill builds on the significant legislative steps we have already taken, such as:

> setting up a Disability Rights Commission;
>
> protecting disabled students and pupils against discrimination;
>
> bringing into force, in October 2004, the duties in the Disability Discrimination Act (DDA) concerning service providers making reasonable adjustments to physical features of their premises; and
>
> bringing into force, also in October 2004, major changes to the employment and training provisions of the DDA, including ending the current exemption of small firms.

The draft Bill introduces further measures proposed in "Towards Inclusion", our 2001 response to the recommendations of the Disability Rights Task Force. Those measures would further extend and strengthen disabled people's rights and place significant new duties on public bodies, transport operators and many others. They include changes to the DDA which would:

> clarify that the current exemption for transport services extends only to the vehicles themselves, and create a power to enable that exemption to be lifted for different vehicles at different times;
>
> extend the Act to cover the exercise of functions of public bodies, so that it would apply to most of their activities, not just those which consist of the provision of services;
>
> introduce a new duty on public bodies to promote equality of opportunity for disabled people, so they would be required to consider the needs of disabled people as early as possible at every stage in their policy and decision making;
>
> extend the definition of disability to cover more people with HIV or cancer, so that more disabled people would benefit from the Act's protection;
>
> require those who manage or let premises to make reasonable adjustments to their policies and practices for disabled tenants or prospective tenants;
>
> make clear that insurance provided on group terms to an employer's staff is covered as a service under the Act.

We have also looked at other changes which would help to improve disabled people's rights. Therefore, measures in the Bill would also:

> bring within scope of the DDA private clubs with 25 or more members, so that such clubs would be unable to discriminate against disabled members or prospective members or others who have rights to use such clubs;
>
> allow disabled people to issue a questionnaire in relation to discrimination complaints, not just in employment cases as now, but also cases concerning service providers, private clubs, landlords or public bodies carrying out their functions;
>
> extend the definition of disability in the DDA to more people with multiple sclerosis; and
>
> make third party publishers (e.g. newspapers) liable for publishing discriminatory advertisements, so that they would be acting unlawfully if they published a discriminatory job advertisement.

It is also our intention to publish draft provisions which would protect local councillors from discrimination by local authorities and details of our intentions are published with the draft Bill. We said we would extend the DDA in this way in "Towards Inclusion".

The draft Bill will be subject to pre-legislative scrutiny by a Parliamentary Committee. The Committee is likely to be calling for written and oral evidence and details on how to respond to the Committee will be made available on http://www.disability.gov.uk/ in due course. This will also explain how comments can be made on the draft Regulatory Impact Assessment outlining the costs and benefits of the draft Bill's provisions.

I can also announce that when the full Bill is introduced it will be our intention to include in it measures on setting an end date for rail vehicle accessibility and on the introduction of regulations to cover refurbishment of vehicles, subject to the outcome of a consultation which is being carried out by Ministers at the Department for Transport.

Our priority remains to meet our manifesto commitment during this Parliament. Implementation of all the provisions of the legislation that I have outlined would result in major new duties affecting the way in which all public bodies deal with disabled people, provide comprehensive civil rights for disabled people and significantly improve the way in which disabled people can participate in all activities of society.

In developing our plans for legislation, we have carefully considered the Disability Rights Commission's legislative review. Their First Review of the DDA—Disability Equality: Making It Happen—was published earlier this year. I am very grateful to the DRC for producing this review and highlighting so many issues. A detailed response to the DRC's review has been placed in the Library.

We have already legislated, in the Disability Discrimination Act 1995 (Amendment) Regulations 2003, to give effect to eight of the DRC's proposals that were included in their prior consultation document or their final recommendations. The Private Hire Vehicles (Carriage of Guide Dogs Etc) Act 2002 covered a further recommendation. The recent Criminal Justice Act implements another recommendation by making hostility towards the victim because of his or her disability an aggravating factor when sentencing for criminal acts in England and Wales. Several recommendations are inappropriate to national disability discrimination legislation as, for example, they fall to the Scottish Parliament to take forward; or apply to genetic discrimination which is being considered in a wider Government review of genetics; or propose changes to European law. These will be considered separately where appropriate. We will be taking into account the DRC's recommendations on amending the statutory guidance relating to the DDA's definition of disability when we come to review that guidance. The recent announcement about a Commission on Equality and Human Rights also relates to a review recommendation.

The DRC review also emphasised the need to implement recommendations made by the Disability Rights Task Force and reiterated many of them. The Disability Discrimination Bill when passed, combined in particular with the Disability Discrimination Act 1995 (Amendment) Regulations 2003, the Disability Discrimination Act 1995 (Pensions) Regulations 2003 and the Disability Discrimination (Blind and Partially Sighted Persons) Regulations 2003, will fulfil our manifesto commitment for this Parliament to extend basic rights and opportunities for disabled people as indicated in "Towards Inclusion". The Bill also implements three further new recommendations from the DRC's review, as outlined in the attached response, as well as covering private clubs which was a Task Force proposal that we had previously rejected in "Towards Inclusion".

Although we have gone a long way to give effect to the DRC's proposals and recommendations, in general we prefer to keep the remainder in mind for possible consideration in the future, taking account of the need to bed in the fundamental and wide-ranging changes already under way. The DRC itself has said that it expected some proposals to be taken forward via a different route to the Disability Bill and over a slightly longer timeframe.

In any further development of the Disability Discrimination Bill, we will consider very carefully any recommendations from the scrutiny committee. The committee is likely to take evidence from the DRC and many other organisations and individuals.

HEALTH

Autumn Performance Report

The Secretary of State for Health (Dr. John Reid): Today I announce the publication of the Department of Health's 2003 Autumn Performance Report (Cm 6073). It shows the progress my Department has made towards achieving its public service agreement targets.

The autumn performance report is an annex to the Chief Executive's Report to the NHS, which has been placed in the Library. Together the two reports demonstrate the progress that we are making in improving health and social care services.

The report shows that more and more NHS operations are being carried out in outpatient clinics and GP surgeries—without the need for the patient to stay in hospital. The number of procedures carried out in outpatient clinics rose to 1,735,000 last year, an increase of 129,000, or 14.9 per cent.

There are more and more NHS staff, but they are working harder and harder to treat more patients, cut waiting times and provide more operations. The number of doctors has increased by 9,500, or 10 per cent. since the NHS Plan was published, while the number of nurses has gone up by almost 38,000, or 11.5 per cent. since the NHS Plan.

The number of NHS patients waiting longer than one year for their operation fell from 16,689 in September 2002 to just 114 in September 2003, a fall of 99.3 per cent. The number of people waiting longer than 21 weeks for a first outpatient appointment fell from 30,789 in September 2002 to just 198 in September 2003, a fall of 99 per cent.

These are just some of the achievements of the NHS in the last year. They has been made possible by the increased funding the government is investing in health and social care, as well as the hard work and dedication of people throughout the NHS and its partner organisations.

Written Ministerial Statements

Thursday 4 December 2003

CULTURE, MEDIA AND SPORT

Government Indemnity Scheme

The Minister for the Arts (Estelle Morris): The provision for the Government Indemnity Scheme is made by the National Heritage Act 1980. The scheme facilitates public access to loans of works of art and other objects for public display made to museums, galleries and other such institutions by private owners and non-national institutions. It does this by indemnifying lenders against loss or damage to their loan. Loans covered by the scheme must be for public benefit. The scheme also covers loans of such objects for study purposes within borrowing institutions where this would contribute materially to the public's understanding or appreciation of the loan. Examples of this are enhancing interpretation or explanation to the public of objects or bringing into the public domain, the conclusions of any study.

In the six month period ended 30 September, the following undertakings to indemnify were given under section 16 by the relevant Departments for objects on loan to national and non-national institutions. The Department for Culture, Media and Sport issued 610 undertakings, the Scottish Executive Education Department issued 232 undertakings and the National Assembly for Wales issued 241.

The value of contingent liabilities in respect of undertakings given at any time under section 16 and which remained outstanding as at 30 September for the Department for Culture, Media and Sport are £2,954,237,461. The value of section 16 contingent liabilities as at 30 September for the Scottish Executive Education Department are £695,960,679 and £67,838,929 for the National Assembly for Wales.

The value of non-statutory Government indemnities to cover loans handled by the Government art collection and which remained outstanding as at 30 September are £4,500,000. The value of non-statutory undertakings given to Her Majesty in respect of loans from the Royal Collection and which remained outstanding as at 30 September are £170,694,295.

CONSTITUTIONAL AFFAIRS

Court Service Business Plan for 2003–04

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): The following table sets out the targets that have been set for the Court Service for 2003–04. Copies of the Court Service Business Plan for 2003–04 has been placed in the Libraries of both Houses.

Headline Targets	*Target 2003–04*
To support Local Criminal Justice Boards (LCJBs) in meeting their targets, including	
reduction of Crown Court ineffective trials, contributing to an overall national reduction from 24% to 17% by March 2006,	4% reduction
the percentage of Crown Court defendants and appellants whose cases are heard within target time,	78%
the period from charge to sentence for Persistent Young Offenders, and	71 days
increasing sitting days in the Crown Court, facilitating the increase in the number of crimes for which an offender is brought to justice to 1.2 million by 2005–06	101,500 sitting days
Increase year on year the level of satisfaction in four key areas of service delivery	To increase Knowledge of court staff at the public counter Knowledge of court staff on the telephone Speed of resolution of complaints Helpfulness of written replies
The percentage of Public Law Children Act cases dealt with within 40 weeks (from commencement to disposal)	70% of cases dealt with within 40 weeks
The proportion of asylum cases to be cleared through decision and appeal	60% of cases dealt with within target

CABINET OFFICE

Autumn Performance Report

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): I have today published the Cabinet Office 2003 Autumn Performance Report. Copies of the report have been placed in the Libraries of the House.

WORK AND PENSIONS

Employers Liability Compulsory Insurance

The Minister for Work (Mr. Desmond Browne): On 3 June the Government published its First Stage Report into Employers' Liability Compulsory Insurance. In response to problems for business caused by rapid increases in premiums for this insurance, the report analysed the nature of the difficulties within the Employers' Liability Compulsory Insurance (ELCI) market, the causes and their impact on business. It identified an agenda for action committing Government to work with stakeholders to bring about improvements. Government promised to report on progress in the autumn.

I am pleased to announce the publication of the report that meets that commitment. I have arranged for copies of the report to be placed in the Library. This second and final report describes the work that has been undertaken since June, identifies the further actions we intend to take and sets these in the context of a strategic approach aimed at improving the efficiency, sustainability and outcomes of the Employers' Liability Compulsory Insurance system.

The First Stage Report contained some difficult messages: that there were no quick solutions; that premiums had been held artificially low prior to recent rises and that the current levels of premiums were reflecting the true economic costs of accidents, injuries and ill health in the workplace. However, it also recognised that the pricing behaviour within the market meant that far too many businesses, quite out of the blue, had faced acute price increases; late renewals and premiums that often have not reflected individual health and safety efforts. The market has not failed but in many instances it is simply not working well enough.

So, as the report demonstrates, the Government are acting. We have been facilitating improvements in the short term, while helping stakeholders begin to tackle the difficult long term issues. In the past six months we have worked with business, the insurance industry, lawyers and unions to build a real and constructive partnership.

Already this partnership is having beneficial results for business, particularly smaller businesses, in areas such as renewals and making underwriting more risk-based. Providing better risk information has improved Small and Medium Sized Enterprises' (SMEs') access to the EL insurance market and in some cases delivered lower premiums. Further work is aimed at encouraging better health and safety and occupational health and thus, fewer costs to firms from injury, illness and absence. Action to reduce process costs will also help keep premium increases under control, as could greater use of rehabilitation in some cases.

To deliver significant, sustained improvements we must tackle the underlying problems together.

Consequently, we have helped stakeholders identify ways to reduce process costs and are working with them to pilot these measures. We are working on ways to improve companies' management of health and safety and so cut both the incidence and the costs of claims. And, in the light of increasing evidence that effective and timely rehabilitation can reduce overall costs whilst delivering a better outcome for the victim, we are making a significant step-change in our approach to rehabilitation. Our safety performance in the UK is good. That is one reason why the costs of Employers' Liability Compulsory Insurance are still much lower than our international competitors. However, there is more to be done, particularly on occupational health. Absence management, incident management and follow-up can help cut both the incidence and the costs of claims. That is why Government are working with the Health and Safety Executive (HSE) and insurers to provide guidance and to help business present hard evidence on their management of health and safety to the market thereby ensuring they get value from their health and safety investment. This should help tackle the problems faced by small firms with good health and safety practices.

As we address the problems in the market and for businesses, particularly smaller businesses, it is important to remind ourselves why employers' liability compulsory insurance is important:

to provide an incentive to reduce accidents at work and improve health and safety;

to properly compensate employees who are injured through their employers' negligence; and

to protect businesses by spreading the risk of workplace accidents which might otherwise ruin them financially.

Employers' Liability Compulsory Insurance (ELCI) has served us well for nearly thirty years. However, as risks evolve, so too must employers' liability and our response to those risks. A lot has been done since June. We are committing to do much more. But we also recognise that there is no simple, quick solution. It is not a problem that Government can take away and fix.

An effective response and sustainable improvement, requires a long term partnership. The past six months have seen such a partnership develop and start to deliver. Government are determined to play its part. This may be a final report, but it is not an end to our work.

Written Ministerial Statements

Monday 8 December 2003

HOME DEPARTMENT

Baton Rounds

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): On 1 August 1999, new operational guidelines on the use of baton rounds were issued by the Association of Chief Police Officers (ACPO) and replaced previous Home Office guidance. ACPO have now put forward revised guidelines to take account of developments in the weapon system, training and procedures for deployment which are designed to reduce the potential for serious injury and life threatening injuries.

The guidelines now include specific reference to the implications of the European Convention on Human Rights and also highlights that every effort should be made to ensure children are not placed at risk.

The revised guidance also takes account of the Defence Scientific Advisory Council statement on the use of the L21A1 baton round at ranges from 1 to 19 metres, announced by the then Minister of State at the Home Office, my right hon. Friend the Member for Southampton, Itchen (Mr. Denham), 6 November 2002, *Official Report*, Column 312W.

A copy of this new guidance has been placed in the House Library.

Immigration Control

The Minister for Citizenship and Immigration (Beverley Hughes): The Government are firmly committed to maintaining effective immigration controls while at the same time ensuring that genuine passengers are able to pass through our ports with the least possible inconvenience.

Visa regimes play an important part in the operation of our immigration controls. They allow for checks to be undertaken before a person embarks for the UK to confirm whether they qualify for admission. But we recognise that visa regimes do represent an inconvenience for some passengers and we will therefore only maintain them where the immigration threat is such as to justify doing so. At present Slovak nationals require a visa in order to visit the UK. However, we judge that there is no longer any significant threat to our immigration controls from Slovak nationals and therefore we have decided that the visa regime should be lifted and standard on-entry immigration controls will continue to be applied. Changes to the immigration rules will be made on 17 December and the visa regime will be lifted from 00.01 hours on 18 December.

TREASURY

Butterfield Review

The Economic Secretary to the Treasury (John Healey): On 15 July 2003 the Government published in full the independent report of Mr. Justice Butterfield on the current practices and procedures relating to disclosure, associated investigation techniques and case management in HM Customs and Excise's criminal cases. The Attorney-General and I had asked Mr. Justice Butterfield to examine the circumstances that led to the termination of the London City Bond prosecutions in Liverpool Crown Court on 25 November 2002, the changes in practice within Customs since the time of the cases to which those prosecutions related, and Customs' compliance with best practice in the use of investigation techniques. Mr. Justice Butterfield also examined the preparation for and presentation of cases for Court on behalf of Customs.

On publication of the report, as I said in my written statement on 15 July, *Official Report*, Columns 18–20WS, the Government accepted in full a number of Mr. Justice Butterfield's recommendations, many of which have now been implemented. On the recommendation that in order to make its independence from Customs even more transparent the Customs and Excise Prosecution Office (CEPO) should become an entirely separate prosecuting authority accountable to the Attorney-General, the Government undertook to provide a response in the autumn.

In his report, Mr. Justice Butterfield acknowledged the revitalisation of CEPO following the injection of additional resources and the improvement in the engagement with investigators. He referred to a palpable and detectable improvement in morale in CEPO. He went on to recommend that the Solicitor for Customs and Excise should relinquish responsibility for prosecutions resulting from Customs investigations.

The Government agree that, to be most effective, these prosecutors must be independent, and be seen to be independent by judges, barristers and solicitors in the wider criminal justice system. The Government consider it essential that there should be full confidence in prosecutors acting on behalf of Customs and accept the case for radical change.

The Government accordingly accept the recommendation of Mr. Justice Butterfield to separate the prosecution and investigation functions in Customs, and to create an independent Customs and Excise Prosecutions Office during the course of 2004, led by a Director accountable directly to the Attorney-General. The Office will be subject to a regular, independent and thorough inspection regime.

The Government intend to move to appoint a Director as soon as practicable, who will be closely involved in the creation of an independent CEPO.

The Government also accept the recommendation that Investigation Legal Advisers should now move to become the responsibility of HM Commissioners of Customs and Excise, and that these advisers will not be involved in the prosecution process. This arrangement will be reviewed after two years.

The creation of an independent CEPO will require the resolution of a number of practical issues, to which the Attorney-General and I are giving careful consideration.

TRADE AND INDUSTRY

Employment Tribunal Regulations

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): This consultation covers the Government's proposals for revisions to the Employment Tribunals (Constitution and Rules of Procedure) Regulations. Views are being invited from stakeholders on these proposed changes.

It is intended that the new regulations will be laid in spring 2004 and come into force in October 2004.

The aim of the revisions is to streamline procedures in order to promote the early settlement of cases through ACAS conciliation and, where that fails, to expedite the passage of cases through the Tribunal system.

The changes arise from provisions of the Employment Act 2002, from recommendations of the Employment Tribunal System Taskforce, and from suggestions offered by the Employment Tribunal Presidents—for England and Wales and for Scotland—to help make the system run more smoothly. The revisions are designed to deliver a better service and swifter justice for all, and include, amongst other things, the adoption of a new pre-acceptance procedure for both claimants and respondents, and a re-structuring and re-writing of the Rules in plain English.

These proposed tribunal regulations form part of an overall package of measures. They take account of, and dovetail with, the new dispute resolution regulations being introduced by the Government to encourage settlement of disputes in the workplace. The Government also intends to revise the Employment Appeal Tribunal rules to a similar timescale.

In preparing the revised Regulations, DTI has been working closely with a wide range of stakeholders, including the judicial Presidents, the Employment Tribunals Service and ACAS. Representatives of businesses and the trade unions have also been involved in the preliminary consultation process. These and other bodies will now, through this formal public consultation, have a further opportunity to offer views on the way the revised regulations are to be taken forward and to ensure that the procedures of the Employment Tribunals deliver fairness and justice to all.

Consumer Credit

The Minister for Women and Equality (Ms Patricia Hewitt): I have today published a White Paper "Fair, Clear and Competitive: A Consumer Credit Market for the 21st Century", setting out the Government's proposals for reform of the legislation governing consumer credit. The White Paper sets out the conclusions of the review of the Consumer Credit Act 1974 launched in July 2001 and is based on extensive consultation with stakeholders.

As part of the White Paper package, I have also today published for consultation detailed proposals—including draft legislation—for changes to the rules governing the early settlement of credit agreements; the advertising of consumer credit; and the form and content of credit agreements. The consultation also sets out new proposals on the calculation of credit card APRs and on facilitating the conclusion of credit agreements by electronic means.

Britain has the most energetic and competitive consumer credit market in Europe. However, the legislation regulating it is almost thirty years old. Although it has generally stood the test of time extremely well, the credit market has developed to an extent never envisaged in the early 1970s.

The time is right for a thorough-going modernisation of the consumer credit framework; one that encourages and enables innovation and competition in the marketplace, yet still provides appropriate protection for today's consumers.

Credit has become an integral part of our daily lives. For many, it is the lifeline that enables them to deal with the emergencies that arise, helping match regular income against the irregular demands and risks of modern life.

But credit, of course, can also introduce risks of its own. Some consumers take out loans that are inappropriate and expensive. Others are tipped into debt by a sudden change in circumstance. But there are also consumers that are preyed upon by loan-sharks, whose activities often exploit the socially deprived sections of our community. It is simply not possible to escape from poverty if what little people have is asset-stripped by predatory lenders. And this White Paper sets out tough measures to police and crack down on loan-sharks and other such rogue lenders.

But it is also about providing consumers with the right information at the right time, so they can make informed decisions. Consumers need to be able to consider the key factors of a loan before they take it out. To do this they need clear, understandable information.

New protections will go hand in hand with a series of changes to promote a more open, competitive market, offering more choice and less restriction.

This White Paper proposes a range of legislative changes relevant to the credit market of today. It will be regulated in a way that provides consumers with choice, information and protection at the right time. It also outlines our plans for a strategic approach to minimising over-indebtedness and improving financial inclusion by educating consumers; providing easier access to financial advice; and ensuring access to affordable credit.

I have placed copies of the White Paper and other related documents in the Libraries of the House.

EDUCATION AND SKILLS

Higher Education Participation

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): In November 2002 my predecessor, my right hon. Friend the Member for Barking (Margaret Hodge), commissioned a quality review of the Initial Entry Rate (IER) statistic. The review, which was carried out independently in accordance with guidelines published by the Office for National Statistics (ONS), was designed to ensure that the IER statistic was rigorous and transparent.

The findings of the review were published on 17 November 2003. The main recommendations were that:

> The IER statistic should measure initial participation rather than initial entry and as such should be renamed the "Higher Education Initial Participation Rate" (HEIPR).
>
> Only those students who attend their course for at least six months will count toward the HEIPR.
>
> The HEIPR should be published to the nearest whole number.

The most recent data available for these measurements are for the academic year 2001–02. The IER figure for 2001–02 was 43.5 per cent. When the recommendations of the quality review are taken into account, the new HEIPR figure for 2001–02 is 43.9 per cent. or 44 per cent. when rounded. Figures for 2002–03 will be produced when data become available.

The full report is available via the ONS website and a copy has been placed in the House of Commons Library.

TRANSPORT

Autumn Performance Report

The Secretary of State for Transport (Mr. Alistair Darling): I have today published my Department's autumn performance report for 2003. Copies have been laid before Parliament and placed in the House Libraries.

The report sets out the Department's progress made on our seven public service agreement targets over the last six months since the publication of the annual report in May 2003.

FOREIGN AND COMMONWEALTH AFFAIRS

Pakistan

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): The Minister of State, my hon. Friend the Member for North Warwickshire (Mike O'Brien) is to visit Pakistan imminently. Pakistan is an important ally and partner of the UK. We work closely with Pakistan in a number of fields, and our bilateral relationship is warm and close. Our mutual commitment to developing this relationship is shown by the successful visits to the United Kingdom by President Musharraf and Foreign Minister Kasuri during the course of 2003.

Pakistan is a key partner for the UK in the campaign against terrorism. With US, UK and other international support, Pakistan has arrested over 500 terrorist suspects since 11 September 2001, including leaders like Khalid Sheikh Muhammad who is suspected of planning the attacks in New York. We also welcome and encourage measures taken by the Government of Pakistan against organisations which pose a threat to Pakistan's security and to regional and international stability, including efforts to root out the al-Qaeda and Taliban elements which continue to destabilise Afghanistan in particular.

In the political sphere we value Pakistan's membership of the UN Security Council, and have welcomed their constructive contribution in that forum over the last year. We hope to continue and intensify our co-operation in the year ahead. We are also engaging with Pakistan on a whole range of regional and global issues, both bilaterally and in other international fora.

We welcome recent progress in normalising relations between Pakistan and India, including the latest agreements on a ceasefire and resumption of air links. It has taken statesmanship by President Musharraf and Prime Minister Vajpayee to achieve the progress so far. This is an encouraging start to a process which we hope, with sustained efforts of both sides to address each others legitimate concerns, will lead to the resolution of all the outstanding issues between them, including on Kashmir.

Our defence relationship is deepening following the re-establishment of the UK-Pakistan Defence Cooperation Forum in early 2002. We greatly value our important and historic links with the Pakistan armed forces. We will maintain and build on this progress.

We have an important trade relationship. The UK is the biggest foreign investor in Pakistan and the UK is the country's 5th largest export market. All this is in the context of an increasingly stable and strong macro-economic environment in Pakistan, and a government committed to liberalising reform, including privatisation. We appreciate the good work being done in this field by the Pakistan-Britain Trade and Investment Forum (PBTIF), and the Pakistan Britain Business Advisory Group (PBBAG). The UK was also a strong supporter of the establishment of the EU/Pakistan Trade Agreement in late 2001.

We are also working together in the field of judicial cooperation through the Joint Judicial Cooperation Working Group.

The UK remains committed to supporting Pakistan's long-term development. We are giving approximately £70 million of development assistance this year, four times more than previously, and last week agreed to the release of an additional tranche of £22.5 million in budget support for the Government of Pakistan's long-term Poverty Reduction Strategy, and the Health and Population Welfare Facility. This bilateral programme is focused on social sector development—particularly in education and health—to make a difference to the lives of those millions of Pakistanis who live in poverty. UK development assistance for Pakistan will amount to over £200 million over the next three years.

Finally, there are of course strong community links between the UK and Pakistan. 800,000 people of Pakistani heritage are estimated to live in the UK. Over 85,000 Pakistanis visited the UK in 2003, including 6,000 students, and we expect this to rise to over 100,000 next year. Under normal circumstances our visa operation in Pakistan is one of the busiest in the world, and we are working hard to restore a full service following the disruption caused by terrorist threats to High Commission personnel.

HEALTH

Pharmaceutical Price Regulation Scheme

The Minister of State, Department of Health (Ms Rosie Winterton): The seventh report to Parliament on the pharmaceutical price regulation scheme (PPRS) was published today.

The report, entitled "PPRS: Seventh Report to Parliament", covers the management and operation of the 1999 scheme, which was introduced in October 1999 including the delivery of the 4.5 per cent. price cut. It explains the Government's objectives for the scheme and gives consolidated information on company annual financial returns. The report sets out the contribution made to the economy by the UK based pharmaceutical industry and describes the review of the current PPRS and the publication of the discussion paper seeking views on options for the future.

Copies of the report have been placed in the Library.

CULTURE, MEDIA AND SPORT

Export of Works of Art

The Minister for the Arts (Estelle Morris): The report of the review of the Reviewing Committee on the Export of Works of Art will be published today.

The Review was led by the Director of Arts and Culture at DCMS and supported by the Review Management Team of the Arts and Culture Directorate. An independent Steering Group guided the Review and the work of the Review was informed by a thorough consultation exercise.

The report finds that the Committee is fulfilling Government and Departmental objectives in relation to the protection of objects of national importance and that there is widespread support for its continuation.

The Department will consider in more depth the issues raised by the Review and also issues raised by the Goodison Review on "Saving Art for the Nation", which is due to be published later this week.

Copies of the report will be placed in the Libraries of both Houses. The Review will also be available on the DCMS website http://www.culture.gov.uk.

Written Ministerial Statements

Tuesday 9 December 2003

HEALTH

Building on the Best

The Secretary of State for Health (Dr. John Reid): The Department's document "Building on the Best—Choice, Responsiveness and Equity in the NHS", Cm 6079, has been published today. Copies have been placed in the Library.

TRANSPORT

Private Hire Vehicles (Dogs)

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): I am pleased to announce that, from 31 March 2004, all private hire vehicle operators and licensed private hire vehicle drivers will be under a duty to carry guide, hearing and other prescribed assistance dogs and to do so without additional charge under Section 37A of the Disability Discrimination Act 1995.

From 31 December 2004, local licensing authorities will be able to consider applications from private hire vehicle drivers and to issue certificates of exemption to those who they consider merit an exemption from the duty on medical grounds. There is no exemption for operators.

I have today laid before the House the Disability Discrimination Act 1995 (Private Hire Vehicles) (Carriage of Guide Dogs etc.) (England and Wales) Regulations 2003. The regulations prescribe three additional categories of dog to which these duties will also apply and deals with the notice of exemption that must be displayed by private hire vehicle drivers who are exempt from these duties on medical grounds.

Full guidance is being sent to all licensing authorities and a leaflet is available for operators and drivers informing them of the new duties and the arrangements for medical exemption. Copies of these documents will be placed in the House Library. The regulations cover England and Wales. Scotland and Northern Ireland will be introducing similar requirements in due course.

HOME DEPARTMENT

Citizenship Ceremonies

The Minister for Citizenship and Immigration (Beverley Hughes): The White Paper, "Secure Borders, Safe Haven: Integration with Diversity in Modern Britain" published in February 2002, set out the Government's proposals for enhancing the significance of the acquisition of British citizenship. The Nationality, Immigration and Asylum Act 2002 duly included provisions which, when brought into force at the start of 2004, will require all adult applicants for British citizenship to take an oath of allegiance to Her Majesty The Queen and pledge of loyalty to the United Kingdom at a citizenship ceremony.

On 25 July we published a consultation document which set out the Government's provisional views on the form and content of that citizenship ceremony. The 12-week period of consultation closed on 17 October and 145 responses were received.

Broadly, the responses supported the proposal that national symbols such as the Union flag and national anthem should feature in ceremonies throughout the United Kingdom and that these should be augmented with local features and symbols. A small minority of responses did not support the idea. The Government remain strongly of the view that it would be right for these United Kingdom symbols to be used, given that the citizenship being bestowed is that of the United Kingdom as a whole. Other countries such as Canada, Australia and New Zealand certainly believe it appropriate to display national symbols at these events. We would encourage those who disagree to reflect further and to consider this issue from the viewpoint of the new citizens and what they might reasonably expect of a British citizenship ceremony, rather than impose their own views on what is appropriate.

There was a positive response to the suggestion that local authorities might wish to impart their own flavour on ceremonies taking place in their area, and to the notion that prominent and recognised members of the local community might take part in ceremonies and formally welcome new citizens to their area. The suggestions on what form this local flavour might take recognised the importance of local adaptations not detracting from the dignified, celebratory and meaningful nature that the Government intend for citizenship ceremonies. Many areas proposed that they would involve local schools and community groups in their ceremonies.

In terms of the musical content of ceremonies, the majority supported the playing of the national anthem immediately after the taking of the oath and pledge. Many areas said that they also intended to play recognised and appropriate pieces of music as new citizens entered and left the ceremony. A list will be given in the guidance for local authorities and registrars.

The consultation document proposed a form of words for the ceremony welcome speech and for the address given by the local dignitary. The majority of responses supported the notion of standardisation of the main portions of these addresses, but said that they would ensure that any local additions did not detract from the formal welcome to both the UK and the local area.

In terms of a commemorative gift, most thought that a commemorative certificate bearing that area's coat of arms or logo would be most appropriate. There was a unanimous view that any gift given must be meaningful of the event. A small percentage of respondents took the view that there was no need for a gift as such in that the grant of citizenship was in itself a gift.

The Government are grateful to all of those individuals and organisation who took the time to read and respond to this document. The nature of the comments give us reason to believe that our proposals carry general support. We shall therefore proceed broadly in line with the format set out in the consultation document. The cost of the ceremonies will be included in an increased nationality fee, the details of which have been included in a statutory instrument to be laid today, which will mean no additional charge to the taxpayer. Details are in the table:

Type of Provision	*Current Fee*	*Proposed 01/01/04*	*Ceremony Fee*	*Total 01/01/04*
6(1) Single	£150.00	£150.00	£68.00	£218.00
6(1) Joint	£150.00	£150.00	£136.00	£286.00
6(2)	£120.00	£146.00	£68.00	£214.00
Reg. Adults	£120.00	£85.00	£68.00	£153.00
Reg. Minor Single	£120.00	£144.00		£144.00
Reg. Minor Multiple	£120.00	£144.00		£144.00
Renunciation	£20.00	£81.00		£81.00

TREASURY

Mortgage Market

The Chancellor of the Exchequer (Mr. Gordon Brown): Professor David Miles' interim report, "The UK Mortgage Market: Taking a Longer-term View", is published today. Copies are available in the Vote Office.

Health Statistics

The Financial Secretary to the Treasury (Ruth Kelly): The report "Key Statistics for health areas in England and Wales", containing results from the 2001 Census, was laid before Parliament and published on 31 July 2003. Since this date, the Office for National Statistics has discovered errors that resulted in incorrect statistics being published in this report for a small number of Health Areas. The report has been reprinted to correct these errors, and the revised version is being published and laid before Parliament today, replacing the original laid document.

Further details can be found on the National Statistics website.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Mechanically Propelled Vehicles

The Minister for Rural Affairs and Local Environmental Quality (Alun Michael): I have become acutely aware of the growing concerns about problems caused by the use of mechanically propelled vehicles on rights of way. This can clearly be a real problem in some areas, and I have seen a number of examples during visits to different regions of the country.

In response to these concerns, I have reviewed the Government's policy on the use of vehicles in the countryside and am pleased to say that I am today publishing a public consultation paper: "Use of mechanically propelled vehicles on rights of way".

In this paper I offer new proposals that are intended to address what many have come to view as the inappropriate and unsustainable way in which vehicular rights are acquired and claimed on rights of way.

At present, historic evidence of use by horse drawn vehicles or dedications for vehicular use at a time before the internal combustion engine existed, can give rise to rights to use modern mechanically propelled vehicles.

The consultation paper proposes that any historic evidence or use dating from a time when it could not have been envisaged that the way would be used by the sort of mechanically propelled vehicles we have today should only enable that way to be recorded as a right of way for vehicles that are not mechanically propelled. We believe the new category of "restricted byway" provides this opportunity. These proposals go directly to the heart of issues that have been highlighted by EDMs 1589 and 1589A.

In addition, I want to promote better enforcement of the offences available to deal with illegal or inappropriate use of vehicles on rights of way. I have re-examined the many offences already available, including those under the Road Traffic Act 1988, and the new powers under sections 59 and 60 of the Police Reform Act 2002. These provisions appear to be under-utilised and I propose to better inform enforcement authorities on their use and point to examples of good practice in applying these provisions.

I also have to announce that we will not be implementing new section 34A of the Road Traffic Act 1988 as we have met with a human rights difficulty that cannot be overcome. Section 34A sought to limit, except in narrowly defined circumstances, the availability of a defence when charged with driving on certain categories of rights of way under section 34 of the Road Traffic Act. On further consideration, we have concluded it is not possible to implement the provision in a way which will not contravene Article 6(2) of the European Convention on Human Rights, which requires the presumption of innocence in criminal trials until guilt is proven. But I believe the new proposals in the consultation paper go more directly to the root of the vehicular problem so I hope that any disappointment that section 34A is not being implemented will be outweighed by our new proposals.

Copies of the consultation paper have been deposited in the House Library. The closing date for consultation responses is 19 March 2004.

Written Ministerial Statements

Wednesday 10 December 2003

NORTHERN IRELAND

Police Oversight Commissioner

The Secretary of State for Northern Ireland (Mr. Paul Murphy): I have today laid before this House a copy of the Oversight Commissioner's third statutory report for the year 2003 which is being published today, in accordance with Section 68(4)*(a)* of the Police (Northern Ireland) Act 2000.

I announced by way of a press release issued on 13 February 2003 the extension of the life of the office of the Police Oversight Commission for two years to 31 May 2005.

I also announced at the same time Tom Constantine's agreement to extend his original three year commitment as Oversight Commissioner until December 2003. Mr Constantine will be succeeded in the New Year by present Chief of Staff Al Hutchinson.

I would like to take this opportunity to pay a sincere tribute to Tom Constantine, particularly his tremendous commitment and professionalism during his time as Oversight Commissioner.

HOME DEPARTMENT

Libyan Visa Policy

The Minister for Citizenship and Immigration (Beverley Hughes): Changes in the way visas are issued to Libyan nationals came into effect on 1 December 2003. Libyan nationals coming to the UK in any capacity other than for marriage were previously granted a maximum of six months leave to enter. This restriction has now been lifted. There will no longer be a distinction between Libyan nationals and the nationals of other countries who require a visa to come here.

Restrictions on visas were the last of a range of immigration measures taken in relation to Libya to remain in force. They have been lifted as a reflection of the improved bilateral relationship between the United Kingdom and Libya, which has seen the recent agreement on Lockerbie. The Government continue to support the Metropolitan Police in seeking Libyan assistance with their investigation into the murder of WPC Fletcher.

DEPUTY PRIME MINISTER

Building Regulations (Sound Insulation Testing)

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Phil Hope): I have today laid an amendment to the building regulations deferring introduction of pre-completion testing of the sound insulation between new houses and flats to 1 July 2004. This will allow more time for consideration of the results of a consultation into the construction industry's proposals for the robust standard details alternative to testing.

In the interim, consumers will remain protected by new standards introduced in July this year, which will continue to be enforced by building control bodies.

Noise is one of the issues that people really care about. We remain committed to improving quality of life and will continue to work with industry to build better, safer and more environmentally friendly homes.

The revised Part E (resistance to the passage of sound) of the building regulations came into force on 1 July 2003 and introduced requirements for pre-completion testing of sound insulation between dwellings. For dwellings created by conversion work and new or converted accommodation that is not self-contained, the requirements for testing came into force on 1 July 2003. For new houses and flats it was due to come into force on 1 January 2004.

This later date was to give the House Builders Federation (HBF) time to develop robust standard details—constructions that perform consistently well and so do not need regular testing. The HBF have now done this, and their proposals were subjected to a public consultation which ended on 10 November 2003.

I will also be taking advice from the Building Regulations Advisory Committee, and will then decide whether or not to amend the building regulations and approved inspectors regulations to allow robust standard details to be used as an alternative to testing.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Fishing Vessels (Satellite Monitoring)

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Mr. Ben Bradshaw): In December 2002 the Council of Ministers decided that satellite monitoring for Community fishing vessels over 24 metres should be extended, first to vessels over 18 metres from 1 January 2004 and then to vessels over 15 metres from 1 January 2005. Detailed rules subsequently adopted by the European Commission in October 2003 require Member States to take measures to ensure that satellite tracking devices fitted to fishing vessels do not permit the input or output of false positions and are not capable of being over-ridden.

To secure the maximum enforcement benefit from vessel monitoring systems it has been decided that tracking devices fitted to UK fishing vessels should be fully "tamper proof" and dedicated to position reporting.

Since such terminals may not be used by vessel owners or masters for business purposes, and subject to Parliamentary approval, DEFRA has decided to meet the costs of fitting tamper proof terminals to those UK registered vessels for which it is the licensing authority. The arrangements will be time limited. They will apply to existing vessels and those that join the fleet before 31 December 2004. It is expected that around 280 vessels will be equipped with tamper proof terminals by the end of 2004 at an overall cost of less than £1 million.

CONSTITUTIONAL AFFAIRS

Draft Single European Currency (Referendum) Bill

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. Christopher Leslie): I have today published, as Cm 6081, a draft Single European Currency (Referendum) Bill. The Chancellor of the Exchequer gave a commitment to Parliament in June 2003 that a draft Bill would be published later this year.

This draft Bill sets out the Government's thinking on the terms on which any referendum on the European single currency would be held, subject to the five economic tests being met. This shows the Government's commitment to openness and transparency. Both the question and who would be able to vote in any referendum, if the five economic tests had been met, are set out in the draft Bill.

The Government will report on progress of its reform agenda in the Budget next year. The Government can then consider the extent of progress and determine whether on the basis of it the Government makes a further Treasury assessment of the five tests, which—if positive next year—would allow it at that time to put the issue before the electorate in a referendum.

DEFENCE

War Pensions Uprating

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The rates of War Pensions and Allowances are uprated annually in April, based on the Retail Prices Index (RPI) in the previous September. The RPI at September 2003 was 2.8 per cent. and this is the amount by which War Pensions and Allowances will be increased.

The uprating of War Pensions and Allowances for 2004 will take place from the week beginning 12 April 2004.

The new rates are shown in the following table.

War Pensions Rates

(Weekly rates unless otherwise shown)	*Rates 2003* £	*Rates 2004* £
WAR PENSIONS		
Disablement Pension (100% rates)		
Officer (£ per annum)	6,465.00	6,648.00
Other ranks	123.90	127.40
Age allowances		
40%–50%	8.30	8.55
Over 50% but not over 70%	12.75	13.10
Over 70% but not over 90%	18.15	18.65
Over 90%	25.50	26.20
Disablement gratuity		
Specified minor injury (min.)	788.00	810.00
Specified minor injury (max.)	5,890.00	6,055.00
Unspecified minor injury (min.)	326.00	335.00
Unspecified minor injury (max.)	7,660.00	7,874.00
Unemployability allowance		
Personal	76.55	78.70
Adult dependency increase	43.15	44.35
Increase for first child	10.00	10.30
Increase for subsequent children	11.75	12.10
Invalidity allowance		
Higher rate	15.15	15.55
Middle rate	9.70	10.00
Lower rate	4.85	5.00
Constant attendance allowance		
Exceptional rate	93.60	96.20
Intermediate rate	70.20	72.15
Full day rate	46.80	48.10
Part-day rate	23.40	24.05
Comforts allowance		
Higher rate	20.00	20.60
Lower rate	10.00	10.30
Mobility supplement	44.60	45.85
Allowance for lowered standard of Occupation (maximum)	46.72	48.04
Therapeutic earnings limit	3,510.00	3,744.00
Exceptionally severe disablement allowance	46.80	48.10
Severe disablement occupational allowance	23.40	24.05
Clothing allowance (£ per annum)	160.00	164.00
Education allowance (£ per annum) (max)	120.00	120.00
War widow(er)s' pension (further details in schedule WWP)		
Widow(er)s—private	93.85	96.50
Widow(er)s' (other ranks)	93.85	96.50
Widow(er)—Officer (£ pa max)	5,786.00	5,948.00
Childless widow(er)s' u-40 (other ranks)	22.50	23.13
Childless widow(er)s' u-40 (Officer £ pa max)	5,786.00	5,948.00
Supplementary Pension	60.97	62.68
Age allowance		
(a) age 65 to 69	10.75	11.05
(b) age 70 to 79	20.55	21.15
(c) age 80 and over	30.55	31.40
Children's allowance		
Increase for first child	14.80	15.20
Increase for subsequent children	16.50	16.95
Orphan's pension		
Increase for first child	16.80	17.25
Increase for subsequent children	18.45	18.95
Unmarried dependant living as spouse (max)	91.50	94.15
Rent allowance (maximum)	35.40	36.40
Adult orphan's pension (maximum)	72.15	74.15

FOREIGN AND COMMONWEALTH AFFAIRS

FCO Travel Advice/Security of Overseas Posts

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): In this written Ministerial Statement I announce a review of the basis of the FCO's travel advice, and an internal review of the FCO's security strategy for its posts abroad. Terms of reference are annexed. The conclusion of the travel advice review will be placed before both Houses.

Since September 11 2001, it has been increasingly clear that we face a form of international terrorism which aims not only to take life randomly by suicide attack, but which seeks to use fear and instability to undermine the freedom and prosperity which the terrorists hate.

Our policy must be to deny the terrorists any advantage. We must take prudent precautions, while minimising the disruption which terrorists want to cause. Some disruption is, of course, inevitable if we are to make likely targets as secure as we can. But we must all be clear that total security is not possible. Everybody who goes about their business in a modern city and elsewhere makes a balanced judgment of risk against security. People continue to go about their daily lives—

vigilantly, amid sound precautions—because they are not prepared to give the terrorists satisfaction. Our determination to maintain as normal a life as possible is a weapon against terrorism.

It is important that British citizens travelling abroad should have the best possible information on risk, from the Government. We have extensively reviewed and improved our travel advice since Bali. But I have asked officials to look again at some of the underlying issues, in light of recent experience. What is the right balance between information, warning and advice? I am clear that our advice should give the most detailed and timely factual information possible, but in what circumstances should this information be complemented, where appropriate, with advice not to travel? What is the impact and the cost of our warnings not to travel? And what would be the implications of a different approach? We may conclude that the nature of our advice is as good as we can make it, or we may find that improvements are necessary. We will be seeking as many views as possible including, of course, that of Members of both Houses.

Security is always at the top of our agenda. We keep the security of all our posts under constant review and frequently re-assess the risks and the measures needed to manage them in the light of changing threat levels. Funds have been authorised for the most urgent expenditure. Following the attack on our consulate in Istanbul, which showed that our overseas missions and staff are in the front line, we immediately asked all posts to check their security measures. We are also looking at additional measures we can take at high-risk posts. In addition, we have instigated an internal review of the FCO's security strategy, in particular the balance between security and operational effectiveness.

The terms of reference for these reviews are as follows:

TRAVEL ADVICE REVIEW

Terms of reference

How can FCO advice best help UK travellers?

How can our Travel Advice best help its users to make informed, responsible decisions about possible risks overseas, particularly from terrorism, and ways they can minimise them?

What should be the balance in our Travel Advice between information, warning and advice (ie between description of risks in particular countries and prescription of action in response)?

How far can risk analysis and its presentation be made more objective (eg through statistical analysis and comparison with non-terrorist hazards)?

What would be the implications of variations in this balance for the FCO, others in HMG who help produce the Advice, and its users?

How do we link threat level assessments and public information?

How far should we take into consideration the capabilities of host governments in reaching decisions on Travel Advice?

What are the wider implications of FCO Travel Advice?

In responding to a terrorist attack, how can we ensure prudent precaution does not become over-reaction which risks playing into the hands of the terrorists?

Methodology

During the Review we will consult key stakeholders:

Departments within HM Government, including the Home Office, the Department of Trade and Industry, the Department for Transport, the Ministry of Defence and the Cabinet Office;

Users of Travel Advice, including the travel industry, the insurance industry, the public (via website feedback), and Non Governmental Organisations;

Analogous governments, including the US, Australia, Canada, New Zealand and European partners;

Governments of destination countries.

Timescale

We aim to complete the Review by the end of January 2004.

SECURITY REVIEW

Terms of reference

To review the basis for the FCO's security strategy. In particular to re-examine the balance between security and operational effectiveness.

UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment

The Secretary of State for Foreign and Commonwealth Affairs (Mr. Jack Straw): I am pleased to be able to announce that, today, the UK will ratify the Optional Protocol to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) when our permanent representative to the UN will deposit the instrument of ratification with the UN Secretary General.

The UK will become the first member of the European Union and the third country in the world to ratify the Optional Protocol. The UK believes that the Protocol will promote a more intensive and concerted approach to eradicate torture through a preventive system of regular, independent visits to places of detention. We will now undertake a campaign urging other countries to sign, ratify and implement both the Convention Against Torture and the Optional Protocol. The Protocol will come into force when 20 countries have ratified it.

The UK is committed to the fight against torture. The Foreign and Commonwealth Office's anti-torture initiative, launched in 1998, continues to provide a focus for us on this issue. The UK played an important role in securing the adoption of the Optional Protocol in 2002 by undertaking extensive lobbying of countries around the world to support the Protocol. The follow-up to our ratification of the OPCAT will be an important part of the current phase of the initiative.

HEALTH

Mental Health Act Commission Report 2001–03

The Minister of State, Department of Health (Ms Rosie Winterton): The Mental Health Act Commission's 10th biennial report, entitled "Placed Amongst Strangers", has been published today. Copies have been placed in the Library.

Depressive Illness (Children and Adolescents)

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): The Department has received new advice from the Committee on Safety of Medicines (CSM) about the use of selective serotonin re-uptake inhibitors (SSRIs) in children under the age of 18 for the treatment of major depressive disorder (MDD). An expert working group of the CSM was established earlier this year to look at the safety of the whole class of SSRIs. The group has already advised on paroxetine and the related anti-depressant venlafaxine. They have now concluded that the balance of risks and benefits for the treatment of major depressive disorder (MDD) in under 18s is unfavourable for the SSRIs sertraline, citalopram and escitalopram and unassessable for fluvoxamine.

This new advice follows announcements in June and September that paroxetine and venlafaxine should not be used in children and adolescents under the age of 18 years to treat depressive illness. Like paroxetine and venlafaxine, none of these drugs has ever been licensed for use in under 18s, but we know they are used in this age group outside licensed indications, where prescribers make a judgment on their own responsibility that it is the right treatment for a particular patient.

Only fluoxetine (Prozac) was shown in clinical trials to have a positive balance of risks and benefits in the treatment of MDD in under 18s. There is no evidence to date to suggest that the risks of treatment outweigh the benefits in adults. The CSM expert group has delivered comprehensive advice on the use of SSRIs in children and young people following a thorough review of all the evidence available. This represents the most detailed review to be completed so far and gives parents, young people and those who treat these serious illnesses the information they need to make informed decisions about treatment. The expert group will now focus their attention on finishing a compete review of the safely of the entire class of medicines in adults and young adults.

Communications to patients and prescribers are taking place today and copies of these materials have been placed in the Library. The benefits of taking these drugs are well established, but we know that some patients suffer significant side effects. Patients over 18 and patients who are benefiting from SSRIs should not be frightened into stopping their medication abruptly. Patients who are experiencing any side effects or are concerned about their treatment should discuss these with their doctor. The Government are committed to ensuring that the wider aspects of suicide prevention remain at the top of the agenda and the National Institute for Mental Health in England has made suicide prevention one of its core policy programmes.

WORK AND PENSIONS

Pension Credit

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I can now report further progress on the take-up of Pension Credit, which became payable on 6 October.

There are now 2.06 million pensioner households (over 2.43 million individuals) being paid Pension Credit, including 90,000 new Pension Credit households (over 106,000 individuals) in November. As at 30 November, there are over 1.37 million households (over 1.61 million individuals) now receiving more money as a result of the introduction of Pension Credit. The Pension Credit Application Line, at our four sites across the country, has received 1.64 million calls since it became operational on 7 April, and 96 per cent. of calls have been answered within 30 seconds. Some 490,000 signed applications have been returned to Pension Centres since the campaign began in April. The average Pension Credit award is £46.40 per week.

Our direct mail campaign is continuing, supported by a major advertising campaign on TV and in the press which began in September. We are continuing to work with partner organisations, such as Help The Aged, Age Concern and Citizens Advice, amongst others, both at a national and local level, to encourage eligible people to take up their entitlement.

There is plenty of time for pensioners to apply for Pension Credit. To ensure that pensioners do not lose out, there is a twelve month backdating provision until October 2004. This will allow applications to be backdated to October 2003, where entitlement exists, or to the date entitlement begins if this is later.

I am placing in the Library a set of charts and tables showing progress so far, including regional breakdowns of the number of Pension Credit households and numbers of Pension Credit awards in Parliamentary constituencies in Great Britain. Copies are also available for hon. Members in the Vote Office.

This is the second of the monthly progress reports on take-up of Pension Credit, which will continue to be provided on a regular basis.

DEPUTY PRIME MINISTER

Homelessness Grants

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): The Office of the Deputy Prime Minister has announced today resource grants totalling nearly £45 million to local housing authorities in England for 2004–05 and nearly £14 million to voluntary sector agencies. Copies of a list which details amounts to be allocated to individual local housing authorities and other organisations are available in the Libraries of both Houses. These allocations will help local authorities and voluntary sector agencies to sustain progress in reducing rough sleeping and ending all but the emergency use of B&B hotels for homeless families with children, and to go further in preventing wider homelessness problems more effectively, through local homelessness strategies.

Written Ministerial Statements

Thursday 11 December 2003

HOME DEPARTMENT

Police Pension Scheme

The Secretary of State for the Home Department (Mr. David Blunkett): I have today published a consultation paper which sets out proposals for a new police pension scheme for future entrants. We intend that the new scheme should be in place by no later than April 2006.

The aim is to produce a modernised, more flexible scheme for a twenty first century police service. The proposed new scheme would include benefits such as a full pension of half final salary plus a lump sum of four times' pension after 35 years, life-long survivor benefits extended to unmarried and same sex partners as well as spouses, and a lower contribution rate of between 9 to 9.5 per cent. of pensionable pay. In line with Government policy on pension ages in future the new scheme would have a minimum pension age of 55 and a deferred pension age of 65 for those leaving the service before the age of 55.

Currently serving officers who are in the existing scheme will remain there unless they opt to transfer to the new scheme. As members of the current scheme they will still be able to retire after 25 or more years' service with a pension age unaffected by the proposed changes. However, younger serving officers who leave the service early might be affected by Government proposals to apply the planned rise in the normal public service pension age from 60 to 65 to some existing staff. Any future move to raise the deferred pension age of currently serving officers to 65 would not be made before there had been a full debate about how this might be implemented across the public sector, and would apply only to pensionable service falling after the date of change.

Government plans to raise the minimum pension age to 55 in April 2005 will not affect currently serving officers who continue in service until retirement under the present police pensions scheme. However, the consultation document discusses the arrangements that should be made for officers who enter the service between April 2005 and the start date of the new scheme, if such a time lag occurs.

The consultation document also sets out Government plans for reforming the system of financing police pensions with a view to making expenditure on paying pensions to retired officers more predictable and more clearly separated from operational costs.

We seek a well-informed and constructive debate on the proposed elements of a new scheme for future entrants to the police service before we come to our final decision on how to take police pensions forward into the twenty-first century.

Copies of the consultation document are available in the House library and on the Home Office web-site www.homeoffice.gov.uk/ Comments have been requested by 11 March 2004.

Community Capacity Building

The Parliamentary Under-Secretary of State for the Home Department (Fiona Mactaggart): A Home Office consultation document on the Review of support for community groups and community capacity building in England is being published online today. The consultation document outlines the results of the review on mapping existing Government activity in the field of community capacity building and makes proposals for change. The consultation document asks questions to inform how Government might take forward actions to implement change.

The Government aim is to unify and make more effective the planning, resourcing and evaluating of provision for building the capacity of individuals and groups in communities to participate in community activity and contribute to a wide range of social objectives.

The review focused on two main areas, and the proposals for change outlined in the consultation document relate to the:

> provision of support to community groups and community capacity building activities at community level, whether that be a neighbourhood, locality, parish or across a community of interest;
>
> policies and practices that govern the way that central, regional and local government supports community engagement, and thus civil renewal, through community capacity building initiatives and programmes.

Copies of the consultation document are available in the House Library and on the Home Office http://www.homeoffice.gov.uk/docs2/ccbreconsult.pdf website. We would welcome views on the proposals and questions outlined in the consultation document.

A partial regulatory impact assessment is included with the consultation document.

Voluntary/Community Sector

The Secretary of State for the Home Department (Mr. David Blunkett): I am pleased to announce that arrangements for the implementation of the futurebuilders fund for voluntary and community sector have now been completed. The fund will be transferred to the active communities unit in the Home Office from HM Treasury. Futurebuilders is a £125 million investment over three years, mainly for one-off investment funding. We expect funding to come on stream towards the end of this financial year. The vast majority of the funds will be available in the next two financial years. The availability of funding will be publicised and organisations will be able to apply.

The fund will be aimed at helping individual voluntary and community sector organisations strengthen the scale and scope of their contribution to the delivery of public services. This fund complements the £80 million already being made available to support the implementation of a strategy for the development and support of voluntary and community organisations being jointly developed by government and the sector.

Over £200 million is therefore being invested between now and 2006 to building capacity within communities.

This fits with our wider strategy to promote and develop volunteering and mentoring for all ages. We will shortly be investing funding in a number of volunteering initiatives including work with older volunteers.

This will strengthen our communities and help ensure that they are better able to shape and deliver the services they need and to engage in volunteering and mentoring.

HOUSE OF COMMONS

Parliamentary Pay and Allowances

The Leader of the House of Commons (Mr. Peter Hain): In 1996 the Senior Salaries Review Body recommended that Parliamentary pay and allowances should be reviewed every three years, commencing in 2000. In line with this recommendation my right hon. Friend, the Prime Minister has recently written to John Baker, the Chairman of the Senior Salaries Review Body asking the body to report next year.

TRADE AND INDUSTRY

BNFL

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): In July this year, I announced that DTI and BNFL would conduct a joint review of the company's future strategy, and that recommendations would be made to the BNFL Board and Ministers in the Autumn.

It was decided that a review was necessary to evaluate alternative strategies, following on from the decision to rule out a flotation of the company after the Nuclear Decommissioning Authority had been formed in April 2005. The review has been conducted against the framework of the Government's policy objectives set out in the White Paper "Managing the Nuclear Legacy—a Strategy for Action" and in particular the need to develop a competitive market for nuclear site management. It has been driven by the Government's overriding priority to ensure safe, efficient and effective clean-up at Sellafield and other civil nuclear sites. One of the key objectives of the review was to focus BNFL's activities more closely on the priority of UK clean-up.

As announced in the White Paper, the NDA will take over strategic responsibility for the discharge of BNFL's UK nuclear liabilities from April 2005, subject to Parliamentary approval of the Energy Bill. A new parent company will be established at that point to hold those parts of BNFL that will not become the NDA's responsibility.

The Government does not intend that the new parent company and its holdings will be privatised as a whole by flotation. We have also agreed that the sale of the entire group as an integrated structure is not an objective. However, proposals for involving the private sector in individual businesses will be examined on their merits, consistent with the Government's overall objectives of focusing on a more competitive market in UK clean-up, maximising the value and limiting the risk of BNFL's businesses to taxpayers; while ensuring that safety, security and environmental standards are maintained.

Other key conclusions are :

> The principal focus of the new parent company will be clean-up activities at UK sites.

In the period up to the establishment of the NDA in April 2005, BNFL and its Board will continue to have responsibility for the safe and efficient running of its existing sites and for the financial performance of the company and its subsidiaries.

At the same time as a new parent company is established in April 2005, a new group of subsidiary companies will be established which will have initial responsibility for managing clean-up and operations at BNFL's UK sites under transitional arrangements to be agreed with the NDA. These companies will have the chance to bid to continue managing these sites when the NDA introduces competition.

Fuel manufacture will continue at the Springfields site, where clean-up activity is also underway. It will be established as a separate licensed entity, likely to be managed initially by Westinghouse, and with the NDA taking financial responsibility for the relevant decommissioning and clean-up liabilities.

The vast majority of the existing BNFL UK workforce will continue to be employed by companies that operate current BNFL sites. Initially, the two largest site licensee companies will be British Nuclear Fuels plc (which will continue to have the licence for the Sellafield site) and Magnox Electric plc. Other employees will transfer into companies within the clean-up group.

BNFL's existing Research and Technology facilities and a proportion of the personnel will remain with the site licensee companies. Other staff will transfer to a new Nuclear Science and Technology Service (NSTS) which will initially be a subsidiary of the new parent company and will deliver services on a commercial basis to the NDA, site licensee companies and third parties. These proposed arrangements for R&T are consistent with the Government's policy to keep the nuclear option open as set out in the White Paper "Our Energy Future—creating a low carbon economy".

The BNFL Board, and from April 2005, the Board of the new parent company will manage the other businesses to deliver value and in a way that limits and controls risk to the UK taxpayer.

In relation to the Westinghouse business, the Government has agreed with the BNFL Board that steps will be taken to enable the business to operate with greater financial independence from its parent, so that possibilities for private sector participation are opened up.

Future strategy for the investment in the Urenco fuel enrichment business will take full account of the strategic significance of this business and of the UK's nuclear non-proliferation obligations.

BNFL is seeking routes to reduce significantly its exposure to the US clean-up market.

These proposals are designed to help deliver the policy objectives set out in the 2002 White Paper "Managing the Nuclear Legacy" and are entirely consistent with our continuing commitment to keep the nuclear option open as set out in the 2003 Energy White Paper. They offer the best route towards both a more competitive market for UK clean-up, better value for taxpayers and a genuine opportunity for BNFL staff and management to continue to play a key role in meeting the challenge of nuclear clean-up.

We are also very conscious of the need to consider the impact of the NDA proposals and BNFL's future strategy on local communities. This is why the legislation to establish the NDA will facilitate its involvement in social and economic activities to support them.

We have sought to maximise the benefits from the establishment of the NDA to West Cumbria, for example:

The headquarters of the NDA will be in West Cumbria.

We have established a key project on UK nuclear skills in West Cumbria with the North West Development Agency.

Moreover, we are today setting out plans to establish a strategic taskforce for West Cumbria whose job it will be to plan and ensure the implementation of the social and economic regeneration of the area in light of decommissioning the Sellafield site.

I am placing further details of the review outcome in the Library of the House.

EU Regional Policy

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): On 17th September, *Official Report*, columns 53–54WS, I confirmed that the Government's proposed EU Framework for Devolved Regional Policy would form the basis of our negotiating position in Europe. The Government believe that the EU Framework offers the best model to reform EU regional policy in line with the principles of a flexible UK regional policy, ensuring that it is both effective and fair for all Member States.

We also believe that our proposal provides a sustainable response to the challenge of EU Enlargement and that it will actively support the Lisbon agenda of higher productivity and employment. The Government are committed to promoting regional policy over the longer term and this proposal reflects the Government's strong and enduring commitment to decentralisation and devolution and to ensuring that economic disparities between our nations and regions are identified and addressed.

In the consultation exercise the Government conducted earlier this year, most of those who commented on the overall aim for reform of EU regional and cohesion policy supported our key objectives. But many of the respondents felt they did not have enough information to make a proper judgment and requested further details on how the proposed approach would operate in practice. This statement aims to provide that further information, while recognising that we cannot provide a definitive blueprint at this stage. Details will inevitably change as negotiations progress. The statement refers to a more detailed paper that I have deposited in the Library of the House today.

OPERATION OF THE EU FRAMEWORK

We envisage that the EU Framework would be established by agreement in the European Council of a set of high level, outcome-focused objectives which support the achievement of the Lisbon and Gothenburg agendas. Member States would then develop with their nations and regions, consistent with their respective constitutional arrangements or devolution arrangements, Devolved Strategies for Regional Policy which would be subject to a peer review process facilitated by the Commission. More details are given in section 1 of the accompanying paper.

THE FINANCIAL GUARANTEE

The Government's guarantee that the nations and regions of the UK will not lose out if the EU Framework approach is agreed is based upon the amount of Structural Fund receipts that could be expected if, in 2007, the current allocation system were applied but in the context of an enlarged EU. This is explored further in section 2 of the accompanying paper.

POSSIBLE DELIVERY MECHANISMS

The Government stressed in the consultation document that we want regional policy to respect devolution in Scotland, Wales and Northern Ireland, and in future possibly in some English regions, and to be locally led with decisions taken as close as possible to local people, thereby supporting civil renewal. We also wanted to retain the strengths of the Structural Funds, such as multi annual funding and partnership working, but achieve significantly simplified delivery mechanisms. The ways in which such delivery in support of Framework objectives might work must take into account current devolved and decentralised arrangements and the views of stakeholders.

In addition to seeking reassurance about their future role in decision-making on regional policy, many respondents also wanted to be reassured that the agendas supported by the Structural Funds would continue to be supported through domestic funding under the proposed approach. This applied particularly in the areas of skills and employment, social inclusion and regeneration and for rural and urban areas. Although it is not possible now to say exactly what the domestic institutional arrangements will be in 2007, nor exactly how increased domestic funding would be distributed or on what it would be focused, the direction of our thinking on these areas is set out in section 3 of the accompanying paper. This focuses on arrangements in England given that, as outlined in the consultation document, Devolved Administrations would continue to devise and implement their own regional policies.

LINKS BETWEEN EU REGIONAL POLICY REFORM AND OTHER EU POLICIES

The UK Government is a firm advocate of the need to transfer more funding from Common Agricultural Policy (CAP) production support and income subsidy to the CAP rural development budget. The aims of CAP rural development to effectively assist in conversion of the EU agriculture industry to a more sustainable structure and to tackle the social, economic and environmental consequences in rural areas of change in the sector, and our objectives for EU and domestic regional policy, need to be mutually supportive. Among other things, this means that the range of instruments available at EU, national or regional level needs to make a proper and well co-ordinated contribution to the Government's productivity agenda in rural areas as well as elsewhere. This is discussed further in section 4 of the accompanying paper.

Since the Lisbon Council in March 2000, successive European Councils have called on Member States to

> "further their efforts to promote competition and reduce the general level of state aids."

The Stockholm Council in March 2001 established the target that Member States should demonstrate a downward trend in state aid in relation to GDP by 2003. More recently, the Barcelona Council in March 2002 restated that aid should be directed to

> "horizontal objectives of common interest, including economic and social cohesion, and to target it to identified market failures. Less and better-targeted state aid is a key part of effective competition."

The UK Government firmly supports these conclusions.

In the context of regional policy, the Commission announced on 2 April 2003 that it would conduct a thorough review of its rules on regional state aid for the period after 1 January 2007. In line with the European Council conclusions on state aid, the UK will be seeking a modernised state aid system which is more efficient and which allows Member States to tackle the market failures which cause regional underperformance, while bearing down on distortive aids.

Under an EU Framework, the objective of Structural Funds would be to aid development in the poorest Member States, while the state aid rules would allow all Member States to provide support to address regional and sub-regional/area underperformance, consistent with the need to ensure state aid discipline.

EU Budget

We believe that our proposal benefits all Member States by focusing scarce EU Budget resources where they will have the greatest effect. It also supports regional policy across the EU, by providing a shared policy framework for all Member States—whether recipients of funding or not—linked to the Lisbon goals and objectives. Our proposals, by providing a solution that is sustainable in the long-term (both for the Financial Perspective starting in 2007, and beyond), will bring lasting benefits shared by all Member States.

The UK also believes that, like other elements of the budget, spending on regional policy should achieve a fair budgetary deal for the UK taxpayer. As a net contributor to the Structural and Cohesion Fund (SCF) budget, additional receipts from a larger SCF budget would only come at a net cost to the UK taxpayer, reducing the amount of potential funding available for UK regional policy. Further details on the budgetary aspects of reform are contained in section 5 of the accompanying paper.

Conclusion

The Government have already reformed domestic regional policy in England to enable all regions to reach their full potential, based on their indigenous strengths, and devolved substantial power to Scotland, Wales and Northern Ireland. If the Government is to meet its ambitious domestic goals, and if EU cohesion policy is to be both sustainable, effective and fair for all Member States, radical reform is needed. In particular, we believe that EU regional policy should be substantially devolved and decentralised. The Commission has committed to examining in detail the options that have been put forward so far in its 3rd Cohesion report due next month and we await this analysis with interest. We, in turn, are committed to continuing to consult with domestic stakeholders and our EU partners as the debate develops with the aim of producing the best outcome for the new Member States, for Europe and for the nations and regions of the United Kingdom.

CABINET OFFICE

Digital Television Policy Paper

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): A new policy framework for Digital TV, which has been developed by the Office of the e-Envoy within the Cabinet Office, has been published today.

This new set of policies will provide guidance and co-ordination to central and local government in developing digital TV as a viable channel for delivering e-Government services to the consumers. It is the result of extensive work and consultation with key stakeholders across government, industry, and the public.

The DTV channel is an important tool in contributing to the Government objective of delivering all services electronically by 2005, with high levels of take-up. Currently, more than 11 million households in the UK have DTV, and the numbers are growing. DTV gives people the opportunity to access electronic government services in new ways, using the unique interactive and informational features of the medium.

The framework document encourages all tiers of government, industry, broadcasters and other leading bodies to work together on a co-ordinated approach to ensure DTV succeeds in delivering its potential.

Copies have been placed in the Libraries of the House.

DEPUTY PRIME MINISTER

Local Government Finance Settlement 2004–05

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): Further to the Pre-Budget Statement made by my right hon. Friend the Chancellor of the Exchequer, I am today announcing the proposed allocation to English local authorities of an extra £340 million of revenue support grant for 2004–05.

The Government are clear that it is right to provide this extra support to authorities to help them to improve public services. We are particularly conscious of the pressures for improvements in the areas of the environment and social services for children. The additional support will be provided as revenue support grant, which is not ring-fenced, and so can be used for any purpose.

The increase in grant distributed by formula will now be 5.5 per cent. compared to 2003–04, on a like-for-like basis: overall grants to local authorities will increase by 7.1 per cent.

The floors and ceilings on grant increases will change for authorities with education and social services responsibilities, to 4 per cent. and 7.5 per cent. respectively. In some cases, however, authorities will receive more than 7.5 per cent. because we are continuing to provide support for increased capital investment outside the floors and ceilings system.

For shire districts, the additional grant is sufficient to raise the floor to 3 per cent. so all districts will get an above inflation increase. There will be no effective ceiling for districts, giving grant increases of up to 12.2 per cent. for individual authorities.

There will be no changes in floors or ceilings for police and fire authorities.

This will mean that for the second year running, every local authority will get at least an above inflation increase, with many getting substantially more.

Tables showing grant totals and the revised provisional allocation of formula grant to all English local authorities for 2004–05 have been placed in the Vote Office and are also available in the Libraries of both Houses.

Given the scale of this change, the consultation period on our proposals will be extended and will now end on 9 January 2004. The House will then have the chance to debate the Government's final proposals in late January or early February. As is normal, the detailed allocations to individual authorities may still change as data on council tax base and capital allocations are updated.

Given the scale of the investment in local services and the scope for efficiency improvements in local government, the Government believe next year local authorities must aim to deliver council tax increases in low single figures. Unreasonably large council tax increases will be neither justified nor acceptable.

So the Government are prepared to use targeted capping powers next year if that proves necessary.

When considering whether to cap authorities, the Government will look at a range of factors including the level and increase in the council tax and the level of the budget. In areas where there is a combined fire authority, budgets for 2004–05 will not be comparable with 2003–04 because the combined fire authority is precepting for the first time in 2004–05. The Office of the Deputy Prime Minister is today issuing a consultation document which sets out the proposed methodology and the notional budget figures as a result of this change. A copy of this will be made available in the Libraries of both Houses.

Draft Fire and Rescue Framework 2004-05

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): In June the Government published the White Paper, "Our Fire and Rescue Service". It set out a package of reforms designed to improve the service and to save more lives. Today the Office of the Deputy Prime Minister is publishing a draft fire and rescue national framework that will outline how to implement the White Paper's proposals. It sets out the Government's objectives for the Fire and Rescue Service and what Fire and Rescue Authorities should do to achieve these outcomes. It also sets out what the Government will do to improve the service and what support it will provide to Fire and Rescue Authorities. In due course, the expectations in the Framework will also help to shape the Audit Commission's fire and rescue Comprehensive Performance Assessment.

The Framework is based on a partnership approach. The Government is committed to giving Fire and Rescue Authorities adequate support and flexibility to help them meet the specific needs of their local communities. For this reason we are initially issuing it in draft form and welcome comments and suggestions by 12 March 2004 both on the proposals in the draft Framework and on how to make the future versions as helpful and relevant as possible. We aim to publish the first National Framework in Spring 2004.

The legislation announced in the Queen's speech will place the Framework on a statutory footing. It will require the Government to report to Parliament on the extent to which Fire and Rescue Authorities are acting in accordance with the National Framework and any steps the Government has taken to ensure that they do.

We are also today publishing Mott MacDonald's most recent study into fire and rescue control rooms, and HM Fire Service Inspectorate's review of the subject. The study reinforced the report's conclusions that regional control rooms would significantly enhance national resilience. The Government is persuaded by the conclusions of the study and proposes to establish regional control rooms in England, including the one already established in London, working closely with Fire and Rescue Authorities through their Regional Management Boards. We have written to the Practitioners Forum asking for their views on our proposed approach.

The Fire and Rescue Service is, rightly, widely admired for its professionalism and the dedication of its staff. The White Paper made clear, however, that it was also in need of urgent reform. Publication of the draft National Framework sets out the Government's expectations of the Service, what Fire and Rescue Authorities should do and the support the Government will provide. It demonstrates the Government's continued commitment, in partnership with Fire and Rescue Authorities, to driving down the number of fire deaths and injuries, improving fire and rescue services and saving more lives.

Copies of the Draft Fire and Rescue National Framework 2004/05, the full Mott MacDonald report, the summary of the Mott MacDonald report, and the HM Fire Service Inspectorate review are available in the libraries of both Houses.

CULTURE, MEDIA AND SPORT

BBC Charter

The Secretary of State for Culture, Media and Sport (Tessa Jowell): The BBC's Royal Charter—the seventh in the history of the corporation—is due to expire on 31 December 2006. I have today launched the first phase of a process of review that will result in a strong BBC, independent of Government, from the end of the current Charter and beyond. That period will be marked by continuing rapid advances in technology, and changes in society, culture and practice—the way people receive and make use of broadcast content. Charter review will be characterised by our openness, our efforts to engage as broad a section of the population as we can; and our commitment to listen to what people have to say. And I am being helped in this by Lord Burns, who will provide me with independent advice throughout.

Charter review is not a single process. It will take in a range of existing and planned work, including Ofcom's review of public service television, the independent review of BBC online and the forthcoming reviews of the BBC's new digital services.

But it will also feature widespread public involvement, built around a three-phase process of consultation. Phase one starts today, based on a very broad consultation document—The Review of the BBC's Royal Charter—which I have published today. I have placed copies of the document—and a supporting leaflet—in the Libraries of both Houses.

Phase two, timed to begin around the end of 2004, will aim to bring together the results of phase one, the conclusions of various reviews taking place over the course of next year and the findings of our own programme of research into a green paper, which will be published for a further stage of consultation.

A White Paper will follow, with a further round of consultation. We will conclude the process with a full and formal opportunity for both Houses to contribute their views.

Today's publication forms the central plank of phase one. It sets out a framework for consultation—based on a series of key themes—within which there is plenty of room for discussion of all aspects of the BBC's role, structure and function. The consultation will be supported by a programme of survey research and direct engagement with the public and stakeholders.

The BBC belongs to everyone. It is one of our most valued institutions. In many ways, it reflects what is best about the values, culture and society of the United Kingdom, at home and abroad. Charter review gives the whole country an opportunity to have its say about the kind of BBC it wants for the future.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Water Framework Directive

The Minister for the Environment (Mr. Elliot Morley): The Government is today laying regulations[1] before Parliament which transpose the Water Framework Directive in England and Wales. Defra is also publishing on the Defra web-site a final Regulatory Impact Assessment (RIA)[2] as well as a summary of the views of those who commented on the most recent consultation on the Directive, and a Government response to their comments[3].

The regulations provide the framework for delivery of the Directive's demanding environmental objectives. The quality of rivers, lakes, estuaries, coastal waters and groundwaters must be protected and enhanced by 2015. In addition, wetlands depending on groundwater must be safeguarded and water related requirements of other Community legislation taken into account.

All this action must be integrated into packages of measures and plans based on river basins, which must be drawn up with full public participation.

The regulations comprise one set covering England and Wales (which have already been approved by the National Assembly for Wales) and a further set covering the Northumbria river basin district which crosses slightly over the England/Scotland border.

TRANSPOSITION IS ONLY THE FIRST STEP

The Water Framework Directive is of exceptional importance in setting the objectives for our policies towards the water environment for years to come. The Government is fully committed to these objectives. Transposition of the Directive through these regulations is a significant stage in its implementation. But it is important to recognise that it is only one step along the road. Full implementation will depend on a wide range of further decisions and actions to be taken over the coming years. The transposition regulations should be seen as enabling and requiring these further steps to take place. But they are by no means all that is needed to put the directive into practice. Key issues, as currently envisaged, on which further decisions and action will be needed, in order to achieve this, are summarised in the annex.

The overall effect of the regulations is that in England, the Secretary of State has ultimate responsibility for the Directive's implementation; this responsibility includes:

an explicit role in approving environmental objectives, programmes of measures and river basin management plans;

the power to issue guidance to the Agency and other relevant bodies, to which they are bound to have regard.

The Environment Agency has responsibility to:

Characterise river basin districts;

Identify bodies of water used for the abstraction of drinking water;

Prepare, review and keep up to date a register of protected areas for each river basin district;

Establish programmes to monitor water status, so as to establish an overview of water status within each river basin district;

Prepare and submit to the 'appropriate authority' (i.e. Secretary of State and/or National Assembly for Wales) environmental objectives for each body of water and programmes of measures;

Prepare and submit to the appropriate authority a river basin management plan for each district (including consultation, publicity and taking account of views) and supplementary plans.

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[1] The Water Environment (Water Framework Directive) (England and Wales) Regulations 2003 and

The Water Environment (Water Framework Directive) (Northumbria River Basin District) Regulations 2003 can be found at http://www.legislation.hmso.gov.uk/si/dsis2003.htm and a transposition note can be found at http://www.defra.gov.uk/corporate/ria/default.htm

Maps showing the district boundaries for each set of Regulations can be found at http://www.defra.gov.uk/environment/water/wfd/index.htm

[2] The Regulatory Impact Assessment can be found at http://www.defra.gov.uk/corporate/ria/default.htm

[3] Summary of third Framework Directive consultation paper responses and Government response/commentary on regulations can be found at http://www.defra.gov.uk/environment/water/wfd/index.htm

The Government has greatly appreciated the input made through the comments of those who have responded to consultation. The Government is setting out its response to them today on the Defra website. A very wide range of comments were received and a wide range of changes have been made to the draft regulations published in August this year. These include revisions to provisions dealing with programmes of measures, river basin management plans, public participation and publication of information.

A FRAMEWORK FOR ACTION

The regulations set the framework for further implementation action by both the Government and the Environment Agency, as competent authority for the Directive. There is much more action to come. The regulations achieve transposition; but the Government will be building on the regulations by bringing forward a range of proposals dealing with such issues as controls on diffuse pollution, River Basin Management Plan guidance and the development of a Water Framework Directive communications strategy.

Discussions continue in Brussels on linked proposals for new Directives on groundwater and priority substances, building on Water Framework Directive requirements. Further work is underway at Community level to develop guidance packages to support implementation of the Directive. The UK will continue actively to support such work, including through its pilot river basin scheme based on the river Ribble in the North-West. The regulations need to be seen therefore in the context of this further future action.

KEY EARLY ACTIONS

The EA, as competent authority in England and Wales, will consult in 2004 on a public participation strategy. This will in turn inform the formal mechanisms that will ensure full and proper participation of wider society at the river basin level. It is not just the Government that must ensure that all are aware of and fully engaged in this process—there is also an important role for all agencies and organisations that wish to see a better quality water environment. To this end Defra and the EA are already developing, in close consultation with stakeholders, a WFD communication strategy for England to raise awareness of both the WFD and water quality issues.

The benefits and opportunities the Directive will provide—economic and social regeneration, biodiversity, integration of land-use and sectoral planning, flood management, fisheries/marine, health and amenity—must be explained and seized upon. For its own part the Government has instituted much of this integration within its own structures already, building on the principles outlined in its 2002 statement of priorities for water policy, "Directing the Flow". This will continue, as will the focus on delivery at the regional and sub-regional level.

Meeting the good ecological and chemical status requirements in the directive will be a challenge. A key analysis of impacts of human activity on water bodies must be completed by December 2004. Diffuse pollution from agricultural and urban sources will need to be tackled as a priority to meet the Directive's objectives, as well as further reductions in point source discharges. The costs of the measures required to meet "good status" will need to be apportioned to water users and other sectors in a transparent and rational way. A robust economic analysis is a core requirement of this Directive and will ensure that the benefits of the measures employed justify the costs involved. (Defra will assess the scope for updating the final RIA from 2005). Costs must, as far as possible, adhere to the polluter pays principle. Defra is leading this analysis in England, in conjunction with Ofwat and the Environment Agency. The results will underpin the identification of the most effective suite of measures be they regulatory, fiscal, incentive or voluntary. Each of these measures will be formulated with the full engagement of the wider public both within the auspices of the WFD stakeholder forum for England and at the regional and local level through the active

HELPING TO CARRY FORWARD THE DIRECTIVE WITH THE WIDER WATER AGENDA

Alongside action to carry forward implementation of the requirements of the Directive through these regulations, the Government will actively be pursuing linked actions, consistent with the overall policy objectives of "Directing the Flow" and the aims and spirit of the Directive.

These will include: work to carry forward and implement the provisions of the Water Act 2003 that will:

further the sustainable use of water resources;

promote water conservation, including a requirement for mandatory water company drought plans which up until now have been voluntary

completion of the current Periodic Review of water prices and related environmental investment programmes to protect and enhance surface and groundwater water quality, including the water needs of important wetlands and other important biodiversity sites;

work within the context of the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR) on hazardous substances and nutrients and work to help deliver the Government's vision for the marine environment as set out in "Seas of Change";

work on establishing effective integration and linkages between river basin management plans (including supplementary plans) and other plans with a bearing on them, including abstraction plans, flood management plans and land use plans.

Annex—Key further decisions and action likely to be taken in the implementation of the WFD

(Note: all key decisions will be subject to prior consultation with stakeholders)

Year	*Activity*
2004	Defra consults on measures to tackle diffuse pollution from agriculture, and on priorities for action to tackle urban diffuse pollution. Consultation on diffuse pollution regulatory enabling powers. 1st phase of characterisation of water bodies (including identification of heavily modified water bodies), review of environmental impacts and pressures and economic analysis for each river basin district completed. (This will be refined from 2005 onwards)

Year	*Activity*
	Defra completes economic analysis work necessary for 2004 on cost recovery, economic importance and dynamics of water use and the preparation of a methodology for cost effective analysis
	WFD communications strategy for England launched
	EA consults on draft strategy for River Basin Planning (RBP) including public participation.
	Defra assesses need to amend WFD regulations to include further bodies under a duty to exercise relevant functions so as to secure compliance with the requirements of the Directive
	Defra Scottish Executive assess whether further regulatory provisions needed for England Scotland cross border river basin districts
	Defra assesses adequacy of existing powers to ensure hydromorphological conditions are consistent with meeting water status objectives
	2004 Periodic Review of Water Price Limits sets the investment by water companies to improve water quality and water resource management for the period 2005–10. This will deliver substantial environmental quality improvements that will help achieve "good status".
	EA completes register of WFD "protected areas" with input from others including English Nature and Countryside Council for Wales.
	Establishment of arrangements for linkage between Strategic Environmental Directive and WFD
	EU Environment Council consideration of daughter directive on groundwater
	EU Commission publishes proposals for daughter directive on priority substances
2005	Defra consults on River Basin Planning (RBP) guidance to EA (including the scope and use of "supplementary plans")
	Defra issues guidance to EA on RBP.
	EA launches national RBP strategy, including plans for public participation and administrative structures.
2005 onwards	Refinement of characterisation to reduce uncertainty in risk assessments.
	Assess scope for updating final RIA
2006	Defra consults on and brings into force water status classification regulations.
	Intercalibration results published by European Commission.
	Formal monitoring of sites starts.
	EA publish for consultation the timetable work in progress for the production of each River Basin Management Plan (RBMP).
2007	EA to publish and make available for comment an interim overview of significant issues identified for each RBMP.
	Preparation of a prototype River Basin Management Plan and Programme of Measures for the Ribble Pilot.
2008	EA to publish and make available for comment first round of draft RBMPs, including summaries of Programmes of Measures (PoMs) and other material specified in Annex VII of the WFD.
2009	EA to publish finalised RBMPs, including summary of PoMs. After approval by SoS/NAW
	Programmes of Measures established
2012	Programme of Measures operational.
2013	Freshwater Fish, Shellfish, Groundwater, Surface Water Abstraction and (partly) Dangerous Substances Directives repealed by WFD.
2014	EA to publish draft of second round of RBMPs for consultation
2015	Environmental objectives of WFD met. PoMs reviewed and, if necessary, updated.
2015 onwards	RBMPs and PoMs reviewed every 6 years.

HEALTH

Care Service Regulatory Fees

The Parliamentary Under-Secretary of State for Health (Dr. Stephen Ladyman): The fees for care services currently regulated by the National Care Standards Commission (NCSC) will be increased in April 2004. A table of the new fees is as follows.

Regulatory fee income is to assist with the funding of the NCSC, with the intention of achieving full cost recovery after five years, with a review in 2004. The policy on regulatory fees—including the intention of full cost recovery and the consequences for later years—was established following consultation in 2001. The fee structure also makes the costs of regulation transparent and borne by those who stand to benefit from more consistent national minimum standards so that pressures will apply to the regulatory process to ensure that it continues to be effective and efficient.

Next April, the Commission for Social Care Inspection will take on the NCSC's role of regulating independent social care providers. The regulation of private and voluntary healthcare providers will move from the NCSC to the Commission for Healthcare Audit and Inspection. The new Commissions will further strengthen the system for inspecting those services.

Individual letters are being sent to all providers of care services regulated by the NCSC to notify them about the increases.

FEES FOR REGISTRATION AND INSPECTION 2004/05

(2003–04 fees in brackets)

REGISTRATION FEES

Service	Unit	Current fee	New fee
Provider registration	home	£1320 *	£1584
Provider registration small homes and adult placements	home	£360 *	£432
Manager registration	manager	£360 *	£432
Minor variation	application	£60	£72
Variation requiring visit	application	£660 *	£792

FEES FOR REGISTRATION AND INSPECTION 2004/05

(2003-04 fees in brackets)

REGISTRATION FEES

ANNUAL FEES

Service	Flat rate	Approved Place from 4th–29th	Approved place over 30th
Care homes & hospices	£21 6 (£180)	£72 (£60)	£72 (£60)
Small care homes and adult placements	£144 (£120)	N/a	N/a
Acute and mental health hospitals	£ 3600 (£3000)	£144 (£120)	£72 (£60)
Prescribed techniques clinics	£1080 (£900)	£144 (£120)	£72 (£60)
Independent hospital	£1440 (£1200)	£144 (£120)	£72 (£60)
Other independent healthcare	£1440 (£1200)	N/a	N/a
Children's homes	£720 (£600)	£ 72 (£60)	£72 (£60)
Small children's homes	£720 (£600)	N/a	N/a
Boarding schools and further education	£360 (£300)	£21.60 (£18)	£10.80 (£9)
Residential special schools	£576 (£480)	£57.60 (£48)	£28.80 (£24)
Fostering agencies and local authorities	£1440 (£1200)	N/a	N/a
Residential family centres	£ 480 (£400)	£60 (£50)	£60 (£50)
Domiciliary care agencies	£ 900 (£750)	N/a	N/a
Small domiciliary care agencies	£ 450 (£375)	N/a	N/a
Nurses agencies	£ 600 (£500)	N/a	N/a
Voluntary adoption agencies	£ 600 (£500)	N/a	N/a
Voluntary adoption agency branches	£ 300 (£250)	N/a	N/a
Small nurses agencies	£ 300 (£250)	N/a	N/a

*Domiciliary care agencies, voluntary adoption agencies, nurse agencies and residential family centres pay 2003-04 prices

TREASURY

Aspire IT Services Contract

The Paymaster General (Dawn Primarolo): The Inland Revenue is today announcing that Cap Gemini Ernst & Young (CGEY) has been selected as the Department's preferred supplier for the Aspire IT services contract.

Aspire will provide a range of Information Technology/Information Systems and related services including voice. These services are intended to support current and new business channels (including e-business) as the Department faces the challenges of the future. Because no one single supplier can provide the full range of IT services the Inland Revenue requires, CGEY will act as the Prime supplier with responsibility for integrating Inland Revenue systems and supporting transformation, supported by co-partners.

The initial term of the contract will be 10 years, with options to extend, potentially in a number of stages, for up to 18 years.

The competition sought to identify the bidder which delivers the most economically advantageous tender. Two preferred bidders were announced on 16 July 2003, Cap Gemini Ernst & Young and Revenue Professional Services (RPS—an alliance of EDS and Accenture). The Project developed a comprehensive and exhaustive evaluation process that commenced with the receipt of responses to the Invitation to Tender (ITT) in March 2003. The technical fit of each proposition was tested against specific criteria for:

- strategic partnership potential
- ability to deliver IT services
- ability to innovate and deliver technology enabled change
- ability to manage transition to the new contract effectively

In parallel with this activity there was a financial and commercial evaluation.

CGEY proved themselves across the range of evaluation criteria and demonstrated their capacity to act as strategic partner. In addition, the contract prices quoted by both bidders were compared with each other and with a baseline established through the use of professional benchmarking advisers (a "Should Cost Model").

WORK AND PENSIONS

Social Security Benefits Uprating 2004

The Secretary of State for Work and Pensions (Mr. Andrew Smith): The proposed rates of benefit for 2004 are set out in the table below. The annual uprating of benefits will take place for State Pension and most other benefits in the first full week of the tax year. In 2004, this will be the week beginning 12 April. My right hon. Friend the Secretary of State for Northern Ireland proposes to introduce similar changes for Northern Ireland.

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
ATTENDANCE ALLOWANCE		
higher rate	57.20	58.80
lower rate	38.30	39.35
CARER'S ALLOWANCE	43.15	44.35
COUNCIL TAX BENEFIT		
Personal allowances		
single		
18 to 24	43.25	44.05
25 or over	54.65	55.65
lone parent—18 or over	54.65	55.65
couple—one or both over 18	85.75	87.30
Dependent Children		
from birth to September following 16th birthday	38.50	42.27
from September following 16th birthday to day before 19th birthday	38.50	42.27

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
Pensioner (from October 2003)		
single—60–64	102.10	105.45
couple—one or both 60–64	155.80	160.95
single—65 and over	116.90	121.00
couple—one or both 65 and over	175.00	181.20
Premiums		
family	15.75	15.95
family (lone parent rate)	22.20	22.20
pensioner		
single	47.45	49.80
couple	70.05	73.65
pensioner (enhanced)		
single	47.45	49.80
couple	70.05	73.65
pensioner (higher)		
single	47.45	49.80
couple	70.05	73.65
disability		
single	23.30	23.70
couple	33.25	33.85
enhanced disability premium single rate	11.40	11.60
disabled child rate	16.60	17.08
couple rate	16.45	16.75
severe disability		
single	42.95	44.15
couple (lower rate)	42.95	44.15
couple (higher rate)	85.90	88.30
disabled child	41.30	42.49
carer	25.10	25.55
bereavement	22.80	23.95
Allowance for personal expenses for claimants in hospital		
higher rate	19.35	19.90
lower rate	15.50	15.90
Non-dependant deductions aged 18 or over and in remunerative work		
gross income: £308 or more	6.95	6.95
gross income: £247–£307.99	5.80	5.80
gross income: £144–£246.99	4.60	4.60
gross income less than £144	2.30	2.30
others, aged 18 or over	2.30	2.30
Alternative maximum Council Tax Benefit second adult on IS, JSA(ib) or Pension Credit	25% of Council Tax	25% of Council Tax
second adult's gross income		
under £144	15% of Council Tax	15% of Council Tax
£144 to £185.99	7.5% of Council Tax	7.5% of Council Tax
Capital		
upper limit	16,000.00	16,000.00
amount disregarded	3,000.00	3,000.00
upper limit (claimant/partner 60 or over)	16,000.00	16,000.00
upper limit (PC guarantee) from Oct 2003	No limit	No limit
amount disregarded (clmt/ptner 60 or over)	6,000.00	6,000.00
child disregard	3,000.00	3,000.00
upper limit of RC/NH	16,000.00	16,000.00
amount disregarded of RC/NH	10,000.00	10,000.00
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Tariff income (claimant/partner 60 or over) from October 2003		
£1 for every £500 or part thereof between amount of capital disregard and capitalupper limit		
Earnings disregards		
where disability premium awarded	20.00	20.00
various specified employments	20.00	20.00
lone parent	25.00	25.00
where the claimant has a partner	10.00	10.00
single claimant	5.00	5.00
where carer premium awarded	20.00	20.00
childcare charges	94.50	135.00
childcare charges (2 or more children)	140.00	200.00
Other income disregards		
maintenance disregard	15.00	15.00
war disablement pension and war widow's pension	10.00	10.00
certain voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
income from boarders: disregard the fixed amount (£20) plus 50% of the balance of the charge	20.00	20.00
30/16 hour disregard	11.90	12.32
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.65	9.80
DEPENDENCY INCREASES		
Adult Dependency Increases for spouse or person looking after children, with:		
retirement pension on own insurance,	46.35	47.65
long term incapacity benefit, unemployability supplement	43.15	44.35
severe disablement allowance	25.90	26.65
carers allowance	25.80	26.50
short-term incapacity benefit if beneficiary over pension age	41.50	42.65
maternity allowance/short-term incapacity benefit	33.65	34.60
Child Dependency Increases, with:		
retirement pension, widowed mothers allowance, widowed parents allowance, short-term incapacity benefit at the higher rate & long term incapacity benefit, carers allowance, severe disability allowance, higher rate industrial death benefit, unemployability supplement and short-term incapacity benefit if beneficiary over pension age	11.35	11.35
NB The Overlapping Benefits Regulations provide for the rate of child dependency increases to be adjusted where the increase is payable for the eldest eligible child for whom Child Benefit is also payable. The weekly rate of the increase is reduced by the differential (less £3.50 from April 2000) between the rate of Child Benefit payable for the oldest eligible child and that payable for a subsequent child.		
DISABILITY LIVING ALLOWANCE		
Care Component		
Highest	57.20	58.80
Middle	38.30	39.35
Lowest	15.15	15.55
Mobility Component		
Higher	39.95	41.05
Lower	15.15	15.55
EARNINGS RULES		
Carers Allowance	77.00	79.00
Limit of earnings from councillor's allowance	67.50	72.00
Permitted work earnings limit	67.50	72.00
Industrial injuries unemployability supplement permitted earnings level (annual amount)	3,510.00	3,744.00
Adult dependency increases with short-term incapacity benefit where claimant is		
(a) under pension age	33.65	34.60
(b) over pension age	41.50	42.65
maternity allowance	33.65	34.60
retirement pension, long-term incapacity benefit, severe disablement allowance, unemploy ability supplement where dependant		
(a) is living with claimant	54.65	55.65
(b) still qualifies for the tapered earnings rule	45.09	45.09
retirement pension,	46.35	47.65
long-term incapacity benefit and unemployability supplement where dependant not living with claimant	43.15	44.35
severe disablement allowance where dependant not living with claimant	25.90	26.65
carers allowance	25.80	26.50
Child dependency increases level at which CDIs are affected by earnings of claimant's spouse or partner		
for first child	160.00	165.00
for each subsequent child	20.00	21.00
HOSPITAL DOWNRATING		
20% rate	15.50	15.90
30% rate	29.45	30.25
HOUSING BENEFIT		
Personal allowances		
single		
16 to 24	43.25	44.05
25 or over	54.65	55.65

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
lone parent		
under 18	43.25	44.05
18 or over	54.65	55.65
couple		
both under 18	65.30	66.50
one or both 18 or over	85.75	87.30
dependent children		
from birth to September following 16th birthday	38.50	42.27
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pensioner (from October 2003)		
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disabled child rate	16.60	17.08
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severe disability		
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couple (lower rate)	42.95	44.15
couple (higher rate)	85.90	88.30
disabled child	41.30	42.49
carer	25.10	25.55
bereavement	22.80	23.95
Allowance for personal expenses for claimants in hospital		
higher rate	19.35	19.90
lower rate	15.50	15.90
Non-dependant deductions rent rebates and allowances aged 25 and over, in receipt of Income Supporter income-based Job Seekers Allowance aged 18 or over, not in remunerative work or in receipt of Pension Credit	7.40	7.40
gross income less than £97 aged 18 or over and in remunerative work	7.40	7.40
gross income: less than £97	7.40	7.40
gross income: £97 to £143.99	17.00	17.00
gross income: £144 to £185.99	23.35	23.35
gross income: £186 to £246.99	38.20	38.20
gross income: £247 to £307.99	43.50	43.50
gross income: £308 and above	47.75	47.75
Service charges for fuel		
heating	9.65	9.80
hot water	1.15	1.20
lighting	0.80	0.80
cooking	1.15	1.20
Amount ineligible for meals		
three or more meals a day		
single claimant	19.50	19.85
each person in family aged 16 or over	19.50	19.85
each child under 16	9.85	10.05
less than three meals a day		
single claimant	12.95	13.20
each person in family aged 16 or over	12.95	13.20
each child under 16	6.55	6.65
breakfast only—claimant and each member of family	2.40	2.45
Capital		
upper limit	16,000.00	16,000.00
amount disregarded	3,000.00	3,000.00
upper limit (claimant/partner 60 or over)	16,000.00	16,000.00
upper limit (PC guarantee) from Oct 2003	No limit	No limit
amount disregarded (claimant/partner 60 or over)	6,000.00	6,000.00
child disregard	3,000.00	3,000.00
upper limit of RC/NH	16,000.00	16,000.00
amount disregarded of RC/NH	10,000.00	10,000.00

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
Tariff income		
£1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Tariff income (claimant/partner 60 or over) from Oct 2003		
£1 for every £500 or part thereof between amount of capital disregard and capital upper limit		
Earnings disregards		
where disability premium awarded	20.00	20.00
various specified employments	20.00	20.00
lone parent	25.00	25.00
where the claimant has a partner	10.00	10.00
single claimant	5.00	5.00
where carer premium awarded	20.00	20.00
childcare charges	94.50	135.00
childcare charges (2 or more children)	140.00	200.00
Other income disregards		
maintenance disregard	15.00	15.00
war disablement pension and war widow's pension	10.00	10.00
certain voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders: disregard the fixed amount (£20) plus 50% of the balance of the charge	20.00	20.00
30/16 hour disregard	11.90	12.32
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.65	9.80
Maximium rates for recovery of overpayments		
ordinary overpayments	8.25	8.40
where claimant convicted of fraud	10.80	11.20
INCAPACITY BENEFIT		
Long-term Incapacity Benefit	72.15	74.15
Short-term Incapacity Benefit (under pension age)		
lower rate	54.40	55.90
higher rate	64.35	66.15
Short-term Incapacity Benefit (over pension age)		
lower rate	69.20	71.15
higher rate	72.15	74.15
Increase of Long-term Incapacity Benefit for age		
higher rate	15.15	15.55
lower rate	7.60	7.80
Invalidity Allowance (Transitional)		
higher rate	15.15	15.55
middle rate	9.70	10.00
lower rate	4.85	5.00
INCOME SUPPORT		
Personal Allowances		
single		
under 18—usual rate	32.90	33.50
under 18—higher rate payable in specific circumstances	43.25	44.05
18 to 24	43.25	44.05
25 or over	54.65	55.65
lone parent		
under 18—usual rate	32.90	33.50
under 18—higher rate payable in specific circumstances	43.25	44.05
18 or over	54.65	55.65
couple		
both under 18	32.90	33.50
both under 18, one disabled	43.25	44.05
both under 18, with responsibility for a child	65.30	66.50
one under 18, one 18-24	43.25	44.05
one under 18, one 25+	54.65	55.65
both 18 or over	85.75	87.30
dependent children		
birth to September following 16th birthday	38.50	42.27
from September following 16th birthday to day before 19th birthday	38.50	42.27
Premiums		
family	15.75	15.95
family (lone parent rate)	15.90	15.95
pensioner couple	70.05	73.65
pensioner (enhanced) couple	70.05	73.65
pensioner (higher) couple	70.65	73.65
disability		
single	23.30	23.70
couple	33.25	33.85
enhanced disability premium single rate	11.40	11.60

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
disabled child rate	16.60	17.08
couple rate	16.45	16.75
severe disability		
single	42.95	44.15
couple (lower rate)	42.95	44.15
couple (higher rate)	85.90	88.30
disabled child	41.30	42.49
carer	25.10	25.55
bereavement	22.80	23.95
Allowances for personal expenses for claimants in hospital		
higher rate	19.35	19.90
lower rate	15.50	15.90
Housing costs		
deduction for non-dependants aged 25 and over, in receipt of Income Support or income based Job Seekers Allowance aged 18 or over, not in work or in receipt of Pension Credit	7.40	7.40
aged 18 or over and in remunerative work		
gross income: less than £97	7.40	7.40
gross income: £97 to £143.99	17.00	17.00
gross income: £144 to £185.99	23.35	23.35
gross income: £186 to £246.99	38.20	38.20
gross income: £247 to £307.99	43.50	43.50
gross income: £308 and above	47.75	47.75
Deduction for direct payments, arrears of housing, fuel and water costs council tax and fines default	2.75	2.80
Deductions for child maintenance (standard)	5.50	5.60
Deductions for child maintenance (lower)	2.75	2.80
Arrears of Community Charge		
court order against claimant	2.75	2.80
court order against couple	4.30	4.40
Third party deductions personal expenses allowance	17.50	18.10
Maximum rates for recovery of overpayments		
ordinary overpayments	8.25	8.40
where claimant convicted of fraud	10.80	11.20
Reduction in benefit for strikers	29.50	30.00
Capital		
upper limit	8,000.00	8,000.00
amount disregarded	3,000.00	3,000.00
upper limit (claimant/partner 60 or over)	12,000.00	12,000.00
amount disregarded (claimant/partner 60 or over)	6,000.00	6,000.00
child's limit	3,000.00	3,000.00
upper limit (care home)	16,000.00	16,000.00
amount disregarded (care home)	10,000.00	10,000.00
Tariff income £1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Disregards		
standard earnings	5.00	5.00
couples earnings	10.00	10.00
higher earnings	20.00	20.00
war disablement pension and war widow's pension	10.00	10.00
voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders: disregard the fixed amount (£20) plus 50% of the balance of the charge	20.00	20.00
Expenses for subtenants furnished or unfurnished	4.00	4.00
where heating is included, additional	9.65	9.80
INDUSTRIAL DEATH BENEFIT		
Widow's pension		
higher rate	77.45	79.60
lower rate	23.24	23.88
Widower's pension	77.45	79.60
INDUSTRIAL INJURIES DISABLEMENT PENSION		
18 and over, or under 18 with dependants		
100%	116.80	120.10
90%	105.12	108.09
80%	93.44	96.08
70%	81.76	84.07
60%	70.08	72.06
50%	58.40	60.05
40%	46.72	48.04
30%	35.04	36.03
20%	23.36	24.02
Under 18		
100%	71.55	73.55
90%	64.40	66.20
80%	57.24	58.84
70%	50.09	51.49
60%	42.93	44.13
50%	35.78	36.78
40%	28.62	29.42
30%	21.47	22.07
20%	14.31	14.71
Maximum life gratuity (lump sum)	7,760.00	7,980.00
Unemployability Supplement	72.15	74.15
plus where appropriate an increase for early incapacity		
higher rate	15.15	15.55
middle rate	9.70	10.00
lower rate	4.85	5.00
Maximum reduced earnings allowance	46.72	48.04
Maximum retirement allowance	11.68	12.01
Constant attendance allowance		
exceptional rate	93.60	96.20
intermediate rate	70.20	72.15
normal maximum rate	46.80	48.10
part-time rate	23.40	24.05
Exceptionally severe disablement allowance	46.80	48.10
JOBSEEKERS ALLOWANCE		
Contribution based JSA—Personal rates		
under 18	32.90	33.50
18 to 24	43.25	44.05
25 or over	54.65	55.65
Income-based JSA—personal allowances		
under 18	32.90	33.50
18 to 24	43.25	44.05
25 or over	54.65	55.65
lone parent		
under 18—usual rate	32.90	33.50
under 18—higher rate payable in specific circumstances	43.25	44.05
18 or over	54.65	55.65
couple		
both under 18	32.90	33.50
both under 18, one disabled	43.25	44.05
both under 18, with responsibility for a child	65.30	66.50
one under 18, one 18–24	43.25	44.05
one under 18, one 25+	54.65	55.65
both 18 or over	85.75	87.30
dependent children from birth to September following 16th birthday	38.50	42.27
from September following 16th birthday to day before 19th birthday	38.50	42.27
Premiums		
family	15.75	15.95
family (lone parent rate)	15.90	15.95
pensioner		
single	47.45	49.80
couple	70.05	73.65
pensioner (enhanced) couple	70.05	73.65
pensioner (higher)		
single	47.45	49.80
couple	70.05	73.65
disability		
single	23.30	23.70
couple	33.25	33.85
enhanced disability premium single rate	11.40	11.60
disabled child rate	16.60	17.08
couple rate	16.45	16.75
severe disability		
single	42.95	44.15
couple (lower rate)	42.95	44.15
couple (higher rate)	85.90	88.30
disabled child	41.30	42.49
carer	25.10	25.55
bereavement	22.80	23.95
hospital		
higher rate	19.35	19.90
lower rate	15.50	15.90
Housing costs		
deduction for non-dependants aged 25 and over, in receipt of Income Support or income based Job Seekers Allowance aged 18 or over, not in remunerative work or in receipt of Pension Credit 0.00	7.40	7.40
aged 18 or over and in remunerative work		
— gross income: less than £97	7.40	7.40
— gross income: £97 to £143.99	17.00	17.00
— gross income: £144 to £185.99	23.35	23.35
— gross income: £186 to £246.99	38.20	38.20
— gross income: £247 to £307.99	43.50	43.50

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
gross income: £308 and above	47.75	47.75
Deduction for direct payments		
Deductions from JSA (IB) arrears of housing, fuel and water costs council tax and fines default, and Deductions for Child Maintenance	2.75	2.80
deductions for child maintenance (standard)	5.50	5.60
deductions for child maintenance (lower)	2.75	2.80
Arrears of Community Charge		
court order against claimant	2.75	2.80
court order against couple	4.30	4.40
Third party deductions		
personal expenses allowance	17.50	18.10
Deductions from JSA (continued)		
Arrears of Community Charge, Council Tax, fines & overpayment recovery		
Age 16–17	10.96	11.16
Age 18–24	14.41	14.68
Age 25 +	18.21	18.55
Maximum deduction for arrears of Child Support Maintenance		
Age 16–17	10.96	11.16
Age 18–24	14.41	14.68
Age 25 +	18.21	18.55
Maximum rates for recovery of overpayments in JSA(ib)		
ordinary overpayments	8.25	8.40
where claimant convicted of fraud	10.80	11.20
Reduction in benefit for strikers	29.50	30.00
Capital		
upper limit	8,000.00	8,000.00
amount disregarded	3,000.00	3,000.00
child's limit	3,000.00	3,000.00
upper limit (care home)	16,000.00	16,000.00
amount disregarded (care home)	10,000.00	10,000.00
upper limit (claimant/partner 60 or over)	12,000.00	12,000.00
amount disregarded (claimant/partner 60 or over)	6,000.00	6,000.00
Tariff income £1 for every complete £250 or part thereof between amount of capital disregarded and capital upper limit		
Disregards		
standard earnings	5.00	5.00
couples earnings	10.00	10.00
higher earnings	20.00	20.00
war disablement pension and war widow's pension	10.00	10.00
voluntary and charitable payments	20.00	20.00
student loan	10.00	10.00
student's covenanted income	5.00	5.00
income from boarders: disregard the fixed amount (£20) plus 50% of the balance of the charge	20.00	20.00
Expenses for subtenants		
furnished or unfurnished	4.00	4.00
where heating is included, additional	9.65	9.80
MATERNITY ALLOWANCE		
Standard rate	100.00	102.80
MA threshold	30.00	30.00
PENSION CREDIT		
Standard minimum guarantee		
single	102.10	105.45
couple	155.80	160.95
Additional amount for severe disability		
single	42.95	44.15
couple (one qualifies)	42.95	44.15
couple (both qualify)	85.90	88.30
Additional amount for carers	25.10	25.55
Savings credit		
threshold—single	77.45	79.60
threshold—couple	123.80	127.25
maximum—single	14.79	15.51
maximum—couple	19.20	20.22
Capital		
Amount disregard	6,000.00	6,000.00
Amount disregard—care homes	10,000.00	10,000.00
Deemed income £1 for each complete £500 or part thereof in excess of above amounts		
Housing costs		
Deduction for non-dependents		
aged 18 or over, not in work or in work and in receipt of Pension Credit	7.40	7.40
aged 18 or over and in work		
aged 18 or over and in remunerative work		
gross income: less than £97	7.40	7.40
gross income: £97 to £143.99	17.00	17.00
gross income: £144 to £185.99	23.35	23.35
gross income: £186 to £246.99	38.20	38.20
gross income: £247 to £307.99	43.50	43.50
gross income: £308 and above	47.75	47.75
Amount for claimant and first spouse in polygamous marriage	155.80	160.95
Additional amount for additional spouse	53.70	55.50
Disregards		
Standard earnings	5.00	5.00
Couples earnings	10.00	10.00
Higher earnings	20.00	20.00
War disablement pension and War widows pension	10.00	10.00
Widowed Parent's Allowance	10.00	10.00
Income from subtenants	20.00	20.00
Income from boarders (disregard the fixed amount (£20) plus 50% of the balance of the charge)	20.00	20.00
Third Party Deductions		
arrears of housing, fuel, water costs, council tax and fines default	2.75	2.80
Arrears of Community Charge		
court order against claimant	2.75	2.80
court order against couple	4.30	4.40
Maximum rates of recovery of overpayments		
ordinary overpayments	8.25	8.40
where claimant convicted of fraud	10.80	11.20
Third party deductions personal expenses allowance	17.50	18.10
PNEUMOCONIOSIS, BYSSINOSIS, AND MISCELLANEOUS DISEASES SCHEME AND THE WORKMEN'S COMPENSATION (SUPPLEMENTATION)		
Total disablement allowance and major incapacity allowance (maximum)	116.80	120.10
Partial disablement allowance	43.15	44.35
Unemployability supplement plus where appropriate increases for early incapacity	72.15	74.15
higher rate	15.15	15.55
middle rate	9.70	10.00
lower rate	4.85	5.00
Constant attendance allowance		
exceptional rate	93.60	96.20
intermediate rate	70.20	72.15
normal maximum rate	46.80	48.10
part-time rate	23.40	24.05
Exceptionally severe disablement allowance	46.80	48.10
Lesser incapacity allowance		
maximum rate of allowance	43.15	44.35
based on loss of earnings over	57.20	58.80
RETIREMENT PENSION		
Category A or B	77.45	79.60
Category B (lower)—husband's insurance	46.35	47.65
Category C or D—non-contributory	46.35	47.65
Category C (lower)—non-contributory	27.70	28.50
Additional pension		Increase by 2.8%
Increments to:		Increase by
Basic pension		2.8%
Additional pension		2.8%
Increase to AP where Contracted out deduction (COD) relates to pre-April 1988 earnings		2.8%
Graduated Retirement Benefit (GRB)		2.8%
Increase to AP where COD relates to April 1988 April 1997 earnings [3.0% paid by schemes]		Nil
Graduated Retirement Benefit (unit)	0.0937	0.0963
Graduated,Retirement Benefit (Inherited)		Increase by 2.8%
Addition at age 80	0.25	0.25
SEVERE DISABLEMENT ALLOWANCE		
Basic rate	43.60	44.80
Age-related addition (from Dec 1990)		
Higher rate	15.15	15.55
Middle rate	9.70	10.00
Lower rate	4.85	5.00
STATUTORY ADOPTION PAY		
Earnings threshold	77.00	79.00
Rate	100.00	102.80
STATUTORY MATERNITY PAY		
Earnings threshold	77.00	79.00
Standard rate	100.00	102.80

(Weekly rates unless otherwise shown)	*Rates 2003*	*Rates 2004*
STATUTORY PATERNITY PAY		
Earnings threshold	77.00	79.00
Rate	100.00	102.80
STATUTORY SICK PAY		
Earnings threshold	77.00	79.00
Standard rate	64.35	66.15
WIDOW'S BENEFIT		
Widowed mother's allowance	77.45	79.60
Widow's pension		
standard rate	77.45	79.60
age-related		
age 54 (49)	72.03	74.03
53 (48)	66.61	68.46
52 (47)	61.19	62.88
51 (46)	55.76	57.31
50 (45)	50.34	51.74
49 (44)	44.92	46.17
48 (43)	39.50	40.60
47 (42)	34.08	35.02
46 (41)	28.66	29.45
45 (40)	23.24	23.88
Note: For deaths occurring before 11 April 1988 refer to age-points shown in brackets.		
BEREAVEMENT BENEFIT		
Bereavement payment (lump sum)	2,000.00	2,000.00
Widowed parent's allowance	77.45	79.60
Bereavement Allowance		
standard rate	77.45	79.60
age-related		
age 54	72.03	74.03
53	66.61	68.46
52	61.19	62.88
51	55.76	57.31
50	50.34	51.74
49	44.92	46.17
48	39.50	40.60
47	34.08	35.02
46	28.66	29.45
45	23.24	23.88

Written Ministerial Statements

Monday 15 December 2003

DEPUTY PRIME MINISTER

Planning and Compulsory Purchase Bill

The Minister for Housing and Planning (Keith Hill): Someone wishing to see whether development is acceptable in principle may apply for outline planning permission. This has the advantage that detailed drawings are not needed. A local planning authority can grant permission subject to approval of the details (known as reserved matters) within a set timescale. Development may not commence until reserved matters have been approved.

We believe that outline planning permission has significant faults. At its worst it allows redlining on a map of an area or site for development for a particular use or uses of land with no detail shown. This is not an acceptable state of affairs. Local communities should have early opportunities to engage in discussion of proposed developments.

The Planning and Compulsory Purchase Bill therefore seeks to introduce an alternative method whereby a developer can gain an indication as to whether a proposed development would be acceptable. A statement of development principles is a statement of whether or not a local planning authority agrees with the principle of all or part of a proposed development. It does not grant permission, but must be taken into account by an authority determining a subsequent application for planning permission.

The Planning and Compulsory Purchase Bill also contains a clause to remove outline planning permission. We have been clear that we will not abolish outline planning permission until statements of development principles have been shown to be an effective alternative. Until then the two systems will work in parallel. We have said that we would review the take up and success of statements of development principles two years after they come into effect and at that time we would also consider what the consequences would be of removing outline planning permission.

I have received significant representations from organisations representing housebuilders and other major developers indicating their concerns about the potential removal of outline planning permission and its effect on proposed developments.

On the basis of these representations I am content to indicate that I will consider further the removal of the provision from the Planning and Compulsory Purchase Bill that abolishes outline planning permission.

However, if outline planning permission were to be retained this could only be on the basis that it provided the opportunity for greater community involvement and a level of information which will enable local authorities to assess all the significant environmental impacts. To achieve that, developers would need to provide more information than is often the case at present. I am prepared to consider proposals on the scope and extent of that further information and the form that it should take. I shall need to be satisfied that such proposals go far enough to meet our objectives and that they are likely to command a wide consensus among interested parties. At the very least this would need to cover the key design principles, density, the mix and distribution of uses, accessibility and the timescale for the development. I shall therefore be seeking the views of the development industry and local government before deciding whether to retain outline planning permission.

If we were to pursue this approach the new system of development control could include both statements of development principles and outline planning permission. Statements of development principles would provide developers and local planning authorities with an additional tool for building up an agreed development "prospectus" for a site. Outline planning permission could be used either after or instead of a statement of development principles. This would be for the applicant to decide. Full planning permission, requiring the submission of all details of the proposed development, would not change. It would therefore remain the case that development could not commence until reserved matters had been approved.

National Domestic Violence Help-line

The Parliamentary Under-Secretary of State, Office of the Deputy Prime Minister (Yvette Cooper): The Office of the Deputy Prime Minister has today announced a new service providing a single freephone help-line for people seeking help with domestic violence. The help-line service was part of a package of funding announced in December 2002 providing a total of £2 million over three years to support the development of the help-line and 'ukrefugesonline' to provide more effective help in finding domestic violence services. The Office of the Deputy Prime Minister is working in partnership with Comic Relief, with each contributing £1 million to the initiative, and with Refuge and Women's Aid who will be running the helpline.

PPS6—Planning for Town Centres

The Minister for Housing and Planning (Keith Hill): I am today announcing the start of the 13-week public consultation period for Planning Policy Statement 6, which sets out the Government's planning policy for town centres.

Vital and viable town centres have a key role in the delivery of sustainable communities—a vision set out in the Communities Plan. This new draft planning policy statement carries forward the "town centres first" approach established in PPG6 (1996), and clearly sets out positive planning policies, which will encourage investment and growth in city, town and other centres.

This statement makes clear that development should be focused in existing centres in order to strengthen and, where appropriate, regenerate them, and that local planning authorities should:

> select appropriate, existing centres to accommodate the need for development;
>
> identify sites within and adjoining these centres for development or redevelopment, and

provide for the growth of the town centre, expanding the town centre boundary where necessary.

Due to the need for clearer and more concise statements of Government Policy this PPS does not include technical advice or good practice guidance. The intention is to publish separately a number of companion guides addressing the implementation of the policy. These will include advice on:

assessing need and impact in respect of new retail and leisure development;

applying the sequential approach, and

strategies for smaller centres.

The companion guides will be published alongside the final version of PPS6.

TRANSPORT

London Underground PPP Consultancy Costs

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): London Transport's (LT) expenditure on external consultancy in relation to the Public Private Partnership (PPP) for the modernisation of London Underground (LU) has been regularly reported to the House since January 1999. The final cost is £103.5 million since the Government announced the PPP on 20 March 1998. As LT's liabilities transferred to Transport for London (TfL) on 15 July 2003, some of the residual final costs were met by London Underground (LU) under TfL's ownership.

Review of the Commission for Integrated Transport

The Secretary of State for Transport (Mr. Alistair Darling): On 11 April this year I announced a review of the Commission for Integrated Transport (CfIT) and the Motorists Forum to be undertaken by Charles Rice. Mr Rice has now reported and I have considered his recommendations.

The Government are grateful to Charles Rice for carrying out an objective, thorough and fair review. I have accepted his recommendations in full, which will be implemented immediately.

CfIT will retain its responsibility for advising the Government on future transport policy options, the potential for new technology, the identification of best practice in transport and on transport issues which cross departmental boundaries. The Commission will also retain responsibility for refreshing and informing the transport debate through its published reports and other work.

Charles Rice also recommended that CfIT should no longer have the role of monitoring and reviewing of the achievement of the 10 Year Plan for Transport, a recommendation I accept.

Both my Department and CfIT are looking forward to developing a close and fruitful working relationship under the refreshed remit now agreed.

I am pleased to be able to announce that the Motorists Forum will continue with its current remit and structure.

A copy of the report of the review and CfIT's revised terms of reference have been placed in the House Library.

London Tube Emergency Exercise

The Secretary of State for Transport (Mr. Alistair Darling): I have today published the key lessons from the emergency exercise held at Bank Underground Station on 7 September 2003. The exercise confirmed that a great deal of work has been done to improve London's capability to respond to major emergencies but identified further areas for action.

The exercise was designed to enable London's frontline services, fire, police and ambulance, to practise their response to a chemical attack on the Tube.

This was an extremely valuable exercise, which allowed us to test the capability and constraints of our emergency services under difficult circumstances. Exercises such as this are also an opportunity to learn and we have identified areas that need further development.

While some of the conclusions need to remain confidential for reasons of security we are today fulfilling our commitment to make public the key findings that the emergency services and others have identified.

The exercise found that:

a great deal of work has already been done by Government, Emergency Services and the Mayor of London to improve London's capability to respond to emergencies through improved equipment and planning;

there needs to be contingency planning, preparation and funding for responding to large scale emergencies and that this work continues to be given high priority;

work needs to continue to look at and prepare for alternative rescue plans for difficult environments like the London Underground;

work needs to continue to improve the ability of those wearing protective suits to be able to communicate under difficult conditions;

ambulance crews need to be able to provide earlier assessment, care and delivery of specific antidotes to contaminated casualties; and,

we must not underestimate the number of people and specialist equipment required to respond to such emergencies.

The Government, the Mayor of London and London's emergency services will continue to work together, through the London Resilience Forum, to ensure these lessons are learnt to improve the capital's preparedness, now and for years to come.

The exercise held at Bank Underground station on 7 September was designed to test specific elements of the emergency services' response to a chemical attack on the Tube.

The exercise was organised by the London Resilience Forum, the pan-London emergency planning body chaired by London Resilience Minister, Nick Raynsford, with Ken Livingstone, Mayor of London, as deputy chair.

It was one of an extensive programme of exercises that continues to be held to test and help improve our resilience to a major terrorist attack. Further exercises are planned over the next two years, including a joint UK-US exercise planned for 2005.

Rail Regulator's Interim Review

The Secretary of State for Transport (Mr. Alistair Darling): The rail regulator published on 12 December the final conclusions of his interim review of track access charges (TACs), setting out his determination of what Network Rail needs to spend over the next five years, and how this expenditure should be financed.

I welcome the regulator's conclusions. In total, these represent a significant increase in Network Rail's income requirement over the next five years compared with the conclusions he reached in his October 2000 access charges review, but with a requirement for substantial efficiencies and improvements in performance. It is essential that the industry now works together to ensure that these are delivered.

The regulator is providing flexibility for Network Rail to reprofile its grant payments over time, including increased borrowing by the company in the short term. He has said that he expects Network Rail to use this flexibility. In respect of the years 2004–05 and 2005–06, as long as he is satisfied that the balance of Network Rail's total income requirements will be met in full by borrowing, the regulator may confirm by the end of February 2004 a lower level of income from track access charges and grants for Network Rail than he has set out. From April 2006 Network Rail will receive the full revenues that the regulator has established.

It is common practice for companies to borrow to fund a peak in investment. I believe that on the basis of the sound financial footing that the regulator has established for Network Rail and the strength of its financial structure, including its proposed securitisation and proposed modifications to its existing support facilities, it should be able to increase its borrowing above the levels presently assumed by the regulator. For 2004–05 and 2005–06, taking account of the flexibility offered by the regulator for Network Rail to increase its borrowing, I expect the results of this review to be accommodated within the Government's existing expenditure total. Final decisions on how to fund the increases beyond that will be taken in the spending review next year.

In line with the Government's fiscal rules which prohibit Government borrowing for current expenditure over the economic cycle, it is appropriate that Government support for capital expenditure by Network Rail is funded through capital grants paid by the SRA, rather than through track access charges paid by train operators. The regulator is providing a mechanism under which the balance between grants and TACs will be also be determined by the end of February 2004.

The total income requirement determined by the regulator is unaffected by the relative proportions which are provided by network grant and TACs. The fact that a high proportion of Network Rail's income may be provided as grant from the SRA does not mean that they acquire any control or influence over the company. Network Rail must continue to operate at arm's length from the SRA. It must focus on meeting the needs of its real customers—the freight and passenger operators. I am sure this point is understood by all concerned.

In February 2003 I laid before the House a letter of comfort to the Strategic Rail Authority (SRA) setting out the Government's commitment to fund the SRA so that it could meet its financial obligations. I am aware that the SRA has a contractual obligation to fund in full increases in TACs resulting from access charges reviews. In addition, the SRA will enter a contractual commitment to pay the network grants determined by the regulator in his access charges review. Letters of comfort cannot and must not fetter the Secretary of State's discretion, but the letter to the SRA is a correct representation of my current intention in these matters.

In a statement to Parliament in June 2002, I set out the key overarching principles for the regulatory framework for railways. Independent economic regulation was one such overarching principle for which there was an "essential continuing requirement". This remains the Government's position.

In July 2004 the powers of the individual Regulator will transfer to a regulatory board, in line with reforms to regulatory authorities in other sectors. The checks and balances in decision making by a suitably structured Board should reinforce the independence of regulation. The functions and duties of the ORR are not being changed by the transfer to a regulatory board.

HEALTH

Contingency Planning

The Minister of State, Department of Health (Mr. John Hutton): Last December, I announced the steps that the Department were taking to strengthen our plans against any deliberate release of biological agents, including smallpox. That announcement included three main components: improved vaccine stocks; a plan of action; and a cohort of immunised staff.

We have no evidence of a specific threat of smallpox attack on the UK. However, it is sensible and prudent to ensure that the National Health Service can deal effectively with any potential threat.

Over this last year, we have taken action to increase substantially our stocks of smallpox vaccine, and have announced a contract for a second procurement. This will enable us to provide new vaccine for the whole population, if required.

Our plan of action has been updated and revised following discussion and comment. The plan revisions incorporate valuable input from a wide range of medical experts and groups within the NHS as well as other Government departments. Implementation of the plan is being co-ordinated by the Health Protection Agency's (HPA) regional leads. I am today publishing the revised Plan, copies of which are available in the Vote Office and can be accessed on the Department of Health website at:http://www.doh.gov.uk/smallpox/smallpox.htm

Regional smallpox response groups have been established in England, and core team members vaccinated in advance. We now plan to vaccinate a small number of ambulance workers to assist these groups, and to support the initial response to a smallpox emergency. Corresponding arrangements are being made for Scotland, Wales and Northern Ireland.

The Department's primary strategy is still to contain and "ring vaccinate" around any outbreak.

This work continues to be taken forward under the cross-Government civil contingencies machinery for which my right hon. Friend the Home Secretary has overall responsibility.

TRADE AND INDUSTRY

UK Online Annual Report 2003

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): The fourth UK Online annual report has been published today and copies have been placed in the House Libraries. The report is also available on the Office of the e-Envoy website.

WORK AND PENSIONS

Council Tax Benefit

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): Currently, people living in properties in council tax bands F, G or H have their council tax benefit restricted to the maximum amount payable for a band E property.

We have listened to representations from local government and others and we accept that this restriction is increasingly biting unfairly on people in larger properties. These will include pensioner owner occupiers who have worked hard all their lives to buy their houses, or large families in rented accommodation, who are not asset rich and unable to move to a property in a lower council tax band. Its removal will make council tax benefit fairer and easier to access. We have therefore decided to abolish the council tax benefit restriction from April 2004.

Local authorities also have the extra burden of having to collect small amounts of council tax from those who are required to meet the shortfall from their own resources. Abolishing the restriction will remove this burden too.

The introduction of pension credit has been designed in such a way as to ensure that some 1.9 million pensioners should qualify for more help, or help for the first time, with their council tax bills. We estimate some 310,000 pensioners will qualify for the first time.

Council tax benefit provides financial help to council tax payers on low income. However not all those who are currently entitled to help with their council tax bills are claiming this benefit. For example, although some 2.4 million pensioners already receive council tax benefit we estimate that up to 1.4 million pensioners may be missing out on the help to which they are entitled.

Local authorities have a statutory responsibility for promoting awareness of council tax benefit with their council tax payers. Many authorities have well developed take-up strategies while others rely solely on information issued with the council tax bill. However we want to do more to support them in this task and ensure more pensioners and those on low income are receiving the help to which they are entitled.

In the New Year the Government will be launching a campaign to raise the awareness of council tax benefit among those who are likely to be entitled and also their family, friends and carers. Working with local authorities, we will provide promotional material, and will develop guidance and advice to help ensure that procedures are in place to handle enquiries about entitlement and provide support for those, particularly pensioners, making claims.

We are already working in partnership with local authorities to improve performance in housing and council tax benefit administration. We now need also to focus on take-up, where take-up of council tax benefit lags behind that of other benefits.

There is much that the Department is already doing. The pension service is already inviting claims for council tax benefit when an application for pension credit is made, and we recently introduced a shortened claim form for pensioners applying for housing or council tax benefit to make claiming easier. The local pension service is working with local partners, including local authorities, to help reach the more vulnerable pensioners.

We also recognise and appreciate the pivotal role that the voluntary sector can play in promoting take-up of benefits. We know some older people prefer to deal with organisations such as Age Concern and Help the Aged. As part of developing a "third age" network we are building closer and more effective partnerships with the voluntary sector. The campaign will reinforce the valuable work they already do.

The measures I am announcing today will provide local authorities with more support from central Government in undertaking their statutory responsibilities, and build on the work already taking place at local level.

More generally, the Government are committed to ensuring that local authorities can provide decent local services without making excessive demands on local taxpayers.

My right hon. Friend the Deputy Prime Minister has announced that the Government will next year be providing total support to local authorities of £54.5 billion—up from £50.8 billion for 2003–04 on a like for like basis.

Given the scale of the Government's investment in local services and the scope for efficiency improvements in local government, the Government believe next year local authorities must aim to deliver council tax increases in low single figures. The Government are prepared to use its targeted capping powers next year if necessary to protect local taxpayers.

FOREIGN AND COMMONWEALTH AFFAIRS

Democratic Republic of Congo

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): Following consultations with the Foreign and Commonwealth Office and the Ministry of Defence, the Department of Trade and Industry issued a licence for the export to the Democratic Republic of Congo (DRC) of body armour and military helmets. This equipment will be used by the UN Office for the Co-ordination of Humanitarian Affairs, who are part of the United Nations operation in the DRC.

UN Security Council Resolution (SCR) 1493 (2003), adopted on 28 July 2003, implemented an embargo on the provision of arms and any related materiel to all armed groups operating in the east of the country. Operative Paragraph 21 of the SCR provides an exemption to the embargo for

> "supplies of non-lethal equipment intended solely for humanitarian or protective use . . .".

NORTHERN IRELAND

Security Vetting Arrangements

The Minister of State, Northern Ireland Office (Jane Kennedy): My right hon. Friend the Secretary of State, in a written ministerial statement on 12 December 2002, *Official Report*, col. 32WS, announced a thorough and comprehensive review of security vetting arrangements in Northern Ireland.

I am glad to report that an initial programme of reform is underway to improve the effectiveness of current protective security arrangements across the Northern Ireland Office, the Northern Ireland Departments, PSNI, and associated bodies. These changes will take some months to implement in full.

This programme is identifying vulnerabilities and establishing appropriate protective security arrangements to prevent disruption or compromise. These arrangements include where necessary the security clearance of staff. These arrangements are in accordance with recognised best practice and normal government requirements.

In particular, in future applicants for posts in the Northern Ireland Civil Service will undergo a basic check procedure, designed to ensure that they are adequately identified; and will be asked to declare any unspent criminal records. This will bring to an end the existing practice of security vetting all administrative applicants. All those staff occupying, or who are to occupy, posts in specific areas identified in the programme of reform as requiring security clearance on grounds of national security, will be required to undergo national security vetting, to the appropriate level, in accordance with stated Government policy.

These protective security arrangements will be kept under regular review. Future security vetting policy changes will be screened for their impact on equality, and where necessary subject to formal equality impact assessment.

I am confident that these steps will help to safeguard the essential functions of government in Northern Ireland; protect the public from risk, and meet human rights and equality obligations.

The work of the review will carry on into next year; I will make further statements as and when I reach decisions on recommendations made to me.

TREASURY

Review of National Insurance Contributions—2004–05

The Paymaster General (Dawn Primarolo): I have completed the annual review under section 141 of the Social Security Administration Act 1992. I propose the following changes to take effect from 6 April 2004. These rates and limits will also apply to Northern Ireland National Insurance Contributions.

Employers and Employees

In line with the Social Security Contributions and Benefits Act 1992, the Lower Earnings Limit for primary Class 1 contributions is to be raised to £79 a week. It is set at the level of the basic Retirement Pension for a single person from April 2004 and rounded down to the nearest pound.

The Primary and Secondary Thresholds for Class 1 contributions will continue to be aligned with the weekly amount of the income tax personal allowance, which will be increased to £4,745 from April 2004. The Primary and Secondary Thresholds will therefore be increased to £91 a week. This means that no tax or Class 1 contributions will actually be paid on earnings below this level.

The Upper Earnings Limit for primary Class 1 contributions will be raised to £610.

The self-employed

The rate of Class 2 contributions will be raised to £2.05 a week.

Self-employed people with earnings below the annual Small Earnings Exception can apply to be exempted from paying Class 2 contributions. This limit will be raised by £120 to £4,215 in line with inflation.

The annual lower profits limit for liability to Class 4 contributions will increase to £4,745 a year (in line with the income tax personal allowance). The Upper Profits Limit will increase by £780 to £31,720, to maintain the link with employees' earnings liable to Class 1 contributions.

Class 3

The rate of Class 3 voluntary contributions will be increased by 20 pence to £7.15 a week.

Share fishermen

The special rate of Class 2 contributions for share fishermen, which allows them to build entitlement to contributory Jobseekers' Allowance in addition to the other contributory benefits available to the self-employed, will be increased to £2.70 a week.

Volunteer Development Workers

The special rate of Class 2 contributions for volunteer development workers, which entitles them to the full range of contributory benefits, will be increased by 10 pence to £3.95 in line with the statutory formula of 5 per cent of the primary Class 1 Lower Earnings Limit.

Treasury Grant

I need to ensure that the Fund can maintain a prudent working balance throughout the coming year. In accordance with section 2 (2) of the Social Security Act 1993, I propose to do so by prescribing that the maximum Treasury Grant which may be made available to the Fund in 2004–05 shall not exceed 2 per cent of the estimated benefit expenditure for that year. Similar provision will be made in respect of the Northern Ireland National Insurance Fund.

I shall be laying a draft re-rating order before Parliament in due course. This will accompany a report by the Government Actuary to myself and my right hon. Friend the Secretary of State for Work and Pensions which we shall jointly present to Parliament.

2

The following table sets out the rates, earnings limits and thresholds for National Insurance Contributions proposed for 2004–05.

National Insurance Contributions. Proposed re-rating. April 2004

Item	*2004–05*
Lower Earnings Limit, primary Class 1	£79
Upper Earnings Limit, primary Class 1	£610
Primary Threshold	£91
Secondary Threshold	£91
Employees' primary Class 1 rate	11% from £91.01 to £610 plus 1% above £610
Employees' contracted-out rebate	1.6%
Married women's reduced rate	4.85% from £91.01 to £610 plus 1% above £610
Employers' secondary Class 1 rate	12.8% on earnings above £91
Employers' contracted-out rebate, salary-related schemes	3.5%
Employers' contracted-out rebate, money-purchase schemes	1.0%
Class 2 rate	£2.05
Class 2 Small Earnings Exception	£4,215
Special Class 2 rate for share fishermen	£2.70
Special Class 2 rate for volunteer development workers	£3.95
Class 3 rate	£7.15
Class 4 rate	8% from £4,745 to £31,720 plus 1% above £31,720
Class 4 Lower Profits Limit	£4,745
Class 4 Upper Profits Limit	£31,720

DEFENCE

Service Pensions Taxation Error

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): The report of the internal inquiry into the incorrect deduction of tax from Service attributable pensions recommended that, in addition to the Inland Revenue refund and repayment supplement, consideration should be given to further compensation for those affected by the error. The Inland Revenue allowed a significant concession in waiving the time limits that normally apply in refunds of tax. However, representations have been made that the Ministry of Defence should pay further compensation to those pensioners for whom the effect of the error persisted over a considerable number of years. The Government accept that, where individuals suffer a financial loss as a result of its administrative errors, then the onus is on that Department to restore those individuals to the position they would have enjoyed had the errors not occurred. The Ministry of Defence has already accepted responsibility for the errors which led to tax being wrongly deducted and has apologised unreservedly. We further accept that, in certain cases, payments made so far have not provided full compensation for the cost of the errors to individuals.

I have therefore decided that further ex-gratia compensation will be paid to those who were in receipt of pensions outside the normal six-year Inland Revenue repayment period. Compensation will be calculated by applying compound interest, using the Retail Prices Index plus 2 per cent. to the tax wrongly deducted, net of the estimated repayment by the Inland Revenue. We will also pay ex-gratia compensation, calculated in the same way, to those who suffered from the related error of delays in payment of benefits under the Armed Forces Pension Scheme, including using the Inland Revenue Repayment formula for compensation for errors within the normal six-year period. Payment will be made as quickly as possible.

It will, however, take some months to complete all payments because the necessary data on each individual are held mainly on manual records. We deeply regret the errors made but I hope that this offer of compensation will draw matters to a satisfactory conclusion.

Finally, I would like to express my considerable gratitude to those pensioners, in particular Major John Perry and Captain John Lewis, who have worked tirelessly to bring this matter to our attention and to help with its resolution.

Written Ministerial Statements

Tuesday 16 December 2003

HOME DEPARTMENT

Metropolitan Police Fund

The Minister for Crime Reduction, Policing and Community Safety (Ms Hazel Blears): I have today placed in the Libraries of both Houses copies of the Metropolitan Police Fund Accounts for 1998–99 and 1999–2000.

TRADE AND INDUSTRY

Radio Interference

The Minister for Energy, E-Commerce and Postal Services (Mr. Stephen Timms): My right hon. Friend, now the Secretary of State, announced on 9 November 2000, *Official Report*, columns 327–28, various measures to deal with interference from ADSL and similar systems, including interference regulations based on a standard, MPT 1570, to be implemented by regulations in due course. Since then, there has been only one reported and confirmed case of interference to medium wave broadcast reception and none to any other radio service. In view of this, I believe it would now be disproportionate to give statutory force to the standard. The operators of ADSL have made a voluntary commitment to take all reasonable steps to resolve any interference problems that do arise and I believe that is the pragmatic way forward for the time being. I expect that Ofcom, when it assumes responsibility for spectrum management matters on 29 December, will keep this matter under review.

The UK continues to contribute to work in Europe towards producing a harmonised approach to interference.

CABINET OFFICE

Regulatory Impact Assessments

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): An updated measurement of the level of compliance with the regulatory impact assessment process is today being placed on the website of the Cabinet Office regulatory impact unit. An exercise in November 2003 to establish a snapshot of the level of compliance provided a figure of 100 per cent. We will keep this under regular review.

NORTHERN IRELAND

Prison Service

The Minister of State, Northern Ireland Office (Jane Kennedy): On 8 September 2003, the Secretary of State formally accepted the recommendations of the Steele Review of Safety at Maghaberry Prison. The review recommended that prisoners with paramilitary affiliations should be accommodated separately from each other, and from the rest of the prison population, on a voluntary basis.

This major unforeseen change makes it now necessary to amend the Northern Ireland Prison Service Corporate and Business Plan 2003–06 to reflect the changing circumstances and priorities within the Service.

I have approved the following amendments to the Corporate and Business Plan.

The planning assumptions will now include reference to the requirement to hold some prisoners with paramilitary affiliations in separated conditions.

Amendments will also be made to reflect the extent to which the Service contributes generally to the NIO's objectives and PSA targets.

Three of the Service's twelve Key Targets for 2003–04 are adjusted as follows:

> Target 5: an average of at least 18 hours constructive activity per week for each sentenced prisoner (previously 20).
>
> Target 6: an average of at least 9 hours constructive activity per week for each remand prisoner (previously 12).
>
> Target 8: deliver at least 75% of the planned training days associated with the agreed corporate training priorities (previously 85%).

PRIME MINISTER

Council of Europe and Western European Union

The Prime Minister (Mr. Tony Blair): The United Kingdom delegation to the Parliamentary Assembly of the Council of Europe and the Assembly of Western European Union is as follows:

Tony Lloyd MP (Leader)

Full Representatives	*Substitute Representatives*
Mr David Atkinson MP	Mr Tony Banks MP
Mr Malcolm Bruce MP	Baroness Billingham
Sir Sydney Chapman MP	Mr Peter Bottomley MP
Mr Tom Cox MP	Lord Burlison
Right hon. Terry Davis MP	Right hon. George Foulkes MP
Mr Bill Etherington MP	Ms Jane Griffiths MP
Mr Paul Flynn MP	Mr Michael Hancock CBE MP
Lord Judd	Baroness Hooper
Baroness Knight of Collingtree	Right hon. Lord Kilclooney
Christine McCafferty MP	Mr Khalid Mahmood MP
Mr Kevin McNamara MP	Mr Humfrey Malins CBE MP
Mr Jim Marshall MP	Mr David Marshall MP
Mr Edward O'Hara MP	Mr Alan Meale MP
Lord Russell-Johnston	Mr Gordon Prentice MP
Sir Teddy Taylor MP	Miss Geraldine Smith MP
Mr John Wilkinson MP	Lord Tomlinson
Mr Jimmy Wray MP	Dr Rudolf Vis MP
	Mr Robert Walter MP

TREASURY

Public Service Pensions

The Chief Secretary to the Treasury (Mr. Paul Boateng): Legislation governing public service pensions requires public service pensions to be increased annually by the same percentage as state earnings related pensions (additional pensions). My right hon. Friend the Secretary of State for Work and Pensions announced on 11 December 2003, *Official Report*, columns 108–118WS, that benefits such as additional pensions will be increased by 2.8 per cent. in line with the annual increase in the Retail Prices Index up to September 2003. Public service pensions will therefore be increased by 2.8 per cent. from 12 April 2004, except those which have been in payment for less than a year, which will receive a pro-rata increase.

WORK AND PENSIONS

Longitudinal Study

The Secretary of State for Work and Pensions (Andrew Smith): From January 2004, the Work and Pensions longitudinal study will link benefit and programme information held by the DWP on its customers, with employment records from the Inland Revenue.

This follows the Employment Act 2002 which introduced new data sharing provisions. This opened the way for the DWP to receive more data on employment from Inland Revenue and use the information for more purposes. The DWP and Inland Revenue have been working together to enable this data sharing to take place and to develop safeguards for the initiative.

The Work and Pensions Longitudinal Study will be used to perform a range of statistical and research analyses, as well as being used for some limited operational purposes, to give the Department further opportunities to evaluate the effectiveness of its businesses. It will, for example:

> provide statistics, management information and research on the success of Jobcentre Plus in helping people into work and keeping them in work;
>
> help to evaluate individual DWP policies and their impact in the short, medium and long-term;
>
> help to ensure that pensioners receive the money they're entitled to;
>
> aid in the investigation of benefit fraud; and
>
> improve targeted information and marketing to clients.

The DWP have a legal and ethical responsibility to ensure that the Work and Pensions longitudinal study is used appropriately. We have, therefore, developed a set of safeguards around access rights, system monitoring, storage/retention of the information and vetting new uses. Information on this and a full range of the study's uses, has been placed in the Library and on the DWP website at http://www.dwp.gov.uk/asd/longitudinal_study/ic_longitudinal_study.asp

FOREIGN AND COMMONWEALTH AFFAIRS

Biological Weapons Convention

The Minister for Europe (Mr. Denis MacShane): Members will wish to be aware of the outcome of the recent discussions in Geneva on national measures to reinforce the implementation of the Biological Weapons Convention (BWC). On the concluding day of the meeting of States Parties to the BWC, which took place from 10–14 November, there was agreement by consensus on a politically binding final document which enjoins all States Parties to the following actions:

> to review and, where necessary, enact or update national legal, including regulatory and penal, measures which ensure effective implementation of the prohibitions of the BWC and which enhance effective security of pathogens and toxins.
>
> co-operation between States Parties with differing legal and constitutional arrangements. States Parties in a position to do so may wish to provide legal and technical assistance to others who request it in framing and/or expanding their own legislation and controls in the area of national implementation and biosecurity.
>
> comprehensive and concrete national measures to secure pathogen collections and the control of their use for peaceful purposes. There was a general recognition of the value of biosecurity measures and procedures, which will ensure that such dangerous materials are not accessible to persons who might or could misuse them for purposes contrary to the BWC.

There was also agreement that these measures are essential effort in facilitating more effective implementation and enforcement of the Convention, as well as providing the basis for an assessment of progress at the 2006 Review Conference.

As with the earlier meeting of BWC Experts in August, which had prepared the way for political decision-making, there was an impressive level of participation. Some 92 States Parties were represented and a total of 32 national statements were delivered, including one notably from Iraq which for the first time showed an open and positive engagement with its obligations under the Convention.

The United Kingdom was grateful to the Chair, Ambassador Toth of Hungary, for the efforts he made to achieve consensus on a Final Document that reflects the commonality of views and approaches that were demonstrated throughout. The commitment to assess progress at the Sixth Review Conference in 2006 on the extent to which States Parties have put in place the necessary legislation is, in our view, particularly important.

The outcome of the November meeting represents a very positive start to the work programme that lies ahead of us. Success was particularly important this year, as it is to be hoped that a precedent has now been set for agreement on effective action to emerge from the further meetings under the Biological Weapons Convention, scheduled to take place in 2004 and 2005.

The United Kingdom believes that the success of the meetings in 2003 has also helped to prove to the wider arms control community that this new process can be made to work. It has delivered a shared international analysis and a readiness to adopt practical measures. Most importantly, a co-operative spirit continued to prevail throughout the discussions in Geneva, which also augurs well for the future.

South Africa will chair the meetings next year on suspicious outbreaks of disease and the need for improved international surveillance. The UK takes over in 2005 with the task of examining a possible Code of Conduct for Scientists. Work has already begun on our preparations for both of these meetings. I will keep the House informed of developments and outcomes in 2004.

Convention on Certain Conventional Weapons

The Minister for Europe (Mr. Denis MacShane): At the meeting of States Parties to the Convention on Certain Conventional Weapons (CCW) in Geneva on 27/28 November, a new legally binding Protocol on Explosive Remnants of War (ERW) was adopted. The new Protocol (the 5th to the CCW) sets out obligations and best practice for the clearance of post-conflict ERW (munitions used during an armed conflict that should have exploded but failed to do so or munitions which have been abandoned during an armed conflict.) The principal obligations in the new Protocol are:

> The State in control of the affected territory shall mark, clear, remove or destroy the ERW as soon as feasible and prioritise those affected areas posing a serious humanitarian risk;
>
> The user of munitions which have become ERW undertakes to provide assistance, where feasible, to the party in control of the affected territory to facilitate marking and clearance, removal or destruction of such ERW;
>
> The user of munitions which may become ERW undertakes to provide information on the use of such munitions (subject to legitimate security interests) to the party in control of the territory and to organisations undertaking clearance operations on the affected territory. The content of this information is provided on a voluntary, best practice basis;
>
> Feasible precautions should be taken to warn civilians of the risks and effects of ERW;
>
> States shall take steps, to the extent feasible, to protect authorised humanitarian missions operating in the area under their control from the effects of ERW;
>
> States may provide assistance to deal with the threat posed by existing ERW;
>
> Preventive measures, such as good practice in managing munitions to reduce the chance of their becoming unexploded, may be undertaken on a voluntary basis.

This Protocol is an important step in reducing humanitarian risks associated with ERW and fulfils a long-standing UK objective to secure agreement on a legally binding Instrument . The Government is looking into the necessary steps that may need to be taken to enable the Government to proceed to ratification of this Protocol.

DEFENCE

Armed Forces Pay

The Secretary of State for Defence (Mr. Geoffrey Hoon): I am pleased to announce that I have appointed Mr Robert Burgin and Dr Peter Knight for a three year term of office as members of the Armed Forces' Pay Review Body commencing 4 February. Mr Neil Sherlock is also re-appointed for a second three-year term from 4 March. These appointments and re-appointment have been conducted in accordance with the guidance of the office of the Commissioner for Public Appointments. The Prime Minister has announced earlier today that he is appointing Professor David Greenaway as the next Chairman of the Armed Forces Pay Review Body.

The Secretary of State for Defence (Mr. Geoffrey Hoon): The Supplement to the 2003 Report of the Armed Forces Pay Review Body making final recommendations on the pay of Service Medical and Dental Officers has been published today. Copies of the Supplement are available in the Vote Office and the Library of the House.

The Review Body recommends a final increase of 6.8 per cent. for all Regular and Reserve Defence Medical Services Medical and Dental Officers, in addition to the 3.2 per cent. interim award already implemented on 1 April 2003, representing a total increase of 10 per cent. The Review Body also recommends a pay increase of 3.225 per cent. for medical and dental cadets and an out-of-hours supplementary payment of £8,500 to junior doctors. In addition, the Review Body recommends that there should be no further increase in the values of Sustained Quality Payments, Trainer pay and Distinction Awards, above the interim 3.2 per cent. increase already implemented.

The cost of these recommendations to the Defence Budget, including the interim award already implemented, will be some £14.5M. This will be met within existing Departmental expenditure limits.

The Review Body's final recommendations are to be accepted in full, with implementation effective from 1 April 2003.

Written Ministerial Statements

Wednesday 17 December 2003

HOME DEPARTMENT

Animals (Scientific Procedures) Act 1986

The Parliamentary Under-Secretary of State for the Home Department (Caroline Flint): I wish to announce changes in the way in which the Home Office handles certain types of project licence applications made under the Animals (Scientific Procedures) Act 1986.

The types of application in question are publicly recorded as being automatically referred to the Animal Procedures Committee (APC) for advice, before decisions are taken by or on behalf of the Secretary of State. For some types, this is in accordance with pledges given when the 1986 Act was passing through Parliament, while others are referred through arrangements agreed subsequently. Details are set out in various APC annual reports laid before both Houses.

The APC has recently been considering which applications should be referred to it in future, and the chairman has put a number of recommendations to me.

The APC recommends that three types of application, on which it is currently committed to give advice, no longer need to be among those listed as routinely referred to it. First, it no longer sees value in considering applications to use terminally anaesthetised rats for microsurgery training, since such cases are few and usually raise no particularly difficult or contentious issues. Secondly, it now sees no point in including in the automatic referral category applications to test tobacco products, since the established policy and practice has long been not to license such testing. (Tobacco is used in licensed animal studies investigating diseases, but its use in such cases is not itself regarded as a reason for referral.) Thirdly, the requirement to refer applications to test finished cosmetic products and ingredients has been similarly overtaken, in that the industry has agreed to make no further applications for this purpose, as it is Home Office policy not to license it.

I have accepted the APC's recommendations as regards all these types of applications. They will with immediate effect no longer be regarded as ones to be automatically referred or to be recorded in that category. This change will make no significant or practical difference, other than saving processing time in the microsurgery training cases and avoiding unproductive use of Home Office and APC resources.

The APC has also recommended that it should continue its current practice of advising on all the other applications that are by agreement referred to it as a matter of course. These are applications to use wild caught non-human primates, and to use any non-human primates in scientific procedures of substantial severity. It also wishes to keep the requirement that it should offer advice on applications of any kind raising novel or controversial issues, or giving rise to serious concerns.

Although there are relatively few of these applications, they are all of high or potentially high public concern. I fully accept that they should continue to be referred to the APC before licensing decisions are taken.

Finally, the APC has indicated its view that it could usefully see other project licence applications, though it could consider only a very small number each year and is mindful of the need not to hold up unduly the processing of applications. Which additional applications it should be asked to advise on is a matter to be discussed further between the Home Office and the APC. Once that has been settled, I will make a further statement.

Asylum Reform

The Minister for Citizenship and Immigration (Beverley Hughes): On 27 October 2003 my right hon. Friend the Home Secretary and my right hon. and learned Friend The Lord Chancellor announced new legislative proposals for asylum reform. David Lammy and I wrote to a number of stakeholders outlining these proposals and inviting comments. Today we are publishing a summary report on the responses we received. Copies of this will be sent to those who responded to the letter as well as being placed in the Libraries of both Houses of Parliament and on the IND website. We will also be placing copies of the race equality impact assessments of the provisions contained in the Asylum and Immigration (Treatment of Claimants, etc) Bill in the Libraries of both Houses of Parliament.

INTERNATIONAL DEVELOPMENT

Day Chocolate Company

The Secretary of State for International Development (Hilary Benn): I have today laid before both Houses a Departmental Minute on a £400,000 contingent liability which the Department for International Department has entered into. Under this arrangement DFID will extend its guarantee on a commercial loan to the Day Chocolate Company, a fair trade company partly owned by the Kuapa Kokoo cocoa co-operative. This marketing channel provides co-operative members with direct benefits in the form of fair prices and community level projects. This is the first use of the power to provide financial assistance by way of a guarantee under the International Development Act 2002.

Agriculture and Poverty Reduction

The Secretary of State for International Development (Hilary Benn): The Department for International Development has published a new policy paper on Agriculture, "Agriculture and poverty reduction: unlocking the potential".

The paper sets out DFID's commitment to agriculture as a fundamental part in the Government's approach to achieving the millennium development goals. The paper provides details of DFID's current activities in agriculture through both its central and country programmes, and outlines DFID's approach to finding new ways of reversing agriculture's relative decline and stagnation in many of the world's poorest countries.

A copy of this policy paper has been placed in the House of Commons Library, and comments are welcome. The contact point is agriculture@dfid.gov.uk.

CULTURE, MEDIA AND SPORT

Export of Works of Art Committee—2003–04 Report

The Minister for the Arts (Estelle Morris): The 49th Report of the Reviewing Committee on the Export of Works of Art for 2002–03 has been laid before Parliament. The Reviewing Committee provides independent advice to the Minister of State for the Arts on whether cultural objects that are the subject of applications for export licences are of outstanding national importance, using the Waverley criteria. During the year, following recommendations from the Reviewing Committee, temporary bars were placed on the export of 23 items, including paintings, drawings, sculptures, armour and jewellery. Of these, 11 items, valued at 4.2 million, were purchased by institutions in the UK. The report contains the Reviewing Committee's comments on policy matters relating to the operation of the export control and the protection of cultural objects and details of each case considered during the reporting year 1 July 2002 to 30 June 2003.

The Review will also be available on the DCMS website http://www.culture.gov.uk

CONSTITUTIONAL AFFAIRS

Land Registry

The Parliamentary Under-Secretary of State for Constitutional Affairs (Mr. David Lammy): Land Registry's revised framework document is published today. Copies have been placed in the Libraries of both Houses.

Land Registry became an executive agency in July 1990 and a trading fund since 1993. During that period it has met improving financial, customer service and development targets whilst making land registration services progressively more efficient and cheaper.

The framework document sets out the framework within which Land Registry operates. In particular, it describes the flexibilities it has in terms of financial and human resource management. It also sets out it responsibilities to its customers and its accountability to the Secretary of State and Lord Chancellor and to Parliament. The Document has been produced following a major review of Land Registry's status and business operations in 2000. The report of that review was published in 2001.

On 13 October, the Land Registration Act 2002 was implemented signalling the most significant legislative reform for Land Registry since 1925. The changes to the operation of the Registry that have been brought about by the Act are reflected in the new document.

TRADE AND INDUSTRY

Baku-Tbilisi-Ceyhan Oil Pipeline Project

The Minister for Trade and Investment (Mr. Mike O'Brien): I have today accepted the recommendation from the Export Credits Guarantee Department (ECGD) that they should provide cover for a USD$150 million line of credit to finance UK contractors involved in the Baku-Tbilisi-Ceyhan oil pipeline project.

ECGD's decision was made after a rigorous assessment of the risks associated with the project and a thorough review of the environmental, social and human rights impacts arising from the project.

A number of conditions remain to be fulfilled before ECGD's cover is made available, including final approval of the environmental and social action plan, and the general oil spill response plan. The project company has indicated that it will make copies of these plans publicly available in due course.

ECGD has placed a note of the decision on its website and copies are available in the Library of the House.

CABINET OFFICE

"Government by Appointment: Opening Up the Patronage State"

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): I have today published the Government's response to the Fourth Report of the Public Administration Select Committee, "Government by Appointment: Opening Up the Patronage State."

I am grateful for the Committee's comprehensive and helpful report. We have considered the report in detail and undertaken in-depth consultation. The Government accept the majority of the Committee's recommendations and is already implementing some of them.

The key features of the Government's response are:

Undertaking a review of public bodies sponsored by central government

The Government agree with the Committee that the variety and complexity of public bodies supports the need for a review of their definition and scope.

Ensuring that information about Non Departmental Public Bodies is in the public domain

The Government support the need for details of public bodies within the remit of Central Government to be in the public domain.

The Commissioner for Public Appointments

The Government agree with the Committee that the Commissioner is central to the integrity and good practice of public appointments. The Government will examine the Public Appointments Order in Council to see whether it needs to be strengthened in order that the independence of the Commissioner is assured. It will also update the schedule to the Order providing a definitive list of appointments regulated by the Commissioner. The Government do not agree with the recommendation that the Commissioner should be made solely responsible for appointing independent assessors, but will explore further with the Commissioner how current arrangements operate to ensure that they are as robust as possible.

Diversity

The Government accept a number of recommendations designed to encourage and improve diversity in public appointments including developing and piloting shadowing, mentoring and board development schemes for groups that are currently under-represented on boards of public bodies.

Public Appointments Commission

The Government believe that it would be immensely difficult for a single body to cope with the diverse range of Non-Departmental Public Bodies and maintain that individual departments should continue to be responsible for appointments they sponsor. The Government recognise the value of having central teams in departments to advise on public appointments and work with sponsor teams. It also recognises that the NHS Appointments Commission is working well and some departments could benefit from using its services. The Government will be exploring this further.

Copies of the Government's response (Cm 6056) have been placed in the Libraries of both Houses.

Delivering Diversity in Public Appointments 2003–12–17

The Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster (Mr. Douglas Alexander): I have today published the new Delivering Diversity in Public Appointments 2003. This explains what each central Government department is doing to increase diversity on the boards of their public bodies.

The report includes action plans for each department as well as details of progress to date. It also includes targets to increase the proportion of appointments held by women, people from ethnic minority backgrounds and disabled people to be achieved by 2006.

The Government has two fundamental commitments that apply to public appointments. The first is that selection should be made on merit, using fair and open procedures that ensure the best available candidate is appointed to each post.

The second is a commitment to improving diversity in public appointments and recognition that the boards of public bodies will be most effective if they benefit from access to a wide range of skills, experience and backgrounds among their members. In particular, the Government is committed to the equal representation of women and men in public appointments; pro rata representation of members of ethnic minority groups and increased participation of disabled people.

The Government is keen to ensure that these commitments are met and that those serving on public bodies are representative of society as a whole. Progress has been made. But there is still much more to be done. I commend this new report, and the plans in departments to ensure that the targets they have set are met.

The report can be found on the Internet at www.publicappointments.gov.uk Copies of the report have also been placed in the Libraries of the House.

FOREIGN AND COMMONWEALTH AFFAIRS

Export Control Act

The Minister for Europe (Mr. Denis MacShane): The Government are introducing new controls to license the activities of those who trade in military goods between overseas countries (also known as trafficking and brokering); transfer technology for military goods by electronic means (e-mail, fax, etc.); transfer technology, by any means, for use in connection with WMD; and provide technical assistance for use in connection with WMD.

These controls are contained in the Export of Goods, Transfer of Technology and Provision of Technical Assistance (Control) Order 2003 (SI 2003/2764) and the Trade in Goods (Control) Order 2003 (SI 2003.2765) and will come into force on 1 May 2004. Section 9(3) of the Export Control Act 2002 requires the Secretary of State to give guidance about the general principles to be followed when exercising licensing powers.

The then Minister for Europe, my right hon. Friend, the Member for Neath (Mr. Hain), made a statement to Parliament on 26 October 2000, *Official Report*, column 200W, setting out the criteria that the Government will use in considering all individual applications for licences to export goods on the Military List, which forms Part III of Schedule 1 to the Export of Goods (Control) Order 1994; advance approvals for promotion prior to formal application for an export licence; and licence applications for the export of dual-use goods as specified in Annex 1 of Council Regulation (EC) 1334/2000 where there are grounds for believing that the end-user of such goods will be the armed forces or internal security forces or similar entities in the recipient country, or that the goods will be used to produce arms or other goods on the Military List for such end-users. On 8 July 2002, my right honourable friend the Foreign Secretary set out how the Government approach export licence applications for goods where it is understood that the goods are to be incorporated into products for onward export *Official Report*, columns 652–54W.

The Government have decided that it will continue to use these criteria, in the same way, in considering all individual applications for licences as set out in the new orders made under the Export Control Act 2002, taking account of the circumstances prevailing at the time and other announced Government policies.

Democratic Republic of Congo

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Chris Mullin): The UN panel on the Illegal Exploitation of the Natural Resources of the Democratic Republic of Congo has now completed its work. It addressed one of the central and most contentious issues of the conflict in the DRC: the link between the causes of the conflict and the exploitation of natural resources. The panel's final report contains a number of important recommendations about how both the Congolese people and the international community should better manage the exploitation of resources to benefit the people of the DRC. Without losing sight of what has gone on before and the need for justice in appropriate cases, we need to build on many of its positive recommendations.

We agree with the panel, that the international community must support the Transitional National Government (TNG) in the DRC. We are already working with the new government in Congo and with international and regional partners to help develop its institutions and to put in place effective management of the country's natural resources. The huge potential of the Congo's natural resources should be exploited legally and in a regulated way, for the benefit of all Congolese. We want to see trade in natural resources become a cohesive factor in regional stability and not a cause of conflict.

We are playing a leading role in helping the TNG make effective its anti-corruption commission. We are helping the new Government adhere to the Kimberley process on the regulated trade in diamonds, which is the country's most significant export. We have funded Global Witness to research and publish an independent preliminary report on resource exploitation, and we are planning to fund further research in this field. We are talking to the TNG about the extractive industries transparency initiative, which the Prime Minister launched in February 2003.

We are also engaged in promoting confidence building measures in the region. We welcome the declaration on good neighbourliness made by the Governments of Rwanda, Uganda, Burundi and the DRC in New York on 25 September, which includes that there must be no illegal exploitation of the natural resources of the DRC. We encourage the states concerned to continue to follow this up with steps to address bilateral and multilateral issues of mutual concern.

The illegal exploitation of resources in the DRC has served to fuel the conflict by funding arms flows. We need to ensure that the arms embargo on groups operating in the DRC is effectively implemented and monitored. We are playing a leading role through our mission in New York in supporting proposals for an arms embargo monitoring mechanism.

As well as looking forward, we need to address what has happened in the past. We take seriously the allegations made against the British companies named in the report. We have already pursued these allegations: the Department of Trade and Industry, as national contact point for Organisation for Economic Co-operation and Development guidelines has scrutinised the dossiers referred to it by the UN panel and has been in contact with the named companies or their representatives to discuss the allegations. Her Majesty's Customs and Excise have studied the UN panel's papers relating to the UK companies named in the report, but have been unable to take matters further, due to lack of evidence which would be sufficient to mount a criminal investigation. We are disappointed that despite numerous appeals to the panel to furnish detailed information to substantiate its allegations, we have not received any such information. We cannot now pursue the cases named in the report further without more specific information. There is so far no evidence that named companies have breached either OECD guidelines or UK law. We continue to ask the UN to supply us with the information on which the panel based its allegations. We also urge the non-governmental organisation community to submit any specific information it may have to the national contact point.

We continue to press regional states to investigate and, where appropriate, take action on the allegations made in the panel reports. In this respect we welcome the publication of the conclusions of the commission of inquiry established by the Ugandan Government. We remain in close contact with the Government of Uganda on follow-up work to the commission's report. We also welcome the establishment of a judicial commission by the Rwandan Government and urge it to publicise the results of its investigations.

The panel's final report included a section which the panel chose not to make public, but which was submitted on a confidential basis to the Security Council. It is not appropriate for us to comment on this, but as far as we are aware, none of the companies or individuals named in the confidential section is of British nationality.

WORK AND PENSIONS

Autumn Performance Report

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I am pleased to announce the publication of the 2003 autumn performance report of the Department for Work and Pensions (Cm 6044). The report is intended to supplement the Department's annual report published in May (Cm 5424).

The report provides the latest account of how the Department is performing against its public service agreement targets. A copy has been placed in the Library. Further copies are available to hon. Members in the Vote Office.

DEFENCE

Project Aquatrine

The Parliamentary Under-Secretary of State for Defence (Mr. Ivor Caplin): NEVIS Water has today been announced as the preferred bidder for the third and final contract for Project Aquatrine, which will provide water and wastewater services to Ministry of Defence (MOD) sites within Scotland.

Project Aquatrine is one of the Government's leading and most significant Public Private Partnership (PPP) projects and will transfer the responsibility for the operation and maintenance of the Department's water and waste water assets and infrastructure throughout Great Britain to private sector providers. This project will enable the transfer of environmental risk to those in the private sector who are best placed to manage it. This 25-year contract will enable the MOD to exit a non-core activity and concentrate its efforts on delivering military capability.

This contract is expected to go live in November 2004 following a pre-commencement period.

This announcement follows the appointment of BREY Utilities for Package A in April 2003, which went live on 1 December 2003 and the appointment of C2C, on 12 November 2003, as Preferred Bidder for Package C.

Private Finance Initiative

The Minister of State, Ministry of Defence (Mr. Adam Ingram): We intend to enter into a number of public-private partnerships, which will bring greater flexibility to our armed forces and increase the involvement of our defence industrial base. Under the Private Finance Initiative deal, the Amey Lex Consortium has been chosen as the preferred bidder to provide the C Vehicle Capability for the services, both in peacetime and for forces on operations.

The contract will cover all heavy plant equipment as well as logistic support and construction machines required by the armed forces. Many of these components are used in digging, dozing, lifting and transporting. The great utility of this equipment could be seen on recent operations, building and maintaining the infrastructure for our troops. The contract is valued at over £500 million for the 15-year period.

Among the benefits are a more rapid fleet turnover, which will allow changes in technology and fleet management processes to be introduced more quickly and will reduce the maintenance and supply burden thereby benefiting front-line troops. The best elements of commercial practise will be used to support maintenance and repair, providing the opportunity to reduce spares holdings and to adopt a strategic pooling approach to the provision of the capability.

This is an excellent opportunity for defence suppliers to play a major part in ensuring our military capability is truly flexible in order to meet our future commitments.

Written Ministerial Statements

Thursday 18 December 2003

DEPUTY PRIME MINISTER

Regional and Local Referendums

The Minister for Local Government, Regional Governance and Fire (Mr. Nick Raynsford): I have today published for consultation draft orders and papers on the arrangements for the forthcoming regional and local referendums:

> The consultation on registration and spending limits discusses how those wishing to campaign in the referendums (permitted participants) should register and how much money they should be able to spend. This paper will be accompanied by the draft Regional Assembly Referendums and Local Government Referendums (Referendum Expenses Limits for Permitted Participants) Order 2004.
>
> The consultation on combining regional and local referendums and on local referendum rules discusses the provisions being made for the combination of polls, the all-postal vote and other electoral issues. It is accompanied by the draft Local Government Referendums (England) Order 2004.

Copies of the documents are available in the Libraries of both Houses. They will also be available on the website of the Office of the Deputy Prime Minister.

The public consultation will run until 16 February and we would be very grateful for comments on these proposals.

HOME DEPARTMENT

Newton Committee

The Secretary of State for the Home Department (Mr. David Blunkett): I am today placing the report of the review of the Anti-Terrorism, Crime and Security Act 2001 in the Library of the House.

The Act came into force two years ago on 14 December 2001. The outrages committed on 11th September meant that we faced a new and unprecedented threat. The nature of this threat has been further underlined by the terrorist outrages since then notably in Bali, Singapore, Kenya, Saudi Arabia and most recently Istanbul.

The legislation introduced unique—though not unprecedented—powers. It was therefore right that a number of safeguards were put in place including an independent review committee made up of Privy Counsellors. This was established under the Chairmanship of Lord Newton of Braintree. I gave an undertaking that the Committee's report would be laid before Parliament and that both Houses would be able to debate the contents of their report. I am fulfilling the first part of that commitment today by presenting the report to the House at the earliest opportunity and look forward to debating the matters raised in the New Year.

I am grateful to Lord Newton and his Committee members for the work that has gone into this report and to all those who have contributed to the Committee's review. Their role as Privy Counsellors has enabled them to take evidence from a wide range of individuals and organisations including security and intelligence agencies.

At its heart, the Act focuses on ensuring that there are effective powers in place for dealing with international terrorism. These powers complement those already in place under the Terrorism Act 2000. They were, and are, necessary as a direct response to the public state of emergency existing within the United Kingdom following the events of 11th September. The judgement of the Court of Appeal upheld this when considering the appeal against the derogation from Article 5 of the ECHR which was necessary before the key part 4 powers in the Act could be implemented. Other powers in the Act were needed to tackle crime and especially crimes which are closely associated with terrorism.

As the House would expect given the nature of the legislation, the Committee makes a large number of detailed recommendations, which we are now in the process of considering carefully. I will also want to consider the report alongside that of Lord Carlile (the independent review of the Terrorism Act 2000 and Part 4 of the ATCS Act) and the work of the ISC.

Some few of the Committee's conclusions can be implemented straightforwardly and quickly. For example, the Committee's point on statistics relating to the number of individuals detained under part 4 powers is well made—and I will ensure that these and the figures on terrorist arrests, which are already in the public domain, are placed on the terrorism website.

I am also indicating to the House that I am willing to look very positively at many of Committee's other recommendations. For example, we welcome the Committee's recommendation that powers need to be enhanced to tackle identity theft, a crime that the Government have already identified as requiring urgent attention. We also welcome the Committee's support for strengthening measures to tackle terrorist finance. I will be publishing proposals shortly on strengthening our ability to deal effectively with all forms of organised crime.

While I will, of course, look carefully at what the Committee has said in relation to the detention powers in Part 4 of the Act, I am not convinced that the current threat leaves us with any option but to continue to use these powers.

Part 4 of the Anti-terrorism Crime and Security Act 2001 introduced exceptional powers to counter the risks to the United Kingdom posed by terrorist activity of the kind that led to the events of 11 September. I have limited the use of the powers to the terrorist threat posed by Al Qaida and the network of terrorist groups associated with it. The nature of that threat means that it is right to target those powers at foreign nationals. Because of that the specific powers we introduced are only used when an individual cannot be prosecuted and cannot be removed from the UK because of our international obligations, particularly Article 3 of the ECHR. Nonetheless all of those detained are entitled to leave the United Kingdom at any time they chose—if a country is prepared to have them and countenance their presence—as two of those certified have already done.

These were not powers I assumed lightly and I have only done so because of the nature of the threat that exists to the United Kingdom. I have never pretended that they are ideal, but I firmly believe that they are currently the best and most workable way to address the particular problems we face. My first responsibility is to protect the public and I believe that I would be failing to do so if the part 4 powers were removed from the armoury of measures available to protect the United Kingdom from specific terrorist threats. Ten of the detainees have already had their cases reviewed by the Special Immigration Appeals Commission—where they of course have the right to full legal representation—and in each case my judgement in certifying them has been upheld. I fail to see how the public would be adequately protected from those whom SIAC has confirmed are international terrorists by electronic tagging as the Committee has recommended. This is true not least because communication and organisation are as crucial here as custodial protection in a physical sense.

The Committee conclude very firmly that terrorist are criminals—a view which I wholeheartedly support. I therefore do not accept that as a matter of principle we should separate counter-terrorism legislation from mainstream criminal legislation, terrorism does not fit neatly into such boundaries as has been acknowledged in both the original debate on the Act and the findings of the ISC.

The Committee has used the provisions in section 123 to specify that the whole of the Act be considered when we come to debate its renewal. We will, of course, provide the House with the opportunity to do that. The Anti-terrorism and Crime Act 2001 has improved our ability to fight crime and terrorism and the scope and therefore title of the Act reflects that. I accept that my primary duty is the security and protection of citizens of the United Kingdom and that this measure is a key element in achieving that, look forward to a sensible arid informed debate so that we can continue to build on this foundation whilst recognising the need for appropriate safeguards.

Draft Corruption Bill

The Parliamentary Under-Secretary of State for the Home Department (Paul Goggins): I am pleased to announce the publication of the Government response to the Joint Committee on the Draft Corruption Bill.

The Draft Corruption Bill, which was published for pre-legislative scrutiny on 24 March 2003, was based on proposals from the Law Commission, which were widely welcomed in consultations carried out both by the Law Commission and by the Government. It aims to consolidate and clarify the criminal law on corruption which currently consists of a patchwork of common and statute law, with the latter dating back to 1889.

The Government are grateful for the attention given to this draft Bill by the Joint Committee within demanding deadlines. The response, which we are publishing today sets out our reactions to their comments. A revised Bill will be introduced when Parliamentary time permits.

The proposed legislation forms part of our commitment to modernise and consolidate the criminal law and should be seen in the context of a multi-faceted strategy to combat corruption. The elements of this strategy were set out in the statement made to this House on 25 March by Hilary Benn. Progress has been made since then, not only on domestic law but also as regards the international law on corruption. In particular on 9 December the UK ratified the Council of Europe Criminal Law Convention on Corruption and signed the UN Convention Against Corruption.

Yarl's Wood

The Minister for Citizenship and Immigration (Beverley Hughes): On 8 December, the *Daily Mirror* published allegations about the management of Yarl's Wood removal centre including allegations that staff employed by Global Solutions Limited (GSL) at the centre had made racially derogatory remarks about detainees.

I take these allegations very seriously. It is of the utmost importance that all staff at immigration removal centres should carry out their duties professionally and sensitively.

GSL have mounted an internal investigation of the allegations by a senior manager, and I have asked for a report of the outcome of that investigation. In addition, the issues raised are such that I have concluded that it would be right to have a separate independent investigation, to establish whether there is any truth in the allegations and to assess the implications for the management of Yarl's Wood. Stephen Shaw, the Prisons and Probation Ombudsman, who is already inquiring into the events at Yarl's Wood on 14/15 February 2002, has agreed to undertake such an investigation, to report to me through the Director General of the Immigration and Nationality Directorate. I have asked Mr Shaw to complete this investigation as early as possible in the New Year.

Ian Huntley

The Secretary of State for the Home Department (Mr. David Blunkett): Ian Huntley has been found guilty of the horrific murders of Jessica Chapman and Holly Wells. Maxine Carr has been found guilty of conspiracy to pervert the course of justice.

No one can imagine the pain which the children's families must have endured. I hope they will find some comfort in the murderer's conviction.

I have concerns, however, about the way in which the police handled intelligence about Huntley's past and about the vetting process when he took employment in a local school. I am determined, speedily, to get to the bottom of this.

I have asked Sir Michael Bichard, Rector of The London Institute and a former Permanent Secretary at the Department for Education and Employment, to lead an independent inquiry with the following terms of reference:

> "Urgently to enquire into child protection procedures in Humberside Police and Cambridgeshire constabulary in the light of the recent trial and conviction of Ian Huntley for the murder of Jessica Chapman and Holly Wells. In particular, to assess the effectiveness of the relevant intelligence—based record keeping, the vetting practices in those forces since 1995

and information sharing with other agencies. Report to me on matters of local and national relevance and to make recommendations as appropriate".

Sir Michael shares with me the view that what is needed here is an independent inquiry which gets quickly to the issues without putting the families and other parties through the stress which something long and drawn out could entail. He will expect full cooperation from all the parties. If he reports to me that this is unforthcoming I will not hesitate to use powers under section 49 of the Police Act 1996 which will allow the inquiry to summon and question witnesses.

Additionally I have asked Sir Keith Povey, Her Majesty's Chief Inspector of Constabulary, to look at an inquiry that the Metropolitan Police conducted into the police investigation and then to work with Cambridgeshire constabulary to implement the recommendations made. I will also want him to look at any lessons that could be learned by other forces facing a similar investigation.

I will consider what further action may be appropriate when I have all the answers to the questions I have asked.

Also my right hon. Friend the Secretary of State for Education and Skills has informed me that the North East Lincolnshire Area Child Protection Committee will be commissioning a serious case review under the Government's guidance "Working Together to Safeguard Children".

The aim of such a review would be to:

establish whether there are lessons to be learned from the case about the way in which agencies in North East Lincolnshire worked together to safeguard children;

identify clearly what those lessons are, how they will be acted upon, and what is expected to change as a result; and as a consequence, to

improve inter-agency working and better safeguard children.

I would hope that the Bichard Inquiry and the serious case review would together address the foil range of issues around safeguarding and protecting children that have arisen from this case.

FOREIGN AND COMMONWEALTH AFFAIRS

Overseas Territories Consultative Council

The Parliamentary Under-Secretary of State for Foreign and Commonwealth Affairs (Mr. Bill Rammell): The fifth annual Overseas Territories Consultative Council, held in London on 8–10 December, provided an opportunity to review, with representatives of the UK overseas territories, progress in implementing the commitments made in the 1999 White Paper, "Partnership for Progress and Prosperity: Britain and the overseas territories" (Cm 4264).

Several overseas territory representatives argued, in the context of constitutional reviews currently under way, for a greater devolution of responsibility and reduction in the powers of governors, in some cases amounting to full internal self-government and total abolition of the UK Government's reserved powers. Territory representatives also sought clarification of their rights of self-determination and free association under the terms of the United Nations General Assembly resolution 1541 of 1960.

I and my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs emphasised that the security and good governance of the overseas territories remains a key foreign policy objective for the UK Government, as indicated in the White Paper "UK International Priorities: A Strategy for the FCO" Cm 6052, published on 2 December. Territories have the right to seek independence, where this is an option, but, whilst the link with the United Kingdom remains, the UK Government will have to retain sufficient powers to protect its overall responsibility for ensuring good governance and compliance with international obligations and to minimise its contingent liabilities arising from its relationship with the territories. The UK Government consider it important to protect key values, particularly the independence of the judiciary, the political impartiality and integrity of the public service, and sound financial management in the territories. Governors have a key role to play in this.

TRADE AND INDUSTRY

World Trade Organisation General Council

The Minister for Trade and Investment (Mr. Mike O'Brien): At the Fifth World Trade Organisation (WTO) Ministerial Conference in Cancun (10–14 September 2003), WTO Members agreed to discuss issues further on the 15 December in Geneva.

Since Cancun, all WTO members have reiterated their commitment to a successful conclusion to the Doha Development Agenda but it has not been possible for WTO members to bridge their differences. At the meeting in Geneva on 15 December officials from WTO Members agreed to further negotiations in the new year to discuss how to proceed with the Doha Development Agenda.

This Government remain fully committed to securing a successful conclusion to the Doha Development Agenda. We will continue to work with our EU partners, the European Commission, and others, taking particular account of the views of developing countries. We are committed to ensuring free and fair trade rules which provide developing countries with the opportunity to trade themselves out of poverty and deliver on our commitments to reduce global poverty and remove trade distortions.

Milk Marque

The Parliamentary Under-Secretary of State for Trade and Industry (Mr. Gerry Sutcliffe): I am pleased to confirm that my right hon. Friend the Secretary of State for Trade and Industry and the Competition Commission on the one hand and Milk Marque and the National Farmers Union on the other, have resolved the litigation between them concerning the recommendations of the Competition Commission and the decisions of the Secretary of State for Trade and Industry relating to the supply of milk in the United Kingdom, which preceded the break up of Milk Marque in 1999.

The recent ruling by the European Court of Justice in this litigation (Case C 137/00) has clarified the law as regards the relationship between the Common Agricultural Policy (CAP) and the application of English law, in particular the Fair Trading Act 1973 and competition law more generally, in the agricultural sector.

The European Court of Justice judgment makes clear the freedom of Member States to apply competition law in the agriculture sector. However, the Court explained that, when they do, Member States must respect the objectives of the CAP, reconciling any conflicts, in such a way that none of the objectives is rendered impossible by any decision taken pursuant to domestic law. As the agricultural and dairy industries seek to come to terms with the effects of CAP reform on future business structures, I believe that all parties consider that the judgment will provide useful guidance for both industry and the UK authorities.

Taking into account both this judgment and development in the milk market since 1999, I understand that Milk Marque and the National Farmers Union will not be pursuing their claims further.

General Agreement on Trade in Services

The Secretary of State for Trade and Industry (Ms Patricia Hewitt): The Government are today publishing a response to the DTI's consultation document "Liberalising trade in services—a new consultation on the World Trade Organisation GATS negotiations". Copies have been placed in the Libraries of both Houses, and are being sent to all who sent us their comments. The response can also be accessed via the DTI website http://www.dti.gov.uk/ewt/. Our response addresses the many issues raised in nearly 800 submissions and explains how they have been and will continue to be taken into account when negotiations resume in the WTO in the New Year.

EDUCATION AND SKILLS

Higher Education Research Forum Membership

The Minister for Lifelong Learning, Further and Higher Education (Alan Johnson): The Minister of State for Lifelong Learning, Further and Higher Education, Alan Johnson and the Parliamentary Under-Secretary of State for Science and Innovation, Lord Sainsbury of Turville are pleased to announce the establishment of our Higher Education Research Forum to be chaired by Sir Graeme Davies, Vice-Chancellor of the University of London. The membership has been drawn together through nominations from higher education representative bodies and key sector stakeholders and is set out as follows:

Chair

Sir Graeme Davies, Vice-Chancellor of the University of London

Universities UK

Professor Malcolm Grant, Vice-Chancellor, University College London

Professor Sir Kenneth Calman, Vice-Chancellor, University of Durham

Professor David Eastwood, Vice-Chancellor, University of East Anglia

Professor Diana Green, Vice-Chancellor, Sheffield Hallam University

Professor Adrian Smith, Principal, Queen Mary University of London

Standing Conference of Principals (SCOP)

Professor Elaine Thomas, Director, Surrey Institute of Art and Design

Higher Education Funding Council for England (HEFCE)

Sir Howard Newby, Chief Executive of the Higher Education Funding Council for England

Research Councils

Professor Julia Goodfellow, Chief Executive of the Biotechnology and Biological Sciences Research Council

Trade Unions and Professional Associations

Dr Steve Wharton, Association of University Teachers

Liz Allen, National Association of Teachers in Further & Higher Education

National Academies

John Enderby, Physical Sciences Secretary and Vice-President, Royal Society

Professor Roger Kain, Treasurer and Fellow, British Academy

Confederation of British Industry

Tim Bradshaw, Senior Policy Adviser on Technology and Innovation, CBI

Regional Development Agencies

Frances Hulbert, Director of Skills Policy, North West Development Agency

Learning and Teaching Support Network

Professor Madeleine Atkins, Pro Vice-Chancellor, University of Newcastle upon Tyne

National Postgraduate Committee

Dr Tim Brown of the National Postgraduate Committee

National Teaching Fellow

A National Teaching Fellow will be appointed.

DEFENCE

Fylingdales

The Secretary of State for Defence (Mr. Geoffrey Hoon): In a Written Statement on 5 February 2003, *Official Report*, columns 11–12WS, I informed the House that the Government had agreed to a US request to upgrade the early warning radar at RAF Fylingdales as part of the US missile defence programme. The Assistant Chief of the Air Staff, on behalf of the Ministry of Defence, has today signed an agreement setting out the management and financial arrangements and responsibilities for the radar upgrade. This agreement is made under the framework memorandum of understanding on missile defence that I announced to the House on 12 June 2003, *Official Report*, column 57WS, and comes into immediate effect. Design work for the upgrade is already in hand, and upgrade work on site is expected to start in spring 2004, lasting for some 30 months, including testing of the upgraded system and removal of old equipment. I am placing in the Library of the House a copy of this agreement, although one section relating to a technical point on the operation of the radar has been withheld at the request of the US authorities.

Future Attack Submarine Programme

The Minister of State, Ministry of Defence (Mr. Adam Ingram): The Minister for Defence Procurement (Lord Bach) announced on 19 February 2003, *Official Report*, columns WA175–77, in another place, that the Government had reached an agreement with BAE SYSTEMS on the way ahead for the Astute Class Attack Submarine project. However, at that point, it was accepted that some additional time would be required to establish the underpinning commercial arrangements and we undertook to report back to the House at a suitable moment. I am very pleased to be able to announce that on 17 December, an amended contract implementing the February Agreement was signed by the Ministry of Defence and BAE SYSTEMS.

This amended contract, which covers the design and construction of the first three boats, is designed to reduce risk while incentivising the company to improve its performance in delivering the programme. It also covers a number of project management improvements and oversight.

Considerable progress has already been made in introducing these improvements and the MOD will be looking to the company to build on this as we jointly restore confidence in the programme. In February, we announced that the ISD for the first of class would be delayed. The company is now formally working to deliver HMS ASTUTE in 2008.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Combined Heat and Power

The Minister for the Environment (Mr. Elliot Morley): In compliance with Section 5(1) of the Sustainable Energy Act 2003, I am specifying a target to source at least 15 per cent. of electricity for Government use from good quality combined heat and power by 2010. My officials will work with departments in early 2004 to agree how they will implement the target, taking into account the extent to which they use electricity generated from renewable sources. By the end of 2005, we will review the validity of the target to ensure it reflects the market's ability to deliver the level of capacity at the right price

NORTHERN IRELAND

Criminal Justice System

The Minister of State, Northern Ireland Office (Mr. John Spellar): at a document setting out the Purpose and Aims of the Northern Ireland Criminal Justice System (CJSNI) has been published today. Copies of the Purpose and Aims document have been placed in the Library.

The Purpose and Aims were first published in 2001, and the document has been refreshed to reflect the significant work carried out by all the criminal justice organisations in working towards those aims, and towards implementation of the Criminal Justice Review.

The publication of the Purpose and Aims demonstrates the commitment of the CJSNI towards delivering a criminal justice system which serves and protects the people of Northern Ireland and in which the whole community can have confidence.

WORK AND PENSIONS

Housing Benefit

The Parliamentary Under-Secretary of State for Work and Pensions (Mr. Chris Pond): On behalf of my right hon. Friend the Secretary of State for Work and Pensions I am announcing the publication of performance statistics for local authority administration of housing benefit and council tax benefit (HB and CTB) for the second quarter of 2003–04. A copy of the quarterly statistics for all local authorities in Great Britain has been placed in the Library and has been published on the Department for Work and Pensions web-site at http://www.dwp.gov.uk/asd/other_stats.asp

Publishing these statistics is part of our strategy for reforming housing benefit and for ensuring that local authorities are accountable for their performance in administration of housing benefit and council tax benefit.

Housing Benefit and Council Tax Benefit performance statistics show that in the second quarter of 2003/4:

> 127 (31 per cent.) authorities reported meeting the standard of processing new claims, on average within 36 days, compared with 117 (28 per cent.) authorities in the second quarter of 2002/3;
>
> the average reported number of days to process new claims reduced from 58 days in the second quarter of 2002/3 to 50 days in the second quarter of 2003/4;
>
> authorities in the worst quartile of performance reported processing times between 56 and 149 days;
>
> 156 (38 per cent.) authorities reported meeting the standard of processing changes in circumstances, on average within nine days, compared to 139 (34 per cent.) in the second quarter of 2002/3;
>
> 228 (56 per cent.) authorities reported an improved performance between quarters 1 and 2 at processing new claims.

The statistics are un-audited and are provided quarterly by local authorities to the Department.

Child Poverty

The Secretary of State for Work and Pensions (Mr. Andrew Smith): I have today published "Measuring Child Poverty". A copy has been placed in the Library.

The Government issued a consultation document in April 2002 to promote debate on how best to build on their existing indicators to measure child poverty in the long term. The document published today outlines a long-term measure of child poverty for the UK. Our conclusions are based on a thorough analysis of the responses to the consultation document and further methodological work. None of this affects any of our existing PSA's which we remain committed to.

Our new measure of child poverty will consist of: absolute low income—to measure whether the poorest families are seeing their incomes rise in real terms; relative low income—to measure whether the poorest families are keeping pace with the growth of incomes in the economy as a whole and material deprivation and low income combined—to provide a wider measure of people's living standards. Using this measure, poverty is falling when all three indicators are moving in the right direction.

TRANSPORT

Local Transport Settlement

The Parliamentary Under-Secretary of State for Transport (Mr. Tony McNulty): I am announcing today firm allocations for the 116 local highway authorities and six Passenger Transport Authorities in England, outside London, for capital expenditure in 2004/05. This settlement amounts to a £1.86 billion package of funding for local transport, and approval for twenty new major local transport schemes. It will maintain and increase the momentum of our local transport investment programme, building on the £1.6 billion we announced for each of the two previous years.

In December 2000 we provided five-year indicative allocations to enable authorities to implement smaller integrated transport and highway maintenance schemes under their local transport plans (LTPs). My announcement today honours those commitments for 2004–05 and also provides additional funds to the authorities that are delivering most effectively against national and local targets, and that have shown the most impressive year-on-year improvement. Only in the case of four authorities whose performance is relatively weak are we providing allocations less than the indicative figures. We are therefore providing the stable funding that is necessary to enable local authorities to deliver effective investment in local public transport and local roads. Authorities undertaking approved major schemes are also being given allocations to cover their spending on these schemes in 2004–05.

The twenty new major local transport schemes we are provisionally or fully approving come on top of the 113 other major schemes accepted since the start of our 10-Year Plan in 2000. I am particularly pleased to announce that several of these new schemes will allow authorities to transform the quality of bus services.

The full list consists of

Getting Northampton to Work, a series of major bus route enhancements;

A509 Isham Bypass, also in Northamptonshire;

Liverpool South Parkway integrated bus/rail interchange;

"Yorcard" smart card scheme across South and West Yorkshire;

Yellow buses for schoolchildren in West Yorkshire;

Luton Town Centre Improvements

Cambridge to Huntingdon Rapid Transit guided bus network;

Translink guided bus in Luton and Bedfordshire;

Upperton Road Viaduct major maintenance scheme in Leicester;

A1056 Northern Gateway Stage 2 in North Tyneside;

Freckleton Street Bridge in Blackburn;

JETTS Quality Bus Corridors in Greater Manchester;

Undercliffe Drive restoration on the Isle of Wight;

Central Milton Keynes Public Transport Improvements

Weymouth Relief Road in Dorset;

Tunstall Northern Bypass in Stoke-on-Trent;

Coleshill Multi-modal Interchange in Warwickshire;

Darlaston SDA Access Project in the West Midlands conurbation;

Brierley Hill Access Network also in the West Midlands;

Coventry Quality Bus Network

Details of the 2004/05 allocations have been placed in the Libraries of the House. Right hon. and hon. Members representing English constituencies outside London will receive full details for the local transport plan area covering their constituencies shortly, from their regional government Office.

Written Answers to Questions

Monday 1 December 2003

PRIME MINISTER

European Constitution (Referendum)

Mr. Evans: To ask the Prime Minister how many written representations he has received *(a)* in favour and *(b)* against a referendum on the European Constitution. [141402]

The Prime Minister: Since the beginning of the year, I have received over 1,000 letters about the subject of a referendum on the European Constitution.

Given the volume of correspondence I receive, over one million letters and cards in the last year covering a broad spectrum of issues, my office records letters by subject rather than by the view expressed. My office works hard to ensure that all the letters receive appropriate responses.

Iraq

Lembit Öpik: To ask the Prime Minister what assessment he has made of changes in the level of risk of a terrorist attack in the UK since the initiation of military action in Iraq in March; and if he will make a statement. [140775]

The Prime Minister: The worldwide threat from terrorism remains real and serious, as we have all seen demonstrated by the recent attacks in Turkey. The relevant agencies are at a state of heightened readiness as they have been for some time.

The assessment of the level of threat to the UK is under constant review, and the Government takes the appropriate action.

The assessment received before the Iraq conflict was that the greatest threat to Western interests came from al-Qaeda and associated groups. This assessment has not changed and the Government and related agencies continue to combat terrorist activities both here and abroad.

Lembit Öpik: To ask the Prime Minister whether a reduction in international terrorism was a stated aim of the military action in Iraq in March; and if he will make a statement. [140776]

The Prime Minister: Our policy objectives for action in Iraq were set by my right hon. Friend the Foreign Secretary (Mr. Straw) in a written statement on 7 January 2003, *Official Report*, columns 4–6WS and set out in "Iraq: Military Campaign Objectives" on 20 March 2003. A copy is available in the Library of the House.

Harry Cohen: To ask the Prime Minister whether President Bush discussed with him an intention to choose Iraq's leader; and if he will make a statement. [141099]

The Prime Minister: I discussed with President Bush, as I regularly do, a wide range of Iraq-related issues, including the timetable leading to the formation of a Transitional Iraqi Government.

Harry Cohen: To ask the Prime Minister what peace approaches made for the attention of the UK Government were deemed to be from the Iraqi regime of Saddam Hussein prior to the war; whether such an approach for the attention of the US Administration was made *(a)* before the war and *(b)* subsequently; and if he will make a statement. [141100]

The Prime Minister: In the months before the conflict in Iraq, contact was made by various individuals claiming to be intermediaries for Saddam Hussein and senior members of the Iraqi regime. On each occasion our response was to underline the need for Iraq to comply fully and immediately with its obligations under the relevant United Nations Security Council Resolutions. Approaches made to the US are a matter for the US Administration.

Oil and Gas Industry

Mr. Spring: To ask the Prime Minister if he will place in the Library the open letter from the Oil and Gas Industry Liaison Team of 22 October on the implications for the United Kingdom oil and gas industry of the Energy Chapter of the draft European Constitution. [140700]

The Prime Minister: This is a matter for the Oil and Gas Industry Leadership Team.

DEPUTY PRIME MINISTER

Car Boot Sales

Mr. Pickthall: To ask the Deputy Prime Minister what plans he has to *(a)* bring car-boot sales under normal planning permission rules and *(b)* abolish the 14 day rule. [140684]

Keith Hill: Part 4 of the "Town and Country Planning (General Permitted Development) Order 1995" (GPDO) grants a general planning permission for the temporary use of land for up to 28 days in any calendar year, subject to a number of restrictions and conditions, and car boot sales to not more than 14 days in total—in recognition that, in some locations, they may cause problems such as parking, litter and noise. The use of land for car boot sales for greater than 14 days would generally require an application for planning permission.

In January 2002, a consultation paper was issued on whether any changes were desirable to the current temporary use provisions, which include activities such as clay pigeon shooting and motor-sports as well as car boot sales and farmers markets.

The overwhelming consensus in response to the consultation paper was to retain the existing provisions.

Therefore, in the light of responses received, we have no plans to change the temporary use planning provisions in respect of car boot sales or to abolish the 14 day rule as it pertains to them.

EDUCATION AND SKILLS

City Academies

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on the funding for the proposed city academies announced recently. [140975]

Mr. Miliband: The Secretary of State recently announced a new package of measures to raise standards of education in the five most challenging London boroughs, as part of the London Challenge initiative. These London boroughs—Haringey, Islington, Hackney, Lambeth and Southwark—will have at least 10 new schools, seven of which will be academies. These academies form part of the Government's overall strategy for the expansion of the Academies programme and the funding for them will be drawn from the Department's significant existing capital resources earmarked for the regeneration of the schools estate.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Dietary Supplements

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs when she will answer the letter from the hon. Member for Portsmouth, South of 9 September 2003 on the importation of dietary supplements. [140916]

Alun Michael: The letter referred to by the hon. Member was transferred to the Department of Health on 16 September 2003 as that Department has responsibility for dietary supplements. The hon. Member was advised of this transfer by letter on the same day.

HOUSE OF COMMONS COMMISSION

Sitting Hours (Refreshment Department)

Mr. Ben Chapman: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission, what assessment he has made of the impact of the change in sitting hours on the Refreshment Department. [139976]

Sir Archy Kirkwood: At its meeting on 12 May, the Commission considered a paper from the Board of Management on the principal impact of the revised sitting hours on staff and facilities. That paper reflected the early assessments made by the various Departments of the House. The Refreshment Department reported an increase in daytime trade, particularly in the cafeterias, but a significant loss of evening trade, particularly in the dining rooms. The Director of Catering Services continues to monitor service requirements in the light of changes in sitting patterns. The Board of Management will make a further report to the Commission in December.

TRANSPORT

Disabled Drivers

Mr. Goodman: To ask the Secretary of State for Transport what plans he has to reform the system of blue parking badges available for drivers with disabilities; and if he will make a statement. [140831]

Mr. McNulty: Following a comprehensive review of the Blue Badge Parking Scheme the Government have accepted a number of the recommendations made by our statutory advisers, the Disabled Persons' Transport Advisory Committee (DPTAC). These address many key issues of concern and are intended to make significant improvements to the Scheme. An announcement was made by David Jamieson on 18 December 2002 at which time a summary of the Government's responses to each of those recommendations was placed in the House Libraries.

We are taking forward the majority of the recommendations through changes to primary and secondary legislation, research and in new guidance to local authorities on the Scheme. As we progress our work we will be consulting and involving major disability organisations, many of which act as umbrella organisations representing people with a range of disabilities.

We are pursuing a suitable legislative slot for those changes requiring primary legislation. In the meantime we have begun work on those recommendations which require changes to secondary legislation and will also be embarking on a number of research projects over the next few months. The new guidance, which will cover all aspects of the Scheme will be issued when changes have been introduced.

Timing for introduction of the changes will be subject to the outcome of the research, consultations and the Parliamentary process as appropriate. I am not able at this stage to give a firm timetable, but we are wholly committed to introducing the changes at the earliest possible opportunity.

Heathrow Airport

Mr. Ben Chapman: To ask the Secretary of State for Transport what plans he has to assess the effect on regional economies of a third runway at Heathrow Airport. [140546]

Mr. McNulty: A third runway at Heathrow, in common with additional runways at other South East airports, would lead to more short-haul services including services from the UK regions to London. The benefits to regional passengers from providing more capacity at South East airports are described in Chapter 3 of "The Future Development of Air Transport in the United Kingdom: South East".

Heavy Goods Vehicles

John Thurso: To ask the Secretary of State for Transport what *(a)* number and *(b)* percentage of

(i) deaths and (ii) serious injuries from road accidents resulted from a crash involving a heavy goods vehicle in each year since 1997 (A) in total and (B) broken down by (1) daytime and (2) night-time periods. [141151]

Mr. Jamieson: The following table shows the number and percentage of deaths and serious injuries from road accidents involving one or more HGV by daylight, darkness and total categories for each year since 1997.

Casualties in road accidents involving HGVs

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Daylight						
Deaths	408	401	458	387	401	365
Percentage of all fatalities in daylight	19.6	20.1	22.9	19.6	20.2	18.4
Serious injuries	2,204	2,026	2,114	2,092	1,979	1,819
Percentage of all serious injuries in daylight	7.7	7.5	8.0	8.3	8.1	7.8
Darkness						
Deaths	127	175	162	173	174	167
Percentage of all fatalities in darkness	8.4	12.3	11.4	12.0	11.8	11.6
Serious injuries	720	666	656	627	585	555
Percentage of all serious injuries in darkness	5.0	4.9	5.2	4.9	4.6	4.4
Total						
Deaths	535	576	620	560	575	532
Percentage of all fatalities	14.9	16.8	18.1	16.4	16.7	15.5
Serious injuries	2,924	2,692	2,771	2,719	2,564	2,374
Percentage of all serious injuries	6.8	6.6	7.1	7.1	6.9	6.6

Darkness is half an hour after sunset to half an hour before sunrise. Daylight is all other times.

John Thurso: To ask the Secretary of State for Transport what the total vehicle kilometres of a heavy goods vehicle were for each year since 1997 *(a)* in total and *(b)* broken down by (i) daytime and (ii) night-time periods. [141152]

Mr. Jamieson: Estimated total vehicle kilometres by HGVs in Great Britain for each year since 1997 are given in the following table. It is not possible to distinguish traffic in daylight hours and hours of darkness.

Heavy goods vehicle traffic: 1997–2002

Billion vehicle kilometres

	All goods vehicles[1]
1997	26.8
1998	27.9
1999	28.1
2000	28.2
2001	28.0
2002	28.3

[1] Goods vehicles over 3,500 kgs gross vehicle weight

Long Vehicles

John Thurso: To ask the Secretary of State for Transport (1) what plans there are to make Regulation UN ECE 104 on conspicuity markings on long vehicles legally binding; [141148]

(2) when the UK became a signatory to the UN regulation ECE 104 on conspicuity markings on long vehicles; and what progress has been made on its implementation; [141149]

(3) what representations his Department has received from road safety organisations regarding Regulation UN ECE 104 on conspicuity markings on long vehicles. [141150]

Mr. Jamieson: The UK became a signatory to UN ECE Regulation 104 on 15 January 1998. The regulation provides for the international approval of retro-reflective marking material for heavy or long vehicles. It also gives guidance on how the material might be shaped and mounted.

The Government have no plans to make conspicuity markings based on this regulation legally binding. Within the EU we recently agreed to incorporate the regulation into the EU type approval system for the installation of lighting and light signalling devices, but only as an option. As EU approvals can still be issued to vehicles without these conspicuity markings it appears that there is no scope for national governments unilaterally to require them.

The European Commission is investigating the costs and benefits of a mandatory requirement and may make proposals when its research is complete. The Department for Transport will await the results of the research before taking a view on whether any such proposal should be supported.

The Department has recently received representation from one road safety organisation.

Road Safety

Mr. Waterson: To ask the Secretary of State for Transport what proposals he has to amend the law as it applies to the use of *(a)* electric wheelchairs and *(b)* scooters on the public highway. [141589]

Mr. Jamieson: We recognise that these vehicles provide invaluable independent mobility to many disabled and older people. However, we are aware of concerns about their use on the highway and we are conducting a comprehensive review beginning with a research study to establish basic facts about current usage and to canvass views of users and other key stakeholders. Subject to the outcome of this investigation we will be considering what changes may need to be made to current legislation governing the construction and use of these vehicles on the highway.

Mr. Waterson: To ask the Secretary of State for Transport how many incidents involving *(a)* electric wheelchairs and *(b)* scooters were recorded in each of the last five years; and how many of them involved (i) fatality and (ii) serious injury. [141590]

Mr. Jamieson: The information is not held centrally.

Shipping

Mr. Carmichael: To ask the Secretary of State for Transport what proportion of United Kingdom ships using the tonnage tax scheme fly the Red Ensign. [140674]

Mr. Jamieson: 69 per cent. of the total ships under the tonnage tax scheme fly the Red Ensign.

Speed Cameras

Mr. Damian Green: To ask the Secretary of State for Transport what assessment he has made of the contribution of speed cameras to reduction in road deaths; and if he will make a statement. [140824]

Mr. Jamieson: On 11 February 2003 the Department published an independently produced evaluation report of the 2-year trial of the safety camera cost recovery system. This showed an average 35 per cent. reduction in those killed or seriously injured at camera sites, equating to around 280 people and a 4 per cent. reduction in those killed or seriously injured across the pilot areas, equating to around 530 people.

Mr. Damian Green: To ask the Secretary of State for Transport how many speed cameras were operational on 31 July. [140828]

Mr. Jamieson: This information is not held centrally.

Mr. Damian Green: To ask the Secretary of State for Transport if he will publish the accounts of the Safety Camera partnerships; and if he will make a statement. [140825]

Mr. Jamieson: Local authorities, through which payments from netted off fine revenue from speed camera offences are made to Safety Camera Partnerships, are obliged to make their accounts available for public scrutiny each year.

SS Montgomery

Mr. Wyatt: To ask the Secretary of State for Transport what assessment he has made of whether there were nuclear weapons on board the SS Montgomery when it sank off Sheerness; and if he will make a statement. [140707]

Mr. Jamieson: The cargo manifest does not include nuclear weapons.

Mr. Wyatt: To ask the Secretary of State for Transport whether fulminite of mercury was present in fuses on board the SS Montgomery; and if he will make a statement. [140708]

Mr. Jamieson: The cargo manifest of the 'Richard Montgomery' does not specifically refer to fulminate of mercury, but does list other types of fuses. However, fulminate of mercury was in use at the time so may be contained in some of the detonators and fuses.

Mr. Wyatt: To ask the Secretary of State for Transport whether the ammunition on board the SS Montgomery is in a stable condition; and if he will make a statement. [140709]

Mr. Jamieson: The wreck of the 'Richard Montgomery' is surveyed by diver and sonar survey on a regular basis and appears to be in a stable condition. The majority of the munitions are unfused. The munitions which are fused are considered by experts to be likely to be stable given the circumstances and duration of storage.

Mr. Wyatt: To ask the Secretary of State for Transport what research he has commissioned on whether the detonation of ammunition at Shoeburyness will have a deleterious effect on the ammunition on board the SS Montgomery. [140710]

Mr. Jamieson: No research has been commissioned into whether the detonation of ammunition at Shoeburyness Firing Range will have a deleterious effect on the ammunition onboard the 'Richard Montgomery'. However, the wreck of the 'Richard Montgomery' is surveyed by diver and sonar survey on a regular basis and in the 59 years since the sinking of the wreck, no incidents of any nature have been reported as a result of the activities at Shoeburyness.

CABINET OFFICE

Legislation

Mr. Redwood: To ask the Minister for the Cabinet Office how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141126]

Mr. Alexander: My Department did not sponsor any primary legislation during the 2002–03 session.

In the case of secondary legislation my Department was responsible for the making of two General Statutory Instruments which would have been considered by the Joint Committee on Statutory Instruments. These instruments made a total of six pages.

DEFENCE

Parliamentary Questions

Mr. Alan Williams: To ask the Secretary of State for Defence for what reason the hon. Member for Swansea West received a reply on 20 November to his parliamentary question tabled on 11 September. [140791]

Mr. Hoon: The delay was caused by the need to consult other Government Departments.

Satellite Tracking Station

Sir Michael Spicer: To ask the Secretary of State for Defence when he will announce his decision on whether the Satellite Tracking Station at Defford will remain a strategic asset. [140461]

Mr. Ingram: We expect to notify QinetiQ, the Defford site operators, of our decision early in the Near Year.

CULTURE, MEDIA AND SPORT

National Lottery

David Davis: To ask the Secretary of State for Culture, Media and Sport how much Lottery funding per capita has been awarded to organisations in Haltemprice and Howden in each of the past three years. [140558]

Estelle Morris: The total value of Lottery awards made per capita to the constituency of Haltemprice and Howden in the past three years has been:

Calendar year	*Per capita Lottery funding (£)*
2000	4.08
2001	2.70
2002	4.78
January 2003 to date	4.95

This is derived from the Department's Awards Database, which is based on information supplied by the distributing bodies.

Rugby

Mr. Hawkins: To ask the Secretary of State for Culture, Media and Sport what plans she has to arrange celebrations for the victorious England Rugby World Cup team and squad. [140592]

Tessa Jowell: The Rugby Football Union (RFU) have always, quite rightly, been in the lead on the nature and the timing of the World Cup victory celebrations, and the RFU picked the date of Monday 8 December for the parade and receptions. Both the Government and the Royal Household have been happy to be guided by the RFU on these matters. The RFU did not want to pick a weekend date because the rugby players have professional obligations to play for their clubs.

The RFU is also planning a series of celebratory occasions around the country, so that people can see the Webb Ellis Cup and meet members of the winning England team rather than the whole country having to come to London on December 8.

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport how many rugby matches *(a)* the Secretary of State and *(b)* the Minister for Sport attended in an official capacity since their respective appointments. [141068]

Mr. Caborn: My right hon Friend the Secretary of State has attended two matches: England v Wales at Twickenham in March 2002, and Australia v England in Sydney, November 2003. I have attended eight matches: Bradford v Wigan at Old Trafford in October 2001, Great Britain v Australia at Huddersfield in November 2001, Sheffield Eagles Tag Rugby Festival in Sheffield, December 2001, St. Helens v Wigan at Murrayfield, April 2002, New Zealand v Fiji in Manchester, August 2002, Australia v New Zealand and England v France in Sydney, November 2003 and Great Britain v Australia at Wigan, November 2003, along with a number of local rugby union matches involving Sheffield Club and Rotherham.

St. Giles Church, Imber

Dr. Murrison: To ask the Secretary of State for Culture, Media and Sport what plans she has for St. Giles Church at Imber in Wiltshire. [141040]

Mr. Caborn: It is expected that a meeting involving Ministers from my Department and the Ministry of Defence, as well as the Third Church Commissioner, will be held in the near future to discuss possible options for this redundant grade I listed church.

Television Licence

Gregory Barker: To ask the Secretary of State for Culture, Media and Sport how much was paid in television licence fees by residents in East Sussex in the last year for which figures are available. [140962]

Estelle Morris: The information requested is not available, since TV Licensing, who administer the television licensing system for the BBC, do not maintain statistics of television licence sales and revenues by local authority area.

FOREIGN AND COMMONWEALTH AFFAIRS

European Constitution

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will make it a red line issue to ensure that *(a)* qualified majority voting is not extended to the area of own resources under Article 53(4) of the Draft European Constitution, *(b)* the UK budget rebate is retained and *(c)* the Stability and Growth Pact in its application to the UK is repealed. [140698]

Mr. MacShane: As the White Paper makes clear, the Government believes that unanimity must be retained for the system of own resources (Article I–53), including the terms and conditions for the UK abatement. On economic governance, the Government will work to ensure outcomes that will bolster stability, promote flexibility and enhance the ability of European countries to raise productivity and employment levels.

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs if the Government will make it a red line issue to ensure that Protocol 17 concerning Article 141 of the EC Treaty is retained in the draft European Constitution. [140699]

Mr. MacShane: The Government supports the retention of this Protocol. There has not been any suggestion that this Protocol should be deleted, and it is included, with the appropriate technical amendments, in the revised set of Protocols issued by the Secretariat of the Intergovernmental Conference (which can be found on page 157 of document CIG 50/03 ADD 1 of 25 November). This can be accessed in the IGC Documents section of the Italian Presidency website: www.ueitalia.2003.it.

Union Law

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will place in the Library the opinion of the Head of the Council of

Ministers Legal Service on the question of the formulation of Articles 1–10 concerning the primacy of Union Law (CIG 37–03, p3). [140697]

Mr. MacShane: There is no formal Council Legal Service Opinion on this subject. The Presidency proposal on this subject, found in CIG 52/03, proposes that the Intergovernmental Conference note that this Article reflects existing European Court of Justice case-law. We understand this is in line with the views of the Council Legal Service.

Copies of document CIG 52/03 will be placed in the Library of the House.

HEALTH

Juvenile Self-Harm

Charles Hendry: To ask the Secretary of State for Health (1) what steps his Department is taking to reduce instances of suicide and deliberate self-harm in young people; and if he will make a statement; [140637]

(2) what steps his Department is taking to raise public awareness of suicide and deliberate self-harm in young people; [140638]

(3) what guidance his Department issues to *(a)* parents, *(b)* young people and *(c)* organisations working with young people on (i) suicide and (ii) deliberate self-harm in young people. [140659]

Ms Rosie Winterton: The National Suicide Prevention Strategy for England recognises that people who self-harm are at a greater risk of taking their own life; and sets out specific action to reduce the number of suicides in the year following deliberate self harm:

guidance on the management of deliberate self-harm in accident and emergency departments is due for publication by the National Institute for Clinical Excellence in 2004;

the establishment of a national collaborative for the monitoring of deliberate self-harm through which it will be possible to estimate the number of suicides in the year following deliberate self-harm;

the National Institute for Mental Health in England (NIMHE) will support local services in establishing procedures and services for people presenting at accident and emergency departments with deliberate self-harm;

a risk assessment-training package will be made available by NIMHE to frontline clinical staff, the prison service, primary care, substance misuse services and college counselling services. This package is currently being piloted.

In addition, NIMHE published an audit toolkit in October 2003 to help services measure the extent to which they are addressing the recommendations outlined in the National Confidential Inquiry Report into suicide and homicide by people with a mental illness—Safer Services; two of which relate specifically to self-harm.

NIMHE continues to raise awareness about mental health issues, including suicide and self-harm through its programme of work to implement the suicide prevention strategy. In addition, the mind out for mental health campaign which combats stigma and discrimination surrounding mental health specifically targets young people in the provision of accurate information on mental health issues. In February 2003 the campaign launched Read the Signs—educating young people aged 14–21 about the signs of mental health problems so that they are better informed and can look out for themselves and their friends. This campaign includes an interactive website which provides information on suicide and deliberate self-harm and signposts individuals to further information or support and advice.

The Department and NIMHE also continue to work with and support other organisations to promote information and advice on the incidence of suicide and self-harm among young people.

The suicide prevention strategy also specifically identified young men as being at particular risk of suicide. NIMHE is establishing a small number of sites in England which will develop a package of mental health promotion measures to successfully engage with young men. We hope to announce the location of the successful pilot sites early in the New Year. In addition, the "Campaign Against Living Miserably (CALM)" campaign and helpline continues to provide a safety net for young men by breaking down the barriers and reducing the stigma attached to depression and mental illness. CALM is currently operational in four areas: Manchester, Merseyside, Cumbria and Bedfordshire.

No Secrets Guidance

Mr. Burstow: To ask the Secretary of State for Health what plans his Department has to review the implementation of the "No Secrets" guidance. [140639]

Dr. Ladyman: The Department of Health has no immediate plans to further review the implementation of "No Secrets", which provided a framework for local agencies to use when developing their multi-agency codes of practice for preventing and tackling the abuse of vulnerable adults. These codes had to be in place by 31 October 2001.

Last year, the Department of Health commissioned the Centre for Policy on Ageing to analyse these local codes of practice. In January 2003, the Department issued the main messages from the analysis titled, "No Secrets: Findings from the analysis of local codes of practice". The analysis indicates that by and large local councils have met the requirements required by "No Secrets" and that considerable progress has been made towards improving co-ordination between agencies when dealing with adult abuse cases. The analysis can be accessed on the Department's website.

WORK AND PENSIONS

Benefit Claims (Medical Assessment)

Dr. Murrison: To ask the Secretary of State for Work and Pensions what assessment he has made of the *(a)* quality of medical advice given in the assessment of benefit claims and *(b)* training of medical staff used to assess claimants. [141062]

Maria Eagle: Medical Services are meeting the medical quality standards specified in the contract.

The Department receives monthly reports of Medical Services' medical quality audit outcomes, and of the action being taken where a doctor's quality standards have fallen below those expected. The Department's doctors hold regular joint meetings with Medical Services to validate medical quality audit standards.

All doctors working for or on behalf of Medical Services have individual personal training plans, based on training needs analysis. Benefit-specific training and continuing professional education training modules are discussed and agreed with the Department's doctors. Medical Services keep detailed records of training undergone by individual doctors, and report progress against training plans to the Department on a regular basis. The effectiveness of training is evaluated in a number of ways. Refusal by a doctor to undertake prescribed training results in revocation of approval to carry out assessments.

Employers' Liability Insurance

Mr. Bellingham: To ask the Secretary of State for Work and Pensions if he will set a date for the publication of his Department's follow-up report into employers' liability compulsory insurance. [140530]

Mr. Browne: The Department will publish the second stage report of the review of employers' liability compulsory insurance shortly.

Incapacity Benefit

Mr. Nicholas Brown: To ask the Secretary of State for Work and Pensions what progress he has made in setting up the incapacity benefit pilot programmes. [140646]

Maria Eagle: The incapacity benefit pilots will give new claimants: early support from skilled personal advisers in a series of monthly work focus interviews; direct access to a 'Choices Package' offering a comprehensive range of existing and new specialist programmes, including joint programmes with the NHS for improving a person's ability to return to work, as well as clear financial incentives to make work pay.

The pilots are currently running in three districts: Renfrewshire, Inverclyde, Argyll and Bute; Derbyshire; and Bridgend and Rhonnda Cynon Taff. Early indications from these pilots have been encouraging and the feedback from customers has been very positive.

The new programmes that will be run jointly by the Department and NHS Primary Care trusts (local health boards, in Wales) are on track to start in January 2004.

A further four Districts, East Lancs, Somerset, Essex and Gateshead and South Tyneside are on target to begin pilots on 5 April 2004.

Written Answers to Questions

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LEADER OF THE HOUSE

Pre-legislative Scrutiny

34. **Mr. Allen:** To ask the Leader of the House if he will make it his policy to encourage Select Committees to subject all proposals for Bills to pre-legislative scrutiny on-line. [140764]

Mr. Woolas: It is for individual committees to decide, when conducting pre-legislative scrutiny, whether to make arrangements for on-line scrutiny or e-consultation. I hope that committees will, as a matter of course, consider the opportunities provided by information technology, including on-line fora of the kind used successfully by the Joint Committee on the draft Communications Bill in 2002.

Visitors' Facilities

35. **Peter Bradley:** To ask the Leader of the House what representations he has received on new facilities for visitors in the House. [140765]

Mr. Hain: I am strongly in favour of making the Commons more welcoming for voters. I can report that the House of Commons Commission has asked the Administration and Accommodation and Works Committees to examine what improvements can be made and to report by Easter.

Sitting Hours

36. **Chris Bryant:** To ask the Leader of the House what assessment he has made of the impact of the new sitting hours of the House. [140766]

Mr. Woolas: In October last year, a majority of Members voted to alter the sitting hours so that the House now sits from 11.30 am on Tuesday and Wednesday. The Standing Orders were changed for the rest of this Parliament, which will allow us a sufficient period to make a considered judgment on the effect of the changes.

My right hon. Friend is aware that some Members have difficulty with the new hours, but that there is strong opinion on both sides.

CHURCH COMMISSIONERS

Clergy Terms of Service Review

Mr. Ben Chapman: To ask the hon. Member for Middlesbrough, representing the Church Commissioners if he will press the Commissioners to take steps to accelerate the timetable for the McClean review of clergy terms of service to deliver its final report. [140553]

Mr. Bell: The Church Commissioners support the view of the McClean review group that this important and complex work cannot, and should not, be rushed.

Good progress has been made. The review has completed the first phase of its work (considering clergy without security of tenure) according to the timetable in its terms of reference. It will report to the Archbishops' Council on 9 December and it is hoped that there will be a debate by the General Synod in February, followed by a period of consultation with dioceses and clergy.

It is hoped that the second phase of the group's work (addressing the position of clergy with the freehold and any follow-up from the first phase) will be completed by the end of 2004.

NORTHERN IRELAND

Cory Report

Mr. Hancock: To ask the Secretary of State for Northern Ireland when he will publish the Cory report. [140906]

Mr. Paul Murphy: The Government are committed to publishing Justice Cory's reports as soon as possible, in line with the judge's terms of reference. These made it clear that any issues involving national security, the criminal process or the safety of individuals, would need to be considered carefully first.

NHS Budget

Lady Hermon: To ask the Secretary of State for Northern Ireland what proportion of the NHS budget for Northern Ireland in each year since 1997 was spent on private treatment; what plans he has to facilitate retrospective payment for treatment carried out privately; and if he will make a statement. [140810]

Angela Smith: Information about the proportion of the health budget in Northern Ireland relating to private treatment is not available.

As regards retrospective payment for treatment carried out privately, an agreement with the relevant area Health and Social Services Board for the cost to be met must be made prior to treatment commencing. To be eligible, the patient must meet certain criteria, namely that the treatment required is not available in Northern Ireland and that the patient's consultant recommends treatment elsewhere.

SOLICITOR-GENERAL

Mr. Demetrious Panton

Mr. Grieve: To ask the Solicitor-General what costs were incurred by the Government Legal Service in advising the Minister for Children in respect of the allegations of libel brought against her by Mr. Demetrious Panton; and who will pay the costs. [140961]

The Solicitor-General: No such costs were incurred.

INTERNATIONAL DEVELOPMENT

Voluntary Service Overseas

Mr. Bercow: To ask the Secretary of State for International Development how many people from the United Kingdom have taken part in Voluntary Service Overseas in each of the last 10 years. [140874]

Mr. Gareth Thomas: During the past decade, Voluntary Service Overseas has filled 7,915 volunteer placements; 6,637 of these were recruited in the UK. The following table gives a breakdown for each year and the place of recruitment of the other 1,278 volunteers. The figures for 2003–04 are estimates because there are still placements to be filled.

	Canada	*Netherlands*	*Portugal*	*Kenya and Philippines*	*UK*	*Total departures*
1993–94			—	—	711	711
1994–95		—	—	—	746	746
1995–96	31	51	1	—	697	780
1996–97	56	64	2	—	717	839
1997–98	67	56	2	—	587	712
1998–99	68	77	2	—	714	861
1999–2000	58	74	3	—	745	880
2000–01	94	85	0	32	715	926
2001–02	82	78	0	67	629	856
2002–03	69	81	0	78	376	604
Total	525	566	10	177	6,637	7,915
2003–04 Est	77	95	0	130	473	775

Zimbabwe

Ms Keeble: To ask the Secretary of State for International Development what assessment he has made of the outbreak of cholera in Binga, Zimbabwe. [140467]

Hilary Benn: A cholera outbreak has been reported in the two northern districts of Kariba (in Mashonaland West province) and Binga (in Matabeleland North province). A total of 173 cases and 26 deaths have so far been reported. WHO have commented that this fatality rate of approximately 15 per cent. is alarmingly high, probably due to the declining capacity of the Zimbabwean Ministry of Health to respond, and the growing food shortages. Latest reports indicate that the situation is under control in Binga, where no new infections are being recorded, but appears to be spreading in Kariba district.

Save the Children (UK) are using emergency response resources provided by DFID to address the situation in collaboration with the Ministry of Health and Child Welfare, UNICEF, WHO, Médicine Sans Frontières (Spain) and several other NGOs. The aim is to ensure that the disease does not spread further and that those communities at risk are assisted with soap and other hygiene items, as well as water purification tablets and ORS supplies to treat diarrhoea.

Cholera outbreaks are becoming more frequent in the humanitarian situation in Zimbabwe. Save the Children (UK) are planning to use the lessons learnt during their response to this outbreak in order to conduct rapid response training for other relevant organisations involved in humanitarian operations in Zimbabwe.

SCOTLAND

Electoral Systems

7. **Miss Begg:** To ask the Secretary of State for Scotland if he will make a statement on the different electoral systems in Scotland. [140749]

Mr. Darling: There are currently three voting systems used in Scotland. Elections to the UK Parliament and local councils use the first past the post system. Elections to the European Parliament use the list system of Proportional Representation while the elections to the Scottish Parliament use the additional member system of Proportional Representation.

Highlands and Islands

8. **Mr. Alan Reid:** To ask the Secretary of State for Scotland what discussions he has held with *(a)* ministerial colleagues and *(b)* the European Commission on figures published by the Office of National Statistics for the gross domestic product of the Highlands and Islands. [140750]

Mrs. McGuire: No such discussions have taken place. But it is worth clarifying once and for all the situation regarding the Office for National Statistics figures and European Structural Funds. There has been no error made by the Office for National Statistics. Eligibility was based on the best information available at the time and the European Commission confirmed in November 2002 that retrospective eligibility for Objective 1 support was not possible.

Glasgow Financial District

9. **Ann McKechin:** To ask the Secretary of State for Scotland what recent discussions his Department has had on the launch of the Glasgow Financial District. [140751]

Mr. Darling: I am aware that the Glasgow International Financial Services District had its UK launch at the London Stock Exchange recently.

The Scotland Office will continue to work with the Scottish Executive to support this far-sighted initiative.

Scotland Act

10. **Pete Wishart:** To ask the Secretary of State for Scotland, what plans the Government has to amend the Scotland Act 1998. [140752]

Mr. Darling: The Scottish Parliament (Constituencies) Bill will amend the Scotland Act by breaking the link between the number of MSPs and the number of MPs from Scottish constituencies. The proposal to transfer to the Supreme Court the function of hearing devolution disputes currently held by the Judicial Committee of the Privy Council would also require an amendment to the Scotland Act.

There are no other plans for substantive amendments to the Scotland Act in primary legislation.

Scottish Economy

11. **Mr. Salmond:** To ask the Secretary of State for Scotland, when he last met the chairman of Scottish Enterprise to discuss trends in the Scottish economy. [140753]

Mr. Darling: Scottish Enterprise is formally responsible to Scottish Executive ministers, though I and my predecessors have had continuing contact in a variety of different contexts with the Chairman and past chairmen of Scottish Enterprise since devolution.

Scottish Regiments

13. **Annabelle Ewing:** To ask the Scretary of State for Scotland, what recent representations he has received from the First Minister about the future of the Scottish regiments. [140755]

Mrs. McGuire: My right hon. Friend and the First Minister discuss a wide range of matters. They met most recently on 1 December.

Ravenscraig

14. **Mr. Roy:** To ask the Secretary of State for Scotland, when he next intends to discuss the regeneration plans for the Ravenscraig site with the First Minister. [140756]

Mrs. McGuire: My right hon. Friend and I have regular discussions with the First Minister on a wide range of issues, including economic regeneration.

I am delighted that the Scottish Executive have approved plans for the redevelopment of the Ravenscraig site and I am sure that the project will bring long term benefits across Lanarkshire and the West of Scotland.

Pension Credit

15. **Mr. Ross:** To ask the Secretary of State for Scotland, if he will make a statement on the take-up of *(a)* pension credit and *(b)* minimum income guarantee in Scotland. [140757]

Mrs. McGuire: Minimum income guarantee was replaced by pension credit on 6 October 2003. The Pension Service are writing to all pensioner households to give them information and to invite them to apply. Those who apply within the first 12 months will have their awards backdated to the first date of entitlement.

Two hundred and two thousand pensioner households in Scotland are already receiving pension credit.

John Barrett: To ask the Secretary of State for Scotland, how many pensioners in Scotland are in receipt of the pension credit. [140754]

Mrs. McGuire: As at the end of October, 202,000 pensioner households in Scotland were already receiving pension credit.

Scottish Parliament (Elections)

Sir Robert Smith: To ask the Secretary of State for Scotland whether the proposed bill to retain the current number of Members in the Scottish Parliament will be drafted to allow consideration of the method of election used for the Scottish Parliament. [140737]

Mrs. McGuire: The scope of the bill, which was introduced on 27 November, is a matter for the House Authorities. However, as the bill deals only with the determination of the number of constituencies and regions of the Scottish Parliament, the number of regional members per region and the arrangements for reviewing the boundaries of constituencies and regions, my understanding is that consideration of the method of election to the Scottish Parliament will be outside its scope.

Voting Systems

John Barrett: To ask the Secretary of State for Scotland what plans the Government has to change the voting system for elections to the Scottish Parliament. [140729]

Mrs. McGuire: There are no plans to change the voting system for elections to the Scottish Parliament.

TRADE AND INDUSTRY

Burma

Vera Baird: To ask the Secretary of State for Trade and Industry what the value of imports into the United Kingdom from Burma was in each of the past five years. [141635]

Mr. Mike O'Brien: The value of UK imports of goods from Burma was as follows:

	£ million
1998	17.3
1999	23.8
2000	49.3
2001	66.6
2002	64.3
January-September 2003	44.2

Source:

Overseas Trade Statistics of the United Kingdom, HM Customs and Excise.

Vera Baird: To ask the Secretary of State for Trade and Industry what the current value is of the United Kingdom investment in Burma. [141637]

Mr. Mike O'Brien: According to statistics compiled by the Office for National Statistics, at the end of 2001 foreign direct investment by UK companies in Burma was worth less than £0.5 million.

Business Start-ups

Simon Hughes: To ask the Secretary of State for Trade and Industry what the start-up rate was for small businesses in *(a)* each London borough, *(b)* London and *(c)* England in each year since 1997. [140854]

Nigel Griffiths: Value added tax (VAT) registrations and de-registrations are the best official guide to the pattern of start-ups and closures. These cover businesses of all sizes.

The rates of businesses registering for VAT in each calendar year from 1997 to 2002 in each London borough, London, and England, are as follows:

Number of VAT Registrations per 10,000 Resident Adults[1]

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
England	43	43	41	42	39	39
London	68	71	68	67	59	57
Barking and Dagenham	25	25	30	31	29	26
Barnet	94	91	76	76	60	59
Bexley	39	35	34	35	36	31
Brent	61	61	59	59	52	47
Bromley	45	48	39	41	41	40
Camden	159	158	150	142	112	110
City of London	2,212	2,228	2,200	2,345	1,653	1,428
Croydon	41	42	39	39	37	38
Ealing	56	56	52	53	49	48
Enfield	40	42	40	42	37	39
Greenwich	35	35	33	33	30	29
Hackney	72	83	78	81	65	63
Hammersmith and Fulham	77	96	84	94	85	75
Haringey	57	59	59	58	51	46
Harrow	58	64	55	57	54	55
Havering	40	41	36	36	36	34
Hillingdon	48	49	44	46	39	43
Hounslow	50	52	50	49	51	47
Islington	118	126	109	97	84	82
Kensington and Chelsea	98	102	106	105	74	78
Kingston upon Thames	60	63	55	53	48	46
Lambeth	43	45	44	43	40	42
Lewisham	34	36	34	33	32	28
Merton	52	56	50	52	44	39
Newham	33	37	35	34	31	29
Redbridge	45	50	46	46	40	38
Richmond upon Thames	72	75	70	72	65	71
Southwark	57	59	55	59	55	48
Sutton	43	44	39		36	36
Tower Hamlets	73	79	78	75	65	62
Waltham Forest	39	42	41	39	36	37
Wandsworth	57	60	61	56	53	52
Westminster	329	364	390	360	304	288

[1] Mid-year resident adult (16 and over) population estimates

Source:

Business Start-ups and Closures: VAT Registrations and De-registrations 1994–2002 from the Small Business Service; population data from The Office for National Statistics

For further information on the VAT statistics please see: www.sbs.gov.uk/statistics/vatstats.php

Competitiveness Council

Mr. Jim Marshall: To ask the Secretary of State for Trade and Industry what the outcome was of the Competitiveness Council on 27 November; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement. [141490]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry and I represented the UK at the Competitiveness Council on 26–27 November 2003.

Member States agreed to support France as the EU's candidate for the International Thermonuclear Experimental Reactor (ITER). It was also agreed that the legal entity for the project would be incorporated in Spain with an office in a city near the French border, and Spain would have one of the two EU directors.

Commissioner Busquin introduced the White Paper on Space emphasising the three main axes: citizens needs, exemplified by satellite projects such as Galileo and Global Monitoring for Environment and Security (GMES); consolidating Europe's space Science and Technology expertise important for growth; and a framework for better use of existing resources.

The Presidency emphasised the importance of the latest approach on the Growth Initiative. R&D projects were included for the first time, and innovative financing instruments would be used, combining FP6, PPPs and EIB funding.

The Commission introduced its new Communication on an Integrated Competitiveness Strategy. Amongst other things it outlines ways to facilitate the work of the Competitiveness Council, and emphasises the three elements of rigorous analysis of challenges; better regulation; and innovation and entrepreneurship.

We welcomed this strategy and the other Reports and Scoreboards presented at the Council. These help us understand the scale of the task we face in delivering economic reform in the EU. The Council adopted wide-ranging conclusions on competitiveness based on these.

Unanimous agreement was reached on the adoption of the proposed review of the Mergers Regulation. The new Regulation introduces some flexibility into the investigation timeframes although their predictability is unaffected, reinforces the "one-stop shop" concept so that it benefits firms, and clarifies that the substantive test contained in the regulation covers all types of harmful scenarios, whether dominance by a single firm or effects stemming from a situation of oligopoly that might harm the interests of European consumers.

Ministers at the Council also reached an agreement on the Takeovers Directive. The agreement makes key articles optional for Member States. It allows them to decide either to impose the defensive measures allowed for in articles 9 and/or 11 on all their listed companies or, if they did not do so, allow companies to voluntarily "opt-in" to the provisions of those articles). Companies will be required to disclose their status as opted-in or out.

Discussion on the final outstanding points on the Regulation to establish a Community Patent continued on and off throughout the Council. Discussion hinged on the issues of languages, in particular, the legal effect of translations on a patent claim and the length of time allowed to file such translations. On the issue of legal effect, the Council managed to find compromise wording. Agreement, however, was not reached on the deadline for filing translations.

A UK compromise text was adopted on the Fifth Motor Insurance Directive, which improves insurance cover for pedestrians and cyclists throughout the EU, whilerespecting national liability and compensation law.

Agreement was also reached on a revision to the Community Trademark.

Growth Capital

Brian Cotter: To ask the Secretary of State for Trade and Industry when the results of the joint HM Treasury and Small Business Service Consultation aimed at improving access to growth capital for small businesses will be published. [141601]

Nigel Griffiths: Over 150 written responses were received on 'Bridging the finance gap: a consultation on improving access to growth capital for small businesses' from a wide range of interested parties. The Government are considering these responses, and the outcome of the consultation will be published before the Christmas recess.

Jewellery Sector

Mr. Bellingham: To ask the Secretary of State for Trade and Industry when and on what basis her Department commissioned research from consultants Gorham and Partners Ltd. underlying her Department's 2001 report into the competitiveness of the UK jewellery sector; and if she will break down the cost of the research between her Department and each of the contributors. [140527]

Jacqui Smith: The Competitiveness Analysis of the UK Jewellery Sector was commissioned in Feburary 2000 following consultation with industry representatives to provide an in-depth analysis of the sector's competitive position.

Following publication of the Competitiveness Analysis the Industry formed the National Jewellery Steering Group, which continues to meet to take forward the issues identified in the CA.

The Analysis cost £93,000 of which the Worshipful Company of Goldsmiths contributed £30,000 and the DTI £63,000.

Online for Business Website

Brian Cotter: To ask the Secretary of State for Trade and Industry how many individuals are registered to use the UK Online for Business website. [141603]

Nigel Griffiths: As of October 2003 UK Online for Business website has 28,533 registered users.

Telecommunications Council

Mr. Hood: To ask the Secretary of State for Trade and Industry what the outcome was of the Telecommunications Council held on 20 November 2003; what the Government's stance was on the issues discussed, including its voting record; and if she will make a statement. [141075]

Mr. Timms: The Deputy UK Permanent Representative to the European Union, Anne Lambert, attended the Council on 20 November 2003 on my behalf.

There was a round-table debate on the state of the Telecoms sector, in particular, member states' implementation of the Telecoms Regulatory Package, and on 3rd generation mobile and broadband penetration and availability. France (Fontaine) reported on a joint Franco-British ministerial round table with industry leaders, which had proved fruitful in identifying the key success factors for broadband: viable business models throughout the value chain; regulatory stability and predictability; interoperability between platforms; user confidence through a more secure internet; and proper returns for intellectual property. Emphasising that she was also speaking on my behalf, Fontaine proposed that a similar event involving business leaders from across the value chain should be held at EU level in order to help promote the most effective conditions for broadband. Other member states, including the forthcoming Irish Presidency, expressed strong interest in carrying the initiative forward. Presidency concluded that a report of the debate would be submitted to the 12 December European Council. There was also a brief discussion of preparations for the World Summit on the Information Society to be held in Geneva in December.

The Presidency noted that agreement had been reached between the Council and the European Parliament at its first reading on a General Agreement on the structure and tasks of a Regulation establishing a new European Network and Information Security Agency (ENISA). The Government supported this proposal but noted that they would have to abstain when it is formally adopted on the grounds that the legal base proposed—Article 95—is inappropriate for this body.

Council Conclusions on: the transition of analogue to digital broadcasting; digital TV and 3rd generation mobile endorsing the Commission's plans for consultation and follow-up action; and calling on member states and the Commission to work towards removing remaining barriers to E-Government services were adopted without substantial debate.

Trade Deficit (EU)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on *(a)* the latest goods trade deficit with the European Union and *(b)* how this figure compares with previous figures. [140523]

Mr. Mike O'Brien: According to figures published by the Office for National Statistics, the UK goods trade deficit with the European Union was worth £2.2 billion in September 2003. The deficit in the latest three-month period was £5.7 billion compared to £5.4 billion in the previous quarter, and £5.5 billion in the three-month period ended September 2002. The latest three-month deficit represents 10.0 per cent. of the total trade with the European Union. This compares with 9.4 per cent. in the previous quarter and 9.1 per cent. in the same quarter a year earlier.

TRANSPORT

Correspondence

Mr. Kaufman: To ask the Secretary of State for Transport when he will reply to the letter to him dated 20 October 2003 from the right hon. Member for Manchester, Gorton, with regard to Mr. Barry Johnson. [140779]

Mr. Darling: My Department has no record of receiving a letter dated 20 October 2003 from the right hon. Member. However, to enable me to respond, my private secretary has requested a copy of the correspondence.

Low-cost Airlines

Mr. Bellingham: To ask the Secretary of State for Transport what discussions he has had with the European Commission regarding airport and business subsidies to low cost airlines; and if he will make a statement. [140522]

Mr. McNulty: The Government have had no discussions with the European Commission on this issue.

Rail Safety

Harry Cohen: To ask the Secretary of State for Transport what assessment has been made of the implications for safety of the procedure of turning a rail track; whether the turning of a curved rail track has been assessed as having a safety implication; and if he will make a statement. [141179]

Mr. McNulty: This is an operational matter for Network Rail and as with all safety issues, the Health and Safety Executive. I am however assured by Network Rail that turning or 'transposing' of rail is carefully controlled to ensure that only rail with sufficient head width is transposed. In such cases rail standards with clearly defined limits for permissible side wear exist.

Harry Cohen: To ask the Secretary of State for Transport what inspection methods are in place to discover *(a)* corrosion pitting and *(b)* possible problems at the foot and web of a rail track; what plans he has to improve inspection methods relevant to these conditions; and if he will make a statement. [141180]

Mr. McNulty: This is an operational matter for Network Rail who inform me that a number of new techniques are currently under trial or development to improve the detection of rail depth, corrosion pitting and gall over sleepers.

Ultrasonic Testing vehicles are now routinely monitoring rail depth for most major routes and guided ultrasonic equipment is currently being trailed which carries out inspection of the whole cross section of the rail from a fixed point using low frequency longitudinal ultrasonic waves. This should enable significant changes in section in the head, web or foot of the rail to be detected whether due to cracking or loss of section due to corrosion.

Coated rail products are also being used successfully in the network where local environments are harsh. This provides a barrier coating to the head and foot of the rail preventing corrosion or damage.

EDUCATION AND SKILLS

Tuition Fees

Andy King: To ask the Secretary of State for Education and Skills which university vice-chancellors or other heads of higher education institutions have expressed to him *(a)* support for and *(b)* opposition to differential tuition fees. [140453]

Alan Johnson: Both my right hon. Friend and I have received numerous representations from universities on a number of matters related to the funding of higher education, both by means of formal correspondence and in meetings with Vice Chancellors and others from the higher education sector. The majority have expressed support for variable fees. UUK which is the representative body for Universities also supports variable fees.

CONSTITUTIONAL AFFAIRS

Legal Aid

24. **Mr. Chaytor:** To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the future of legal aid. [140733]

Mr. Leslie: The Government remains firmly committed to the principles of legal aid—both criminal and civil—as a means of protecting fundamental rights and tackling social exclusion.

We must make sure that our services are tightly focused on the needs of the public.

We also have to live within our financial allocation—now almost £2 billion—with demand increasing more quickly than inflation. If we do not bear down on this problem it will limit the money available for tackling social exclusion.

Miners' Compensation

26. **Mr. Illsley:** To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will discuss with the Office for the Supervision of Solicitors complaints about success fees taken by solicitors in mining disease cases in Barnsley; and if he will make a statement; [140735]

27. **Mr. Allen:** To ask the Parliamentary Secretary, Department for Constitutional Affairs if the Secretary of State will establish an inquiry into the operation of the Office for the Supervision of Solicitors in monitoring complaints about the level of fees levied by solicitors acting for people making claims for mining-related diseases; and if he will make a statement. [140736]

Mr. Leslie: I refer my hon. Friends to the answer I gave today to my hon. Friend the Member for Hornchurch (John Cryer), *Official Report*, column 366.

29. **Jon Trickett:** To ask the Parliamentary Secretary, Department for Constitutional Affairs when he next plans to visit the Office for the Supervision of Solicitors to discuss complaints about the level of fees levied on widows by solicitors acting for them in mining disease claims. [140739]

Mr. Leslie: Arrangements are being made for my hon. Friend the Member for Tottenham (Mr. Lammy) to visit the Office for the Supervision of Solicitors in the new year.

Courthouses

30. **Bob Russell:** To ask the Parliamentary Secretary, Department for Constitutional Affairs how many courthouses have been constructed by means of a private finance initiative since 1997. [140741]

Mr. Leslie: There have been six magistrates courts constructed by means of public-private partnerships since 1997.

Hull
Beverly
Bridlington
Hereford
Worcester
Kidderminster.

A further three magistrates courthouses are currently being constructed by means of the PPP. These are:

City of Manchester
Derby
Chesterfield.

Judicial Appointments

31. **Keith Vaz:** To ask the Parliamentary Secretary, Department for Constitutional Affairs how many representations he has received in response to his consultation paper on judicial appointments. [140742]

Mr. Leslie: Consultation formally closed on 7 November. At 27 November, 270 responses had been received. We now are in the process of analysing responses.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Bovine TB

Sir Michael Spicer: To ask the Secretary of State for Environment, Food and Rural Affairs what effect her decision to remove the reactive culling of badgers from the research programme on the interaction between TB in badgers and TB in cattle will have on the report date. [140459]

Mr. Bradshaw *[holding answer 1 December 2003]:* None. The proactive element the trial will continue to its conclusion in 2006, after which the Independent Scientific Group on Cattle TB will report the full results.

Fisheries

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs when the Strategy Unit will publish its report into the future of the UK fishing industry. [140844]

Mr. Bradshaw: I understand that the Strategy Unit is now expecting to publish its report early next year.

GM Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what advice her Department will offer to the forthcoming EU Regulatory Committee on the application for the sale of Bt 11 GM corn. [140716]

Mr. Morley: Bt 11 GM maize is already available for sale in the EU, including the UK, under a consent granted by the UK in 1998. The scope of this consent was limited to import of grain and processing for animal feed and other non-food uses.

The company that owns Bt 11 GM maize has made a further application for consent for commercial cultivation in the EU and this is currently being considered under EU Directive 2001/18. No date has yet been set for collective EU discussion and decision making on this application in the relevant EU regulatory committee. If such a date is set in the future, my Department will lead in developing a UK line, taking due account of scientific evidence.

An application for use of Bt 11 GM maize in food is also being considered under EC Novel Foods Regulation 258/97. The Food Standards Agency is the UK competent authority and will represent the UK Government at the EC Standing Committee on Food Chain and Animal Health meeting on 8 December 2003 when the application is due to be discussed.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) when she expects to make a decision with her European counterparts, on whether the EU will grant a licence for the commercial planting of GM crops; [140847]

(2) what time scale she has set for the determination of applications for licences to grow GM crops in the United Kingdom. [140851]

Mr. Morley: Decisions on applications to release particular GM crops for commercial cultivation in the EU—including the UK—are subject to collective EU agreement under the procedures and timetable set down in EC Directive 2001/18. Decisions are made on a case-by-case basis, whereby each proposed GM product is judged on its own merits according to scientific evidence.

EU-wide licenses for three types of GM maize were granted in 1997–98. None can yet be grown commercially in the UK because no varieties of these three types of GM maize have been added to either the UK national list of seeds or the EU Common Catalogue. One variety, ChardonLL, of the GM maize T25, is awaiting a decision in the UK but this is not expected before the new year.

There are currently 12 pending applications for approval under the directive for commercial cultivation of particular GM crops. Ten are still at the first stage of assessment by the lead member state. The other two have been forwarded by the lead member state with a favourable opinion and are currently being considered by all member states. It is not possible to say precisely when decisions will be taken, but we do not expect any final decisions on current applications before mid-2004.

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the countries where Liberty Link GM maize is commercially grown. [140771]

Mr. Morley: This Department does not keep records of countries where Liberty Link GM maize is commercially grown.

TREASURY

"Financial Support and Young People"

Charles Hendry: To ask the Chancellor of the Exchequer when he intends to publish the findings of his survey, "Financial Support and Young People"; and in what format. [140661]

Dawn Primarolo: The Chancellor announced a review of financial support for 16 to 19-year-olds in this year's Budget. The Government are committed to consult young people and parents as part of the review. As one strand of this consultation, HM Treasury commissioned the National Children's Bureau to survey young people with a questionnaire "Financial Support and Young People". The results of the survey will inform the review which will report in spring 2004 and feed into the 2004 Spending Review.

Alternative Investment Market

Dr. Cable: To ask the Chancellor of the Exchequer (1) what representations his Department has received from the European Commission on the Alternative Investment Market becoming an unregulated market; and if he will make a statement; [141715]

(2) what his policy is on an Alternative Investment Market which is unregulated; and if he will make a statement; [141716]

(3) what research his Department has undertaken on how an unregulated Alternative Investment Market would affect *(a)* companies and *(b)* investors; and if he will make a statement; [141717]

(4) what discussions his Department has had with the *(a)* London Stock Exchange and *(b)* Financial Services Authority on the Alternative Investment Market becoming an unregulated market; and if he will make a statement. [141718]

Ruth Kelly: I refer the hon. Member to the reply I gave to my right hon. Friend the Member for Coatbridge and Chryston (Mr. Clarke) on 4 November 2003, *Official Report*, columns 618–19W.

Children's Clothes (VAT)

Tim Loughton: To ask the Chancellor of the Exchequer (1) above what size children's clothes are subject to VAT; [141096]

(2) what estimate he has made of the proportion of children's school uniforms liable for VAT *(a)* now and *(b)* in 1997; [141097]

(3) how much revenue was raised from VAT on children's clothes in the last year for which figures are available. [141165]

John Healey: A zero rate of VAT applies to young children's clothing and footwear provided they conform with the size limits detailed in the Customs and Excise Public Notice 714 and are marketed exclusively for children under the age of 14.

In Budget 2001, the scope of the zero rate was simplified and modernized to reflect more accurately the change in size of the average 13-year-old. The cost of these changes to the Exchequer was estimated at £20 million per annum.

No estimate has been made of revenue raised from clothing bought for children which does not meet the zero rate criteria, or of the proportion of school uniforms that bear VAT.

Contractors

Mr. Cousins: To ask the Chancellor of the Exchequer what pension arrangements he requires for employees of contractors offering outsourcing services to *(a)* his Department and *(b)* its agencies; whether he distinguishes between transferred employees and those directly recruited by the contractor; and whether any of these employees can join the Civil Service Pension scheme. [141157]

Ruth Kelly: The Treasury does not seek to establish the pension arrangements their contractors have with their staff. However, where it is deemed that the Transfer of Undertakings Protection of Employment (TUPE) regulations apply, there is a need for the contractor to provide an analogous pension scheme for staff transferred to them as a result of winning the contract.

Correspondence

Mr. Frank Field: To ask the Chancellor of the Exchequer when he will reply to the letter of 17 July from the right hon. Member for Birkenhead to the Chief Secretary to the Treasury in respect of a constituent, Mr. Peter Clark of Cleveland Street, Birkenhead. [141308]

Ruth Kelly: I am sorry for the delay in sending a substantive reply to my right hon. Friend's letter of 17 July to the Chief Secretary to the Treasury. I can confirm that a reply has now been sent as follows:

Letter from Ruth Kelly to Mr. Frank Field dated 2 December 2003:

Further to my letter of 4 September, I am sorry not to have replied more quickly to your letter to Paul Boateng of 17 July on behalf of your constituent, Mr. Peter Clark of McIvers, Cleveland Street, Birkenhead.

You note that McIvers are liable to pay asbestosis claims as a result of the insolvency of Chester Street Insurance Holding Ltd., and that they will not receive support from the FSCS.

The government has worked hard with the insurance industry to end the uncertainty for victims of asbestosis, and their families, whose former employers had insured with Chester Street. Those arrangements were set out in Andrew Smith's statement on 10 May 2001.

For employers, under their rules the Financial Services Compensation Scheme may be able to offer compensation for employers' liability insurance claims incurred after 31 December 1971, when insurance became compulsory. But there is no eligibility for compensation to employers before that date. If a firm is still trading and has sufficient financial resources to satisfy a claim, the firm will be expected to meet the claim itself. I understand, from the FSCS, that there is no flexibility on this point. The FSCS rules are governed by the Policyholders Protection Act 1975.

I hope Mr. Clark will find this helpful.

Mr. Webb: To ask the Chancellor of the Exchequer when he will reply to the letter from the hon. Member for Northavon to the Paymaster General of 3 October, regarding child tax credit compensation payments. [141543]

Dawn Primarolo: I have already done so.

Mr. Kaufman: To ask the Chancellor of the Exchequer when he intends to reply to the letter to him dated 27 October from the right hon. Member for Manchester, Gorton, with regard to Ms N.Oakes. [141585]

Dawn Primarolo: I have done so.

Debt (Late Payments)

Brian Cotter: To ask the Chancellor of the Exchequer how many claims for statutory interest payments have been submitted to private companies under the terms of the Late Payment of Debt Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141594]

Ruth Kelly: The Treasury has not made any claims to private companies for statutory interest payments under the 1998 Act.

Dependent Children

Mr. Webb: To ask the Chancellor of the Exchequer if he will estimate the number of families with *(a)* one, *(b)* two, *(c)* three and *(d)* four or more dependent children in (i) 1973, (ii) 1983, (iii) 1993 and (iv) the latest year for which figures are available. [141497]

Ruth Kelly: This matter falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Steve Webb, dated 2 December 2003:

The National Statistician has been asked to reply to your recent question to the Chancellor of the Exchequer asking for estimates of the number of families with *(a)* one, *(b)* two, *(c)* three and *(d)* four or more dependent children in (i) 1973, (ii) 1983, (iii) 1993 and (iv) the latest year for which figures are available. I am replying in his absence. (141497)

Published volumes from the Censuses of 1971, 1981, 1991 and 2001 contain information on dependent children, and are the closest years to the periods you requested for which information is available. The information is derived from a 100 per cent count for 2001. For the 1971, 1981 and 1991 Censuses, responses to some questions which needed detailed coding and were, therefore, expensive to process were processed for only a 10% sample of forms. The samples were drawn randomly. Guidance given to users for 1971 and 1981 was to gross up the figures to 100% by multiplying the sample figures by 10. In 1991 guidance was different in that users were advised to estimate 100% figures by multiplying the sample count by a sampling factor, slightly over 10 to take account of the numbers of households imputed in the 100% figures but which were not included in the 10% sample. This grossing factor varied from area to area. For households in England and Wales it was 10.2.

It should also be noted that the definition of a dependent child has varied over censuses.

2001 Census

England and Wales	*Number*
Families with one dependent child	2,715,241
Families with two dependent children	2,530,569
Families with three or more dependent children	1,130,891

Source:

Table S007 Census 2001 National Report for England and Wales

1991 Census

England and Wales	*Number*
Families with one dependent child	2,542,554
Families with two dependent children	2,437,045
Families with three or more dependent children	1,034,158

Source:

1991 Table 13 Census Household and Family Composition

1981 Census

England and Wales	*Number*
Families with one dependent child	2,560,060
Families with two dependent children	2,677,460
Families with three dependent children	852,720
Families with four or more dependent children	283,830

Source:

Table 23 Census 1981 Household and Family Composition

1971 Census

England and Wales	*Number*
Families with one dependent child	2,513,080
Families with two dependent children	2,328,370
Families with three dependent children	983,210
Families with four dependent children	356,500
Families with five or more dependent children	184,270

Source:

Table 35 Census 1971 Household Composition Tables Part III

Domestic Wine Production

Dr. Murrison: To ask the Chancellor of the Exchequer what assessment he has made of fiscal measures to *(a)* stimulate and *(b)* support the domestic production of wine. [141065]

John Healey: The Government are mindful of the concerns and interests of UK wine producers. The UK wine industry has benefited from duty freezes in three out of the last six Budgets and increases only in line with inflation in the remainder of these.

We have not looked at fiscal measures for all UK wine producers but we have looked at the possibility of fiscal measures that would help small UK wineries to survive and grow. However, the European Directive on the structure of alcohol duties does provides for reduced rates targeted at small breweries which we have implemented in the UK, it does not provide for reduced rates targeted at small wineries.

Even if the UK were to press for the introduction of such a scheme, it is important to appreciate that less than 1 per cent. of the wine consumed in the UK is domestically produced. Under our European and world trade agreements we could not apply such a scheme to UK wine producers only and it is therefore likely that much of the wine that would qualify would come from overseas producers, with our own small wineries receiving comparatively very little of the benefit.

ECOFIN

Mr. Cousins: To ask the Chancellor of the Exchequer what the reasons were for voting against the first reading common position of the ECOFIN Council or the Investment Services Directive; and what his key objectives are for a compromise agreement. [141200]

Ruth Kelly: On 7 October, ECOFIN Council reached political agreement on a Common Position on the proposed Investment Services Directive, by qualified majority. The UK, Ireland, Luxembourg, Sweden and Finland voted against the text put forward by the Presidency.

The Government voted against the text proposed at ECOFIN because it contained unsatisfactory elements that the Government believed meant that it would fall short of its objective of promoting an efficient, effective and dynamic single market in investment services.

The Government was particularly disappointed by the outcome on the pre-trade transparency regime for investment firms that systematically internalise client orders. It believes that the regime proposed would be a step backward for some share-trading markets in the EU, including the UK, and would be a missed opportunity to increase competition and efficiency in many markets in the EU.

The Government will continue to press for changes to the Directive, especially through the second reading process in the European Parliament. In doing so, it will focus on achieving changes to the pre-trade transparency regime for investment firms that would be consistent with the European Parliament's first reading amendments.

At ECOFIN Council on 25 November, the Government secured agreement to a Declaration, to be adopted alongside the Council Common Position, which reiterates the Council's support for adoption of the Investment Services Directive by April 2004 and, more importantly, indicates a willingness on the part of the Council to consider amendments put forward by the European Parliament.

EDS

Mr. Cousins: To ask the Chancellor of the Exchequer what contracts *(a)* his Department and *(b)* agencies for whom his Department is responsible have with EDS; what the (i) scope and (ii) duration is of each contract; and how many staff were transferred to EDS in each case when those contracts were set up. [141158]

Ruth Kelly: The information is as follows:

Inland Revenue

The EAGLE contract for EDS to supply IT services to the Inland Revenue commenced in 1994 and runs for 10 years, expiring on 30 June 2004. The contract provided for a full range of IT services; from IS/IT strategy, through design, implementation, maintenance and enhancement of systems to desktop and network support and full data support. A total of 1,900 staff were TUPE transferred from the Inland Revenue to EDS.

HM Customs and Excise

HMCE have one framework agreement with EDS for consultancy services to assist in delivering a new Human Resource Management System to HMCE. This framework is valid from July 2002 for the period up to the end of March 2005. No staff have been transferred to EDS from HMCE.

HM Treasury

HM Treasury has no commercial relationship with EDS.

Equitable Life

Lynne Jones: To ask the Chancellor of the Exchequer what information he has been given by Lord Penrose on the likely timing of the publication of his report on Equitable Life. [140509]

Ruth Kelly: The publication of Lord Penrose's report is a matter for the Government rather than Lord Penrose. The Treasury will publish Lord Penrose's report, in full if this is at all possible, as soon as is practicable following receipt of the report.

European Structural Funds

Adam Price: To ask the Chancellor of the Exchequer if he will make a statement on Treasury plans to repatriate European structural funds. [140537]

Ruth Kelly: The Government's policy for European structural funds are as set out by the Secretary of State for Trade and Industry in her statement to this House on 17 September. The Government believes that the EU Framework for Devolved Regional Policy provides the basis for an outcome that is best for the new member states, for Europe, and for the nations and regions of the United Kingdom.

The Government will also respond to this House in more detail on some of the questions raised in the domestic consultation in the near future.

Gold Sales

Charles Hendry: To ask the Chancellor of the Exchequer what the current value is of the investments made in euro, dollar and yen interest bearing assets from the proceeds of gold sales between July 1999 and March 2002; and what their current value would be if still held as gold. [140651]

Ruth Kelly: My answer to the hon. Gentleman on 27 October 2003, *Official Report,* column 39, explained that the gold sales between July 1999 and March 2002 reflected a prudent decision to reduce over-exposure to a single asset in the net reserves portfolio. The gold sales reduced risk by around 30 per cent. (as measured by value-at-risk) and are not expected to deliver a loss in return when measured over the medium to long-term, the appropriate time horizon for such a decision.

Inland Revenue (IT System)

Mr. Gray: To ask the Chancellor of the Exchequer whether a market-making exercise was conducted by the Inland Revenue in support of the original contract for the IT system for the Inland Revenue; and who the prospective suppliers engaged with the Inland Revenue in the conduct of that market-making exercise were. [140480]

Dawn Primarolo: The initial Market-making exercise for the EAGLE contract prompted six responses to the OJEC notice. The suppliers involved were:

CSC Europe/IBM UK
EDS Ltd.
Hoskyns Group plc
ICL/Anderson Consulting
Digital Alliance (Digital Equipment Co., Logica and Barclays)
Sema Group UK

Of these suppliers, two were invited to tender—EDS Ltd. and CSC Europe/IBM UK. The preferred supplier was announced in December 1993, and the contract awarded in May 1994.

Investment

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer what change there has been in *(a)* business investment, *(b)* manufacturing investment and *(c)* service sector investment in each of the last six years. [140950]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Stephen O'Brien, dated 2 December 2003:

The National Statistician has been asked to reply to your recent question concerning the change there has been in *(a)* business investment, *(b)* manufacturing investment and *(c)* service sector investment in each of the last six years. I am replying in his absence. (140950)

The information requested is shown in the table below. The appropriate chained volume measure series have been used i.e. the effects of price changes through the period have been excluded.

Percentage change compared with previous year
(Chained volume measures)

Period	*(a) Business Investment*	*(b) Total Manufacturing Investment*	*(c) Total Sector Investment Service*
1997	10.1	11.2	11.6
1998	18.1	4.2	29.2
1999	2.8	-8.8	8.0
2000	4.6	-3.0	10.1
2001	3.6	-9.7	5.8
2002	-3.5	-10.3	-1.2

Procurement Card Scheme

Brian Cotter: To ask the Chancellor of the Exchequer which Government departments operate the Government Procurement Card scheme; and how many cases of fraud have been identified since the scheme was introduced. [141602]

Mr. Boateng: 122 organisations currently operate the Government Procurement Card Scheme. A list of them has been placed in the Library of the House.

There have, since the inception of the GPC scheme in 1999, been a small number of incidences of fraud on the Government Procurement Card. All of these incidences have been reported in the HM Treasury Fraud Report, which can be found through the following link:

http://www.hm-treasury_gov_uk/Documents/Public_spending_and_Services/Audit_and_Accounting/pss_aud_fraud.cfm

Projects (St. Helens)

Mr. Woodward: To ask the Chancellor of the Exchequer which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141269]

Ruth Kelly: Two projects have been partly funded by the Invest to Save Budget (ISB) in St. Helens since 1997. These were announced in February 2000 and March 2001 respectively.

The projects were: 'Early Intervention Equals Timely Prevention' funding by Government for this project was £241,000. Third party funding was by a partnership consisting of St. Helens Metropolitan Borough Council and St. Helens area Merseyside Police. The target groups were victims and potential victims of crime. The projected outcome was to reduce the incidences of victimisation and repeat victimisation and to make an impact on crime and disorder in the St. Helens area.

'The Advice Connections' funding provided by Government to this project was £180,000. Third party funding was by a partnership consisting of The Legal Services Commission for Merseyside, St. Helens Metropolitan Borough Council, St. Helens and Knowsley Health Authority, Council for Voluntary Services, Coalition of Disabled People, Age Concern, Citizens Advice Bureau, The Liverpool Law Society, The Benefits Agency and St. Helens County Court. The target group is citizens likely to suffer from social exclusion. The projected outcome was increased and improved access to legal information and advice services.

Of course HMT allocates spending to departments who will spend this in every authority including St. Helens.

Public Corporations

Mr. Chope: To ask the Chancellor of the Exchequer if he will list all public corporations and in respect of each, the *(a)* rate of return on capital employed required by the Treasury and *(b)* sums paid in by each corporation to the Treasury in 2002–03. [141544]

Mr. Boateng: A list of public corporations has been deposited in the Library of the House.

The rate of return on capital employed that is required for an individual public corporation is set by the department that sponsors the body. Departments set this rate in accordance with guidance issued by the Treasury taking into account the type of activity engaged in and the market the body operates in.

For 2002–03 departmental resource accounts list the amount of dividends and interest payments from public corporations that were paid into the Consolidated Fund by departments.

Under the new budgeting regime announced as part of Spending Review 2002 (that came into effect from 1 April 2003) dividend and interest payments from public corporations are no longer returned to the Consolidated Fund. They are retained by the sponsor department.

Suicides

Mr. Burstow: To ask the Chancellor of the Exchequer how many suicides per 100,000 of the relevant population there were in each year since 1990 *(a)* in total, *(b)* for women, *(c)* for men and *(d)* for men under the age of 30; and if he will make a statement. [141111]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Burstow, dated 2 December 2003:

As National Statistician, I have been asked to reply to your recent question concerning how many suicides there were per 100,000 people in each year since 1990 *(a)* in total, *(b)* for women, *(c)* for men and *(d)* for men under the age of 30. (141111)

The most recent available mortality data are for the calendar year 2002 and cover England and Wales. The attached table contains suicide rates for each year from 1990 to 2002.

Age-standardised[1] rate per 100,000 for deaths from suicide and injury undetermined whether accidentally or purposely inflicted[2], England and Wales, 1990 to 2002[3]

	(a) Total[4]	*(b) Women*[5]	*(c) Men*[5]	*(d) Men aged under 30*[6]
1990	10.5	6.8	20.4	18.7
1991	10.4	6.5	20.5	18.0
1992	10.4	6.4	20.4	17.9
1993	9.9	6.1	19.4	17.5
1994	9.6	5.6	19.3	18.8
1995	9.7	5.9	19.1	17.8
1996	9.1	5.6	18.0	17.1
1997	9.3	5.7	18.4	18.6
1998	9.6	5.5	19.4	18.9
1999	9.6	5.7	19.2	17.4
2000	9.1	5.7	17.8	16.1
2001	8.6	5.1	17.1	14.1
2002	8.6	5.3	16.8	13.7

[1] Age-standardised to the European standard population.

[2] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes E950-E959 and E980-E989 excluding E988.8 for the years 1990 to 2000, and, for the year 2001 and 2002, the International Classification of Diseases, Tenth Revision (ICD-10) codes X60-X84 and Y10-Y34 excluding Y33.9 where the Coroner's verdict was pending.

[3] Figures are for deaths registered per calendar year from 1990 to 1992 and for deaths occurring per calendar year from 1993 onwards.

[4] Persons of all ages.

[5] Aged 15 and over.

[6] Aged between 15 and 29.

Tax Credits

Steve Webb: To ask the Chancellor of the Exchequer what information existing child tax credit and working tax credit recipients will be required to submit in order to support a 2004–05 award; when that information will be requested; how recipients will be informed of the requirement. [141523]

Dawn Primarolo: I refer the hon. Member to the reply I gave to my hon. Friend the Member for Birmingham, Northfield (Richard Burden) on 19 November 2003, *Official Report*, columns 1099–1100W.

Income Tax

Mr. Chope: To ask the Chancellor of the Exchequer how much additional revenue would be raised from the residents of *(a)* each of the district councils in Dorset and *(b)* the Bournemouth and Poole unitary authorities for every penny increase in the basic rate of income tax. [141513]

Dawn Primarolo: The requested information is given in the table.

Additional full-year yield of increasing the basic rate of tax by 1p in 2000–01 (in £ millions)

(a) District councils in Dorset	
Christchurch	1.9
East Dorset	4.2
North Dorset	2.3
Purbeck	1.7
West Dorset	4.2
Weymouth and Portland	4.2
(b) Bournemouth and Poole unitary authorities	14.5

Estimates are based upon the 2000–01 Survey of Personal Incomes. The effects of the illustrative changes can be scaled up or down over a reasonably wide range. The results exclude any behavioral response to the tax change.

Mr. Cousins: To ask the Chancellor of the Exchequer what the revenue from *(a)* income tax and *(b)* corporation tax was in each tax year since 1996–97 in (i) current and (ii) real terms using 1996–97 as the base. [141201]

Dawn Primarolo: Income tax and corporation tax receipts in current terms are published on the Inland Revenue website www.inlandrevenue.qov.uk/stats/tax receipts/031 R12.pdf.

Receipts in real terms can be calculated using GDP deflators. The Treasury publishes GDP deflators on the HM Treasury website at

www.hm-treasury.gov.uk/economic data and tools/gdp. deflators/data gdp index.cfm.

Mr. Cousins: To ask the Chancellor of the Exchequer what increase in the basic rate of tax would be needed to raise *(a)* £80 million and *(b)* £120 million in the current year from the income tax payers of Newcastle upon Tyne. [141202]

Dawn Primarolo: The yield from increasing the basic rate of income tax in 2000–01 by 1p in Newcastle upon Tyne is £10 million. This result can be scaled up to see the effects of higher increases but would exclude any behavioural response to the tax change. This estimate is based upon the 2000–01 Survey of Personal Incomes.

Timber

Mr. Gardiner: To ask the Chancellor of the Exchequer by what means the policy for purchasing timber and timber products of *(a)* the Treasury, *(b)* the Debt Management Office, *(c)* the Office for National Statistics, *(d)* the Royal Mint and *(e)* the Valuation Office ensure that they are obtained from legal and sustainable sources. [141331]

Ruth Kelly: All suppliers are provided with a clear statement of the Government's commitment to purchase timber and timber products from legally binding and sustainable sources. Suppliers are required, as a condition of contract, to produce evidence of these sustainable and legal timber sources.

Travel Passes

Mr. Hammond: To ask the Chancellor of the Exchequer whether employees of Transport for London are liable to pay *(a)* income tax and *(b)* national insurance contributions on the market value of free travel passes issued to their nominees under the scheme operated by TfL. [141253]

Dawn Primarolo: Employees who receive free or cheap travel vouchers from their employer, for themselves or members of their families, will generally be taxable on the benefit by reference to the cost to the employer. There will also be a liability to class 1 (employer and employee) national insurance contributions.

DEFENCE

Dockyard Radiation Workers

Mr. Hancock: To ask the Secretary of State for Defence if he will make it his policy *(a)* to ensure that the general practitioners of families of dockyard radiation workers are informed about the occupation and encouraged to enter it on the records of the children of these workers and *(b)* to ensure that (i) retired and (ii) former radiation workers have the opportunity of a radiation medical once a year through the NHS; and if he will make a statement. [140908]

Mr. Caplin: It is a matter for dockyard radiation workers to consider what information they offer to their GP about their employment. Decisions concerning what to record within medical records is a matter for professional judgment and for guidelines that may be provided by the Department of Health or the appropriate professional bodies or associations. Similarly decisions about whether to offer annual medical examinations to retired or ex-radiation workers through the NHS is a matter for the Department of Health.

The Ministry of Defence provides an independent counselling service for radiation workers, former radiation workers and their families who have concerns about their health consequent of their work with radiation. Individuals may request counselling by telephoning the Counselling Telephone line (02392 768098) and leaving their names and addresses or by writing to the MOD Counselling Registry at DSTL Radiological Protection Services, Crescent Road, Alverstoke, Gosport, Hants PO 12 2DL. Further details are available on the world wide web at http://www.mod.uk/dsef/hp/rwc.htm

Armed Forces Pensions

Gregory Barker: To ask the Secretary of State for Defence (1) how many *(a)* retired personnel and *(b)* widows in each of the three armed services have been identified as incorrectly paying tax on retired pay and pensions awarded since 1952 on the grounds of disability attributable to or aggravated by service; and how many of these are (i) pre-1973 pensioners and (ii) post-1973 pensioners; [141090]

(2) how many *(a)* retired personnel and *(b)* widows in each of the three armed services identified as incorrectly paying tax on retired pay and pensions awarded since 1952 on the grounds of disability attributable to or aggravated by service have received additional compensation; [141091]

(3) what criteria are used in determining additional compensation payments for retired personnel and widows of the three armed services identified as incorrectly paying tax on retired pay and pensions; [141092]

(4) if he will commission an independent inquiry into arrangements for paying compensation to retired personnel and widows of the three armed services identified as incorrectly paying tax on retired pay and pensions. [141093]

Mr. Caplin: The following table shows the total number of individuals identified as incorrectly paying tax on their armed forces invaliding pensions since 1952. Attributable pensions paid to widows are not tax free under Inland Revenue rules, though in some cases widows may have been the beneficiaries of refunds where the pensioner is deceased. These figures are broken down by service and by pre-73 and post 1973 pensioners.

As at August 2003	*Royal Navy*	*Army*	*Royal Air Force*	*Total*
Pre-1973	57	300	13	370
Post-1973	204	828	110	1,142
Total	261	1,128	123	1,512

Inland Revenue repayment supplement has already been paid on all tax refunds. The level of compensation to be paid to individuals affected by the tax error is a matter for the Department. I do not intend to commission an independent inquiry. Individuals who are unhappy with the Department's decision on additional compensation will be able to take their cases to the Pensions Ombudsman or to the courts. I intend to announce our decision with respect to additional compensation by 18 December.

CULTURE, MEDIA AND SPORT

Licensing Act

Mr. Mark Field: To ask the Secretary of State for Culture, Media and Sport (1) when she will next meet representatives of local government to discuss the fee arrangements for the licensing system; [141629]

(2) whether full cost recovery through the Government's designated licence fee structure will include the cost of enforcement and administration of the new licensing regime; [141630]

(3) how her commitment to ensure the costs of the new licensing system are fully covered by fees will be achieved; [141631]

(4) if she will make a statement on the underlying analysis and financial models which provided the basis for the fee structure for the new licensing arrangements; [141632]

(5) what discussions she has had with other Government Departments about the costs of the Licensing Act 2003; [141633]

(6) if she will make a statement on the effect of the full cost of recovery on local authorities under the new licensing arrangements. [141634]

Mr. Caborn: A regulatory impact assessment setting out our estimates of the fee levels and the underlying analysis was published with the Licensing Bill in November 2002 and placed in the Library of the House. No final decisions have been made about the fees to be prescribed under the Licensing Act 2003, and we are presently considering carefully information and material provided by representatives of local authorities before making those decisions. My right hon. Friend the Secretary of State has met representatives of local authorities to discuss fees, among other things, and my predecessor with responsibility for licensing reform, my hon. Friend the Member for Pontypridd (Dr. Howells), also met representatives on several occasions to discuss these matters. My officials have been discussing fees, among other things, with representatives of local authorities since November 1999. These discussions have now been completed and we hope to announce shortly the fees that the Secretary of State intends to prescribe under the 2003 Act, though we will continue to meet representatives of local authorities to discuss other matters relating to the implementation of the new legislation. We have repeatedly given assurances both in the House and to representatives of local authorities that the fees will be set at a level which permits recovery of the full costs of administration, inspection and enforcement to local authorities associated with the licensing functions under the 2003 Act. The Secretary of State has also agreed with representatives of the local authorities to allow an independent review of the costs of the new licensing regime and the fee levels after the end of the transitional period, and if any changes are necessary, they will be made. All interested Government Departments were involved in discussions with my Department about the preparation of the regulatory impact assessment and my officials have more recently had discussions about fees with the Office of the Deputy Prime Minister. Before making final decisions on the fee levels, we intend to have further discussions with all interested Government Departments.

National Lottery

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport how much money was spent per capita on playing the National Lottery *(a)* in each of the regions of England and Wales and *(b)* in the Vale of York in each of the past three years. [140570]

Estelle Morris: This information is not available. However, in response to a question from my hon. Friend the Member for Morley and Rothwell (Mr. Challen) on 22 October 2002, *Official Report*, columns 182–83, my right hon. Friend the Minister for Sport and Tourism placed in the Library a table listing sales by postcode area since the Lottery's launch. I will provide an update of the table to the hon. Member as soon as it is available, and place a copy in the Libraries of both Houses.

Rugby

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport how much her Department has invested in promotion of rugby in the UK since 1997. [141067]

Mr. Caborn: Since 1997, the Department has invested a total of £48.7 million in the promotion of rugby. Rugby Union will also receive £9.4 million over 2003–04 to 2005–06 as part of the Community Club Development Programme.

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport how much Lottery money has been awarded *(a)* to rugby clubs and *(b)* to promote rugby in each of the last six years; and if she will list the projects which have benefited. [141069]

Mr. Caborn: Since 1997, the Department has invested a total of £48.7 in rugby. Over £30 million of this went to supporting amateur clubs. Rugby Union will also receive £9.4 million over 2003–04 to 2005–06 as part of Sport England's Community Club Development Programme for capital facilities work at amateur clubs.

I will arrange for a list of projects for the last six years to be placed in the Libraries of both Houses.

Sea Angling

Mr. Blizzard: To ask the Secretary of State for Culture, Media and Sport if she will provide support for the sport of sea angling. [140462]

Mr. Caborn: DCMS recognises angling as a sport, supports the interests of anglers, and provides funding for the sport via Sport England. Since 1995 angling has received in excess of £2.1 million in Lottery Awards, in addition to over £280,000 in Awards for All grants.

The three governing bodies for angling—including the National Federation of Sea Anglers—receive Exchequer funding in the form of annual development grants.

I attended the World Junior/Youth Shore Angling Championships held in Bridlington earlier this year.

HOME DEPARTMENT

Correspondence

Mr. Kaufman: To ask the Secretary of State for the Home Department for what reason he has not yet replied to the letter sent to him dated 25th September by the right hon. Member for Manchester, Gorton, with regard to Mrs. Safdar. [140782]

Mr. Blunkett: I wrote to my right hon. Friend in my letter of 1 December 2003.

Metropolitan Police

Simon Hughes: To ask the Secretary of State for the Home Department how many Metropolitan Police officers were licensed to carry firearms in each year since 1997. [140855]

Beverley Hughes: The number of Metropolitan Police officers authorised to carry firearms in each year since 1997 is shown in the following table:

	Number of authorised firearms officers (AFOs)
1996–97	6,738
1997–98	6,585
1998–99	6,308
1999–2000	6,262
2000–01	6,064
2001–02	5,776

Parliamentary Questions

Mr. Chope: To ask the Secretary of State for the Home Department how many of the written answers given by his Department on 19 November in response to questions from hon. Members included a promise to write to the hon. Member and place a copy of the letter in the Library; how many such letters have so far been sent; and by what date the remainder will be sent. [141547]

Mr. Blunkett: The number of Parliamentary questions replied to on 19 and 20 November, which gave the answer of promising to write to the hon. Member and placing a copy of that letter in the Library was 340. Of these, 184 were tabled in the last four days available for tabling. Replies have so far been sent to 50 and the remainder are in the process of being answered.

Speed Cameras

Mr. Chope: To ask the Secretary of State for the Home Department if he will place in the Library a copy of the European standards for speed cameras. [141515]

Caroline Flint: I have arranged for a copy to be placed in the Library.

DEPUTY PRIME MINISTER

Recycling

Sue Doughty: To ask the Deputy Prime Minister what guidance the Government are giving local authorities regarding the purchase of recycled paper. [140594]

Phil Hope: Local authorities are independent and autonomous bodies responsible for making their own decision about procurement matters.

The National Procurement Strategy for Local Government, prepared jointly by the Office of the Deputy Prime Minister and the Local Government Association (LGA), emphasises the importance of environmental objectives as part of the procurement process in local government. The strategy specifically advises that every council should build sustainability into its procurement strategy, processes and contracts.

The Improvement and Development Agency (IdeA) have recently published their guide "Sustainability and Local Government Procurement" which sets out how local authorities can develop and implement a sustainable procurement policy and a risk-based strategy designed to tackle the categories of spending that have the greatest environmental and social impacts. The guidance contains the Office of Government Commerce (OGC) buying solutions "Quick Wins" on certain product specifications, which include targets on recycled paper. The guidance notes that the Waste and Resources Action Programme (WRAP) have recommended the wider adoption of these "Quick Wins" across the public sector, including local government.

Allotments

Mr. Peter Ainsworth: To ask the Deputy Prime Minister what plans he has to make changes to legislation relating to allotments. [141106]

Keith Hill: The Office of the Deputy Prime Minister has no current plans to make any changes to legislation regarding allotments.

Beacon Towns

Dr. Starkey: To ask the Deputy Prime Minister in assessing applications to the Special Grants Programme, what consultation there was with those responsible for DEFRA's Beacon Towns scheme. [140722]

Yvette Cooper: The Office of the Deputy Prime Minister did not consult any other Department about applications to Stage 1 of the Special Grants Programme.

Commonhold and Leasehold Reform Act

Mr. Stunell: To ask the Deputy Prime Minister when he plans to make an Order to bring into force the remaining provisions of the Commonhold and Leasehold Reform Act 2002, with particular reference to section 164; and if he will make a statement. [141409]

Keith Hill: The Office of the Deputy Prime Minister anticipates making an Order by May 2004 to bring into force the remaining provisions of the Commonhold and Leasehold Reform Act 2002. These provisions include those relating to property insurance (section 164), to the new Right to Enfranchise companies, and to accounting and forfeiture. Commencement dates will vary depending on the lead-in period needed by landlords to prepare for the changes, but section 164 should be effective by September 2004.

Legislation

Mr. Redwood: To ask the Deputy Prime Minister how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141122]

Yvette Cooper: The Office of the Deputy Prime Minister sponsored three Bills during the 2002–03 session which made a total of 162 pages once enacted.

In the case of secondary legislation the Office of the Deputy Prime Minister was responsible for the making of 71 General Statutory Instruments which would have been considered by either the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments. These instruments made a total of 438 pages.

Local Government Finance

Mr. Heathcoat-Amory: To ask the Deputy Prime Minister what the standard spending assessment per capita is for each of the English regions in 2003–04. [140896]

Mr. Raynsford: Standard Spending Assessments ceased in 2002–03, and were replaced in 2003–04 by Formula Spending Shares (FSS). The following table gives the 2003–04 FSS per head for each of the English regions.

Government Office Region	*2003–04 FSS (£ million)*	*Mid-2001 population estimate*	*2003–04 FSS per head (£ per head)*
South West	5,160.341	4,934,162	1,045.84
South East	8,455.974	8,006,896	1,056.09
London	10,552.423	7,188,006	1,468.06
Eastern	5,824.133	5,394,860	1,079.57
East Midlands	4,523.400	4,175,081	1,083.43
West Midlands	6,221.599	5,267,098	1,181.22
Yorkshire and Humber	5,831.658	4,967,165	1,174.04
North East	3,087.869	2,516,531	1,227.03
North West	8,250.982	6,731,540	1,225.72

Please note that the mid-2001 population estimate used was that published by the Office for National Statistics on 10 October 2002, since these were the population estimates used in the calculation of the 2003–04 Formula Spending Shares. Following the approval by Parliament of the 2003–04 Local Government Finance Settlement, the mid-2001 population estimates were revised. An Amending Report for 2003–04 to reflect the revised mid-year estimates will be submitted to the House for approval in due course.

Mr. Hayes: To ask the Deputy Prime Minister how many equity release loans local authorities have granted (*a*) in each of the last 10 years and (*b*) since 18 July 2002. [141013]

Keith Hill: The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 gave local authorities wide discretionary powers to provide assistance to homeowners and tenants to repair, improve and adapt their homes—including, for example, equity release loans—from 18 July 2002. This is subject to the authority having a policy in place setting out how it intends to use the powers. Prior to that date, local authorities had no powers to make such loans.

Figures on the number of equity release loans and other forms of assistance given by local authorities for renewal of private sector homes in the financial year 2002–03 will be available early in 2004.

Starter Homes Initiative

Tim Loughton: To ask the Deputy Prime Minister what grade of teachers will be eligible for equity loans under the recently announced scheme for housing; what terms will apply to the equity loans scheme for teachers; what estimate he has made of the number of teachers who will benefit from the equity loans scheme; and what implications this has for teacher participation in the Starter Homes Initiative. [141054]

Keith Hill: Full details of the operation of the housing scheme for key workers will be announced by the beginning of March. These will include: the criteria used to determine eligibility for teachers; and the terms and conditions to be applied to equity loans. The number of teachers and other key worker groups helped and the level of assistance will depend, in part, on the level of employer contributions and the personal circumstances of individuals. Funding continues to be available for teachers through the Starter Home Initiative, which will fund purchases, which can be exchanged up to 31 March 2004, the planned end date.

Sustainable Buildings Task Group

Mr. Kidney: To ask the Deputy Prime Minister when he will establish the Sustainable Buildings Task group; what its terms of reference will be; what its membership will be; and if he will make a statement. [140650]

Keith Hill: The Sustainable Buildings Task Group has been agreed. The Group will be co-chaired by Sir John Harman, Chairman of the Environment Agency and Victor Benjamin, Deputy Chairman of English Partnerships. The first meeting is planned for mid-December.

The Group has been tasked with identifying specific, cost-effective, improvements in the quality and environmental performance of buildings which industry can deliver in both the short and long term, together with further actions that Government could take to facilitate faster progress. The Group will consider scope for delivering higher standards of environmental performance of new and refurbished buildings in respect of water, energy, timber and other construction materials, and waste reduction.

The full membership of the Group comprises:

Michael Ankers, Chief Executive, The Construction Products Association

Julian Barwick, Joint Managing Director, Development Securities

Sheila Button, Board Member, The Housing Corporation

John Calcutt, Chief Executive, Crest Nicholson

Ian Coull, Chairman Designate, The Sustainable Construction Task Force

Robert Napier, Chief Executive, WWF-UK

Paul Noon, co-chairman, Trade Union Sustainable Development Advisory Committee

Jennie Price, Chief Executive, The Waste and Resources Action Programme

Philip Sellwood, Chief Executive, The Energy Saving Trust

Peter Studdert, Director of Environment and Planning, Cambridge city council

Lynne Sullivan, Sustainability Director, Broadway Malyan

Pamela Taylor, Chief Executive, Water UK

Bryan Woodley, UK Timber Frame Association

Terry Wyatt, President, Chartered Institution of Building Services Engineers

And senior officials from Defra, DTI, ODPM and OGC.

WORK AND PENSIONS

Child Maintenance

Steve Webb: To ask the Secretary of State for Work and Pensions to how many lone parents his Department has issued letters in the last 12 months informing them of their potential entitlement to child maintenance bonus in the event of them taking work; and what the average amount of those potential entitlements would be. [141542]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive, David Anderson. I have asked him to reply to the hon. Member.

Letter from David Anderson to Mr. Steve Webb, dated 2 December 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply direct to your question about letters issued in the last 12 months to lone parents advising them about their potential entitlement to Child Maintenance Bonus. This is something which falls within the responsibilities delegated to me as Chief Executive of the Agency.

Unfortunately, the information on how many lone parents were issued letters in the last 12 months informing them of their potential entitlement to Child Maintenance Bonus is not available. It is not routinely collected. Figures are not readily available to determine what the average payment would be for those customers who, over the past 12 months, had been advised of a potential entitlement. This information could only be determined at disproportionate cost.

Correspondence

Mr. Salmond: To ask the Secretary of State for Work and Pensions when he will reply to the letter of 15 September from the hon. Member for Banff and Buchan's constituency colleague Mr. Stewart Stevenson MSP, regarding his constituent, Mr. J. Watson of Macduff. [141744]

Maria Eagle: I regret we have no record of having received Mr Stevenson's letter. If he would like to forward a copy I will arrange for it to be dealt with urgently.

Winter Fuel Payment

David Davis: To ask the Secretary of State for Work and Pensions how many winter fuel payment claim forms have been issued in 2003 in the Haltemprice and Howden constituency; and how many claim forms have been submitted. [140555]

Malcolm Wicks: The number of Winter Fuel Payment claim forms issued so far this year for the Haltemprice and Howden constituency is 1,751 and of those 1,388 have been returned to date.

We are publicising the availability of Winter Fuel Payments and how to obtain a claim form. Those who need to claim for this winter have until 30 March 2004 to do so.

Note

Information to identify those likely to be entitled was extracted from the Departmental Central Index based on post codes.

Written Answers to Questions

Wednesday 3 December 2003

INTERNATIONAL DEVELOPMENT

Iraq

Harry Cohen: To ask the Secretary of State for International Development if he will list the projects to be funded by the sums pledged by *(a)* the UK and *(b)* the EU as reconstruction aid to Iraq indicating the sum allocated to each project; what the expected UK contribution to (i) the World Bank loan and (ii) the IMF loan is; to what purposes these contributions are expected to be put; and if he will make a statement. [141118]

Hilary Benn: It is too early to say how the money pledged at Madrid will be allocated by DFID and the EU as priorities are still being determined in coordination with the interim Iraqi Administration and other donors. Equally it is too soon to say what the UK contribution to the World Bank and IMF loans will be.

As soon as DFID approves its reconstruction projects for Iraq, details will be placed in the House Library and published in the weekly sitrep that can be obtained on the DFID website www.dfid.gov.uk

Mr. Hammond: To ask the Secretary of State for International Development how much of the projected aid budget for reconstruction in Iraq has been funded by changes in the aid budget for other countries in financial year 2003–04. [141256]

Hilary Benn: None of the funding for reconstruction in Iraq this financial year has been found from planned expenditure for other countries. Of the £312 million budget for 2003–04 £180 million is additional resources for reconstruction from Treasury reserves and a further £75 million has been sourced from the DFID contingency reserve. The rest has been found from existing allocation for Iraq, MOD funds, the Global Conflict Prevention Pool and our share of EC funding for Iraq.

Gender Advisers

Mr. Gummer: To ask the Secretary of State for International Development what the sexual balance is of the team of gender advisers he has assigned to Iraq. [141828]

Hilary Benn: Both members of the team are female.

Malaria

Tim Loughton: To ask the Secretary of State for International Development how many *(a)* children and *(b)* pregnant mothers died of malaria in developing countries in each of the last five years, using figures from his Department's research. [141193]

Mr. Gareth Thomas: Children and pregnant women are at the greatest risk of dying from malaria. The WHO'S most recent official estimates of children under-5 dying of malaria for year 2000 are close to 1 million deaths globally. There are no official WHO estimates of malaria related mortality for pregnant women. WHO and Roll Back Malaria (RBM) recognise the importance of having more accurate estimates, which are important to measure progress and ensure that global targets are met.

DFID has contributed £48 million over four years (1999 to 2003) to RBM, a global partnership which includes national governments, UN agencies, pharmaceutical companies and NGOs, with the objective of working to half the world's malaria burden by 2010. This will be done through expanding coverage for preventative interventions (e.g. insecticide-treated mosquito nets), expanding effective treatment for the disease and strengthening national capacity for surveillance, monitoring and planning.

Middle Income Countries

Mr. Bercow: To ask the Secretary of State for International Development which of his Department's programmes for middle income countries will *(a)* be ended early and *(b)* have their funding reduced in (i) 2004–05 and (ii) 2005–06. [140869]

Mr. Gareth Thomas: The Secretary of State outlined intended changes to programmes for middle-income countries in his statement to the House of 6 November 2003, *Official Report*, column 42WS. More detailed plans are now being made, in consultation with partner countries and other donors. They will be embodied in the annual revision of DFID's Aid Framework, which is expected to be completed over the next two months.

Namibia

John Barrett: To ask the Secretary of State for International Development what response he will make to the drought relief appeal in Namibia. [141370]

Hilary Benn: The Government of Namibia launched an appeal to donors at a meeting in Windhoek on 20 November. We and other agencies are currently considering this appeal and the wider issues it raises for emergency planning and response in Namibia.

Uganda

Mr. Chope: To ask the Secretary of State for International Development what action the Government are taking to address the humanitarian crisis *(a)* in Northern Uganda and *(b)* in the Anglican Diocese of Soroti. [141514]

Hilary Benn: The situation in Northern and Eastern Uganda has resulted in the UK disbursing an additional £4.4 million over the last 12 months specifically targeted at the humanitarian situation. This assistance has been channelled through the World Food Programme, UNICEF, and the Uganda Red Cross Society to support those affected by the conflict. We are currently considering how best to programme a further £4.1 million for urgent humanitarian needs. This will include additional support to the Red Cross specifically for helping those suffering in Eastern Uganda, including Soroti.

UNICEF

Ms Keeble: To ask the Secretary of State for International Development if the Government will support the UNICEF strategy for orphans and vulnerable children. [140465]

Hilary Benn: The UK supports UNICEF's Medium Term Strategic Plan 2002–05 which provides support to orphans and vulnerable children through its five priority areas of: child protection; girls' education; immunisation; early childhood development; and tackling HIV/AIDS. The UK supports UNICEF's Plan by providing £17 million a year to UNICEF's regular resources. In 2002, the UK provided a further £34 million in extra-budgetary support.

TRANSPORT

Air Accidents

Miss McIntosh: To ask the Secretary of State for Transport how many air accidents or serious incidents, in addition to total losses, involving United Kingdom-registered airlines are registered on the Airclaims CASE database for the last 10 years for which information is available; and what the comparable accident level was for airlines registered in *(a)* the Republic of Ireland and *(b)* Germany. [141246]

Mr. McNulty: The following table sets out the number of major partial loss and minor loss accidents for United Kingdom, German and Irish airlines contained in the Airclaims CASE database for the period 1 January 1993 to 31 December 2002.

Accidents other than total loss accidents for the period 1 January 1993 to 1 January 2003

	Passenger operations Aircraft > 5,700 kg mtwa	*Cargo operation Aircraft < 5,700 kg mtwa*	*Aircraft > 5,700 kg mtwa*	*Aircraft < 5,700kg mtwa*
UK airlines	29	0	5	0
German airlines	12	0	2	0
Irish airlines	3	0	1	0

Note:

Mtwa = maximum total weight authorised.

These figures are not directly comparable because of differences in other factors such as the number of hours flown.

Cycling (Helmets)

Mrs. Brooke: To ask the Secretary of State for Transport how many cycling *(a)* fatalities and *(b)* serious injuries occurred among (i) adults and (ii) children in each of the last three years; and in each category what percentage of these adults and children were wearing helmets. [140472]

Mr. Jamieson: The following table shows fatal and serious pedal cycle casualties among adults and children for each of the last three years.

	2000		*2001*		*2002*	
Severity	*Child*	*Adult*	*Child*	*Adult*	*Child*	*Adult*
Fatal	27	98	25	111	22	107
Serious	731	1,856	649	1,840	572	1,694

Note:

Figures exclude cases where the age of the casualty was unknown.

Information on the percentages of adults and children in each category wearing helmets is not held centrally.

Highway Land

Bob Russell: To ask the Secretary of State for Transport if he will require statutory undertakers and private companies to pay a rent to local authorities for the stationing of *(a)* fixed equipment and *(b)* street furniture on highway land; and if he will make a statement. [141034]

Mr. McNulty: We have no plans to introduce legislation to require statutory undertakers and private companies to pay a rent to local authorities for such activities on highway land.

London Underground

Harry Cohen: To ask the Secretary of State for Transport who is responsible for replacement of rolling stock on the London Underground Victoria Line; and if he will make a statement. [141178]

Mr. McNulty: Responsibility for London Underground transferred from the Government to Transport for London in July this year. Improvements to the Victoria Line infrastructure are the responsibility of Metronet Rail BCV. Metronet are committed to the delivery of 47 new trains on the Victoria Line, all of which will enter service between 2009 and 2012.

Maritime and Coastguard Agency

John Thurso: To ask the Secretary of State for Transport what assessment he has made of the implications of amalgamation and rationalisation of *(a)* services, *(b)* management, *(c)* premises, *(d)* depots and *(e)* fleet provided by the Maritime and Coastguard Agency and other bodies responsible for maritime safety in UK territorial waters. [141746]

Mr. Jamieson: No specific assessment has been made nor is it considered necessary. The UK land, sea and air Strategic Committee, through its Operators' Group, keeps opportunities for amalgamation and rationalisation of resources for the promotion of maritime safety under review.

The Strategic Committee, which reports directly to Ministers, and the Operators' Group are chaired by my Department and the Maritime and Coastguard Agency respectively. They include representatives from all the UK emergency services, Royal National Lifeboat Institution (RNLI), Ministry of Defence, Home Office, Mountain and Cave Rescue Teams.

John Thurso: To ask the Secretary of State for Transport how many Coastguard calls relating to *(a)* commercial shipping, *(b)* leisure craft, *(c)* fishing vessels and *(d)* passenger ferries there were in each of the last five years; and what the cost was in each case. [141821]

Mr. Jamieson: HM Coastguard receives calls relating to commercial shipping, leisure craft, fishing vessels and passenger ferries either directly from the vessel via radio or satellite communication, or from interested parties ashore via telephone. A record is not kept of the number of individual calls received and as the receiver of such calls there is no cost to HM Coastguard.

Powershift Initiative

Mr. Djanogly: To ask the Secretary of State for Transport (1) how many individuals he expects to apply for grants under the Powershift initiative for the *(a)* conversion of vehicles and *(b)* for the purchase of low emission vehicles in (i) the current financial year and (ii) each of the next three financial years; [141491]

(2) what the level of unallocated funds is for grants for *(a)* the conversation of vehicles and *(b)* the purchase of low emission vehicles under the Powershift initiative, in this financial year; [141492]

(3) what the total cost has been of the Energy Saving Trust's Powershift initiative in each of the years since its commencement; [141493]

(4) what the total reduction in carbon dioxide and nitrous oxide attributable to the Powershift initiative has been in each of the years since its commencement; [141494]

(5) what steps he will take to encourage the introduction and development of *(a)* gas driven, *(b)* electric, *(c)* biomass fuelled, *(d)* hybrid low emission and *(e)* hydrogen fuel cell powered vehicles. [141495]

Mr. Jamieson: "Powering Future Vehicles—The Government Strategy", published in July 2002, describes the action which the Government are taking to promote the shift to clean, low carbon fuels and vehicles, including low duty rates for liquefied petroleum gas, natural gas, hydrogen and biofuels, the introduction of CO_2-based graduated VED (Vehicle Excise Duty) and company car tax, and grants towards the purchase or conversion of cleaner fuelled vehicles, including electric and hybrid vehicles. The First Annual Report on implementation of the Strategy was published in October. Copies of both documents have been placed in the House Library. In this financial year the Energy Saving Trust estimate that they will provide grants for around 4000 vehicles under the PowerShift programme, compared to some 2000 vehicles last year. My Department is currently discussing with the Trust how they can support the Government's environmental objectives in future years. Estimates are not yet available for the number of PowerShift grants in future years. In the current financial year, take-up of PowerShift grants has been strong, and the year's resources have been fully allocated. However, if existing offers are not fully taken up, the resources will be allocated to organisations or individuals whose grant applications have been placed on the PowerShift waiting list. The financial outturn for PowerShift are detailed in the following table.

Financial year	*Outturn (£ million)*
1997–98	1.684
1998–99	2.254
1999–2000	3.837
2000–01	8.147
2001–02	9.201
2002–03	5.201
2003–04[1]	9.125

[1] Forecast outturn to end March 2004

The Energy Saving Trust is currently carrying out a detailed review of CO_2 and NO_x savings resulting from the PowerShift programme since its inception in 1997. This will be placed in the Libraries of the House.

Railcards

Martin Linton: To ask the Secretary of State for Transport what assessment he has made of the outcome of discussions between the train operating industry and the Strategic Rail Authority to develop a national discount railcard. [141309]

Mr. McNulty: Following the Strategic Rail Authority's (SRA) Fares Review, my right hon. Friend the Secretary of State for Transport asked the SRA to explore options for the introduction of a well-targeted National Railcard. The SRA is in discussion with the Association of Train Operating Companies (ATOC) about the best way of taking this forward.

Martin Linton: To ask the Secretary of State for Transport (1) if he will make a statement on the effect on sales of Network Railcards of limiting their application to journeys costing more than £10 in the South East; [141329]

(2) what estimate he has made of the proportion of leisure journeys made in the South East between June 2002 and June 2003 which *(a)* cost less than £10 and *(b)* did not attract Network Railcard discounts. [141330]

Mr. McNulty: The South East Network card is a commercial "product" and as such is not subject to Government regulation. It's conditions of issue and use are matters for the train operating companies. Information on its use is not held centrally.

Railways (Toilets)

Mrs. Calton: To ask the Secretary of State for Transport what plans he has to oblige franchised train operators to provide toilet facilities *(a)* on trains and *(b)* in stations. [141526]

Mr. McNulty: There are no plans to oblige franchised train operators to provide toilet facilities on trains or in stations.

Train operators provide toilet and other facilities where they consider it appropriate, bearing in mind their obligation to achieve improved levels of customer satisfaction.

Shipping Safety

Mr. Hancock: To ask the Secretary of State for Transport how many times foreign ships have been detained for falling short of safety standards following inspection in British ports in each year since 2000–01;

what *(a)* prosecutions and *(b)* penalties have resulted; what the current annual budget is for the inspection and enforcement of international, European and national safety standards; and if he will make a statement. [141360]

Mr. Jamieson: The number of foreign flag ships detained in UK ports as a result of Port State Control inspections in each year since 2000–01 is as follows:

	Number of Detentions
2000	112
2001	114
2002	116
2003 to date	91
Total	433

None of these detentions have needed to be followed by a formal prosecution.

In the current financial year the Maritime and Coastguard Agency's budget for ship inspections and related activity including enforcement is £25,769,000.

South Central Trains

Mr. Maude: To ask the Secretary of State for Transport what the new level of subsidy to South Central Trains each year is for the revised length of the franchise. [140483]

Dr. Howells: The subsidy per year is as follows:

Financial year	*Subsidy (£ million)*
2003–04	79.5
2004–05	104.5
2005–06	110
2006–07	104.5
2007–08	98.5
2008–09	90
2009–10	84

NORTHERN IRELAND

Peace Process

7. **Miss McIntosh:** To ask the Secretary of State for Northern Ireland what assessment he has made of the results of the Assembly elections. [141220]

Mr. Paul Murphy: I refer my hon. Friend to the answer I gave earlier to my hon. Friend the Member for Sheffield Hillsborough (Helen Jackson).

8. **Michael Fabricant:** To ask the Secretary of State for Northern Ireland if he will make a statement on the progress towards the restoration of self-government in the Province. [141222]

Mr. Paul Murphy: I refer my hon. Member to the answer I gave earlier to my hon. Friend the Member for Sheffield Hillsborough (Helen Jackson).

12. **Mr. Carmichael:** To ask the Secretary of State for Northern Ireland if he will make a statement on the peace process. [141226]

Mr. Paul Murphy: I refer the hon. Member to the answer I gave earlier to my hon. Friend the member for Sheffield Hillsborough (Helen Jackson).

13. **Ann Winterton:** To ask the Secretary of State for Northern Ireland if he will make a statement on the resumption of power-sharing in Northern Ireland. [141227]

Mr. Paul Murphy: I refer the hon. Member to the answer I gave earlier to my hon. Friend the Member for Sheffield, Hillsborough (Helen Jackson).

Reform and Reinvestment Initiative

9. **John Robertson**: To ask the Secretary of State for Northern Ireland what progress has been made with the Reinvestment and Reform Initiative. [141223]

Mr. Pearson: On 19 February 2003 I announced details of a five year £2.1 billion Strategic Investment Programme. A Strategic Investment Board has been established and made considerable progress in improving the performance of Northern Ireland's capital expenditure programme. It is actively involved in many key projects, including eight which it sponsors directly.

In addition six former security sites have been made available for social and economic regeneration. One site is to be sold with the proceeds ring-fenced for Reinvestment and Reform Initiative purposes. An Urban Regeneration Company has been established to regenerate the Ebrington Barracks site and consultation is under way to determine the best possible use for the other four sites.

The Government remains committed to reflecting the intentions of the former Executive to drive forward a programme to improve our public services through reform and modernisation.

Belfast Airport (Policing)

10. **Mr. Beggs:** To ask the Secretary of State for Northern Ireland what recent discussions his Department has held with Belfast International Airports Authority regarding future policing arrangements at the airport; and if he will make a statement. [141224]

Jane Kennedy: A Security Co-ordinating Committee, chaired by a NIO Official and including representatives from PSNI, RAF Aldergrove, Department for Transport, Department for Rural Development and the Airport Authority, oversees the provision of security at Belfast International Airport. Earlier this year a review of security was carried out by PSNI, the results of which were approved by the Security Coordinating Committee.

The implementation of these recommendations will impact on policing numbers at the airport and the Airport Authority has apprised the Department of their implementation plan.

Religious Schools

11. **Mr. Allen:** To ask the Secretary of State for Northern Ireland what steps religious schools have to take to teach ethical, moral and religious views other than their own faith; and if he will make a statement. [141225]

Jane Kennedy: Religious Education is a compulsory subject in all grant-aided schools in Northern Ireland. While the RE core syllabus is Christian in content, it is intended to comprise only 50 per cent. of teaching time for RE, allowing schools scope to include study about other world religions if they so wish. A revised core syllabus, currently under development, includes proposals for the study of other world religions.

National Sports Stadium

14. **Mr. Grogan:** To ask the Secretary of State for Northern Ireland what discussions he has had on building a national sports stadium for Northern Ireland. [141228]

Angela Smith: Support remains for the principle of a national sports stadium but this must be considered on the grounds of need, long term sustainability and in light of other priorities. The Sports Council for Northern Ireland is presently re-considering options for the way forward on a national stadium and this may provide a basis for discussions with the appropriate stake holders in due course.

TREASURY

Birth Statistics

Mr. George Osborne: To ask the Chancellor of the Exchequer how many births were registered for *(a)* 1 September 2002 and *(b)* 31 August 2002. [141707]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. George Osborne, dated 3 December 2003:

As National Statistician, I have been asked to reply to your recent question on the number of births registered for *(a)* 1 September 2002 and *(b)* 31 August 2002.

In England and Wales, 1,460 livebirths and 14 stillbirths occurred on 31 August 2002; on 1 September 1,349 livebirths and 15 stillbirths occurred.

Consumer Prices (Harmonised Index)

Dr. Cable: To ask the Chancellor of the Exchequer whether the harmonised index of consumer prices will apply to index-linked pay in *(a)* central government employment, *(b)* the National Health Service and *(c)* independent statutory agencies and regulators. [141727]

Ruth Kelly: Pay is not index-linked to inflation in any part of the public sector. Pay remains the responsibility of individual departments and employers.

Dr. Cable: To ask the Chancellor of the Exchequer what plans he has to link index-linked public sector *(a)* pay and *(b)* pensions to the harmonised index of consumer prices; and what estimate he has made of the change in annual public sector annuities which would result. [141728]

Ruth Kelly: Pay is not index-linked to inflation in any part of the public sector. Pay remains the responsibility of individual departments and employers.

Nor are there any plans to link index-linked public service pensions to the harmonised index of consumer prices. When the Chancellor announced his intention to change the inflation target to one set on the consumer prices (HICP) definition, in his statements on Economic and Monetary Union on 9 June and 10 July, he also confirmed that pensions such as State second pension and public service pension benefits would be calculated on exactly the same basis as now. Public service pensions will continue to be increased in line with the September to September movement in the retail prices index, as calculated by the Office for National Statistics (ONS). benefits would be calculated on exactly the same basis as now. Public service pensions will continue to be increased in line with the September to September movement in the retail prices index, as calculated by the Office for National Statistics (ONS).

Dr. Cable: To ask the Chancellor of the Exchequer what the interest paid on index-linked government securities was in each year since 1997; and what the interest payments would have been if the harmonised index of consumer prices had been applied. [141729]

Ruth Kelly: The following table sets out the actual interest paid on index-linked gilts each year between 1997–98 and 2002–03.

Interest paid on index-linked gilts[1]

£ billion

Year	*Total*
1997–98	3.1
1998–99	3.6
1999–2000	2.5
2000–01	3.9
2001–02	3.0
2002–03	3.0

[1] Including RPI inflation uplift

No estimates have been produced of the interest costs of index-linked gilts based on a calculated inflation uplift using the harmonised index of consumer prices (HICP) rather than the general index of retail prices (RPI).

Correspondence

David Davis: To ask the Chancellor of the Exchequer when he will reply to the letter of 25 September from the honourable Member for Haltemprice and Howden concerning the signing off of the EU's accounts by the Council of Ministers and Commissioner Kinnock's conduct as Vice President of the Commission and Commissioner for Administrative Reform. [140554]

Mr. Gordon Brown: I have done so.

Customs (Shoreham Harbour)

Tim Loughton: To ask the Chancellor of the Exchequer how many inspections were carried out by HM Customs on *(a)* vessels entering Shoreham Harbour and *(b)* aircraft landing at Shoreham Airport in the last year. [141095]

John Healey: HM Customs and Excise do not publish precise details of how many searches or examinations are conducted at specific locations as there is a risk of prejudicing ongoing and future law enforcement operations.

Exemption 4 of the Code of Practice on Access to Government Information applies.

Graduate Earnings

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the *(a)* average and *(b)* median earnings of graduates who are full-time employees in each age cohort from the age of 25. [141203]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Jim Cousins, dated 3 December 2003:

As National Statistician, I have been asked to reply to your recent question about the average and median earnings of graduates who are full-time employees. (141203)

The attached table gives the available information from the Labour Force Survey (LFS). These estimates are for the three month period ending August 2003.

Mean and median earnings of graduates[1] [2] who are full-time[3] employees by age United Kingdom

Three months to August 2003

Not seasonally adjusted

	Average gross weekly earnings (£s)	
Age group[2]	*Mean*	*Median*
25 and over	669	577
25–34	547	481
35–49	754	654
50 and over	733	678

[1] People whose highest qualification is degree level or above

[2] Upper age limit is 64 for men and 59 for women.

[3] The definition of full-time part-time is based on respondents' self-assessment.

Note:

These estimates have not been adjusted to reflect the 2001 Census results.

Source:

Labour Force Survey (ONS)

Illegal Meat Imports

Tim Loughton: To ask the Chancellor of the Exchequer (1) how many people have been successfully prosecuted in each of the last six years for illegally importing meat products; [140994]

(2) how much has been spent by local authorities in Sussex in each of the last six years on prosecuting cases involving illegal importation of meat. [141055]

John Healey: In respect of HM Customs and Excise I refer the hon. Gentleman to the answer I gave to the hon. Member for Wealden (Mr. Hendry) on 14 October 2003, *Official Report*, column 143W. They brought two prosecutions in 2001.

In respect of prosecutions undertaken by agencies other than Customs, I refer the hon. Gentleman to the answer given to him by my hon. Friend the Member for Scunthorpe (Mr. Morley) on 10 March 2003, *Official Report*, column 70W.

Tim Loughton: To ask the Chancellor of the Exchequer (1) how many seizures of illegal meat imports by Customs have taken place at Heathrow airport since April; [140995]

(2) what amount of illegally imported meat products has been seized by HM Customs and their agents at UK ports of entry in each of the last six years. [140998]

John Healey: I refer the hon. Gentleman to the answer I gave to the hon. Member for Wealden (Mr. Hendry) on 27 October 2003, *Official Report*, column 40W. The figures published by Defra for total seizures of imported goods by all agencies, at ports of entry and elsewhere in 2001–02 and 2002–03 are 2,053 (114,790 kg) and 7,819 (109,211 kg) respectively. Figures for earlier years are not held centrally.

Tim Loughton: To ask the Chancellor of the Exchequer what inspections are carried out on imported cargo at Heathrow airport, and where, to check for illegally imported meat products. [140997]

John Healey: HM Customs and Excise inspect imported cargo on a risk-based and intelligence-led basis. Since 11 April 2003 risk assessments have included illegally imported meat products. Checks are carried out in the Customs controlled freight area and can vary from simple visual inspections to full physical examinations.

Tim Loughton: To ask the Chancellor of the Exchequer what specialist training is available to customs officers to detect illegally imported meat products. [140999]

John Healey: The operational skills required for detecting illegally imported meat and other animal products are the same as for Customs and Excise other anti-smuggling responsibilities. All customs officers involved in such work are trained in anti-smuggling techniques before commencing operational duties.

As part of the implementation of their new responsibilities in respect of illegal imports of meat and products of animal origin, HM Customs and Excise have provided specific training to existing anti-smuggling staff across the United Kingdom. Similar training has been incorporated into formal training programmes for staff who are new to anti-smuggling work or who are receiving structured refresher training.

The training covers the scope of the relevant regulations and the ontrols, the nature of the products subject to prohibition or restriction, dealing with seizures, links to other agencies and where to seek advice.

Tim Loughton: To ask the Chancellor of the Exchequer how many trained sniffer dogs are deployed for the detection of illegal meat imports at UK ports of entry; and where they are located. [141056]

John Healey: Customs deploy two meat detector dogs and a further four will be deployed early in the new year, as soon as their training is complete. All of these dogs can be deployed at any port or airport across the UK.

Tim Loughton: To ask the Chancellor of the Exchequer what powers of arrest are available to law enforcement officers operating at UK airports against people suspected of importing meat products illegally. [141058]

John Healey: Customs officers have powers under Sections 50 and 170 of the Customs and Excise Management Act 1979 to arrest any persons suspected of knowingly importing meat products illegally.

Imported Cargo

Tim Loughton: To ask the Chancellor of the Exchequer who is responsible for inspecting imported cargo at each major UK airport. [140996]

John Healey: HM Customs and Excise inspect imported cargo at airports and ports where there is reason to do so, for example to verify the import declaration or to check for prohibited or restricted goods. Other government departments or local authorities may also inspect specific cargoes in which they have a specific interest, in order to carry out their statutory duties.

Income Tax

Mr. Hoban: To ask the Chancellor of the Exchequer how much would be raised by increasing the basic rate of income tax by one pence on the residents of *(a)* Portsmouth Unitary Authority and *(b)* Southampton Unitary Authority. [141735]

Dawn Primarolo: The requested information is given in the table.

Additional full-year yield of increasing the basic rate of tax by 1p in 2000–01

	£ million
(a) Portsmouth Unitary Authority	13.0
(b) Southampton Unitary Authority	9.1

Estimates are based upon the 2000–01 Survey of Personal Incomes. The effects of the illustrative changes can be scaled up or down over a reasonably wide range. The results exclude any behavioural response to the tax change.

Payroll Giving

John Barrett: To ask the Chancellor of the Exchequer how much money has been donated by his Department as part of the Payroll Giving scheme in each year since 1995. [141376]

Ruth Kelly: Currently, 143 staff give a total of £3,400 each month to their chosen charities through payroll giving. This figure represents 12 per cent. of Treasury staff.

Information from the payroll prior to May 2003 is not available.

John Barrett: To ask the Chancellor of the Exchequer what assessment he has made of the effectiveness of the Payroll Giving scheme. [141377]

John Healey: In April 2000, the Government set a target to raise the amount given through Payroll Giving to £60 million by April 2003 and to increase the proportion of employees who have access to Payroll Giving schemes from an estimated 1 in 5 to 1 in 3. The total given in 1998–99 was £29 million and by 2002–03 was £86 million. The number of donors has risen from around 400,000 in 1998–99 to around 520,000 in 2002–03, although survey data from July 2003 indicated that there has been little increase in the proportion of employees with access to schemes.

While the growth in levels of giving has clearly exceeded expectations, and the rise in the number of donors is welcome, the Government remains keen to find ways to encourage greater access to schemes.

In the 2002 Pre-Budget Report we launched the Corporate Challenge. The aim of the Corporate Challenge is to increase business involvement in community activity in three main areas, one of which is corporate support for and promotion of Payroll Giving schemes.

John Barrett: To ask the Chancellor of the Exchequer what steps are being taken to promote use of the Payroll Giving to charities scheme. [141378]

John Healey: In April 2000, the Government introduced a number of measures to encourage charitable giving through Payroll Giving schemes. The maximum amounts that could be given each year under Payroll Giving was abolished; we announced a three-year publicity campaign to promote the scheme to employers and their employees and introduced a ten per cent supplement on all Payroll Giving donations until April 2003. The cost of the supplement is met from public expenditure. The supplement was extended for a further year until April 2004, to allow charity fundraisers to make the most of the boost to this method of giving.

In the 2002 Pre-Budget we launched the Corporate Challenge. The aim of the Corporate Challenge is to increase business involvement in community activity in three main areas, one of which is corporate support for and promotion of Payroll Giving schemes.

We also support The Giving Campaign, an independent, three year national campaign established as a partnership between Government and the voluntary sector, to encourage charitable giving and a culture of giving. The Campaign has, as one of its initiatives, been encouraging employers to develop strategies for giving by employees.

The amount given under Payroll Giving has increased from £29 million in 1998–99 to £86 million in 2002–03.

Pesticides Tax

Mr. Meacher: To ask the Chancellor of the Exchequer whether his Department has completed the further work and analysis on the design of a possible pesticides tax or other economic instrument to minimise the adverse effects of pesticide use as referred to in the Pre-Budget Report presented in autumn 2002. [141741]

John Healey: In 2001, the Government introduced the Voluntary Initiative to reduce the environmental impacts of pesticide use. Work on further or complementary measures, which could take the form of economic instruments, is on-going. The case for using any alternative measures will depend on the progress of the Voluntary Initiative.

Security Equipment (Tax Relief)

Mr. Jim Cunningham: To ask the Chancellor of the Exchequer what plans his Department has for tax relief on investment made by retailers in specified security equipment for stores under 3,000 square feet. [140863]

Dawn Primarolo: Capital spending by businesses, including retailers, on security equipment can qualify for tax relief through the capital allowances system. The generally available rate of writing-down allowances for spending on plant and machinery is 25 per cent. a year on the reducing balance basis. Small and medium-sized enterprises can claim 40 per cent. first-year allowances on their spending.

Suicides

Charles Hendry: To ask the Chancellor of the Exchequer what proportion of *(a)* males and *(b)* females under the age of 30 died as a result of suicide in each of the last 10 years. [140787]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Charles Hendry, dated 3 December 2003:

As National Statistician, I have been asked to reply to your recent question concerning the proportion of *(a)* males and *(b)* females under the age of 30 who died as a result of suicide in each of the last 10 years. (140787)

The most recent available mortality data are for the calendar year 2002 and cover England and Wales. The attached table contains suicide figures for each year from 1993 to 2002.

Number of total deaths and proportion of deaths from suicide and injury undetermined whether accidentally or purposely inflicted[1], aged under 30 by sex, England and Wales, 1993 to 2002[2]

	All deaths		Percentage due to suicide		Age-standardised suicide rate[3]	
Calendar year	Males	Females	Males	Females	Males	Females
1993	7,840	4,399	12.9	5.3	8.8	2.1
1994	7,642	4,134	14.0	5.2	9.4	1.9
1995	7,594	4,054	12.9	5.6	8.8	2.1
1996	7,411	4,077	12.4	5.6	8.5	2.1
1997	7,319	3,941	13.3	5.7	9.2	2.1
1998	6,983	3,811	14.0	6.0	9.4	2.2
1999	6,839	3,741	12.9	5.9	8.6	2.2
2000	6,472	3,566	12.7	6.0	8.0	2.1
2001	6,210	3,510	11.5	5.2	7.0	1.8
2002	6,128	3,287	11.2	6.1	6.8	2.0

[1] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes E950-E959 and E980-E989 excluding E988.8 for the years 1990 to 2000, and, for the year 2001 and 2002, the International Classification of Diseases, Tenth Revision (ICD-10) codes X60-X84 and Y10-Y34 excluding Y33.9 where the Coroner's verdict was pending.

[2] Figures are for deaths occurring per calendar year.

[3] Age-standardised rate per 100,000 standardised to the European standard population.

CULTURE, MEDIA AND SPORT

Activity Co-ordination Team

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport (1) if she will list the recommendations the Activity Co-ordination Team has made on a methodology to secure better evidence and data on participation; [140494]

(2) if she will list the *(a)* interventions and *(b)* pilot projects for which the Activity Co-ordination Team has provided funding; [140502]

(3) if she will list the recommendations the Activity Co-ordination Team has made to her to raise mass participation in sport and physical activity. [140504]

Mr. Caborn: The Activity Co-ordination Team (ACT) has been established by government to increase participation in physical activity and sport. ACT is not a funding body but in spring 2004 will provide ministers with a delivery plan setting out recommendations to co-ordinate initiatives and research across government for the three years up until March 1997.

I am arranging for copies of the Terms of Reference for ACT to be placed in the Libraries of both Houses.

Thornborough Henges

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with North Yorkshire County Council on allowing quarrying of sand and gravel in the setting of the henges; what assessment she has made of the effect on the archaeological value and integrity of the surrounding of the henges of such quarrying; and whether further planning applications have been lodged for further quarrying in the setting. [141446]

Keith Hill: I have been asked to reply

The responsibility for minerals planning in North Yorkshire rests with the County Council. It is required to consult widely when preparing its minerals development plan, including taking advice from English Heritage on archaeological matters. Similarly, English Heritage may make representations in respect of planning applications for sand and gravel extraction if it considers these may affect archaeological interests. No planning application for extraction of sand and gravel in the vicinity of Thornborough Henges has been received, to date, by North Yorkshire County Council. The Office of the Deputy Prime Minister has not made any assessment of the effect of any possible sand and gravel extraction on the archaeological value and integrity of the surrounding of the henges because that is the responsibility of the mineral planning authority.

Olympic Games

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport what steps she is taking to ensure that Ministers representing the United Kingdom abroad are adequately briefed on the London 2012 Olympic bid. [140506]

Tessa Jowell: All Ministers have been briefed on the International Olympic Committee's Code of Ethics and Rules of Conduct that applies to Applicant Cities. This advice included details of what Ministers could and could not do in support of the London 2012 bid, particularly in relation to overseas promotion, which cannot be undertaken until after November 2004.

The Foreign and Commonwealth Office have in place arrangements for overseas missions to alert their Public Diplomacy Policy Department to relevant visits by Ministers so that appropriate briefing on the London 2012 bid can be provided.

A working group of officials from Government Departments has been formed, chaired by DCMS, and has met regularly. The terms of reference for the group are to provide advice to the bidding organisation, London 2012, on the relevant Government interests in the bid and to provide advice on Olympic bid matters to Government Ministers.

DEFENCE

D-Day Anniversary

Mr. Laws: To ask the Secretary of State for Defence if he will make a statement on Royal representation at the D-Day commemoration events in Normandy in 2004. [141207]

Mr. Caplin: Invitations have now been received and are being considered. I will make a further announcement to the House shortly.

HMS Diligence

Mr. Hancock: To ask the Secretary of State for Defence what plans he has to replace repair ship HMS Diligence when she is decommissioned; and if he will make a statement. [140911]

Mr. Ingram: It is planned that the Forward Repair Ship Royal Fleet Auxiliary Diligence will remain in service until around the end of the decade. Decisions have yet to be taken on how best to deliver future Forward Repair capability.

Iraq

Harry Cohen: To ask the Secretary of State for Defence what the total annual cost of the United Kingdom military commitment to Iraq is, assuming current manning and equipment levels. [141184]

Mr. Ingram: For 2002–03, the cost of operations in Iraq totalled £847.211 million, comprising £629.531 million Operating Costs and £217.680 million Capital Costs.

For 2003–04, at the moment, the Ministry of Defence intends to seek a further £1.2 billion at Winter Supplementary Estimates to cover the likely costs of Operation Telic in 2003–04. This will cover primarily the cost of peacekeeping and associated Urgent Operational Requirements (UORs). It does not include the cost of the Recuperation of my Department's operational capability. This is still being assessed. The forecast for 2003–04 may change as a result of stock being returned from Iraq and its value being credited against the overall cost of the operation. An updated forecast of costs for 2003–04 will be published in the Spring Supplementary Estimates.

It is too early to say what costs might be incurred after 2003–04.

Merchant Ships

Mr. Carmichael: To ask the Secretary of State for Defence what percentage of merchant ships chartered by his Department to support allied efforts in the 2003 Iraq war *(a)* were over 20-years-old and *(b)* flew the red ensign. [140675]

Mr. Ingram: Some 37 per cent. of merchant ships chartered in support of the Iraq campaign were over 20-years-old. Some 31 per cent. of ships chartered flew the Red Ensign.

Missile Defence

Harry Cohen: To ask the Secretary of State for Defence whether there is a memorandum of understanding involving the UK Government in connection with missile defence; to what it commits the UK; and if he will make a statement. [141101]

Mr. Hoon: I refer the hon. Member to the answer I gave on 12 June 2003, *Official Report*, column 57WS announcing the signature of a Ballistic Missile Defence Memorandum of Understanding with the United States. A copy of the MOU is available in the Library of the House (Reference: DEP 03/2054).

Parliamentary Questions

Mr. Hancock: To ask the Secretary of State for Defence what steps he will take to increase the proportion of parliamentary questions tabled by hon. Members answered within the target time. [141077]

Mr. Caplin: Every effort is made to answer all parliamentary questions tabled by right hon. and hon. Members within the target time. Working practices and procedures, including IT, are continually reviewed to identify problem areas and improve performance.

Personnel Costs

Angus Robertson: To ask the Secretary of State for Defence (1) how much of its personnel budget the Defence Aviation Repair Agency spent in Scotland in 2002 in *(a)* monetary terms and *(b)* as a percentage of the total personnel budget; how these figures compare to the previous year; and if he will make a statement; [141021]

(2) how much of its personnel budget the Defence Science and Technology Laboratory spent in Scotland in 2002 in *(a)* monetary terms and *(b)* as a percentage of the total personnel budget; how these figures compare to the previous year; and if he will make a statement; [140986]

(3) how much of its personnel budget the MOD Police spent in Scotland in 2002 *(a)* in monetary terms and *(b)* as a percentage of the total personnel budget; what the equivalent figures were for 2002; and if he will make a statement; [141010]

(4) how much of its personnel budget the *(a)* Defence Bills Agency and *(b)* Meteorological Office spent in Scotland in 2002 in (i) monetary terms and (ii) as a percentage of the total personnel budget; how these figures compare to the previous year; and if he will make a statement; [140981]

(5) how much of its personnel budget the Defence Medical Education and Training Agency spent in Scotland in 2002 in *(a)* monetary terms and *(b)* as a percentage of the total personnel budget; what these figures were 12 months previously; and if he will make a statement; [141006]

(6) how much of its personnel budget the *(a)* UK Hydrographic Office and *(b)* Defence Analytical Services Agency spent in Scotland in 2002 in (i) monetary terms and (ii) as a percentage of the total personnel budget; what the figures were 12 months previously; and if he will make a statement; [140971]

(7) how much of its personnel budget Defence Estates spent in Scotland in 2002 *(a)* in monetary terms and *(b)* as a percentage of the total personnel budget; what the equivalent figures were 12 months previously; and if he will make a statement; [141004]

(8) how much of its personnel budget the *(a)* Veterans Agency and *(b)* Disposal Services Agency spent in Scotland in 2002 in (i) monetary terms and (ii) as a percentage of the total personnel budget; what the figures were 12 months previously; and if he will make a statement; [140958]

(9) how much of its personnel budget the *(a)* British Forces Post Office and *(b)* Warship Support Agency spent in Scotland in 2002 in (i) monetary terms and (ii) as a percentage of the total personnel budget; what the figures were 12 months previously; and if he will make a statement. [140967]

Mr. Ingram: Regional spending figures for personnel costs are not held centrally and could be provided only at disproportionate cost.

School Places

Mr. Foulkes: To ask the Secretary of State for Defence (1) what proportion of the money his Department spent on school places for children of service personnel was spent in the independent sector in each year since 1996; and what he estimates the proportion will be in 2003; [140563]

(2) what the average cost to his Department was of the school places provided for the children of service personnel in independent and private schools in each year since 1996. [140564]

Mr. Caplin: The information is not held in the format requested.

The various annual rates of Service Education Allowances per child, from 1996 onwards are shown in the following table:

Allowance (£)

	1996–97	*1997–98*	*1998–99*	*1999–00*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Boarding								
Junior	5,943	6,243	6,507	7,314	7,554	8,034	8,700	9,525
Senior	7,050	7,407	7,707	8,649	9,216	10,146	11,166	12,060
Day								
Junior	—	3,606	3,954	4,263	4,482	4,797	5,163	5,742
Senior	—	4,578	4,845	5,550	5,871	6,375	6,900	7,494
Special Educational Needs (SENA)	—	—	—	—	18,000	18,000	18,000	18,000
SENA (Day)	—	—	—	—	12,000	12,000	12,000	12,000

Junior rates are usually paid for Service children aged eight to 11. Senior rates are usually paid for Service children aged 11 to 18.

Service Pensions

Brian Cotter: To ask the Secretary of State for Defence (1) what action he is taking to ensure that members of the armed forces are not affected by future pension troughs; [141641]

(2) what the outcome was of recent discussions between his Department and the Forces Pension Society on remedying the effects of the pensions trough affecting Service personnel between 1976 and 1978. [141640]

Mr. Caplin: I met Air Chief Marshal Sir Roger Palin and Major General James Gordon from the Forces Pension Society (FPS) on 19 November 2003. During our discussions, I recognised the strength of feeling among those ex-Service personnel affected by pension troughs and the Society's concern that a remedy should be found for this. However, after careful consideration of the matter, I informed the Society that I did not intend to revisit this issue.

The cost of uplifting only future payments of those affected by the mid-1970s trough would be very substantial and it would be impossible to avoid extending any change to those, whether in the armed forces or more widely, affected by other pensions troughs. It has been the policy of successive Governments that it would not be appropriate to make retrospective change to pension entitlements.

For the future, and reflecting the Society's concerns, Service personnel who become members of the new Armed Forces Pension Scheme will be less exposed to the effects of any periods of pay restraint and high inflation because their pensions will be based on their best earnings in the last three years of Service, with earlier years' earnings up-rated for inflation.

Typhoon

Miss McIntosh: To ask the Secretary of State for Defence (1) whether the Typhoon will be fitted with the technology to make it capable of integrating with a network-centric warfare environment; [140568]

(2) what assessment he has made of the effect of a lack of network-centric warfare technology on the Typhoon's ability to fight effectively in a network-centric warfare environment. [140569]

Mr. Ingram: We plan to fit Typhoon with technology which will make it capable of integrating with a network-centric warfare environment. Specifically, we plan to equip it with a Multi-function Information Distribution Systems (MIDS). This will allow it to access National, NATO and coalition Link-16 networks. This will enable Typhoon to access threat and targeting data supplied by other aircraft as well as by maritime and land based units.

Consequently, no assessment is required of the effect of the lack of such a capability.

HOME DEPARTMENT

Legislation

Mr. Redwood: To ask the Secretary of State for the Home Department what percentage of *(a)* primary and *(b)* secondary legislation sponsored by his Department in 2002–03 was introduced to implement EU requirements. [141131]

Caroline Flint: The Home Office sponsored five Bills during the 2002–03 Session, which made a total of approximately 868 pages once enacted. One of the Bills (now the Crime (International Co-operation) Act 2003, 90 pages) predominantly implements EU requirements. Another (now the Extradition Act, 136 pages long) partly implements EU requirements. The other three Bills were not introduced to implement EU requirements.

Of the 240 Statutory Instruments produced by the Home Office during the same Session that fell to be considered by the Joint Committee on Statutory Instruments only five were introduced to implement EU requirements. These Instruments made up only 74 pages out of the total of 438 pages of Instruments produced during the Session.

Murder Investigations

John Mann: To ask the Secretary of State for the Home Department how many detectives are working full-time on murder investigations in Nottinghamshire, expressed as a percentage of all detectives. [140578]

Ms Blears *[holding answer 1 December 2003]*: We do not hold this information centrally. The deployment of police in a particular force is an operational matter for the Chief Constable to allow him/her to respond to local needs.

Police

Paddy Tipping: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* police civilian staff were employed by Nottinghamshire Police on 31 March of each year since 31 March 1997. [140768]

Ms Blears: The information requested is set out in the table and includes the latest published police officer strength for 31 August 2003. At the end of August Nottinghamshire Constabulary had record strength.

Nottinghamshire Constabulary

	Police officers[1]	*Police staff*[1]
31 March 1997	2,323	1,003
31 March 1998	2,323	987
31 March 1999	2,225	1,039
31 March 2000	2,204	1,024
31 March 2001	2,275	1,039
31 March 2002	2,330	1,087
31 March 2003	2,426	1,180
31 August 2003	2,468	n.a.

[1] Data is for full-time equivalent strength

Mr. Woodward: To ask the Secretary of State for the Home Department how many police officers served *(a)* St Helens, *(b)* Merseyside and *(c)* the North West region in each year since 1992. [141291]

Ms Blears: Information for police strength in the Merseyside Police and the police forces that make up the Government Office area for the North-west are set out in the table for each year since 1992.

Information on police strength at Basic Command Unit level has only been collected on a regular basis since 2002. The St Helen's Basic Command Unit's strength has increased from 316 police officers on 31 March 2002 to 322 on 31 March 2003.

I am told that Merseyside Police aim to have 4,208 police officers by 31 March 2004. On 31 March 2003 Merseyside Police had 1,752 police (support) staff which is 409 more than in March 1997. The force also plans to have 100 Community Support Officers by 31 March 2004.

Police strength for Merseyside Police and North West region for March 1992 to August 2003

Year[1]	*Merseyside police*	*North West Region*
1992	4,621	17,933
1993	4,669	18,040
1994	4,693	17,906
1995	4,659	18,007
1996	4,411	17,633
1997	4,230	17,590
1998	4,216	17,628
1999	4,211	17,463
2000	4,085	17,153
2001	4,081	17,296
2002	4,125	17,804
2003	4,099	18,040
2003[2]	4,123	18,508

[1] As at 31 March

[2] As at 31 August

Road Safety

Mr. Chope: To ask the Secretary of State for the Home Department what proportion of speed cameras are in compliance with European standards of accuracy. [141545]

Ms Blears *[holding answer 2 December 2003]*: From July 2003, in line with European standards, all new speed cameras will be required to be accurate to ± 2 mph up to 66 mph and ± 3 per cent. above 66 mph.

This has not yet been implemented for existing cameras, but we consider that all cameras are in fact already accurate to this level.

Speed camera accuracy is enforced by the type approval system. In order for evidence from them to be used in Court proceedings, all speed cameras have to be of a type approved by the Secretary of State after rigorous testing against set specifications. Testing ensures that devices are robust, reliable and can produce accurate readings or images under a variety of extreme conditions. In addition all cameras are subjected to annual checks to ensure their continuing accuracy.

Vehicle Crime

Mr. Chope: To ask the Secretary of State for the Home Department what action his Department has taken to implement the recommendations in "Tackling Vehicle Crime: a First Year Strategy", on promoting the use of vehicle perimeter security and laminate glazing; and if he will make a statement. [141546]

Ms Blears *[holding answer 2 December 2003]*: The Home Office New Car Security Guidance published in 1998 encouraged manufacturers to make further improvements in car security. This included more widespread fitting of laminated glazing on side and rear windows which could resist attack by methods commonly used by criminals for a minimum of 30 seconds; and locks that could resist criminal attack for a minimum of two minutes.

We aim to raise motorists awareness of the value of better perimeter security through Home Office publicity material, particularly the booklet "Steer Clear of Car Crime" and our website www.secureyourmotor.gov.uk. We have also worked with the AA Motoring Trust, the Department for Transport (DfT) and the insurance industry to translate the insurers' security assessments used for insurance group ratings into a five star rating system (available on www.ncsr.co.uk). This allows car buyers to compare the ability of different makes and models of cars to resist theft, both of the car and of its contents. The insurance industry now also provides similar information in relation to vans and trucks. We help raise motorists' awareness of all this information through links from Home Office and Department for Transport websites.

FOREIGN AND COMMONWEALTH AFFAIRS

Ascension Island

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs how many acres of land are occupied by the United States on *(a)* Wide Awake airfield and *(b)* Ascension Island; and how many acres of land the United States lease in addition to Wide Awake airfield from (i) the UK Government and (ii) the Ascension Island Government for their exclusive use and at no rent. [141551]

Mr. Mike O'Brien: The United States occupy 1,196 acres for Wide Awake Airfield and 2,404 additional acres of land on Ascension Island, making a total of 3,600 acres. This land is provided, rent-free, under the terms of the 1956 Bahamas Long Range Proving Ground Agreement (and subsequent Exchanges of Notes) between the United Kingdom and the United States. There are no Agreements between the United States and the Ascension Island Government.

Commonwealth Summit

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent discussions he has held with his counterpart from Nigeria concerning the attendance of Zimbabwean officials at the Commonwealth Summit to be held in Abuja in December; and if he will make a statement. [140821]

Mr. Straw: I hope to meet the Nigerian Foreign Minister during Her Majesty's pre-CHOGM State Visit to Nigeria. The Deputy Prime Minister spoke to President Obasanjo about Zimbabwe in the margins of the latter's inauguration in May. I met President Obasanjo in New York in September during which we discussed Zimbabwe. Our High Commissioner in Abuja has made our position on Zimbabwe clear to the President and other leading Nigerian politicians and officials on many occasions. We have also made the Nigerian High Commission in London aware of our position. President Obasanjo has announced that Zimbabwe will not be invited to the Commonwealth Heads of Government Meeting.

Gibraltar

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans his Department has for celebrations to mark the 300th anniversary of British rule in Gibraltar; what plans his Department has to promote the anniversary; and if he will make a statement. [140837]

Mr. Straw: I refer the right hon. Member to the statement of the Government's intentions on this matter given by my right hon. Friend the Secretary of State for Defence during his intervention in the debate on the Gracious Speech on 27 November 2003, *Official Report*, columns 224–25.

United States

Ann Clwyd: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with its US counterparts about the US Blue Lantern end-use monitoring programme; and if he will make a statement. [140725]

Mr. MacShane: I refer my hon. Friend to the answer I gave my hon. Friend the Member for Brent, North (Mr. Gardiner) on 11 November 2003, *Official Report*, column 202W.

War on Terrorism

Miss McIntosh: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact of the conflict in Iraq on the war on terrorism. [140585]

Mr. MacShane: International co-operation has had and is continuing to have a substantial negative effect on al-Qaeda and associated groups. This co-operation has not been affected by coalition action in Iraq and is continuing at a high level. The establishment of a stable, democratic Iraq enjoying the proper rule of law will be Iraq's best defence against terrorism and will more effectively defeat the cause of al-Qaeda and other international terrorist groups.

HEALTH

Ambulances

David Davis: To ask the Secretary of State for Health whether all ambulances are required to carry at least one paramedic on every call. [140814]

Ms Rosie Winterton: Current departmental guidance requires that front line ambulances should have a paramedic if responding to an emergency call. Ambulances answering urgent or non-emergency calls are not required to have a paramedic crew member.

Alcohol Misuse

Dr. Murrison: To ask the Secretary of State for Health what assessment he has made of changes in the level of alcohol abuse among young women; and what measures he will take to reduce it. [1 1046]

Miss Melanie Johnson: Data on the level of alcohol abuse among young women are shown in the table. This suggests that, although a cause for concern, the numbers remain constant.

Drinking last week among women aged 16 to 24, England, 1998 to 2001

Percentages

	1998	*2000*	*2001*
Drank nothing last week	38	38	41
Drank up to three units on at least one day	20	23	20
Drank more than three and up to six units on at least one day	10	13	13
Drank more than six units on at least one day	23	26	26

Source:

Derived from Office for National Statistics: General Household Survey, published as "Living in Britain, Results from the 2001 General Household Survey", available at: http://www.statistics.gov.uk/lib2001/index.html

Alcohol use and misuse among young women will be examined as part of the work on the development of the Government's Alcohol Harm Reduction Strategy for England. The strategy will be published in time for implementation to begin in 2004, in line with the commitment given by the Government in the NHS Plan.

Alcoholic Liver Disease

Mr. Burstow: To ask the Secretary of State for Health how many finished consultant episodes related to alcoholic liver disease there were in *(a)* England and *(b)* each region in each year since 1997. [140475]

Miss Melanie Johnson: The number of finished consultant episodes related to alcoholic liver disease within national health service hospitals by region and nationally are shown in the table.

Region of treatment	*1997-98*	*1998-99*	*1999-2000*	*2000-01*	*2001-02*
Y00 Not known	2	—	—	—	—
Y01 Northern and Yorkshire Regional Office	1,700	1,934	2,030	2,272	2,323
Y02 Trent Regional Office	1,143	1,256	1,588	1,795	1,765
Y03 Anglia and Oxford Regional Office	1,033	1,180	n/a	n/a	n/a
Y04 North Thames Regional Office	1,795	1,640	n/a	n/a	n/a
Y05 South Thames Regional Office	1,504	1,620	n/a	n/a	n/a
Y06 South and West Regional Office	1,555	1,741	n/a	n/a	n/a
Y07 West Midlands Regional Office	1,688	1,786	1,857	1,907	1,982
Y08 North and West Regional Office	2,627	2,532	2,985	3,226	3,600
Y09 Eastern Regional Office	n/a	n/a	1,348	1,588	1,696
Y10 London Regional Office	n/a	n/a	2,273	2,255	2,284
Y11 South East Regional Office	n/a	n/a	1,872	1,796	2,055
Y12 South West Regional Office	n/a	n/a	1,419	1,583	1,701
England	13,047	13,689	15,372	16,422	17,406

Source:

Hospital Episode Statistics (HES), Department of Health.

Mr. Burstow: To ask the Secretary of State for Health how many bed days relating to alcoholic liver disease there were in England in 1997–98. [140476]

Miss Melanie Johnson: The number of bed days in national health service hospitals in England in 1997–98, where patients were admitted with a primary diagnosis of alcoholic liver disease, was 106,943.

Cancer Care

Mr. Ben Chapman: To ask the Secretary of State for Health if he will make a statement on progress in meeting targets set by the National Cancer Plan. [140545]

Miss Melanie Johnson: Thanks to major additional investment and the hard work of those working in the national health service, we are making real progress in implementing the NHS Cancer Plan and patients are benefiting from improvements across all aspects of cancer care.

For example, there are an extra 941 cancer consultants compared with 1997; nearly 99 per cent. of people with suspected cancer are now seen by a specialist within two weeks of being referred by their general practitioner; we have improved the quality of breast screening by the introduction of two view mammography and are extending the breast screening service to include women aged 65 to 70. This has resulted in nearly 200,000 extra women being invited for breast screening since April 2001. Since April 2000, we have delivered over 950 of the most modern pieces of equipment to diagnose and treat cancer to hospitals. We have increased the NHS funding of specialist palliative care by £50 million a year, an increase of nearly 40 per cent., and latest figures show a reduction of 10 per cent. in the death rate from cancer.

Mr. Ben Chapman: To ask the Secretary of State for Health if he will make a statement on radiotherapy capacity in the UK relative to that in other European countries. [140551]

Miss Melanie Johnson: The Department is aware of the recent Royal College of Radiologists publication on radiotherapy capacity, which included a selective comparison with three European countries. It provided data on 'megavoltage machines' (including cobalt units) rather than linear accelerators (linacs). Linacs in England are provided with modern treatment facilities as standard, rather than older cobalt units.

The number of linacs installed is projected to increase from 140 in 1997 to over 200 by the end of 2004 through central funding, in line with the commitment in the NHS Cancer Plan to achieve four linacs per million population.

Mr. Ben Chapman: To ask the Secretary of State for Health what action his Department is taking to increase radiotherapy capacity in line with increased demand. [140552]

Miss Melanie Johnson: Access to radiotherapy equipment has improved steadily since 1997. The number of linear accelerators (linacs) installed is projected to increase from 140 in 1997 to over 200 by the end of 2004 through central funding, in line with the commitment in the NHS Cancer Plan to achieve four linacs per million population.

Capacity and demand projections are being determined locally by cancer networks alongside local stakeholders.

Carers

Dr. Starkey: To ask the Secretary of State for Health (1) what assessment his Department has made of the administrative costs of the voucher system for Carers' Short Breaks; and what proportion they are of the total spending; [140685]

(2) how much funding was allocated this financial year for the Carers' Short Break scheme; and what proportion of this has been spent on voucher schemes; [140686]

(3) when his Department will review the operation of the vouchers available under the Carers' Short Break scheme, introduced in May 2003. [140687]

Dr. Ladyman: Under the Carers and Disabled Children Act 2000, councils have discretion to establish short break voucher schemes for carers. The intention is that flexible schemes should be developed in consultation with stakeholders according to local need. Voucher schemes will be attractive to some carers, but it is not the intention that all breaks services should be delivered through vouchers. Vouchers were introduced to widen the choice available to carers.

In 2003–04, the Carers Grant is worth £100 million to support councils in the provision of breaks and services direct to carers. The conditions of the grant ensure that the majority of this money is for flexible breaks services. Information about the proportion of this sum, that is delivered through vouchers, is not held centrally.

The Government have no current plans to review the operation of voucher schemes.

Correspondence

Mr. Burstow: To ask the Secretary of State for Health when he will reply to the letter of 10 October from the hon. Member for Sutton and Cheam concerning continuing care. [140786]

Dr. Ladyman *[holding answer 1 December 2003]*: The reply was sent on 25 November 2003.

Mr. Baron: To ask the Secretary of State for Health when he will reply to the letter dated 15 September, from the hon. Member for Billericay, regarding the group known as Radiotherapy Action Group Exposure. [140635]

Miss Melanie Johnson: A response was sent to the hon. Member on 27 November 2003.

Debt Payment

Brian Cotter: To ask the Secretary of State for Health how many claims for statutory interest payments have been submitted to his Department under the terms of the Late Payment of Commercial Debt (Interest) Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141600]

Ms Rosie Winterton: The Department has not received any claims for interest under the terms of the Late Payment of Commercial Debt Act 1998, and no interest has been paid since the Act came into force on 1 November 1998.

Dockyard Radiation Workers

Mr. Hancock: To ask the Secretary of State for Health what recent research he has *(a)* initiated and *(b)* evaluated on the possible leukaemia threat to the children of dockyard radiation workers. [140921]

Miss Melanie Johnson: The Department is funding an investigation of the geographical distribution of childhood cancer and leukaemia in Great Britain (England, Wales and Scotland) and how the pattern of cases around nuclear installations compares with the national pattern.

When the study is complete, the Department will ask the Committee on Medical Aspects of Radiation in the Environment (COMARE) to advise on which, if any, nuclear installations in Great Britain have incidences of childhood cancer and leukaemia in their vicinity which are statistically outside the distribution seen nationally. COMARE is hoping to report on this aspect of the study to the Department in 2004. The study includes all cases of childhood cancer registered from the 1960s up to the late 1990s, and will include the children of dockyard radiation workers.

Food Supplements

Mr. Stunell: To ask the Secretary of State for Health if he will list the EU meetings held in 2003 which *(a)* Ministers and *(b)* officials from the Department have attended where the maximum permitted level of nutrients in food supplements was discussed; and if he will make a statement. [141411]

Miss Melanie Johnson: The European Commission has not yet made a proposal listing European Union maximum permitted levels for vitamins and minerals in food supplements and we do not expect it to do so for another two to three years. There have been no EU meetings dedicated to the discussion of these levels in 2003.

Until discussions on a formal proposal begin, the United Kingdom will continue to take every opportunity to press its view that maximum levels should be set on a safety basis. To this end, the UK is using its influence in both scientific and political forums. In 2003, Food Standards Agency officials attended two scientific meetings at which maximum permitted levels were discussed in the context of risk assessment and the UK approach was clearly stated on both occasions.

I intend to raise this issue with Ministers in other member states as and when appropriate, although no specific discussions have taken place in 2003. I am also seeking to arrange a meeting with Commissioner David Byrne at the earliest practical opportunity.

Influenza

Mr. Burstow: To ask the Secretary of State for Health what measures are in place to *(a)* acquire and *(b)* store drugs to treat influenza. [141755]

Miss Melanie Johnson: General practitioners order their own supply of flu vaccine direct from one of the six suppliers of vaccine this year, based on the timing of their flu clinics and storage capabilities.

Mr. Lansley: To ask the Secretary of State for Health what assessment he has made of the *(a)* effectiveness and *(b)* benefit for use in the NHS of FluMist as a vaccine for influenza. [141312]

Miss Melanie Johnson: FluMist is not currently licensed for use in Europe or the United Kingdom.

Intensive Care

Mr. Lansley: To ask the Secretary of State for Health how many intensive care beds were available in the NHS on *(a)* 1 April and *(b)* the latest date for which figures are available. [141318]

Ms Rosie Winterton *[holding answer 2 December 2003]:* A census of critical care beds is conducted twice every year in January and July. The latest figures available for 2003 are shown in the table.

Open and staffed adult critical care provision on census day—NHS Organisations, England

Census Day	*Level 3 Intensive Care*	*Level 2 High Dependency*	*Total critical care*
15 January 2003	1,746	1,351	3,097
16 July 2003	1,731	1,397	3,128

The census on critical care provision is a snapshot of the number of beds open, available and staffed for critically ill patients at a point in time. As a result, both the overall number of beds and the number of level 3 (equivalent of intensive care) and level 2 (equivalent of high dependency) beds will fluctuate from day-to-day and hour-to-hour, according to patient need and staff availability.

Myalgic Encephalomyelitis

Mr. Wiggin: To ask the Secretary of State for Health what programmes are in place for training doctors in treatment of myalgic encephalomyelitis. [141190]

Dr. Ladyman: Responsibility for the content, standards, management and delivery of medical education is shared between regulatory bodies, for example, the General Medical Council and the Specialist Training Authority, professional bodies, notably the medical Royal Colleges, universities, the Department and the national health service. We expect that these bodies will take account of the latest developments in medicine when developing their syllabuses.

General practitioners are expected to keep their professional skills up-to-date, and learning will always continue even if formal training has ceased.

We are however taking steps to improve services for patients with chronic fatigue syndrome/myalgic encephalomyelitis (CFS/ME). On 12 May 2003, my right hon. Friend the Member for Redditch (Jacqui Smith), announced pump priming funding of £8.5 million to develop services for people with CFS/ME.

The Medical Research Council published a research strategy for CFS/ME on 1 May 2003. The strategy will enable researchers and funders to develop research proposals on all aspects of this illness. It was developed by an independent research advisory group in response to a request from the Chief Medical Officer, and was informed by contributions from patients, carers, charities, researchers and clinicians via a consultation exercise in summer 2002.

Multiple Sclerosis

Mr. Baron: To ask the Secretary of State for Health pursuant to his answer of 10 November 2003, *Official Report*, column 136W, on multiple sclerosis, if he will break down by nominated prescribing centres *(a)* the MS patients receiving treatment as at 10 November 2003 and *(b)* the MS patients waiting to be assessed for treatment with disease modifying therapies; and if he will make a statement on significant differences between health authorities in the prescribing of beta interferon. [140721]

Dr. Ladyman *[holding answer 2 December 2003]:* We do not hold appropriate data to provide such a breakdown. It is estimated that at the end of October 2003, about 7,000 patients were being treated with a disease modifying treatment for their multiple sclerosis.

National Service Framework

Mr. Baron: To ask the Secretary of State for Health if he will make a statement on progress towards the development of the National Service Framework for long-term conditions. [140720]

Dr. Ladyman *[holding answer 2 December 2003]*: The national service framework (NSF) for long term conditions will focus on improving the standard of neurology services across England. It will also address some of the generic issues that are important to people with non-neurological disabilities, such as access to rehabilitation services; provision of good quality information; support for carers; and, access to community equipment, assistive technology and wheelchairs.

We appointed the external reference group last November and have since set up several working groups which have been making recommendations and considering areas and issues for proposed standards. We are making good progress and currently plan to publish the NSF at the end of next year for implementation from 2005.

Nursing Homes

Mr. Laurence Robertson: To ask the Secretary of State for Health what percentage of people in nursing homes are in each costings band; what determines which band people are placed in; and if he will make a statement. [141945]

Dr. Ladyman: This information is not collected centrally. National health service nurses are responsible for assessing the band or level of input from a registered nurse to someone's care in a care home.

Sexual Health

Mr. Burns: To ask the Secretary of State for Health how many *(a)* males and *(b)* females were diagnosed with (i) syphilis, (ii) gonorrhoea, (iii) chlamydia (uncomplicated), (iv) herpes (first incidence), (v) genital warts (first incidence), (vi) HIV/AIDS, (vii) trichomonas vaginalis and (viii) non-specific urethritis in each year from 1996 to the latest available date; and what the percentage change in the number of people diagnosed with each condition was in each year. [140600]

Miss Melanie Johnson: The number of diagnoses of syphilis, gonorrhoea, chlamydia (uncomplicated), herpes (first incidence), genital warts (first incidence), trichomoniasis vaginalis and non-specific urethritis diagnosed in genitourinary medicine clinics in England between 1996 and 2002 are shown in table 1. The number of new diagnoses of HIV infection in England made to the Health Protection Agency, Communicable Disease Surveillance Centre over the same period are shown in table 2.

Table 1: Sexually Transmitted Disease data for England correct as at 28 November 2003

	1996	*1997*	*% change 1996–97*	*1998*	*% change 1997–98*	*1999*	*% change 1998–99*
Primary and secondary infectious syphilis[1]							
Male (all)	84	98	+17	87	-11	156	+79
Female	32	49	+53	44	-10	55	+25
Total	116	147	+27	131	-11	211	+61
Early latent syphilis (first two years)[1]							
Male (all)	88	77	-13	87	+13	122	+40
Female	57	55	-4	58	+5	75	+29
Total	145	132	-9	145	+10	197	+36
Uncomplicated gonorrhoea							
Male (all)	7,911	8,418	+6	8,446	0	10,677	+26
Female	3,977	3,981	0	4,089	+3	4,880	+19
Total	11,888	12,399	+4	12,535	+1	15,557	+24
Uncomplicated genital chlamydial infection							
Male (all)	13,946	16,180	+16	18,937	+17	21,808	+15
Female	18,526	22,659	+22	24,975	+10	29,196	+17
Total	32,472	38,839	+20	43,912	+13	51,004	+16
Uncomplicated non-gonococcal/non-specific urethritis in males							
Male (all)	46,781	48,677	+4	51,951	+7	53,333	+3
Female	—	—	—	—	—	—	—
Total	46,781	48,677	+4	51,951	+7	53,333	+3
Trichomoniasis							
Male (all)	242	255	+5	298	+17	641	+115
Female	5,360	5,713	+7	5,877	+3	5,448	-7
Total	5,602	5,968	+7	6,175	+3	6,089	-1
Genital herpes simplex—first attack							
Male (all)	5,755	5,597	-3	6,140	+10	6,039	-2
Female	9,453	9,482	0	9,675	+2	9,852	+2
Total	15,208	15,079	-1	15,815	+5	15,891	0
Genital warts—first attack							
Male (all)	27,113	30,239	+12	30,782	+2	31,908	+4
Female	27,583	28,472	+3	28,899	+1	29,322	+1
Total	54,696	58,711	+7	59,681	+2	61,230	+3

Diagnoses	*2000*	*% change 1999–2000*	*2001*	*% change 2000–01*	*2002*	*% change 2001–02*
Primary and secondary infectious syphilis[1]						
Male (all)	247	+58	618	+150	1,062	+72
Female	75	+36	99	+32	137	+38
Total	322	+53	717	+123	1,199	+67
Early latent syphilis (first two years)[1]						
Male (all)	126	+3	268	+113	331	+24
Female	93	+24	99	+6	121	+22
Total	219	+11	367	+68	452	+23
Uncomplicated gonorrhoea						
Male (all)	14,290	+34	15,666	+10	16,980	+8
Female	6,225	+28	6,747	+8	7,417	+10
Total	20,515	+32	22,413	+9	24,397	+9
Uncomplicated genital chlamydial infection						
Male (all)	26,632	+22	29,602	+11	34,341	+16
Female	34,815	+19	38,644	+11	43,796	+13
Total	61,447	+20	68,246	+11	78,137	+14
Uncomplicated non-gonococcal/non-specific urethritis in males						
Male (all)	56,147	+5	59,677	+6	62,068	+4
Female	—	—	—	—	—	—
Total	56,147	+5	59,677	+6	62,068	+4
Trichomoniasis						
Male (all)	731	+14	733	0	571	22
Female	6,036	+11	6,282	+4	6,639	+6
Total	6,767	+11	7,015	+4	7,210	+3
Genital herpes simplex—first attack						
Male (all)	6,190	+3	6,507	+5	6,526	0
Female	9,976	+1	10,575	+6	10,990	+4
Total	16,166	+2	17,082	+6	17,516	+3
Genital warts—first attack						
Male (all)	32,067	+0	32,819	+2	34,006	+4
Female	28,711	-2	29,777	+4	29,992	+1
Total	60,778	-1	62,596	+3	63,998	+2

[1] Numbers will increase, particularly for recent years as late reports are received.

Notes:

Numbers of diagnoses of syphilis, broken down into:

(a) Primary and secondary infectious syphilis

(b) Latent syphilis in the first two years of infection

Source:

Health Protection Agency.

Table 2: Number of new diagnoses of HIV infection in England by sex and year of diagnosis

Sex	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*[1]	*2002*[1]
Males	1,937	1,895	1,914	1,979	2,298	2,882	3,112
Percentage increase from previous year	—	–2.2	1	3.4	16.1	25.4	8
Females	537	613	703	895	1315	1,849	2,281
Percentage increase from previous year	—	14.2	14.7	27.3	46.9	40.6	23.4
Total[2]	2,474	2,509	2,618	2,876	3,613	4,731	5,393
Percentage increase from previous year	—	1.4	4.3	9.9	25.6	30.9	14

[1] Numbers will increase, particularly for recent years as late reports are received.

[2] Totals include (four) individuals where sex was not reported.

Note:

Data are as reported to the end of September 2003

Source:

Health Protection Agency

WORK AND PENSIONS

Age Discrimination

Mr. Waterson: To ask the Secretary of State for Work and Pensions how many times the Ministerial Group for Older People and Age Discrimination has met in the last 12 months. [141588]

Malcolm Wicks: It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This is covered by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Child Support Agency

Mr. Goodman: To ask the Secretary of State for Work and Pensions what targets Child Support Agency staff have for the transfer of old CSA cases to the new scheme. [140877]

Mr. Pond: There are no Public Service Agreement or Secretary of State's operational performance targets for the transfer of old cases to the new scheme. We will make a decision on the transfer of old scheme cases only once we are sure that the new scheme is working well.

Mr. Goodman: To ask the Secretary of State for Work and Pensions if he will put inactive Child Support Agency cases waiting to be transferred from the old to the new scheme into abeyance; and if he will make a statement. [140901]

Mr. Pond: Plans for transferring the old scheme caseload to the new scheme have yet to be finalised.

Mr. Goodman: To ask the Secretary of State for Work and Pensions if he will make a statement on the mechanisms for phasing in child support payments by people who transfer to the new scheme. [140903]

Mr. Pond: To give parents who have existing child support assessments time to adjust to the new amounts, child support liability will be phased over a period of five years and in stages of £2.50, £5 or £10, depending on the non-resident parent's net weekly income.

Community Care Grants

Mr. Carmichael: To ask the Secretary of State for Work and Pensions (1) how many applications were made for community care grants in each of the last six years in *(a)* Orkney and Shetland and *(b)* Grampian, Moray, Orkney and Shetland District; what proportion of applications were rejected; what proportion were considered (i) high, (ii) medium and (iii) low priority; what proportion of high priority, medium priority and low priority awards were paid; and what the average amount (A) applied for, (B) awarded and (C) paid was in each category of priority; [140598]

(2) what the Social Fund Budget for community care grants was in *(a)* Orkney and Shetland and *(b)* Grampian, Moray, Orkney and Shetland District in the last six years in (i) cash and (ii) real terms; how much the budget has been overspent or underspent; and what the value was of in-year allocations for each year. [140599]

Mr. Pond: The available information is in the tables.

Community Care Grant applications received and proportions refused for Grampian, Moray, Orkney and Shetland Jobcentre Plus District (previously Grampian and Shetland) in each of the last six years

	District	*Applications received*	*Proportion refused (percentage)*
1997–98	Grampian and Shetland	6,760	79.3
1998–99	Grampian and Shetland	7,010	79.2
1999–2000	Grampian and Shetland	4,160	64.8
2000–01	Grampian and Shetland	3,890	62.9
2001–02	Grampian and Shetland	3,730	55.1
April to October 2002	Grampian and Shetland	2,110	62.4
November 2002	Area covered by new district	370	39.4
December 2002 to March 2003	Grampian, Moray, Orkney and Shetland	1,480	55.4

Notes:

1. In November 2002, the Jobcentre Plus district of Grampian, Moray, Orkney and Shetland was formed by combining Grampian and Shetland Social Fund district with part of Highlands and Islands Social Fund district. For the months before the boundary change as a whole data are given for the old district, for the month of the boundary change data is given for the area covered by the new district, and for the months after the boundary change as a whole data is given for the new district. Data are not available for part months.
2. Data are not available by parliamentary constituency or local authority.
3. Prior to April 1999, it was possible to make a dual application for a Community Care Grant (CCG) and for a Budgeting Loan (BL). One dual application is counted as one application for a CCG and one for a BL.
4. The number of applications is rounded to the nearest 10.
5. When an application is refused, no award is made. Figures refer to initial decisions only.
6. The data requested on CCG priority are not available.

Source:

All data are taken from the Social Fund Policy, Budget and Management Information System.

Community Care Grants budget for Grampian, Moray, Orkney and Shetland Jobcentre Plus District (previously Grampian and Shetland) in each of the last six years

£

	Original budget (cash terms)	*Boundary change reallocation (cash terms)*	*Original budget (real terms)*	*Boundary change reallocation (real terms)*	*Underspend (cash terms)*
1997–98	564,620	0	633,856	0	146
1998–99	570,865	0	623,848	0	1,251
1999–2000	570,865	0	612,542	0	387
2000–01	577,970	0	609,660	0	1,733
2001–02	589,529	0	606,330	0	3,760
2002–03	632,989	69,727	632,989	69,727	97

Notes:

1. Figures are rounded to the nearest pound.
2. Real term costs are based on the GDP deflator and are expressed at 2002–03 values.
3. There were no allocations of contingency funds to this district during this period.
4. There were no overspends during this period.
5. In November 2002, the Jobcentre Plus district of Grampian, Moray, Orkney and Shetland was formed by combining Grampian and Shetland Social Fund district with part of Highlands and Islands district.
6. Data are not available by parliamentary constituency or local authority.

Source:

All data are taken from the Social Fund Policy, Budget and Management Information System.

Pension Credit (Christchurch)

Mr. Chope: To ask the Secretary of State for Work and Pensions how many people in the Christchurch constituency are in receipt of Pension Credit. [141521]

Malcolm Wicks: As at 17 October 2003, the number of pensioner households receiving Pension Credit in Christchurch constituency was 2,685.

Notes:

1. Figures have been rounded to the nearest five.
2. Figures are based on 100 per cent. Generalised Matching Service (CMS) data.
3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:

IAD Information Centre, 100 per cent. sample.

Pensions

Miss McIntosh: To ask the Secretary of State for Work and Pensions if he will make a statement on the means-testing of pensions. [141448]

Malcolm Wicks: Under Pension Credit pensioners are subject to a new form of assessment, which is much less intrusive and burdensome. Pension Credit has removed the old weekly means test. Instead, most pensioners aged 65 and over have their award fixed for five years and have to tell us only about major changes in their circumstances.

Around half of all pensioner households are eligible for Pension Credit and other income related benefits, and stand to gain, on average, £400 a year. Our priority is to target help on the poorest pensioners and there are already over 1.2 million pensioner households (around 1.4 million individuals) getting more money than they did before.

CONSTITUTIONAL AFFAIRS

European Union Citizenship

Mr. Austin Mitchell: To ask the Parliamentary Secretary, Department for Constitutional Affairs under which Act of Parliament citizens of the United Kingdom became citizens of the European Union; and on what electoral mandate. [141204]

Mr. Leslie: Article 17 of the Treaty Establishing the European Community, as amended by the Treaty on European Union (the Maastricht Treaty) and by the Treaty of Amsterdam, provides that any person holding the nationality of a member state is also a citizen of the European Union. The amended Treaty is given effect in the United Kingdom by the European Communities Act 1972.

Magistrates

Mr. Allen: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many lay magistrates live in each constituency in the East Midlands region. [140614]

Mr. Leslie: Statistical data for the magistracy are recorded by Commission Area and Bench rather than constituency. The numbers of magistrates in the Commission Areas comprising the East Midlands constituencies are as follows:

	Number
Derbyshire	425
Leicestershire	511
Lincolnshire	381
Northamptonshire	344
Nottinghamshire	664

Mr. Allen: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps he is taking to increase the number of magistrates from working class constituencies. [140616]

Mr. Leslie: On 7 October 2003 the Secretary of State for Constitutional Affairs and Lord Chancellor published his National Strategy for the Recruitment of Lay Magistrates. One of the key aims of this strategy is to recruit magistrates from under-represented groups, including those from working class communities, and by doing so to improve the diversity of local benches. A more accurate way of determining the socio-economic balance of the bench, and of applicants, has been put in place. Various recruitment initiatives are being tried, including targeting community and social groups, local employers and trade union organisations. A regional bus advertising campaign began on 3 November highlighting the need for magistrates from all walks of life. The local Advisory Committees on Justices of the Peace actively attempt to recruit from under-represented sectors by approaching relevant special interest groups and advertising in community and trade media.

Polling Stations

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Department for Constitutional Affairs what action his Department has taken to raise awareness of the need for accessibility to polling stations. [140866]

Mr. Leslie: Local authorities are responsible for designating polling places and for keeping them under review. They are obliged, so far as it is reasonable and practicable, to designate as polling places only places which are accessible to disabled people. National minimum standards for access were re-issued to electoral administrators for the general election. Administrators can also apply for grants from central funds to purchase temporary ramps to improve polling station accessibility and are encouraged by my Department to do so.

EDUCATION AND SKILLS

City Academies

Mr. Hoban: To ask the Secretary of State for Education and Skills what *(a)* capital and *(b)* revenue support was made available for each city academy in (i) 2003–04 and (ii) each of the last two financial years. [140974]

Mr. Miliband: Academies are funded comparably with local maintained schools with similar characteristics. The table sets out the revenue funding made available to open Academies in the financial years 2002–03 and 2003–04; there were no open Academies in the financial year 2001–02. The figures include grant to cover annual running costs and the start-up costs associated with opening new schools.

£

Academy	*Revenue 2002/03*	*Revenue 2003/04*
Bexley Business Academy, Bexley	4,244,838	4,232,598
Greig City Academy, Haringey	4,822,377	3,966,945
Unity City Academy, Middlesbrough	5,705,520	5,381,861
Capital City Academy, Brent	n/a	4,419,823
The City Academy, Bristol	n/a	5,437,152
West London Academy, Ealing	n/a	4,644,164
Manchester Academy, Manchester	n/a	3,516,223
King's Academy, Middlesbrough	n/a	5,940,095
Djanogly City Academy, Nottingham	n/a	7,293,347
City of London Academy, Southwark	n/a	1,868,433
The Academy at Peckham, Southwark	n/a	5,998,577
Walsall City Academy, Walsall	n/a	2,927,266

Capital funding made available to open Academies, outside of the initial build or refurbishments costs, are made through the devolved capital Standards Fund and are administered by the Academies local LEA in the same way as for maintained schools. The Department does not hold records of these individual allocations as they are the responsibility of the LEA.

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will set out the funding formula used to calculate amounts payable to city academies. [140976]

Mr. Miliband *[holding answer 1 December 2003]:* Academies are funded comparably to local authority maintained schools, with similar characteristics, in their local area. The main elements of Academies funding are made up of the following:

Formula Funding—Funding comparable to the level which would be provided through the funding formula of the LEA in whose area the Academy is situated; to a maintained school which had all of the Academy's characteristics, including the number of pupils;

LEA Holdback—Funding representing a proportion of the LEA education budget money which the LEA would usually retain for services it provides to maintained schools;

Specialist Schools Allowance—Funding equivalent to that which a maintained school with the Academy's characteristics would receive in respect of their participation in the specialist schools programme.

In order to ensure comparability with maintained schools, Academy funding also includes additional elements, these currently include:

School Standards Grant;

Teacher Threshold payments—funded on the same basis as maintained schools for all of an Academy's teachers who are entitled to threshold payments;

LGPS contributions—to cover extra costs being charged to Academies, above those paid by maintained schools, in order to be a member of the Local Government Pension Scheme, due to having a small number of employees partaking in the scheme.

M . Hoban: To ask the Secretary of State for Edu ation and Skills on what basis sites of city academies wer transferred to them from local education aut rities. [140978]

M Miliband: Sites are transferred from local edu ion authorities to Academies voluntarily, at nil co ocal education authorities may transfer sites on ei leasehold or a freehold basis. On whichever b site is transferred, it will revert to the local e on authority in the event that it is no longer r for the purposes of the Academy.

Education (North West)

Woodward: To ask the Secretary of State for E ion and Skills what proportion of young people i St. Helens, *(b)* Merseyside and *(c)* the North W chieved one or more A Level passes in (i) 1992, (i 7, (iii) 2001 and (iv) the last year for which figures ar ilable. [141278]

Miliband: The proportion of 16 to 18-year-old stu nts in *(a)* St. Helens, *(b)* Merseyside, and *(c)* the No West region who achieved one or more A Level (an equivalent) passes in 1992, 1997, 2001 and 2003 in all maintained schools and further education sector coll ges are:

		1992	*1997*	*2001*	*2003*
(a)	St. Helens	86.9	91.8	96.2	93.1
(b)	Merseyside	85.5	92.9	93.7	94.5
(c)	North West	88.3	93.7	94.6	95.4

Figures for 2003 are provisional. Revised figures will be published in January 2004. Qualifying for Success reforms were introduced in September 2000, thus A Level results for 2001 were the first year in which the impact of these reforms became apparent. Further information about the effect of the Qualifying for Success reforms can be found in the Statistical Bulletin, "GCSE/GNVQ and GCE A/AS/VCE/AGNVQ Examination Results 2000/01—England", published on the Department's website in May 2002 (http://www.dfes.gov.uk/rsgateway/DB/SBU/b000334/index.shtml).

Mr. Woodward: To ask the Secretary of State for Education and Skills what percentage of children in *(a)* St. Helens, *(b)* the North West and *(c)* England remained in education after completion of their GCSEs in each year since 1997. [141467]

Mr. Miliband: The percentage of 16-year-olds participating in full-time education, and in education and training, in St. Helens local education authority, the

North West Region and in England for end 1997 to end 2000, the latest available year, are shown in the following table:

Participation by 16-year-olds

	End 1997	End 1998	End 1999	End 2000
Full-time education				
St. Helens	73	72	73	75
North West	65	65	67	68
England	70	70	71	71
Education and training				
St. Helens	[1]n/a	88	84	86
North West	84	82	82	82
England	84	83	83	83

[1] Education and training figures by LEA were first published for 1998.

Participation rates by LEA for 16 and 17-year-olds are published in an annual statistical bulletin, "Participation in Education and Training by Young People Aged 16 and 17 in Each Local Area and Region, England".

Education Spending

Michael Fabricant: To ask the Secretary of State for Education and Skills if he will break down by local education authority, *(a)* in descending order of share and *(b)* alphabetically, the average (i) primary and (ii) secondary formula spending share per pupil in each local education authority in England and Wales for 2004–05. [140593]

Mr. Miliband *[holding answer 1 December 2003]*: The information requested has been placed in the Libraries.

Education, Youth and Culture Council

Mr. Hood: To ask the Secretary of State for Education and Skills what the outcome was of the Education, Youth and Culture Council held on 24 and 25 November 2003; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [141076]

Mr. Charles Clarke: I attended the Education session of this Council. Peter Peacock, Minister for Education and Young People at the Scottish Executive, also attended, and led on Youth issues.

The Council adopted the Erasmus Mundus and eLearning Programmes. Erasmus Mundus aims to provide higher education institutions with scholarships, offering further opportunities to attract overseas students, helping them to forge partnerships within existing EU countries and with third countries. The eLearning Programme has four priority areas: addressing the digital divide, promoting virtual universities, encouraging school twinning via the internet and promoting other transversal actions under, for example, the Commission's eLearning Action Plan.

The Council adopted a Common Position after first reading on the Decision to provide grants to European organisations active in the field of education and training. A budget of €77 million for 2004–06 had already been agreed with the European Parliament. The programme will now go to Second Reading.

Ministers adopted a Council Resolution on the importance of combating early school leaving and disaffection among young people. This encourages further work by member states on making learning more attractive and keeping young people engaged in learning.

Ministers also adopted Council Conclusions on human capital, which urge member states and the Commission to focus work on more effective investment on education and training.

The Commission presented its Languages Action Plan, which proposes action at member state and Community level for 2004–06.

The Commission's draft Interim Report on the detailed work programme on the follow-up to the Lisbon Objectives on education and training systems in Europe was the main focus of discussion. A report on this will be submitted jointly by the Council and the Commission to the 2004 Spring Council.

Ministers discussed the Presidency's paper on the future of EU Youth policy, and adopted a Council Resolution setting out member states' commitment to help young people participate in society, particularly in political processes. The Resolution also commits member states to report to the Commission on progress against the objectives by the end of 2005.

Ministers adopted a Common Position after first reading on the Decision to provide grants to European organisations promoting youth activities. A budget €13 million for 2004–06 had already been agreed with the European Parliament. The programme will go to second reading.

A copy of the Council Minutes will be placed in the Library in due course.

GCSE Examinations

David Davis: To ask the Secretary of State for Education and Skills (1) what proportion of 15-year-olds in *(a)* the East Riding of Yorkshire and *(b)* England and Wales achieved (i) five or more A* to C GCSE grades and (ii) five or more GCSE passes in each year since 1997; [140557]

(2) what proportion of 15 and 16-year-olds in *(a)* the East Riding of Yorkshire and *(b)* England and Wales were entered for GCSE examinations in each year since 1997. [140556]

Mr. Miliband: The statistical information requested is detailed in the following table:

Percentage

Academic year	*East Riding of Yorkshire*	*England*	*Wales*[1]
Percentage of 15-year-old pupils[2] *achieving five or more grades A*-C*			
1997	44.3	45.1	—
1998	47.0	46.3	46
1999	48.7	47.9	48
2000	49.9	49.2	49
2001	50.1	50.0	50
2002	49.7	51.6	50
2003 (provisional)[3]	50.9	52.6	51

Percentage

Academic year	*East Riding of Yorkshire*	*England*	*Wales*[1]
Percentage of 15-year-old pupils[2] *achieving five or more grades A*-G*			
1997	90.8	86.4	—
1998	90.5	87.5	82
1999	91.9	88.5	83
2000	91.3	88.9	85
2001	91.5	88.9	85
2002	90.7	88.9	85
2003 (provisional)[3]	91.6	88.6	85
Percentage of 15-year-old pupils[2] *attempting at least one GCSE/GNVQ*			
1997	95.8	94.0	—
1998	95.8	94.8	96
1999	96.4	95.0	97
2000	95.8	95.5	97
2001	95.8	95.7	97
2002	95.6	95.9	97
2003 (provisional)[3]	96.5	96.0	97

[1] Figures for Wales were obtained from the National Assembly for Wales's website

[2] Pupils are aged 15 at the start of the academic year ie 31 August

[3] These provisional figures exclude any adjustments for refugees, which may affect the LEA averages

Higher Education Funding

Chris Grayling: To ask the Secretary of State for Education and Skills which higher education institutions have had funding for a specific area of research activity withdrawn in the past three years. [141143]

Alan Johnson: The Higher Education Funding Council for England (HEFCE) allocates research funding selectively to universities according to the quality and volume of their research activity as measured in periodic Research Assessment Exercises (RAEs). Institutions receive this funding as block grant and are free to determine their own research focus. The volume of research achieving top quality ratings sharply increased in the 2001 RAE. HEFCE has modified its funding formula to refocus available resources on this highest quality work to ensure our research remains globally competitive.

Legislation

Mr. Redwood: To ask the Secretary of State for Education and Skills how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141123]

Mr. Charles Clarke: In 2002–03, the Department for Education and Skills put through Parliament:

(a) no pages of primary legislation; and

(b) 925 pages of secondary legislation.

PG Materials (School Screening)

Dr. Murrison: To ask the Secretary of State for Education and Skills what guidance he has sought from church authorities on the screening of PG material in schools. [141047]

Mr. Miliband: No guidance has been sought from church authorities on the screening of PG material, or any other teaching or leisure materials, in schools as the Department does not issue guidance on the use of these materials in schools. Decisions over the use of such materials in schools are left to the professional judgment of teachers.

School Attendance

Mr. Foulkes: To ask the Secretary of State for Education and Skills what proportion of pupils are in *(a)* private and independent and *(b)* state schools. [140560]

Mr. Miliband: As at January 2003, there were almost 8.4 million pupils across all schools in England. Of these pupils, some 7.0 per cent. were in independent schools, 92.7 per cent. were in maintained schools[1] and 0.3 per cent. were in other schools[2].

[1] Includes maintained nursery, primary, secondary and special schools as well as pupil referral units.

[2] Includes non-maintained special schools, city technology colleges and academies.

School Autonomy

Mr. Hoban: To ask the Secretary of State for Education and Skills how many applications he has received from schools for autonomy under the provisions of the Education Bill; how many of these he has approved; and in which areas autonomy was sought in each case. [140979]

Mr. Miliband: I refer the hon. Member to the answer given to the hon. Member for Ashford (Mr. Green) on 6 October 2003, *Official Report*, column 1131W.

School Finance

Mr. Hoban: To ask the Secretary of State for Education and Skills what formula is used to determine the formula spending share for each school. [140980]

Mr. Miliband: The funding for each school will depend on a number of factors covering both central and local government responsibility. Central Government uses the Education Formula Spending Share formula to allocate education funding for each local education authority. This formula comprises a basic entitlement for each pupil plus top-ups for deprivation and where it costs more to recruit and retain teachers, using data from the New Earnings Survey. The deprivation measures used are (i) children in families in receipt of Income Support; (ii) children in families in receipt of Working Families Tax Credit; (iii) proportion of primary children with English as an additional language and (iv) proportion of secondary children in low-achieving ethnic groups. The primary sub-block and LEA central functions sub-block also include a sparsity factor.

Local education authorities, in consultation with their schools and in accordance with regulations, then decide how much funding to put into the Schools Budget and what factors to use in the local fair funding formula, which allocates funding to individual schools.

Student Finance

Mr. Chope: To ask the Secretary of State for Education and Skills when he intends to publish the results of the student income and expenditure survey for the 2002/03 academic year. [141548]

Alan Johnson *[holding answer 2 December 2003]*: The Department published the 2002/03 Student Income and Expenditure Survey on 18 November 2003. The full report can be found on the Department's website at: www.dfes.gov.uk/research/

Mr. Alan Williams: To ask the Secretary of State for Education and Skills what the 1979 level of student grant would be at today's prices. [140799]

Alan Johnson: The information requested is shown in the table.

Rates of Standard Maintenance Grant payable under a mandatory award[1] academic year 1979/80[2] uprated to 2003/04 prices[3]

	£
Parental home	2,969
London rate	4,476
Elsewhere rate[4]	3,753
Board/lodging[5]	1,552

[1] The rate of maintenance grant, before income assessment, applicable to students normally domiciled in England and Wales and studying in the UK.

[2] In 1979/80 a minimum maintenance grant of £335 (£1,010 in 2003/04 prices) was available to all students.

[3] In 2003/04 prices based on the September RPI, excluding mortgage interest payments, at the beginning of the academic year.

[4] The 'elsewhere' rate of grant is applicable to students living away from home and studying outside London.

[5] Special grant arrangements applied to students provided with free board and lodging by their college.

Teacher Vacancies (Suffolk)

Mr. Spring: To ask the Secretary of State for Education and Skills (1) how many *(a)* middle and *(b)* upper school teacher vacancies there have been in Suffolk in each year since 1996–97; and if he will make a statement; [140609]

(2) how many primary school teacher vacancies there were in Suffolk in each year since 1996–97; and if he will make a statement. [140612]

Mr. Miliband: Information on teacher vacancies is available for nursery, primary and secondary schools. The data for Suffolk Local Education Authority are given in the table.

Vacancies[1]

	Nursery/Primary	Secondary
1997	15	15
1998	8	14
1999	14	17
2000	8	11
2001	41	47
2002	39	42
2003	6	17

[1] Advertised vacancies for full-time permanent appointments (or appointments of at least one term's duration).

Includes vacancies being filled on a temporary basis of less than one term.

Source:

DfES annual form 618G survey of teachers in service and teacher vacancies.

Top-up Fees

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the additional amount that would be raised for each higher education establishment by the introduction of top-up fees as set out in the Government's Higher Education White Paper. [141140]

Alan Johnson: The White Paper proposes that universities—whose access agreements have been approved—will be able to decide on their own fees, up to a maximum of £3,000. We cannot pre-judge or pre-empt those decisions.

Therefore, it is not possible to estimate the additional income for each higher education institution: that will, in part, depend on (i) the number of students at that institution and (ii) the fee levels charged at that institution.

Our latest estimates on additional income for all English higher education institutions are being prepared for the Regulatory Impact Assessment and will be available following its publication.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the impact of the proposed allocation of funding for bursaries on the additional amount that would be raised for each higher education establishment by the introduction of top-up fees as set out in the Government's Higher Education White Paper. [141141]

Alan Johnson: We are considering and discussing the contents of access agreements and the duties of the Office for Fair Access, and will make a statement in due course.

PRIME MINISTER

Honours

David Winnick: To ask the Prime Minister what representations he has received on the renaming of the honours OBE, CBE and MBE; and if he will make a statement. [141958]

The Prime Minister: I regularly receive representations on a wide range of issues including about honours. The names of the various Orders of Chivalry are kept under review, as are other honours matters.

DEPUTY PRIME MINISTER

Council Tax

Mr. Rosindell: To ask the Deputy Prime Minister by how much on average has council tax in the United Kingdom risen since 1997. [141725]

Mr. Raynsford: Between 1997–98 and 2003–04, the average council tax per dwelling in England has increased by £344 or 61 per cent., from £564 to £908. During the same period, the average B and D council tax in England increased by £414 or 60 per cent., from £688 to £1,102.

Council tax figures for Wales and Scotland are a matter for the Welsh Assembly Government and the Scottish Parliament respectively. Council tax does not exist in Northern Ireland.

Education Finance

Mrs. May: To ask the Deputy Prime Minister (1) what discussions ministers or officials had with the Royal Borough of Windsor and Maidenhead prior to the decision to limit their formula grant increase to their schools formula spending share increase under the proposed 2004–05 settlement; [140605]

(2) what assessment his Department made of the impact of the decision to limit the formula grant increase for the Royal Borough of Windsor and Maidenhead to its schools formula spending share increase under the proposed 2004–05 settlement on *(a)* social services and *(b)* highways maintenance; [140606]

(3) if he will set out the basis on which the Royal Borough of Windsor and Maidenhead was chosen as one of the 13 local authorities whose formula grant increase will be equal to their schools formula spending share increase under the proposed 2004–05 settlement. [140607]

Mr. Raynsford: No Minister or official from the Office of the Deputy Prime Minister met the authority to discuss our proposals for 2004–05. Representatives of shire unitary authorities and the Local Government Association were involved in discussions on this topic with officials from the Office of the Deputy Prime Minister at Settlement Working Group meetings.

Windsor and Maidenhead stand to benefit by around £1 million from the change to the grant system to give every authority at least as large an increase in Formula Grant as its Schools Formula Spending Share (FSS) increase. Excluding the adjustment for capital, the provisional settlement gives the authority an increase in Formula Grant of 5.0 per cent. compared to the 3.5 per cent. floor increase it would otherwise have received. Any impact on social services, highways maintenance and council tax would therefore be beneficial.

The basis on which we have given every authority at least as large an increase in Formula Grant as its Schools FSS increase is to calculate the increase in Formula Grant for each authority under the previous floors and ceilings system and compare it to their increase in Schools FSS. We propose that authorities should receive the greater of the two amounts.

Housing

Jeremy Corbyn: To ask the Deputy Prime Minister what the capital allocation to the London borough of Islington is in *(a)* 2002–03 and *(b)* 2003–04 for the construction of houses for rent by (i) the local authority and (ii) Housing Associations through the Housing Corporation; and if he will make a statement. [141647]

Keith Hill: The London borough of Islington received an all-purposes housing Basic Credit Approval of £14.970 million in 2002–03 and £13.607 million in 2003–04. Housing Corporation capital allocations to Islington for housing associations to build new housing for rent were £20.4 million in 2002–03 and £25.387 million in 2003–04.

Jeremy Corbyn: To ask the Deputy Prime Minister what assistance his Department plans to provide to the London borough of Islington to meet the Decent Homes Standard by 2010; and if he will make a statement. [141648]

Keith Hill: The assistance the Office of the Deputy Prime Minister is providing to the London borough of Islington to meet the Decent Homes standard is as follows:

> a provisional allocation of £24.9 million for the next two years from the Arms Length Management Organisation (ALMO) programme subject to a satisfactory Audit Commission inspection of the ALMO once it is operational;
>
> credits of £75 million over the 30-year life of the Private Finance Initiative (PFI) contract signed earlier this year;
>
> an all-purpose housing Basic Credit Approval of £13.607 million in 2003–04;
>
> a Major Repairs Allowance of £25.545 million in 2003–04.

In addition, Islington will continue to receive Major Repairs Allowance allocations and all-purpose allocations from The Office of the Deputy Prime Minister. The authority may also receive further funding to support its ALMO programme and for a second PFI scheme in future years.

Islington Council

Jeremy Corbyn: To ask the Deputy Prime Minister what representations he has received concerning the conduct of the Arm's Length Management organisation ballot by the London borough of Islington; and if he will make a statement. [141649]

Keith Hill: The Office of the Deputy Prime Minister has received a representation from the Federation of Islington Tenants Associations about the conduct of Islington's Arm's Length Management organisation (ALMO) ballot. A reply will be sent in due course.

Jeremy Corbyn: To ask the Deputy Prime Minister what monitoring is being undertaken by his Department into the sale of houses and commercial properties by the London borough of Islington. [141650]

Keith Hill: The Office of the Deputy Prime Minister collects and publishes quarterly statistics on sales of council houses and other council dwelling stock in all local authorities, but does not monitor local authority sales of commercial properties.

Local Government Finance

Mr. Hayes: To ask the Deputy Prime Minister, (1) how many *(a)* mandatory and *(b)* discretionary disabilities facilities grants local authorities have made in each of the last 10 years; [141014]

(2) how many mandatory disabilities facilities grants have been issued by local authorities since 18 July 2002; [141015]

(3) how many times local authorities have supplemented a mandatory disabilities facilities grant since 18 July 2002. [141016]

Keith Hill: The numbers of *(a)* mandatory and *(b)* discretionary Disabled Facilities Grants (DFGs) paid by local housing authorities in England to private owners and tenants over the past ten years are tabled below. The figures for 2003–04 and 2004–05 are provisional forecasts given to the Office of the Deputy Prime Minister by English local housing authorities. Discretionary DFG was abolished from July 2003 by the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 and therefore the figures in the "discretionary' column for these two years include largely grants and loans which will be provided under the Order for housing adaptations.

	Mandatory	*Discretionary*
1993–94	16,702	341
1994–95	19,784	384
1995–96	20,036	236
1996–97	19,599	388
1997–98	21,120	871
1998–99	21,584	1,061
1999–2000	21,999	706
2000–01	24,299	432
2001–02	24,894	618
2002–03	29,403	699
2003–04	33,485	1,442
2004–05	33,424	1,372

New Millennium Experience Company

Alan Keen: To ask the Deputy Prime Minister what use is intended to be made of any surplus released consequent upon the solvent liquidation of the New Millennium Experience Company. [140490]

Keith Hill: Use of any Lottery grant money not drawn upon by the New Millennium Experience Company (NMEC) will be a matter for the Millennium Commission.

Alan Keen: To ask the Deputy Prime Minister when he expects the completion of the solvent liquidation process for the New Millennium Experience Company. [140492]

Keith Hill: Almost all of the issues in the current solvent liquidation have been completed, and all creditors have been paid. Only residual matters are outstanding.

These issues however are not within the direct control of the New Millennium Experience Company liquidators and as such, it is not possible to predict with any accuracy when they will be resolved.

Planning

Simon Hughes: To ask the Deputy Prime Minister (1) what the Government's policy is on *(a)* calling in planning applications and *(b)* reviewing local authority planning decisions where they affect (i) greenfield sites and (ii) semi-natural green belt sites; and if he will make a statement; [140965]

(2) what the Government's policy is on reviewing local authority planning decisions where they affect greenfield sites and green belt sites where no Environmental Impact Assessment has been made; and if he will make a statement. [140966]

Keith Hill: My right hon. Friend the Deputy Prime Minister's general approach is not to interfere with the jurisdiction of local planning authorities unless it is necessary to do so. Standard policy is to be very selective about calling in planning applications. In general, this step is only taken if planning issues of more than local importance are involved and if those issues need to be decided by my right hon. Friend rather than at a local level. Such cases may include those which: may conflict with national policies on important matters; could have significant effects beyond their immediate locality; give rise to substantial regional or national controversy; raise significant architectural and urban design issues; or may involve the interests of national security of foreign Governments. Each case is, however, considered on its own merits

The Government's general policy and practice is not to review decisions taken by local authorities on individual planning applications. When a planning application comes before my right hon. Friend, on appeal for example, he will determine it in accordance with the development plan for the area and relevant national planning policies, including Planning Policy Guidance notes (PPG). PPG2 (Green Belts), PPG3 (Housing) and PPG7 (The Countryside) would be particularly relevant in relation to greenfield sites. Where relevant, regard will also be had to the requirements of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regualtions.

Postal Ballots

Mr. Jim Cunningham: To ask the Deputy Prime Minister what plans his Department has to revise his proposed all-postal ballots to include additional voting systems for the benefit of disabled people. [140864]

Phil Hope: One the of the reasons for using remote voting such as all-postal voting is to assist those people who find it inconvenient or difficult to go to polling stations to vote. In its evaluation of the 2003 pilots, the Electoral Commission recommended that staffed delivery points should be provided at both mobile and fixed locations as part of all-postal elections. These offer voter the opportunity to vote in conditions similar to polling stations for those who find it easier or more convenient to do so.

The Government intend that staffed delivery points will be features of future pilots. Following the successful piloting of innovative processes in the local elections in 2000, 2002 and 2003, the Government plan to ran pilots in the 2004 European parliamentary elections and in any local elections combined with them.

The Government accept the broad thrust of Electoral Commission's recommendation to roll out of all-postal voting to all local elections and will be consulting on the detailed arrangements shortly. The Office of the Deputy Prime Minister will also be consulting on the arrangements for the local and regional referendums which we intend to be by all-postal ballot.

Mr. Jim Cunningham: To ask the Deputy Prime Minister what representations have been made to his Department regarding coercion and secrecy issues in relation to his proposed postal voting systems. [140865]

Phil Hope: A number of letters received from members of the public have mentioned concerns about the security and secrecy of all-postal voting. The same concerns were raised by some respondents to the recent consultation on our proposals for holding all-postal pilots at the European parliamentary and any combined local elections in June 2006.

Regional Assemblies

Mr. Rosindell: To ask the Deputy Prime Minister which local government *(a)* systems and *(b)* administrations would be removed if a region votes in favour of setting up a regional assembly. [141720]

Mr. Raynsford: Where an elected regional assembly is established, existing two tier local government will be restructured as unitary authorities. Recommendations on options for the unitary structure in a region are a matter for the independent Boundary Committee for England. The Committee might recommend structures based on existing districts, counties or something different. They published their draft recommendations for two tier areas in the three northern regions on 1 December. Copies are available in the Libraries of the House.

Voters living in each two tier area will have a choice between at least two options for a unitary local government structure, in a local referendum held at the same time as the referendum on whether to establish an elected assembly.

The new unitary authorities will exercise all the functions currently carried out by the county and district councils in the region.

Mr. Rosindell: To ask the Deputy Prime Minister what criteria he is using to decide whether or not to grant referendums to regions about proposals for a regional assembly. [141723]

Mr. Raynsford: The background to and explanation of my right hon. Friend the Deputy Prime Minister's decision to move towards referendums in the three northern regions is laid out in the Government's "Your Region, Your Say" summary of its soundings exercise. This was published on 16 June 2003 and copies are available in the Libraries of both Houses.

The Office of the Deputy Prime Minister does not propose to hold a further exercise during this Parliament.

Mr. Rosindell: To ask the Deputy Prime Minister what requirements need to be met by a region before that region is deemed suitable to have its own regional assembly. [141724]

Mr. Raynsford: Our White Paper "Your Region, Your Choice" made clear that a simple majority yes vote will be needed in a referendum before an elected assembly is established in any region. The Regional Assemblies (Preparations) Act 2003 allows my right hon. Friend the Deputy Prime Minister to call a referendum once: he has considered the level of interest in the region in holding such a referendum; and the Boundary Committee for England have made recommendations about the structure of local government in that region.

Renewable Energy

Mr. Stunell: To ask the Deputy Prime Minister if he will set out the timetable for the formal consultation on implementing the proposals set out in paragraph 4.31 of the Energy White Paper; whether the outcome of this consultation will be incorporated within the final version of Planning Policy Statement 22: Renewable Energy; and what form this consultation will take. [141379]

Keith Hill: The Office of the Deputy Prime Minister, in discussion with other Government Departments, is considering how best to take forward the commitment in paragraph 4.31 of the Energy White Paper to bring consideration of the use of renewables and energy efficiency more within the scope of the planning system. Should the Government decide that PPS22 is the most appropriate means of implementing this commitment, then a public consultation paper will be produced outlining the Government's proposals. If proposals were positively received, then changes would be made to the final version of PPS22.

MINISTER FOR WOMEN

Working Time Directive

Miss McIntosh: To ask the Minister for Women what recent assessment she has made of the implications of the Working Time Directive for women's employment. [140586]

Ms Hewitt: In general, as the working time regulations benefit both men and women, studies of the impact of the regulation covers all those who are affected. However, my Department has looked at women's employment since the introduction of the regulations in October 1998. Full-time employment for women grew by 5.7 per cent. from July–September 1998 to July–September 2003 while the average actual hours of full-time women in employment fell by 0.4 hours per week over the same period (from 34.4 hours per week in July–September 1998 to 34.0 hours per week in July–September 2003).

TRADE AND INDUSTRY

Atomic Energy Authority Visits

Mr. Hancock: To ask the Secretary of State for Trade and Industry whether visits by the International Atomic Energy Authority include *(a)* military sites, *(b)* the inspection of military plutonium from Aldermaston stored under safeguards at Sellafield and *(c)* the inspection of plutonium waste stored at AWE Aldermaston; and if she will make a statement. [140924]

Mr. Timms: The UK's voluntary offer safeguards agreement with the International Atomic Energy Agency (IAEA) and Euratom applies to all nuclear material in UK facilities, subject to exclusions for national security reasons only. This means that the IAEA can designate any UK civil nuclear facility, or any part thereof, for safeguards inspection visits but has no right of access to nuclear material required for national security and sites such as Aldermaston. The IAEA therefore has the right to inspect the plutonium stored at Sellafield that was transferred from Aldermaston and brought into safeguards following the conclusion of the 1998 Strategic Defence Review. The IAEA currently chooses to limit its inspections to the plutonium in the Thermal Oxide Reprocessing Plant (THORP) plutonium product store and the Magnox Special Nuclear Material Store 9. All civil nuclear material in the UK, including the plutonium transferred from Aldermaston to Sellafield, is subject to Euratom safeguards as provided for in Chapter VII of the Euratom Treaty.

Balance of Trade

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what the UK's balance of trade figures for trade in goods and services were in each quarter of the last five years. [140947]

Mr. Mike O'Brien: Information on UK trade goods and services is published monthly by the Office for National Statistics (ONS). The latest figures, up to September 2003 were released on 11 November 2003. These Statistics are available from the ONS website, which may be accessed from the Library of the House. I have sent a copy to the hon. Member.

British Energy

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what assessment her Department has made of *(a)* British Energy's ability to meet its forecast for total UK nuclear output in 2003 and *(b)* the maintenance of suitable reserves for unplanned outages; and if she will make a statement. [141539]

Mr. Timms *[holding answer 2 December 2003]*: British Energy's forecast output and its reserve for unplanned outages are a matter for the company. British Energy publishes regular monthly output statements.

Broadband

Brian Cotter: To ask the Secretary of State for Trade and Industry how the Broadband Fund has been allocated to *(a)* each regional development agency and *(b)* each devolved administration. [141604]

Mr. Timms: The UK Broadband Fund was allocated from a formula based on the number of residents who did not yet have affordable access to broadband services. It was allocated as follows:

	£ million
East of England	3.22
East Midlands	2.09
London	0.113
North East	1.46
North West	2.68
South East	2.90
South West	3.78
West Midlands	2.10
Yorkshire and the Humber	3.10
Northern Ireland	1.46
Scotland	4.40
Wales	2.67

Brian Cotter: To ask the Secretary of State for Trade and Industry how many times the joint DTI and Defra Rural Broadband Team has met since its inception; and what meetings they have held with outside bodies. [141605]

Mr. Timms: The joint DTI and Defra Rural Broadband Team has been working together in the same office premises since May 2003. The team has met a wide range of outside bodies including Regional Development Agencies, Devolved Administrations, Government Offices, Countryside Agency, Country Land and Business Association, British Chambers of Commerce, Ruralnet, local government and councils, community broadband groups, social enterprises and broadband and ICT companies.

Clergy (Employment Rights)

Mr. Ben Chapman: To ask the Secretary of State for Trade and Industry (1) what plans her Department has to implement section 23 of the Employment Relations Act 1999 in relation to employment rights for clergy; [140547]

(2) if she will make a statement on the Employment Bill announced in the Queen's Speech with reference to the application of section 23 of the Employment Relations Act 1999 to employment rights for clergy. [140801]

Mr. Sutcliffe: There are no measures in the Employment Relations Bill to extend employment rights to the clergy. In relation to s23 of the Employment Relations Act, we hope to publish a Government response to the Employment Status Review around the turn of the year.

Debt (Late Payment)

Brian Cotter: To ask the Secretary of State for Trade and Industry how many claims for statutory interest payments have been submitted to private companies under the terms of the Late Payment of Commercial Debt (Interest) Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141593]

Nigel Griffiths: There is no requirement for companies to register claims for statutory interest payments under the Late Payment Legislation.

Electronics and Innovation Growth Team

Brian Cotter: To ask the Secretary of State for Trade and Industry what level of representation is afforded to small businesses on the electronics and innovation growth team advising her Department. [141592]

Nigel Griffiths: While membership of the Electronic Innovation and Growth Team (EIGT) Steering Board and Working Groups is by personal invitation, I am assured SMEs are well represented. Both the Steering Board and Working Groups have participants who are employed in or who. are key participates in SME networks. The EIGT is acutely aware of the significance that SMEs play in the sector.

SMEs wishing to contribute views to the work of the team may email EIGT at eigt@dti.gsi.gov.uk

Employment Tribunals

Mr. McLoughlin: To ask the Secretary of State for Trade and Industry how many employment tribunal cases there were in *(a)* West Derbyshire, *(b)* East Midlands and *(c)* the United Kingdom in each year since 1997. [141430]

Mr. Sutcliffe: The following table shows the number of tribunal applications registered by the Employment Tribunals Service in the United Kingdom (excluding

Northern Ireland) since 1997. We are unable to supply separate statistical information for the geographical areas of West Derbyshire and East Midlands.

	Registered tribunal applications
2002–03	98,617
2001–02	112,227
2000–01	130,408
1999–2000	103,935
1998–99	91,913
1997–98	80,435
1996–97	88,910

Mr. McLoughlin: To ask the Secretary of State for Trade and Industry what the average amount of an employment tribunal cost award was in *(a)* West Derbyshire, *(b)* East Midlands and *(c)* the United Kingdom in each year since 1997. [141431]

Mr. Sutcliffe: The following table shows the average amount of an Employment Tribunal cost award in the UK (excluding Northern Ireland) since 1997. We are unable to supply the average amount of an Employment Tribunal cost award for West Derbyshire and East Midlands.

	Average cost award (£)
2002–03	1,524
2001–02	983
2000–01	295
1999–2000	1,155
1998–99	743
1997–98	546

Mr. McLoughlin: To ask the Secretary of State for Trade and Industry what the average award for compensation in employment tribunal cases was in *(a)* West Derbyshire, *(b)* East Midlands and *(c)* the United Kingdom in each year since 1997. [141432]

Mr. Sutcliffe: The Employment Tribunals Service only collects compensation statistics for tribunal cases covering the jurisdictions of Unfair Dismissal, Race Discrimination, Sex Discrimination and Disability Discrimination. Therefore, the figures quoted in the following table illustrate the average award for compensation in Employment Tribunal cases for the UK (excluding Northern Ireland) since 1997 in relation to the aforementioned complaints. We are unable to supply separate information for West Derbyshire and East Midlands.

	Average compensation award (£)
2002–03	7,598
2001–02	7,306
2000–01	5,764
1999–2000	5,734
1998–99	4,449
1997–98	4,894

Mr. McLoughlin: To ask the Secretary of State for Trade and Industry how many employment tribunal cost awards have been made against *(a)* respondents and *(b)* applicants in (i) West Derbyshire, (ii) East Midlands and (iii) the United Kingdom in each year since 1997. [141433]

Mr. Sutcliffe: The following table illustrates how many Employment Tribunal cost awards have been made against respondents and applicants in the UK (excluding Northern Ireland) in the last two financial years. The Employment Tribunals Service did not breakdown the statistics for applicants and respondents prior to 2001–02. We are unable to supply information for West Derbyshire and East Midlands.

	2002–03	*2001–02*
Cost awards against respondent	307	169
Costs awards against applicant	691	467

EU Constitution

Mr. Nicholas Brown: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact the energy provision of the draft European Union Constitution would have on the oil and gas industries operating on the United Kingdom's continental shelf; and what changes would have to be made to the present regime for these industries. [140611]

Mr. Timms: It is not yet clear what the precise effect of the energy chapter would be for the UK oil and gas industries. Although the draft Constitutional Treaty creates a legal base for energy, it does not, for example, bring forward a new regulatory regime. Article 111–157 of the draft Constitutional Treaty sets out EU competence in energy matters, including natural resources, with voting by qualified majority. The UK has proposed amendments which would make it clear that Member States retain control of their natural resources.

Euratom Programme

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on the use of the Euratom local facility by the Government since 1997. [141488]

Mr. Timms: Neither the UK Government, nor any UK entity, has taken out a Euratom loan since 1997.

Home Accidents

Mr. Burstow: To ask the Secretary of State for Trade and Industry if she will publish a summary of the representations she has received on the termination of the home accidents surveillance system. [141574]

Mr. Sutcliffe: I refer the hon. Member to the answer that I gave on 18 November 2003, *Official Report*, column 742W. I will not publish a summary of the representations that I have received on the termination of the home accidents surveillance system. I have received representations on a confidential basis and I do not have permission from any of the individuals or organisations who sent them to make them public.

Post Office Closures

Mr. Waterson: To ask the Secretary of State for Trade and Industry what representations she has received about Post Office closures in Eastbourne. [141587]

Mr. Timms: None. Only the representation from the hon. Member for Eastbourne has been received.

Manufacturing

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what estimate she has made of the change in UK manufacturing output in *(a)* 2003 and *(b)* 2004. [140952]

Ms Hewitt: The Budget forecast for manufacturing output shows growth of between ¼ and ¾ per cent. in 2003, and growth of between 2 per cent. and 2¼ per cent. in 2004. A new forecast will be presented in the pre-Budget Report on 10 December.

Mining-related Compensation Claims

Mr. Allen: To ask the Secretary of State for Trade and Industry what the average cost charged to her Department by solicitors for mining-related diseases claims handling was in each year since claims were first handled, broken down by solicitors' firm; and if she will make a statement. [140678]

Nigel Griffiths: The solicitors' costs are paid on a tariff basis, under the terms of the Claims Handling Agreements (CHA). Under the CHA the basic costs are:

COPD	*Costs*	*VWF*[1]	*Costs*
Settled expedited offers	£955 + VAT + disbursements	General damages claims in Group 1 occupations	£652 + VAT + disbursements
Settled full and final offers	£1,856 + VAT + disbursements	General damages claims in Group 2 occupations	£760 + VAT + disbursements
Settled chronic bronchitis only	£531 + VAT + disbursements		

[1] Costs for handling services claims are not yet agreed.

Note:

In addition solicitors received additional payments for handling Grant of Probates, disputes procedures and posthumous claims.

Mr. Barron: To ask the Secretary of State for Trade and Industry how many claimants have had interim payments to date through each of the top 10 claims handlers involved in the compensation claim for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger of former coal miners. [141531]

Nigel Griffiths: As of 23 November 2003 the figures are:

Top 10 solicitors	*Number of claimants with interims paid*
COPD	
Barber & Co.	3
Beresfords	243
Browell Smith & Co.	5,892
Graysons	2,414
Hugh James	11,327
Mark Gilbert Morse	2,644
Raleys	7,503
Thompsons	15,519
UDM	4,275
Watson Burton	1,744
VWF	
Beresfords	1,852
Browell Smith & Co.	6,137
Graysons	6,664
Hugh James	4,302
Kidd Spoor & Harper	1,695
Raleys	6,491
Thompsons	13,990
Towells	2,961
UDM	11,451
Watson Burton	4,328

Mr. Barron: To ask the Secretary of State for Trade and Industry how much has been paid to claimants through each of the top 10 claims handlers involved in the compensation claims for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger of former coalminers. [141532]

Nigel Griffiths: As of 23 November 2003 the figures are:

£ million

Top 10 solicitors	*Total damages paid*
COPD	
Barber & Co.	0.022
Beresfords	5.6
Browell Smith & Co.	66.4
Graysons	24.9
Hugh James	183.1
Mark Gilbert Morse	30.3
Raleys	104.8
Thompson	183.5
UDM	46.6
Watson Burton	21.6
VWF	
Beresfords	15.7
Browell Smith & Co.	84.0
Graysons	44.9
Hugh James	54.3
Kidd Spoor & Harper	25.3
Raleys	64.7
Thompsons	115.0
Towells	29.5
UDM	126.3
Watson Burton	39.0

Mr. Barron: To ask the Secretary of State for Trade and Industry how much has been paid to date to each of the top 10 claims handlers involved in the compensation claims for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger of former coalminers. [141533]

Nigel Griffiths: As of 23 November 2003 the figures are:

£ million

Top 10 solicitors	*Total solicitors costs*
COPD	
Barber & Co.	0.006
Beresfords	4.0
Browell Smith & Co.	13.0
Graysons	8.4

£ million

Top 10 solicitors	*Total solicitors costs*
Hugh James	34.6
Mark Gilbert Morse	9.5
Raleys	22.4
Thompson	33.1
UDM	15.5
Watson Burton	7.3
VWF	
Beresfords	1.3
Browell Smith & Co.	8.2
Graysons	3.5
Hugh James	5.5
Kidd Spoor & Harper	1.9
Raleys	6.1
Thompsons	8.6
Towells	2.5
UDM	10.1
Watson Burton	3.0

Mr. Barron: To ask the Secretary of State for Trade and Industry how many claimants have had final settlements through each of the top 10 claims handlers involved in the compensation claims for *(a)* chronic bronchitis and emphysema and *(b)* vibration white finger of former coalminers. [141534]

Nigel Griffiths: As of 23 November 2003 the figures are:

Top 10 solicitors	*Total settlements*
COPD	
Barber & Co.	47
Berefords	2,434
Browell Smith & Co.	5,797
Graysons	4,305
Hugh James	15,607
Mark Gilbert Morse	4,458
Raleys	9,926
Thompsons	14,526
UDM	8,742
Watson Burton	3,547
VWF	
Beresfords	1,051
Browell Smith & Co.	9,725
Graysons	1,643
Kidd & Spoor Harper	1,959
Hugh James	5,799
Raleys	6,073
Thompsons	5,915
Towells	2,588
UDM	12,757
Watson Burton	2,390

Nuclear Energy

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what assessment of the impact on Britain's spare generating capacity she has made of the continuing repair work to *(a)* Heysham 1 and *(b)* Sizewell B power stations; and if she will make a statement. [141541]

Mr. Timms *[holding answer 2 December 2003]:* Sizewell B returned to operation on 15 November 2003. British Energy have stated that they expect Heysham 1 to return to service around the middle of December 2003. The capacity of Heysham 1 is 1165 MW.

In the October 2003 Update of their Seven Year Statement, National Grid Company (NGC) projected total capacity available this winter for England and Wales of 66,697 MW and peak demand of 55,900 MW. Should Heysham 1 be unavailable at the time of peak demand, these figures suggest there could still be up to 9,632 MW more generating capacity than demand, providing cover against other plant breakdowns and exceptional demand levels.

Since NGC issued the October 2003 Update, a further 560 MW of previously mothballed capacity at Killingholme has been returned to service by PowerGen.

Pension Payments

Mr. Chope: To ask the Secretary of State for Trade and Industry what action she is taking to increase the take-up of Post Office card accounts by pensioners. [141520]

Mr. Timms: None. What matters for the Post Office is attracting more customers, not whether they have a Post Office card account. Customers can now access a wide range of bank accounts at the post office and I hope that they choose to do so. The Department for Work and Pensions provides its customers with all the information that they need to choose the account into which they would like to have their benefits paid in future, including those accounts which provide post office access. The final choice of account is a matter of personal choice for each individual concerned. I understand that that as of 7 November 2003 more than 1 million Post Office card accounts had been opened.

Phoenix Fund

Brian Cotter: To ask the Secretary of State for Trade and Industry if she will break down the funding allocated under the Phoenix Fund by *(a)* region and *(b)* local authority area. [141612]

Nigel Griffiths: The Phoenix Fund does not operate on the basis of allocations to regions or local authority areas. Rather, funds have been awarded to the best applications submitted in response to a number of bidding rounds.

That process has resulted in the following distribution between regions:

Region	*Amount (£)*
Eastern	2,516,391
East Midlands	2,769,891
London	11,679,715
North East	2,258,728
North West	9,326,749
South East	2,074,468
South West	4,892,132
West Midlands	6,284,574
Yorkshire and the Humber	6,653,985

It is not possible to provide a corresponding breakdown between local authority areas as many of the Fund's projects operate in more than one local authority area.

Post Office Card Account

Mr. Hancock: To ask the Secretary of State for Trade and Industry what role her Department has in the administrative arrangements for setting up a Post Office Card Account; and if she will meet the National Federation of Sub-Postmasters to discuss their concerns about other Government departments' approach to claimants using a post office to access their benefits. [141361]

Mr. Timms: The Government does not have a role in the administrative arrangements for setting up a Post Office Card Account. This is an operational matter for Post Office Ltd.

DTI Ministers and officials are in regular discussions with the National Federation of Sub-Postmasters about a wide range of post office network issues, including the Post Office Card Account.

Recycled Liquid Fuel

Dr. Murrison: To ask the Secretary of State for Trade and Industry how much recycled liquid fuel has been imported into the UK in each year since 1997. [141038]

Mr. Timms: HM Customs and Excise are responsible for the collection of importation data. Customs do not record whether a liquid import has been recycled or whether it is later used as a fuel.

Regulatory Accountability

Brian Cotter: To ask the Secretary of State for Trade and Industry when she will publish the cross-departmental action plan for delivering improvements in government performance regarding the regulatory environment for small businesses. [141611]

Nigel Griffiths: The plan for delivering improvements in the regulatory environment for small businesses will form a part of a broader cross-government action plan for small business to be published early in 2004. In addition, the government's Regulatory Reform Action Plan, to be published shortly by my hon. Friend, the Minister for the Cabinet Office, will contain a number of measures that will help small business.

Small Business Service

Brian Cotter: To ask the Secretary of State for Trade and Industry how many meetings the Chief Executive of the Small Business Service has had with Ministers in each Government Department in the last year. [141606]

Nigel Griffiths: The Chief Executive of the Small Business Service meets Ministers in this and other Departments. As with other contacts between officials and Ministers, however, the frequency and nature of such advice however remains private, under Exemption 2—Internal advice and discussion of the Code of Practice on Access to Government Information.

Brian Cotter: To ask the Secretary of State for Trade and Industry on how many occasions the Chief Executive of the Small Business Service has made *(a)* direct representations to the Prime Minister and *(b)* held meetings with the Prime Minister in each year since the organisation came into operation. [141608]

Nigel Griffiths: The Chief Executive of the Small Business Service meets Ministers in this and other Departments. As with other contacts between officials, the Prime Minister and Ministers, however, the frequency and nature of such advice however remains private, under Exemption 2—Internal advice and discussion of the Code of Practice on Access to Government Information.

Social Enterprises

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what steps she is taking to improve access to finance for social enterprises. [140886]

Nigel Griffiths: We are working with banks and Community Development Finance Institutions on the recommendations made in the Bank of England's report on access to finance for social enterprises, which was published in May 2003.

A fuller update of successes to date can be found in "A Progress Report on Social Enterprise: a strategy for success", on the DTI Social Enterprise website.

Spam E-mails

Tim Loughton: To ask the Secretary of State for Trade and Industry (1) what penalties will be available against persistent disseminators of spam junk e-mail when new regulations come into force; [141000]

(2) what directions have been issued to trading standards offices about new regulations coming into force to deal with nuisance spam e-mails; [141001]

(3) what steps she is taking to tackle spam e-mails. [141002]

Mr. Timms: New regulatory controls on unsolicited direct marketing e-mails will come into force on 11 December this year. The Privacy and Electronic Communications (EC Directive) Regulations 2003 introduce prior consent requirements for unsolicited direct marketing e-mails sent to individuals and a requirement for all direct marketing e-mails not to disguise or conceal the identity of the person on whose behalf they are sent, and not to be sent without a valid address for opt-out purposes. The new rules will be enforced by the Information Commissioner's Office, who will have powers to issue enforcement notices in cases of breaches of the rules. Breach of an enforcement notice is a criminal offence subject to a fine of up to £5,000 in a magistrate's court or an unlimited fine if the trial is before a jury. In addition, individuals or organisations who have suffered a loss or damage as a result of a failure to comply with the regulations will be entitled to seek compensation from the person responsible for the breach.

Junk e-mail is a global phenomenon, however, and the great majority of spam received by UK internet users comes from outside the European Union. The UK is active in international discussions on how to tackle the problem of cross-border spam both multilaterally (for example, in the Organisation for Economic Cooperation and Development), and bilaterally with the USA and other national governments.

Taxis

Dr. Iddon: To ask the Secretary of State for Trade and Industry whether the Government's guidelines on consultation have been followed in the case of the regulation of licensed taxi and private hire vehicle services in the UK; and if she will make a statement. [140613]

Mr. Sutcliffe: The Office of Fair Trading published a report on the regulation of licensed taxis and private Hire vehicles on 11 November, making recommendations to the Government, which the Government is now considering. In coming to conclusions Government is listening to the views of stakeholders on the proposals put forward by OFT. However Government are not undertaking a consultation or endeavouring to repeat the work undertaken by the OFT in preparing its report. I am aware that Ministers responsible for transport policy have ensured that key stakeholders have been made aware that the OFT have published their report and indicated that they would prefer early feedback to inform their consideration of the report.

Should the Government decide in principle to move forward with regulatory change, there will be a full consultation on any proposals, which will of course abide by our consultation guidelines and allow at least 12 weeks for responses.

Tyres (Energy Recovery)

Dr. Murrison: To ask the Secretary of State for Trade and Industry what plans the Department has to import tyres for energy recovery. [141066]

Mr. Timms: The Government have no plans to import waste tyres to be used in energy recovery.

Unofficial Strikes

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what steps her Department is taking to limit the number of unofficial strikes where striking workers refuse to submit to arbitration. [140529]

Mr. Sutcliffe: The Government actively encourages parties to seek the assistance of the Advisory, Conciliation and Arbitration Service (ACAS) where appropriate, while recognising that compelling either employers or workers to enter into arbitration can be counter-productive.

Written Answers to Questions

Thursday 4 December 2003

PRIME MINISTER

Big Conversation

Mr. Alan Duncan: To ask the Prime Minister (1) what estimate has been made of the cost of civil service time allocated to the Big Conversation consultation; [141882]

(2) what his Department's estimate is of the proportion of the total cost of the Big Conversation consultation that will be borne by the Government; [141883]

(3) how many civil servants have been seconded to work on the Big Conversation consultation. [141884]

The Prime Minister: The Labour Party is consulting its members and the wider community on the Government's progress and challenges ahead. This is a party document and has been issued by the Labour Party. No civil servants have been seconded to work on the consultation process.

However Ministers and special advisers have of course participated in this process according to the rules laid out in the Ministerial Code and the Special Advisers Code.

Engagements

Tim Loughton: To ask the Prime Minister what plans he has to meet the Dalai Lama when he visits the United Kingdom in May 2004. [142064]

The Prime Minister: I have not received a request to meet the Dalai Lama.

Special Advisers

Mr. George Howarth: To ask the Prime Minister what plans he has to amend the Code of Conduct for Special Advisers. [142501]

The Prime Minister: In its response to the ninth report of the Committee on Standards in Public Life, the Government proposed an amendment to the Code of Conduct for Special Advisers to clarify the relationships between special advisers and permanent civil servants. In the light of comments made, the Government have decided to delete the reference to "instructions" in the opening paragraph. A revised amendment has been placed in the Library of the House.

CABINET OFFICE

Olympic Games

Mr. Gardiner: To ask the Minister for the Cabinet Office what steps he is taking to ensure that Ministers representing the United Kingdom abroad are adequately briefed on the London 2012 Olympic bid. [140508]

Mr. Alexander: I refer my hon. Friend to the reply which my right hon. Friend the Secretary of State for Culture, Media and Sport gave to him on 3 December 2003, *Official Report*, columns 64–65W.

Legislation

Mr. Redwood: To ask the Minister for the Cabinet Office what percentage of *(a)* primary and *(b)* secondary legislation sponsored by his Department in 2002–03 was introduced to implement EU requirements. [141127]

Mr. Alexander: None.

INTERNATIONAL DEVELOPMENT

Angola

John Barrett: To ask the Secretary of State for International Development what recent representations he has made to the Government of Angola about the reintergration of demobilised soldiers. [141374]

Hilary Benn: The reintegration of demobilised soldiers is a key issue in the UK's regular discussions with the Government of Angola.

Since the end of the war in April 2002, over 88,000 ex-combatants have benefited from the Government of Angola's own disarmament, demobilisation and reintegration programme.

DFID is supporting the World Bank's Multi-country Demobilisation and Reintegration Programme (MDRP) for the Great Lakes region of Africa with a contribution of $25 million. The specific programme for Angola (ADRP) is an integral part of the MDRP and is worth $180 million over the next two years. The programme formally starts in January 2004 and will focus mainly on providing social and economic reintegration assistance including training and employment opportunities for 138,000 former combatants from UNITA and the government's own forces. My department has actively participated in each of the World Bank missions held over the last 18 months in order to design and set up the ADRP. DFID was also one of two donor countries (together with the Netherlands) to participate in the executive committee of the ADRP Special Project that aimed to provide 50,000 ex-combatants with seeds and tools for the autumn 2003 planting season and training in basic livelihoods skills for another 3,000.

Democratic Republic of Congo

John Barrett: To ask the Secretary of State for International Development what progress is being made with supplying food to vulnerable people in the Democratic Republic of Congo. [141372]

Hilary Benn: DRC is considered as one of 38 countries requiring exceptional external assistance by the Food and Agriculture Organisation of the UN, as a result of the effects of civil strife and the presence of large numbers of displaced people and refugees. However not all vulnerable people in DRC require food aid, and the UN's assessed requirement for food aid in DRC is low relative to chronically food insecure countries such as

Sudan or Ethiopia. In these circumstances emergency help with health and nutrition can be more effective in reducing mortality than food aid.

Between 2000 and 2003 the World Food Programme delivered 259,081 metric tonnes (mt) of food for DRC. WFP began a distribution of 46,000mt of food aid in the east of the country in June this year in response to high levels of malnutrition there. This project is due to finish on 15 December. Just under 40per cent. of the requested food aid (17,237mt) has been distributed. DFID has not made a specific contribution to this, although it is supporting food aid distribution in the same area through the International Relief NGO, CESVI.

DFID has steadily increased its humanitarian programme in DRC over the past five years.

This year we will spend over 10 million on emergency humanitarian relief. Much of this is for emergency medical interventions, rather than food aid. We are also committed to supporting the new transitional national government and the political transitiongenerally in DRC. It is only with a lasting political solution that the needs of vulnerable people can be properly addressed.

Iraq

Clare Short: To ask the Secretary of State for International Development whether the £60 million being held in the Treasury to be drawn down to assist humanitarian and reconstruction work in Iraq has been *(a)* drawn down to contribute to the Madrid pledge and *(b)* withdrawn. [141512]

Hilary Benn: The £60 million is included in the UK's total Madrid pledge of £544 for the three years from April 2003.£30.8 million of it has already been allocated, primarily towards meeting the costs of UK secondments to the Coalition Provisional Authority. The allocation of the remainder is under consideration.

Liberia

John Barrett: To ask the Secretary of State for International Development what action is being taken to prevent the assault and rape of civilians by gunmen in Liberia. [141371]

Hilary Benn: The international community has put in place a peacekeeping force under the direction of the UN Mission in Liberia (UNMIL). UNMIL has successfully created an arms free zone in Monrovia, and plans progressively to extend its influence over the entire country as it builds up to its full complement of 15,000 peacekeepers by March.

The most effective way to provide security and protection for Liberian civilians is for all factions to implement the Accra Peace Agreement, signed in 17 August, beginning with instructions to their followers to disarm and demobilise. The UK, as part of the international contact group on Liberia, is supporting the implementation of the agreement. Plans to support the process and to reform the security services, including the police, as part of the reconstruction of Liberia are being taken forward by the UN and donors.

Somalia

John Barrett: To ask the Secretary of State for International Development what assessment he has made of the humanitarian situation in Sool Plateau in Somalia; and what assistance he has offered. [141369]

Hilary Benn: Approximately 90,000 pastoralists are at risk from the failure of the autumn rains in northern Somalia. The global malnutrition rate for the Sool plateau is just under 14 per cent., which indicates the need for close monitoring rather than immediate intervention.

The humanitarian response includes: greater use of targeted family rations by WFP alongside UNICEF's supplementary feeding programme to screened children, monitoring of the health and nutrition situation; cash assistance to allow communities meet their non-food needs especially water, transport for livestock and/or people and to some extent pay up for accumulated credit; emergency water provision; emergency health services provision and veterinary services.

A United Nations assessment found a difficult situation although not yet a humanitarian crisis. We are envisaging a contribution to a UN Office for the Coordination of Humanitarian Affairs emergency response fund that is likely to appear as an amendment to the 2004 Consolidated Appeal for Somalia. The UN's Children Fund received £1 million from DFID for its health and nutrition work in Somalia in March 2003. We will be making some further contributions to meet humanitarian needs in Somalia very soon.

NORTHERN IRELAND

Aircraft Noise

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the total *(a)* area and *(b)* population affected by aircraft noise is within (i) 57 Leq contour, (ii) 63 Leq contour and (iii) 69 Leq contour and above at (A) Belfast International Airport and (B) Belfast City Airport. [141667]

Mr. Spellar: The information requested is set out in the following table:

	57 dBA Leq	*63 dBA Leq*	*69 dBA Leq*
Belfast International Airport			
Area (km^2)	9.7	3	1
Population	600	0	0
Belfast City Airport			
Area (km^2)	3.2	0.9	0.3
Population	4,100	0	0

Note:

The above data relate to the year 1999 and are the latest available material.

Flu Vaccination

Lady Hermon: To ask the Secretary of State for Northern Ireland what percentage of those eligible for an influenza vaccination in Northern Ireland have received one; and what steps he is taking to increase take-up of the vaccination. [140809]

Angela Smith: From commencement of 2003–04 flu vaccination campaign to 31 October 2003, 56.7 per cent. of the over 65 population in NI have received flu vaccination. This is up on the same period of 2002–03, when the figure was 56.3 per cent. In the under 65 "at risk" group for the period to 31 October, 41.4 per cent. of these have received flu vaccination. This is up on the same period of 2002–03, when the figure was 39.7 per cent.

The Department of Health, Social Services and Public Safety ran the Influenza Immunisation Campaign. This included a TV advertisement and the vast majority of those eligible for immunisation also received a personal invite from their GP along with a detailed information leaflet. In October the Department also issued a second letter to GPs, Boards, Trusts advising that the influenza virus was circulating and exhorting them to take urgent action to encourage uptake of the vaccine, in particular among at risk children. Additional interviews for TV and radio encouraged those eligible to get the flu vaccine. At local levels, HSS Trusts and GPs took action to increase the uptake.

Irish Marine Environment Report

Mr. Chaytor: To ask the Secretary of State for Northern Ireland whether the Department contributed to the research reported on in the report, Radioactivity Monitoring of the Irish Marine Environment 2000 and 2001, released in May by the Radiation Protection Institute of Ireland; and if he will make a statement on research collaboration between his Office and the RPII. [141673]

Angela Smith: The Department of the Environment, Northern Ireland did not contribute to the research reported in the report, "Radioactivity Monitoring of the Irish Marine Environment 2000 and 2001", released in May by the Radiological Protection Institute of Ireland.

The Department has undertaken a number of collaborative studies with the Radiological Protection Institute of Ireland and University College Dublin since 1990. These studies looked at artificial radioactivity in Carlingford Lough, Lough Foyle and Strangford Lough and confirmed that contamination levels in the Northern Ireland environment are of negligible radiological significance.

TRADE AND INDUSTRY

Air-to-air Refuelling

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the joint-venture bid by Boeing and BAE Systems to provide air-to-air refuelling to the RAF. [140521]

Jacqui Smith: Boeing and BAE Systems (with SERCO and Spectrum Capital) make up the Tanker and Transport Service Company (TTSC), one of the bidding consortia for MOD's Future Strategic Tanker Aircraft (FSTA) competition. The competition is ongoing and it would therefore be inappropriate to make a statement. I have, however, recently met with both consortia concerned (AirTanker and TTSC) to discuss the UK industrial implications of their respective bids.

Burma

Vera Baird: To ask the Secretary of State for Trade and Industry which British companies have investments in Burma. [141636]

Mr. Mike O'Brien *[holding answer 2 December 2003]*: The two largest UK investors in Burma, Premier Oil and British American Tobacco, have agreed to withdraw from Burma. British investment is now minimal; a number of British tour operators have links with Burmese travel companies and Sea Containers/Orient Express operate cruises in Burma. I have however written to ABTA to suggest that travel operators promoting Burma, should think twice before proceeding.

Company Law

Dr. Naysmith: To ask the Secretary of State for Trade and Industry what plans she has in the company law review to ensure that company law and industrial and provident society law are brought into line; and if she will make a statement. [141485]

Jacqui Smith: The Company Law Review (CLR) focussed on core company law and did not extend to industrial and provident societies.

The Industrial and Provident Societies Act 2002 enables the Treasury to update industrial and provident society legislation in line with company law, following a change in company law.

In order to provide for a strategic, consistent and up-to-date approach between companies and societies, the general modernisation of industrial and provident society legislation will be considered by my right hon. Friend the Financial Secretary to the Treasury in the light of new companies legislation following the Company Law Review.

Cross-border Mergers

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what discussions her Department has had with *(a)* her European counterparts and *(b)* the European Commission regarding new proposals for an EC directive on cross-border mergers; what the outcome of those discussions has been; and if she will make a statement. [140526]

Jacqui Smith: UK representatives have met with European counterparts and the Commission during the past 12 months in both Council and Commission Working Groups and in informal meetings to discuss the proposed cross-border mergers Directive, which is a part of the EU Action Plan on Company Law and Corporate Governance.

The new proposal for an EC Directive on Cross-Border Mergers was published on 18 November 2003.

Electricity Supplies

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what responsibility *(a)* the Government, *(b)* the regulator and *(c)* electricity suppliers have for maintaining electricity supplies in the event of severe winter weather. [141851]

Mr. Timms: Legal responsibility for energy security is shared by my right hon. Friend the Secretary of State for Trade and Industry and Ofgem. The Secretary of State is responsible for setting the overall regulatory framework for the supply of electricity. A key part of that framework is set out in section 3A of the Electricity Act 1989 as amended by the Utilities Act 2000 and includes the objectives "to protect the interests of consumers". To this end the Secretary of State has made a new statutory instrument (The Electricity Safety, Quality and Continuity Regulations 2002) requiring electricity distribution companies to prevent interruption of supply as far as is reasonably practical.

Electricity for domestic consumers is provided through their contracts with electricity supply companies, which are trading organisations, not responsible for the electricity infrastructure such as overhead lines. The local infrastructure is the responsibility of electricity distribution companies. In each electricity distribution region the physical supply of electricity to customers is the responsibility of a monopoly Distribution Network Operator (DNO), regulated through an Ofgem licensing system. The Secretary of State lays down the Standard Licence Conditions. Enforcement of the licence conditions is for Ofgem.

Euratom Programme

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on how the Euratom programme will provide opportunities for research that may help support the domestic skills base. [141486]

Mr. Timms: The Euratom programme covers both fission and fusion research and includes areas of research, like radiation protection, that the Nuclear Skills Group (NSG)[1] indicated might face a domestic skills shortage in the future. It allows the UK to be part of large scale cutting edge international projects like the fusion International Thermonuclear Experimental Reactor (ITER). The programme provides opportunities for UK researchers to collaborate with other EU research groups encouraging the spread of best practice. It has a role to play in maintaining expertise and attracting younger scientists in a sector currently facing considerable change.

[1] The Nuclear Skills Group (NSG) was drawn from a number of UK Government Departments, industry, academia and professional institutions. In 2002, it conducted a survey of the UK national nuclear and radiological skill base to provide an insight to the future availability of UK skills. The survey was prompted by an assessment of the international situation by the Organisation for Economic Co-operation and Development/Nuclear Energy Agency (OECD/NEA).

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much the Government have contributed to *(a)* Euratom and *(b)* Euratom nuclear fusion research and development programmes in each year since 1997. [141487]

Mr. Timms: The EU budget is not disaggregated at project/spending level to show national contributions by members states. However, Euratom spending forms part of the UK's annual contribution to the overall EC budget. The following table gives the UK's financial share after abatement to the EC budget for the years 1997–2003[1].

[1] External expenditure is not subject to abatement.

	UK percentage share
1997	11.9
1998	15.2
1999	13.4
2000	15.8
2001	9.6
2002	13.1
2003	12.9

The following table sets out the European Commission budgets for the total Euratom and Euratom fusion programmes (GBP millions, 2003 prices[1]).

[1] Figures have been calculated on the basis of official budget documents for 1998, 2000, 2002 and 2003, and have been converted into 2003 prices using Eurostat deflators. Euro figures have been converted into GBP using the average exchange rates for relevant years. Published figures for this expenditure are spread over different parts of the EC Budget, with principal activities falling under budget title 6, "Energy and Transport" (specifically the Community's nuclear energy programme), and budget title 8, "Research", as well as some external actions lines.

	Total Euratom	*Of which fusion programme*
1997	159.0	130.2
1998	158.6	133.8
1999	177.5	139.2
2000	189.5	113.5
2001	190.3	163.4
2002	221.6	141.8
2003	176.7	97.6

Note:

Figures do not include Euratom loans, which are financed separately from the budget.

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much financial support the UK has received from Euratom for nuclear fission research in each year since 1997; and if she will make a statement on research projects supported by Euratom. [141489]

Mr. Timms: The European Commission figures on the final use of funding for the FP5 Nuclear Fission and Radiation Protection programme (1998–2002) provide an indication of opportunities that the programme brings to UK researchers. In FP5, the EC funded a total of 289 projects at a cost of 167.2 MEuro. UK participations totaled 266 and those participants received 21.6 MEuro of the available funding. Only France and Germany had a greater number of participations. Commission funding is paid direct to researchers and the UK Government hold no record of these payments.

The Government take a proactive approach in the negotiation of the Euratom Programmes and content of both FP5 Euratom and the new FP6 Euratom programme (2002–06) broadly match UK interests.

Export Control Licences

Ann Clwyd: To ask the Secretary of State for Trade and Industry how many export control licences have been revoked for each year since 1997; and on what grounds. [140724]

Nigel Griffiths *[holding answer 3 December 2003]*: Since May 1997, the Government have published the number of export licences that have been revoked, and also on what grounds. These details are in the Government's Annual Report on Strategic Export Controls, copies of which are available from the Libraries of the House.

Insolvency Service

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry if she will make a statement on the procedures adopted by the Insolvency Service for dealing with members of staff believed to be inefficient; and whether there have been recent changes in these procedures. [141258]

Mr. Sutcliffe *[holding answer 3 December 2003]*: The Insolvency Service has two procedures to deal with inefficiency, unsatisfactory performance and unsatisfactory attendance. The procedures are designed to bring performance (or attendance) up to the required standard, and comply with employment legislation and the ACAS Code of Practice on Discipline and Grievance (2000). The inefficiency procedure was revised earlier this year. Both sets of procedures will be reviewed again next year to ensure compliance with the Employment Act 2002 (Dispute Resolution) Regulations.

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry how many Insolvency Service staff have had inefficiency proceedings initiated against them in each of the past five years; and what the ethnic background of the individuals concerned was in each year. [141259]

Mr. Sutcliffe *[holding answer 3 December 2003]*: The following table shows the number of Insolvency Service staff and their ethnic background who have had inefficiency proceedings initiated against them in the last five years.

	Number	*White*	*Black* [1]	*Unknown*
1998	3	3	0	0
1999	1	0	1	0
2000	3	3	0	0
2001	1	1	0	0
2002	4	3	0	1
2003	1	1	0	0

[1] The data have not been further broken down into categories of ethnic origin as they were collected prior to the latest census ethnic origin categories being used.

Note:

The data above exclude inefficiency proceedings taken as a result of unsatisfactory attendance. These data cannot be provided in the timescales given.

Iraq

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what measures she is taking to implement British Standards in the reconstruction of Iraqi industry and commerce. [140535]

Ms Hewitt: It is for a future, independent government in Iraq to decide which standards that country should adopt. The Coalition Provisional Authority is using existing standards as much as possible. I fully support this approach.

MG Rover

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what discussions she has had with representatives of the firm MG Rover about the decision to suspend production on 25 November. [141248]

Jacqui Smith: None.

Mining-related Compensation Claims

Mr. Barron: To ask the Secretary of State for Trade and Industry what the total paid to date in compensation claims for *(a)* chronic bronchitis and emphysema and *(b)* Vibration White Finger of former coalminers is in (i) the Rother Valley constituency and (ii) the United Kingdom. [141536]

Nigel Griffiths: As of 31 October 2003 £10.4 million had been paid for respiratory disease claims and £16 million for Vibration White Finger claims in the Rother Valley constituency; and as of 23 November 2003 £913 million for respiratory disease claims and £983 million for Vibration White Finger in the United Kingdom.

Note:

Constituency figures can be found on the DTI website www.dti.gov.uk/coalhealth The information is complied in the middle of the month and shows the figures for the end of the previous month.

Motor Industry

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what financial contributions have been made by her Department to the Foresight Vehicle LINK programme. [142120]

Jacqui Smith: The Department has made commitments totalling £12.4 million, as follows:

	£000
1997–98	672
1998–99	149
1999–2000	660
2000–01	722
2001–02	1,382
2002–03	3,975
2003–04	3,493

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the operation of the Foresight Vehicle LINK programme. [142122]

Jacqui Smith: The Foresight Vehicle LINK programme supports technology transfer through collaborative R&D, aiming to raise the innovation performance of the automotive industry in the UK, including its supplier base. A supporting knowledge transfer network, now managed by the Society of Motor Manufacturers and Traders, carries out technology roadmapping to set the research priorities for the programme, brokerage and dissemination activities. The programme includes a wide portfolio of projects, valued in excess of £100 million, in the key thematic areas of advanced materials; advanced electronics, sensors, software and telematics; powertrain; alternative propulsion systems; and design and manufacturing processes. DTI has now fully committed it funds of £12.4 million to the programme.

Natural Gas

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the recent change in the price of natural gas. [140520]

Mr. Timms: Wholesale spot gas prices rose from 15p a therm in September to a peak of 34p a therm in October (and on 2 December stood at 27.6p a therm). This may reflect seasonal factors.

Ofgem has announced that it is seeking views from industry on the recent increase in wholesale gas prices, and that it is examining the allegations about possible manipulation of wholesales gas prices. In due course Ofgem will determine whether it is appropriate to start a formal investigation.

Nuclear Waste

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what estimate she has made of the cost of managing nuclear waste in each of the next 10 years. [140957]

Ms Hewitt: The cost of managing Britain's civil public sector nuclear waste is included within the estimated total of nuclear liabilities which currently stand at around £48 billion. Reliable estimates of annual costs are hard to identify as there remains considerable uncertainty surrounding both the total of the liabilities, and the ongoing operational imperatives and constraints at individual nuclear sites. The Nuclear Decommissioning Authority (NDA), which is intended to be operational from April 2005, will need to establish more certainty on the overall liabilities and annual costs. To this end the government has already started preparation of lifecycle baselines for NDA sites that will provide the basis for estimating the costs of clean up going forward. The NDA will be operating within the overall framework of Government policy on decommissioning and waste management and will need to manage the clean up programme accordingly.

In the longer term, the Committee on Radioactive Waste Management (CoRWM) will make recommendations to ministers about the long-term strategy for managing UK radioactive waste.

Precious Metal Articles

Mr. Bellingham: To ask the Secretary of State for Trade and Industry from which other EU member states the sale of precious metal articles in the UK has been validated for sale by the hallmark of that member state; and whether such a validation process applied to past hallmarked articles from those member states. [140525]

Mr. Sutcliffe: As a signatory to the Vienna Convention, the UK accepts items marked with the Common Control Mark (CCM) without additional marking and testing. Other member states belonging to the Convention and entitled to use the CCM are: Austria, Finland, Portugal, Sweden, Ireland, Denmark and the Netherlands. Following the ECJ Houtwipper judgment in 1999, the UK has also recognised the hallmarks of other EU member states without a CCM where they have been marked by independent assay offices. This includes France, Ireland, Portugal, the Netherlands and some Spanish marks.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what reports and recommendations her Department has received since 1998 relating to the draft Directive on Articles of Precious Metal; and to what extent their recommendations have been followed. [140528]

Mr. Sutcliffe: The DTI has received a number of reports and recommendations from stakeholders about the draft Directive. The majority of these have been against the proposals. Since we believe that the draft Directive would effectively weaken consumer protection, and there was little support for a change of system, the UK did not support the Directive in Council Working Group discussions. At Coreper (Committee of Permanent Representatives to the EU), it was decided that the draft Directive and Progress Report would not go forward to the Council of Ministers on 27 November because of the lack of agreement.

Re-branding

Brian Cotter: To ask the Secretary of State for Trade and Industry what business support schemes and organisations within her Department have been re-branded within the last two years; and what the cost was of each re-branding exercise. [141610]

Ms Hewitt: No existing business support schemes or organisations within my Department have been re-branded within the last two years. Four new business support products were launched in spring 2003; these and future DTI business support products have to conform with DTI corporate brand guidelines which aim to standardise design and eliminate the cost of developing unnecessary new brand identities.

I have joint responsibility with my right hon. Friend the Secretary of State for Foreign and Commonwealth Affairs for UK Trade and Investment, which recently brought together British Trade International, Trade Partners UK and Invest.UK under a single worldwide corporate identity at a cost of £600,000. Consequential savings of £250,000 per year are anticipated through the use of commonly branded stationery and promotional materials.

Regulatory Accountability

Brian Cotter: To ask the Secretary of State for Trade and Industry how many times the Ministerial Panel for Regulatory Accountability has met since its formation. [141607]

Mr. Alexander: I have been asked to reply.

It has been established practice under successive Governments not to disclose information relating to the proceedings of Cabinet Committees. This practice is now formalised by Exemption 2 of Part II of the Code of Practice on Access to Government Information.

Staff Efficiency

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry if she will publish the outcomes of inefficiency proceedings initiated against members of staff in each of the past five years; how many involved *(a)* office transfers, *(b)* resignations and *(c)* dismissals; and what the ethnic background of the individuals concerned was in each year. [141260]

Ms Hewitt *[holding answer 3 December 2003]:* The DTI does not collect statistics on inefficiency proceedings initiated in each of the past five years in the form requested. The total number of dismissals for inefficiency in DTI HQ in the period June 1998 to November 2003 was 16.

Wind Farms

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry (1) what research her Department is undertaking to establish the potential impact of offshore wind farms on common scoters; and if she will make a statement; [141955]

(2) what action her Department is taking to ensure that common scoters are protected from adverse impacts of proposed offshore wind farm developments; and if she will make a statement. [141956]

Mr. Timms: The DTI itself has not commissioned any research on the potential impact of wind farms on common scoter specifically. A DTI report published in 2001 assessed the effects of offshore wind farms on birds. The report reviewed all contemporary published data from both UK and overseas studies and looked at the effects, if any, that wind farms have on birds including common scoter.

More recently, a Strategic Environmental Assessment has been completed in advance of the second round of offshore wind farm development. The Environmental Report resulting from the Assessment considers the full range of impacts that might arise from wind farm activity including those affecting birds. The Report also identifies additional studies that need to be carried out. These include further work on the distribution and main flight paths of seabirds including migratory, feeding and roosting patterns and their behavioural response to wind farms.

The University of Wales at Bangor is close to completing a project on the potential displacement of birds (especially common scoter) from benthic feeding areas because of the impact of wind turbines. The Bangor study is being carried out on behalf of COWRIE (Collaborative Offshore Wind Farm Research in the Environment), a body which includes members drawn from the Crown Estate, Government, offshore wind farm developers and environmental groups.

Before any offshore wind farm can be developed, a number of statutory consents are required—especially under either the Electricity Act, the Food and Environment Protection Act (FEPA) and the Coast Protection Act or under the Transport and Works Act and FEPA. As part of the application process for Electricity Act and Transport and Works Act consents, the applicant has to undertake an Environmental Impact Assessment, the product of which is an Environmental Statement. This document addresses the potential environmental impacts (including those affecting bird populations) of the projects under application. In determining the application, the Secretary of State will consider any likely impacts on the environment including on any European sites in line with the requirements of the Birds and Habitats Directives. Any decisions about granting consents for offshore wind farms will consider advice provided by the statutory nature conservation bodies and other interested parties about their impact on the marine environment.

Any consent granted in response to an application may include conditions that will minimise and monitor impacts. Since the Food and Environment Protection Act specifically addresses the protection of the marine environment, it is likely that conditions relating to seabirds would be incorporated into any licence issued under this Act.

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what plans she has to hold a public inquiry into Cirrus Energy's proposed offshore wind farm development at Shell Flat, Liverpool Bay; and if she will make a statement. [141957]

Mr. Timms: Cirrus Energy has applied for consent for the proposed Shell Flat offshore wind farm under the Transport and Works Act 1992 (TWA). The TWA process requires that a decision is taken on which one of three processes will be used to consider objections to an application for consent: a public inquiry, a hearing or an exchange of correspondence. The timing of this decision can be varied at the request of the applicant for the Order or at the instigation of the Secretary of State.

No decision has yet been taken on how to deal with the objections to the Shell Flat proposal.

DEFENCE

Al Yamamah Programme

Mr. Kilfoyle: To ask the Secretary of State for Defence (1) what his Ministry's obligations are under the Government-to-Government arrangements with Saudi Arabia concerning the Al Yamamah programme; [140789]

(2) if he will publish the terms of reference for the Director-General of the Saudi Armed Forces Project. [140790]

Mr. Ingram: The Ministry of Defence's obligation in respect of the Al Yamamah programme are covered in Government-to-Government arrangements, the details of which are confidential between the United Kingdom and Saudi Arabian Governments. The Director-General of the Saudi Armed Forces Project (DGSAP) is responsible for fulfilling the Department's obligation under these arrangements. DGSAP and his staff are involved in the negotiation of the Al Yamamah contracts, monitoring the progress and performance of the programme prime contractor in the delivery of goods and services to the Saudi armed forces and, when satisfied, endorsing claims made by the prime contractor in accordance with the terms of the contracts for payment by the Saudi Government.

Flying Hours (RAF Marham)

Mr. Gerald Howarth: To ask the Secretary of State for Defence how many hours on average were flown by RAF pilots based at RAF Marham in each month over the past two years. [141295]

Mr. Ingram: The information in the table. shows the number of hours flown on average by pilots based at RAF Marham, by month. These figures include hours flown by exchange pilots from foreign air forces serving with RAF Squadrons based at the Station, as these are not recorded separately. On average there are two such pilots at the Station, and they would normally fly at the same rate as RAF pilots. The figures include hours flown by Marham-based pilots deployed on Operation TELIC, hence the increase in March and April 2003.

Month	*Average hours per pilot*
December 2001	29.97
January 2002	32.93
February 2002	28.55
March 2003	38.28
April 2002	35.85
May 2002	34.11
June 2002	30.07
July 2002	40.11
August 2002	31.71
September 2002	37.55
October 2002	38.86
November 2002	25.16
December 2002	21.28
January 2003	29.32
February 2003	29.08
March 2003	47.44
April 2003	97.30
May 2003	25.65
June 2003	37.78
July 2003	32.87
August 2003	33.70
September 2003	30.87
October 2003	31.42

Iraq

Harry Cohen: To ask the Secretary of State for Defence how many deaths in custody there have been since the start of the Iraq conflict of Iraqis *(a)* under UK responsibility, *(b)* under US responsibility and *(c)* under the responsibility of other authorities in Iraq; and if he will make a statement. [141102]

Mr. Ingram: There have been six recorded deaths of Iraqis while in the custody of UK Forces all of which are being investigated. The number of deaths of Iraqis in custody of authorities other than UK Forces is a matter for those authorities.

Joint Strike Fighter

Mr. Jack: To ask the Secretary of State for Defence if he will make a statement on technology transfer agreements which have been concluded between BAE systems and the US Administration on the Joint Strike Fighter Project. [141922]

Mr. Ingram: BAE Systems has recently concluded negotiation of an updated technology transfer agreement, marking a significant step on the path towards achievement of its full participation in the Joint Strike Fighter development programme. With the involvement of the company, a plan has been drawn up to identify future key technology transfer milestones, in order to ensure that further updates are signed when required.

Legislation

Mr. Redwood: To ask the Secretary of State for Defence how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141124]

Mr. Ingram: My Department did not sponsor any primary legislation during the 2002–03 session.

In the case of secondary legislation my Department was responsible for the making of 11 General Statutory Instruments which would have been considered by the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments. These instruments made a total of 53 pages.

Low-flying

Adam Price: To ask the Secretary of State for Defence (1) what the NATO requirements for low-flying military training are for 2004; [140540]

(2) what discussions he has had with NATO colleagues on changes in the requirements for low-flying military training; [140541]

(3) what recent changes there have been in NATO policy on low-flying military training. [140543]

Mr. Caplin: NATO sets the minimum standards for low-flying military training but does not have a separate policy on how to achieve these standards. Nations are responsible for their own training to achieve what is required of them and make their own arrangements for any low-flying training which they deem necessary. There are no foreseeable changes to this position in 2004 and I have not been involved in discussions with NATO on this issue.

Military Deployment

Mr. Hancock: To ask the Secretary of State for Defence how many *(a)* Royal Navy, *(b)* Royal Air Force, *(c)* Army and *(d)* civilian MoD personnel are on deployment to (i) NATO HQ in Brussels (ii) NATO Southern Command and (iii) other NATO command centres; and if he will make a statement. [141346]

Mr. Ingram: As at 1 December 2003, the number of United Kingdom Ministry of Defence armed forces and civilian personnel in NATO HQs was as follows:

	Naval service	*RAF*	*Army*	*Civilian*	*Total*
NATO HQ	20	15	22	16	73
Southern Region	147	99	98	0	344
Other HQs	258	529	459	1	1,247
Total	425	643	579	17	1,664

In addition, the Ministry of Defence has a small number of people on secondment to the Foreign and Commonwealth Office that work within the NATO organisation.

Mr. Hancock: To ask the Secretary of State for Defence how many military diplomatic personnel have been deployed to the United States in each of the last five years; and if he will make a statement. [141347]

Mr. Ingram: During the last five years since November 1998, 26 Service Attachés have been deployed to the United States. These are broken down as follows:

Three Defence Attachés (also the Head of the British Defence Staff, Washington)

Three Naval Attachés and five Assistant Naval Attachés

Three Military (Army) Attachés and three Assistant Military Attachés

Three Air Attachés and three Assistant Air Attachés

Three Heads of British Defence Intelligence Liaison Staff

There is overlap due to some of the Attachés commencing duty prior to November 1998.

Military Tours

Mr. Soames: To ask the Secretary of State for Defence (1) whether a 24-month gap between tours has been achieved for *(a)* the 1st Battalion, The Royal Scots and *(b)* the 1st Battalion The King's Own Scottish Borderers since 1997; and if he will make a statement; [140454]

(2) what the *(a)* shortest and *(b)* longest gap between tours experienced by (i) the 1st Battalion, The Royal Scots and (ii) the 1st Battalion The King's Own Scottish Borderers was since 1997; and if he will make a statement. [140455]

Mr. Ingram: The Army's Harmony guidelines recommend a tour interval of 24 months between each six month operational tour, per Army Battalion. Since 1997, the 1st Battalion, The Royal Scots and the 1st Battalion, The King's Own Scottish Borderers have both experienced a gap of at least 24 months between operational tours.

The 1st Battalion, The Royal Scots have undertaken two unaccompanied operational tours since 1997, with a gap of 36 months between them. In addition they have completed a two year residential (accompanied by families) tour in Northern Ireland.

The 1st Battalion, The King's Own Scottish Borderers, have completed four operational tours since 1997. The longest and shortest gaps between these tours are 26 months and 10 months respectively.

Milk Tankers

Mr. Gray: To ask the Secretary of State for Defence (1) how many civilian milk tankers have been converted to military refuelling tankers; and how many of them have been deployed to Iraq; [141923]

(2) what the *(a)* cost and *(b)* life expectancy of a (i) converted milk tanker and (ii) custom built oil tanker is; and if he will make a statement. [141924]

Mr. Ingram: No civilian milk tankers have been converted to military refuelling tankers.

The Wheeled Tanker programme, which will provide 357 tankers to carry fuel (300) and water (57) at a cost of £171 million, is planned to come into service in February 2005 and will have a 15 year life.

Network-centric Warfare

Miss McIntosh: To ask the Secretary of State for Defence what assessment he has made of the potential of network-centric warfare in the future tactics of the *(a)* United Kingdom and *(b)* United States armed forces; and what plans he has to adopt it. [140567]

Mr. Hoon: Developing a networked capability is fundamental to achieving desired effects in joint and coalition warfighting. It offers the potential for dramatic increases in tempo—the ability to make better quality decisions and act more quickly and with greater agility, control and precision.

The Ministry of Defence has commissioned research to assess the positive impact of Network Centric Warfare, which we in the United Kingdom refer to as Networked Enabled Capability. At this stage, the preliminary results of this study indicate that Networked Enabled Capability will have a very positive impact on the operational effectiveness of our armed forces. The study is due to report next year and it is anticipated that it will produce detailed results demonstrating the benefit. Additionally, the MOD is collaborating and providing data for a United States Department of Defense (US DOD) study which is looking at the benefit delivered by Networked Enabled Capability. The outcome of this work is expected in the summer of next year.

Northern Ireland

Mr. Carmichael: To ask the Secretary of State for Defence (1) how many soldiers from Scottish battalions have been stationed in Northern Ireland in each of the last 10 years; and what estimate his Department has made of the number of soldiers required in future years; [141656]

(2) how many British soldiers have been stationed in Northern Ireland in each of the last 10 years; and what estimate his Department has made of the number of soldiers required in future years. [141657]

Mr. Ingram: The number of Army personnel stationed in Northern Ireland, in each of the last 10 years, is as follows:

Date as at 31 October	*Number of army personnel*
1994	16,960
1995	15,680
1996	15,060
1997	15,250
1998	14,100
1999	13,130
2000	12,240
2001	12,540
2002	12,830
2003	12,300

Information on the exact number of soldiers from Scottish battalions who have been stationed in Northern Ireland in each of the last ten years, is not held centrally and could be provided only at disproportionate cost. I can, however, list those Scottish battalions that have served in Northern Ireland over the last 10 years. The minimum manning strength for an infantry battalion in Northern Ireland is 550.

Date	*Battalion*
April 1992-December 1994	1st Battalion, The King's Owns Scottish Borderers
September 1992-March 1993	1st Battalion, The Royal Scots
November 1992-May 1993	1st Battalion, The Queen's Own Highlanders
May 1994-November 1994	1st Battalion, The Argyll and Sutherland Highlanders
June 1994-December 1994	1st Battalion, The Scots Guards
December 1994-April 1995	1st Battalion, The Highlanders
May 1995-November 1995	1st Battalion, The Black Watch
September 1995-April 1997	1st Battalion, The Highlanders
October 1995-March 1996	1st Battalion, The Royal Scots
November 1995-May 1996	1st Battalion, The King's Owns Scottish Borderers
May 1996-November 1996	1st Battalion, The Scots Guards
February 1997-February 1999	1st Battalion, The Argyll and Sutherland Highlanders
May 1997-November 1997	1st Battalion, The Royal Highland Fusiliers
June 1997-December 1997	1st Battalion, The Royal Scots
September 1997-March 1998	1st Battalion, The King's Owns Scottish Borderers
March 1998-March 2000	1st Battalion, The Scots Guards
June 1998-November 1998	1st Battalion, The Highlanders
December 1998-May 1999	1st Battalion, The Black Watch
March 1999-August 1999	1st Battalion, The Royal Scots
January 2000-April 2000	1st Battalion, The Argyll and Sutherland Highlanders
June 2000-December 2000	1st Battalion, The Highlanders
September 2000-April 2002	1st Battalion, The Royal Scots
March 2001-March 2003	1st Battalion, The Royal Highland Fusiliers
March 2001-March 2003	1st Battalion, The Argyll and Sutherland Highlanders
June 2001-November 2001	1st Battalion, The Scots Guards
September 2001-March 2002	1st Battalion, The King's Owns Scottish Borderers

All military force structures are based on operational need given the current and future security environment in which the armed forces are likely to operate. Until there is agreement on Security Normalisation in Northern Ireland, it would be premature to come to any conclusions on the future composition of the Northern Ireland garrison.

Personnel Costs

Angus Robertson: To ask the Secretary of State for Defence (1) how many people work for the *(a)* Army Personnel Centre and *(b)* Army Training and Recruiting Agency; how many are employed in Scotland; what the personnel costs of each agency are; and how these figures compare to the previous year; [141023]

(2) how many people work for the *(a)* Warship Support Agency and *(b)* Defence Procurement Agency; how many are employed in Scotland; what the personnel costs of each agency are; and what the figures were 12 months previously; [140973]

(3) how many people work for *(a)* the Defence Housing Executive and *(b)* the Defence Intelligence and Security Centre; how many are employed in Scotland; what the personnel costs of each agency are; and what these figures were 12 months previously; [141007]

(4) how many people work for *(a)* Defence Estates and *(b)* the Defence Geographic and Imagery Intelligence Agency; how many are employed in Scotland; what the personnel costs of each agency are; and how these figures compare to 12 months previously; [141005]

(5) how many people work for the Defence Dental Agency; how many are employed in Scotland; what the personnel costs of the agency are; and what the equivalent figures were 12 months previously; [141012]

(6) how many people work for the *(a)* Defence Transport and Movements Agency and *(b)* Medical Supplies Agency; how many are employed in Scotland; what the personnel costs of each agency are; and what the figures were 12 months previously; [140972]

(7) how many people work for the *(a)* Defence Communications Services Agency and *(b)* Defence Storage and Distribution Agency; how many are employed in Scotland; what the personnel costs of each agency are; and what the figures were 12 months previously; [140969]

(8) how many people work for *(a)* the MOD Police and *(b)* the Defence Bills Agency; how many are employed in Scotland; what the personnel costs of each agency are; and what the equivalent figures were 12 months previously; [141011]

(9) how many people work for *(a)* the Naval Manning Agency and *(b)* Service Children's Education; how many are employed in Scotland; what the personnel costs of each agency are; and how these figures compare to the previous year; [140988]

(10) how many people work for *(a)* the Armed Forces Personnel Administration Agency and *(b)* the Defence Analytical Services Agency; how many are employed in Scotland; what the personnel costs of each agency are; and what the figures were 12 months previously; [141009]

(11) how many people work for the *(a)* Veterans Agency and *(b)* British Forces Post Office; how many are employed in Scotland; what the personnel costs of each agency were in 2002–03; and what the figures were 12 months previously; [140968]

(12) how many people work for the *(a)* Queen Victoria School and *(b)* Duke of York's Royal Military School; how many are employed in Scotland; what the personnel costs of each agency are; and how these figures compare to the previous year; [140985]

(13) how many people work for the *(a)* Naval Recruiting and Training Agency, *(b)* RAF Personnel Manning Agency and *(c)* RAF Training Group Defence Agency; how many are employed in Scotland; what the personnel costs of each agency are; and how these figures compare to the previous year; [140982]

(14) how many people work for the *(a)* Defence Vetting Agency and *(b)* Defence Medical Education and Training Agency; how many are employed in Scotland; what the personnel costs of each agency are; and how these figures compare to those 12 months previously; [140959]

(15) how many people work for the *(a)* Disposal Services Agency and *(b)* Pay and Personnel Agency; how many are employed in Scotland; what the personnel costs of each agency are; and what the figures were 12 months previously. [140960]

Mr. Caplin: Figures for service and civilian personnel and overall staff costs relating to each organisation are provided below. Information on numbers of service personnel working in Scotland is not held centrally and could be provided only at disproportionate cost.

	Civilian Scotland[1,2,3]	*Civilian total*[1,2,3]	*Service total*[4]	*Total staff costs (£000)*[5]
Financial year 2001–02				
Armed Forces Personnel Administration Agency	110	230	170	11,609
Army Personnel Centre	680	750	163	25,554
Army Training and Recruitment Agency	100	4,250	7,030	504,546
British Forces Post Office	10	340	170	12,009
Defence Analytical Services Agency	[6]—	150	[6]—	4,040
Defence Bills Agency	[6]—	580	[6]—	10,994
Defence Communication Services Agency	110	3,050	1,620	153,150
Defence Dental Agency	10	160	[7]—	36,887
Defence Estates	110	1,360	10	46,099
Defence Geographic Imagery Intelligence Agency	[6]—	690	620	42,484
Defence Housing Executive	90	940	[6]—	22,092
Defence Intelligence and Security Centre	[6]—	140	350	13,685
Defence Medical Education and Training Agency[8]	[9]—	[9]—	[7]—	[9]—
Defence Procurement Agency	130	3,730	650	234,336
Defence Storage and Distribution Agency	20	2,750	100	63,478
Defence Transport and Movements Agency	[6]—	310	100	11,420
Defence Vetting Agency	[6]—	260	[6]—	7,555
Disposal Services Agency	[6]—	80	[6]—	22,092
Duke of York's Royal Military School	[6]—	110	[6]—	3,189
Medical Supplies Agency	10	270	[7]—	6,919
Ministry of Defence Police	820	3,260	[6]—	152,961
Naval Manning Agency	[6]—	110	200	12,851
Naval Recruiting and Training Agency	10	1,000	[10]6,720	145,030
Pay and Personnel Agency	[6]—	660	[6]—	13,110
Queen Victoria School	70	70	[6]—	2,043
RAF Personnel Management Agency	[6]—	240	[11]780	14,732
RAF Training Group Defence Agency	50	2,050	3,780	307,512
Service Children's Education	[6]—	730	[6]—	45,478
Veterans Agency	10	880	[6]—	18,658
Warship Support Agency[12,13]	2,500	7,680	440	335,291
Financial year 2002–03				
Armed Forces Personnel Administration Agency	20	170	200	14,296
Army Personnel Centre	680	810	170	23,070
Army Training and Recruitment Agency	60	4,240	6,630	552,262
British Forces Post Office	10	380	160	13,501
Defence Analytical Services Agency	[6]—	140	[6]—	4,419
Defence Bills Agency	[6]—	590	[6]—	11,492
Defence Communication Services Agency	150	3,180	1,500	160,050
Defence Dental Agency	10	160	730	38,210
Defence Estates	110	1,500	20	52,105
Defence Geographic Imagery Intelligence Agency	[6]—	760	660	43,351
Defence Housing Executive	90	880	[6]—	21,841
Defence Intelligence and Security Centre	[6]—	140	310	14,382
Defence Medical Education and Training Agency[8]	[6]—	630	1,410	[9]—
Defence Procurement Agency	110	3,730	670	187,254
Defence Storage and Distribution Agency	770	4,460	180	67,666
Defence Transport and Movements Agency	[6]—	290	100	11,300
Defence Vetting Agency	[6]—	290	[6]—	7,469
Disposal Services Agency	[6]—	70	10	3,563
Duke of York's Royal Military School	[6]—	100	[6]—	3,410
Medical Supplies Agency	10	260	30	7,240
Ministry of Defence Police	800	3,220	[6]—	148,971
Naval Manning Agency	[6]—	110	240	14,143
Naval Recruiting and Training Agency	10	1,040	[10]2,360	146,066
Day and Personnel Agency	[6]—	690	[6]—	14,200
Queen Victoria School	70	70	[6]—	2,168
RAF Personnel Management Agency	[6]—	210	[11]180	14,294
RAF Training Group Defence Agency	50	2,010	3,800	327,019
Service Children's Education	[6]—	710	[6]—	54,684
Veterans Agency	10	810	[6]—	18,749
Warship Support Agency[12,13,14]	1,100	5,100	2,440	297,249

[1] Figures refer to permanent staff only and include proportionate values for part time staff.

[2] All figures are rounded to the nearest 10, as a result totals may not always equal the sum of the parts.

[3] Personnel information is collected and presented in different forms across MOD according to local management need, as a result the figures in this table may differ slightly from those in other published sources such as the Agencies' Annual Reports and Accounts.

[4] Strength of UK regular forces.

[5] Taken from Agencies' Annual Reports and Accounts 2002–03.

[6] Zero or less than six.

[7] Not available.

[8] Defence Medical Education and Training Agency—launched on 1 April 2003, subsumed responsibilities of the Defence Medical Training Organisation and the Defence Secondary Care Agency.

[9] Not applicable.

[10] 2003 figure excludes untrained personnel paid for by NRTA but not employed directly by the Agency.

[11] 2003 figure excludes non-productive and untrained personnel paid for by the PMA but not employed directly by the Agency.

[12] 2002 figures based on "New Management System" data, 2003 figures based on Resource Accounting and Budgeting data.

[13] 2003 figure includes personnel previously employed by the Naval Bases and Supply Agency.

[14] The figures take accounts of the Clyde Dockland PFI initiative.

Note:

Figures as at 1 April of financial year end.

Surge Capacity

Mr. Hancock: To ask the Secretary of State for Defence what the original target date for the completion of work on surge capacity was; what the reasons were for the delay; and if he will make a statement. [140983]

Mr. Caplin: We had planned to advise the Defence Committee of the results of the work on the need for a surge capability by the end of 2002. It took longer than anticipated to obtain all the relevant background information, but this meant that we were able to take account of the Ministry of Defence Police's experience in meeting extra commitments during Operation TELIC. The work resulted in recommendations for a modest increase in capability, including improved co-ordination and responsiveness.

TREASURY

Parliamentary Questions

Mr. Hammond: To ask the Chancellor of the Exchequer what research has been undertaken into the reasons for differences in the average cost of answering parliamentary questions between government departments. [141905]

Ruth Kelly: No research has been undertaken into the reasons for inter-departmental differences in the cost of answering parliamentary questions. The Treasury update the averages cost figures annually, the basis of the calculation having been explained by the Chief Secretary in a written answer on 22 May 2002, *Official Report*, column 417W. Departments are not obliged to use the average cost figures and can use their own internal costing systems to determine the cost of answering parliamentary questions.

Tax Credits

Mr. Woodward: To ask the Chancellor of the Exchequer (1) how many families on average were entitled to claim the Working Families Tax Credit in *(a)* St. Helens, *(b)* Merseyside and *(c)* the North West region for each year since its introduction; and how many in each case are entitled to claim Working Tax Credit; [141297]

(2) how much Working Families Tax Credit was received on average by an eligible family in *(a)* St. Helens, *(b)* Merseyside and *(c)* the North West region in each year since its introduction. [141296]

Dawn Primarolo: There are no estimates below the national level for the take-up rate of Working Families Tax Credit (WFTC), or for the number of families entitled to claim it. For estimates of the number of families in each region who are expected to benefit from the Child and Working Tax Credits, I refer my hon. Friend to the answer I gave my hon. Friend the Member for Leigh (Andy Burnham) on 17 December 2002, *Official Report*, column 733W. No estimates exist for local authorities.

For each quarter between May 2001 and November 2002, the number of families in each region and local authority receiving tax credits, and the average weekly award, appear in "Working Families' and Disabled Person's Tax Credit Statistics. Geographical Analyses". For earlier quarters, sample estimates for each region appear in the WFTC Quarterly Enquiries, but no estimates exist for local authorities. These documents can be found on the Inland Revenue website, at www.inlandrevenue.gov.uk/stats/personal-tax-credits/menu.htm.

Banking Access

Brian Cotter: To ask the Chancellor of the Exchequer what action he is taking to ensure the maintenance of banking facilities in sole bank communities and those areas with limited access to bank branches. [141651]

Ruth Kelly: Branch closures are commercial decision for banks to make and the Government does not intervene in such decisions. However, the Government expects banks, to consider whether disadvantaged communities have sufficient access to financial services, when making operational decisions.

Brian Cotter: To ask the Chancellor of the Exchequer what representations he has received regarding the implementation of the revised Banking Code in relation to guidelines on notice periods for branch closures. [141652]

Ruth Kelly: The implementation of the Banking Code is a matter for the Banking Code Standards Board, which is responsible for its development, production and continuing revision.

Child Trust Fund

Mr. George Osborne: To ask the Chancellor of the Exchequer what research has been carried out by the Treasury into the likely impact of the Child Trust Fund on attitudes to savings. [141704]

Ruth Kelly: The Child Trust Fund is an initiative with multiple objectives:

to help people understand the benefits of saving and investing;

to encourage parents and children to develop the savings habit and engage with financial institutions;

to ensure that in future all children have a financial asset at te start of adult life to invest in their futures; and

to build on financial education to help people make better financial choices throughout their lives.

The Government first consulted on the Child Trust Fund in "Saving and Assets for AH", published in April 2001. The Government received a large number of responses from a wide variety of sources, including financial services providers, consumer organisations, academics, charities and other interested parties. Respondents broadly supported the principles underlying the Child Trust Fund, as reported in the follow-up document "Delivering Savings & Assets", which was published in November 2001. Both of these documents are available on the Treasury website.

Recent surveys by non-Governmental organisations have also shown that the Child Trust Fund is likely to be a popular initiative with families and has the potential to improve attitudes towards savings.

Mr. George Osborne: To ask the Chancellor of the Exchequer if he will estimate the impact of the Child Trust Fund on the incomes of the *(a)* poorest quintile of 18-year-olds, *(b)* the richest quintile of 18-year-olds and *(c)* other quintiles. [141706]

Ruth Kelly: CTF funds are accessible on their holder's 18th birthday and they might have an impact on income at that point because of investment returns, or indirectly thanks to enabling young people to take up opportunities which enhance their incomes. The magnitude of the indirect impact on incomes would depend on a variety of factors.

It is not possible to give a definitive figure for the impact of the CTF on incomes of the identified groups.

Mr. George Osborne: To ask the Chancellor of the Exchequer what plans he has to extend aspects of the Child Trust Fund scheme to children born before 1 September 2002. [141708]

Ruth Kelly: Eligibility for the Child Trust Fund is already back-dated from its expected launch date in April 2005 to 1 September 2002 to include as many children as possible in the school cohort being born at the time of the Budget 2003 CTF announcement.

There is already a wide range of savings and investments parents can make for older children. Extending particular aspects of the Child Trust Fund to children born before 1 September 2002 would create another savings product and the risk of confusion. Financial providers will also be in a position to respond to any demand for certain aspects of the Fund.

Mr. George Osborne: To ask the Chancellor of the Exchequer what ethical restrictions will be placed on the kind of investments which Child Trust Funds can make. [141709]

Ruth Kelly: The Government understand that people may object to certain types of accounts because of their ethical or religious beliefs. In recent years there has been a growth in 'ethical' investment funds and there is increasing interest in funds compliant with Islamic Shariah law.

The Government would welcome CTF providers including products which are compatible with ethical or religious beliefs. We are not proposing to prohibit investment in non-ethical funds—as this would be hard to police, and consumers will be able to exercise their choice.

Mr. George Osborne: To ask the Chancellor of the Exchequer whether matching funds available under the Savings Gateway will be provided for contributions to child trust funds. [141710]

Ruth Kelly: The Saving Gateway is at the pilot stage and is being evaluated for its effect on savings behaviour. The final evaluation report is expected in February 2005 and an update will be provided following the pre-Budget report.

Mr. George Osborne: To ask the Chancellor of the Exchequer whether charges by child trust fund providers will be capped. [141711]

Ruth Kelly: A decision on the charge cap for the CTF will be announced shortly.

Mr. George Osborne: To ask the Chancellor of the Exchequer what the expected cost is to the Exchequer of child trust funds for each of the next 25 years. [141712]

Ruth Kelly: Estimates of the cost in the first three years were published in Budget 2003 and will be updated in the pre-Budget report. The bulk of the cost to the Exchequer consists of the Annually Managed Expenditure for the initial Government endowments, which varies with birth cohort size and is therefore expected to be relatively stable after 2005–06. Costs to the Exchequer due to the tax loss from the small proportion of savings that would otherwise have been in taxable savings vehicles are negligible in the initial years and may then rise slowly, until the first accounts mature in 18 years. After this the cost of the tax loss is expected to remain stable. Tax loss will be small or negligible compared to the costs of the endowments. Estimates are not available for the cost of any further Government contributions at age 7 as the value of these has yet to be decided.

Mr. George Osborne: To ask the Chancellor of the Exchequer who will be responsible for regulating child trust funds. [141713]

Ruth Kelly: The proposed arrangements build on the structure that operates effectively for ISAs.

CTF providers will be FSA authorised. The FSA ensures that all FSA—authorised firms are run in a prudent and financially sound way and regulates their business practices, including the sales process.

Inland Revenue auditors will ensure that providers claim Government payments and tax relief correctly, building on the way ISAs are currently audited.

Mr. George Osborne: To ask the Chancellor of the Exchequer what the expected cost is of the planned information programme about child trust funds. [141714]

Ruth Kelly: One of the key aims of the CTF is to improve financial literacy and help people make better financial choices throughout their life.

The Government has commissioned research into how best to communicate information about the CTF and the financial decisions involved, with a view to addressing the needs in particular of parents with little or no experience of savings and investment.

Until this research is completed and the information programme is fully specified and finalised, it is not possible to provide an exact figure for the expected cost of this programme, although it forms part of current forecasts of the overall Revenue implementation costs for the CTF.

Consumer Prices (Harmonised Index)

Dr. Cable: To ask the Chancellor of the Exchequer what plans he has to link index-linked government securities to the harmonised index of consumer prices; and what estimate he has made of the change in debt servicing obligations which would result. [141730]

Ruth Kelly *[holding answer 3 December 2003]:* The Chancellor of the Exchequer said in his statement on Economic and Monetary Union on 9 June that, in the event that the government confirms it will move to an inflation target based on the harmonised index of consumer prices (HICP) in the pre-Budget Report on 10 December 2003, there will be no change from the use of the general index of retail prices (RPI) for calculating the inflation uplift on index-linked gilts.

Economic Growth (St. Helens)

Mr. Woodward: To ask the Chancellor of the Exchequer what estimate he has made of economic growth in the St. Helens area for each year since 1992. [141305]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Woodward, dated 4 December 2003:

As National Statistician I have been asked to reply to your recent question on economic growth in the St Helens area for each year since 1992. (141305)

The nearest geography for that area for which a measure of economic activity (that is gross value added (GVA)) is East Merseyside; this includes St Helens and Knowsley.

The estimates in tables A and B are based on the regional GVA estimates published in August and October 2003 for regional (North West) and sub-regional (Merseyside) data and April 2001 for the local area (East Merseyside) data. These are available on the National Statistics website at http://www.statistics.gov.uk/StatBase/Product.asp?vlnk=7359.

Growth rates are normally calculated on the basis of data at constant prices. However, regional Gross Value Added (GVA) data are only available on a current price basis, in the absence of regional deflators or volume measures. The growth rates shown in the table below will therefore include the effects of inflation.

Estimates for East Merseyside consistent with the sub-regional data up to 2001 will be published on 11 December 2003.

Gross Value Added (GVA) by NUTS 1, 2 and 3 areas[1] at current basic prices[2]

Table A—GVA

£ million

	1992	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
United Kingdom[6]	536,475	564,781	597,002	626,703	663,148	705,851	749,688	781,847	816,111	851,408
North West	58,078	60,954	64,159	66,887	69,905	73,670	77,698	80,836	84,058	87,584
Merseyside	—	—	—	10,781	11,308	11,985	12,733	13,215	13,692	14,221
East Merseyside[7]	—	—	—	2,328	2,477	2,526	2,759	—	—	—

[1] NUTS (Nomenclature of Units for Territorial Statistics) is a hierarchical classification of areas that provides a breakdown of the EU's economic territory.

[2] Estimates for GVA at NUTS 1 level are consistent with those published on 20 August 2003. Data from 1997 onwards are provisional.

[3] Estimates for GVA at NUTS 2 level are consistent with those published on 31 October 2003. Data from 1997 onwards are provisional.

[4] Includes taxes less subsidies on production.

[5] Components may not sum to totals due to founding.

[6] Excluding GVA for Extra-regio, which comprises compensation of employees and gross operating surplus which cannot be assigned to regions.

[7] Data at Nuts 3 level are provisional and consistent with those published on 26 April 2001.

Source:

Office for National Statistics

Table B—Growth rates: percentage change on previous year

	1992	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*
United Kingdom[1]	4.4	5.3	5.7	5.0	5.8	6.4	6.2	4.3	4.4	4.3
North West	4.5	5.0	5.3	4.3	4.5	5.4	5.5	4.0	4.0	4.2
Merseyside	—	—	—	—	4.9	6.0	6.2	3.8	3.6	3.9
East Merseyside[2]	—	—	—	—	6.4	2.0	9.2	—	—	—

[1] Excluding GVA for Extra-regio, which comprises compensation of employees and gross operating surplus which cannot be assigned to regions.

[2] Data at Nuts 3 level are provisional and consistent with those published on 26 April 2001.

Source:

Office for National Statistics

Identity Cards

Mr. Webb: To ask the Chancellor of the Exchequer what assessment he has made of the implications of the introduction of compulsory identity cards for his Department. [141413]

Ruth Kelly: I refer the hon. Gentleman to the answer I gave to him on 19 November 2003, *Official Report*, column 1095W.

Income Tax

Sir Paul Beresford: To ask the Chancellor of the Exchequer how much additional revenue would be raised from the residents of each of the district councils in Surrey for every penny increase in the basic rate of income tax. [142034]

Dawn Primarolo: The requested information is given in the following table.

Additional full-year yield of increasing the basic rate of tax by 1p in 2000–01

District councils in Surrey	*£ million*
Elmbridge	8.7
Epsom and Ewell	6.1
Guildford	10.1
Mole Valley	5.0
Reigate and Banstead	9.1
Runnymede	5.0
Spelthorne	6.4
Surrey Heath	7.4
Tandridge	5.3
Waverley	8.6
Woking	6.2

Estimates are based upon the 2000–01 Survey of Personal Incomes. The effects of the illustrative changes can be scaled up or down over a reasonably wide range. The results exclude any behavioural response to the tax change.

Tax Credits

Richard Burden: To ask the Chancellor of the Exchequer whether caps will be set on the amount of recovery sought from individual claimants arising from overpayment of tax credits. [141294]

Dawn Primarolo: I refer my hon. Friend to the Inland Revenue's Code of Practice "What happens when you have paid too much tax credits". The code was placed on the Inland Revenue web site on Tuesday 11 November. A copy can be found in the House of Commons Library.

Tobacco (Tax)

Mr. Barron: To ask the Chancellor of the Exchequer what proportion of the purchase price is paid in taxation for an average *(a)* packet of 20 cigarettes, *(b)* 250g of hand-rolling tobacco, *(c)* packet of five cigars and *(d)* 250g of pipe tobacco in each country in the European Union. [141530]

John Healey: Information on retail price and taxation for a packet of 20 cigarettes in each country in the European Union can be found in the HM Customs and Excise 'Tobacco Factsheet' page 15, a copy of which is available in the Library of the House.

The following table shows the proportion of the purchase price that is paid in taxation for a packet of 20 cigarettes in each country in the EU. The information requested on other tobacco products is not available.

Cigarettes—packet of 20 cigarettes

	Total tax as percentage of RSP
Austria	76.3
Belgium	78.0
Germany	76.9
Denmark	86.7
Greece	75.5
Spain	74.0
Finland	79.6
France	81.0
United Kingdom	81.2
Ireland	96.0
Italy	78.0
Luxembourg	72.1
Netherlands	76.0
Portugal	80.8
Sweden	74.9

Note:

Figures for France and Ireland have been updated with later information to take account of recent rate changes and correct an error, respectively.

Source:

European Commission Excise Duty Tables: September 2003

Mr. Barron: To ask the Chancellor of the Exchequer what the amount is in *(a)* pounds sterling equivalent and *(b)* percentage of purchase price of (i) specified excise duty, (ii) ad valorem excise duty and (iii) VAT and other sales tax levied on an average packet of 20 cigarettes in each country in the European Union. [141535]

John Healey: The amounts and percentages of specific duty, ad valorem and VAT on a packet of 20 cigarettes in each of the European Union countries are given in the following table:

Cigarettes—packet of 20 cigarettes

	Specific duty (£)	*Ad valorem (£)*	*VAT (£)*	*Specific duty as percentage of retail price*	*Ad valorem as percentage of retail price*	*VAT as percentage of retail price*
Austria	0.30	0.88	0.42	14.3	42	20
Belgium	0.26	1.07	0.49	11.2	46	21
Germany	0.86	0.57	0.38	36.6	24	16
Denmark	1.14	0.60	0.70	40.5	21	25
Greece	0.06	0.94	0.31	3.6	54	18
Spain	0.05	0.73	0.22	4.0	54	16
Finland	0.21	1.40	0.61	7.6	50	22
France	0.11	1.86	0.63	3.3	58	20
United Kingdom	1.94	1.02	0.81	41.7	22	18
Ireland	1.74	0.57	0.65	56.6	18	21

Cigarettes—packet of 20 cigarettes

	Specific duty (£)	*Ad valorem (£)*	*VAT (£)*	*Specific duty as percentage of retail price*	*Ad valorem as percentage of retail price*	*VAT as percentage of retail price*
Italy	0.05	0.78	0.29	3.7	54	20
Luxembourg	0.17	0.76	0.24	10.3	47	15
Netherlands	0.77	0.43	0.40	36.5	21	19
Portugal	0.57	0.34	0.28	38.8	23	19
Sweden	0.31	1.13	0.72	10.7	39	25

Note:

Figures for France and Ireland have been updated with later information to take account of recent changes and correct an error, respectively.

Source:

European Commission Excise Duty Tables: September 2003

Mr. Barron: To ask the Chancellor of the Exchequer how much revenue was raised from each of the taxes payable on each category of tobacco product in the last year for which figures are available. [141537]

John Healey: Excise duty and estimated VAT revenue for tobacco can be found in the HM Customs and Excise Tobacco Factsheet' pages 1 and 2, a copy of which is available in the Library of the House.

Figures showing revenue raised from duty on each category of tobacco are available up to the year 2002–03. Estimates for VAT raised are only available for tobacco products as a whole and the most recent year is 2001–02.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Albatrosses and Petrels

Mr. Whittingdale: To ask the Secretary of State for Environment, Food and Rural Affairs what measures have so far been taken to implement the Action Plan contained in the Agreement on the Conservation of Albatrosses and Petrels; and if she will make a statement. [141074]

Mr. Morley: The Agreement and its associated Action Plan formally come into effect three months after the fifth range state has ratified the Agreement. South Africa became that fifth state in November. The Agreement will therefore enter into force on 1 February 2004.

However, a number of measures in the Action Plan are already being taken forward. For example, the Food and Agriculture Organisation (FAO) has agreed international action plans which seek to reduce the threat to the birds from longline fishing. The Convention on the Conservation of Antarctic Marine Living Resources (CCAMLR) also has such measures. Data are now being collected on foraging areas and migration routes using satellite tracking and "at sea" observations, which will help target the conservation effort—British scientists are involved in this. The Falkland Islands are also already monitoring their colonies, preventing tourist disturbance and looking to tackle the threat from rats.

Animal Husbandry

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received on *(a)* the fact that the slaughter premium is not payable on animals slaughtered on farm and *(b)* that it remains a fineable offence for farmers to move the animal from farms receiving no compensation under the rules of the slaughter premium. [141440]

Alun Michael: No representations have been received about the ineligibility for slaughter premium of animals slaughtered on farm. It is not a fineable offence for farmers to remove these animals from farms provided they are disposed of in accordance with the relevant legislation.

Departmental Recruits (Apprenticeships)

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will establish a three-month apprenticeship to be spent on farms, at an auction mart and in other rural situations for every new recruit to her Department. [141443]

Alun Michael: New recruits attend a 'Welcome to Defra' event, which outlines Defra's aims and objectives, but, most induction training takes place in the workplace, where staff are encouraged to make outside visits to raise awareness of specific issues and to meet those involved. Resource restraints and equal opportunities policies do not make a three-month apprenticeship viable. It should be remembered that Defra's responsibilities are wide ranging and include local environmental issues in towns and cities as well as an interest in all matters effecting rural communities, food issues and environmental issues that range from the local to the global. A full indication of Defra's work is given at www.defra.gov.uk

Flood Defence (Hereford)

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs when funding promised for flood defence in the City of Hereford will be delivered by *(a)* the Welsh Assembly and *(b)* the Government. [140817]

Mr. Morley: Defra provides funding for capital flood defence schemes in England which meet set criteria and achieve an appropriate priority score. The Welsh Assembly does not provide funding for flood defence work in England. However the responsibility for deciding on which projects to promote and their timing rests with local operating authorities, such as the Environment Agency. I understand that the Agency's Wye Local Flood Defence Committee gave priority to constructing defences for Hampton Bishop rather than Hereford, but have engaged consultants to determine the viability of flood defence measures for Hereford. I understand that the consultants are due to complete a project appraisal report by June 2004 and the Agency plans to start work on a scheme at Hereford in 2005, if it qualifies for funding.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason £700,000 has been paid to W. S. Atkins for a design for the flood defences in Hereford City. [140818]

Mr. Morley: I understand that to date, the Environment Agency has paid Atkins Water fees totalling £145,000 in relation to the Hereford Flood Alleviation Scheme. The work carried out includes feasibility studies, environmental investigations, hydraulic river modelling, design, public consultation and liaison with other public bodies. A further £155,000 will be paid to Atkins Water by the Agency for completion of the project appraisal report. Detailed design of the scheme will cost an estimated £200,000 which will bring the total expenditure on fees to Atkins Water to approximately £500,000, a sum that the Agency believes reflects the particular complexities associated with the scheme, which is currently forecast to cost some £4.2 million.

Genetic Nation Debate

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what assessment she has made of the Agriculture and Environment Biotechnology Commission report on issues of liability and coexistence in respect of GM crops; [140846]

(2) what assessment she has made of the possible financial consequences to public funds of setting up a Government liability scheme to protect farmers and growers from the unintended consequences of growing GM crops as set out in the report by the Agriculture and Environment Biotechnology Commission into liability and coexistence. [140845]

Mr. Morley: The report by the Agriculture and Environment Biotechnology Commission was published on 25 November. We are now assessing this and will give our considered response in due course.

GM Maize

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs whether the *(a)* dose, *(b)* timing, *(c)* formulation and *(d)* method of application of the herbicide selected for use on GM maize in the farm scale evaluations was modelled upon the standard commercially adopted herbicide regimes used on Liberty Link GM maize varieties in (i) the USA and (ii) Hungary. [140770]

Mr. Morley: No. The dose, timing, formulation and method of application of glufosinate ammonium ('Liberty') herbicide on fodder maize in the UK farm-scale evaluations was based on the terms of the draft product label in line with the experimental approval for use in UK conditions.

Legislation

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs how many pages of *(a)* primary and *(b)* secondary legislation her Department put through Parliament in 2002–03. [141171]

Alun Michael: Two of the Bills sponsored by the Department during the 2002–03 session were enacted, amounting to a total of 270 pages.

In the case of secondary legislation the Department was responsible for the making of 120 General Statutory Instruments which were subject to consideration by either the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments. The total number of pages can be calculated only at disproportionate cost.

Recycled Paper

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are in place to ensure Government Departments buy recycled paper. [140595]

Mr. Morley: On 30 October the Government accepted the Sustainable Procurement Group recommendation for the immediate purchase of:

Copying paper: 100 per cent. recycled content, with minimum 75 per cent. overall content being post-consumer waste;

Paper for printed publications: minimum 60 per cent. recycled content, with 45 per cent. overall content being post-consumer waste, and

Kitchen and toilet tissue: 100 per cent. recycled content.

Central Government already buys a considerable amount of recycled paper, through, for example the DfT Recycled Printing Papers Framework and the OGCbuying.solutions catalogues. Defra and the Office of Government Commerce recently published the revised "Joint Note on Environmental Issues in Purchasing", which provides guidance on sustainable procurement for non-specialists and guides them towards more sustainable purchases.

Government are currently developing sustainable procurement targets under the "Framework for Sustainable Development on the Government Estate". The targets and online guidance will be published by spring next year.

Rural Payments (Mapping)

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from farmers on the way their land is designated in the process of digitalisation of mapping of the land for the purposes of assessing rural payments. [141439]

Alun Michael: The Rural Land Register digitisation project does not change the designation of land parcels but it is intended to increase the certainty and accuracy of Defra's records. A small number of farmers have queried changes to the eligible area of their land made as a result of a change to the gross field size. These have been dealt with on an individual basis.

Water Supplies

Mr. Jenkins: To ask the Secretary of State for Environment, Food and Rural Affairs what plans are in place for the provision of water supplies to homes and businesses if low rainfall continues. [141852]

Mr. Morley: Each water company has a drought plan which sets out the actions necessary to maintain public water supplies during a drought. Dependent upon the severity of the drought and the effectiveness of the company's earlier actions, a company can apply for drought permits or drought orders to, respectively, the Environment Agency and the Secretary of State if further measures are required.

In addition, water companies are required, under a Direction issued in 1998 by the Secretary of State, to have in place plans to ensure the provision of essential water supply at all times. These plans are regularly reviewed and are independently audited every year.

SOLICITOR-GENERAL

Mrs. Sally Clark

23. **Mr. George Osborne:** To ask the Solicitor-General what the cost to public funds was of the *(a)* prosecution and *(b)* imprisonment of Mrs. Sally Clark. [141779]

The Solicitor-General: The total costs incurred by the Crown Prosecution Service were £320,000 and the prison costs, based on average costs per prisoner, were approximately £111,000.

Following the appeal of Sally Clark, the Attorney General and I met the Director of Public Prosecution to discuss the implications of the appeal We established a Group comprising the police, Crown Prosecution Service, Home Office and other relevant agencies to consider whether any cases in which Doctor Williams has given important evidence require a more in depth review.

Interim guidance has been sent to all Chief Crown Prosecutors requesting that all current cases be identified in which either Doctor Williams or Professor Meadow are witnesses. The defence is then to be served with a copy of the judgment in the Sally Clark case and its attention is drawn to sections of the judgment touching on his evidence. Further and fuller guidance will be provided to prosecutors as soon as possible. This will apply to both present and future cases.

On 28 July, the Inter-Departmental Group held its first meeting. Progress was made in two areas. How previous cases in which Doctor Alan Williams conducted a post mortem were to be identified and what factors would be used to select the cases on which the group should concentrate.

Following that meeting, work commenced immediately on the identification of cases. Several agencies assisted in respect of this process, with the police and the Crown Prosecution Service taking the lead. The Group set a deadline of mid-September for the conclusion of that process. By that date, approximately 50 previous cases had been identified, which dated back between 5–7 years. These cases all involved charges of murder, manslaughter or infanticide where Doctor Williams had been instructed by the police to conduct the post mortem and which had resulted in a conviction.

The cases themselves are now being reviewed. An experienced member each of the Metropolitan Police and the Crown Prosecution Service are conducting the review. This work is continuing. It is anticipated that the results of the initial review will be considered early next year.

The Group is also considering whether the exercise of reviewing cases should be extended to those involving Professor Meadow.

The Home Office Pathology Advisory Board will understand publish new Codes of Practice and Procedure for Pathologists, which will take account of the judicial comments on the methodology employed by Doctor Williams in the Sally Clark case. Once published, the Codes will be distributed to pathologists.

Rape

24. **Mrs. Betty Williams**: To ask the Solicitor-General, if she will make a statement on measures being taken to improve the conviction rate for those guilty of rape. [141780]

The Solicitor-General: We are concerned that rape should be properly investigated and effectively prosecuted.

To make sure that happens, the Crown Prosecution Service are working more closely with the police; ensuring victims are helped to give their evidence, including by video link so that they do not have to attend court; and by ensuring that every case is handled by a specialist rape prosecutor.

The law on rape has recently been strengthened and clarified as part of the Sexual Offences Act. Progress on tackling sex offences will be assisted by ministers across all departments, including myself, working together as part of a new ministerial, group which will meet shortly.

Crown Prosecution Service (Children's Commissioner)

25. **Ms Munn:** To ask the Solicitor-General what support she expects the Crown Prosecution Service will offer to the proposed Children's Commissioner for England. [141781]

The Solicitor-General: The Crown Prosecution Service looks forward to working with the proposed Commissioner to enable children's views to be fed into policy-making and to inform good practice.

Crown Prosecution Service (Victims)

26. **James Purnell:** To ask the Solicitor-General if she will make a statement on how the National Strategy for Victims and Witnesses will affect the working of the Crown Prosecution Service in dealing with victims of crime. [141782]

The Solicitor-General: The Crown Prosecution Service worked closely with its criminal justice partners in developing the national strategy and is committed to putting it into practice.

Domestic Violence

27. **Dr. Iddon:** To ask the Solicitor-General if she will make a statement on discussions with the Department of Health on ensuring that health professionals are trained in assessing evidence of domestic violence. [141783]

The Solicitor-General: I have regular discussions with colleagues on the Inter Ministerial Group on Domestic Violence on all aspects of Government policy on domestic violence.

The health service has an important role to play in identifying and responding to domestic violence. Health care professionals may be the first people to whom women disclose their abuse, and they therefore have a vital role to play in offering support, information and validation.

WORK AND PENSIONS

Disability Living Allowance

Mr. Burstow: To ask the Secretary of State for Work and Pensions how many claims for disability living allowance there were from people under 20 disabled by mental illness in *(a)* England and *(b)* each region in each year since 1997; and if he will make a statement. [140830]

Maria Eagle: The number of people under age 20 who are disabled by mental illness and have been awarded disability living allowance is set out in the following table. The information is for England and Wales, is also set out by Government Office Region and is the only geographically based data available.

Number of new awards for each year ending 31 May for people under age 20 whose main disabling condition is mental illness, by Government Office Region

Thousand

	1997	*1998*	*1999*	*May 2000*	*2001*	*2002*	*2003*
All	6.8	9.0	9.8	11.0	13.1	14.3	14.9
England	5.9	7.1	7.9	9.0	11.2	11.8	12.7
North East	0.3	0.4	0.6	0.7	0.8	0.7	0.6
North West	1.0	1.1	1.1	1.2	1.7	1.7	1.8
Yorkshire and Humber	0.8	0.7	0.9	0.9	1.0	1.0	1.0
East Midlands	0.4	0.5	0.7	0.7	0.9	0.9	1.2
West Midlands	0.7	0.5	0.7	0.9	1.4	1.3	1.4
East	0.6	0.8	0.9	1.0	1.1	1.4	1.4
London	0.7	0.9	1.0	1.3	1.2	1.5	1.5
South East	1.0	1.3	1.4	1.7	2.2	2.1	2.5
South West	0.6	0.8	0.7	0.8	1.0	1.2	1.1
Wales	0.5	0.9	0.8	0.9	0.8	0.8	1.0
Scotland	0.4	1.0	1.1	1.2	1.1	1.8	1.2

Notes:

1. Figures are in thousands and rounded to the nearest hundred.

2. Figures are for 12 month ending 31 May each year

Source:

IAD Information Centre, 5 per cent. sample

Disability Rights Commission

David Winnick: To ask the Secretary of State for Work and Pensions (1) if he will arrange for a reply from the chief executive of the Disability Rights Commission to the letter dated 28 October from the hon. Member for Walsall, North arising from representations from the local community health council; and if he will ask the chief executive to provide an explanation for the reasons for *(a)* the delay and *(b)* the absence of an acknowledgement letter; [141874]

(2) if he will ensure the Disability Rights Commission replies promptly to correspondence and telephone calls which require a response. [141875]

Maria Eagle: I understand the Chief Executive of the Disability Rights Commission has written to my hon. Friend with a full reply which addresses all the concerns raised by his constituent.

I meet the Chair and Chief Executive of the DRC regularly to review the DRC's performance and place great importance on the Commission delivering its services with due regard to timeliness and quality. Independent surveys of the DRC's services record high levels of satisfaction from service users.

Widowers' Benefits

Mr. Hopkins: To ask the Secretary of State for Work and Pensions how much it cost to present the United Kingdom's case when the right of widowers' benefits was considered in all courts above the level of appeal tribunal in each year since 1997. [141655]

Maria Eagle: The costs to the Department of presenting the Government's and United Kingdom's case in litigation cases is not routinely collected and the information requested could be provided only at a disproportionate cost.

CONSTITUTIONAL AFFAIRS

Conditional Fees

Mr. Laws: To ask the Parliamentary Secretary, Department for Constitutional Affairs when he expects to publish his Department's responses to its consultations on *(a)* the conditional fee agreement regime, *(b)* proposed changes to publicly-funded immigration and asylum work and *(c)* delivering value for money in the Criminal Defence Service. [141206]

Mr. Leslie: The information is as follows:

(a) The consultation period on the conditional fee agreement regime was extended to end of October and we expect to publish a response by spring next year.

(b) The Government made an announcement on 27 November unveiling new measures aimed at cutting out abuses of the public-funded immigration and asylum system. The changes include an accreditation scheme for lawyers, a unique file number for asylum cases and a reduction in the amount of legally-aided advice offered to applicants.

(c) The Government will also shortly be publishing its response to the consultation on delivering value for money in the Criminal Defence Service.

Legal Advice

Lynne Jones: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assessment he has made of the availability of legal advice through contracts with the Legal Services Commission for *(a)* family matters and *(b)* asylum application appeals; and if he will make a statement. [140511]

Mr. Leslie: There are currently 3,5[illegible]2 solicitors' offices contracted by the Legal Services Commission to provide publicly-funded advice and representation in the family category of law in England and Wales. In addition,the Commission contracts with three Not for Profit agencies for the provision of advice in family matters.

There are currently 504 solicitors' offices and 90 Not for Profit agencies with contracts to provide immigration and asylum advice and representation in England and Wales.

Preliminary analysis by the Legal Services Commission suggests that the number of solicitor suppliers for the next contract bid round from April 2004 will be maintained across England and Wales in all categories, including family and immigration and asylum.

Magistrates

Mr. Allen: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps he is taking to increase the number of magistrates from the Nottingham, North constituency. [140615]

Mr. Leslie: Recruitment of magistrates is co-ordinated locally by the Lord Chancellors' Advisory Committees on Justices of the Peace. My local Advisory Committee has not reported to me any particular problems recruiting magistrates in the Nottingham area. The Advisory Committee has, however, used a number of new initiatives to attract candidates from different backgrounds including news sheets in local magazines and information on their website. BBC Nottingham also broadcast a television item on the magistracy. During next year's recruitment round we will be adding to those initiatives with a local bus advertising campaign backed up by supporting material in local media sources.

Public Records

Dr. Murrison: To ask the Parliamentary Secretary, Department for Constitutional Affairs what progress has been made in improving access to public records for amateur historians. [141049]

Mr. Leslie: In recent years The National Archives (TNA) has made considerable progress in improving online and onsite access for amateur historians. The online catalogue (PROCAT), with references to over nine million records, is available over the internet. Users can identify the original documents relevant to their research and place an order for them in advance of a visit to TNA at Kew. In addition, digital images of the entire series of wills from 1384 to 1858, which are of considerable interest to family historians, can be downloaded from the TNA website. TNA also provides digital copies of other records on demand over the internet. Many of TNA's online services are free of charge, including the award winning Learning Curve gallery, which provides online content for school teachers and pupils working on Key Stages 2 to 4 of the History National Curriculum, and the Pathways to the Past section of the website, which includes a wide variety of online material aimed at lifelong learners. The Moving Here project, led by TNA, comprises online exhibitions focusing on the historical experience of immigration to the UK in the last 150 years, and has opened archives up to entirely new audiences.

Since 1997, the public reading rooms have been open six days a week, with late opening until 7pm on Tuesdays and Thursdays. New users are given an induction tour on their first visit to Kew and can ask trained staff on duty in the reading rooms for further expert advice. All users are encouraged to make suggestions for further service improvements. The Public Record Office (PRO) first gained the Charter Mark Award in 1998 and achieved re-accreditation in 2001. Surveys of users onsite regularly achieve satisfaction levels of 90 per cent. and above.

The completion of the merger between the PRO and the Historical Manuscripts Commission in December 2003, resulting in a shared physical location and website, will provide increased access to records, benefiting historians still further.

Remembrance Day (International Brigades)

Mr. Hancock: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make it his policy to ensure that veterans of the International Brigades are invited to future Remembrance Day parades; and if he will make a statement. [140909]

Mr. Leslie: My Department is responsible for co-ordinating the organisation of the ceremony at the Cenotaph on Remembrance Sunday. The parade, or march past the Cenotaph, which follows the official ceremony is organised by the Royal British Legion, to whom applications to participate should be made. The march past includes ex-Servicemen and women who have served under the direct command of British or Commonwealth Forces, the widows and widowers of ex-Servicemen and women, members of Transport for London—commemorating bus drivers who drove ambulances and troop transport in France in the First World War—and, since 1998, the Bevin Boys. From the year 2000, the march-past was extended to include 2,000 marchers from civilian associations connected with past conflicts.

HOME DEPARTMENT

Anti-Social Behaviour

Mr. Woodward: To ask the Secretary of State for the Home Department how many Anti-Social Behaviour Orders have been *(a)* applied for and *(b)* granted in each council area within Merseyside since their introduction. [141287]

Ms Blears: The number of notifications received by the Home Office of Anti-Social Behaviour Orders (ASBOs) applied for, and issued, in Merseyside from 1 April 1999 (introduction) up to 30 June 2003 (latest available) is given in the table.

The number of ASBOs applied for, and issued, within Merseyside, as notified to the Home Office, 1 April 1999 to 30 June 2003

Area	*Total applied for*	*Total issued*
Merseyside	57	52
Of which		
From 1 April 1999 to 31 May 2000 by pfa[1]	12	8
From 1 June 2000 to 30 June 2003 by:		
Local authority area	45	44
Knowsley MBC	2	2
Liverpool CC	28	27
Sefton MBC	5	5
St. Helens MBC	4	4
Wirral MBC	6	6

[1] Between 1 April 1999–31 May 2000 data available by police force area (pfa) only

Note:

No notifications have been reported of ASBOs issued on conviction (application not required) within Merseyside from 2 December 2002 to 30 June 2003

Martin Linton: To ask the Secretary of State for the Home Department how many Anti-Social Behaviour Orders have been issued in London since 1 April 1999, broken down by London borough. [141310]

Ms Blears: The number of notifications received by the Home Office of Anti-Social Behaviour Orders (ASBOs) issued in London from 1 April 1999 up to 30 June 2003 (latest available) is given in the table.

Number of ASBOs issued in London, as notified to the Home Office, from 1 April 1999 to 30 June 2003

Area	*Total issued*
Greater London	84
Of which:	
From 1 April 1999 to 31 May 2000 by pfa[1]	9
From 1 June 2000 to 30 June 2003 by local authority area	75
Barnet	2
Bexley	11
Bromley	1
Camden	27
Croydon	2
Greenwich	3
Hackney	2
Hammersmith and Fulham	2
Hounslow	1
Islington	1
Kingston-on-Thames	2
Lambeth	1
Lewisham	2
Merton	1
Newham	2
Richmond upon Thames	2
Southwark	1
Sutton	4
Tower Hamlets	2
Westminster	6

[1] Between 1 April 1999 to 31 May 2000 data available by police force area (pfa) only

Basic Command Unit Strength

John Mann: To ask the Secretary of State for the Home Department what the Home Office sets as a minimum acceptable number of detectives, on a monthly basis, for an individual police Basic Command Unit. [140581]

Ms Blears *[holding answer 1 December 2003]:* The Secretary of State sets no targets for the number of detectives. The number of detectives for any given Basic Command Unit or specialist unit is ultimately a matter for chief officers of police and will depend on factors such as local crime patterns and the strategy to address them.

BB Guns

Mr. Pickthall: To ask the Secretary of State for the Home Department what plans he has to ban the sale of BB guns. [140683]

Caroline Flint *[holding answer 1 December 2003]:* We have no such plans. However, under the provisions of the Anti-Social Behaviour Act 2004, which we intend to bring into effect early next year, it will be an offence to have an imitation firearms in a public place without reasonable excuse. We shall be looking closely at the whole question of controlling imitation firearms as part of a comprehensive review of the firearms legislation, starting with the pubication of a consultation paper in January.

Knives

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department what recent discussions his Department has had with retailers on the guidelines they operate on the sale of knives. [141364]

Caroline Flint: None. Both the Offensive Weapons Act 1996 and the Knives Act 1997 deal with the sale of knives. Section 6 of the Offensive Weapons Act 1996 makes it an offence to sell knives to persons under 16 and section 1 of the Knives Act 1997 makes it an offence to market a knife in a way which indicates, or suggests, that it is suitable for combat or is otherwise likely to stimulate or encourage violent behaviour involving the use of a knife as a weapon.

Police (Wales)

Mr. Wiggin: To ask the Secretary of State for the Home Department how many *(a)* police officers and *(b)* special constables there were in Wales in each year since 1997. [141166]

2

Ms Blears: The information requested is set out in the table. At the end of August the four Welsh forces had record strength totalling 7,354, which is 762 (plus 12 per cent. more than it was in March 1997.

At the end of March 2003 police (support) staff strength in Wales was 3,178. This is 723 more than in March 1997 when there was 2,455 police staff. In addition Gwent had 30 Community Support Officers (CSOs) approved under Round 1 in 2002–03 and on patrol at 31 August 2003. All of the Welsh forces are recruiting CSOs under the Round 2 allocations in 2003–04 and the four Welsh forces should have a total of 113 CSOs by 31 March 2004.

We are working to ensure that forces make best use of Specials' skills, time and links to the community to increase the effective delivery of local policing and at how the use and recruitment of Specials might be widened.

Total police and special constable strength for Welsh forces for 1992 to 2003

Year[1]	*Police officers*[2]	*Special constables*[3]
1997	6,592	1,142
1998	6,617	1,097
1999	6,646	1,088
2000	6,632	835
2001	6,837	789
2002	7,194	701
2003	7,268	588
2003[4]	7,354	—[5]

[1] As at 31 March

[2] Police officer strength is for full-time equivalents (fte)

[3] Special Constable strength is an actual headcount (fte figures are not collected)

[4] 31 August

[5] Not available

Shop Security

Mr. Jim Cunningham: To ask the Secretary of State for the Home Department what discussions his Department has had with the Treasury on measures to aid retailers' investment in specified security equipment for stores under 3,000 square feet. [140862]

Ms Blears *[holding answer 3 December 2003]:* My officials have consulted Treasury colleagues on the possible use of tax incentives to encourage the installation of physical security measures by businesses. However, we are not convinced that a tax incentive scheme is the best way to help small retailers facing crime problems. In particular, it could be perceived as unfair in that it would offer no assistance to businesses (arguably those in most need of help) that do not make enough profit to pay corporation tax. We also understand that the administration and compliance costs of such a system (to both businesses and the Government) would be high.

However, the Home Office has received £15 million funding from the Treasury's Capital Modernisation Fund for the Small Retailers in Deprived Areas initiative. By the end of this year, this scheme will have provided security measures and environmental improvements to over 12,500 small retailers and businesses in some of our most deprived areas. Part of the evaluation of this scheme will assess the effect this funding will have had in promoting the benefits of crime reduction and encouraging the recipients and others to take forward further crime reduction activity.

Speeding

Mr. Damian Green: To ask the Secretary of State for the Home Department what revenue from fines as a result of prosecutions arising from speed camera evidence was generated in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [140827]

Ms Blears: Information on the revenue raised from speeding fines is not available.

However, the table shows the total number of prosecutions and the average fine for speed offences detected by camera within England and Wales for 2000 and 2001. As the majority of such offences are dealt with by the issue of a fixed penalty, the table also shows the total amount of fixed penalties ordered to be paid.

Not all fines and fixed penalties will have been paid.

Information for 2002 will be available early in 2004.

Court Proceedings and fixed penalty data for Speed Offences detected by cameras[1] *in England and Wales 2000 and 2001*

	2000	*2001*
Court proceedings		
Number of prosecutions	109,200	137,100
Average fine (£)[2]	107	111
Fixed penalties		
Number of tickets[3]	599,200	877,500
Estimated revenue (£000)[4]	25,965	52,650

[1] Offences under the Road Traffic Regulation Act 1984 and Motor Vehicle (Speed Limits on Motorways) Regulations 1973.

[2] Based on forces providing reliable figures

[3] Paid i.e. no further action.

[4] Estimate based on £40 fixed penalty charge January to October 2000. From November 2000 the penalty was raised to £60.

TRANSPORT

Air Transport

Mr. Hopkins: To ask the Secretary of State for Transport whether external agencies have been contracted to analyse the responses to the consultation into the Future Development of Air Transport in the UK; and if he will provide details of his Department's processes for analysing the responses. [141654]

Mr. McNulty: The vast majority of responses have been analysed by officials. Analysis of more detailed and technical responses has been carried out by a team of consultants with expertise across a range of subject areas. Responses to the NOP consultation questionnaires have been analysed by NOP. Departmental officials have been responsible for supervising all parts of the analysis process and for the preparation of advice to Ministers on its conclusions.

The results of the analysis will be published alongside the air transport White Paper before Christmas.

Alternative Fuels

Mr. Djanogly: To ask the Secretary of State for Transport what assistance his Department has afforded to non-public sector corporations to develop vehicles powered by other means than petrol. [141628]

Mr. Jamieson: My Department's PowerShift programme provides grants to motorists and companies to encourage the purchase of LPG, natural gas, electric and other clean low-carbon vehicles. The CleanUp programme provides grants for the conversion of existing vehicles, and the New Vehicle Technology Fund programme provides grants for the development and demonstration of innovative low carbon vehicle technologies. The Governments' overall strategy for leading the global shift to clean, low carbon fuels and vehicles is set out in "Powering Future Vehicles—The Government Strategy", published in July 2002, and the First Annual Report on implementation of the Strategy was published in October. Copies of both documents have been placed in the Library.

Car Parks

John Mann: To ask the Secretary of State for Transport under what legislation private operators of *(a)* local authority car parks and *(b)* privately owned car parks may pursue (i) civil action and (ii) criminal action for unpaid fines levied on late and non-payers of car park charges; and when guidance on these matters was last issued by the Department. [141876]

Mr. Jamieson: On entering a local authority owned car park or a private car park a user is effectively agreeing to abide by the terms and conditions of its use, which should be displayed clearly. Paragraphs 14–16 of Local Authority Circular 1/90 dated 14 May 1990 covered information at car parks and drew attention to the need for local authorities to provide adequate information to users of their car parks, particularly about such matters as charges.

Section 32 of the Road Traffic Regulation Act 1984 empowers local authorities to provide off street car parks and section 35 enables them to impose conditions on their use, including charges. Failure to comply with such conditions is an offence under section 35 A of the Act.

A local authority may pursue non-payment of any charges incurred in connection with use of one of their car parks through a magistrates court. Alternatively, if they have obtained decriminalised parking enforcement powers, a penalty charge for non-compliance with the conditions of use may be issued by the authority under section 76 of the Road Traffic Act 1991. Under Schedule 6 to that Act an authority may take steps to enforce payment of a penalty charge through the Traffic Enforcement Centre at Northampton County Court.

Privately owned car parks are private property and charges and conditions for their use are a contractual matter between the owner and users. This is not a matter that is the subject of public legislation and it would be for the owner to pursue any unpaid charges as a civil rather than criminal matter.

Lifeboats

Mr. Carmichael: To ask the Secretary of State for Transport what steps his Department is taking to improve lifeboat safety; and what plans he has to introduce requirements for *(a)* minimum launching system standards and *(b)* common operating procedures. [140666]

Mr. Jamieson: The UK has adopted and fully supports international standards for life saving appliances, as required by the International Convention for the Safety of Life at Sea (SOLAS). Standards have been developed by the International Maritime Organization (IMO) and are contained in the publications "International Life Saving Appliance Code (Res. MSC.48(66))" and "Testing and Evaluation of Life Saving Appliances (Res. MSC.81(70))", which incorporate the requirements for launching systems and operating procedures.

The Maritime and Coastguard Agency promulgates detailed advice to the industry through the publications "Survey of Life-Saving Appliances Volume I and 2" and a variety of Marine Notices.

International standards continue to be reviewed by the IMO's Design and Equipment sub-committee (DE), which is made up of delegations from participating marine administrations. The last meeting of DE in March 2003 established a working group to undertake a comprehensive review of the standards and guidelines which currently apply to the launching and operation of lifeboats.

Light Dues

John Thurso: To ask the Secretary of State for Transport (1) what the annual budget of *(a)* the Trinity House Lighthouse Authority, *(b)* the Commissioners of the Irish Lights and *(c)* the Northern Lighthouse Board was in each of the last five years; [141749]

(2) how much was contributed by the central fund to the Northern Lighthouse Board in each of the last five years. [141751]

Mr. Jamieson: The expenditure requirements of the three General Lighthouse Authorities are met from the General Lighthouse Fund. The annual expenditure from 1998–99 to 2002–03 is set out in the following table.

£000

	Trinity House Lighthouse	*Northern Lighthouse Board*	*Commissioners of Irish Lights*
1998–99	29,362	22,057	13,401
1999–2000	28,587	28,185	13,701
2000–01	30,364	22,930	15,077
2001–02	30,203	24,210	16,168
2002–03	31,998	22,385	16,034

John Thurso: To ask the Secretary of State for Transport what criteria he will use to review the level of light dues in spring 2004. [141750]

Mr. Jamieson: The Secretary of State will determine the light dues to be levied in 2004/05 taking account of the General Lighthouse Authority Corporate Plans and investment in new depots and ships and of the level at which the General Lighthouse Fund Reserve should be maintained to underpin the operation and pension arrangements.

London Underground

Mr. Damian Green: To ask the Secretary of State for Transport how many train cancellations there were on the London Underground in each year between 1990 and 2003, broken down by line. [140928]

Mr. McNulty: London Underground (LU) transferred from Central Government to Transport for London on 15 July. The information for the years before 1996 could be provided only at disproportionate time and cost. London Underground has provided the following:

Number of peak train cancellations

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Bakerloo	718	405	654	739	1,844	931	934
Central	1,401	1,052	1,605	1,184	1,280	1,233	7,877
Waterloo and City	91	9	47	14	55	34	238
Circle	600	525	541	537	1,096	1,224	973
Hammersmith and City	542	267	303	343	517	—	636
District	1,378	303	628	463	1,647	2,116	1,461
Jubilee	423	173	169	586	1,492	747	579
East London	0	0	186	97	169	101	106
Metropolitan	889	333	427	500	978	1,323	1,296
Northern	1,715	1,283	3,537	1,206	962	567	1,142
Piccadilly	1,576	1,329	2,288	2,100	3,522	2,953	2,659
Victoria	514	422	404	182	526	222	539
Total number of cancellations	9,847	6,101	10,789	7,951	14,088	11,451	18,440

Mr. Damian Green: To ask the Secretary of State for Transport what the average percentage of scheduled train kilometres operated on the London Underground was in each year between 1990 and 2003, broken down by line. [140929]

Mr. McNulty: London Underground (LU) transferred from Central Government to Transport for London on 15 July. The information for the years before 1996 could be provided only at disproportionate time and cost. London Underground has provided the following:

Percentage of scheduled kilometres operated

Percentage

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Bakerloo	91.4	93.6	92.5	90.5	82.6	89.2	92.1
Central	95.3	95.1	95.2	96.5	96.6	97.3	79.3
Waterloo and City	94.5	98.2	96.9	98.4	96.8	98.1	88.1
Circle and Hammersmith	90.9	93.0	91.4	89.7	81.8	86.3	86.0
District	96.0	98.3	97.4	97.0	92.9	91.6	94.2
Jubilee	96.4	98.0	97.5	92.7	89.2	93.9	95.7
East London	97.3	97.3	92.7	95.7	94.1	95.7	96.1
Metropolitan	95.9	98.0	97.5	96.7	95.0	93.3	92.7
Northern	94.4	95.5	90.2	94.9	96.5	98.2	96.0
Piccadilly	93.5	92.9	89.5	90.9	86.6	87.2	91.3
Victoria	95.0	95.1	96.1	97.4	95.8	95.7	92.9
Average all lines	94.5	95.5	93.6	94.3	91.6	92.9	91.1

Ports

Mr. Stephen O'Brien: To ask the Secretary of State for Transport what estimate he has made of the change in *(a)* total trade, *(b)* tanker trade, *(c)* container trade and *(d)* dry bulk trade in UK ports in each of the (i) next and (ii) last five years. [140943]

Mr. Jamieson: The available information is provided in the table.

UK port traffic 1998—2002

	(a) Total trade[1]		*(b) Tanker trade*		*(c) Container trade*		*Dry bulk trade*	
	Million tonnes	*Annual % change*	*Million tonnes*	*Annual % change*	*Million tonnes*	*Annual % change*	*Million tonnes*	*Annual % change*
1998	569	-	286	-	47	-	119	-
1999	566	-1	288	-	50	6	113	-5
2000	573	1	294	2	52	4	114	1
2001	566	-1	277	-6	52	-	124	9
2002	558	-1	273	-1	51	-1	116	-7

[1] Includes Ro-Ro traffic and other general cargo

Mr. Stephen O'Brien: To ask the Secretary of State for Transport what estimate he has made of spending on infrastructure in UK ports in each of the next five years. [140944]

Mr. Jamieson: The information requested is not available.

Road Noise

Mr. Robathan: To ask the Secretary of State for Transport what systems are in place to ensure that road renewal schemes are prioritised for funding according to the number of people who suffer greater than 65 decibels levels of noise. [140804]

Mr. Jamieson: Local roads are a matter for the relevant local authority. As far as the strategic road network in England is concerned low noise surfaces will generally be used as a matter of course when maintenance is due. And the Secretary of State announced to the House on 1 April 2003 that we expect quieter surfacing to have been installed on over 60 per cent. of the trunk road network, including all concrete stretches, within the period of the 10 year plan. Following consultation, we announced that four criteria would be used to prioritise the resurfacing of concrete roads. They are:

> Wherever possible, the application of quieter surfaces will fit in with normal maintenance needs;
>
> Priority will be given to those sites where treatment would benefit the greatest number of people;
>
> The works will be carried out in such a way as to minimise disruption to the general public and other users of the network; and
>
> Priority will be given to roads opened since June 1988 where actual noise levels have turned out to be significantly higher than predicted at the time of the public inquiry.

Road Safety

Dr. Murrison: To ask the Secretary of State for Transport what studies his Department has *(a)* conducted and *(b)* commissioned to assess the effect on road safety of removing white lining on rural roads; and if he will make a statement. [141039]

Mr. Jamieson: The Department's view is that road markings make an important contribution to road safety on inter-urban rural roads by clearly defining the path to be followed, by separating conflicting movements and by delineating the road edge on unlit roads at night.

The Department has collaborated in a joint European project on road markings and their effect on driver behaviour, in which 15 countries pooled their research resources. This established, among other findings, that drivers on inter-urban rural roads find it difficult to steer accurately at night if they cannot see the road markings sufficiently far ahead.

With regard to rural villages, the Department commissioned TRL to monitor a traffic management scheme in Stiffkey, Norfolk which included the removal of centre lines. We have also commissioned the "Drivers and Traffic Calming" project to examine the effect of psychological (non-physical) traffic calming measures in both urban and village locations, some of which involve the removal of white lines.

Mr. Clifton-Brown: To ask the Secretary of State for Transport what research the Government has undertaken into the *(a)* cost and *(b)* safety-effectiveness of different types of crash barriers to prevent cross-over accidents. [142010]

Mr. Jamieson: Extensive research was undertaken during the 1980s, which contributed to the decision to introduce central reserve barrier onto the trunk road network in 1986. The majority of product placed on the network at that time was tensioned steel barrier. More recently, different types of barrier have been placed on the network, including wire-rope and concrete barrier. Data obtained from the in-service performance of these products over time is now being used to support research into the cost and safety-effectiveness of different types of central reserve barrier.

The research is considering the performance characteristics of different barrier types, as well as the whole life construction, maintenance, repair and replacement costs, including traffic delay costs and safety risks to operatives carrying out the work. This research is expected to be completed in early 2004 and will help in the understanding of how to prevent cross-over accidents.

Shipping

Mr. Carmichael: To ask the Secretary of State for Transport what steps his Department is taking to protect the shipping industry from terrorist attack. [140667]

Mr. Jamieson: Maritime issues continue to be high on the Government's security agenda. Mandatory maritime security requirements were first introduced under the Aviation and Maritime Security Act 1990, and the industry has been subject to security regulation since then. Inspectors carry out monitoring and compliance inspections, both in the UK and overseas, to ensure that security measures are properly implemented.

Following the events of 11 September 2001 all transport security programmes were reviewed and enhanced and they are kept under continuous review in light of the prevailing threat. While we can never be complacent, we believe that the core policies, baseline measures and the current levels of security required are appropriate to the current situation. For obvious reasons, it is not our practice to detail the required security measures.

The national regime will be augmented next year with the implementation of the International Maritime Organisation's (IMO) global maritime security regime. The security assessments and security plans that are required by the IMO's International Ship and Port Facility Security Code (ISPS Code) are designed to identify and address existing vulnerabilities.

The UK's existing maritime security regime, the ISPS Code requirements and a forthcoming EU Regulation are being drawn together to form the basis of a new National Maritime Security Programme. This programme will include both mandatory security measures and industry best practice guidelines and will provide a consistent, holistic approach to further enhance the security of the maritime sector.

Mr. Carmichael: To ask the Secretary of State for Transport pursuant to his Answer of 1 December 2003, *Official Report*, column 7W, on shipping, which flags are flown by the ships that use the tonnage tax scheme but do not fly the red ensign; and what requirements these ships are required to meet to qualify for this tax scheme. [142405]

Mr. Jamieson: The following flags, other than Red Ensign, have ships in tonnage tax:

> Barbados, Bahamas, Germany, Antigua & Barbuda, Liberia, Panama, Hong Kong, Norway, Ireland, Netherlands Antilles, Singapore, Japan, Denmark, St. Vincent, Marshall Islands, Netherlands and Luxembourg.

To qualify for the tonnage tax scheme ships must be seagoing, at least 100 gross tons, and used for:

Carriage of passengers, or

Carriage of cargo, or

Towage, salvage or other marine assistance, or

Transport in connection with other service of a kind necessarily provided at sea.

They must also be operated by companies within corporation tax that are "strategically and commercially" managed in the UK.

Single-hulled Tankers

Mr. Carmichael: To ask the Secretary of State for Transport what plans he has to provide compensation to ship owners phasing out single-hulled tankers. [140665]

Mr. Jamieson: None.

Speeding

Mr. Donohoe: To ask the Secretary of State for Transport how many drivers were disqualified from driving as a consequence of accumulation of points on their driving licence for speeding in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [141464]

Ms Blears: I have been asked to reply.

Information collected centrally on the Home Office Court Proceedings database does not separately identify the individual motoring offence by which a driver is disqualified as a result of "totting up" of points on their driving licence under s.35 of the Road Traffic Offenders Act 1988.

CULTURE, MEDIA AND SPORT

Broadcasting (Children)

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport (1) what measures her Department has put in place to safeguard children's radio; and if she will make a statement; [141406]

(2) what discussions her Department has held with *(a)* the BBC, *(b)* commercial broadcasters and *(c)* other bodies on the establishment of a designated children's digital radio channel. [141407]

Estelle Morris: The licensing of commercial radio services is a matter for the Radio Authority and, from 29 December, Ofcom. This Department has therefore had no discussions about establishing a designated children's radio channel. The authority as already licensed a number of digital radio services for children and one of the community radio pilot services is a children's service. In the case of the BBC, Charter Review will provide the occasion for an examination of all aspects of the Corporation's activities, including its role in relation to children and young people.

Mr. Don Foster: To ask the Secretary of State for Culture, Media and Sport what discussions her Department has held with Ofcom on the *(a)* rights and *(b)* needs of children in broadcasting. [141408]

Estelle Morris: Ofcom is due to assume the majority of its regulatory functions only on 29 December. To date, my right hon. Friend the Secretary of State has written to the Chairman of Ofcom asking him to consider proposals for strengthening the existing code on advertising food to children and to inform her of Ofcom's plans to promote greater media literacy among children.

Digital Television

Mr. Wiggin: To ask the Secretary of State for Culture, Media and Sport whether BBC Freeview digital television transmitted from English transmission sites to Wales will automatically carry Welsh regional channels. [140816]

Estelle Morris: Digital Terrestrial signals from English sites do not carry Welsh regional channels at present. The BBC broadcasts Welsh regional variations to all parts of the UK on digital satellite.

Mr. Garnier: To ask the Secretary of State for Culture, Media and Sport how many digital television transmitters are operating in *(a)* the United Kingdom and *(b)* Leicestershire, Leicester and Rutland; and how many people have access to digital television (i) in the UK and (ii) in Leicestershire, Leicester and Rutland. [141505]

Estelle Morris: There are 80 Digital transmitters serving the UK as a whole. In Leicestershire, there is one digital transmitter in Waltham, serving much of the central, north and east of the county. Some parts of the west of the county are also served by signals from the Sutton Coldfield transmitter.

In the UK, 98 per cent. of households have access to digital television by one platform or another and this figure is representative of the coverage in Leicestershire, Leicester and Rutland. The Independent Television Commission are not able to provide area-by-area figures of total digital coverage.

Mr. Garnier: To ask the Secretary of State for Culture, Media and Sport what plans has she to increase free access to digital television in *(a)* the United Kingdom and *(b)* Leicestershire, Leicester and Rutland. [141506]

Estelle Morris: The Government are committed to ensuring that everyone who can currently receive analogue television signals will be able to receive them digitally after switchover. A Digital Television Action plan has been produced jointly with broadcasters and other stakeholders. This sets out a series of specific actions for Government and the stakeholders collectively to work towards to achieve the switchover criteria.

According to the Independent Television Commission (ITC), around 73.1 per cent. of households are currently able to receive all of the free-to-view channels available on the Digital Terrestrial Television (DTT) network. Broadcasters are committed to increasing DTT coverage, but cannot do so until digital switchover.

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport what estimate she has made of the number of pensioners over 75 who will be charged for the new viewing card. [141914]

Estelle Morris: This information is not available as these figures are not currently collected.

Legislation

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport how many pages of *(a)* primary and *(b)* secondary legislation her Department put through Parliament in 2002–03. [141125]

Mr. Caborn: The information is as follows:

(a) My Department sponsored two Bills (one jointly with the Department of Trade and Industry) during the 2002–03 session, which made a total of 765 pages once enacted. (This answer excludes Private Members' Bills.)

(b) In the case of secondary legislation, my Department was responsible, during the 2002–03 session, for the making of 13 General Statutory Instruments, which would have been considered by the Joint Committee on Statutory Instruments. These instruments made a total of 33 pages.

Mr. Redwood: To ask the Secretary of State for Culture, Media and Sport what percentage of *(a)* primary and *(b)* secondary legislation sponsored by her Department in 2002–03 was to implement EU requirements. [141172]

Mr. Caborn: The information is as follows:

(a) As regards primary legislation sponsored by my Department during the 2002–03 session, none of the provisions for which my Department was responsible implemented EU requirements. This answer excludes the provisions in the Communications Act which were the responsibility of the Department of Trade and Industry. It also excludes provisions in that Act which were the responsibility of my Department, but which re-enacted previous provisions implementing EC requirements.

(b) As regards secondary legislation for which my Department was responsible during the 2002–03 session, one statutory instrument of four pages implemented EC requirements. This equated roughly to 12 per cent. of the secondary legislation which my Department was responsible for making during the period (calculated by reference to the total number of pages of such secondary legislation).

Meridian TV

Mr. Waterson: To ask the Secretary of State for Culture, Media and Sport what discussions she has had with the Regulator on Meridian TV's intention of moving its Maidstone operations to Southampton. [141932]

Estelle Morris: This is an issue for the Independent Television Commission.

Nosterfield (Prehistoric Remains)

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport (1) what representations she has received on the complex of prehistoric remains near Nosterfield in North Yorkshire, which include three large henges; and whether the henges are scheduled ancient monuments; [141444]

(2) what action she takes to preserve important megalithic monuments; [141445]

(3) if she will instruct English Heritage to take urgent steps to provide adequate legal protection for the whole of the setting of the Thornborough henge site to ensure that the planning authority *(a)* recognises and *(b)* will be obliged to take into account the national importance of the site. [141447]

Mr. Caborn: A number of representations have been received both at DCMS and at English Heritage from a diverse range of organisations.

Most important megalithic monuments are scheduled as ancient monuments and as such are protected from uncontrolled disturbance by the provisions of the Ancient Monuments and Archaeological Areas Act 1979. Additional protection is provided by the Government's Planning Policy Guidance on Archaeology and Planning (PPG 16).

The site is Scheduled as an Ancient Monument under the title of "Earth circles, cursus, pit alignments and burial sites near Nosterfield and Thornborough, including Centre Hill round barrow, Hambleton, North Yorkshire—County Monument No. 36".

English Heritage is concerned about the wider landscape setting of the henge monuments and is currently funding a project by Newcastle University to undertake extensive archaeological research in this area. My Officials are supporting English Heritage's firm opposition to any further gravel extraction in the vicinity of the scheduled site until the research is completed, and the archaeology is better understood.

Rugby League

Mr. Woodward: To ask the Secretary of State for Culture, Media and Sport what support the Government are offering to Rugby League in *(a)* St. Helens and *(b)* Merseyside. [141293]

Mr. Caborn: Since 1995, Rugby League in St. Helens has received one Community Capital award for changing rooms at Portico and Grange Park Junior Amateur RLFC of £8,720, one Safer Sports Ground award to St. Helens RLFC for £30,876 and over £39,200 in Awards for All grants for 10 projects.

In addition to this, Rugby League in Merseyside has received two Awards for All grants totalling £9,800.

Sports Expenditure

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport (1) how much per head of population has been spent by the Government on promoting and facilitating sport and physical activity in *(a)* 2001, *(b)* 2002 and *(c)* 2003; [140496]

(2) how much per head of population has been spent by her Department on promoting and facilitating sport and physical activity in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [140498]

Mr. Caborn: The following table sets out the total government funding directly attributable for sport per capita in England.

	Exchequer funding (£ million)	*Population totals (million)*	*Exchequer funding per capita (£)*
2000–01	39.8	49.1	0.81
2001–02	47.7	49.3	0.97
2002–03	103.5	49.5	2.09

The Department for Culture Media and Sport's funding for sport and physical activity in 2000–01 was £39.8 million, in 2001–02 was £47.7 million and in 2002–03 was £103.5 million. These figures do not reflect the grant in aid funding which the Department provides to UK Sport.

The Department for Education and Skills investment in specialist sports colleges for 2000–01 was £9.5 million, in 2001–02 was £14.6 million and on 2002–03 was £23.4 million. However this funding is for the provision of sport and also contributes to raising standards across the curriculum.

The information for the Department of Health is not available. The amount spent by Primary Care Trusts on the promotion of physical activity from the devolved Department of Health budgets is not known centrally.

Sport also receives significant funding from Central Government mainly through local government block grant, as noted in "Game Plan: a strategy for delivering the Government's sport and physical activity objectives", a joint Department for Culture, Media and Sport and Strategy Unit Report published in December 2002, page 33. This spending is not centrally recorded on a consistent basis, but "Game Plan" suggested that in 1999–2000 £1,015 million was spent on sport and physical activity by local government as part of their block grant.

Television Reception

Gregory Barker: To ask the Secretary of State for Culture, Media and Sport what estimate she has made of the proportion of the population of East Sussex who are able to receive *(a)* Channel 4 and *(b)* Channel 5 through terrestrial television. [140964]

Estelle Morris: Terrestrial coverage for Channel 4 and Five has not been calculated on the basis of county boundaries. However, coverage figures for the whole of the UK are 99.4 per cent. for Channel 4 and 80 per cent. for Five. In Sussex, neither of the main transmitters at Dover and Heathfield are able to transmit Five and coverage is therefore very limited.

DEPUTY PRIME MINISTER

Government Grant (Havering)

Mr. Rosindell: To ask the Deputy Prime Minister how much central Government money the London Borough of Havering received per citizen in 2002–03. [141722]

Phil Hope: The London Borough of Havering received £722.46 per head in central Government grant in 2002–03.

This includes the 2002–03 Revenue Support Grant (RSG) and Redistributed Business Rates (NNDR) distributed by the Office of the Deputy Prime Minister and information on special and specific grants within AEF supplied by the London Borough of Havering to the Office of the Deputy Prime Minister on their Revenue Summary form (RS 2002/03).

The mid-2000 population estimates for Havering have then been used to work out the amount of grant per head. These population estimates were those used in the calculation of the 2002/03 RSG and NNDR.

Home Ownership Task Force

Martin Linton: To ask the Deputy Prime Minister when the Home Ownership Task Force will report on the range of programmes helping people into home ownership. [141311]

Keith Hill: The Home Ownership Task Force's report, "A Home of My Own", was published on 13 November 2003. Copies of the report and executive summary are available on the Housing Corporation's website at: www.housingcorp.gov.uk

The Task Force looked at the whole range of programmes aimed at helping social tenants and others into home ownership and has put forward 45 recommendations to assist in the delivery of affordable housing to those on modest incomes. These include advising on new frameworks for a low cost home ownership programme, how to provide better information and advice and sustainable home ownership.

The Office of the Deputy Prime Minister is taking forward four of the recommendations relating to the Right to Buy in the Housing Bill. We will be considering the other recommendations in more detail and responding in the New Year.

Learning and Skills Councils

Mr. Hammond: To ask the Deputy Prime Minister what discussions his Department has held with the Department for Education and Skills on the possible transfer of responsibilities and funding from learning and skills councils to regional development agencies. [141255]

Jacqui Smith: I have been asked to reply.

Sponsorship of the Regional Development Agencies transferred to the Department of Trade and Industry in June 2001. The Department has had no discussions with the Department for Education and Skills on the possible transfer of responsibilities and funding from the Learning and Skills Council (LSC) to Regional Development Agencies (RDAs). It is not the Government's intention to transfer responsibilities and funding from one body to another, as the approach set out in the Government's Skills Strategy published in July this year makes clear. Instead we have made it clear that we expect RDAs and local LSCs to work together.

RDAs and local LSCs have been working together in a number of areas on regional skills pilots, which are looking at pooling and co-ordinating funding.

Further, as part of the Skills Strategy, the Government has asked RDAs and their partners to work up proposals for Regional Skills Partnerships which will enable RDAs, local LSCs, and other stakeholders with an interest in skills, to work more effectively together to deliver employment, skills and business support, and to improve flexibility and responsiveness to the skills needs of employers and individuals.

New Millennium Experience Company

Alan Keen: To ask the Deputy Prime Minister what he estimates the surplus will be of the unutilised grant, which is expected to result from the solvent liquidation of the New Millennium Experience Company. [140491]

Keith Hill: This is a matter for the Millennium Commission as grant-funder. However, I understand that it is currently estimated that the surplus of unutilised grant, resulting from the solvent liquidation of the New Millennium Experience Company, is expected to be £25 million.

Quasi-Judicial Decisions

Mr. Viggers: To ask the Deputy Prime Minister what factors are taken into account when he takes a decision in a quasi-judicial capacity; and how these differ from the factors he takes into account in decisions taken normally. [141925]

Keith Hill: Quasi-judicial powers are administrative powers which must be exercised in accordance with the rules of natural justice. In taking quasi-judicial decisions, my right hon. Friend the Deputy Prime Minister must act and be seen to act fairly and even-handedly, by bringing an unbiased and properly directed mind to his consideration of the matter. My right hon. Friend the Deputy Prime Minister must take into account all relevant matters and not take into account irrelevant ones. These factors do not necessarily differ from the factors to be taken into account in other decisions but there may be a different degree of scrutiny by the courts.

Renewable Energy

Mr. Stunell: To ask the Deputy Prime Minister what representations he has received on Merton Borough Council's policy PE14 on renewable energy, formally adopted on 31 October; and if he will make a statement. [141381]

Keith Hill: As the hon. Member will know, Merton's UDP policy PE14 (now renumbered PE13 in the Plan as adopted) encourages the incorporation of various environmentally friendly measures into buildings, and indicates that:

> "all new non-residential development above a threshold of 1,000 square metres will be expected to incorporate renewable energy production equipment to provide at least 10 per cent. of predicted energy requirements".

This policy was introduced into the Plan in post-inquiry modifications, an objection was made. Representations were made to the Office of the Deputy Prime Minister by Councillor Andrew Judge, Council Leader of the London Borough of Merton, and from Rebecca Willis, of the Green Alliance, with members of the Energy Entrepreneurs Network as co-signatories. In both cases the representations pointed out that a viability test had been introduced by the Council to address the Government's concerns, and asked that the Government should not intervene to direct the removal of the policy from the Plan.

FOREIGN AND COMMONWEALTH AFFAIRS

Colombia

Clare Short: To ask the Secretary of State for Foreign and Commonwealth Affairs what military aid is being provided to Colombia; and of what *(a)* type and *(b)* value. [141508]

Mr. Ingram: I have been asked to reply.

I refer the hon. Member to the answer I gave on 16 October 2003, *Official Report,* column 322W, to the hon. Member for Portsmouth, South (Mr. Hancock).

Ethiopia

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to implement sanctions against Ethiopia in the event that it does not accept the Algiers agreement; and if he will make a statement. [140917]

Mr. Mullin: We have underlined to the Ethiopian authorities that the Boundary Commission's decision on the border, provided for in the Algiers Agreement, is final and binding. We are working with the rest of the international community to encourage Ethiopia and Eritrea to begin a political dialogue on all the issues separating the two countries, including the implementation of the Boundary Commission's decision. The Government have no current plans to implement sanctions against Ethiopia.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent meetings he has had to discuss ways of preventing the border dispute between Ethiopia and Eritrea escalating. [140918]

Mr. Mullin: When I met the Ethiopian ambassador on 16 October, I emphasised to him that the Boundary Commission's decision is final and binding and that dialogue is essential for the normalisation of relations between Eritrea and Ethiopia. I conveyed this same message to the Eritrean ambassador at a meeting on 25 November and to the Eritrean Foreign Minister at a meeting on 1 December.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what actions have been undertaken by his Department to ensure that the Commission's resolutions on the future border between Ethiopia and Eritrea are adhered to; and if he will make a statement. [141618]

Mr. Mullin: We have emphasised to both parties that the Boundary Commission's decisions are final and binding. The Government are working with other members of the international community to encourage Ethiopia and Eritrea to begin a political dialogue on all the issues separating the two countries.

EU Constitutional Treaty

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs how many copies of the proposed EU Constitutional Treaty have been purchased by *(a)* Government bodies and *(b)* others. [140802]

Mr. MacShane: In August 2003 the Foreign and Commonwealth Office Command Paper 5897 The 'Draft Constitutional Treaty on the European Union', which included a full copy of the text, was published by the Stationery Office. 53 copies of the paper were subsequently purchased by the FCO; some of which were forwarded to other Government Departments. In total 729 copies have been sold by the Stationery Office.

Copies of the draft Treaty are also available free of charge from the European Commission.

European Constitution

Mr. Heathcoat-Amory: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the additional policy areas to be subject to majority voting in the latest draft of the European Constitution. [140897]

Mr. MacShane: The latest redraft of the Constitution, in CIG 50/03, does not include any fundamental changes to the Convention text, but does incorporate some legal clarifications on the basis of the work of Council lawyers.

The Presidency have issued some proposals for amendment in CIG 52/1/03. These are still under discussion. They include a new proposal for the use of qualified majority voting when adopting a European decision on a proposal put forward by the European Foreign Minister. The British Government have made it clear that they cannot accept this proposal.

European Union Accounts

Mr. Blizzard: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on his response to the refusal of auditors to approve the accounts of the European Union. [140819]

Mr. MacShane: It is disappointing that the Court of Auditors (EGA) has again been unable to give a positive Statement of Assurance, though we note that the ECA did find the accounts to be reliable overall, as it has every year. We will be working with the ECA to address the specific problems they identified. But it is important to note that revenue, commitments, administrative expenditure and pre-accession aid did receive a positive Statement of Assurance. In addition, it noted improvements in the management of the agriculture budget, especially in the area of payments and in the Integrated Administration and Control System. The Government believes that the entry into force of the new Financial Regulation on 1 January 2003 will produce further improvements in financial management and accountability. The ECA also commented favourably on the progress made to reform financial management in the Commission—and noted the ambitious timetable for this. We expect the House of Commons European Scrutiny Committee to debate the report in the usual way in February 2004.

Food Supplements

Mr. Stunell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list the EU meetings held in 2003 which *(a)* Ministers and *(b)* officials from the Department have attended where the maximum permitted level of nutrients in food supplements was discussed; and if he will make a statement. [141410]

Mr. MacShane: The Food Supplements Directive 2002 lays out a framework for the setting of maximum permitted levels of vitamins and minerals in food supplements. Following this, the European Commission has to make a proposal listing EU maximum permitted levels for vitamins and minerals in food supplements. It has not yet done so and we do not expect it to do so for another two-three years. Until such time it is unlikely that there will be any EU meetings dedicated to the discussion of these levels and there have been none in 2003.

The UK has taken every opportunity to argue that maximum levels should be set on the basis of food safety. In 2003, Food Standards Agency officials attended two scientific meetings at which maximum permitted levels were discussed in the context of risk assessment.

Iraq

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs upon what evidence the claims that foreign fighters are operating in Iraq were made; how many he estimates are involved; what their countries of origin are; and if he will make a statement. [140907]

Mr. Rammell: We have received reports that foreign fighters from a range of countries are operating in Iraq. The Government have urged Iraq's neighbours to tighten up security and border controls to deny terrorists access to Iraq. I am withholding details of the Government's estimate of the number of foreign terrorists in Iraq under Exemptions 1 and 2 of Part 2 of the Code of Practice on Access to Government Information.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the average *(a)* level and *(b)* number of hours of supply of electricity to the Shi'a population of Iraq (i) before and (ii) after the conflict. [141280]

Hilary Benn: I have been asked to reply.

Information on electricity supplies in Iraq is not collected on the basis of religious or ethnic groupings. The power system in southern and central Iraq particularly has suffered from a lack of maintenance over many years and since the conflict has suffered looting and sabotage. Nevertheless, good progress has been made with the restoration of power supplies so far. Power capacity in Iraq peaked in early October 2003 at 4,518MW, surpassing the pre-war level of 4,400MW. This peak level has been temporarily reduced to allow necessary long-term repairs and planned maintenance to take place.

The majority of the Shi'a population are located in the South of the country and supply levels in Basrah are now generally equalling or exceeding the pre-conflict supply levels of approximately 20 hours per day. DFID is currently supporting an Emergency Infrastructure Project in the South, which is further strengthening the power supplies to key installations. This $30 million project forms part of a wider Essential Infrastructure Programme (totalling $127 million), which is being managed by the Coalition Provisional Authority.

Somalia

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what contacts with organisations representing people in Somalia are maintained by his Department; and what visits have been made by members of his Department to Somalia in the past year. [141617]

Mr. Mullin: My officials meet regularly with members of the Somali Diaspora and with key Somali figures visiting the UK. Our ambassador in Addis Ababa and other UK officials visited Somaliland most recently on 10 to 14 November 2003.

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with *(a)* the Administration of Somaliland and *(b)* the Organisation of African Unity concerning future recognition by the UK. [141616]

Mr. Mullin: I have met with Mrs. Edna Adan, foreign affairs spokesperson for the Somaliland authorities, and expressed the hope that a mutually acceptable solution on the future status of Somaliland can be agreed between Somaliland and the south.

I have not held discussions with the African Union on this issue.

Uzbekistan

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs when HM ambassador to Uzbekistan will return to Tashkent. [140936]

Mr. Rammell: I do not know. The ambassador, Craig Murray, returned to the UK for medical treatment. It would be inappropriate to comment further on a private matter.

Western European Union

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effects of dissolving the Western European Union; and if he will make a statement. [141353]

Mr. MacShane: The Council of the Western European Union at Marseille in November 2000 agreed on a number of measures "designed to address the consequences for the WEU of the changes under way", particularly the evolution of ESDP. This included putting into place residual functions and structures for the WEU. There have been no decisions to dissolve the WEU. The focus of EU Partners and NATO Allies has been primarily on strengthening European security arrangements through ESDP and the NATO/EU permanent agreements. WEU nations may want to look again at its structures and functions in the light of the outcome of the EU Inter-Governmental Conference.

Western Sahara

Jeremy Corbyn: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions have been held with the governments of *(a)* Morocco and *(b)* the United Nations concerning resolution of the problems faced by the Saharwi people. [141646]

Mr. Rammell *[holding answer 3 December 2003]:* We regularly discuss the situation in Western Sahara with our contacts at all levels in the Moroccan Government and the United Nations.

My noble Friend Baroness Symons of Vernham Dean discussed Western Sahara with the Moroccan Deputy Foreign Minister Fassi-Fihri when she visited Morocco on 15–17 September 2003.

British officials in Morocco, Algeria and at the United Nations in New York have, in recent months, held discussions on this issue with the UN Secretary-General's Special Representative for Western Sahara, Mr. Alvaro de Soto.

HEALTH

Cancer Care

Mr. Ben Chapman: To ask the Secretary of State for Health what assessment he has made of the demand for proton therapy at the Clatterbridge Centre for Oncology in the next 10 years. [140548]

Miss Melanie Johnson: The responsibility for assessing future demand of specialised services such as proton therapy at the Clatterbridge Centre for Oncology lies with primary care trusts. The commissioning and assessment demand arrangements around the country differ. Patients come from all over the country to receive proton therapy at the Clatterbridge Centre for Oncology, and in 2003–04, the number receiving treatment will be in the region of 80. This includes a very small number of patients who are treated privately.

Care Homes

Mr. Hancock: To ask the Secretary of State for Health how many residential care *(a)* homes and *(b)* places there were in the Portsmouth Unitary Authority area in each year since 2001. [141355]

Dr. Ladyman: The number of residential care homes in the Portsmouth Unitary Authority at 31 March 2001 was 140 and the number of places was 1,600.

Figures for later years have been collected by the National Care Standards Commission, but comparable details broken down by authority are not available.

Mr. Hancock: To ask the Secretary of State for Health how many nursing care *(a)* homes and *(b)* beds there were in the Portsmouth and south-east Hampshire health authority area in each year since 2001. [141356]

Dr. Ladyman: The number of nursing care homes in the Portsmouth and south-east Hampshire health authority at 31 March 2001 was 60 and the number of places was 1,690.

Figures for later years have been collected by the National Care Standards Commission, but comparable details broken down by authority are not available.

Mr. McLoughlin: To ask the Secretary of State for Health how many *(a)* residential care homes and *(b)* nursing home places were available in West Derbyshire in each year since 1997, broken down into places available at (i) local authority-run homes, (ii) independent private homes and (iii) homes run by independent charities and other not-for-profit organisations. [141453]

Dr. Ladyman: The table shows the number of care home places by type of accommodation available in the Derbyshire area as at 31 March for the years 1997 to 2001.

Figures for later years have been collected by the National Care Standards Commission, but comparable details broken down by local authority are not available.

Data are not available for West Derbyshire.

Number of care home places in the Derbyshire area by type of accommodation at 31 March 1997 to 2001

	Residential homes[1]				*Nursing homes*[2]
At 31 March	*Local Authority*	*Private*	*Voluntary*	*Small*	*Independent*
1997	1,760	3,410	750	330	4,550
1998	1,490	3,570	750	210	4,500
1999	1,380	4,110	810	340	4,590
2000	1,470	4,010	720	220	4,310
2001	1,470	3,980	650	210	4,260

Notes:

1. In 1997 this covers Derbyshire local authority. From 1998 onwards Derbyshire local authority re-organised into Derby City and Derbyshire local authorities.

2. Includes North Derbyshire and South Derbyshire health authorities.

3. Independent registered care homes with less than four places.

Source:

KO36, RA and RH(N)

Community Pharmacies

Dr. Murrison: To ask the Secretary of State for Health (1) what assessment he has made of the implications for the workload of community pharmacies of delivering over-the-counter statins; [141042]

(2) what consultation he has had with pharmacists on the dispensing of over-the-counter statins; [141043]

(3) what checks will be carried out by pharmacists dispensing over-the-counter statins; [141044]

(4) what assessment he has made of the number of lives likely to be saved each year through over-the-counter availability of statins. [141045]

Ms Rosie Winterton: No assessment is routinely made by the Medicines and Healthcare products Regulatory Agency (MHRA) on the workload of community pharmacists when the legal status of a product is changed from a prescription only medicine to a pharmacy only medicine, nor when a product changes from a pharmacy only medicine to general sale list availability.

The consultation document (ARM 18) on a proposal to allow simvastatin 10mg to be available over the counter through pharmacies rather than on a prescription has been distributed widely, including to the Royal Pharmaceutical Society of Great Britain (RPSGB) and the National Pharmaceutical Association (NPA). All pharmacists have been made aware of the consultation exercise via the Pharmaceutical Journal, which directed pharmacists to the consultation document displayed on the MHRA's website. At the end of the consultation period, the responses received will be considered by the Committee on Safety of Medicines (CSM) which will advise Ministers.

The applicant company for the proposal to supply simvastatin 10mg over the counter is proposing to conduct a pre-launch pilot study in a number of pharmacies to test the feasibility of the pharmacy protocol. This will provide valuable information about the supply of the product, will highlight areas for improvement and will test the overall feasibility of pharmacy availability. The proposed protocol, including a questionnaire, will be introduced for first time purchasers of simvastatin 10mg to be completed at the start of the supply process. It is proposed that the questionnaire focuses initially on age and then where appropriate, other risk factors for Coronary heart Disease (CHD) i.e. age (if below 55), family history, smoking, ethnicity, obesity. Based on the responses to the questionnaire, the pharmacist will be able to identify individuals for whom simvastatin 10mg would be suitable. An education and training package is being developed to support the pharmacist in the sale and supply of simvastatin 10mg. Pharmacy bodies including the RPSGB, the NPA and the Centre for Postgraduate Pharmacy Education (CPPE) are being consulted on this material.

The RPSGB's code of ethics and standards sets out the professional standards all pharmacists are expected to follow when dispensing medicines against a prescription or when selling pharmacy medicines. The code is published as part of the Society's Medicines, Ethics and Practice, A Guide for Pharmacists which is available on its website at www.rpsgb.org.uk.

Pharmacists will be able to offer cholesterol testing to people who choose to take up this option. The CSM has advised that it is beneficial to reduce cholesterol levels regardless of the starting level of cholesterol. The safety profile of statins at a low dose is such that CSM advised that there is no need for routine liver function tests once treatment has started.

The number of lives likely to be saved each year through over-the-counter availability of statins will depend on the level of take up of the product that would not otherwise be available on prescription. Individual risk reduction could be by as much as a third after three years of treatment.

Contaminated Blood

Mr. Brady: To ask the Secretary of State for Health whether his Department's ex-gratia payments to people with haemophilia infected with hepatitis C will extend to *(a)* those co-infected with HIV, *(b)* those who have cleared the virus through treatment and *(c)* the families of those who have died from hepatitis C. [141250]

Charles Hendry: To ask the Secretary of State for Health how the money allocated to compensate victims of contaminated blood will be spent; and if he will make a statement. [140636]

Miss Melanie Johnson: The details of the hepatitis C ex gratia payment scheme are being worked out. We expect to announce the scheme's eligibility criteria and payment structure shortly.

Dental Practice Board

Mr. Waterson: To ask the Secretary of State for Health when he will announce the result of the Lyons Review, with particular reference to its conclusions on the future location of the Dental Practice Board. [141586]

Ms Rosie Winterton: The Department is considering the options for relocation in the light of the Lyons Review. These will need to be taken in the light of the review of the Department's arms' length bodies which my right hon. Friend the Secretary of State, announced at the Health Select Committee on 30 October 2003 and which it is expected will reach its conclusions by the middle of next year.

Diabetes

Tim Loughton: To ask the Secretary of State for Health (1) what diagnostic methods are available on the NHS to allow diabetics to monitor their blood sugar levels; [141153]

(2) whether he intends that provision of blood glucose test strips will remain available on the NHS in the long term. [141154]

Ms Rosie Winterton: There are two types of diagnostic methods available on the National Health Service that allow people with diabetes to self-monitor their blood glucose levels. These are blood glucose testing strips and urine testing strips.

Blood glucose testing strips will remain available on the NHS for the foreseeable future and I am not aware of any plans to remove them from NHS prescriptions.

Tim Loughton: To ask the Secretary of State for Health what further steps he will take to ensure that *(a)* diabetics are able to make an informed choice on the types of insulin available and *(b)* that healthcare providers advise patients of the risks and benefits of different types of insulin. [141160]

Ms Rosie Winterton: Patient education, information and empowerment is central to the values of the national service framework for diabetes standards published in 2001. Standard Three states:

> "that all people with diabetes will receive a service that encourages partnership in decision-making and supports them in managing their diabetes, and helps them adopt a healthy lifestyle".

This would include, for those requiring it, information about insulin.

Full guidance on prescribing and use of synthetic insulins, including possible side effects, is provided in the product information for prescribers and patients.

Drug Prescribing

Tim Loughton: To ask the Secretary of State for Health how many NHS prescriptions for *(a)* Aricept, *(b)* Concerta XL and *(c)* Risperidone have been made in 2003; and what additional funds have been made available for prescription of these drugs. [141071]

Ms Rosie Winterton: Information on the number of prescription items and net ingredient cost (NIC) of all Aricept, Concerta and Risperidone drugs dispensed in the community in England in 2003 (January to September) is shown in the table.

National health service bodies are expected to meet the costs of prescriptions from their unified allocations, which have increased on average by over 9 per cent., over the three years starting from 2002–03.

Number of prescription items for Aricept, Concerts and Risperidone drugs dispensed in the community in England in 2003 (January to September 2003 only. Not a full year)

Chemical name	*Items (000s)*
Donepezil Hydrochloride (Aricept)	181.3
Concerta	93.6
Risperidone (Risperdal)	1,019.6

Notes:

1. Aricept is included in British National Formulary (BNF) Section 4.11 (Drugs for dementia), and is a brand of the chemical entity Donepezil Hydrochloride. Aricept is the only brand. There are no generics available.

Concerta is included in BNF Section 4.4 (Central nervous system stimulants), and is a brand of the chemical entity Methylphenidate Hydrochloride. Concerta is one of many brands of Methylphenidate Hydrochloride, including the generic.

Risperidone is a chemical entity and is included in BNF Section 4.2 (Drugs used in psychoses and related disorders). Risperdal is the only brand of Risperdone, there are no generics available.

2. The data are based on prescription items dispensed in the community, ie by community pharmacists and appliance contractors, dispensing doctors, and prescriptions submitted by prescribing doctors for items personally administered in England.

3. The data do not cover drugs dispensed in hospital or private prescriptions.

4. Doctors, dentists or nurses write prescriptions on a prescription form. Each single item written on the form is counted as a prescription item.

Source:

Prescription Cost Analysis (PCA) data from the Prescription Pricing Authority

Flu Deaths

Mr. McLoughlin: To ask the Secretary of State for Health how many people aged 65 years or over died of influenza in *(a)* West Derbyshire, *(b)* East Midlands and *(c)* the UK in each year since 1997. [141454]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. McLoughlin, dated 4 December 2003:

As National Statistician, I have been asked to reply to your recent question asking how many people aged 65 years or over have died of influenza in *(a)* West Derbyshire, *(b)* East Midlands, *(c)* the UK in each year since 1997. (141454)

Figures for West Derbyshire parliamentary constituency, East Midlands government office region and the United Kingdom are provided in the table below. The most recent year for which data are available is 2001.

Numbers of deaths among people aged 65 years and over from influenza,[1] 1997 to 2001[2] for West Derbyshire parliamentary constituency, East Midlands government office region and the United Kingdom[3]

Numbers of deaths

	West Derbyshire	*East Midlands*	*United Kingdom*
1997	-	21	413
1998	-	13	129
1999	*	60	598
2000	*	43	630
2001	*	5	27

- Zero deaths

* Fewer than 5 deaths

[1] Deaths with an underlying cause of influenza defined using the International Classification of Diseases, Ninth Revision (ICD-9) code 487 for the years 1997 to 2000 and, for the year 2001, the International Classification of Diseases, Tenth Revision (ICD-10) codes J10 and J11.

[2] Figures are for deaths occurring in each calendar year, except for data for Scotland and Northern Ireland included in the United Kingdom totals. These are deaths registered in each calendar year.

[3] Deaths of usual residents of these areas.

Group B Streptococcus

Mr. Brady: To ask the Secretary of State for Health what analysis he has made of regional variation in *(a)* preventative measures and *(b)* treatment and care for newborn babies infected with Group B streptococcus. [141252]

Dr. Ladyman: No regional analysis has been made.

Health and Social Care

Mr. Lansley: To ask the Secretary of State for Health when he will publish the statement on standards provided for by section 45 of the Health and Social Care (Community Health and Standards) Act 2003. [141317]

Ms Rosie Winterton *[holding answer 2 December 2003]:* A draft statement of health care standards will be published for public consultation early in 2004.

Journey Times

Mr. McLoughlin: To ask the Secretary of State for Health what the average journey time was for patients to the nearest *(a)* general practitioner surgery, *(b)* dentist and *(c)* accident and emergency unit in West Derbyshire in the last 12 months. [141452]

Dr. Ladyman: The information requested is not held or collected centrally.

Lymphoedema

Tim Loughton: To ask the Secretary of State for Health how many people living within the Adur, Arun and Worthing Primary Care Trust area suffered from lymphoedema in each of the last five years; and how many received treatment. [141145]

Ms Rosie Winterton: Data are not available by primary care trust (PCT) of residence for the last five years available, nor is it available by strategic heath authority (SHA) of residence. However, the following table shows figures for the four health authorities (HAs) which were merged to form Surrey and Sussex SHA, for which Adur, Arun and Worthing PCT is part.

Primary Diagnosis (ICD-10 Q82.0, I89.0, I97.8) Lymphoedema—Counts of Finished Inyear Admission Episodes by selected Health Authorities of Residence. NHS Hospitals, England 1997–98 to 2001–02

Health Authority of residence		*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*
OAK	East Surrey HA	3	6	4	2	3
QAL	West Surrey HA	3	4	8	4	15
QA M	East Sussex Brighton & Hove HA	46	10	25	48	22
QAN	West Sussex HA	579	312	357	333	384

Notes:

1. Admissions—admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.
2. Diagnosis (Primary Diagnosis)—the primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis is fields in the Hospital Episode Statistics (HES) dataset and provides the main reason why the patient was in hospital.
3. Grossing—figures are grossed for both coverage and missing/invalid clinical data except 2001–02, which is not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health.

Macular Disease

Mr. Sheerman: To ask the Secretary of State for Health what proportion of people with macular disease have been provided with low vision aids on the NHS. [141422]

Ms Rosie Winterton: Figures are not held centrally on low vision aids provided to people with macular disease.

Low vision aids are available free on loan, to any person requiring them. It is for local areas to decide how best to organise their low vision services. Most services are provided in a hospital setting by the hospital eye service, who will assess the needs of the individual and provide any necessary low vision aids, this could be in the form of strong reading glasses, magnifiers or telescopes.

The integrating community equipment services initiative, known as ICES, aims to produce better equipment services for people by bringing what were previously separate local national health service and social services equipment services into integrated organisations. Local services have the responsibility for achieving this integration by April 2004.

Mr. Sheerman: To ask the Secretary of State for Health how much has been allocated *(a)* in England and *(b)* in the Huddersfield and Kirklees area for the provision of low vision aids for patients suffering from macular disease in the last 12 months. [141423]

Ms Rosie Winterton: There is no national allocation for low vision aids. It is for local national health service providers to decide how much should be made available to fund low vision aids out of their overall allocations, in light of local needs.

Calderdale and Huddersfield NHS Trust hold the budget for the provision of low vision aids for Huddersfield patients. In 2003–04 £8,078 was allocated for patients suffering from macular disease. Figures are not available for the Kirklees area.

Low vision aids are available free on loan, to any person requiring them. It is for local areas to decide how best to organise their low vision services. Most services are provided in a hospital setting by the hospital eye service, who will assess the needs of the individual and provide any necessary low vision aids, this could be in the form of strong reading glasses, magnifiers or telescopes.

The integrating community equipment services initiative, known as ICES, aims to produce better equipment services for people by bringing what were previously separate local NHS and social services equipment services into integrated organisations. Local services have the responsibility for achieving this integration by April 2004.

Plano Lenses

Joan Walley: To ask the Secretary of State for Health what progress has been made in re-evaluating the funding status of plano lenses under the national health service for *(a)* children and *(b)* adults. [140482]

Ms Rosie Winterton: Plano tinted lenses may be prescribed by the hospital eye service for patients who have a recognised clinical need for them.

Although there are indications that some children and adults with reading difficulties may benefit from tinted lenses, these need to be provided as part of a proper scheme of assessment and treatment or many people could receive them unnecessarily. There is a risk otherwise that more appropriate responses to their needs could be delayed while time is taken up investigating tinted lenses.

Currently, plano tinted lenses are not available under the general ophthalmic services and there are no plans for this to change.

Preventive Health Strategies

Mr. Gardiner: To ask the Secretary of State for Health how much per head of population has been spent by his Department on preventive health strategies in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [140501]

Miss Melanie Johnson: The information requested is not available. Prevention and improving the health of the population are important aspects of the Department's work and feature in many of its activities, including tackling health inequalities, reducing the risks associated with coronary heart disease and cancer, improving sexual health and dealing with substance misuse.

Sanitary Products

Mr. Blizzard: To ask the Secretary of State for Health if he will offer financial support to women for the purchase of sanitary products. [140895]

Dr. Ladyman: The Government accept without question that sanitary protection is essential for women's personal hygiene. However, these are not for medical use and cannot be provided on the national health service. To show the Government's willingness to listen to the views and concerns of women throughout the country, VAT on women's sanitary products was cut to five per cent. from January 2001.

St. Helens Hospitals

Mr. Woodward: To ask the Secretary of State for Health how many patients were treated in hospitals that serve St. Helens in each year since 1992. [141481]

Miss Melanie Johnson: The information requested is shown in the table.

St. Helens and Knowsley Health Authority 1996–97 to 2001–02

	Provider	
	St. Helens and Knowsley Hospitals NHS Trust	*St. Helens and Knowsley Community Trust*
1996–97	60,622	11
1997–98	61,409	—
1998–99	63,358	*
1999–2000	66,516	—
2000–01	69,157	—
2001–02	68,338	—

Notes:

1. The St. Helens and Knowsley Health Authority came into existence in 1996, but was dissolved in 2001–02 and became part of the Cheshire and Merseyside Strategic Health Authority.

2. Low numbers—due to reasons of confidentiality, figures between one and five have been suppressed and replaced with '*'. Zeros have been replaced by '—'.

Source:

Hospital Episode Statistics (HES), Department of Health.

Mr. Woodward: To ask the Secretary of State for Health how much was spent per patient on *(a)* health care as a whole, *(b)* general practitioner surgeries and *(c)* hospitals in (i) St. Helens, (ii) Merseyside and (iii) the North West Region in each year since 1992. [141483]

Miss Melanie Johnson: The information requested is not collected centrally.

Suicide

Charles Hendry: To ask the Secretary of State for Health what funding is available to voluntary organisations through the National Suicide Strategy; and to which organisations funding has been granted. [140643]

Ms Rosie Winterton: Resources will be made available both centrally and through the National Institute for Mental Health in England's eight development centres for specific pieces of work to help implementation of the national suicide prevention strategy. No voluntary sector organisations have yet been granted funding through these resources.

A number of voluntary sector organisations apply for grants under the Section 64 General Scheme. Some of these organisations have a remit that explicitly includes attention to the needs of vulnerable groups who may be at risk of suicide. Information about the Section 64 General Scheme is available on the Department's website at www.doh.gov.uk/sect64/s64. This also includes the full list of currently approved grants.

Waiting Times

Mr. McLoughlin: To ask the Secretary of State for Health what the average waiting time for a first consultant appointment was in West Derbyshire in each year since 1997. [141455]

Dr. Ladyman: The information requested is shown in the table.

Average (median) waiting times for first consultant out-patient appointment following G(D)P referral: Western Derbyshire

	Median waiting times (weeks)
1997–98	5.80
1998–99	5.96
1999–2000	6.53
2000–01	6.49
2001–02	6.67
2002–03	5.82

Note:

For 2002–03, data are taken from High Peak and Dale primary care trust (PCT) and Chesterfield PCT. Prior to this, data are taken from North Derbyshire Health Authority (HA) and Southern Derbyshire HA.

Source:

Department of Health form QM08R.

Mr. McLoughlin: To ask the Secretary of State for Health if he will list the clinical areas where the NHS in West Derbyshire has longer *(a)* waiting lists and *(b)* waiting times than the national average. [141456]

Dr. Ladyman: The information requested is shown in the tables.

Patients waiting for elective in-patient admission: Position at 30 September 2003: England, and High Peak and Dales PCT and Chesterfield PCT

Waiting list per 10,000 head of population

Specialty	*England*	*High Peak and Dales PCT and Chesterfield PCT*
Trauma and orthopaedics	51.0	71.9
Neurosurgery	1.3	2.2
Gastroenterology	2.0	4.4
Cardiology	6.3	7.3
Nephrology	0.2	0.7
Medical oncology	0.0	0.1
Radiology	0.1	0.3
All specialties	195.2	200.2

Source:

Department of Health form QF01.

Average (median) waiting times for elective in-patient admission: Position at 30 September 2003: England, and High Peak and Dales PCT and Chesterfield PCT

Median waiting times

Specialty	*England*	*High Peak and Dales PCT and Chesterfield PCT*	
Trauma and orthopaedics	3.52	4.27	0.75
Oral surgery	2.36	3.00	0.64
Neurosurgery	3.12	4.40	1.28
Cardiology	2.47	2.79	0.33
Nephrology	1.92	2.10	0.18
Radiology	2.33	6.00	3.67
All specialities	2.71	2.70	-0.01

Source:

Department of Health form QF01.

EDUCATION AND SKILLS

Key Stage 1

14. **Mr. Jenkins** To ask the Secretary of State for Education and Skills what plans he has to reform assessment methods at Key Stage 1; and if he will make a statement. [141770]

Mr. Stephen Twigg: We have developed a new approach to assessment at Key Stage 1. We have asked the Qualifications and Curriculum Authority to trial an approach that uses testing to underpin teacher assessment.

Teachers will make a rounded assessment of each child, taking into account task and test results and their own judgment on the child's work. 37 LEAs are in the trial. If the trial is successful it will be extended to all schools in the next academic year.

Student Bursaries

15. **Mr. Joyce:** To ask the Secretary of State for Education and Skills what plans he has for university student bursaries; and if he will make a statement. [141771]

Alan Johnson: We have made it clear that universities will need to offer bursaries and other forms of financial support in their access agreement if they want to charge a fee above the standard level. We are considering and discussing the precise contents of access agreements and the duties of the Office for Fair Access and will make a statement in due course.

School Funding

16. **Michael Fabricant:** To ask the Secretary of State for Education and Skills if he will make a statement on the range of funding available through the formula spending share per pupil in local education authorities. [141772]

Mr. Miliband: The Government funds a basic amount per pupil, which is the same everywhere, plus top-ups for deprived pupils.again the same amount per pupil wherever they live, and further top up for areas with high recruitment and retention costs. Authorities receiving more through the top-ups receive a higher level of funding per pupil, reflecting their relatively greater need.

Mr. Luff: To ask the Secretary of State for Education and Skills (1) how many schools are in education action zones in the current financial year, broken down by local education authority; and what the total funding made available in the current financial year under the programme is in each education authority area; [141460]

(2) how many schools are in excellence clusters in the current financial year; and what the total funding made available in the current financial year under the programme is in each local education authority area; [141424]

(3) how many schools benefit from the Excellence in Cities programme in the current financial year, broken down by local education authority; and what the total funding made available in the current financial year under the programme is in each local education authority area; [141425]

(4) how many schools received leadership incentive grant in the current financial year, broken down by local education authority; and what the total funding made available in the current financial year under the programme is in each local education authority area. [141426]

Mr. Miliband: The information requested has been placed in the Libraries.

Tuition Fees

17. **Mr. Woodward:** To ask the Secretary of State for Education and Skills what assessment he has made of *(a)* flat rate and *(b)* variable university tuition fees, with particular reference to equity of access. [141773]

Mr. Charles Clarke: Flat rate fees force all students to pay the same fee, regardless of the quality of their course, the demand for it, and the return they get from it. Fixed fees mean that there would be no Office for Fair Access, no progress on widening access and no bursaries for poorer students; and they continue to subsidise rich students at the expense of poorer ones. Flat fees would also require universities to charge the required amount even where they wished to offer a course at a lower charge. Variable fees suffer none of these drawbacks: they are fairer than flat rate fees.

Foster Carers

18. **Mr. Kidney:** To ask the Secretary of State for Education and Skills what plans he has to increase the number of foster carers; and if he will make a statement. [141774]

Margaret Hodge: In March 2002 we launched the Choice Protects Programme which aims to improve placement choice and stability for looked after children. The first tranche of the three year £113 million grant was given to local authorities to expand and strengthen their fostering services. At national level we have taken action to improve foster carers' pension entitlement and tax position. We have commissioned the Fostering Network to produce recruitment guidelines and are developing a publicity pack to help local authority recruitment of foster carers. Both of these will be available early next year.

The Green Paper, "Every Child Matters", has sought views on radical and imaginative ways of encouraging people to become foster carers and ensuring they are valued and recognised.

School Funding (North Yorkshire)

19. **Miss McIntosh:** To ask the Secretary of State for Education and Skills what recent representations he has received on school funding in North Yorkshire. [141775]

Mr. Miliband: My right hon. Friend has received few recent representations about school funding issues in North Yorkshire. On 29 October he announced proposals to restore stability to school funding. Further information about funding for next year was announced on 19 November as part of the provisional Local Government Finance Settlement. In 2004-05 all authorities will see an increase in their School Formula Spending Share of at least 5 per cent. per pupil: North Yorkshire's increase is 6 per cent.

Admissions Policy

Mr. Hoban: To ask the Secretary of State for Education and Skills what guidance has been issued to schools on special measures about their admissions policies; and what discretion they have been given on the admission of children who have been excluded from other schools. [141951]

Mr. Miliband: The School Admissions Code of Practice states that, exceptionally, admission authorities for schools under special measures or those that have recently come out of them may refuse to admit a challenging child, outside the normal year of entry and where there are places available, on the grounds that admission would prejudice the provision of effective education or the efficient use of resources. This will normally only be appropriate if they already have a particularly high concentration of pupils with challenging behaviour, or the child is particularly challenging.

Bullying

Mr. Woodward: To ask the Secretary of State for Education and Skills what assistance the Government is providing to primary schools to *(a)* establish student councils, *(b)* combat bullying and *(c)* develop anti-bullying (i) strategies and (ii) products. [141719]

Mr. Ivan Lewis: The Department has worked with School Councils UK to produce a toolkit to help primary schools develop effective School Councils. A copy has been sent to every LEA in England.

Last month I launched the schools' anti-bullying Charter for Action at the first of a series of regional DfES anti-bullying conferences. We hope primary and secondary schools will adopt the Charter or adapt it to create their own. The Charter includes good practice suggestions. We are also producing audit and training materials for primary schools which deal with bullying as well as other aspects of managing behaviour and attendance. These supplement the DfES guidance pack "Bullying: Don't Suffer in Silence" which helps schools develop and implement their anti-bullying policies.

Debt (Late Payment)

Brian Cotter: To ask the Secretary of State for Education and Skills how many claims for statutory interest payments have been submitted to private companies under the terms of the Late Payment of Commercial Debt (Interest) Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141598]

Mr. Charles Clarke: No such claims have been made by my Department.

Education (North-west)

Mr. Woodward: To ask the Secretary of State for Education and Skills what proportion of young people in *(a)* St. Helens, *(b)* Merseyside and *(c)* the North West achieved (i) five or more A*-C GCSE grades and (ii) one or more GCSE passes in (A) 1992, (B) 1997, (C) 2001 and (D) the last year for which figures are available. [141267]

Mr. Miliband: The statistical information requested is detailed in the following tables:

Percentage of 15-year-old pupils[1] achieving 5 or more grades A–C*

Academic year	*St Helens*	*Merseyside*	*North West*
1992	30.5	28.7	33.5
1997	40.2	37.1	41.5
2001	45.8	42.2	46.1
2003 (Provisional)[2]	44.8	46.1	48.9

Percentage of 15-year-old pupils[1] achieving at least one GCSE/GNVQ

Academic year	*St. Helens*	*Merseyside*	*North West*
1992	89.7	87.7	89.9
1997	91.5	89.5	92.1
2001	93.7	93.0	94.5
2003 (Provisional)[2]	92.5	92.6	94.4

[1] Pupils are aged 15 at the start of the academic year i.e. 31 August.

[2] The provisional figures for 2003 exclude any adjustments for refugees, which may affect the LEA averages.

Grammar Schools

Sir Teddy Taylor: To ask the Secretary of State for Education and Skills how many referenda on the future of grammar schools have taken place in the last 12 months; and what the outcome was in each case. [141320]

Mr. Miliband: There have been no grammar school ballots in the past 12 months.

Millennium Volunteers

Charles Hendry: To ask the Secretary of State for Education and Skills what the total funding for Millennium volunteers for each local authority area has been for *(a)* 2003–04, *(b)* 2002–03, *(c)* 2001–02 and *(d)* 2000–01; and what the anticipated level of funding for 2004–05 is. [140662]

Mr. Ivan Lewis: The amount of funding allocated for Millennium Volunteers projects in each local authority area is not collected as many projects operate across boundaries. £10 million was allocated for MV in England in 2000–01 but information by region is not available.

The amount of funding allocated in each region in 2001–02, 2002–03, 2003–04 and 2004–05 is provided in the table. The figure for 2004–05 is lower than that in previous years because the Department invested additional funds in excess of the allocated budget in the spending period.

£

Region	*2001–02*	*2002–03*	*2003–04*	*2004–05*
East Midlands	1,027,174	1,059,268	1,121,052	979,036
East of England	1,474,717	1,452,331	1,325,198	1,157,321
London	2,062,717	1,933,514	1,711,119	1,494,353
North East	1,072,368	932,442	960,734	839,027
North West	1,834,084	1,967,701	2,018,315	1,762,633
South East	1,468,231	1,933,827	1,952,871	1,705,479
South West	1,628,993	1,675,570	1,810,513	1,581,156
West Midlands	1,598,413	1,577,314	1,664,627	1,453,750
Yorks & the Humber	1,315,365	1,711,213	1,748,783	1,527,245
Totals	13,482,062	14,243,180	14,313,212	12,500,000

Charles Hendry: To ask the Secretary of State for Education and Skills if he will make a statement on the impact of the decision to fund support for Millennium volunteers through Connexions. [140681]

Mr. Ivan Lewis: The impact of the decision to fund support for Millennium Volunteers through Connexions will be significant. It will ensure that the programme will be more responsive to the needs of young people and their local communities and that the programme will be marketed and supported alongside a range of support for young people. The early pilots of Connexions delivery have demonstrated that additional investment in the programme can be achieved as well as economies of scale in areas such as data collection, marketing and celebration events.

Modern Apprenticeships

Mr. McLoughlin: To ask the Secretary of State for Education and Skills how many young people in *(a)* West Derbyshire and *(b)* East Midlands have entered (i) an advanced modern apprenticeship and (ii) a foundation modern apprenticeship since the schemes' inception. [141450]

Mr. Ivan Lewis: The information is not available for West Derbyshire as requested by the hon. Gentleman. However, information is available for old Training and Enterprise Council (TEC) areas and new Learning and Skills Council (LSC) areas. The following table shows the number of starts on modern apprenticeships in Derbyshire Learning and Skills Council (LSC) between 26 March 2001 and the end of July 2003, as well as the number of starts from the inception of the programmes until 25 March 2001 in the three TEC areas that became part of Derbyshire LSC area. The table also shows the number of starts in the East Midlands region in these respective periods.

Time period/TEC/LSC	*Advanced MA*	*Foundation MA*
Inception to March 2001		
North Derbyshire	2,500	1,300
Southern Derbyshire	5,600	2,000
Stockport and High Peak[1]	3,800	1,900
East Midlands Region	37,800	19,500
March 2001 to July 2003		
Derbyshire LSC	2,300	5,300
East Midlands LSC region	9,100	21,300

[1] Some of the Stockport and High Peak TEC area became part of Derbyshire LSC, but some of the old TEC area also became part of Greater Manchester LSC.

Open University

Mr. Jack: To ask the Secretary of State for Education and Skills what the average cost per graduate of an Open University degree was in the last year for which figures are available. [141902]

Alan Johnson: The estimated cost of the course fees and other study costs to a student at the Open University graduating with a BA/BSc degree in 2001/02 was £4,400. This excludes the costs to the university and any costs to the student of supporting themselves while studying.

Student Loans

Mr. Cousins: To ask the Secretary of State for Education and Skills what the average size of student loan on entering repayment status was in the last year for which figures are available and; what the average loan taken out in 1999–2000 to 2001–02 was in *(a)* each region of England, *(b)* the county of Tyne and Wear and *(c)* the City of Newcastle-upon-Tyne. [141194]

Alan Johnson: The table shows the average student loan debt at the point at which they entered repayment status for borrowers who became liable to repay their loans in financial year 2003–04.

Average student loan debt on entering repayment status in financial year 2003–04[1]

	£
Mortgage Style loans[2]	6,070
Income Contingent loans[3]	7,170
Part-time loans[4]	650

[1] Data rounded to nearest £10. Include interest accrued up to the point of entering repayment status. Exclude any early voluntary repayments which may have been made before borrowers enter repayment status. Debt of borrowers with more than one loan type has been split between types. Borrowers enter repayment status in the April following their graduation or otherwise leaving their course. Borrowers may have accounts in more than one cohort year of entering repayment.

[2] Loans made to students who entered higher education up to 1997/98 or who entered in 1998/99 under existing arrangements. Includes loans repayable to the private sector following the sale of two tranches of student loans.

[3] Loans repayable on an income contingent basis, available to students who entered higher education from academic year 1998/99. These loans were subject to a repayment holiday until April 2000. Includes hardship loans.

[4] Fixed-rate loans made to eligible part-time students, introduced in September 2000.

Source:

Student Loans Company

Borrowers entering repayment status include those who attended shorter courses as well as those who have left higher education before completing their courses. Therefore the average level of debt will not be representative of the average debt experienced by those who complete their courses.

Borrowers are liable to repay their loans from the April following graduation or otherwise leaving their course. Most borrowers who started their course from the 1998/99 academic year will repay income contingent loans. Loans for those who started their course before 1998/99 are repayable on a mortgage style basis.

The table shows the average full-time income-contingent loan taken out by students in the English Government Office Regions, Tyne and Wear and Newcastle upon Tyne.

Average income-contingent[1,2,3] *loan taken out by domicile of student—academic years 1999/2000, 2000/01 and 2001/02*[4]

£

	Academic year		
	1999/2000	*2000/01*[5]	*2001/02*
Government Office Region[6]			
North East	3,060	3,020	3,060
North West	3,130	3,090	3,130
Yorkshire and Humberside	3,110	3,080	3,130
East Midlands	3,190	3,120	3,170
West Midlands	3,140	3,090	3,150
East of England	3,180	3,150	3,190
Inner London	3,540	3,470	3,500
Outer London	3,240	3,200	3,240
South East	3,180	3,130	3,160
South West	3,240	3,190	3,250
Tyne and Wear[7]	3,000	2,990	3,020
Newcastle upon Tyne	3,050	3,020	3,030

[1] Loans available to students who entered higher education from September 1998, excludes the fixed rate loans (£500) for eligible part-time students, introduced in September 2000.

[2] Mandatory award holders, i.e. those eligible for mortgage style loans, made applications for student loans through their education institution; data are therefore not available for these students.

[3] Data have been taken from available data and may include a small number of loans which have been authorised for payment but not paid.

[4] Figures have been rounded to the nearest £10.

[5] The apparent fall in the average value of income-contingent loan taken out in 2000/01 can be explained mainly by the fact that this was the third year of this loan scheme; students on the third year of a three year course will receive the final year rate of loan which is at a lower rate as it does not cover the summer vacation. This effect is not present in 1999/2000 and has been levelled out in the years subsequent to 2000/01. Additionally, this is likely to be the

first year in which those students on sandwich courses have their placement year and are therefore in receipt of the reduced rate of loan.

[6] Government Office Region of domicile of student.

[7] The Metropolitan County of Tyne and Wear was abolished in 1996; it comprised Gateshead, Newcastle upon Tyne, North Tyneside, South Tyneside and Sunderland.

Source:

Student Loans Company

Data on the domicile of students taking out fixed rate mortgage style loans (normally those who entered higher education before 1998/99) are not available because applications are made through their education institution.

Mr. Webb: To ask the Secretary of State for Education and Skills whether student loan repayments made via the Inland Revenue are immediately credited to individual loan accounts; how frequently the interest on student loan accounts is calculated; and if he will make a statement. [141525]

Alan Johnson: Student loan repayments are collected by the Inland Revenue mostly through PAYE and the data is transmitted to the Student Loan Company after the end of each tax year. At that stage, repayments are credited to the student's loan account as at the date they were collected. Interest on student loans is calculated annually, set every year from 1 September based on the Retail Prices Index published in April for the previous year.

Students

Chris Bryant: To ask the Secretary of State for Education and Skills how many *(a)* Welsh students are studying at English universities and *(b)* English students are studying at Welsh universities. [141762]

Alan Johnson: The latest information shows that in 2001/02, 30,387 Welsh students were studying courses at English higher education institutions (HEIs) and 31,441 of English students were studying at Welsh HEIs.

Teacher Vacancies (Portsmouth)

Mr. Hancock: To ask the Secretary of State for Education and Skills how many teacher vacancies there are in *(a)* primary and nursery and *(b)* secondary schools in the Portsmouth local authority area; and if he will make a statement. [141349]

Mr. Miliband: Vacancy information is collected in January of each year. Information for January 2003 is shown in table 17 of the Schools Workforce in England statistical first release (SFR) of 9 September 2003. A copy of this SFR has been placed in the Library. The table is also available on the statistics section of the DfES website at: http://www.dfes.gov.uk/rsgateway/DB/SFR/s000411/index.shtml

Teachers' Television Channel

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on *(a)* the total cost of, *(b)* the cost to his Department of and *(c)* the revenue to be raised by the proposed new television channel for teachers. [141733]

Mr. Miliband *[holding answer 3 December 2003]:* The Department has signed a contract for the supply of Teachers' TV with Education Digital, a consortium of Carlton Communications, Brook Lapping Productions Ltd. and the Institute of Education of the University of London. The contract is to provide

(a) a comprehensive pilot for the Teachers' TV proposition, and

(b) if the pilot demonstrates the channel will be effective and provide value for money, to supply the channel up to August 2007 (with the possibility to extend to August 2008)

The costs to the Department of piloting the channel are currently estimated to be £1.5 million. This figure comprises the costs of independent research into the effectiveness of the channel proposition as well as content production and distribution costs.

The full channel, if launched, will need to demonstrate value for money compared to other expenditure to reach the same objectives. The pilot will help us determine the right level of programming and therefore overall costs. Further information on the cost of the full channel will be available after the pilot.

The Department is currently proposing to underwrite the full costs of the channel through savings in other central expenditure. However, we will continue to look for ways to mitigate these through sponsorship, commercial airtime and programme sales. We have investigated the commercial value of Teachers' TV airtime, but concluded that, initially, the potential revenue would be unlikely to exceed the cost of sales. We will continue to investigate potential revenue streams that may result from a successful channel and that could be used to off-set total channel running costs.

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on how the effectiveness of the proposed new television channel for teachers will be measured; and what targets will be set. [141734]

Mr. Miliband *[holding answer 3 December 2003]:* We have put in place a comprehensive measurement system to ensure the effectiveness of Teachers' TV. A balanced scorecard of measures will be used to measure performance in four areas:

(a) Audience

Targets for channel reach and loyalty among the target audience will be set following the pilot (so the pilot can be used to establish realistic but stretching targets). Further key performance indicators have been set to measure relevance, applicability in the classroom and ease of use.

(b) Content

Educational outcomes for the channel have been set to ensure programming as a whole is in line with the Department's strategy (e.g. supports raising literacy and numeracy standards). An independent Teachers' TV board will ensure, among other things, programme quality standards are maintained.

(c) Financial

Open book accounting will be used to ensure financial transparency. Cost overruns will be borne entirely by the supplier by the Department. Under-spends on content will be entirely retained by the Department, while any economies which the channel supplier can realise in non-content areas will be shared between Department and supplier.

(d) Functional-technical

Industry best practice is being adopted in requiring the supplier to meet the same obligations placed on public service broadcasters by the Broadcasting Act 1990, such as independent and regional production quotas. This category also covers maintenance of technical standards such as channel downtime.

The supplier will be paid on a cost-plus basis. In addition to costs, the supplier will be rewarded for performance against these key performance indicators. Of the maximum 12.5 per cent. channel management fee, 10 per cent. is performance-related, designed to reward excellence by the channel supplier in meeting channel objectives. An independent governance authority, drawing on the work of an independent research agency where appropriate, will evaluate supplier performance.

Top-up Fees

Mr. Burstow: To ask the Secretary of State for Education and Skills what estimate he has made of the proportion of universities that will seek to adopt the maximum top-up fee in 2006. [141768]

Alan Johnson: It will be up to universities themselves to set their fee levels, provided that they have an access agreement approved by the Office for Fair Access.

Mr. Willis: To ask the Secretary of State for Education and Skills (1) what assessment he has made of the impact of the proposed top-up fees on the number of students entering Post Graduate Certificate in Education courses after 2006; and if he will make a statement; [141785]

(2) what plans his Department has to contribute towards the cost of tuition fees for students entering Post Graduate Certificate in Education courses after 2006; and if he will make a statement. [141786]

Alan Johnson: I refer the hon. Member to the answer I gave to the hon. Member for Newcastle-under-Lyme (Paul Farrelly) on 20 November 2003, *Official Report*, columns 1497–498W.

Tribunal Decisions

Liz Blackman: To ask the Secretary of State for Education and Skills what action he will take to ensure that Special Educational Needs and Disability Tribunal decisions in favour of parents are fully implemented by local education authorities. [140704]

Mr. Miliband: The Education (Special Educational Needs) (England) (Consolidation) Regulations 2001 set out the actions that an authority must take to comply with a Tribunal order. If the authority does not comply within the appropriate period, the parent may complain to my right hon. Friend the Secretary of State for Education and Skills. It will then be open to him to issue a direction under sections 496 or 497 of the Education Act 1996. Section 496 applies if the local education authority has acted unreasonably with respect to the exercise of any power or duty. Section 497 applies if the authority has failed to discharge a duty imposed on them.

Truancy

Mr. Forth: To ask the Secretary of State for Education and Skills what measures the Department has taken since 1997 to reduce truancy in secondary schools; and what the cost was of each programme. [R] [140583]

Mr. Ivan Lewis: Departmental expenditure on attendance-specific measures includes around £700,000 on publicity materials aimed at parents, practitioner conferences and research into truancy, £11.25 million for electronic registration systems in secondary schools and around £500,000 for intensive expert support for education welfare services in 60 local education authorities.

This is in addition to funding for a wide range of measures to improve behaviour and attendance provided by the School Inclusion: Pupil Support Grant between 1999 and 2003, through the Behaviour Improvement Programme since 2002 and through the behaviour and attendance strands of the Key Stage 3 Strategy and the Primary Strategy from 2003. Because many of these measures relate to both behaviour and attendance, expenditure on reducing truancy in secondary schools cannot be disaggregated.

Mr. Forth: To ask the Secretary of State for Education and Skills how many pupils committed truancy from secondary schools in *(a)* 1997 and *(b)* the most recent year for which figures are available. [R] [140584]

Mr. Ivan Lewis: The level of truancy is properly expressed as the percentage of all available half days missed due to unauthorised absence. The data for unauthorised absences from secondary schools in 1997/98 and 2002/03 are in the following table:

	School year	
	1997/98	*2002/03*
Pupil population	2,786,943	3,003,590
Number of pupils missing at least one half day	452,900	630,058
Average number of half days missed	20	17
Percentage of half days missed	1.10	1.08

Written Answers to Questions

Monday 8 December 2003

HOUSE OF COMMONS COMMISSION

Timber

Mr. Gardiner: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission by what means the House's policy on purchasing timber and timber products ensures that they are obtained from legal and sustainable sources. [141339]

Sir Archy Kirkwood: The General Specification used for Parliamentary works includes the following clause:

> "Sources of timber: it is the employer's policy to purchase only timber products from sustainably managed sources. When requested, the contractor must submit to the project manager documentary evidence (which has been or can be independently verified) that the timber supplied under this contract has been lawfully obtained from forests and plantations which are managed to sustain their bio-diversity, productivity and vitality and to prevent harm to other ecosystems and any indigenous or forest-dependent people."

INTERNATIONAL DEVELOPMENT

Cote d'Ivoire

John Barrett: To ask the Secretary of State for International Development what steps he is taking to prevent conflict reoccurring in Cote D'Ivoire. [141368]

Mr. Mullin: I have been asked to reply.

The UK fully supports the Linas-Marcoussis Agreement (LMA) as the basis for sustainable peace in Cote d'Ivoire. Our engagement has included £3 million to support the work of the European Community of West African States Mission in Cote d'Ivoire (ECOMICI), the West African regional peacekeeping force. We have also provided £1 million in humanitarian aid. We have been concerned at the growing fragility of the peace process since September, including attempts by armed elements to cross the ceasefire line on 29 November. We are working closely with the French and others in the international community to urge continued respect for the ceasefire; underline the importance of the government of National Reconciliation meeting again in full; and of swift progress on implementation of the LMA, including measures for disarmament and demobilisation.

EU Development Assistance

Mr. Bercow: To ask the Secretary of State for International Development what discussions he has had with his counterparts in EU accession countries about an increased focus on *(a)* poor countries and *(b)* poverty reduction in future EU development assistance. [140871]

Mr. Gareth Thomas: EU Enlargement should be an opportunity to mobilise even greater support for the Millennium Development Goals and a pro-poor development agenda.

During the informal meeting of EU Development Ministers in Trieste, where many of my accession colleagues were present, broad development policy issues were discussed. I will also be meeting a number of my counte[illegible]rts from key Accession Countries after the New Yea[illegible]o stress the importance of securing wider agreemen[illegible] on poverty reduction as the central objective of EU development assistance.

Mr. Bercow: To ask the Secretary of State for International Development what his policy is towards the proportion of European Union Development Assistance that should go to low income countries. [140872]

Mr. Gareth Thomas: DFID has consistently pressed for the proportion of EC overseas development assistance spent in low income countries to reach the level of 70 per cent. The target date for this achievement is 2006.

According to the available provisional figures, over 50 per cent. of all EC overseas development assistance was spent in low income countries in 2002. This represents an increase in this proportion for the second year running.

Mr. Bercow: To ask the Secretary of State for International Development what recent discussions he has had with his colleagues in the European Union about the *(a)* nature and *(b)* extent of EU assistance for middle income countries. [140873]

Mr. Gareth Thomas: During the Trieste informal meeting of EU Development Ministers last October, I had an opportunity to share our current thinking on how best to allocate Community aid between countries. In this context, I reiterated the importance of allocating Community aid to countries based on needs and performance, and to seek a greater differentiation between the development instruments we use in low versus middle income countries.

In practice, this would imply a larger share of EC overseas development assistance going to low income countries, and a focus of allocations to middle income countries on those with large number of poor people which pursue reformist policies. It would also mean an increased use of instruments such as concessional lending and technical assistance in middle income countries.

I have also discussed this bilaterally with some UK members of the European Parliament during the autumn.

CABINET OFFICE

Projects (St. Helens)

Mr. Woodward: To ask the Minister for the Cabinet Office which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141268]

Mr. Alexander: The Cabinet Office works with all Government Departments to help deliver key public service priorities and leads the reform programme for public services.

The Cabinet Office has funded no projects in St. Helens since 1997.

SOLICITOR-GENERAL

Hutton Inquiry

Mr. Cameron: To ask the Solicitor-General what steps the Law Officers have taken in the light of the ruling by Mr. Justice Tomlinson in District Council and others *v.* The Governor and company of the Bank of England to ensure that documents given to the Hutton Inquiry but not released on the grounds of legal advice privileged are published. [142054]

The Solicitor-General: The Law Officers have taken no steps in relation to the publication of any documents disclosed to the Hutton Inquiry.

Mr. Cameron: To ask the Solicitor-General what discussions were held between the Attorney-General's office and the Hutton Inquiry about which documents disclosed to the Hutton Inquiry should not be made public; and what reasons were given by the Government in each case. [142055]

The Solicitor-General: None.

TRANSPORT

Arun Valley Rail Upgrade

Mr. Maude: To ask the Secretary of State for Transport what the *(a)* status, *(b)* start date and *(c)* expected completion date is of the Arun Valley rail upgrade. [140485]

Dr. Howells: The Arun Valley upgrade was proposed by GoVia as part of their plans for a 20 year franchise. The Strategic Rail Authority subsequently agreed a shorter franchise with GoVia. The development of infrastructure upgrades will be taken forward by the SRA separately from franchise replacements. The focus currently is on the major upgrade of the power supply in the Southern Region. The Strategic Rail Authority has developed a Capacity Utilisation Policy which seeks to make the most efficient use of the existing network. Work on a Route Utilisation Strategy for the Brighton Main Line has begun. This will help to inform the need for any future infrastructure upgrades.

Community/Voluntary Transport Projects

Mr. Soames: To ask the Secretary of State for Transport what steps he is taking to encourage *(a)* community and *(b)* voluntary sectors in the transport field. [142434]

Mr. McNulty: The Department for Transport greatly values the contribution that the voluntary and community sector makes in the transport field and is committed to the Government wide Compact on working with the voluntary sector. The Department has produced a draft Strategy and Action Plan detailing how it will work with and engage the sector over the coming year and we are currently consulting on that draft.

The Department has also set up a Compact working group with membership drawn from the voluntary and community sector to progress this work and to help us ensure that we have a clear understanding of their issues and priorities.

Mr. Soames: To ask the Secretary of State for Transport what support his Department is giving to voluntary organisations in the transport sector. [142435]

Mr. McNulty: The Department for Transport directly supports voluntary organisations in a number of ways. For example, it funds the information and advice service provided by the Community Transport Association. The CTA provides an extensive service to community transport operators and local authorities on a range of legal and operational issues. The Department also publishes guidance on the type of services that can be run and the legal framework for them. The Department also provides funding for 12 mobility centres in England, which give information and advice to disabled and older people on driving and other aspects of personal mobility and to Mobility Choice, the charity that runs the annual Mobility Roadshow.

In addition, funding the rural and urban bus challenge enables the Department to aid schemes run by community transport groups and last year regulations were introduced to extend the Bus Service Operators Grant.

Energy Saving Trust

Mr. Randall: To ask the Secretary of State for Transport how much funding is allocated to the Cleanup project operated by the Energy Saving Trust in the current financial year; and how much has been spent in this financial year. [141790]

Mr. Jamieson: In the current financial year, take-up of CleanUp grants has been strong, and the year's resources have been fully allocated. However, if existing offers are not fully taken up, the resources will be allocated to organisations or individuals whose grant applications have been placed on the CleanUp waiting list

The CleanUp budget for the financial year 2003–04 is £12.562 million and as of the end of October the Department for Transport had paid the Energy Savings Trust £7.835m for the CleanUp programme.

Debt

Brian Cotter: To ask the Secretary of State for Transport how many claims for statutory interest payments have been submitted to private companies under the terms of the Late Payment of Debt Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141597]

Mr. McNulty: I refer the hon. Member to the answer given by my hon. Friend, the Minister for Small Business and Enterprise (Nigel Griffiths) on 3 December 2003, *Official Report*, column 102W.

Legislation

Mr. Redwood: To ask the Secretary of State for Transport how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141173]

Dr. Howells: My Department sponsored one Bill in the 2002–03 session which comprised 92 pages once enacted.

In the case of secondary legislation my Department was responsible for the making of 127 General Statutory Instruments which would have subject to consideration by either the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments. These instruments made a total of 1,264 pages.

Light Dues

John Thurso: To ask the Secretary of State for Transport how much revenue from light dues has been collected from ships calling at ports in *(a)* Scotland, *(b)* the Isle of Man, *(c)* England and Wales, *(d)* Northern Ireland and *(e)* the Republic of Ireland in each of the last five financial years. [141747]

Mr. Jamieson: The information requested is given in the following table.

£

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Scotland	8,034,124.92	8,929,663.47	9,110,457.12	8,536,210.39	7,270,783.41
Isle of Man	44,424.38	20,635.93	19,012.13	19,400.57	26,074.60
England and Wales	54,942,311.20	55,756,005.50	57,923,611.28	62,489,782.79	60,343,913.47
Northern Ireland	617,011.16	662,503.18	599,414.51	662,195.49	637,721.11
R.O.I (Customs and Excise)	3,131,480.85	3,464,779.82	3,416,674.55	3,077,673.30	3,363,729.90
Total	66,769,352.51	68,833,587.90	71,069,169.59	74,785,262.54	71,642,222.49

The figures above are for General Light dues and does not include income from UK fishing vessels and tugs.

The figures do not include any light dues refunds that were made.

The figures for ROI are shown in sterling converted at an exchange rate based on the Bank of England average for each month. Pre-conversion figures shown as follows.

R.O.I (Customs and Excise)

	Figures
1998–99	3,597,474.41
1999–2000	4,246,163.66
2000–01	4,396,335.39
2001–02	4,144,997.18
2002–03	5,268,090.44

John Thurso: To ask the Secretary of State for Transport what financial contribution in *(a)* sterling, *(b)* euros and *(c)* punts has been made by the Irish Government under the terms of the 1985 agreement for the sharing of certain costs incurred by the Commissioners of Lights in the Republic of Ireland in each of the last five years. [141748]

Mr. Jamieson: The information requested is set out in the following table.

Irish Government contributions for years 1997–98 to 2001–02

Financial years	*Sterling*	*Euros*	*Punts*
1997–98	1,815,847	2,556,153	2,013,134
1998–99	1,448,449	2,317,770	1,825,392
1999–2000	1,146,745	1,811,703	1,426,832
2000–01	1,307,234	2,110,825	1,662,410
2001–02[1]	2,063,889	3,214,780	2,531,845

[1] Conversion rate of euro to sterling used was the Bank of Ireland mid December 2002 rate of 0.6420.

Note:

Ir punts ceased as a currency on 1 January 2002.

London Underground

Mr. Damian Green: To ask the Secretary of State for Transport (1) how many defects there were on each line on the London Underground in each year between 1990 and 2003; [140931]

(2) how many equipment breakdowns there were on the London Underground in each year between 1990 and 2003, broken down by line. [140932]

Mr. McNulty: London Underground transferred from Central Government to Transport for London on 15 July. These are operational matters for London Underground, but it does not hold the data in the format requested.

M20

Mr. Damian Green: To ask the Secretary of State for Transport what contribution the Highways Agency will make to the cost of building Junction 10A of the M20 and new roads to serve it; and if he will make a statement. [140822]

Mr. Jamieson: The overall cost currently estimated for the scheme is £46 million. The Highways Agency will be seeking funding from developers to meet the cost of those elements of the scheme needed to provide access to development sites in Ashford.

Maritime and Coastguard Agency

John Thurso: To ask the Secretary of State for Transport how much of the Maritime and Coastguard

Agency budget was spent on *(a)* coastguard, *(b)* ship inspectors, *(c)* depots and *(d)* emergency towing vessels in each of the last five years. [141745]

Mr. Jamieson: The Maritime and Coastguard Agency's expenditure is set out in the following table:

£000

	Coastguard	*Ship inspectors*	*Accommodation*	*Emergency towing vessels*
Resource accounts				
2003–04	56,192	25,769	6,631	10,843
2002–03	53,346	25,072	6,071	11,050
2001–02	43,226	28,750	6,221	6,875
Cash accounts				
2000–01	44,800	18,955	6,466	6,774
1999–2000	45,922	15,473	6,529	5,742

Note:

The Resource Accounts figures include depreciation and capital charge which are not included within the Cash Accounts outturns.

Mobile Telephones

Mr. Amess: To ask the Secretary of State for Transport what representations he has received on the banning of mobile telephones whilst driving. [142099]

Mr. Jamieson: The Department has received many representations on the use of mobile phones while driving. The vast majority has been broadly in favour of a ban on the use of hand-held phones by drivers. There were over 1,000 responses to the Department's consultation document of 20 August 2002 on this. The results of that consultation were summarised in a document attached to the Department's decision letter of 24 June 2003. A copy was placed in the Library and is available on-line at: www.dft.gov.uk/stellent/groups/dft_rdsafety/documents/page/dft_rdsafety_508356.pdf

Pedestrian Deaths

Mr. Burstow: To ask the Secretary of State for Transport how many pedestrian deaths in road accidents there were where the pedestrian had over 100 mgs of alcohol per 100 mls of blood in each of the last six years; and what percentage of all pedestrian road accident deaths in *(a)* England and *(b)* each region this represents in each case. [141575]

Mr. Jamieson: Information on the blood alcohol levels of pedestrians is available for less than half of those who died in road accidents. The following table shows the percentage of fatally injured pedestrians aged 16 or over with a blood alcohol level of over 100 mg/100 ml out of those for whom a blood alcohol level has been provided by the Coroners.

Percentage

Region	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*Total*
Northern	54	31	50	29	50	30	41
Yorks/Humberside	34	37	33	33	28	31	33
East Midlands	31	38	44	39	39	29	38
Eastern	37	33	31	46	33	27	35
South East	33	35	52	41	29	42	38
Greater London	23	25	25	25	22	38	27
South West	21	30	43	29	19	50	32
West Midlands	24	32	21	35	44	43	32
North West	35	22	29	44	28	29	31
England	33	31	34	36	31	35	33

Ports

Mr. Carmichael: To ask the Secretary of State for Transport how much the Government has spent on UK port infrastructure in each of the past 10 years; what estimates have been made of future expenditure; and what steps are being taken to increase capacity. [141912]

Mr. Jamieson: My Department has awarded the following freight infrastructure grants to ports over the last 10 years, including Strategic Rail Authority grants awarded for rail infrastructure projects at ports in England and Wales. Freight grants awarded by the Scottish Executive is a matter for the Scottish Parliament.

DfT freight infrastructure grants to ports 1993–94 to 2002–03

	£ million
2002–03[1]	7.8
2001–02[2]	11.6
2000–01	16.0
1999–2000	1.4
1998–99	0.7
1997–98	2.9
1993–94 to 1996–97	nil

[1] Includes Freight Facilities Grants awarded in 2002

[2] Includes Freight Facilities Grants awarded in 2001.

Information on future spending on UK port infrastructure is not available. The Government do not initiate proposals for port development and considers applications from the ports themselves as and when they are submitted.

Rail (East Yorkshire)

David Davis: To ask the Secretary of State for Transport what plans his Department has for improvements in rail transport in East Yorkshire. [140559]

Dr. Howells: The Strategic Rail Authority (SRA) is creating two new franchises to serve Yorkshire. The TransPennine Express franchise will commence early next year, with planned investment of around £260 million which will include a new fleet of trains. Local and regional services will be provided by the new 'Northern' franchise, the competition for which is well under way. The SRA is considering proposals from four counterparties and expects to announce a preferred bidder in the Spring. The SRA will consult on an East Coast Main Line Strategy early next year, and has announced a series of Regional Planning Assessments (RPAs) to form the basis for planning rail services over the next 5–20 years. The RPA for Yorkshire and the Humber is planned for publication in Winter 2005.

Road Noise

Mr. Robathan: To ask the Secretary of State for Transport what targets are in place for noise reduction on the motorway and trunk road network; and whether they are on course to be met. [140805]

Mr. Jamieson: The target stated in the 10-Year Plan for the reduction of noise from the motorway and trunk road network is that 60 per cent. of the network including all concrete roads will be surfaced with quieter surfacing by March 2011. All resurfacing work now uses quieter surfacing, and work is proceeding in line with maintenance need.

Mr. Robathan: To ask the Secretary of State for Transport if he will list *(a)* the schedule of planned noise reduction improvements for the motorway and trunk road network, *(b)* the average level of noise in the area of those improvements and *(c)* the number of people affected by above acceptable noise levels in those areas. [140806]

Mr. Jamieson: The Secretary of State announced on 1 April 2003 a programme of measures to reduce the impact of traffic noise. Details were placed in the Library of the House together with details of the criteria used for prioritisation. We do not use the average levels of noise over a wide area as a criterion. However, the measures indicated in the 10-Year Plan to surface approximately 60 per cent. of the strategic road network with quieter surfaces, including all of the concrete trunk roads and motorways, by March 2011 are expected to provide the benefit of significant reductions in the level of traffic noise for approximately three million people.

Runways (South-east)

Mr. Peter Ainsworth: To ask the Secretary of State for Transport (1) if he will set out the basis on which alternative proposals for the development of runway capacity in the South East were selected for further appraisal; and if he will make a statement; [142794]

(2) if he will list the proposals which have been *(a)* submitted to and *(b)* appraised by, his Department as alternative runway development options since the publication of The Future Development of Air Transport in the UK, South East, Second Edition. [142797]

Mr. McNulty: All serious, worked-up proposals submitted to us that are alternatives to, or variants of, options set out in The Future Development of Air Transport in the United Kingdom, South East consultation document, have been appraised. These are:

the Thames Reach proposal for a new airport in North Kent

the Marinair proposal for an island airport in the Thames Estuary

a proposal for a new airport on the Isle of Sheppey

a proposal for a new airport at Goodwin Sands in East Kent

a proposal to develop Redhill aerodrome

the London Oxford proposal for a new airport near Abingdon in Oxfordshire

Mr. Peter Ainsworth: To ask the Secretary of State for Transport what the cost to public funds to date has been of work undertaken on appraising alternative options to those set out in the consultation paper for runway development in the South East. [142795]

Mr. McNulty: We are not able at present to identify separately the costs of work in relation to appraisal of alternative options and all other work relating to the preparation of the White Paper.

Safety Camera Partnerships

Mr. Chope: To ask the Secretary of State for Transport if he will place in the Library a copy of the current guideline handbook issued to safety camera partnerships. [142497]

Mr. Jamieson: The latest draft of the Handbook of Rules to the safety camera netting off scheme has been placed in the Libraries of the House.

South Central Trains

Mr. Maude: To ask the Secretary of State for Transport what plans there are for *(a)* investment in and *(b)* the rebuilding of stations within the South Central Region. [140484]

Dr. Howells: Under the new franchise agreement signed in May a number of improvements will be made on South Central stations involving new ticket issuing equipment and ticket machines. Subject to the availability of funding, further investment will also be considered under national programmes such as the Modern Facilities at Stations (MFAS) scheme and the Access For All Fund. For the future, the SRA's Regional Planning Assessment for Southern England, publication of which is expected in spring 2005, will form the basis of rail service planning in the region, including how the SRA may contribute to station improvement schemes where they represent value for money and are affordable.

Timber

Mr. Gardiner: To ask the Secretary of State for Transport by what means the policy for purchasing timber and timber products of *(a)* the Department, *(b)* the Driver and Vehicle Licensing Agency, *(c)* the Driving Standards Agency, *(d)* the Highways Agency, *(e)* the Maritime and Coastguard Agency, *(f)* the Vehicle and Operator Service Agency and *(g)* the Vehicle Certification Agency ensures that they are obtained from legal and sustainable sources. [141342]

Mr. McNulty: The Department's Greening Operations Policy, which also applies to its Agencies, contains the commitment to purchase only timber and timber products from sustainable and legal sources. Purchasers within the Department are reminded regularly of this commitment and provided with advice to assist them in purchasing sustainable timber; including the Office of Government Commerce Information Note 9/2002

How the timber policy is implemented across the Department depends on the scale and type of timber or timber product being purchased in each area. For some timber products such as furniture the main source of supply is through centrally negotiated call-off contracts operated by either the Department or the Office of Government Commerce which contain clauses that apply the Government's timber procurement policy. Other purchases of timber or timber products are obtained through specifications and contracts which also contain clauses seeking documentary evidence that the timber provided is from legal and sustainable sources.

Vehicle Emissions

Mr. Key: To ask the Secretary of State for Transport what powers there are in statute law authorising a person in uniform, other than a police constable, to stop and detain a motor vehicle so that a test on the emissions from it may be carried out; and if he will make a statement. [142195]

Mr. Jamieson: Vehicle and Operator Services Agency examiners, accredited under the Police Reform Act 2002, have powers to stop vehicles for the purpose of inspecting their roadworthiness, which may include a check of emissions. Sections 40 and 41 of the Act provide the grounds for such Community Safety Accreditation Schemes. Schedule 5 sets out the powers that may be conferred on accredited persons.

Transport Authorities (Capital Return)

Mr. Chope: To ask the Secretary of State for Transport what rate of return on capital employed is required for 2003–04 from *(a)* Bridlington Pier and Harbour Commissioners, *(b)* the Civil Aviation Authority, *(c)* Dover Harbour Board, *(d)* the Driving Standards Agency, *(e)* Falmouth Harbour Commissioners and *(f)* Poole Harbour Commissioners; and what dividend and interest payments his Department is budgeting to receive from each in 2003–04. [142496]

Mr. Jamieson: The bodies named at *(a)* Bridlington Pier and Harbour Commissioners, *(c)* Dover Harbour Board, *(e)* Falmouth Harbour Commissioners and *(f)* Poole Harbour Commissioners are all independent trust bodies and, therefore, are not required by this Department to remit either dividend or interest payments to it.

The following information regarding bodies *(b)* the Civil Aviation Authority and *(d)* the Driving Standards Agency is available in their respective Corporate Plans for 2003–04:

Corporate plans for 2003–04

Body	*Rate of return on capital employed (Percentage)*	*Budgeted dividend (£)*	*Budgeted interest on NLF loans (£)*
Civil Aviation Authority	6	—	500,000
Driving Standards Agency	-3	1,735,000	212,000

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Air Pollution

Simon Hughes: To ask the Secretary of State for Environment, Food and Rural Affairs how many days of *(a)* moderate, *(b)* high and *(c)* very high air pollution were recorded by each automatic monitoring station in London in each year since 1997. [140858]

Mr. Bradshaw *[holding answer 2 December 2003]*: The table shows the number of days on which levels of any one of a basket of five pollutants (carbon monoxide, nitrogen dioxide, ozone, fine particles and sulphur dioxide) were recorded as 'moderate', 'high' or 'very high' by each national automatic monitoring station in London between 1997 and 2002. These five pollutants are recognised as the most important for causing short term health effects.

Number of days moderate, high and very high for each national network monitoring site in London, 1997–2002

	1997			*1998*		
	Moderate	*High*	*Very High*	*Moderate*	*High*	*Very High*
Bromley Roadside	0	0	0	4	0	0
Camden Kerbside	41	12	1	5	0	0
Haringey Roadside	26	9	0	12	0	0
Hounslow Roadside	2	0	0	0	0	0
A3 Roadside	20	3	2	21	2	1
Bexley	47	7	1	27	1	0
Bloomsbury	35	5	0	18	0	0
Brent	48	4	0	25	1	0
Bridge Place	13	0	0	5	0	0
Bromley	—	—	—	0	0	0
Cromwell Road	—	—	—	0	0	0
Eltham	57	5	0	23	1	0
Hackney	13	0	0	13	0	0
Haringey	23	1	0	13	0	0
Hillingdon	33	8	0	22	0	0
Lewisham	12	0	0	2	0	0
Marylebone Road	41	6	1	35	1	0
N.Kensington	40	7	1	28	1	0
Southwark	26	1	0	11	0	0
Sutton	27	0	0	16	1	0
Teddington	53	4	0	32	2	0
Wandsworth	13	0	0	5	0	0

Number of days moderate, high and very high for each national network monitoring site in London, 1997–2002

	1997			*1998*		
	Moderate	*High*	*Very High*	*Moderate*	*High*	*Very High*
Westminster	—	—	—	—	—	—
Southwark Roadside	3	0	0	0	0	0
Sutton Roadside	20	2	2	6	0	0
Tower Hamlets Roadside	2	0	0	0	0	0
West London	2	0	0	0	0	0

	1999			*2000*		
	Moderate	*High*	*Very High*	*Moderate*	*High*	*Very High*
Bromley Roadside	—	—	—	—	—	—
Camden Kerbside	21	0	0	9	0	0
Haringey Roadside	10	0	0	7	0	0
Hounslow Roadside	0	0	0	0	0	0
A3 Roadside	7	0	0	1	0	0
Bexley	50	1	0	24	1	0
Bloomsbury	21	0	0	4	0	0
Brent	43	2	0	37	0	0
Bridge Place	24	0	0	—	—	—
Bromley	0	0	0	0	0	0
Cromwell Road	0	0	0	1	0	0
Eltham	46	0	0	21	0	0
Hackney	24	0	0	10	0	0
Haringey	37	3	0	20	0	0
Hillingdon	33	1	0	5	0	0
Lewisham	5	0	0	0	0	0
Marylebone Road	50	7	10	83	6	0
N.Kensington	48	1	0	23	0	0
Southwark	29	0	0	12	0	0
Sutton	36	0	0	18	0	0
Teddington	47	4	0	37	0	0
Wandsworth	20	0	0	6	0	0
Westminster	—	—	—	—	—	—
Southwark Roadside	0	0	0	0	0	0
Sutton Roadside	0	0	0	1	0	0
Tower Hamlets Roadside	0	0	0	0	0	0
West London	0	0	0	0	0	0

	2001			*2002*		
	Moderate	*High*	*Very High*	*Moderate*	*High*	*Very High*
Bromley Roadside	—	—	—	—	—	—
Camden Kerbside	15	0	0	3	0	0
Haringey Roadside	8	1	0	10	0	0
Hounslow Roadside	0	0	0	0	0	0
A3 Roadside	12	2	0	1	0	0
Bexley	38	0	2	34	0	0
Bloomsbury	22	0	0	17	1	0
Brent	33	2	0	21	2	1
Bridge Place	—	—	—	—	—	—
Bromley	0	0	0	0	0	0
Cromwell Road	0	0	0	0	0	0
Eltham	33	1	1	23	1	0
Hackney	4	0	0	11	0	0
Haringey	27	1	0	13	0	0
Hillingdon	22	1	0	11	0	0
Lewisham	0	0	0	8	0	0
Marylebone Road	38	11	1	54	3	0
N.Kensington	39	1	0	16	0	0
Southwark	21	0	0	12	0	0
Sutton	25	1	0	3	0	0
Teddington	42	4	0	58	0	0
Wandsworth	23	0	0	9	0	0
Westminster	8	0	0	12	1	0
Southwark Roadside	0	0	0	0	0	0
Sutton Roadside	6	1	0	2	0	0
Tower Hamlets Roadside	0	0	0	0	0	0
West London	0	0	0	0	0	0

Notes

'Moderate', 'High' and 'Very High' refers to the Air Pollution Service Information bandings (www.airquality.co.uk/archive/standards.php*).

Moderate—mild effects, unlikely to require action, may be noticed among sensitive individuals.

High—significant effects may be noticed by sensitive individuals and action to avoid or reduce these effects may be needed (e.g. reducing exposure by spending less time in polluted areas outdoors). Asthmatics will find that their 'reliever' inhaler is likely to reverse the effects on the lung.

Very High—the effects on sensitive individuals described for 'High' levels of pollution may worsen.

— monitoring site not operating

Animal By-Products Regulations

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the impact of the Animal By-Products Regulations 2003 on *(a)* cattle farmers, *(b)* pig and sheep farmers, *(c)* poultry farmers, *(d)* other livestock farmers, *(e)* catering establishments, *(f)* abattoirs and *(g)* other affected businesses. [141115]

Mr. Bradshaw: The Animal By-Products Regulations provide for the administration and enforcement of the EU Animal By-Products Regulation (EC No. 1774/2202). The most recent assessment on this legislation is contained in the Regulatory Impact Assessment that accompanied the Animal By-Products Regulations 2003 when they were laid before Parliament on 9 June 2003. Copies are available in the Library of the House.

Animal Husbandry

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received on the impact on animal husbandry of *(a)* allowing animals to spend one overnight period at an auction and *(b)* requiring an animal to be killed at the slaughterhouse within 48 hours. [141441]

Mr. Bradshaw: After the reduction in the whole farm standstill from 20 days to six, Defra consulted earlier this year on a package of biosecurity proposals including one that animals should not remain longer than 24 hours on market premises. Following representations made by the industry, legislation was introduced on 1 August this year generally limiting this residency period to 48 hours.

I have received representations from a few operators of markets and slaughterhouses asking for the 48 hour period to be extended.

Animal Welfare

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on how she intends to influence the recommendations of the Farm Animals Welfare Council's Report on the Welfare of Farmed Animals At Slaughter or Killing. [142012]

Mr. Bradshaw *[holding answer 4 December 2003]:* The Farm Animal Welfare Council is our independent advisory body on farm animal welfare matters. As such, we do not influence the recommendations that they make in reports. The Council published its report on the welfare of red meat animals at slaughter in June, and we are currently preparing a draft response.

Badgers

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether badgers infected with tuberculosis are capable of depositing infectious tubercular material sufficient to cause infection in cattle on open pasture and other areas to which cattle have access. [141078]

Mr. Bradshaw: Although it is likely that badgers infected with tuberculosis are capable of infecting cattle, the routes of transmission of Mycobacterium bovis (the causative agent for bovine tuberculosis) from cattle to cattle, and between badgers and cattle, are not fully understood.

The Randomised Badger Culling Trial is designed to provide information on the role of badgers in cattle TB. Other research investigates the pathogenesis of M. bovis in cattle. These form part of a broad programme or research designed to deliver information on improved diagnostics, how TB is transmitted, how TB develops in affected animals, and on the interaction with wildlife.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what badger latrines are; and what relevance they have in the spread of M.bovis to cattle. [141079]

Mr. Bradshaw: Badger latrines are areas where the animals habitually defecate. Typically, they comprise several small pits 10 to 20 cm diameter containing badger droppings, usually contained within an area up to five metres across. Latrines are found within and on the periphery of badger social group territories. Badgers also urinate around latrines and smear their scent on the ground. Badgers infected with M. bovis (the causative organism of bovine tuberculosis) may excrete the organism in their faeces and/or urine. Therefore if badger latrines occur on pasture, or in areas frequented by cattle they may pose a risk of M. bovis infection for cattle.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how adult badgers infected with M. bovis transmit the infection to their young. [141080]

Mr. Bradshaw: It is possible that a sow badger infected with M. bovis (the causative organism of bovine tuberculosis) may transmit infection to her cubs through contaminated milk, or by aerosol in the confines of an underground nest chamber. Badgers may also infect each other by bite wounding, either during play fighting or through more aggressive territorial and mating encounters.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the estimated incidence of TB in *(a)* badgers and *(b)* cattle in England was in the last year for which figures are available. [141082]

Mr. Bradshaw: The last year for which data is available on TB in badgers in England is the period 6 October 1998 to 5 October 1999. Table 1 shows the number of badger carcases tested and found positive for Mycobacterium bovis (the causative organism for bovine tuberculosis) in this period, while Table 2 shows the incidence of TB in cattle for the same period.

Table 1: Badgers tested for M. bovis in England: 6 October 1998 to 5 October 1999[1]

Number and percentage	
Number of badger carcasses tested	1,038
Number of badger carcasses M. bovis positive	104
Percentage[2]	10

[1] Data from the Randomised Badger Culling Trial (RBCT) and the associated current Road Traffic Accident (RTA) survey is not available. Data is sourced from the previous RTA survey and sources other than from Badger removal operations, and pre-dates the current RTA survey and RBCT.

[2] It is not possible to provide incidence rates for TB in badgers in the absence of data about the date badgers became infected.

Table 2: TB herd incidence in England: 6 October 1998 to 5 October 1999[1]

Incidence of TB in cattle	
Tests on unrestricted herds	28,353
Confirmed new incidents	702
Incidence[2]	2.5

[1] Data downloaded from the State Veterinary Service database on 1 December 2003.

[2] Percentage.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what conclusions have been drawn on routes of transmission from post-mortem examination of badgers for TB in the past 10 years. [141084]

Mr. Bradshaw: Post-mortem examination of badgers is used as part of the process of determining if badgers are infected with Mycobacterium bovis, the causative agent of bovine tuberculosis. Post-mortem findings do not provide a basis for ascribing the source or route of infection. However, the location of visible lesions may be indicative of the route of infection e.g. lesions in the lung tissue would suggest a respiratory route of infection. The distribution of lesions in badgers examined by Defra from 1990–99 indicates that infection may have occurred through the respiratory or oral routes, as well as through infection from bite wounds.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate has been made of the optimum badger population in England; and what assessment has been made of the effect on the local environment of colonies extending beyond the optimum size. [141085]

Mr. Bradshaw: No estimate has been made of the optimum badger population in England, and therefore no estimate can be made of the effect on the local environment of colonies extending beyond the optimum size.

Defra is funding a project designed to assess the impact of removing badgers from the ecosystem. The results will shed more light on the ecological interaction of badgers with other species, which share their environment.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the percentage of badgers which can reasonably be expected to be killed in a defined area when the culling teams rely solely on trapping. [141088]

Mr. Bradshaw: In the absence of any means to estimate badger populations accurately, either prior to or post culling, it is always going to be difficult to make such assessments. In the randomised badger culling trial, post-culling surveys have indicated that, in the best conditions and allowing for a proportion of trap-shy animals, about 80 per cent. of the population may be culled using cage traps. In less than optimal conditions this figure can be substantially lower.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs where the main TB lesions have been found on those badgers which have been subject to a post-mortem examination for TB by or on behalf of her Department, in England in the past 10 years. [141393]

Mr. Bradshaw: Information is available for the period 1 January 1990 to 31 December 1999.

For this period of the 3,682 badgers that were positive for bovine TB, 1,228 displayed gross TB lesions.

The following table classifies the occurrence of the lesion locations.

Location of lesion	*Occurrence*
Abdominal nodes	64
Head nodes	330
Chest nodes	532
Skeletal nodes	223
Chest cavity tissues apart from lymph nodes	418
Abdominal cavity tissues apart from lymph nodes	191

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what action is taken by the Department when its badger traps are found to be removed or otherwise interfered with. [141972]

Mr. Bradshaw: When badger traps are found to be removed or otherwise interfered with, traps are replaced or resited or, alternatively, more discrete trapping sites are selected. Incidents of trapping interference are reported to the police.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many field staff, as full-time equivalents, are employed by her Department both directly and on contract, on randomised badger culling trials; and how many were employed in *(a)* 2002 and *(b)* 2001. [141974]

Mr. Bradshaw: The average number of field staff employed on the Randomised Badger Culling Trial in the Veterinary Directorate Wildlife Unit by financial year is as follows.

	Number
1998–99	62
1999–2000	90
2000–01	110
2001–02	136
2002–03	127
2003–04	133

For most of 2001, field staff were reassigned to dealing with FMD. Over the first three years of the Trial contracts to carry out initial Triplet surveying were negotiated with CSL and ADAS and additionally small numbers of staff were deployed from elsewhere in the Department to support major proactive cull operations. Badger culling, however, was always carried out by Wildlife Unit personnel.

Barn Owls

Dr. Murrison: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment has been made of the extent of barn owl deaths caused by traffic; and what steps are being taken to prevent them. [141037]

Mr. Bradshaw: Research on this issue was commissioned by the Highways Agency with a final report produced in 1999—Impact of Roads on Barn Owl Populations. This year, the Barn Owl Trust published Barn Owls and Major Roads, the results and recommendations of a 15 year study. Both reports confirm that major roads present a significant hazard to barn owls. They act as barriers to dispersal and reduce barn owl populations in the adjacent countryside.

The Highways Agency commissioned Highways and Birds—a best practice guide, published in 2001. This investigates the potential value of land alongside major roads to birds and provides generic best practice guidance for engineers and ecologists on highway design and management techniques of benefit to bird populations. These aim to minimise the risks to birds associated with traffic while making best use of the habitat within areas of the road verge where birds are considered to be at a safe distance from the carriageway.

The Highways Agency's Biodiversity Action Plan acknowledges the extent of barn owl decline and states its intention to implement appropriate actions to reduce the threat from major roads.

Bovine TB

Sir Michael Spicer: To ask the Secretary of State for Environment, Food and Rural Affairs what the incidence of TB in cattle in *(a)* England, *(b)* Herefordshire and *(c)* Worcestershire was in the last six months for which figures are available. [140460]

Mr. Bradshaw *[holding answer 1 December 2003]:* The data requested are not available for Herefordshire and Worcestershire individually. However, the incidence of TB in cattle in *(a)* England and *(b)* Hereford and Worcester in each of the last six months is given in the following table.

TB herd incidence May—October 2003[1]

Percentage

Month	*England*	*Hereford & Worcester*
May 2003	3.54	14.97
June 2003	3.98	9.66
July 2003	2.91	10.37
August 2003	2.15	4.12
September 2003	3.12	9.03
October 2003	3.23	8.45
Total	3.22	9.75

[1] Confirmed new herd incidents as a percentage of tests on unrestricted herds. Provisional data downloaded from the State Veterinary Service database on the 27 November 2003—subject to change as outstanding TB test and culture results become available.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has spent in support of efforts to identify a candidate vaccine for bovine TB in each of the last 10 years for which figures are available; and how much has been budgeted for this work over the next three years. [140841]

Mr. Bradshaw: Research on identifying candidate vaccines for bovine TB was being conducted before 1998 but it is not possible to collate accurate financial figures before this time. The table shows the costs of two projects which identify and test new vaccine candidates for the financial years 1999–2000 to date.

£

Financial Year	*Cost*
1999–2000	448,134
2000–01	509,954
2001–02	523,408
2002–03	542,024
2003–04	552,357
Total	2,575,877

The current vaccine research programme could not have been undertaken without the sequencing of the Mycobacterium bovis genome as all new candidates are discovered through this knowledge. The sequencing of the genome project cost £1,156,293.

In addition, identification of candidates for vaccine and diagnostic purposes is being pursued using "genomic" and "post-genomic" technology, costing £3,318,624 with an end date in 2005–06.

The content and funding for the future TB research is currently under discussion within the Department and is taking account of external scientific advice. TB vaccine development is likely to form an increasingly important part of the research programme.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what advice the Department has given to farmers on the prevention of TB in cattle, in respect of the height of mineral and feed troughs to avoid badgers gaining access to them. [141086]

Mr. Bradshaw: The Department has provided guidance to farmers on how to reduce the risk of cattle being exposed to Mycobacterium bovis in a free booklet entitled "TB in Cattle—Reducing Risk".

Steps include ensuring mineral blocks and lips of water troughs are raised at least 80 cm (30 inches) off the ground, fencing off badger latrines and setts, not feeding cattle in troughs at pasture and avoiding the use of grass from badger latrines and field margins when cutting silage.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what European Union funds are available to farmers on whose cattle TB restrictions are imposed; how much is payable per head of cattle; whether match funding is required; and what claims the Department has made. [141087]

Mr. Bradshaw: We are not aware of any EU funds payable to farmers under TB restrictions. The Government currently pays farmers 100 per cent. of market value for cattle removed under TB control measures.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether her Department has analysed the *(a)* number and *(b)* proportion of farms where cattle with an autumn TB breakdown (i) have subsequently gone clear and (ii) have an increasing incidence of TB through the winter; and whether the first group of cases occurs in areas with a high level of TB infection in badgers. [141380]

Mr. Bradshaw: This information cannot be provided, except at disproportionate cost. There are seasonal trends in the detection of incidents of bovine TB but it is impossible to determine from currently available information whether these trends reflect seasonally in exposure to the disease.

The Randomised Badger Culling Trial, alongside the Road Traffic Accident survey and the TB99 epidemiological questionnaire, is providing data about the prevalence of TB in badgers in areas of high incidence in cattle herds, for analysis by the Independent Scientific Group on Cattle TB.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what level of TB infection in cattle in the national herd her Department has assessed as being acceptable. [141382]

Mr. Bradshaw: A possible long-term objective in terms of control of bovine TB could be to achieve Officially Tuberculosis Free status as defined by the EU and the OIE. In the short term, Defra is seeking to arrest the geographic spread of the disease, and is shortly to consult on proposals designed to do this. Defra is also soon to consult on a new TB Strategy, looking at the roles of industry and Government, as well as considering what might be achievable in terms of TB control over next 10 years.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of cattle reported to be infected with TB are believed to have acquired infection from cattle-to-cattle transmission; and what proportion are believed to have acquired their infection *(a)* directly and *(b)* indirectly from badgers. [141383]

Mr. Bradshaw: It is not possible to ascribe the source of TB infection in cattle, as the routes of transmission of Mycobacterium bovis (the causative agent for bovine tuberculosis) from cattle to cattle, and between badgers and cattle, are not fully understood.

The Randomised Badger Culling Trial was designed to provide information on the role of badgers in cattle TB (as well assessing the effectiveness of two badger culling options as control measures). Other research includes investigation of the pathogenesis of M. bovis in cattle. This forms part of a broad programme designed to deliver information on improved diagnostics, how TB is transmitted, how TB develops in affected animals, and on the interaction with wildlife.

In addition, a survey is underway to assess potential risk factors that may predispose herds to TB outbreaks. A preliminary analysis is set out in the Third Report of the Independent Scientific Group on Cattle TB.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the use of polymerase chain reaction testing instead of culture testing for the confirmation of TB in bovine samples. [141385]

Mr. Bradshaw: The Veterinary Laboratories Agency is collaborating with the Imperial College in the design and optimisation of a Mycobacterium bovis-specific polymerase chain reaction (or PCR) assay for the detection of M. bovis DMA in bovine TB lesions. Any new laboratory test is likely to complement rather than replace existing culture techniques.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs for what reason hauliers are prohibited under certain circumstances from collecting full loads of TB reactors, comprising animals from different farms, for delivery to slaughterhouses. [141386]

Mr. Bradshaw: Any animal movement constitutes a health risk. Under post-FMD movement controls, Defra allowed a round of collections of animals from different farms only if all of the farms involved each had multiple pickup approval.

There are farms which do not want approval or which cannot meet approval requirements. Where farms do not want approval or cannot meet approval requirements, the haulier must transport TB reactor animals direct to the slaughterhouse.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the differences are between TB control programmes in *(a)* the UK and *(b)* Ireland. [141387]

Mr. Bradshaw: The UK broadly adopts the TB control measures set out by EU Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine. It is understood that the arrangements in the Republic of Ireland are similar.

The Republic of Ireland has a policy for limited culling of badgers for disease control purposes, whereas the UK does not.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to compensate farmers who suffer consequential losses as a result of TB infection in their herds following the failure of the reactive component of the randomised badger culling trials. [141388]

Mr. Bradshaw: We have no plans to compensate farmers who suffer consequential losses as a result of TB infection in their herds following the suspension of badger culling in reactive areas of the randomised badger culling trial. The payment of consequential loss to producers falls within the definition of State Aids and cannot therefore be paid without the agreement of the EU Commission.

There has always been an element of risk in participation in the trial, although the majority of farmers might have presumed that culling badgers would only help reduce the risk of TB in their herds. Nevertheless all farmers took part in the trial on a voluntary basis, having had the choice to opt out totally, agree to survey operations only, or to surveying and culling operations, and to change their level of involvement at any time.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether she will prohibit the sale of milk for any purpose from farms under TB restriction. [141390]

Mr. Bradshaw: Pasteurisation is effective in eliminating the risk from *Mycobacterium bovis* (the causative organism for bovine TB) in milk. Milk from herds under TB restrictions is permitted to be sold for human consumption after it has been heat treated. Milk hygiene legislation requires that raw milk and raw milk products for direct human consumption are produced from milk from officially TB free herds.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what precautions farmers are advised to take to avoid exposing their cattle to M.bovis infection. [141391]

Mr. Bradshaw: The Department has provided a significant amount of advice and codes on the health and welfare of livestock. The Defra leaflet, "TB in Cattle—Reducing the Risk" suggests that farmers consider moving to a closed herd system. However, such a system still needs to be combined with other disease prevention measures to reduce risks of disease introduction and spread. Defra has also produced a leaflet "Golden rules for a healthy herd" that gives specific advice on preventative strategies for avoiding introduction of the most important cattle diseases, including TB during restocking.

Defra has also produced a concise list of disease prevention measures, including the need to always know the health status of animals being bought or moved, in the form of a yellow card which was developed with livestock industry representatives and vets. It was sent to all livestock farmers in 2002, and is available on the Defra website.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether M. bovis isolates can be characterised to determine its genetic relationship to other isolates by using the technique of DNA fingerprinting; and whether there has been such fingerprinting of TB isolates from cattle and badgers in order to identify epidemiological relationships. [141396]

Mr. Bradshaw: Spoligotyping is used to determine molecular type for all isolates of the bovine tuberculosis bacillus (M. bovis) obtained from badgers and cattle. Variable Number Tandem Repeats (or VNTR), a technique able to subdivide some spoligotypes, is also used. Generally the different strain types of M. bovis that these techniques identify exhibit distinct and probably longstanding geographical clustering. Within each geographical cluster the same strains tend to be found in badgers and cattle. Even where the same strain has been found in two different species in the same locality, it is difficult to deduce the direction of interspecies transmission, how often it occurs, and how much transmission there is between animals of the same species.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how long the current TB skin test on cattle as a preliminary diagnostic aid has been in use. [141968]

Mr. Bradshaw: The tuberculin skin test for cattle has been compulsory in Great Britain since 1950. This is the test prescribed by the OIE for international trade, as well as under EU Directive 64/432/EEC on animal health problems affecting intra-Community trade in bovine animals and swine.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to replace the TB skin test used on cattle as a preliminary diagnostic aid with a more accurate and sensitive test. [141969]

Mr. Bradshaw: Improved diagnosis of TB in cattle is a major objective of Defra's wide-ranging research programme. The current most promising candidate is the gamma interferon test, a laboratory-based blood test that measures the immune response to *M. bovis* (the causative agent for bovine TB) of T-cells in cattle blood.

This test was officially recognised by the EU in July 2002, but only for use as a supplement to the Single Intradermal Comparative Cervical Test (SICCT) in TB affected herds. The test is considered more sensitive than the SICCT, but less specific, meaning that it results in a higher probability of false positives. For this reason, the gamma interferon test cannot be used on its own as a screening test for TB for the time being.

In October 2002, Ministers announced the field evaluation of the gamma interferon test, to assess the potential for its use in GB.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs in how many cases badger traps laid by or on behalf of the Department in TB culling trials have been interfered with or removed without authorisation. [141971]

Mr. Bradshaw: Interference with badger traps laid in the Randomised Badger Culling Trial is variable between operations. It is usually quite geographically localised and repetitive within a culling operational area. Management records indicate that—over 116 culling operations, across 19 trial areas, between December 1998 and 10 October 2003, during which 15,666 traps were sited—there were 8,981 individual occasions where a trap was interfered with, and 1,827 individual occasions when a trap was removed.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the current status is of research on vaccines suitable for application to *(a)* badgers and *(b)* bovine animals to protect against TB infection; and when she expects commercial vaccines will become available. [141976]

Mr. Bradshaw: Defra's extensive bovine TB vaccine research programme is aimed at identifying the most effective vaccine candidates and the most appropriate vaccination programmes to reduce the incidence of bovine TB. Depending on the outcome of this research, it will be necessary to gain approval for the selected vaccine or vaccines to be used in cattle or badgers or other susceptible species.

The current situation is that the progress on research on vaccines is broadly in line with the timeline set out in the Krebs report, published in 1997. This estimated:

Years 1–5: Identification of candidate vaccines and development of differential diagnostic tests;

Years 5–10: Experimental investigations of vaccination protocols;

Years 10–15: Field trials.

The current status of research on vaccines was studied by the Independent Scientific Group's Vaccine Scoping Study Sub-Committee who submitted their report to Ministers in July. Ministers, last week, recommended publication of the report and this will be available shortly, both in written form and on the Defra website.

It is not possible at this stage to estimate when commercial vaccines will become available, but discussions with industry are ongoing.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what representations have been made by her Department to insurance providers and underwriters on the funding of a joint venture to top up compensation paid for TB reactor cattle above the proposed cut to average market value. [141999]

Mr. Bradshaw: In developing proposals for a fundamental overhaul of our animal disease compensation arrangements, Defra met with representatives of insurance companies earlier in the year to explore a number of different options. It was concluded that "top-up" insurance schemes for loss of high value animals to notifiable animals diseases is not currently a viable option, as the market is not sufficiently developed. Top-up insurance is not set out as a short-term option for compensation for high-value animals in the current consultation on proposals to rationalise compensation for notifiable animal disease control. Under our proposals animals worth significantly more than the average market value can be pre-valued and registered with Defra. In such cases the compensation payable will be equivalent to the registered pre-valuation.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to fund average cull-price for TB-infected animals and reactors with an industry levy on *(a)* milk and *(b)* beef. [142001]

Mr. Bradshaw: The Government are working on proposals for an animal disease levy, which might include TB. The funds raised would be used to pay for, among other things, the costs of compensation for animals which are compulsorily slaughtered. At the moment the option we favour is a levy on live animals rather than animal products, but no decisions have been taken. We intend to consult on our proposals in the first half of next year.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how maintenance of closed dairy herds protects cattle from TB infection. [142003]

Mr. Bradshaw: Maintaining a closed herd can eliminate the risk of introducing cattle infected with bovine tuberculosis. The risk of spread of infection from nearby herds and wildlife can be reduced by adopting husbandry and biosecurity measures, as described in the freely available Defra booklet "TB in Cattle—Reducing the Risk".

Dairy Farming

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy farmers left the industry in the last 10 years for which records are available in *(a)* Cornwall and *(b)* Devon. [140714]

Mr. Bradshaw: The figures show the number of farmers, partners, directors and spouses on holdings in Cornwall and Devon where the predominant activity is dairy. These figures show the net change in the labour force over the last 10 years. Data for the total number of farmers, partners, directors and spouses (if working on the holding) combined are collected annually from the June Agricultural and Horticultural Census as a total. Figures are not available for each item.

	Cornwall & the Isles of Scilly	*Plymouth*	*Torbay*	*Devon CC*
1993	2,469	[1]—	10	4,188
1994	2,720	13	11	4,689
1995	2,566	11	11	4,536
1996	2,467	11	11	4,391
1997	2,319	12	10	4,203
1998	2,282	10	[1]—	4,231
1999	2,130	8	9	4,009
2000	2,073	[1]—	[1]—	3,813
2001	2,073	[1]—	[1]—	3,426
2002	2,007	[1]—	[1]—	3,633

Notes:

(a) [1] denotes that the data have been treated to avoid disclosure of information relating to individual holdings.

(b) Figures for 1998 and 1999 show main holdings only, from 2000 onwards minor holdings are also included.

(c) Due to a register improvement exercise in 2001 labour figures prior to this are not directly comparable with later results

Source:

June Agricultural Census

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with farming industry representatives about farmgate prices for milk. [140812]

Mr. Bradshaw *[holding answer 1 December 2003]:* The Secretary of State has had no formal meetings with representatives of the farming industry to discuss farmgate milk prices. However, Ministers frequently meet with representatives from all parts of the dairy supply chain and are therefore aware of the issues. Matters affecting the whole dairy sector are regularly discussed at the Dairy Supply Chain Forum chaired by my noble Friend Lord Whitty.

Mr. McLoughlin: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy farms there were in 1997 in West Derbyshire; how many of them have closed since; and how many remain. [141458]

Mr. Bradshaw: Constituency level data are available from 1998 onwards. The figures below show the number of holdings in West Derbyshire where dairy is the predominant activity. They reflect the position in the June of each year and therefore represent the net change.

Year	*Dairy Holdings*
1998	416
2002	354

Notes:

Figures for 1998 show main holdings only, in 2002 minor holdings are also included.

Source:

June Agricultural Census

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how many *(a)* farmers and *(b)* farmers' spouses were engaged in dairy farming in (i) Cornwall and (ii) Devon in each of the last five years; [140778]

(2) how many *(a)* partners and *(b)* directors were engaged in dairy farming in (i) Cornwall and (ii) Devon in each of the last five years. [141567]

Mr. Bradshaw: The following figures show the number of farmers, partners, directors and spouses on holdings in Cornwall and Devon where the predominant activity is dairy. Data for the total number of farmers, partners, directors and spouses (if working on the holding) combined are collected annually from the June Agricultural and Horticultural Census as a total. Figures are not available for each item.

	Cornwall and the Isles of Scilly	*Plymouth*	*Torbay*	*Devon CC*
1998	2,282	10	[1]—	4,231
1999	2,130	8	9	4,009
2000	2,073	[1]—	[1]—	3,813
2001	2,073	[1]—	[1]—	3,426
2002	2,007	[1]—	[1]—	3,633

[1] Denotes that the data have been treated to avoid disclosure of information relating to individual holdings.

Notes:

1. Figures for 1998 and 1999 show main holdings only, from 2000 onwards minor holdings are also included.
2. Due to a register improvement exercise in 2001 labour figures prior to this are not directly comparable with later results.

Source:

June Agricultural Census

Farm Subsidies (CAP)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of opting for *(a)* regionalised average and *(b)* individual historical claims for decoupled payments under the reformed Common Agricultural Policy in respect of (i) small livestock farms, (ii) medium livestock farms, (iii) larger livestock farms, (iv) small mixed farms, (v) large mixed farms, (vi) small arable farms and (vii) large arable farms. [140811]

Mr. Bradshaw *[holding answer 1 December 2003]:* Responses to our recent consultation exercise are helping to develop our understanding of the range of economic, social and environmental issues surrounding the options for allocating entitlements under the new Single Payment Scheme. A note focusing on the important but narrow issue of the redistributive consequences of adopting each of the main options has been placed in the Library of the House.

Farming

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the latest figures published by her Department on the number of farmers and farm workers who left the industry in England in the 12 months to June. [141112]

Mr. Bradshaw: Figures from the Agricultural and Horticultural Census indicate the labour on agricultural holdings in June each year. These figures show the net change in the labour force. The total labour force fell by nearly 5 per cent. in the year to June 2003 continuing falls seen over recent years.

	Thousand
Farmers, partners, directors and their spouses working on holdings	
June 2002	225.0
June 2003	219.1
All other workers including salaried managers and casual labour	
June 2002	146.6
June 2003	135.3

Notes:

1. Includes estimates for minor holdings.
2. Estimates have been made for non-respondents.
3. Figures exclude school children but include trainees employed under an official youth training scheme and paid at Agricultural Wages Board rates or above.

Source:

June Agricultural Census

Fisheries

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what historical entitlements are held by UK-registered vessels to fish within the six mile zone of other EU member states. [140842]

Mr. Bradshaw: UK-registered vessels do not hold any historical entitlements to fish within the six mile zone of any EU member state.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the effectiveness of Government enforcement authorities in monitoring fishing activity in the six to 12 mile zone. [140843]

Mr. Bradshaw: The monitoring of fishing activity in British Fishery Limits adjacent to England and Wales, including the six 12 mile zone, is the responsibility of the Department's Sea Fisheries Inspectorate using aerial and satellite surveillance and fishery protection vessels on task from the Royal Navy.

The level of surveillance is kept under review by the Sea Fisheries Inspectorate and is considered to be proportionate to the fishing activity occurring within British Fishery Limits.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in *(a)* setting up, *(b)* agreeing the membership of, *(c)* setting the agenda for, *(d)* agreeing plans to improve fisheries conservation by *(e)* setting up and funding the necessary budget for and *(f)* developing proposals for the development of a sustainable fishing industry for advisory councils for each of the regions relevant to the UK fishing industry as part of the revised Common Fisheries' Policy. [140848]

Mr. Bradshaw: Regional Advisory Councils (RACs) will increase the involvement of those affected by the Common Fisheries Policy in fisheries management decisions. They will bring together fishermen, scientists and all with an interest in the fish stocks and their exploitation. They will help develop ways forward to which all parties can subscribe.

The European Commission has announced its proposal for a Council Decision Establishing Regional Advisory Councils (13702/03). The European Parliament is considering the proposal, and formal consultations are being held by Defra and the Scottish Executive Environment and Rural Affairs Department. We are working with interested parties, the Commission and the other member states to develop the proposal. The draft Decision is intended to fix basic principles including those relating to membership, working arrangements and criteria for establishment. Individual RACs will determine how they manage themselves: thus they will be bottom-up organisations, developed and run by their members.

It will take time for effective RACs to develop, but fishermen and other interests active in international fisheries partnerships in the North sea, the Irish sea and the south west, the Baltic and the Mediterranean have already made good progress. Unless the Commission's proposal meets with unexpected problems, we can expect a Council Decision establishing the first Regional Advisory Councils in 2004.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of the UN's Law of the Sea on *(a)* the UK fishing industry and *(b)* the activities of non-UK-registered fishing vessels operating within UK territorial waters. [140849]

Mr. Bradshaw: No assessment has been made of the impact of the UN's Law of the Sea on the UK fishing industry. The activities of non-UK registered vessels operating within UK territorial waters are governed by access rules established under the Common Fisheries Policy. As regards third country vessels, access is determined under the terms of bilateral fisheries agreements with certain third countries which have limited access to certain stocks in EU waters.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what legal and other advice her Department has sought in response to representations she has received from the fishing industry seeking to *(a)* achieve the unilateral withdrawal of the UK from the Common Fisheries Policy, *(b)* genuinely lessen the UK's accountability to the CFP and *(c)* restrict access of foreign vessels from UK territorial waters. [141538]

Mr. Bradshaw *[holding answer 2 December 2003]*: The Department routinely bases its assessments of representations, and responses to them, on advice from its policy experts and, where necessary, on legal advice.

Foot and Mouth

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what conclusions have been drawn from the inquiry into lessons learnt from the foot and mouth crisis. [141442]

Mr. Bradshaw: I refer the hon. Member to the statement on the foot-and-mouth inquiries, given by my right hon. Friend the Secretary of State to the House, on 6 November 2002, *Official Report*, column 285.

Incinerators

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs how many incinerators for disposal of household waste have been granted planning permission in each of the last five years; and when each will be brought into operation. [142306]

Keith Hill: I have been asked to reply.

Information collected by the Office of the Deputy Prime Minister on planning decisions taken by waste planning authorities in England does not distinguish the waste stream. The number of planning applications for incinerators granted planning permission by waste planning authorities for each of the last five years is as follows:

1998–99—Seven

1999–2000—Eight

2000–01—Six

2001–02—Three

2002–03—Two

In addition, a planning application for an incinerator for the disposal of household waste was granted planning permission on appeal in October 2001.

Information is not held centrally and could be provided only at disproportionate cost, on when these incinerators were brought, or are likely to be brought, into operation. The Environment Agency, however, advise that three new municipal waste incinerators have come into operation in England in the last five years, though these may not necessarily have emerged from the planning permissions referred to above and could have arisen from earlier decisions.

Large Combustion Plant Directive

Mr. Clapham: To ask the Secretary of State for Environment, Food and Rural Affairs how many submissions her Department has received in response to the consultation on the Large Combustion Plant Directive; and how many *(a)* favoured the national plan approach and *(b)* supported the emission limit value approach. [141321]

Mr. Bradshaw *[holding answer 4 December 2003]*: Over 70 substantive responses were received from individuals, businesses, trade associations, environmental groups, regulators, and Government agencies. Of these about 30 favoured the implementation of the Directive by the emission limit approach; about 20 favoured the national plan approach; and about 20 did not express any views on the choice of implementation approach. In addition, some 1,550 individual letters were received from employees of the coal mining and associated industries, all of which favoured the emission limits approach.

Mr. Clapham: To ask the Secretary of State for Environment, Food and Rural Affairs if she will establish an inquiry into *(a)* the effects of the emission limit value approach on UK jobs in (i) the coalmining industry, (ii) the electricity generating industry and (iii) the mining machinery manufacturing sector and *(b)* the environmental benefit of each approach; and if she will publish the findings before making a final decision on the preferred option. [141323]

Mr. Bradshaw *[holding answer 4 December 2003]*: We intend to undertake further analysis on whether there is a significantly different impact on the coal industry from the emission limits approach, compared to the national plan approach, to implementing the revised Large Combustion Plants Directive (2001/80/EC) for plants first licensed before July 1987. The estimated costs associated with these alternative options on the Electricity Generating Industry, as well as their respective environmental effects, were set out in our consultation paper, published in June 2003.

Late Payment

Brian Cotter: To ask the Secretary of State for Environment, Food and Rural Affairs how many claims for statutory interest payments have been submitted to private companies under the terms of the Late payment of Debt Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141596]

Alun Michael: I refer the hon. Member to the answer given by the Minister with responsibility for small business and enterprise, my hon. Friend the Member for Edinburgh, South (Nigel Griffiths), on December 3, *Official Report*, column 102W.

Livestock Markets

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what turnover of livestock there was in livestock markets in England and Wales in each of the past five years for which records are available. [140711]

Mr. Bradshaw: Based on information supplied by the Livestock Auctioneers Association, the turnover of livestock in livestock markets in England and Wales for the years 1997 to 2002 was as follows:

Thousand head

	Cattle	*Sheep*	*Pigs*	*Calves*	*Total*
1997	2,097	13,854	817	540	17,308
1998	1,887	13,110	800	487	16,284
1999	1,897	13,754	602	433	16,686
2000	1,844	13,740	492	424	16,500
2001[1]					
2002	983	6,475	118	207	7,783

[1] Data for 2001 are not available: livestock markets were closed for much of the year due to the Foot and Mouth Disease outbreak

Mr. McLoughlin: To ask the Secretary of State for Environment, Food and Rural Affairs how many livestock markets there were in 1997 in West Derbyshire; how many of them closed during the foot and mouth outbreak of 2001; how many markets *(a)* did not open after the outbreak and *(b)* have closed since; and how many livestock markets there are in each county. [141457]

Mr. Bradshaw: I refer the hon. Member to the answers given on 28 October 2003, *Official Report*, column 159W and on 12 November 2003, *Official Report*, column 298W to the hon. Member for St Ives (Andrew George).

Milk

Mr. McLoughlin: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with supermarkets and co-operatives regarding the farm-gate price of liquid milk; and what the responses of those companies have been. [141459]

Mr. Bradshaw: My right hon. Friend the Secretary of State has had no formal meetings with supermarkets or co-operatives to discuss milk prices. However, Ministers frequently meet representatives from all parts of the dairy supply chain and are therefore aware of the issues. Matters affecting the whole dairy supply chain are regularly discussed at the forum chaired by my noble friend Lord Whitty.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs when she last met representatives of the National Farmers Union to discuss the farm-gate price of milk; and what steps she is taking to safeguard the future of the British dairy farming industry. [140727]

Mr. Bradshaw *[holding answer 3 December 2003]:* The Secretary of State has had no formal meetings with National Farmers Union to discuss farmgate milk prices. However, Ministers frequently meet with representatives from all parts of the dairy supply chain, including the National Farmers Union, and are therefore aware of the issues. Matters affecting the whole dairy sector are regularly discussed at the Dairy Supply Chain Forum chaired by my noble Friend Lord Whitty and on which the National Farmers Union is represented.

The reasons low farmgate price over the last few years are complex and cannot be reduced to a single factor. Many of these are for the industry to address itself. However, to help safeguard the future of the British dairy farming industry, the Government can and has taken action in line with its Strategy for Sustainable Farming and Food to facilitate this. In particular:

Lord Whitty has been chairing meetings of a Dairy Supply Chain Forum, which has been looking at collaborative solutions to improve supply chain efficiency, as well as other issues.

Under the auspices of the Forum, the Milk Development Council has initiated an innovations workshop to look at barriers to innovation in the sector and how to overcome them.

The Government have made a grant of nearly £0.5 million to the Food Chain Centre to examine how to improve dairy supply chain efficiency; and

We have established English Food and Farming Partnerships to encourage co-operation and collaboration across all agricultural sectors.

Orchards

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many orchards there were in each year since 1997, broken down by county; and what their acreage was. [140712]

Mr. Bradshaw: The following figures show the number of main holdings in England by county/unitary authority 1997–1999 that recorded an area of commercial or non commercial orchards and the area covered by the orchards in hectares. Data for 2000–2002 is available on the Defra website at the following link:

http://www.defra.gov.uk/esg/work_htm/publications/cs/farmstats_web/data map_links/data_menu.htm

	1997		*1998*		*1999*	
Counties/Unitary Authorities	*Orchard Area (Ha)*	*Hdgs with Orchards*	*Orchard Area (Ha)*	*Hdgs with Orchards*	*Orchard Area (Ha)*	*Hdgs with Orchards*
Hartlepool and Stockton-on-Tees	1	1	1	1	1	1
South Teeside	1	1	1	1	1	1
Darlington	0	0	1	1	0	0
Durham CC	1	6	1	8	1	6
Northumberland	3	7	3	7	1	9
Tyneside	0	0	0	0	0	0
Sunderland	0	0	0	0	0	0
West Cumbria	4	10	10	10	3	9
East Cumbria	11	15	15	19	14	27
Halton and Warrington	1	1	1	1	1	1
Cheshire CC	25	26	27	31	29	41
Greater Manchester South	1	1	1	1	1	1
Greater Manchester North	1	1	1	1	1	1
Blackburn with Darwen	0	0	0	0	0	0
Blackpool	0	0	0	0	0	0
Lancashire CC	10	27	16	33	10	27
East Merseyside	1	1	1	1	1	1
Liverpool	0	0	0	0	0	0
Sefton	1	1	1	1	1	1
Wirral	1	1	1	1	1	1
Kingston Upon Hull, City of	0	0	0	0	0	0
East Riding of Yorkshire	4	10	9	15	7	13
North and North East Lincolnshire	2	6	5	7	1	7
York	3	8	3	8	2	5
North Yorkshire CC	15	36	25	48	17	47
Barnsley, Doncaster and Rotherham	5	11	5	13	5	13
Sheffield	0	0	0	0	1	1
Leeds	3	7	2	5	1	1
Calderdale, Kirklees and Wakefield	3	8	3	8	2	8
Derby	0	0	0	0	0	0
East Derbyshire	9	5	1	1	1	6
South and West Derbyshire	8	22	11	24	3	16
Nottingham	0	0	0	0	0	0
North Nottinghamshire	52	15	55	23	43	18
South Nottinghamshire	6	9	8	12	5	13
Lester	0	0	0	0	0	0
Leicestershire CC and Rutland	9	16	11	19	9	14
Northamptonshire	40	20	36	24	45	23
Lincolnshire	65	46	101	45	76	43
Herefordshire, County of	3,857	426	3,833	477	4,201	512
Worcestershire	1,588	275	1,619	303	1,609	283
Warwickshire	243	49	236	58	259	54
Telford and Wrekin	1	1	1	1	1	1
Shropshire CC	62	50	103	67	105	76
Stoke-on-Trent	0	0	0	0	0	0
Staffordshire CC	15	22	22	23	10	20

Counties/Unitary Authorities	*1997*		*1998*		*1999*	
	Orchard Area (Ha)	*Hdgs with Orchards*	*Orchard Area (Ha)*	*Hdgs with Orchards*	*Orchard Area (Ha)*	*Hdgs with Orchards*
Birmingham	0	0	0	0	0	0
Solihull	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Coventry	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Dudley and Sandwell	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Walsall and Wolverhampton	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Peterborough	0	0	0	0	0	0
Cambridgeshire CC	1,326	150	1,220	153	1,074	140
Norfolk	1,061	197	1,049	191	937	178
Suffolk	1,166	118	1,055	120	948	109
Luton	0	0	0	0	0	0
Bedfordshire CC	31	20	33	21	40	24
Hertfordshire	18	26	23	29	18	31
Southend-on-Sea	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Thurrock	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Essex CC	1,176	133	1,099	133	851	119
Inner London-West	0	0	0	0	0	0
Inner London-East	0	0	0	0	0	0
Outer London-East and North East	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Outer London-South	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Outer London-West and North West	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Berkshire	25	20	32	21	35	23
Milton Keynes	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Buckinghamshire CC	125	37	112	42	105	41
Oxfordshire	142	37	135	43	133	38
Brighton and Hove	0	0	0	0	0	0
East Sussex CC	602	95	600	109	596	98
Surrey	56	38	53	43	65	46
West Sussex	200	60	186	67	156	61
Portsmouth	0	0	0	0	0	0
Southampton	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Hampshire CC	304	46	305	54	262	55
Isle of Wight	8	13	23	18	11	21
Medway	578	25	508	25	377	22
Kent CC	11,831	722	11,158	747	10,390	700
Bristol, City of	0	0	0	0	0	0
North and N E Somerset, South Glos	210	65	210	72	177	73
Gloucestershire	675	178	681	194	689	205
Swindon	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Wiltshire CC	20	23	24	27	23	30
Bournemouth and Poole	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Dorset CC	146	51	187	59	163	64
Somerset	1,124	287	1,152	316	1,158	355
Cornwall and Isles of Scilly	90	128	134	160	99	157
Plymouth	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Torbay	14	6	15	6	13	6
Devon CC	652	336	740	396	699	453
England	27,698	3,995	26,960	4,393	25,524	4,389

[1] Denotes that the data has been treated to avoid disclosure of information relating to individual holdings.

Source:

June Agricultural Census

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what gains and losses in *(a)* actual and *(b)* percentage terms there have been in the size of the national orchard for every year since 1992 for which records are available. [140713]

Mr. Bradshaw: The following totals show the hectares of commercial and non commercial orchards grown on agricultural holdings in England.

	Area	*Loss/Gain*	*Loss/Gain*
	Thousand hectares		*Percentage*
1992	30.7		
1993	30.1	-0.6	-2
1994	30.0	-0.1	-0.3
1995	26.6	-3.4	-11.3
1996	26.6	0	0
1997	28.4	+1.8	+6.8
1998	27.6	-0.8	-2.8
1999	26.2	-1.4	-5.1
2000	25.8	-0.4	-1.5
2001	26.0	+0.2	+0.8
2002	23.6	-2.4	-9.2
2003	23.4	-0.2	-0.8

[1] The figures include estimates for minor holdings

Source:

June Agricultural Census

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* growers and *(b)* growers' spouses were engaged in apple growing in each of the last five years. [140777]

Mr. Bradshaw: The following figures refer to holdings in England which recorded either commercial or non commercial orchards. No split is available for apple growing. Data for the total number of farmers, partners, directors and spouses (if working on the holding) combined are collected annually from the June Agricultural and Horticultural Census as a total. Figures are not available for each item.

	Total Farmers, Partners, Directors and Spouses Full and Part Time on Holdings with Orchards
1998	7,038
1999	7,029
2000	10,033
2001	10,637
2002	9,996

Notes:

(a) The figures show farmers, partners, directors and their spouses on holdings with orchards, it is not possible to tell if they are only engaged in activities linked to fruit growing.

(b) Figures for 1998 and 1999 show main holdings only, from 2000 onwards minor holdings are also included.

(c) Due to a register improvement exercise in 2001 labour figures prior to this are not directly comparable with later results.

Source:

June Agricultural Census

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many *(a)* partners and *(b)* directors were engaged in apple growing in each of the last five years. [141568]

Mr. Bradshaw: The following figures refer to holdings in England which recorded either commercial or non commercial orchards. No split is available for apple growing. Data for the total number of farmers, partners, directors and spouses (if working on the holding) combined are collected annually from the June Agricultural and Horticultural Census as a total. Figures are not available for each item.

	Total farmers, partners, directors and spouses—full and part time on holdings with orchards
1998	7,038
1999	7,029
2000	10,033
2001	10,637
2002	9,996

Notes:

1. The figures show farmers, partners, directors and their spouses on holdings with orchards, it is not possible to tell if they are only engaged in activities linked to fruit growing.

2. Figures for 1998 and 1999 show main holdings only.

3. Due to a register improvement exercise in 2001 labour figures prior to this are not directly comparable with later results.

Source:

June Agricultural Census

Potatoes

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what advice she gives to potato growers in respect of *(a)* liability and *(b)* compensation for (i) substandard and (ii) diseased seed potato stock. [140838]

Mr. Bradshaw: This information is as follows:

(a) Seed potato growers entering crops for classification under the Seed Potato Classification Scheme are advised that it is a condition of the acceptance of applications by Defra and the National Assembly for Wales that no liability shall attach to either Department or any of their officers in connection with any inspection carried out, or in respect of certificates and reports which are based on the examination of crops and tubers, or in any other way in connection with the operation of the arrangements for certification and classification. The Seed Potato Classification Scheme facilitates the classification of crops in order to meet the requirements of the Seed Potatoes Regulations 1991 (as amended).

Defra regularly produces publicity material to assist seed potato growers in the identification of pests and diseases. This information is sent to growers and is also available on the Defra web-site.

(b) The Government pay no compensation for sub-standard or diseased seed potato stock.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what progress her Department has made in containing the recent outbreak of ring rot. [140839]

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she is taking to stop the disease of potato ring rot from spreading in Wales. [141167]

Mr. Bradshaw: As soon as the disease was detected on a routine sample of seed potatoes from the farm in mid Wales, a statutory notice was served under the Plant Health Order 1993 to prevent movement. Three deliveries which had already been made from the farm to customers in England were traced and placed under notice.

All 22 stocks of seed potatoes on the farm have now been tested. Although infection has been found on some samples of one other variety, DNA testing suggests that this is likely to be due to an admixture with the original infected variety at harvest. The other 20 stocks have been found free from the disease. However, none of the seed potatoes from the outbreak farm can be planted.

Five farms in England grew crops this year with a varietal link to the infected stocks. As a precautionary measure these stocks were placed under notice and sampled. No ring rot was found in tests on these samples and the stocks are being released.

There is no reason to believe that infection was present on the affected farm before this year, but as a precautionary measure last year's deliveries of seed are being traced, so crops grown from themcan be sampled and tested.

A new publicity leaflet on ring rot has been prepared and will be sent to all potato growers shortly.

Sea Angling

Mr. Blizzard: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her Department's policy on sea angling. [140463]

Mr. Bradshaw: The Government recognise sea anglers as parties with an interest in fish stocks, and consult angling interests on a wide range of fisheries management issues to ensure that their views are taken into account. Sea angling is a selective, environmentally friendly and low impact fishing activity. We fully recognise the important contribution that recreational angling and associated activity can make to the coastal economy. To help to quantify this contribution, a Defra-funded study into the commercial value of angling to local economies in England and Wales is currently underway.

Shellfish Licensing Scheme

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs when she will introduce a shellfish licensing scheme. [141114]

Mr. Bradshaw: A restrictive licensing scheme for shellfish (crabs and lobsters) will take effect from 1 January 2004 for vessels over 10 m and from 1 April 2004 for vessels under 10 m. Shellfish entitlements are being granted to existing fishing vessels which, with their current licences, have taken more than 200 kg of lobsters or 750 kg of crabs in any 12 month period between 1 January 1998 and 31 December 2002. The scheme will apply to vessels under 8 m which will account for more than 40 per cent. of the vessels qualifying under the scheme. Anyone wishing to take up shellfishing will need to acquire an appropriate fishing vessel licence carrying a shellfish entitlement from an existing vessel. Licensed fishing vessels without a shellfish entitlement will be permitted to land up to five lobsters and 25 crabs per day.

Whaling

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has made to the Icelandic Government following the demarche in response to Iceland's plan to continue scientific whaling in 2004; and if she will make a statement. [140913]

Mr. Bradshaw: On 10 October the Icelandic Government responded to the UK-led demarche of 10 September. On 20 November the UK Ambassador to Iceland delivered a Note Verbale to the Icelandic Government regarding points raised in that response, and in particular their decision to undertake lethal scientific research. The Note Verbale restated the UK Government's opposition to the research, which it considers unjustified and unnecessary, and again called upon the Government of Iceland not to carry out any further lethal research on whale species.

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has made to the Japanese Government since 7 November on its plans to kill Antarctic minke whales. [140914]

Mr. Bradshaw: The Japanese programme of so-called 'scientific' whaling is an ongoing one. The UK Government, in common with those of a majority of IWC members, has regularly criticised the programme as being of little scientific value and urged Japan to end its scientific whaling activities.

Mr. Hancock: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has *(a)* commissioned and *(b)* evaluated designed to ensure a successful review of the Southern Ocean Sanctuary in 2004, in relation to the whaling in the area by Japan. [140915]

Mr. Bradshaw: The UK Government have not specifically commissioned research on the Southern Ocean Sanctuary, but we do receive information from scientists and from the British Antarctic Survey. The UK chaired the Working Group on Reviewing Sanctuaries and Sanctuary Proposals at this year's International Whaling Commission meeting in Berlin. This Working Group evaluated criteria for the Sanctuaries and Sanctuary Proposals. The UK also has delegates on the Steering Group, which is responsible for designing the evaluation process for the Sanctuaries and Sanctuary Proposals. Hence, we have had considerable input into choosing experts and the terms of reference for the review.

HOME DEPARTMENT

Anti-social Behaviour Orders

15. **Mrs. Betty Williams:** To ask the Secretary of State for the Home Department, how many anti-social behaviour orders have been served in North Wales in the last 12 months. [142101]

Ms Blears: Anti-social behaviour orders (ASBOs) were introduced in England and Wales from 1 April 1999.

The number of notifications received by the Home Office of anti-social behaviour orders (ASBOs) issued in England and Wales, at all courts, from 1 April 1999 up to 30 June 2003 (latest available) is 1,337. Anti-social behaviour orders issued in North Wales from 1 July 2002 up to 30 June 2003 is 10.

Victims of Crime

18. **Dr. Cable:** To ask the Secretary of State for the Home Department, what plans he has to widen access to compensation for victims of crime. [142104]

Fiona Mactaggart: Following an internal review of the Criminal Injuries Compensation Scheme we are proposing to publish shortly a consultation paper inviting views on proposals for amending the Scheme, and for encouraging the wider and more effective use of compensation orders made by the criminal courts in victims' favour. We will consider how best to proceed in the light of the responses to that public consultation exercise.

Asylum Seekers

19. **Tony Baldry:** To ask the Secretary of State for the Home Department, how many children of asylum seekers he estimates will be taken into local authority care each year following the Government's recent announcement. [142105]

Beverley Hughes: It is not the Government's intention that any children will be taken into care as a result of this proposal.

Prisons

20. **John Mann:** To ask the Secretary of State for the Home Department, what research he has commissioned to assess the impact of drug treatment in prisons on public expenditure. [142106]

Caroline Flint: The comprehensive range of drug interventions offered in prison—designed to address the diverse needs of low moderate and severe drug-misusers—is based primarily on findings from wider, community-based drug research.

Research on prison-based drug treatment published earlier this year has shown that graduates of programmes are significantly less likely to be re-convicted after release; further in-depth research—including cost-effectiveness—is planned.

We know from extensive research carried out in the community that there can be significant savings in public expenditure from treating drug-misusers.

Police

21. **Mr. Bellingham:** To ask the Secretary of State for the Home Department, when he next expects to meet senior police officers from East Anglia to discuss funding for financial year 2004–05. [142108]

Ms Blears: I have no plans to meet senior officers from East Anglia. I welcome all representations on the provisional police grant settlement for 2004–05, which should be sent in writing to my Department by 2 January.

Bribery and Corruption

Hugh Bayley: To ask the Secretary of State for the Home Department how many inquiries into possible cases of international bribery and corruption *(a)* are being and *(b)* have been carried out by the UK law enforcement agencies since the enactment of legislation against such offences in Part 12 of the Anti-Terrorism Act 2001; and if he will make a statement about prosecution for such offences. [141104]

Mr. Blunkett: The Home Office does not collect statistics from law enforcement agencies on inquiries into possible offences. An independent report on the operation of the Anti-terrorism, Crime and Security Act 2001 is shortly to be made to the Home Secretary by the committee appointed under Section 122 of the Act, and will be laid before Parliament as soon as is reasonably practicable. In England and Wales, the prosecution of offences of bribery and corruption is undertaken by the Serious Fraud Office if the case falls within their remit; or otherwise by the Crown Prosecution Service.

Crime Figures

Mr. McLoughlin: To ask the Secretary of State for the Home Department how many crimes were committed by juvenile offenders in *(a)* West Derbyshire and *(b)* the East Midlands in each of the last two quarters for which figures are available; and how many cautions were issued. [141428]

Paul Goggins: The information contained in the table gives the number of juveniles (persons aged 10–17) convicted of all offences and those given reprimands and final warnings, during the last two quarters of 2001 in the East Midlands. It also contains data for the Derbyshire police force area, and, for persons found guilty, in the petty sessional areas of Derby and South Derbyshire and North East Derbyshire which cover the area of the West Derbyshire constituency.

The information collected centrally does not enable cautions in the West Derbyshire constituency to be identified. Neither is it possible to give the number of crimes committed by juveniles, only the number of juveniles who are found guilty of all offences.

Statistics for 2002 will be published on 11 December.

Number of juveniles found guilty at all courts, and those given reprimands and final warnings[1] for all offences, East Midlands, 3rd and 4th quarter 2001

Area, age and disposal etc	*Quarter 3 2001*	*Quarter 4 2001*
East Midlands[2]		
Juveniles aged 10–17		
Receiving a reprimand	1,579	1,654
Receiving a final warning	568	464
Found guilty	1,739	1,836
Of which, Derbyshire police force area:		
Juveniles aged 10–17		
Receiving a reprimand[3]	308	288
Receiving a final warning[3]	142	118
Found guilty	324	386
Of which:		
Found guilty in the Derby and South Derbyshire PSA	125	150
Found guilty in the North East Derbyshire and Dales PSA	84	100

[1] Cautions were replaced by reprimands and final warnings for persons under 18 from June 200

[2] Police force areas of Derbyshire, Leicestershire, Lincolnshire, Northamptonshire and Nottinghamshire

[3] Not available by petty sessional area

Identity Cards

Mrs. Ann Cryer: To ask the Secretary of State for the Home Department what assessment he has made of the strength of public support for a national identity card scheme. [142102]

Mr. Blunkett: We commissioned wide-ranging research which confirmed, in line with other opinion polls, that 80 per cent. of the general public are in favour of identity cards.

Police Cells

Mr. Oaten: To ask the Secretary of State for the Home Department what the average daily cost of holding a prisoner in a police cell is. [141642]

Paul Goggins *[holding answer 3 December 2003]*: As part of Operation Safeguard it was necessary during 2002 to hold prisoners in police cells because there was insufficient space in prisons.

There is an on-going arrangement with many police forces under which prisoners may be held in police cells under separate arrangements known as "lock-outs". Lock-outs occur when prisoners cannot be delivered to the receiving prison before its reception closes. This arrangement is sometimes used to facilitate the return of prisoners to court the next day or when a court hearing extends into the evening.

The average daily cost of holding a prisoner in a police cell during 2002 was 363 per person per night. The average daily cost for lock-outs is currently 120 per person per night.

The overall cost of holding prisoners in police cells in 2002 under Operation Safeguard was £10.4 million. This ran between 11 July and 20 December 2002. The overall cost for lock-outs was £1.356 million.

No prisoners have been held under Operation Safeguard so far in 2003. There have been a total of 945 prisoners held in police cells so far this year as "lock-outs". In addition, eight prisoners were held in police cells in the Greater Manchester area on the weekend of 7–8 June 2003 as an emergency measure.

Prisons

Vera Baird: To ask the Secretary of State for the Home Department what steps he is taking to tackle racial abuse in HM Prison Holloway and HM Prison Styal. [141622]

Paul Goggins: The Prison Service will not tolerate any form of racist behaviour. I am not aware that either Holloway prison or Styal prison have a problem with racial abuse among staff or prisoners. Both prisons have a level of minority ethnic staff that is well above target. Significant amounts of diversity and race relations training have been delivered at both establishments.

Mr. McLoughlin: To ask the Secretary of State for the Home Department what the average cost of recapturing prisoners who absconded *(a)* from HM Prison Sudbury and *(b)* from Her Majesty's Prisons was during (i) 2003 and (ii) 2002. [141265]

Paul Goggins: The recapture of prisoners unlawfully at large and their return to custody is a matter for the police. This information is not recorded and held centrally, and could be obtained only at disproportionate cost.

Mr. McLoughlin: To ask the Secretary of State for the Home Department how many prisoners are held in HM Prison Sudbury; and how many of these are serving a life sentence. [141397]

Paul Goggins: The number of prisoners held at Her Majesty's Prison Sudbury, as at 30 April 2003, was 505. The number of these serving a life sentence was 76.

Mr. McLoughlin: To ask the Secretary of State for the Home Department how many open prisons there are in the United Kingdom; and how many prisoners have absconded from open prisons in the last 12 months. [141399]

Paul Goggins: There are 15 open prisons in England and Wales. In the 12 months from November 2002 to October 2003 there were 1,173 reported absconds from these prisons. I am unable to provide information for prisons in Scotland and Northern Ireland, as these establishments are the responsibility of the Scottish Prison Service and the Northern Ireland Prison Service respectively.

Proscribed Organisations

Mr. Oaten: To ask the Secretary of State for the Home Department if he will list *(a)* organisations which are proscribed by law and *(b)* the Acts of Parliament under which they are proscribed. [141805]

Mr. Blunkett: There are 39 organisations currently proscribed under Part II of the Terrorism Act 2000. The list is as follows:

The list of Proscribed Organisations

1. Al-Qaeda
2. Egyptian Islamic Jihad
3. Al-Gama'at al-Islamiya
4. Armed Islamic Group (Groupe Islamique Armée) (GIA)
5. Salafist Group for Call and Combat (Groupe Salafiste pour la Prédication et le Combat) (GSPC)
6. Babbar Khalsa
7. International Sikh Youth Federation
8. Harakat Mujahideen
9. Jaish e Mohammed
10. Lashkar e Tayyaba
11. Liberation Tigers of Tamil Eelam (LTTE)
12. Hizballah External Security Organisation
13. Hamas-Izz al-Din al-Qassem Brigades
14. Palestinian Islamic Jihad-Shaqaqi
15. Abu Nidal Organisation
16. Islamic Army of Aden
17. Mujaheddin e Khalq
18. Kurdistan Workers' Party (Partiya Karkeren Kurdistan) (PKK)
19. Revolutionary Peoples' Liberation Party-Front (Devrimci Halk Kurtulus Partisi-Cephesi) (DHKP-C)
20. Basque Homeland and Liberty (Euskadi ta Askatasuna) (ETA)
21. 17 November Revolutionary Organisation (N17)
22. Jeemah Islamiyah (JI)
23. Abu Sayyaf Group (ASG)
24. Islamic Movement of Uzbekistan (IMU)
25. Asbat Al-Ansar
26. The Irish Republican Army
27. Cumann na mBan
28. Fianna na hEireann
29. The Red Hand Commando
30. Saor Eire
31. The Ulster Freedom Fighters
32. The Ulster Volunteer Force
33. The Irish National Liberation Army
34. The Irish People's Liberation Organisation
35. The Ulster Defence Association
36. The Loyalist Volunteer Force
37. The Continuity Army Council
38. The Orange Volunteers
39. The Red Hand Defenders

Student Visas

Mr. Hancock: To ask the Secretary of State for the Home Department how many applications for student visas have been refused in each year since 2000. [141359]

Mr. Mullin: I have been asked to reply.

Year	Number of students visas: Applied for	Granted	Refused
2000	125,139	99,559	20,105
2001–02	151,524	121,466	38,873
2002–03	181,905	128,144	52,520

The table above shows the number of student visas applied for, granted and refused at entry clearance posts world-wide each year since 2000. Since 2001, statistics have been collated by financial year (1 April to 31 March) rather than calendar year.

Women Prisoners

Mr. Blunt: To ask the Secretary of State for the Home Department if he will list for each women's prison as at 31 October the *(a)* normal prisoner establishment, *(b)* actual numbers held, *(c)* prison officer establishment, *(d)* prison officers on strength and *(e)* number of suicides at each prison since 1 January. [140451]

Paul Goggins: The information requested is as follows:

Prison	Operational capacity	Population	Target prison officer grades	Actual in post
Askham Grange	141	116	31.75	30.75
Brockhill	167	146	104	96
Buckley Hall	320	300	113	106.5
Bullwood Hall	184	156	91	73.5
Cookham Wood	140	126	63	59
Downview	224	211	123	106
Drake Hall	315	285	83	81
Durham[1]	110	100	—	—
East Sutton Park	100	97	21.5	21.5
Eastwood Park	346	274	132	127
Edmunds Hill	310	266	139	120
Foston Hall	235	222	103	94
Holloway	495	453	291	299
Low Newton	396	294	144	144
Morton Hall	395	327	1,171	15.5
New Hall	426	370	189	180
Send	220	213	73	68.5
Styal	468	426	177	174
Winchester West Hill[1]	87	78	—	—

[1] These establishments are part of the male estate and separate figures for prison officer grades in the women's units are not available.

There have been 14 deaths of women in custody since 1 January, as follows:

	Number
Brockhill	1
Bullwood	1
Downview	1
Durham	3
Eastwood Park	1
New Hall	3
Styal	4

Vera Baird: To ask the Secretary of State for the Home Department what plans he has to survey the women's prison population to determine prisoners' home locations in order to facilitate resettlement. [141620]

Paul Goggins: There are no plans currently to conduct such a survey. As at 30 September (the latest date for which information is available) 50 per cent. of the women prisoners who gave details of their home addresses were held under 50 miles from home. 26 per cent. were held between 50 and 100 miles from home, and 24 per cent. were held more than 100 miles away from their home address.

The provision of housing advice and support is being strengthened in women's prisons, especially in those with a local function, and wherever possible the Prison Service aims to hold prisoners in establishments that are near to their homes or to the courts dealing with their cases.

Young Offenders Institution (Wetherby)

Miss McIntosh: To ask the Secretary of State for the Home Department how many times staff at HM Young Offenders Institution Wetherby used control and restraint in each of the past five years. [140588]

Paul Goggins: The relevant information was not recorded centrally until the beginning of this year. During the period 1 January 2003 to 31 October 2003, control and restraint was used at Wetherby on 199 occasions.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with his counterparts from *(a)* Dubai, *(b)* Uzbekistan, *(c)* Iran and *(d)* Pakistan concerning the trafficking of (i) opium and (ii) heroin out of Afghanistan; and whether the Government's opium eradication policy in Afghanistan includes combating the transporting of opium of Afghan origin in the region. [140820]

Mr. Straw: The UK is committed to supporting implementation of the Afghan National Drug Control Strategy which aims to eliminate the production of opium in Afghanistan within 10 years. The Afghan strategy includes tackling trafficking of drugs within Afghanistan and at its borders.

The UK is also tackling opium once it leaves Afghanistan. Pakistan, Iran, the United Arab Emirates and Uzbekistan are some of the transit points for Afghan-produced heroin. Ministerial colleagues, Government officials and I regularly raise these issues with counterparts from these and many other countries. Most recently, I discussed drugs issues with the Iranian Foreign Minister when I met him in New York on 24 September 2003.

In May 2003 I attended the international conference in Paris hosted by the French government on "Drug Routes from Central Asia to Europe". This conference led to the formation of the Paris Pact which provides a consultative mechanism for drug and crime control for countries affected by the trafficking of Afghan opium.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress with the Government's policy on eradicating the production of opium in Afghanistan. [141008]

Mr. Straw: The Afghan National Drug Control Strategy was adopted in May 2003. The objective of the strategy is to reduce opium poppy cultivation by 70 per cent. within five years and to eliminate it in 10 years. The UK has allocated £70 million over three years and posted additional personnel to Afghanistan to assist the Afghan authorities to implement a range of activities coherent with the strategy. Eradicating illicit poppy crop will form an important part of the drug control effort. However an eradication-led approach will not provide a sustainable solution to eliminating the cultivation of opium in Afghanistan and must be supported by other measures to build up law enforcement capacity, promote alternative livelihoods for poppy farmers and improve the effectiveness of Afghanistan's principal drug control institutions.

The United Nations Office on Drugs and Crime (UNODC) 2003 survey showed an 8 per cent. increase in cultivation to 80,000 hectares and a 6 per cent. increase in production to 3,600 hectares. Although unwelcome, this increase is not unexpected given the poor security situation outside Kabul.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the amount of heroin *(a)* produced in Afghanistan and *(b)* exported to the UK from Afghanistan in each year since 2000; what the estimate is for 2003–04; and if he will make a statement. [141351]

Mr. Rammell: Afghanistan is the source of 95 per cent. of the heroin exported to the UK. There are no reliable figures for the level of heroin production in Afghanistan. The United Nations Office on Drugs and Crime (UNODC) does however conduct an annual survey into the level of opium poppy cultivation and production. It has reported levels of cultivation and production since 2000 as follows:

	Hectares	*Tonnes*
2000	82,000	3,300
2001	8,000	185
2002	74,000	3,400
2003	80,000	3,600

The low level of cultivation and low production figure in 2001 reflect the Taliban ban on opium cultivation; the ban did not however address the underlying causes of poppy cultivation in Afghanistan and was enforced with mix of threat and bribery. In March 2004 the UNODC will publish an Opium Rapid Assessment Survey for Afghanistan. This will give an early insight into the pattern of opium poppy cultivation for the 2003–04 growing season.

Mr. Hammond: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the Government expect to deploy additional British troops to Afghanistan during 2004. [141903]

Mr. Ingram: I have been asked to reply.

We have no plans to change the overall level of our military commitment in Afghanistan although, as with any operational deployment, we shall keep numbers and tasks under review.

Asylum

Mr. Heathcoat-Amory: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the compatibility of the provisions of the draft European Constitution for a common asylum and immigration system with his proposals for legislation on asylum. [142094]

Mr. MacShane: The Treaty will not change the relationship between EU and domestic legislation on immigration and asylum. We will retain the right to decide whether to opt in to measures in this area. If they are not in our interests we will not opt in; if they are we will—as with Eurodac and Dublin II, which have helped us identify and return asylum shoppers to EU countries where they first arrived or claimed asylum.

Brussels Treaty

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy to support *(a)* the appending of the modified Brussels Treaty to the Constitutional Treaty as an optional protocol and *(b)* the amendment of the Treaty to oblige the EU Council to make an annual report on its activities in the fields of security and defence to the Assembly, as created by the modified Brussels Treaty and to the European Parliament; and if he will make a statement. [141354]

Mr. MacShane: The UK sees a clear distinction between the role of NATO as the basis of the collective defence of its members and the role of the European Security and Defence Policy as a crisis management instrument in support of the EU's Common Foreign and Security Policy. As noted in the Government's White Paper on the IGC, we would not support anything in the EU constitution which undermined NATO's security guarantee.

The Government continue to regard national parliaments as having primary responsibility for scrutiny of CFSP and ESDP, given the central role of member states in these policy areas. There is provision in both the Treaty on European Union and in the draft constitution for the European Parliament to be regularly consulted on the main aspects and basic choices of ESDP. The Government are not aware of any proposals to change the status or role of the WEU Assembly, although there might be a case for considering this in the light of the outcome of the Inter-Governmental Conference.

Burma

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last spoke to Aung San Suu Kyi concerning the situation in Burma. [140850]

Mr. Straw: The Minister of State at the Foreign and Commonwealth Office, my hon. Friend the Member for North Warwickshire (Mr. O'Brien) last spoke to Daw Aung San Suu Kyi on 7 March 2003. Since being detained on 30 May we have made repeated attempts to speak to her by phone but these attempts have been unsuccessful.

Colombia

Clare Short: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the military assistance provided to Colombia is funded from the conflict resolution fund. [141509]

Mr. Rammell: Although Colombia does not have its own programme under the Global Conflict Prevention Pool (GCPP), the Security Sector Reform (SSR) strand of GCPP is used for military assistance projects for Colombia when they meet SSR criteria. Examples include the counter-terrorism seminar in Colombia in March 2003 (in which MOD personnel participated to give advice to Colombian security force units and civic officials on dealing with terrorist incidents in Colombia), and funding Colombian MOD personnel attending training and education courses in the UK.

Clare Short: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the proposed new emergency powers before the Colombian parliament meet the pledges given at the consultative group meeting in London in July 2003. [141511]

Mr. Rammell: The Colombian Government did not make any pledges at the London Meeting on International Support on Colombia about specific legislation, but they did pledge to implement recommendations made by the UN High Commissioner for Human Rights (UNHCHR). There are legitimate concerns about the proposal to grant judicial police powers to the Colombian armed forces in the proposed Constitutional Reform Bill 223 of 2003. In July the EU made a demarche to the Colombian Government about this, reiterating the concerns of UNHCHR in Bogota, in particular where proposed articles were incompatible with Colombia's human rights and international humanitarian obligations. We shall continue to urge the Colombian Government to adopt the practice of adjusting all anti-terrorist legislation in line with Colombia's international obligations.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) when he will reply to the letter to him dated 6 October from the right hon. Member for Manchester, Gorton, with regard to Mr. Murhtar Ahmed Rana; [140780]

(2) he will reply to the letter to him from the right hon. Member for Manchester, Gorton, with regard to Dorothy Ricketts; [140783]

(3) when he will reply to the letter to him dated 6 October from the right hon. Member for Manchester, Gorton, with regard to Mrs. Shafna Rahman. [140784]

(4) when he will reply to the letter to him dated 6 October from the right hon. Member for Manchester, Gorton, with regard to Sadia Bibi; [140785]

(5) when he will reply to the letter to him dated 6 October from the right hon. Member for Manchester, Gorton with regard to Mr.Usman Ilyas. [141894]

Mr. Mullin: I would like to apologise to my right hon. Friend for not having replied to his letters of 6 October to my right hon. Friend the Foreign Secretary about Mr. Murthar Ahmed Rana, Ms Dorothy Ricketts, Mrs. Shafna Rahman, Ms Saidia Bibi and Mr. Usman Ilyas.

As a result of an administrative error a package containing a number of my right hon. Friend's letters was lost while in transit between the Foreign Secretary's office and UKvisas, the department responsible for entry clearance matters arising overseas. The letters that were lost have now been identified and copies have been sent to UKvisas. I can assure my right hon. Friend that the Foreign Secretary will write to him in the next few days on these cases.

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter from the hon. Member for Totnes of 22 August regarding the continued mining of Indonesian protected forests and the concern expressed by Mr. Rupert Stocks. [142300]

Mr. Mike O'Brien: I apologise to the hon. Member for Totnes and his constituent, Rupert Stocks, for the late reply to his letter. This was the result of an administrative error and I am pleased to say that a letter has now been issued.

Draft European Constitution

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he plans to have with the Foreign Ministers of *(a)* Denmark, *(b)* Germany and *(c)* Italy regarding the declaration in the draft proposals agreed in Naples relating to the primacy, under Article 110 of the draft European Constitution, of the Constitution over their respective constitutions. [142429]

Mr. MacShane: The Presidency has proposed a 'Declaration for incorporation in the final Act with regard to article I-10 (1)'. It states that,

> "The Conference notes that the provisions of Article I-10 (1) reflect existing Court of Justice case law."

The proposal has not been agreed, but will be discussed at the European Council on 12–13 December, in which the Foreign Ministers of all the States mentioned will participate.

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the implications for the United Kingdom *(a)* Parliament and *(b)* Courts of the Declaration at Annex 2 of the proposals agreed in Naples on the primacy of European Union law as set out in Article I-10(1) of the draft European Constitution. [142612]

Mr. MacShane: The proposed Declaration provides confirmation that the provisions of Article I-10(1) reflect existing European Court of Justice case law. If agreed it would state the common intention and understanding of all the participating States that Article I-10 (1) has this meaning and should be interpreted accordingly.

Mr. Carmichael: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government are taking to ensure that reference is made in the European Constitution to territorial cohesion. [142404]

Mr. MacShane: The draft EU Constitutional Treaty contains provisions on territorial cohesion. The Government are content with these.

European Minister for Foreign Affairs

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what the status is of the Italian presidency's proposal that any proposal made by the European Minister for Foreign Affairs should be subject to qualified majority vote; and if he will make a statement. [142015]

Mr. MacShane: This proposal is still under consideration in the Intergovernmental Conference. We expect a revised version of the draft Constitutional Treaty to issue in the week of 8 December. As stated in the Government's White Paper, British policy is that unanimity must remain the general rule for the Common Foreign and Security Policy.

India

Angus Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what his Department's guidance is to UK citizens planning to travel to the Manipur region in north east India; what assessment his Department has made of the security situation in Manipur; when this assessment was last updated; and if he will make a statement. [142027]

Mr. Mike O'Brien: We advise UK citizens against all travel to Manipur. This advice is reviewed on a monthly basis, most recently on 24 November 2003. A number of militant and criminal groups operate in the state; and whilst foreigners are not generally targets of violence, attacks can be indiscriminate. For example a German aid worker was kidnapped by one group earlier this year close to the capital Imphal. We currently see no grounds for changing the travel advice.

Intergovernmental Conference

Mr. Spring: To ask the Secretary of State for Foreign and Commonwealth Affairs what was agreed at the Intergovernmental Conference meeting at Naples of 28 to 29 November; and if he will make a statement. [142014]

Mr. MacShane: No decisions were taken or formal agreements made at the Intergovernmental Conference meeting in Naples. The meeting, on which my right hon. Friend the Foreign Secretary provided a detailed briefing at the Standing Committee on the IGC on 1 December, discussed a paper presented by the Presidency (CIG 52/1/03), copies of which are in the Libraries of the House. The discussions were positive and constructive. They will continue at Foreign Minister level on 8 December and at the level of Heads of State or Government at the European Council on 12–13 December.

Any agreement will be made by unanimity, on the basis of a complete package.

Iran

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of Iran's ability to use its nuclear power programme for military purposes. [140935]

Mr. MacShane: The technology which Iran has been seeking to develop at its nuclear facilities would enable them to produce fissile material, which can be used in the production of nuclear weapons.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps the Government will take to ensure that Iran complies with its promises to the UK, French and German Foreign Ministers on nuclear issues. [141285]

Mr. MacShane: All of the elements promised in the Tehran Declaration are incorporated in the International Atomic Energy Agency (IAEA) Board of Governors' resolution adopted on 26 November. The primary responsibility for ensuring Iran's compliance with terms of the resolution lies with the IAEA, which will report periodically to the Board of Governors on progress made. We will monitor this progress closely through our membership of the Board of Governors.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the steps Iran has taken in its undertakings to the UK, French and German Foreign Ministers on nuclear issues; and what steps remain to be taken. [141286]

Mr. MacShane: In the Tehran Declaration of 21 October, which was the result of the visit to Tehran by my right hon. Friend the Foreign Secretary with his French and German colleagues, Iran undertook to sign an Additional Protocol to its nuclear safeguards agreement with the International Atomic Energy Agency (IAEA); to cooperate fully with inspectors from the Agency; and announced that it would suspend the enrichment of uranium and fuel reprocessing activities. All of these undertakings were subsequently included in a resolution adopted by the IAEA Board of Governors on 26 November. Monitoring of progress on these undertakings is rightly the responsibility of the IAEA, which will report periodically to the Board of Governors.

Iraq

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what estimate he has made of the revenues which derived from sales of Iraqi oil in each month since April; and if he will make a statement. [141175]

Mr. Straw *[holding answer 8 December 2003]:* Total revenue from Iraqi oil sales paid into the Development Fund for Iraq since exports restarted in June until 26 November amounted to $2.479 billion.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what the *(a)* income and *(b)* expenditure of the Coalition Provisional Authority in Iraq was in each month since April; how much was spent by (i) amount and (ii) percentage in each sector; and if he will make a statement. [141176]

Mr. Straw *[holding answer 8 December 2003]:* Monthly income and expenditure data for the Coalition Provisional Authority (CPA) is not published and, as in the UK, nor is expenditures by sector.

However, a Financial Management Information System is being implemented by the CPA to build capacity and move Iraq from a paper-based budgeting system to a real time expenditure system.

CPA income is derived from bilateral donations (such as US Congressional appropriations), from the sale of oil revenues, the transfer of Iraq's overseas assets, the seizure of assets from the former regime within Iraq, the transfer of remaining Oil For Food moneys from the UN Escrow account, and, under the CPA's usufructuary power, any revenues derived from Iraq's State Owned Enterprises and tax revenues. These revenue streams are accountable to different bodies, and a monthly consolidated single income account is not published. Total income data and forecasts are published in the annual Budget produced by the Iraqi Ministry of Finance and CPA.

Expenditure is determined by an annual budget process and is executed and published by economic activity undertaken in each Ministry rather than by sector.

The 2003 and 2004 Budgets are available on the CPA website (www.cpa-iraq.org). Cumulative income and expenditure totals for the Development Fund for Iraq (which includes the following elements of the CPA's income: oil revenues, transferred assets and Oil For Food monies) are also published on the CPA website.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs who is responsible for preparing the accounts of the Coalition Provisional Authority in Iraq; to whom it reports; and if he will make a statement. [141177]

Mr. Straw *[holding answer 3 December 2003]*: CPA accounts are prepared by officials of the CPA. The International Auditing and Monitoring Board (IAMB), established under UNSCR 1483 and comprising senior members of the UN, World Bank, IMF and Arab Fund for Social and Economic Development, is responsible for auditing the accounts of the Development Fund for Iraq. The IAMB members will appoint a firm of international auditors to act on their behalf in undertaking this responsibility.

Israel

Richard Burden: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of discussions over the last month between the European Union and Israel concerning the labelling of goods exported to the EU which originate from settlements established in territories occupied by Israel; and what progress has been made in providing for such products to be accurately marked with their point of origin. [142247]

Mr. MacShane: The Government welcome the discussion between the European Commission and Israel concerning the origin of goods exported to the EU as Israeli and originating in the Occupied Territories. The Government understand that the European Commission has asked the Israeli authorities for more details on their proposals, which have not yet been put in writing. The Government will examine carefully the proposals, and the Commission's assessment of them, once we have fuller details.

Ivory Coast

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department has made to the *(a)* Ivory Coast Government and *(b)* other involved parties with regard to honouring commitments set out in the January peace accord. [141813]

Mr. Mullin: The UK fully supports the Linas Marcoussis Agreement (LMA) as the basis for sustainable peace in Côte d'Ivoire. Foreign and Commonwealth Office officials use regular contacts with members of the government of Côte d'Ivoire, and with other parties to the agreement, to encourage early progress on its implementation. We have been concerned at the fragility of the peace process since September, and have joined the wider international community in urging all parties to continue to respect the ceasefire; to restore full meeting of the government of National Reconciliation; and to make swift progress on the LMA, including disarmament and demobilisation.

Turkey

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department received requests from *(a)* the US Administration, *(b)* the Turkish Government and *(c)* staff working in the British Consulate in Istanbul for British staff to move buildings in light of an increased risk from terrorism in the period between April and November. [140867]

Mr. Straw *[holding answer 4 December 2003]*: The FCO has not received any requests from the US Administration or the Turkish Government for the British Consulate General to move buildings.

The security managers at the Consulate-General at Istanbul regularly briefed all staff on security matters. Staff were kept aware of changes to the State of Vigilance and of any additional security measures put in place.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what action his Department took to ensure the security of British citizens *(a)* on holiday and *(b)* living in Turkey following (i) the explosions outside branches of HSBC in Istanbul on 31 May, (ii) the explosion at the Visa Section of the British Consulate-General in Istanbul on 3 April and (iii) the explosion of three devices in Izmir on 8 April. [140832]

Mr. Straw: After each incident the FCO changed its travel advice to reflect its best assessment of the situation at the time. Details of travel advice changes are passed through the warden network to the British community.

I refer the right hon. and learned Gentleman to the answer I gave him today on details of changes to the travel advice for the three incidents.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations his Department received from representatives of the British Consulate in Istanbul regarding the level of security provided at the temporary accommodation in which staff worked during the period between 2001 and 2003. [140833]

Mr. Straw: Staff at the Consulate-General were in regular contact with this Department about security at the Post, including the security provided at the temporary accommodation. This accommodation was due to be vacated when the refurbishment of the main building was completed in early 2004.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what travel advice was issued by his Department following *(a)* the explosions outside branches of HSBC in Istanbul on 31 May, *(b)* the explosion at the Visa Section of the British Consulate-General in Istanbul on 3 April and *(c)* the explosion of three devices in Izmir on 8 April. [140834]

Mr. Straw: Before the explosion outside the Visa Section of our Consulate-General in Istanbul on 3 April the headline message ("Summary") of the travel advice stated:

> "The vast majority of visits to Turkey are trouble-free. Turkey is one of a number of countries where there is an increased risk from international terrorism. There is also a risk from domestic terrorism (one group in Turkey has, in the past, carried out attacks to mark anniversaries in April)."

Following the explosion the travel advice was amended to include the following reference to the attack:

> "On 3 April an explosion occurred at the Visa Section of the British Consulate-General, causing minor material damage, but no casualties."

Following the attacks in Izmir the travel advice was amended again with the following reference added:

> "On the evening of 8 April, three small devices exploded in Izmir, one of which was near the British Consulate. There were no casualties and no significant damage."

Before the attacks on HSBC on 31 May the Summary of the travel advice was amended to underline the need to be vigilant in Turkey:

> "The vast majority of visits to Turkey are trouble-free, but there is a continuing risk from domestic terrorism following a number of recent incidents (see below). Turkey is also one of a number of countries where there is an increased risk from international terrorism. We urge you to be vigilant in all parts of Turkey."

After the attacks on HSBC, the travel advice was again changed with factual reference to the attack:

> "In the early hours of 31 May there were small explosions outside two separate branches of H.S.B.C. in Istanbul"

Copies of the travel advice referred to here will be placed in the Library of the House.

In the period 1 April to 20 November, the FCO updated its travel advice for Turkey 30 times.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) whether discussions were held between his Department and *(a)* the US Administration, *(b)* the Turkish Government and *(c)* staff working in the British consulate in Istanbul regarding a need for British staff to move building in light of the increased risk from terrorism in the period between April and November; [140835]

(2) what discussions his Department had with US counterparts regarding the security threat in Istanbul in the period between April and November; whether the decision by the US Administration to move its staff during that period was discussed; whether the possibility of the British Government taking a similar decision was discussed; and what the outcome was of the discussions. [140836]

Mr. Straw: The FCO and relevant agencies maintain regular contact with their US counterparts on security and threat-related issues. In addition consular officials speak daily to the State Department to exchange information on travel advice changes, which includes threats to UK and US citizens overseas.

Staff at the consulate-general had regular discussions of security-related issues with their US counterparts in Istanbul and with the Turkish Government during the period April to November. These discussions focussed on the security of the consulate-general building rather than on moving to another building.

Following the attack on the visa section at the consulate-general on 3 April 2003, the visa section remained closed for two days. Discussions were held with the Turkish authorities on increasing security for the visa section.

The security manager at the consulate-general Istanbul regularly briefed staff on security measures. Staff were also kept aware of changes in the state of vigilance. Staff were due to move back to Pera House (the main building) in February 2004.

Mr. Ancram: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions his Department has had with representatives of the British consulate in Istanbul regarding security following *(a)* the explosions outside branches of HSBC in Istanbul on 31 May, *(b)* the explosion at the visa section of the British consulate-general in Istanbul on 3 April and *(c)* the explosion of three devices in Izmir on 8 April. [140868]

Mr. Straw: There is continual dialogue between those in the FCO responsible for security and our overseas posts, including the consulate-general in Istanbul. This was naturally particularly intense following each of the explosions mentioned. Security measures were reviewed and additional Turkish police guards were deployed at Izmir and Istanbul.

Security managers at the consulate-general at Istanbul regularly briefed all staff on security measures and kept them aware of changes in the state of vigilance. Staff were briefed after the three terrorist incidents which occurred in April and May this year.

TRADE AND INDUSTRY

Security

Mr. Hammond: To ask the Secretary of State for Trade and Industry whether the closure of Abingdon Street in front of the Palace of Westminster on the day of the State Opening of Parliament for six hours after Her Majesty the Queen had left the building was determined on security grounds. [141898]

Mr. McNulty: I have been asked to reply.

The front of the Palace of Westminster adjacent to Abingdon Street and Old Palace Yard is protected by railings and black defensive concrete blocks. These were removed for the State Opening of Parliament. The area was then closed using an outer security cordon of grey defensive concrete blocks.

Once Her Majesty had left, the operation to reinstate the original security measures began. This was done as quickly as possible, but with such a high profile venue, the original security measures needed to be fully in place before the traffic was allowed to pass. Abingdon Street was fully re-opened to traffic at 6pm.

Arms Exports

Mr. Cousins: To ask the Secretary of State for Trade and Industry how many licences were *(a)* requested and *(b)* granted for man-portable air defence systems in each year since 1996 for (i) government and (ii) non-government end users, distinguishing in each case between (A) licences for end users in NATO and EU countries and (B) licences for end users outside NATO and the EU. [142327]

Nigel Griffiths: I refer my hon. Friend to the answer given today to question number 141199.

Auditors' Liabilities

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what discussions she has had with *(a)* UK firms and *(b)* representatives of the accountancy profession about the relative merits of introducing a cap on auditors' liabilities in litigation; and if she will publish the minutes of such meetings. [140946]

Ms Hewitt: Over the past six months, my right hon. Friend the Minister for Industry and the Regions and I have received some 20 letters principally about auditor liability, from auditors, preparers of accounts and users of accounts.

Two senior businessmen have raised the matter with me, but I have not had any significant discussions with audit firms or accountancy bodies. The issue has twice been raised in meetings attended by my right hon. Friend, once by the President of the Institute of Chartered Accountants in England and Wales and once by KPMG and PricewaterhouseCoopers. My officials have also discussed the issue with auditors, preparers of accounts, users of accounts, academics and regulators.

I do not propose to publish the minutes of individual meetings. I will, however, be consulting on the issue shortly.

British Energy

Mr. Bellingham: To ask the Secretary of State for Trade and Industry when the European Commission will report on the UK Government's financial assistance to British Energy. [142139]

Mr. Timms: The Commission approved our rescue aid to British Energy on 27 November 2002.

The Commission announced on 23 July 2003 that it was opening a formal investigation procedure into our proposed restructuring aid to British Energy, which is normal in major restructuring aid cases. The Commission must reach a decision within 18 months of opening the investigation but in practice may reach a decision before then. We currently expect to receive a decision by mid-2004.

Business Start-ups

Dr. Kumar: To ask the Secretary of State for Trade and Industry how many businesses, and of what type, have received assistance in starting-up from government schemes and initiatives in each year from 2001 to 2003 *(a)* in Middlesbrough South and East Cleveland, *(b)* in Teesside and *(c)* nationally. [141862]

Nigel Griffiths: As well as a range of advice and support from consultants, the Business Link Organisation for Tees Valley makes assistance available specifically for start up businesses through its "Start Right in Business" scheme. The statistics in the table show the numbers of start up businesses supported by this scheme in Tees Valley as a whole, and the closest available match to the geographic analysis requested. Data on business type is not readily available.

Period	*Tees Valley*	*Middlesbrough*	*Redcar & Cleveland*
2001	635	178	139
2002	620	114	146
2003[1]	526	154	98

[1] To date

The Small Business Service administers Enterprise Grants (EG) for small and medium sized enterprises, including start-up businesses. These give support to capital investment for manufacturing and service to manufacturing companies. The following table shows the totals for businesses assisted. A number are known to be start ups thought specific information on all start up businesses and their business sector is not readily available.

Period	*Tees Valley*	*Middlesbrough South and East Cleveland*
2001	25	1
2002	21	1
2003[1]	15	2

[1] To date

More than 480 EG offers have been made in the North East from 1 January 2000 to date, while nationwide 1,908 EG offers have been made between 1 April 2000 and 30 September 2003.

Companies (Audit, Investigations and Community Enterprise) Bill

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what estimate she has made of the cost to UK businesses in each of the next five years of the measures to be implemented by the forthcoming Companies (Audit, Investigations and Community Enterprise) Bill. [142138]

Jacqui Smith: I refer the hon. Member to the Regulatory Impact Assessments for the Bill which have been placed in the Libraries of the House. I expect the cost to business to be minimal and the benefits to be significant.

Electricity Supplies

Mr. Jenkins: To ask the Secretary of State for Trade and Industry how many times in the last five years electricity supplies have been cut to more than 1,000 homes owing to severe winter weather. [141853]

Mr. Timms: The statistics are as follows:

	Incidents
1998–99	19
1999–2000	7
2000–01	14
2001–02	19
2002–03	9

Energy Supply

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much the pilot scheme developed by the Energy Services Working Group to scrap switching rules for energy supply is estimated to cost in each of the next five years. [142143]

Mr. Timms: There are no costs to the Government, apart from the administrative costs relating to evaluation of the pilots. The trial relaxation of the 28-day rule for energy service contracts enables energy companies, if they wish, to market energy service packages to their customers as an alternative to a supply contract only. We expect this to be profitable for companies to do, while, at the same time, consumers will benefit from reduced energy bills as a result of the energy efficiency investments that companies make in their homes.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what estimate she has made of the effect on energy efficiency of the pilot scheme developed by the Energy Services Working Group to scrap switching rules for energy supply in each of the next five years. [142144]

Mr. Timms: The Government expect that energy services contracts will deliver a reduction of at least 10–15 per cent. in energy use in households that sign up to them. The actual reduction in a household will depend on the energy efficiency measures that are carried out as part of an energy services contract. In a typical 1960–70s semi-detached house heated by gas, an insulation package consisting of cavity wall insulation, topping up the loft insulation and improved insulation on the water tank could save over £130 per annum compared to previous running costs.

As part of the trial relaxation of the 28-day rule, energy companies will be able to offer energy service contracts to up to 4 per cent. of their customers or 50,000 customers whichever is the larger. In total, nationally, up to one million households could benefit.

Enterprise Green Paper

Brian Cotter: To ask the Secretary of State for Trade and Industry what response her Department has made to the European Commission's Green Paper on enterprise. [142493]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry wrote to Commissioner Liikanen on 30 June 2003 attaching the UK Government's response to the European Commission's Green Paper on entrepreneurship.

The full text of the UK and other responses is on the European Commission's website http://europa.eu.int/comm/enterprise/entrepreneurship/green paper/contributions organisations.htm.

Export Control Licences

Ann Clwyd: To ask the Secretary of State for Trade and Industry what export licence applications have been refused on the basis of Criterion 8 of the Consolidated Criteria since 2000. [140726]

Nigel Griffiths *[holding answer 3 December 2003]:* Reasons for refusal of licences are given in summary form in the Strategic Export Controls Annual Report. In the period in question, one licence has been refused partly on the basis of Criterion 8.

Export Licences

Mr. Cousins: To ask the Secretary of State for Trade and Industry how many export licences, and of what value, were approved for the export of main portable air defence systems to governments and others in each year since 1997; and how many such licences were not approved. [141199]

Nigel Griffiths: MAN Portable Air Defence Systems (MANPADS) are rated under both category ML4a and category ML4b. Of course there is other equipment also rated under these categories. To carry out a search of how many licences were approved and refused for export since 1997 would require a search first by category, bringing up in all probability thousands of goods lines, followed by a search, both of computer records and a manual search, of each of those goods lines, to determine whether the goods listed under the relevant category contained any equipment for MANPADS.

Manufacturing

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what recent discussions she has had with representatives of manufacturing industry on levels of manufacturing investment. [140948]

Ms Hewitt: My colleagues and I meet frequently with representatives of manufacturing industry to discuss a wide range of issues, including levels of manufacturing investment.

In addition we receive regular reports from key industry representatives, such as the CBI and the Engineering Employers Federation, on manufacturing performance including investment trends.

Mobile Telephones

Mr. Allen: To ask the Secretary of State for Trade and Industry if she will introduce regulations requiring the providers of mobile telephone-related services to obtain documentary proof of purchase, ownership and identity from clients before taking the item into their temporary possession. [141871]

Mr. Timms: The Government have no plans to do so.

Mr. Allen: To ask the Secretary of State for Trade and Industry if she will introduce regulations for the purchase of second-hand mobile telephones placing the onus upon the buyer to obtain documentary proof of purchase, ownership and identity from the seller. [141872]

Mr. Timms: The Government have no plans to do so. Measures already taken by the Mobile Network Operators mean that stolen phones can be blocked. When blocked, they have no resale value. Together with my hon. Friend the Minister of State for crime reduction, policing and community safety, I am in regular discussion with the Mobile Industry Crime Action Forum—which brings together mobile phone networks, manufacturers and retailers—on reducing mobile phone crime.

Motor Industry

Mr. Bellingham: To ask the Secretary of State for Trade and Industry which companies manufacturing cars in the United Kingdom have received *(a)* offers and *(b)* indicative offers of regional selective assistance since 1 May 1997. [142119]

Jacqui Smith: In England, the following companies have received offers:

BMW Hams Hall Motoren GMBH
Ford Motor Co Ltd
Jaguar Cars Ltd
Jensen Motors Ltd
MG Rover Group Ltd
Nissan Motor Manuf (UK) Ltd
Peugeot Motor Co Ltd
Toyota Motor Manuf (UK) Ltd[1]
Vauxhall Motors Ltd

[1] Offer accepted but project did not proceed.

Offers of RSA in Scotland and Wales and of Selective Financial Assistance in Northern Ireland are the responsibility of their respective administrations.

Our database does not contain records of indicative offers since these are not legally binding documents.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what the deficit or surplus has been for the UK's trade in motor cars in each of the past six years; and if she will make a statement. [142125]

Jacqui Smith: The information requested is as follows:

Overseas trade in new cars (including trade in chassis)

£ million

	Exports	*Imports*	*Balance*
1997	8,688	13,455	-4,767
1998	8,513	13,898	-5,385
1999	9,515	14,756	-5,241
2000	9,156	13,710	-4,554
2001	7,981	16,784	-8,803
2002	10,347	17,903	-7,556

Source:

Overseas Trade Statistics (HM Customs & Excise)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry by how much the United Kingdom motor industry's gross value added has changed since 1997; and if she will make a statement. [142126]

Jacqui Smith: Relevant information available is as follows:

Motor Vehicle Industry: Approximate gross value added at basic prices £ million

Standard Industrial Classification (1992) category	*1997*	*1998*	*1999*	*2000*	*2001*	*Percentage change 1997–2001*
34.1 Manufacture of motor vehicles	5,913	5,438	4,454	3,372	4,407	-25
34.2 Manufacture of bodies (coachwork) for motor vehicles; manufacture of trailers and semi-trailers	814	799	779	716	746	-8
34.3 Manufacture of parts and accessories for motor vehicles and their engines	3,066	3,368	3,057	3,075	3,132	+2
25.1 1 Manufacture of rubber tyres and tubes	625	723	620	497	519	-17
31.61 Manufacture of electrical equipment for engines and vehicles not elsewhere classified	393	366	445	429	312	-21
Total Motor vehicles and components	10,811	10,695	9,355	8,089	9,115	-16

Source:

Annual Business Inquiry (National Statistics)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on efficiency in the UK motor industry in terms of vehicles per employee per year; and what plans her Department has to improve this. [142128]

Jacqui Smith: In recent years there has been a steady improvement in efficiency in the UK motor industry in terms of vehicles per employee per year, and it is noted that Nissan's Sunderland plant is the most efficient car plant in Europe by this measure.

The Department is working closely with the industry on a number of initiatives to improve productivity, including implementation of the recommendations of the Automotive Innovation and Growth Team, to which the Government have committed £45 million. These recommendations, including Supply Chain Groups, the Automotive Academy and Centres of Excellence, will allow the dissemination of best practice, knowledge transfer and improved skills throughout the sector.

Post Office Closures

Mr. Gordon Marsden: To ask the Secretary of State for Trade and Industry on how many occasions the Post Office has decided not to close a sub-post office in an urban area following consultation in each of the last three years. [141550]

Mr. Timms *[holding answer 3 December 2003]:* Decisions on post office closure proposals under the urban reinvention programme following public consultation are an operational matter for Post Office Ltd. and I have asked the Chief Executive to reply direct to my hon. Friend.

Projects (Funding)

Mr. Woodward: To ask the Secretary of State for Trade and Industry (1) which projects have been *(a)* wholly and *(b)* partly funded by her Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was; [141273]

(2) how much money the Government has allocated in business support to St. Helens in each year since 1992. [141304]

Jacqui Smith: Project support information is given in the table.

Project support information

Project Name	*Financial Year Started*	*Government Grant (£)*	*Other Funding (£)*	*Source of Other Funding*	*Target Group*	*Outcomes*
RSA[1]	2002–03	[2]1.54	[2]12.28	Target businesses[3]	Business applicants[4]	305 jobs created/safeguarded
St. Helens City Growth Strategy	2001–02	375,000	—	—	Borough of St. Helens	Strategy and implementation plan to provide sustainable business base in St. Helens
Enterprising St. Helens	2001–02	471,000	307,000	ESF[5]	Disadvantaged communities in St Helens	Support for business startups in target areas
RSA[1]	2001–02	600,000	[2]4.7	—[3]	—[4]	112 jobs created/safeguarded
RSA[1]	2000–01	500,000	[2]3.41	—[3]	—[4]	137 jobs created/safeguarded
RSA[1]	1999–2000	[2]1.68	[2]10.42	—[3]	—[4]	415 jobs created/safeguarded
RSA[1]	1998–99	[2]2.28	[2]18.6	—[3]	—[4]	895 jobs created/safeguarded
RSA[1]	1997–98	[2]3.43	[2]33.27	—[3]	—[4]	839 jobs created/safeguarded

[1] Regional Selective Assistance

[2] Million

[3] Target businesses

[4] Business applicants

[5] European Social Fund

In addition to the support shown in the table, there have been a total of eight offers of R&D/Smart grant support for innovative business projects in the St. Helens area, with a total value of £509,000 since 1997.

Allocations to the Small Business Service, which provides business support across the country, are not broken down by constituency. Since its inception, the Small Business Service in the North West has received allocations as follows.

£ million

Financial Year	*Allocation*
2001–02	17.97
2002–03	18.06
2003–04	17.87

Small Businesses

Brian Cotter: To ask the Secretary of State for Trade and Industry if she will place in the Library copies of the small business action plans submitted to her Department by each of the Government departments as part of their regulatory reform action plans. [142471]

Nigel Griffiths: Yes. Copies will be placed in the Libraries of the House when it is published early in 2004.

Brian Cotter: To ask the Secretary of State for Trade and Industry how many public consultations have been conducted by the Small Business Service since its inception; and if she will make a statement on *(a)* the response rate and *(b)* the availability and publication of results in each case. [141609]

Nigel Griffiths: The Small Business Service (SBS) has conducted numerous public consultations—formal and informal—since its launch in April 2000. Some have been online consultations, some have been conducted by post, and others have taken the form of public meetings or workshops.

Three major consultations have been conducted in 2003.

> *Bridging the Finance Gap*. Consultation on improving access to growth capital for small businesses was launched by the Small Business Service and HM Treasury in April 2003. Public consultation meetings took place in all the English regions and 153 written responses were received by the closing date of August 2003. The Government plans to publish its response shortly. It will be available in hard copy form from DTI publications and on www.sbs.gov.uk.
>
> *The Strategic Framework for Women's Enterprise*. The SBS consulted on a draft version of the strategic framework between February and April 2003. Responses were received from nearly 100 individuals and organisations and informed the final version of the strategic framework which was published in May 2003. Copies are available from DTI publications and from www.sbs.gov.uk.
>
> *Graduate Council for Entrepreneurship*. The SBS and the Department for Education and Skills consulted about how to establish the Graduate Council announced by my right hon. Friend, the Chancellor of the Exchequer in Budget 2003. Consultation took place between July and September 2003 with organisations with a direct interest. More than 50 responses were received. The results were presented to respondents at a workshop held in November. The results are available electronically on request from the SBS.

The Small Business Council—an advisory Non-Departmental Public Body sponsored by the SBS which advises government on small business issues—has undertaken 37 town hall meetings since its launch in May 2000, nine in 2003. Reports of the 2001 and 2002 meetings are available on www.smallbusinesscouncil.org.

Brian Cotter: To ask the Secretary of State for Trade and Industry whether her Department has used the small firms database supplied by the Small Business Service for use with the Small Firms' Impact Test since its introduction. [142473]

Nigel Griffiths: Yes, on 12 occasions.

Software Patents

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry what plans she has to introduce software patents; and if she will make a statement. [141954]

Ms Hewitt *[holding answer 4 December 2003]*: Patents have been granted for some forms of software in the UK and elsewhere for many years. My Department has continued to support proposals to clarify the law on the patentability of software-related inventions across Europe. We will continue to work towards that objective, but we have no plans to extend patent protection to cover all software.

Solicitors (Coalmining Health Claims)

Mr. Clapham: To ask the Secretary of State for Trade and Industry if she will lodge a complaint with the Office for the Supervision of Solicitors about double charging by solicitors for handling coalmining health claims. [140938]

Nigel Griffiths *[holding answer 4 December 2003]*: We have previously referred some cases of concern on other issues to the Office for the Supervision of Solicitors. Unfortunately the OSS will only accept complaints from a claimant regarding the solicitor they have specifically instructed.

I have received an assurance from the Law Society that they will investigate all cases about solicitors' charging as a matter of urgency. I have received the agreement of the OSS to operate a dedicated phone line for MPs (01926 822173) who wish to discuss constituents complaints.

Any claimant wishing to make a complaint regarding the conduct of their solicitor should address this to the Office for the Supervision of Solicitors, Victoria Court, 8 Dormer Place, Leamington Spa, Warwickshire CV32 5AE or telephone the OSS helpline on 0845 608 6565.

Mr. Clapham: To ask the Secretary of State for Trade and Industry if she will obtain an opinion from the Solicitor-General on the legality of the practice of some solicitors double charging for handling coalmining health claims. [140939]

Nigel Griffiths *[holding answer 4 December 2003]*: The Department keeps under review the need for legal advice, including whether or not to seek the advice of the Law Officers.

As my hon. Friend is aware, by long-standing convention and under Exemption 4d—information covered by legal professional privilege, of the Code of Practice on Access to Government Information neither the fact of nor the substance of Law Officers advice is disclosed outside Government.

Mr. Clapham: To ask the Secretary of State for Trade and Industry if she will issue advertisements informing former miners and their families that solicitors handling coalmining health claims receive payment from her Department in accordance with a fee structure agreed by solicitors representing both sides. [140940]

Nigel Griffiths *[holding answer 4 December 2003]*: Yes.

The Department has issued two advertisements in the national and regional press about the lung disease cut-off date. These informed claimants that there should be no need for solicitors or other claims handling organisations to charge a fee or deduct any compensation from them and if any claims handling organisations suggests otherwise they should seek advice elsewhere.

A further advertisement to include this information will be issued in mid December. This advice has also been highlighted in newsletters on the schemes, which are issued regularly, and in update letters to MPs. All coalfield MPs received a note from the claimants' solicitors group on charging issues.

Steel Tariffs (USA)

Dr. Kumar: To ask the Secretary of State for Trade and Industry what recent representations she has received from trade unions regarding the future of employment in the steel industry in the light of the United States imposition of tariffs on steel imports. [141870]

Jacqui Smith: My right hon. Friend the Secretary of State for Trade and Industry and DTI Ministerial colleagues have met with representatives of the relevant steel trade unions on a number of occasions to discuss a range of issues affecting the UK steel industry, including the US Section 201 tariffs on steel imports. It would be difficult to calculate in a meaningful way what impact these measures would have on future employment in isolation from other factors. However we have been working hard to get these tariffs lifted, and as a result the US Administration announced on 4 December that it had decided to implement the recent WTO Appellate Body ruling by removing the steel safeguards. This is good news for the UK steel industry and everyone who works in it.

Wind Power

Norman Baker: To ask the Secretary of State for Trade and Industry if she will specify the criteria set by Government which proposers of offshore wind farms need to satisfy to secure approval for development. [142344]

Mr. Timms: The process for obtaining approval for the development of an offshore wind farm falls into two main stages.

First developers need to obtain a site lease from the Crown Estate. In July 2003, the Crown Estate invited bids for seabed leases for offshore wind in three strategic areas; Thames Estuary, Greater Wash and the North West. The criteria being used to assess bids include the financial standing and experience of the applicant, environmental aspects of the proposed site location and the impact on other marine users, and the coherence of the business development plan.

Second developers must obtain statutory consents including the Electricity Act 1989 (Section 36) and Coast Protection Act 1949 (Section 34) or the Transport and Works Act 1992. In both cases, a licence under Section 5 of the Food and Environment Protection Act (FEPA) 1985 is needed. Developers are required to submit environmental impact assessments to support their applications, which are considered on a case by case basis.

In assessing whether consent will be granted, departments will take into account the benefits the project will bring in meeting the Government's renewable energy and environmental targets, as well as the impact of the development on the environment, and the other users of the sea, including the fishing and navigation interests.

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry (1) what estimate she has made of the proportion of total UK power that will be generated by wind in each of the next 10 years; [140953]

(2) what estimate she has made of the quantity of wind power that will be generated in the UK in each of the next 10 years. [140954]

Ms Hewitt: DTI does not publish forecasts of the amount of proportion that any particular renewable energy source will contribute towards our electricity supplies in the years ahead.

CULTURE, MEDIA AND SPORT

Licensing Act

Mr. Mark Field: To ask the Secretary of State for Culture, Media and Sport if she will meet representatives of the licensed trade to discuss fee rates following Royal Assent of the Licensing Act 2003. [141792]

Mr. Caborn: My right hon. Friend, the Secretary of State, and I have met representatives of the licensed trade on many occasions to discuss fee levels to be prescribed under the provisions of the Licensing Act 2003 and my officials have also been discussing fees with industry representatives since April 2000. We hope to announce shortly the fees that the Secretary of State intends to prescribe under the 2003 Act.

Preventive Health Strategies

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport how much per head of population has been spent by her Department on preventive health strategies in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [140500]

Mr. Caborn: I refer my hon. Friend to the answer given to him by my hon. Friend the Under-secretary of State for Health, Melanie Johnson on 4 December 2003, *Official Report*, column 182W.

Television Licence

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport (1) how much has been spent in each of the last 10 years monitoring and investigating households believed to be avoiding television licence payment; [141736]

(2) what the operating cost was of the TV Licensing Authority in each of the last 10 years; and what estimates have been made of costs in future years. [141737]

Estelle Morris *[holding answer 4 December 2003]*: The BBC, as Licensing Authority, has indicated that the cost of monitoring and investigating households believed to be evading payment of the television licence fee is not recorded separately from other costs relating to the collection of the licence fee. Total licence fee collection costs for each of the years from 1993–94 to 2002–03 were:

£ million

Year	*Cost*
1993–94	89.2
1994–95	91.0
1995–96	95.0
1996–97	96.9
1997–98	109.5
1998–99	133.1
1999–2000	113.9
2000–01	131.9
2001–02	95.4
2002–03	146.4

There are no formal estimates of future collection costs, but the BBC has indicated that it aims to reduce the cost of collection while continuing to reduce the level of evasion.

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport how many people have been successfully prosecuted in *(a)* Scotland and *(b)* the UK for failure to own television licences in each of the last 10 years. [141738]

Estelle Morris: The available information for England, Wales and Scotland relates to all offences under the Wireless Telegraphy Acts of 1949 and 1967, though the great majority of these involve licence fee evasion. Figures for Northern Ireland, provided by TV Licensing, are available only from 1998 onwards and relate specifically to unlicensed use of a television receiver. The number of convictions recorded in the United Kingdom in each of the last five years for which information is available was:

Number of convictions

Year	*Scotland*	*United Kingdom*
1992	13,851	184,136
1993	10,547	179,253
1994	6,822	169,681
1995	6,687	120,482
1996	3,642	170,498
1997	2,893	79,898
1998	1,362	78,804
1999	582	56,929
2000	1,967	108,680
2001	1,345	86,118

Mr. Edward Davey: To ask the Secretary of State for Culture, Media and Sport what the cost of a television licence was in each financial year since 1996–97. [142271]

Estelle Morris: The television licence fees for each year since 1996–97 were as folows.

Year	*Black and white licence fee*	*Colour licence fee*
1996–97	30.00	89.50
1997–98	30.50	91.50
1998–99	32.50	97.50
1999–2000	33.50	101.00
2000–01	34.50	104.00
2001–02	36.50	109.00
2002–03	37.50	112.00
2003–04	38.50	116.00

Television Reception

Gregory Barker: To ask the Secretary of State for Culture, Media and Sport what estimate she has made of the proportion of the population of East Sussex who are unable to receive BBC Freeview services. [140963]

Estelle Morris: We understand from the BBC that according to figures calculated in March this year, 76.6 per cent. of East Sussex households are currently unable to receive BBC Freeview services, although this figure does not include Brighton or Hove. Further details are available from the BBC's Freeview website at www.freeview.co.uk.

NORTHERN IRELAND

Strangford Lough (Mussels)

Mrs. Spelman: To ask the Secretary of State for Northern Ireland when the Environment and Heritage Service report, The Status of Strangford Lough Modiolus Communities will be published. [142023]

Angela Smith: This report is an interim report by Queen's University of Belfast (QUB) under contract to the Environment and Heritage Service (EHS) of the Department of the Environment.

It is part of a wider investigation into the ecological status of Strangford Lough. The report will set out the results of a diving survey of Strangford Lough undertaken in summer 2003.

The report is not yet finalised but it is expected to be published shortly on the EHS internet site (http://www.ehsni.gov.uk/pubs/pubs.shtml). A copy will be placed in the Library.

Animal Transport

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many horses and ponies have been exported from Northern Ireland in each of the last five years to *(a)* Great Britain and *(b)* other European destinations. [141614]

Mr. Pearson: Statistics on the export of horses and ponies to Great Britain are not collected as these animals move freely without any form of certification being required. The European Commission contracts a private company, Eurokom, to collect information on movements of live animals between Member States. They have supplied the following figures for the export of horses from Northern Ireland to European countries other than France and the Republic of Ireland.

Year	*Number*
1998	4
1999	13
2000	5
2001	112
2002	14
2003	44

Under a tripartite agreement between the UK, Ireland and France no health certification is normally required for movements of horses between these three countries and hence these figures do not include animals which were destined for Ireland and France.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to implement new EU rules on animal transport; and if he will make a statement on the protection of the welfare of horses, ponies and other animals during transportation and related operations from Northern Ireland to *(a)* Great Britain and *(b)* other European destinations. [141615]

Mr. Pearson: The Government welcome the publication of the Commission's proposals for new rules on the welfare of animals during transport, but would stress that these proposals are still at the negotiating stage. Whatever rules are adopted will be implemented in Northern Ireland in parallel with implementation in GB.

For journeys of less than 50 Kilometres within Northern Ireland no certification is necessary. For a journey over 50 Kilometres but under eight hours duration (whether or not involving export from Northern Ireland), horses, ponies and other animals must have a self-certified Animal Transport Certificate, which is issued by the Department of Agriculture and Rural Development under the Welfare of Animals Transport Order. No advance notification of such journeys is required. However, the haulier must be in a position to produce the required documentation on demand.

For journeys over eight hours, transporters must submit a Route Plan in advance of any journey, setting out details of the proposed journey, rest periods etc. Officials check that the haulier is authorised, that the proposed journey times are within the maximum allowable for the species and that all necessary breaks for rest, watering and feeding are included. If assembly centres or staging points are included in the planned journey, staff check that these are EU approved premises. The use of staging points also requires the haulier to provide a statement to the effect that the necessary health requirements will be met there and that the animals are booked into the premises on the dates specified on the Route Plan.

DARD veterinary staff at the ports and airports inspect the animals to ensure that they are fit for their intended journey, that they meet the health requirements of transit and destination countries and that their means of transport and stocking density are compatible with domestic animal welfare legislation and EU requirements.

It is only when DARD is satisfied that all these checks have been satisfactorily completed that the animals would be allowed to start their journey.

Benefit Fraud

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action is being taken to tackle benefit fraud; and if he will make a statement. [141850]

Mr. Spellar: The Government are totally committed to a robust approach to tackling fraud and abuse of the social security system wherever it occurs.

The Social Security Agency has a comprehensive and rigorous strategy for combating benefit fraud designed to ensure that:

claims entering the system are legitimate;

once in the system claims are maintained properly; and

where fraud and error do enter the system they are detected and appropriate action is taken.

From April to October 2003, 5,267 cases of suspected fraud were investigated, of which 2,208 resulted in withdrawal of claims or changes in the rate of benefit paid and 293 were referred for prosecution. In the same period 147 cases were heard in court and 111 convictions obtained.

Breast Cancer

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he has taken to issue clear advice on the risk of breast cancer from hormone replacement therapy; and if he will make a statement. [142699]

Angela Smith: Three Professional letters on the subject of hormone replacement therapy (HRT) have been issued recently by the Department of Health, Social Services and Public Safety to medical, nursing and pharmaceutical health professionals in Northern Ireland. These are:

1. Risks and Benefits of HRT—Results of the US Women's Health Initiative and Implications for Long-term use of Combined HRT, issued 11 July 2002.

2. Hormone Replacement Therapy (HRT) and Breast Cancer—results of the UK Million Women Study, issued 8 August 2003.

3. Further Advice on Safety of HRT: Risk Benefit Unfavourable for First-line use in Prevention of Osteoporosis, issued 4 December 2003.

The latter two letters have been in response to information from Professor Gordon Duff, Chairman of the Committee on Safety of Medicines, and have contained the same information as issued by the Department of Health to health professionals in England.

Civil Service Salaries

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on Northern Ireland Civil Service salaries for 2003–04. [141613]

Mr. Pearson: On 5 November Management Side made an offer worth 3.67 per cent. for the non-industrial Civil Service grades up to Grade 6. Ministers consider this fair and reasonable in the context of prevailing economic conditions. The Northern Ireland Public Service Alliance balloted its members on industrial action and has since announced a one-day strike on 11 December. In order to ensure there is no further delay in payment of the 1 April 2003 pay award, Management has decided to proceed with payment of the offer. Departments and Agencies will endeavour to make payments as soon as possible.

Eating Disorders

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on provision for those with eating disorders in Northern Ireland. [142673]

Angela Smith: My Department carried out a review and consultation exercise on eating disorders services. The results of this were issued in March 2003. The major points are the need to: develop services at all levels; increase emphasis on prevention and early detection; carry out further research/assessment of need; provide significant training for statutory and voluntary sector providers; and provide local inpatient unit and outreach services.

A multi-agency representative Eating Disorders Group has been established to take these recommendations forward and an Action Point has also been included in the Priorities for Action 2003/2004.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what progress has been made in recruiting a consultant psychiatrist with a special interest in eating disorders to replace Dr Clare Adams. [142700]

Angela Smith: A doctor with a special interest in eating disorders is at present undergoing specialist training, which it is expected will be completed by August 2004.

Educational Attainment

David Burnside: To ask the Secretary of State for Northern Ireland what the target date is for lowering the proportion of year 12 pupils with no GCSEs or equivalent; and what target percentage has been set. [142212]

Jane Kennedy: One of the key education targets set out in the Secretary of State's Draft Northern Ireland Priorities and Budget 2004—2007 is, by 2007, to reduce to 6 per cent. (from 10 per cent. in 2002), the percentage of year 12 pupils with no GCSE in the most disadvantaged post-primary schools.

Influenza

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the risk of an outbreak of Fujian flu in Northern Ireland; what steps he is taking to prevent such an outbreak; and if he will make a statement. [142662]

Angela Smith: The Communicable Disease Surveillance Centre (CDSC) (NI) monitors the incidence of infectious diseases here. The CDSC put enhanced surveillance of influenza in place since October 2000. After three relatively quiet years, influenza activity started earlier than usual, with evidence that influenza virus has been circulating in Northern Ireland for a number of weeks. However, GP consultation rates for flu and flu-like illness in NI appear to have peaked for the present time, and are now falling. To date, all isolates of influenza have been identified as influenza A H3 and one isolate has been typed as Fujian strain. It is too early to say if there will be a resurgence of activity later in the season.

As regards steps to prevent an outbreak, I would refer the hon. member to the reply to her question about influenza vaccination on 4 December (*Official Report* column 117W).

Rheumatoid Arthritis

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to formulate a Northern Ireland arthritis strategy; and if he will make a statement. [141846]

Angela Smith: The Department of Health Social Services and Public Safety is currently developing a long-term regional strategy for health and wellbeing which will place a greater emphasis on the need to address chronic conditions such as arthritis, through the provision of multi-disciplinary primary and community-based care. Arthritis Care NI has been invited to nominate a member to serve on a working group which will be preparing the regional strategy.

In the meantime, the Department has made significant additional resources available to reduce waiting times for specialist treatments for arthritis sufferers.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he has taken to increase the number of rheumatologists in Northern Ireland. [141848]

Angela Smith: The Consultant medical workforce, across all hospital-based specialties, including rheumatology, is reviewed annually and the numbers in training are adjusted to meet assessed need, subject to available resources. In 2003, the number of consultants devoted exclusively to rheumatology was increased from seven to eight and the number of specialist trainees in rheumatology was increased from five to seven.

Schools Support Programme

David Burnside: To ask the Secretary of State for Northern Ireland how many schools are active in the Schools Support Programme in the *(a)* primary, *(b)* secondary and *(c)* grammar sector, broken down by school type. [142211]

Jane Kennedy: In the 2003–04 school year 11 controlled primary schools and 10 Catholic maintained primary schools; seven controlled secondary schools and five Catholic maintained secondary schools; and two controlled special school are receiving support under the School Support Programme; no grammar schools or integrated schools are receiving support.

Textile Industry

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland how many jobs were lost in the textile industry in Northern Ireland in the last three years. [142251]

Mr. Pearson: Over the three year period to December 2003, there were 5,014 redundancies in the textile industry in Northern Ireland confirmed to the Department of Enterprise, Trade and Investment. The latest figures from the Quarterly Employment Survey (QES), which can be used to estimate the net change in the employee jobs level overall, show that over the three year period, June 2000 to June 2003, there was a net increase of 27,230 (4.3 per cent.) in all employee jobs giving a total of 667,610 employee jobs.

DEFENCE

Iraq

Dr. Murrison: To ask the Secretary of State for Defence how many UK civilian fire officers have been operating in Iraq in each month since May; and what plans there are for future deployment. [141146]

Mr. Ingram: Ministry of Defence Civilian Fire Service personnel in Iraq have comprised one post at Divisional Officer level, supported by 18 civilian fire fighters of various grades from May to July rising to the current level of 21 civilian fire fighters from August.

The level of support is kept under review in the light of operational circumstances.

Mr. Keetch: To ask the Secretary of State for Defence what steps are being taken by UK authorities to determine the status of internees held by British forces in Iraq; how long the process of determination will take; what the nationality of the internees is; what assessment has been made of the nature of the threat that they present to Coalition forces; what laws they have broken; whether they enjoy all rights under the Geneva conventions; and if he will make a statement. [140658]

Mr. Ingram: Article 78 of the IV Geneva Convention (1949) allows the UK as the Occupying Power to intern people where it considers it necessary for reasons of security. Internees will continue to be held until such time as they are no longer considered a threat to Coalition Forces. A review is conducted at the 10, 28 and 90 day points (and every 90 days thereafter) to determine whether continued internment is necessary. Internees enjoy all their rights under the Geneva Conventions.

As at 1 December, all internees held by the UK Forces in Iraq are of either Iraqi or Sudanese nationality.

Harry Cohen: To ask the Secretary of State for Defence what military intelligence was the basis for the military action in Basra on 5 April which resulted in the killing of 10 members of the Hamoodi family and the destruction of the family home; whether the family were the intended target for this military action; and if he will make a statement. [141098]

Mr. Ingram: I am withholding the information under Exemption 1 of Part II of the Code of Conduct on Access to Government Information.

Mr. Keetch: To ask the Secretary of State for Defence whether the investigations into Iraqi weapons of mass destruction carried out by coalition forces will report to the Government; and whether the reports will be made public. [141658]

Mr. Hoon: Dr. David Kay published his statement on the Interim Progress Report on the Activities of the Iraq Survey Group on 2 October 2003. It can be found at www.cia.gov and copies have been placed in the Library of the House. The classified interim report of the Iraq Survey Group has been received by the Government.

The Iraq Survey Group will take as long as is necessary to complete its investigations into Iraqi weapons of mass destruction programmes and produce a final report. The Government have already made it clear that the findings of the Iraq Survey Group should be publicly available.

Adam Price: To ask the Secretary of State for Defence if he will publish the rules of engagement issued to UK military personnel with reference to their law enforcement duties in Southern Iraq. [141681]

Mr. Ingram: I refer to the hon. Member to the answer I gave on 17 November 2003, *Official Report*, column 500W, to my hon. Friend the Member for Cambridge (Mrs. Campbell).

Mr. Keith Simpson: To ask the Secretary of State for Defence what arrangements have been made for military personnel in Iraq to celebrate Christmas. [141948]

Mr. Ingram *[holding answer 4 December 2003]*: Personnel serving in Iraq over Christmas will have the support they need to celebrate Christmas with traditional festive food and activities. The comprehensive operational welfare package has been enhanced by the grant of an additional free phone card providing 20 minutes of phone calls.

Mr. Keith Simpson: To ask the Secretary of State for Defence what arrangements his Department has made to transport Christmas gifts donated by dependants, charities and individuals to military personnel serving in Iraq. [141949]

Mr. Ingram *[holding answer 4 December 2003]*: The Ministry of Defence has made arrangements for the transport of traditional festive fare to British Forces personnel serving in Iraq.

Family members of UK forces personnel serving in Iraq are entitled to send an unlimited number of parcels up to 2 kg in weight free of charge through the British Forces Post Office (BFPO).

Gifts donated by charities will be transported to theatre if spare capacity is available on planned flights subject to practical considerations concerning the nature of the consignments.

Mr. Keith Simpson: To ask the Secretary of State for Defence how many UK supermarkets are being offered Ministry of Defence transport for their Christmas gifts for military personnel serving in Iraq. [141950]

Mr. Ingram *[holding answer 4 December 2003]*: Christmas gifts donated by commercial organisations, including supermarkets, will be delivered to UK forces in Iraq if spare capacity is available on planned flights and subject to practical considerations concerning the nature of the consignments.

So far, gifts from two donors have been transported in this way. In addition, some other donors have arranged for the commercial transport of their gifts to the Gulf.

Armed Forces Staffing Levels

Mr. Hancock: To ask the Secretary of State for Defence how the findings of the End to End Review will affect staffing levels within the armed forces; whether there will be forced redundancies; and if he will make a statement. [142176]

Mr. Ingram: I announced the completion of the End to End Review in a statement on 10 September 2003. The E2E recommendations must now be trialled, proven and subjected to financial evaluation and formal Trades Union consultation before implementation. The lessons from recent and on-going operations will also be considered.

Arms Trafficking (Waiver Agreement)

Mr. Gerald Howarth: To ask the Secretary of State for Defence what measures have been taken to satisfy the US Administration about the security of information to be provided to UK companies and the British Government under the International Trafficking in Arms Regulations waiver agreement; and when he expects the waiver to come into effect. [141266]

Mr. Hoon: The terms of our proposed agreement with the United States Administration for a United Kingdom waiver from the US International Traffic in Arms Regulations, provide for US export licensing requirements to be waived in respect of certain unclassified defence items and technical data. Technical data received under the waiver, although unclassified, will be subject to US regulations concerning re-transfer and end-use. In order to qualify for the waiver, UK companies will need to sign a contract with the Ministry of Defence that contains provisions covering the handling of US technical data. The US Administration has been involved in the drafting of these contracts. Technical data received by the UK Government under the waiver will be safeguarded under our standard procedures for handling such information.

We hope that the waiver will come into effect next year, subject to Congressional and parliamentary approval, and after the necessary implementing regulations and administrative procedures have been put in place.

Boards of Inquiry

Mr. McNamara: To ask the Secretary of State for Defence what steps he has taken to ensure that the recommendations made by a board of inquiry become general knowledge and are acted upon throughout HM Armed Services. [142116]

Mr. Ingram: The purpose of a Board of Inquiry is to investigate the facts of an incident in order to prevent recurrence. Boards of Inquiry records are submitted to the convening authority Headquarters, who determine the measures required to prevent further similar occurrences. These are then sent to Command and Service Headquarters who ensure these are implemented and communicated to the wider Services community as necessary.

Mr. McNamara: To ask the Secretary of State for Defence in what form the reports, findings and recommendations of boards of inquiry are made available for military and legal researchers; and for how many years these reports are stored. [142117]

Mr. Ingram: Board of Inquiry reports are internal Ministry of Defence documents containing personal and confidential information. They are not normally released for external research purposes.

Reports are retained for at least 50 years.

Mr. McNamara: To ask the Secretary of State for Defence what the result was of the investigation into the circumstances of the death in 1997 of Private Ross Collins of Nanstallon near Bodmin in Cornwall; at what time the police were called; what steps were taken to secure evidence at the scene of death; what the conclusions were of their inquiry; what the nature was of the post mortem examination; by whom it was carried out; what the findings were; at what time the relatives of the deceased were informed; what the conclusion was of the Coroner's Inquest; when a board of inquiry was established; when it reported; and what measures were taken as a result of its findings. [142118]

Mr. Ingram: Primacy for the investigation into a sudden death lies with the appropriate civil police authority. The Coroner returned an open verdict. A Board of Inquiry was not convened in accordance with the normal practice at the time.

Civil Servants

Mr. Keetch: To ask the Secretary of State for Defence how many civil servants were employed by his Department in each year since 1997; and if he will make a statement. [141659]

Mr. Caplin: I refer the hon. Member to the information given in UK Defence Statistics 2003, table 2.27, a copy of which is available in the Library of the House.

Counter-Insurgency

Mr. Rosindell: To ask the Secretary of State for Defence (1) what assistance and expertise is being given by the UK to foreign governments and agencies in counter-insurgency techniques; [142278]

(2) what assistance and expertise is being sought by the UK from foreign governments and agencies in counter-insurgency techniques. [142279]

Mr. Ingram: Counter insurgency training covers numerous and diverse aspects of military training, both doctrinal and practical. The MOD continues to engage with a number of other Governments on a range of such matters.

Specific details are being withheld under Exemption 1 of the Code of Practice on Access to Government Information, which covers information which, if disclosed, would be harmful to national security, defence or international relations.

Defence Contracts

Mr. Keetch: To ask the Secretary of State for Defence how many contracts valued at £1 million or more were let by his Department during the financial year 2002–03 without competition; and if he will make a statement. [141842]

Mr. Ingram: During the financial year 2002–03 the Ministry of Defence placed a total of 314 non-competitive contracts valued at £1 million or more. This total represents around 30 per cent. of the number of contracts placed in FY 2002–03 within this value band and reflects the MOD's continued commitment to competition as a means of securing value for money.

Defence Employment (Scotland)

Angus Robertson: To ask the Secretary of State for Defence how many MOD *(a)* civilian and *(b)* service jobs there were at each (i) Navy, (ii) Army, (iii) Royal Air Force and (iv) Reserves defence installation in Scotland for the year ended 1 April; and if he will make a statement. [142031]

Mr. Caplin: Reliable data are not available for civilians at individual defence installations. There were 6,510 civilian staff employed in Scotland as at 1 April

2003 (rounded to the nearest 10). This figure is for full-time equivalent, permanent, industrial and non-industrial staff, excluding Trading Funds, Royal Fleet Auxiliaries and those on career breaks, long term sick leave, secondments etc.

Information on service personnel by establishment is not held centrally. The numbers of service personnel in Scotland, by local authority area, as at 1 July 2002 are given as follows.

	All services	*Naval Service*	*Army*	*RAF*
Scotland	13,870	4,890	3,040	5,950
City of Aberdeen	10	[1]—	10	[1]—
Aberdeenshire	340	0	0	340
Angus	790	700	90	[1]—
Argyll and Bute	3,930	3,930	0	[1]—
City of Dundee	50	10	40	[1]—
City of Edinburgh	1,420	0	1,400	20
Falkirk	[1]—	0	[1]—	0
Fife	1,380	130	30	1,220
City of Glasgow	860	20	830	10
Highland	530	[1]—	520	10
Inverclyde	10	10	0	0
Midlothian	70	0	70	0
Moray	4,280	0	[1]—	4,280
North Ayrshire	[1]—	0	[1]—	[1]—
Perthshire and Kinross	20	0	20	0
Renfrewshire	10	0	[1]—	[1]—
Shetland Islands	30	0	0	30
South Ayrshire	90	90	[1]—	0
Stirling	10	0	10	0
West Lothian	[1]—	0	[1]—	0
Cornhaire nan Eilean Siar	20	0	10	20

[1] Denotes less than five.

Notes:

1. Data are obtained from TSP 10, which contains figures for UK Regular Forces, both trained and untrained, located in the UK. They therefore exclude Gurkhas, Full Time Reserve Service personnel, the Home Service battalions of the Royal Irish Regiment and mobilised reservists.

2. Naval Service personnel on sea service are included against the local authority containing the homeport of their ship.

Defence Logistics Organisation

Mr. Keetch: To ask the Secretary of State for Defence if he will make a statement on the future role and structure of the Defence Logistics Organisation. [141661]

Mr. Ingram: The role of the Defence Logistics Organisation remains:

> 'To decide, provide for, and deliver effective and integrated logistic support and information services to the front line and across the Department at best value for Defence.'

The DLO Strategic Plan, published November 2002, provides further background, a copy of which can be found in the House of Commons Library.

The DLO is currently reviewing its structure to ensure that it provides the most effective and efficient way of delivering to its customers. The outcomes of the review will be considered early next year.

Departmental Land

Mr. Rosindell: To ask the Secretary of State for Defence what the total area of land owned by his Department within the UK is. [142287]

Mr. Caplin: Freehold Land and Foreshore holdings is 220,000 hectares.

Mr. Rosindell: To ask the Secretary of State for Defence what plans he has to sell land within the UK owned by his Department. [142288]

Mr. Caplin: The sites on which the Ministry of Defence operates within the United Kingdom are subject to regular review. The aim is to ensure that operational activities are conducted from the best locations commensurate with the primacy of operational effectiveness. The consideration of other key factors affecting our use of the estate includes the full range of sustainability issues, local planning regulations and the cost to the taxpayer of continuing occupation of a site.

Any site declared surplus to our operational requirements is prepared for disposal in accordance with developed policy. MOD has agreed with the Treasury to generate income of £500 million from the disposal of surplus land and property between 2003–04 and 2005–06. .

Irish Regiments

Mr. McNamara: To ask the Secretary of State for Defence how many Irish citizens have joined *(a)* the Royal Irish Regiment and *(b)* the Irish Guards in each of the last five years for which figures are available. [141844]

Mr. Ingram: The total number of Irish citizens who have joined the Irish Guards in each of the last five years is less than five; the total is less than 10. The total number of Irish citizens who have joined the Royal Irish Regiment in the last five years is 30, with fewer than 10 in each of the last five financial years. All numbers are rounded to the nearest five.

The totals are Irish citizens joining the above named Army units as trained and untrained officers and other ranks in financial years 1998–2003. The nationality is that of nationality at time of recruitment and not necessarily at birth.

Northern Ireland

Mr. Barnes: To ask the Secretary of State for Defence how many members of the armed forces have served in Northern Ireland. [142737]

Mr. Ingram: I refer my hon. Friend to the answer I gave on 20 October 2003, *Official Report*, columns 374–75W, to my hon. Friend the Member for Hull, North (Mr. McNamara).

Nuclear Non-Proliferation Treaty

Lynne Jones: To ask the Secretary of State for Defence if he will support an extension of the Non-Proliferation Treaty to include all weapons which present any significant radiological risk. [142317]

Mr. Ingram: The scope of the Non-Proliferation Treaty (NPT) is clearly restricted to nuclear weapons or other nuclear explosive devices. However, the UK raised the issue of the possible malevolent use of high-level radioactive sources by terrorists in its Statement to the Second Session of the Preparatory Committee for the NPT 2005 Review Conference on 6 May 2003. As we indicated in that Statement, we supported the work of the IAEA in concluding its Code of Conduct on the Safety and Security of Radioactive Sources which was adopted in September this year, and we encourage the IAEA in its more security-focused work relating to radioactive sources. We welcomed the findings of the international conference on the Security of Radioactive Sources held in Vienna in March 2003. We support both the G8 Statement and its Action Plan on securing radioactive sources agreed at the Evian Summit earlier this year.

Lynne Jones: To ask the Secretary of State for Defence what discussions he has had with his US counterparts regarding the 2005 Non-Proliferation Treaty review. [142318]

Mr. Hoon: I have had no discussions with my US counterparts about the 2005 Nuclear Non-Proliferation Treaty (NPT) Review Conference. UK officials are in contact with US officials on issues relating to the NPT and the 2005 Review Conference.

Road Traffic Accidents

Mr. McNamara: To ask the Secretary of State for Defence how many deaths of service personnel were due to road traffic accidents in each year since 1990; and how many and what proportion of deaths occurred *(a)* as part of a combat mission, *(b)* on military exercises, *(c)* inside barracks or military premises and *(d)* in civilian vehicles. [141800]

Mr. Ingram: Between 1990 and 2002 there were 807 road traffic accident (RTA) deaths among United Kingdom regular Service personnel (both trained and untrained), details of which by year are given in the following table. Of these, the NATO Standard Agreement (STANAG) (2050) coding system used to record injury-related deaths describes six (0.7 per cent.) as having occurred as Battle Casualties, 13 (1.6 per cent.) as having occurred during exercises, and the remaining 788 (97.6 per cent.) as accidental injuries. Information on the civilian ownership of vehicles is not specifically recorded, although 85 (10.6 per cent.) of the RTA deaths described were recorded as having occurred in military-owned vehicles. Information on the number of accidents which occurred inside barracks or on military premises is not held centrally and could be provided only at disproportionate cost.

Deaths of Regular Service personnel resulting from Road Traffic Accidents: 1990–2002

Year	*Number*
1990	100
1991	91
1992	80
1993	75
1994	58
1995	52
1996	42
1997	51
1998	61
1999	42
2000	45
2001	48
2002	62
Total	807

Service Personnel

Mr. Soames: To ask the Secretary of State for Defence how many British service personnel are deployed or stationed in *(a)* Germany, *(b)* Northern Ireland, *(c)* Bosnia, *(d)* Kosovo, *(e)* Cyprus, *(f)* Sierra Leone, *(g)* Afghanistan, *(h)* the Gulf region, *(i)* Turkey, *(j)* Gibraltar, *(k)* Belize, *(l)* Kenya, *(m)* Brunei, *(n)* Canada, *(o)* the Falklands and *(p)* Macedonia. [140682]

Mr. Ingram: As at the end of November 2003, the approximate number of British service personnel deployed or stationed in the locations specified are shown as follows:

	Number
Germany	15,200
Northern Ireland	13,800
Bosnia	1,200
Kosovo	340
Cyprus	3,900
Sierra Leone	120
Afghanistan	330
The Gulf region	9,200
Turkey	20
Gibraltar	410
Belize	30
Kenya	70
Brunei	1,100
Canada	270
The Falklands	1,200
Macedonia	20

Sergeant Steven Roberts

Mr. Tyler: To ask the Secretary of State for Defence when he expects to be able to make available to his family the report of the investigation into the death of Sergeant Steven Roberts in Iraq on 24 March; and if he will make a statement. [142035]

Mr. Ingram: It is not yet clear when the Royal Military Police Special Investigation Branch (SIB) investigation will conclude: some evidence has yet to be collected and some witnesses have still to be interviewed. A briefing will be offered to Sergeant Roberts' widow as soon as is practicable once the SIB's findings are known.

Timber

Mr. Gardiner: To ask the Secretary of State for Defence by what means the policy for purchasing timber and timber products of *(a)* his Department and *(b)* each of its agencies ensures that they are obtained from legal and sustainable sources. [141345]

Mr. Caplin: The Ministry of Defence has addressed issues about timber through the introduction of a Defence Contract Condition (DEFCON Number 691) in August 2002. This Contract Condition has three main aims: to inform contractors of the Government policy to procure timber and products containing wood from legal and sustainable sources; to introduce a contractual obligation to comply with that policy; and to ensure collection of data. The Contract Condition is used in appropriate contracts by the Department and is available for use by MOD agencies.

UK/Netherlands Amphibious Capability

Mr. Rosindell: To ask the Secretary of State for Defence (1) what costs he estimates will be incurred by the proposed development of a joint NATO and European amphibious capability; [142284]

(2) how the chain of command within the UK/Netherlands amphibious capability will be adapted if this develops into a joint NATO and European amphibious capability. [142283]

Mr. Hoon: There is no proposal to develop a joint NATO and European amphibious capability, hence no additional costs are anticipated. Under the five-nation European Amphibious Initiative the amphibious forces of United Kingdom, Netherlands, France, Spain and Italy work together on interoperability and doctrine, and co-ordinate training (which may be with NATO). National amphibious forces are used for NATO or EU crisis management operations only on the decision of the nations concerned. In the case of the UK/Netherlands Amphibious Force, the agreement of both countries is required. There are no plans for this to change.

Foreign Warships

Mr. Rosindell: To ask the Secretary of State for Defence what steps are being taken to ensure that non-British naval ships docked within United Kingdom waters are not *(a)* posing environmental problems and *(b)* a target for potential terrorist activities. [142281]

Mr. Ingram: Foreign warships visiting ports within the UK have to comply fully with the relevant environmental legislation, including EC directives, which are no different for visiting Royal Navy vessels. Comprehensive arrangements are put in place for the routine disposal of all forms of waste and for rapid response to any leak or spill. Foreign nuclear-powered warships are required to produce assurances concerning reactor safety, aspects of design, crew training and operating procedures, and that they will meet their environmental responsibilities.

Force protection for visiting warships is provided by a combination of on-board and external security measures, the former being the responsibility of the visiting nation while the latter rests with the UK as host. Where the visit takes place outside a Naval Base, the external security measures fall under the responsibility of the relevant Police Authority. For visits to HM Naval Bases, the Naval Base Commander has overall responsibility for security arrangements, which are kept under constant review. In each case, a security assessment is undertaken in close consultation with the visiting nation to identify which measures need to be put in place commensurate with any perceived threat. These measures can vary considerably depending on the nature of the visit and the threat assessment at any given time.

EDUCATION AND SKILLS

Children in Care

Mr. George Osborne: To ask the Secretary of State for Education and Skills how many children are in local authority care. [141837]

Margaret Hodge: The figures available provide a snapshot at March 31 2003. At 31 March 2003 there were 60,800 children looked after by local authorities in England.

Benchmarking Website

Mr. Willis: To ask the Secretary of State for Education and Skills what the cost is of *(a)* establishing and *(b)* maintaining the recently launched benchmarking website; and if he will make a statement. [141787]

Mr. Miliband: The new benchmarking site was a joint development between the DfES, Ofsted and the Audit Commission building on the already successful Audit Commission site. It allows, for the first time, for all maintained schools in England to be able to compare and contrast their income and expenditure with other similar schools in a consistent way. The ability to benchmark financial information allows schools to identify areas in which savings in school budgets can be made that can then be reinvested into further improvements or redistributed to areas of greatest educational need. The website will also allow schools and LEAs to identify ways in which to improve performance in education at minimal additional cost.

The cost of designing and building the newly completed Schools Financial Benchmarking website was approximately £220,000. The cost to maintain the website will be just over £10,000 per year. Other costs may be incurred if the application is to be developed further as a result of user feedback.

Business and Enterprise Schools

Mr. Gibb: To ask the Secretary of State for Education and Skills how many and what proportion of *(a)* technology, *(b)* sports, *(c)* arts, *(d)* languages, *(e)* engineering, *(f)* science, *(g)* mathematics and computing and *(h)* business and enterprise specialist schools achieved less than 25 per cent. A* to C grades at GCSE in the last year for which figures are available. [141793]

Mr. Miliband: The information requested is provided in the following table.

2002 GCSE/GNVQ results

	Special school type			
	Technology	*Sports*	*Arts*	*Languages*
Number of schools where less than 25 per cent. of 15 year olds achieved five or more A*-C grades at GCSE/GNVQ	11	6	4	1
Percentage of schools where less than 25 per cent. of 15 year olds achieved five or more A*C grades at GCSE/GNVQ	3	6	4	1

Specialist schools covers the 674 maintained, mainstream schools which were operational specialists as at September 2002, with 2002 GCSE/GNVQ results. 2003 GCSE/GNVQ results are due to be published in January 2004, so 2002 figures have been used.

There were no operational engineering, science, mathematics and computing or business and enterprise specialist schools at the time of the 2002 GCSE/GNVQ examinations.

Child Database

Tim Loughton: To ask the Secretary of State for Education and Skills if he will make a statement on plans to launch a database of children in the UK. [141025]

Margaret Hodge: The Queen's Speech said that a Bill will be introduced to improve services designed to protect children. Subject to the outcome of consultation on the "Every Child Matters" Green Paper, this will include proposals for local information systems to enable practitioners to share early information about children and young people where this will enable better safeguarding of children and appropriate services being provided to them and their families.

Tim Loughton: To ask the Secretary of State for Education and Skills who will have access to the proposed database of children in the UK; and what steps he will take to prevent unlawful access. [141026]

Margaret Hodge: Access to the proposed local databases on children would be given to practitioners on a "need to know" basis. We will put in place stringent access and security arrangements to prevent unlawful access.

Tim Loughton: To ask the Secretary of State for Education and Skills what provision there is for subjects on the child database register to be able to amend the information held on them. [141027]

Margaret Hodge: Subjects on the child database would have access to the information held about them on the system, except where there is an exemption under the Data Protection Act 1998. Subjects would also be able to comment on any information held on the system that was in need of updating.

Children's Bill

Tim Loughton: To ask the Secretary of State for Education and Skills what subjects he proposes to include in the children's Bill announced in the Queen's Speech. [141028]

Margaret Hodge: The Government believes that every child should be given the best start in life supported by services focused around their needs.

The Government consultation on the "Every Child Matters" Green Paper has just finished and the responses we have received will continue to inform development of the Bill provisions.

We expect the Bill will include measures to:

> provide for a Children's Commissioner to be appointed as an independent children's champion;
>
> create the post of Director of Children's Services, to be accountable for local authority education and children's social services, and a lead council member for children;
>
> require local authorities to set up Local Safeguarding Children Boards which would give those who work with children, for example police and health services, a duty to work together and safeguard and promote children's welfare;
>
> require local authorities to promote the educational achievement of children in care;
>
> make provision to enable information sharing between those who work with children; and
>
> allow for the introduction of a new integrated inspection framework for children's services and appropriate intervention where services are failing.

Tim Loughton: To ask the Secretary of State for Education and Skills when he intends to publish the bill dealing with child protection announced in the Queen's Speech; and in what form. [141029]

Margaret Hodge: The consultation on the Green Paper "Every Child Matters" as just finished and we are now analysing the responses in detail. We will continue to discuss with partners how to shape the legislation resulting from the Green Paper and a Bill will be introduced later this Session.

Connexions Advice Centres

Charles Hendry: To ask the Secretary of State for Education and Skills what plans he has to require Connexions advice centres to be open *(a)* in evenings and *(b)* at weekends; and if he will make a statement. [140660]

Margaret Hodge: The opening hours of Connexions advice centres are determined by Connexions Partnerships in response to local need. Connexions Partnerships undertake regular consultations with young people and other partners to ensure that access to services reflects demand. A recent survey of Connexions One-Stop-Shops and Access Points found that over half were open in the evenings or at weekends and a third were linked to the Connexions Direct telephone helpline providing out of hours support to young people. As more One-Stop-Shops and Access Points are opened and Connexions Direct is rolled out nationally there will be further improvements in the availability of services in the evenings and at weekends.

Drugs

Mr. Hoban: To ask the Secretary of State for Education and Skills what guidance has been issued to schools on identifying drug use among pupils. [141926]

Mr. Stephen Twigg *[holding answer 4 December 2003]:* The Department has issued two guidance documents for schools on drugs: "Circular 4/95: Drug Prevention and Schools and Protecting Young People: Good practice in drug education in schools and the youth service (1998)". These documents are currently being revised and consolidated and will be reissued in 2004. This follows consultation on draft guidance earlier this year. The document will offer guidance to schools on all drug matters including identifying and managing drug use among pupils and supporting pupils with drug-related needs.

Education (North-west)

Mr. Woodward: To ask the Secretary of State for Education and Skills what the ratio of teachers per pupil was in *(a)* nursery, *(b)* primary and *(c)* secondary education in (i) St. Helens, (ii) Merseyside and (iii) the North West Region, in each year since 1992. [141472]

Mr. Miliband: The information requested is shown in the table.

Maintained nursery, primary and secondary schools[1]*:*
Pupil:Teacher ratio[2]

Position at January each year 1992–2003	*Nursery*	*Primary*	*Secondary*
St. Helens[3]			
1992	20.0	22.8	15.3
1993	20.0	22.2	15.3
1994	20.0	22.0	15.3
1995	20.0	22.2	15.3
1996	20.6	22.9	15.6
1997	20.5	23.3	15.6
1998	21.3	23.2	16.0
1999	21.6	23.6	15.9
2000	22.0	23.2	16.1
2001	19.4	22.9	16.1
2002	18.9	22.4	15.8
2003	17.0	22.9	15.8
Merseyside[3,4]			
1992	17.3	22.9	15.6
1993	18.0	23.0	15.9
1994	19.0	23.0	16.1
1995	17.5	23.2	16.1
1996	17.8	23.3	16.2
1997	18.0	23.4	16.3
1998	17.2	23.7	16.5
1999	17.4	23.4	16.5
2000	16.4	23.0	16.6
2001	14.7	22.5	16.2
2002	14.5	21.9	15.7
2003	13.6	21.8	15.8
North West[3,5]			
1992	19.1	22.8	15.6
1993	19.4	23.0	16.0
1994	20.4	23.2	16.3
1995	20.2	23.4	16.5
1996	20.0	23.7	16.6
1997	19.6	23.9	16.6
1998	19.3	24.0	16.7
1999	19.0	23.9	16.8
2000	18.7	23.4	16.8
2001	18.1	22.9	16.6
2002	17.1	22.3	16.3
2003	16.2	22.3	16.4

[1] Includes middle schools as deemed.

[2] Only includes the full-time and the full-time equivalent of part-time teachers with qualified teacher status.

[3] The boundaries for each area are for the year in question. Figures have not been adjusted to take into account of any boundary changes.

[4] Includes Knowsley, Liverpool, St. Helens, Sefton and Wirral local education authorities.

[5] Includes Merseyside.

Mr. Woodward: To ask the Secretary of State for Education and Skills what the average class sizes in *(a)* nursery schools, *(b)* primary education and *(c)* secondary education in (i) St. Helens, (ii) Merseyside and (iii) the North West Region were, in each year since 1992. [141473]

Mr. Stephen Twigg: Information on the average class size in nursery schools is not collected centrally. The requested information for primary and secondary schools is shown in the table.

Maintained primary and secondary schools[1]: average class size[2,3]: position in January each year 1992 to 2003

	Average class size[2,3]					
	Primary[4]			*Secondary[4]*		
	St. Helens	[5] *Merseyside*	[6] *North west*	*St. Helens*	[5] *Merseyside*	[6] *North west*
1992	27.0	26.6	27.2	19.7	20.3	20.8
1993	26.2	26.7	27.3	19.6	20.5	20.7
1994	26.8	26.8	27.4	19.7	20.7	21.4
1995	27.0	27.1	27.6	20.3	21.0	21.6
1996	27.5	27.0	27.7	20.0	20.9	21.8
1997	27.8	27.1	27.9	19.9	20.9	21.8
1998	27.6	27.2	28.0	20.1	20.9	21.8
1999	27.6	27.0	27.7	20.0	21.1	21.8
2000	27.3	26.7	27.1	20.6	21.3	22.0
2001	26.6	26.1	26.7	20.6	21.1	22.0
2002	26.0	25.5	26.1	20.3	20.8	21.8
2003	26.9	25.3	26.1	20.8	20.8	21.8

[1] Includes middle schools as deemed.

[2] Classes taught by one teacher.

[3] Classes as taught during one selected period in each school on the day of the Census in January.

[4] The boundaries for each area are for the year in question. Figures have not been adjusted to take into account of any boundary changes.

[5] Includes Knowsley, Liverpool, St. Helens, Sefton and Wirral local education authorities.

[6] Includes Merseyside.

Source:

Annual Schools' Census

Family Mediation

Tim Loughton: To ask the Secretary of State for Education and Skills what plans he has to bring forward reform of family courts to enable them to play a greater role in mediation. [141185]

Margaret Hodge: The Government encourage the use of family mediation as an alternative to court proceedings in appropriate cases. Mediation can be particularly beneficial in resolving disputes over child contact. Public funding for family mediation is now available throughout England and Wales through the Community Legal Service.

Courts can allow cases to be adjourned so that parties can attempt to resolve the dispute by using family mediation. As part of its project to reduce the proportion of cases resolved by resort to the courts the Government have arranged a pilot whereby selected courts send out information about family mediation to parties in various family proceedings, including child contact disputes.

The Government are also testing the provision of a Family Advice and Information Service (FAInS) which will provide advice for people with family difficulties and will facilitate referrals to other appropriate agencies, including family mediation services.

Foundation Degrees

Chris Grayling: To ask the Secretary of State for Education and Skills (1) what the total cost has been of introducing foundation degrees; [142033]

(2) what the total cost is to his Department of the *(a)* creation and *(b)* promotion of foundation degree courses. [142372]

Alan Johnson: Foundation Degrees were announced by the Secretary of State in February 2000. The budget for Foundation Degrees was included in the 'Grants to HEFCE' and the 'other' Higher Education outturn figures published in the Departmental Report of 2002–03 (page169). The figures are; 2000–01—£4,390 million; 2001–02—£4,798 million; 2002–03—£5,043 million (estimated). Spending plans for Foundation Degrees for the period 2003–04 to 2005–06, totalling £32 million, were published in the White Paper 'The future of higher education' (ISBN: 0 10 157352 9, page 66) and set out clearly against specific activities in "Foundation Degrees—Meeting the need for higher level skills" (ISBN: 1 84478 076 07, page 18) published on 7 October 2003.

GCSEs

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will make a statement on the change in the number of pupils achieving *(a)* five A*to C grades at GCSE only and *(b)* five A* to C grades with the addition of a GNVQ between 2000–03. [141834]

Mr. Miliband: The statistical information requested is detailed in the following table:

			Pupils achieving both GCSEs and GNVQs who:				*Pupils achieving GCSEs only who:*	
Year	*Number achieving 5 + A*-C GCSE/GNVQ*	*Percentage achieving 5 + A*-C*	*Achieved 5 + A*-C*	*%*	*Achieved 5 + A*-C*	*%*	*Achieved 5 + A*-C*	*%*
1999–00	285,718	49.2	4,550	1.6	2,289	0.8	278,880	97.6
2000–01	301,617	50.0	7,962	2.6	3,597	1.2	290,058	96.2
2001–02	312,739	51.6	19,098	6.1	8,367	2.7	285,274	91.2
2002–03	327,301	52.6	40,747	12.4	17,582	5.4	268,972	82.2

Note:

2003 figures are provisional and may change once the performance tables checking process is complete..The figures quoted in the answer relate to the achievements of pupils that were aged 15 at the start of the academic year—ie those pupils aged 15 on 31 August.

Mr. Gibb: To ask the Secretary of State for Education and Skills what boundaries were set by the Oxford, Cambridge and RSA awarding body for GCSE grades A* to U in *(a)* English literature, *(b)* English language and *(c)* mathematics in each year from 1988 to 2002. [141900]

Mr. Miliband: The answer can be obtained only at disproportionate cost.

Graduate Income

Mr. Alan Williams: To ask the Secretary of State for Education and Skills (1) what the *(a)* upper and *(b)* lower parameters are of Government estimates of extra life-time earnings of graduates; [140797]

(2) whether Government estimates of extra lifetime earnings of graduates differentiate between *(a)* different subjects and *(b)* different professions; [140800]

(3) whether Government estimates of graduates extra life-time earnings differentiate between male and female graduates. [140798]

Alan Johnson: Higher education is undoubtedly a good investment for the average graduate. Individuals with higher education qualifications earn on average around 50 per cent. more than those without. Separate analysis of the benefits of higher education estimates that first degree graduates earn on average around £120,000 more—in present value terms—over their working lives than those with two or more A-levels[1]. This estimate is technically different from the 50 per cent. graduate premium because it controls for background factors that affect earnings, independently of the qualification itself.

No specific estimates have been made of the extra lifetime earnings of graduates by degree subject, profession or gender. However, other studies suggest that there will inevitably be some variation in the lifetime differential because graduate earnings are influenced by a number of factors, including subject studied and occupational choices, which in turn may differ by gender.

Higher Education

Michael Fabricant: To ask the Secretary of State for Education and Skills what percentage of students in higher education did not complete their degrees in *(a)* the last year for which data is available, *(b)* 1997 and *(c)* 1992. [141959]

Alan Johnson: Since 1996–97, information on non-completion rates has been published annually by the Higher Education Funding Council for England (HEFCE) in 'Performance Indicators in Higher Education'. The latest figures cover students starting courses in 1999–00; overall non-completion rates for students starting full-time first degree courses in the UK are as follows.

Students starting courses in	*Non completion rate (percentage)*
1999–2000	17
1997–98	17

Non completion rates for earlier years were calculated and published by the Department and figures are shown in the table below for 1992/93. These figures also cover students on full-time first degree courses, but the methodology and institutional coverage used by the Department was different to that used by HEFCE, so the two sets of figures are not directly comparable.

Students starting courses in	*Non completion rate (percentage)*
1992–93	17

Figures published in 2003 by the Organisation for Economic Co-operation and Development (OECD) show that the UK as a whole has one of the lowest non-completion rates among OECD countries.

Mr. McLoughlin: To ask the Secretary of State for Education and Skills what percentage of *(a)* GCSE and *(b)* sixth form students have continued to higher education in (i) West Derbyshire, (ii) the East Midlands and (iii) England in each year since 1990. [141449]

Alan Johnson: Figures at constituency level are not currently available. However, the available information on participation rates by local authority and region shows the proportion of 18-year-olds entering full-time undergraduate courses in the UK via the Universities and Colleges Admissions Service (UCAS), and is given in the table. Comparable figures for the years prior to 1994 are not available centrally.

It should be noted that the proportions in the table are based only on the number of 18-year-olds entering full-time HE. This is a different definition to the Department's main measures of HE participation: the Age Participation Index (API), which measures the proportion of UK domiciled students who enter full-time HE by the age of 20, and the Initial Entry Rate (IER) which measures the proportion of 17–30 year old English domiciled first time entrants to full or part-time HE. Neither the API nor the IER are calculated for each LEA, because of the lack of detailed data at local authority level.

Proportion of 18-year-olds entering full-time undergraduate courses via UCAS

	Students from:			
Year of entry	*City of Derby*[1]	*Derbyshire*[1]	*East Midlands*[2]	*England*
1994	—	16.1	17.1	17.9
1995	—	16.2	18.6	19.5
1996	—	17.6	19.1	19.9
1997	17.6	19.1	19.8	20.5
1998	16.3	19.9	19.5	20.0
1999	17.9	19.9	19.3	20.0
2000	17.9	20.4	19.8	20.6
2001	19.5	21.9	21.3	21.5
2002	18.5	22.5	21.5	22.0

[1] The local education authority of Derbyshire was split into the City of Derby and Derbyshire due to local government reorganisations in 1997.

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[1] The 50 per cent. graduate earnings premium is derived by dividing the raw average earnings of those with first or sub-degrees by the average earnings of non-graduates. The £120,000 differential is derived by constructing a lifetime earnings stream for first degree graduates and comparing it against the lifetime earnings of A-level holders. Both earnings streams are discounted, adjusted for real earnings growth and other factors affecting earnings, other than the qualification itself. The difference between the two earnings streams sums to £120,000.

[1] Covers the local education authorities of City of Derby, Derbyshire, Leicester, Leicestershire, Lincolnshire, Northamptonshire, Nottingham, Nottinghamshire and Rutland.

Independent Schools

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will list for each local education authority the *(a)* number and *(b)* proportion of children resident in that authority area attending independent schools. [141257]

Mr. Miliband *[holding answer 2 December 2003]*: The number of pupils resident in an authority is only available for pupils attending maintained primary, secondary and all special schools as well as city technology colleges and academies as at January 2003.

The best available information has been placed in the House of Commons Library and shows *(a)* the number of pupils attending independent schools that are located in the local education authority (LEA) and *(b)* these pupils expressed as a percentage of all pupils attending schools within the same LEA. These figures therefore refer to the pupils in such schools irrespective of the pupils' normal place of residence.

Non-resident Parents

Tim Loughton: To ask the Secretary of State for Education and Skills how many cases involving disputes over contact with children for non-resident parents involved accusations of sexual abuse in the last year for which figures are available. [141064]

Margaret Hodge: Data about the factors underpinning contact applications, such as allegations about injuries caused to children during previous contact with an allegedly violent parent, are not collected, either by the courts or centrally. In recent research commissioned by the Department for Constitutional Affairs in three County Courts from year 2000 files, there were indications that in 22 per cent. of the cases reviewed, physical or emotional abuse towards a family member was indicated. A more specific reference to child sexual abuse appeared in 6 per cent. of cases, though there may be overlap between the two categories.

Pathfinder Projects

Mr. Luff: To ask the Secretary of State for Education and Skills how many schools benefit from Pathfinder projects in the current financial year, broken down by local education authority; and what the total funding made available in the current financial year under the programme is in each education authority area. [141463]

Mr. Ivan Lewis: The following table shows the number of schools involved in Pathfinder projects, and the total amount of funding available for such projects, in each local education authority in England in 2003–04. A school may be involved in more than one Pathfinder project and it will be counted once for each project. The Pathfinder projects are:

Key Stage 2 Language Pathfinders launched in September 2003 to find out how primary language learning might best be delivered.

Diversity Pathfinders, which aim to raise standards through developing a strategic and coherent approach to the expansion of school diversity in secondary schools, particularly in relation to specialist school expansion and inter-school collaboration. The extent to which primary and special schools benefit through collaborative partnerships with secondary schools as a result of Diversity Pathfinders depends on the focus of each Pathfinder project.

Transforming the School Workforce Pathfinders to pilot new ways of working to relieve teacher workload and raise standards. The learning from these schools and good practice will be shared with other schools across the country. The National Remodelling Team has been established to develop a network of support for all schools building on the learning from the Pathfinder.

Enterprise Pathfinders, which are exploring the most innovative and effective ways to deliver Enterprise Education in preparation for the new enterprise entitlement from September 2005.

14–19 Pathfinders designed to test local delivery of 14–19 education and training in a range of settings building on the increasingly distinctive specialisms of local schools, colleges and training providers. There are 39 such Pathfinders based around the country. Details of the number of institutions benefiting from these projects are not held centrally.

Police Officers (Schools)

Mr. Chope: To ask the Secretary of State for Education and Skills if he will list the local education authorities where police officers are based in schools; and for each local education authority what funding from his Department is made available in support. [141522]

Mr. Miliband: My Department and the Home Office have encouraged schools and the police to set up Safer School Partnerships (police in schools). To fund administrative staff and equipment for SSP officers, those partnerships in Behaviour Improvement Programme (BIP) areas are able to negotiate locally for a share of the area's BIP fund. We are paying over £1 million this year in BIP funds for all eligible activities including SSPs in each of the local education authorities listed as follows. We have many reports of good work achieved by BIP-funded SSPs in their first year. Some areas have also taken the initiative to start SSPs in non-BIP areas, using their own local funds.

Birmingham

Bolton

Bradford

Brent

Bristol

Camden

Ealing

Greenwich

Hackney

Hammersmith and Fulham

Haringey
Hartlepool
Hounslow
Hull
Islington
Kensington and Chelsea
Lambeth
Leeds
Lewisham
Liverpool
Manchester
Middlesbrough
Newham
Nottingham
Nottinghamshire
Oldham
Reading
Rochdale
Salford
Sandwell
Sheffield
Slough
Solihull
Southwark
Stoke on Trent
Tower Hamlets
Waltham Forest
Wandsworth
Westminster
Wolverhampton

Post-16 Education

Mr. Drew: To ask the Secretary of State for Education and Skills if he will publish the protocol for the reorganisation of post-16 education with specific reference to the responsibilities held by *(a)* local education authorities and *(b)* local learning and skills commissions. [142309]

Mr. Miliband: We have no plans to publish a protocol for the reorganisation of sixth form education, with specific reference to the responsibilities held by Local Education Authorities and local Learning and Skills Councils.

Section 113A of the Learning and Skills Act 2000 as inserted by section 72 of the Education Act 2002, gave the Learning Skills Council powers from 1 April 2003 to re-organise sixth form provision in schools—including powers to make proposals to establish, alter or discontinue school sixth forms and 16–19 schools. Local LSCs can propose re-organisation following recommendations in an Ofsted Area Inspection Report or where they can demonstrate that the proposals will improve participation, raise standards or broaden the range of provision. The Secretary of State will decide on LSC re-organisation proposals.

LEAs have powers under sections 28 and 29 of the School Standards and Framework Act 1998 to publish statutory proposals to change 16–19 provision in schools. They can publish proposals to establish or discontinue secondary schools with sixth forms and 16–19 schools, and to alter provision in a school—for example by the addition or closure of a sixth form. LEAs may implement their proposals if there are no objections, otherwise the proposals will be decided locally by the School Organisation Committee for the area or an independent Adjudicator if the Committee cannot agree.

Should an LEA publish proposals that impact on final re-organisation proposals as published by the LSC, a decision on the LEA proposals will be deferred pending the Secretary of State's decision on the LSC proposals.

Mr. Drew: To ask the Secretary of State for Education and Skills what discussions he has had with *(a)* Gloucestershire Local Education Authority and *(b)* Gloucestershire Learning and Skills Commission on the review of post-16 education. [142310]

Mr. Miliband: The Secretary of State has had no discussions with Gloucester local education authority or Gloucestershire Learning and Skills Council about the review of post-16 education in Gloucestershire.

Public Service Support Staff

Chris Grayling: To ask the Secretary of State for Education and Skills if he will make a statement on the number of specialist public service support staff providing support to pre-school nursery and playgroups involved in implementing the foundation stage. [141142]

Margaret Hodge: Figures for the total number of public sector staff working with nurseries and pre-schools in the private, independent and voluntary sectors are not available.

Local authority specialists offer a wide range of support and advice to help maintain the quality of Government funded early education delivered by over 19,000 private, independent and voluntary settings, including nurseries and playgroups.

Their role includes ensuring that all settings have access to a Qualified Teacher and an Area Special Educational Needs Co-ordinator.

In addition, as part of the National Primary Strategy, the new Foundation Stage Director, Lesley Staggs, and her team of 12 regionally based experts will be engaging with local authorities to spread effective practice throughout the country.

School Finance

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on the extent to which schools have used devolved capital allocations to meet shortfalls on their revenue budgets. [141927]

Mr. Miliband *[holding answer 4 December 2003]:* Local education authorities (LEAs) were requested to provide details of the amount of capital flexibility agreed with their schools by 30 November. The total amount agreed across all LEAs was £40,911,409 (Including Voluntary Aided schools). The total devolved formula allocation for 2003–04 to all LEAs was £681,277,138. This means that the total take up of the flexibility available was 6 per cent.

Miss McIntosh: To ask the Secretary of State for Education and Skills what representations he has received on funding for schools in *(a)* North Yorkshire and *(b)* the City of York; and if he will make a statement. [142046]

Mr. Miliband: We have received few recent representations about school funding issues in North Yorkshire and the City of York. Since the beginning of September we have, according to our records, received one letter about each. On 29 October my right hon. Friend announced proposals to restore stability to school funding. Further information about funding for next year was announced on 19 November as part of the provisional Local Government Finance Settlement. In 2004–05 all authorities will see an increase in their School Formula Spending Share of at least 5 per cent. per pupil: North Yorkshire's increase is 6 per cent. and the City of York's is 6.8 per cent.

Miss McIntosh: To ask the Secretary of State for Education and Skills what his policy is on how to bridge the funding shortfall for schools in North Yorkshire. [142047]

Mr. Miliband: On 29 October my right hon. Friend announced proposals to restore stability to school funding. Among the package of measures, we are ensuring that for 2004–05 all schools will see a guaranteed minimum increase in their per pupil budget amounting to 4 per cent. per pupil where pupil numbers remain the same. In addition, we have ensured that schools will receive an increase in the amounts of Standards Fund, School Standards Grant and funding from the LSC for sixth forms in line with the minimum guarantee.

We are increasing the School Formula Spending Share by a minimum of 5 per cent. per pupil—North Yorkshire's increase is 6 per cent. This will give the Authority the headroom and flexibility to deliver the guarantee and provide support to help schools facing additional pressures.

However, if North Yorkshire or any other LEA is able to put forward a compelling case that additional, transitional funds are needed in the short term—above and beyond those already available to the LEA—my right hon. Friend will be prepared to consider bringing forward grant payments from my Department, so that the LEA will have funds available in 2004–05 for this purpose, with the expectation of a consequential reduction to what they will receive in future years. The maximum amount that North Yorkshire might be able to bring forward in this way is would be £604,000.

School Meals

Mr. Evans: To ask the Secretary of State for Education and Skills what provisions are in place to ensure that school meals are balanced and follow the guidelines set down by the Department of Health for healthy eating. [141920]

Mr. Stephen Twigg: In April 2001, this Department introduced regulations that set nutritional standards for school lunches, together with complementary guidance to assist caterers in preparing school meals. The standards are based on the Government's "Balance of Good Health"—a pictorial representation of the five food groups that make up a healthy balanced diet. The standards prescribe the types of foods that should be available from the four main food groups, along with the frequency with which they should be served. The four main food groups are: fruit and vegetables; starchy foods; meat, fish and other non dairy sources of protein; and milk and dairy foods.

Research, jointly commissioned by this Department and the Food Standards Agency, is currently underway in 80 secondary schools in England. This will assess whether the food available at lunchtime meets the requirements of the standards and associated guidance. We expect the findings of this exercise to be available in late spring 2004.

School Playing Fields

Mr. Evans: To ask the Secretary of State for Education and Skills how many school playing fields have been *(a)* sold and *(b)* acquired in each year since 1997. [141921]

Mr. Stephen Twigg: Section 77 of the School Standards and Framework Act 1998 was introduced on 1 October 1998 to stop the indiscriminate sale of school playing fields that occurred in the 1980s and early to mid 1990s. Local authorities and governing bodies of all maintained schools now need the Secretary of State's consent before they can dispose of a playing field or any part of a playing field. Applications to sell school playing fields are only approved where it is clear that they meet the published criteria and, in particular, that any proceeds will be used to improve school sports provision or education facilities.

There are no central records of how many school playing fields were sold before October 1998. Between October 1998 and December 1998, the Government approved seven applications to sell school playing fields larger than a sports pitch; 42 applications were approved in 1999, 32 in 2000, 22 in 2001, 23 in 2002, and so far 10 have been approved in 2003.

There are no central records of how many school playing fields have been acquired.

School Sports

Mr. Evans: To ask the Secretary of State for Education and Skills what percentage of the school day is accounted for by sports activities in each county. [141918]

Mr. Stephen Twigg: The Department for Education and Skills does not collect information on the percentage of the school day devoted to sports activities broken down by county.

The Government are investing more than £1 billion in England to transform physical education, school sport and club links. The funding will help deliver an ambitious Public Service Agreement target, shared by the Departments for Education and Skills and for Culture, Media and Sport, to increase the percentage of 5 to 16- year-olds who spend a minimum of two hours each week on high quality PE and school sport within and beyond the curriculum to 75 per cent. by 2006. Data collected during the autumn term 2002 suggested that about a third of schools provided this entitlement at Key Stage 1, two fifths at Key Stage 2 and a third at

Key Stages 3 and 4. Data are now being collected for the first time—for publication in April 2004—on the number of pupils who choose to take up this entitlement.

Sixth Forms

Mr. Drew: To ask the Secretary of State for Education and Skills what guidance is given to *(a)* local education authorities and *(b)* learning and skills commissions on the operation of school sixth forms in rural areas. [142312]

Mr. Miliband: No specific guidance has been issued to local education authorities or the Learning and Skills Council on the operation of sixth forms in rural areas.

Under section 2 of the Learning and Skills Act 2000, the Learning and Skills Council has a duty to secure the provision of proper educational facilities for people who are above compulsory school age but have not attained age 19. LEAs have powers to secure post-16 educational facilities under Section 15A and 15B of the Education Act 1996, which are discretionary.

Our published principles underpinning 16–19 provision set out our expectation that provision will be organised to show that young people have access, within reasonable travelling distance, to high quality learning opportunities across the school, college and work-based training routes that will meet their interests, aptitudes and aspirations and will promote participation and attainment in learning.

Mr. Drew: To ask the Secretary of State for Education and Skills what powers local learning and skills commissions have to overturn recommendations from local education authorities with regard to reorganisation of school sixth forms. [142313]

Mr. Miliband: Local education authorities have powers under sections 28 and 29 of the School Standards and Framework Act 1998 to publish statutory proposals to establish or discontinue schools with sixth forms, including 16–19 schools, and to make changes to schools—for example they may propose to add or close a school sixth form. LEAs may implement their proposals if there are no objections during consultation, otherwise the proposals will be decided locally by the School Organisation Committee for the area.

If the local Learning and Skills Council disagrees with the proposals it can object during consultation and use its vote on the School Organisation Committee to have the case referred to an independent schools adjudicator.

Only if the LSC has published final re-organisation proposals do they take precedence over any simultaneous related LEA/school proposals. In these cases a decision on the LEA's proposals must be deferred pending a decision by the Secretary of State on the LSC proposals.

Mr. Drew: To ask the Secretary of State for Education and Skills what guidelines there are on the minimum acceptable size for a school sixth form; and whether these guidelines were communicated to *(a)* local education authorities, *(b)* learning and skills commissions and *(c)* Ofsted. [142311]

Mr. Miliband: We do not prescribe a minimum acceptable size of school sixth form. The issue is whether a sixth form provides a high quality, broad curriculum for its students, rather than its size.

We have made clear in our published principles for the organisation of 16–19 provision that well-managed collaboration can enable popular and successful sixth forms, including small sixth forms, to remain viable and to share and build on their particular areas of expertise.

Special Mediation Courts

Tim Loughton: To ask the Secretary of State for Education and Skills what plans he has to launch pilots for special mediation courts for parental contact based on the Florida system. [141024]

Margaret Hodge: I am actively considering a proposal we have received for a pilot project to divert contact disputes away from the courts. I expect to make an announcement shortly, as part of the work we have been undertaking in formulating a final response to the Children Act Sub-Committee (CASC) report "Making Contact Work".

Specialist Schools

Mr. Gibb: To ask the Secretary of State for Education and Skills how many schools gained specialist status in *(a)* technology, *(b)* sports, *(c)* arts, *(d)* languages, *(e)* engineering, *(f)* science, *(g)* mathematics and computing and *(h)* business and enterprise (i) before and (ii) after September 2002. [141798]

Mr. Miliband: The data requested is given in the table set out as follows.

	Gained specialist status:		
	(i) Before September 2002	*(ii) After September 2002*	*Total*
(a) Technology Colleges	465	60	525
(b) Sports Colleges	161	68	229
(c) Arts Colleges	173	57	230
(d) Language Colleges	162	32	194
(e) Engineering Colleges	4	10	14
(f) Science Colleges	24	97	121
(g) Maths & Computing	12	65	77
(h) Business & Enterprise	18	63	81
Combined specialisms		10	10
	1,019	462	1,481

Mr. Gibb: To ask the Secretary of State for Education and Skills whether aptitude selection by specialist schools is permitted under the School Standards and Framework Act 1998 in the *(a)* engineering, *(b)* mathematics and computing and *(c)* business and enterprise specialisms. [141823]

Mr. Miliband: The specialist subjects covered by the engineering specialism include design and technology and information technology. The specialist subjects covered by the mathematics and computing and the business and enterprise specialisms include information technology.

Design and technology and information technology are both included in the list of prescribed subjects in the Regulations made under Section 102 of the 1998 School

Standards and Framework Act. Schools designated in these three categories could therefore identify a specialism in which to select up to 10 per cent. of their pupils on the basis of their aptitude for that specialism.

Dr. Kumar: To ask the Secretary of State for Education and Skills how many schools in each region have been awarded specialist status; for what subjects; and if he will make a statement. [141869]

Mr. Miliband: The data requested are set out in the following table.

The Specialist Schools Programme is contributing to the creation of a specialist system in which every secondary school has its own special ethos and works with others to spread best practice and raise standards. There are now specialist schools in all areas of England, and every local education authority that has secondary schools has a specialist school.

Specialist school designations by region

Region	*Arts*	*Business and Enterprise*	*Engineering*	*Language*	*Maths and Computing*	*Science*	*Sports*	*Technology*	*Combined Specialisms*	*Total*
North East	9	2	1	9	4	5	16	35	1	82
East Midlands	20	6	2	14	3	11	16	54	1	127
York & the Humber	20	8	2	19	10	10	23	49	2	143
Eastern	26	12	1	22	11	16	23	58	1	170
South West	26	10	2	20	8	18	28	61	1	176
London	30	13		24	12	17	24	57	1	178
West Midlands	32	9	1	18	6	17	31	66		180
South East	31	7	1	34	15	15	32	73	1	209
North West	36	14	4	30	8	12	36	74	2	216
Total	230	81	14	190	77	121	229	529	10	1,481

Specialist Technology Colleges

Dr. Kumar: To ask the Secretary of State for Education and Skills how many schools in *(a)* the North East and *(b)* each local authority area (i) have been designated and (ii) are being considered for status as a specialist technology college. [141868]

Mr. Miliband: The data requested are set out in the following table.

Technology college designations

LEA/region	*Technology college designations*	*Being considered for technology college status*
North East region	35	0
Local education authorities		
London borough of Barking and Dagenham	1	—
London borough of Barnet	3	1
Barnsley	1	—
Bath and North East Somerset	3	—
Bedfordshire	2	—
London borough of Bexley	1	—
Birmingham	17	1
Blackburn with Darwen	3	—
Blackpool	—	—
Bolton	2	—
Bournemouth	1	—
Bracknell Forest	1	—
Bradford	3	—
London borough of Brent	3	—
Brighton and Hove	2	—
City of Bristol	1	1
London borough of Bromley	5	1
Buckinghamshire	5	—
Bury	1	—
Calderdale	2	—
Cambridgeshire	7	—
London borough of Camden	2	—
Cheshire	8	1
Corporation of London	—	—
Cornwall	7	—
Coventry	3	1
London borough of Croydon	2	—
Cumbria	5	1
Darlington	2	—
City of Derby	2	—
Derbyshire	8	2
Devon	6	—
Doncaster	3	—
Dorset	5	—
Dudley	1	—
Durham	9	
London borough of Ealing	3	—
East Riding of Yorkshire	4	—
East Sussex	6	—
London borough of Enfield	2	—
Essex	12	1
Gateshead	2	—
Gloucestershire	12	—
London borough of Greenwich	2	—
London borough of Hackney	3	
Halton	2	—
London borough of Hammersmith and Fulham	—	—
Hampshire	9	3
London borough of Haringey	1	—
London borough of Harrow	2	—
Hartlepool	1	—
London borough of Havering	2	—
Herefordshire	2	—
Hertfordshire	10	1
London borough of Hillingdon	2	—
London borough of Hounslow	2	—
Isles of Scilly	—	—
Isle of Wight	1	—
London borough of Islington	1	—
Royal borough of Kensington and Chelsea	—	—
Kent	12	—
City of Kingston upon Hull	1	—
Royal borough of Kingston-upon-Thames	2	—
Kirklees	5	—
Knowsley	—	—
London borough of Lambeth	2	—
Lancashire	18	2
Leeds	6	1
Leicester City	2	—
Leicestershire	7	—
London borough of Lewisham	—	—
Lincolnshire	15	1
Liverpool	7	—

Technology college designations

LEA/region	*Technology college designations*	*Being considered for technology college status*
Luton	1	—
Manchester	3	—
Medway	3	—
London borough of Merton	1	—
Middlesborough	1	—
Milton Keynes	1	—
Newcastle upon Tyne	5	—
London borough of Newham	3	—
Norfolk	10	—
North East Lincolnshire	2	—
North Lincolnshire	2	—
North Somerset	2	—
North Tyneside	2	—
North Yorkshire	9	1
Northamptonshire	7	—
Northumberland	5	—
City of Nottingham	3	—
Nottinghamshire	9	1
Oldham	2	—
Oxfordshire	7	—
City of Peterborough	2	—
City of Plymouth	4	—
Poole	2	—
Portsmouth	1	—
Reading	2	—
London borough of Redbridge	4	1
Redcar and Cleveland	1	—
London borough of Richmond-upon-Thames	—	—
Rochdale	2	—
Rotherham	2	—
Rutland	1	—
Salford	1	—
Sandwell	3	—
Sefton	2	—
Sheffield	4	—
Shropshire	6	—
Slough	1	—
Solihull	1	—
Somerset	9	—
South Gloucestershire	3	—
South Tyneside	2	—
Southend-on-Sea	2	—
Southampton	1	—
London borough of Southwark	2	—
St. Helens	2	—
Staffordshire	11	1
Stockport	1	1
Stockon on Tees	2	—
Stoke on Trent	1	1
Suffolk	11	1
Sunderland	3	—
Surrey	12	3
London borough of Sutton	1	—
Swindon	2	—
Tameside	1	—
Telford and Wrekin	2	—
Thurrock	1	—
Torbay	1	—
London borough of Tower Hamlets	1	—
Trafford	3	—
Wakefield	3	—
Walsall	3	—
London borough of Waltham Forest	2	—
London borough of Wandsworth	1	—
Warrington	3	—
Warwickshire	7	1
West Berkshire	3	—
West Sussex	5	—
London borough of Westminster	1	—
Wigan	4	—
Wiltshire	5	1
Royal borough of Windsor and Maidenhead	1	—
Wirral	4	1
Wokingham	—	—
Wolverhampton	3	—
Worcestershire	6	—
City of York	2	—
Total	529	31

Student Finance

Dr. Cable: To ask the Secretary of State for Education and Skills what the reasons are for the increase in interest rates on student loans from 1.3 per cent. to 3.1 per cent.; and what the criteria are for calculating the interest rates applied to student loans. [142291]

Alan Johnson: Student loans are not commercial loans. The Government subsidises the actual cost of interest on the loans. However, to make sure that all borrowers pay back the same amount that they borrowed in real terms, the Government uprate the value of what is owed in line with the general rate of inflation. This is done by using the Retail Prices Index (RPI) and fixing the interest charged to that rate. The interest rate on student loans is set every year from 1 September and is based on the RPI for the financial year ending the previous March. For last year this was 1.3 per cent. and for this year it is 3.1 per cent.

Mr. Cousins: To ask the Secretary of State for Education and Skills if he will estimate the period required for full recovery of his proposed top-up fees, given a starting salary threshold for repayment of *(a)* £15,000, *(b)* £18,000 and *(c)* £20,000 per year. [142430]

Alan Johnson: The level of loan a student accrues as an undergraduate will depend on the level of fee charged by the university they choose to attend, how much loan they take out to cover that fee, and how much maintenance loan they take out. The time taken to repay that loan will depend not only on the threshold above which repayment commences, but also on the graduate's salary in the years following graduation, and whether they experience any periods during which their earnings drop below the threshold, for example because of career breaks.

Chris Grayling: To ask the Secretary of State for Education and Skills what he estimates the annual cost will be of means-testing students from mainland Europe for liability to pay university tuition fees. [142009]

Alan Johnson: The public contribution to fees for European Union students in 2001–02 was £17 million. This can be expected to rise slightly with the enlargement of the EU.

Mr. Willis: To ask the Secretary of State for Education and Skills whether student teachers on postgraduate teacher training courses will continue to be exempt from tuition fees at all universities and colleges following the introduction of top-up fees; and if he will make a statement. [142649]

Alan Johnson: I refer the hon. Member to the answer that I gave to my hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly) on 20 November 2003, *Official Report*, columns 1497–498W.

Unqualified Teachers

Mr. Willis: To ask the Secretary of State for Education and Skills how many lessons in *(a)* mathematics, *(b)* science and *(c)* English in each Key Stage were identified in the 2003 Curriculum and Staffing Survey as being taught by teachers without a subject-specific qualification in the subject being taught. [141788]

Mr. Miliband: The information is not available in the form requested. The final results of the Secondary Schools Curriculum and Staffing Survey will include estimates of the total number of periods taught by full-time teachers in secondary schools by subject and level of qualification, but not by Key Stage. These will be published next month in the statistical volume "The School Workforce in England (2003 edition)".

Value Added Data

Mr. Jenkins: To ask the Secretary of State for Education and Skills what plans he has to introduce value added data into secondary school performance tables for England which take account of external influences on performance, with particular reference to pupils' economic, social and cultural backgrounds. [141809]

Mr. Miliband: The publication in performance tables last year of value added measures based on the prior attainment of each pupil—by far the most important factor in explaining pupil performance—was a ground breaking step forward. It is largely thanks to that publication that value added is now generally understood by the wider educational establishment and is becoming familiar to parents. Now that those foundations have been laid, we can begin to explore more sophisticated systems of adding context to the national test and examination results by exploiting the wealth of pupil level data that are becoming available. Other contextual factors account for only a small further element, and taking them into account would make our approach to value added far more complicated. We therefore need to balance all of these considerations before deciding on the way forward for performance tables. In the meantime, we provide LEAs and schools with a wealth of benchmarking material which allows them to assess their performance and that of their pupils using tools such as the Pupil Achievement Tracker.

Young People (Mental Distress)

Charles Hendry: To ask the Secretary of State for Education and Skills (1) what steps his Department is taking to limit *(a)* suicide and *(b)* deliberate self-harm in young people; [140654]

(2) what steps his Department is taking to raise public awareness of *(a)* suicide and *(b)* deliberate self-harm in young people. [140655]

Margaret Hodge: The Department for Education and Skills contributes in a number of ways to reducing suicide and deliberate self-harm among young people. This involves minimising so far as possible the risk factors that may lead to suicide or self-harm. We are doing this by ensuring that all children and young people have the support and services they need, and have a structured programme of learning opportunities through which they can develop self-awareness and confidence needed for life.

We also seek to raise awareness of these issues. In June 2001 the Department published guidance "Promoting Children's Mental Health within Early Years and School Settings". The guidance and the summary provide useful tools for local education authorities, schools and others who are striving to ensure that the mental health needs of children are met. The guidance includes specific advice on useful approaches to addressing the needs of children and young people who show deliberate self harm or suicidal behaviour. We also encouraged schools to celebrate World Mental Health Day on 10 October.

Across England, children with behavioural problems, learning difficulties and those exhibiting antisocial behaviour are receiving the greatest proportion of investment from the Children's Fund. This investment underpins the priority being given to mental health and well-being and to the gains to be made in improving self-esteem and consequentially performance at school. 21 per cent. of Children's Fund services which provided information during April-June 2003 explicitly target children with mental health problems.

The Government's proposals in the Children Bill and the other non-legislative measures in the Green Paper "Every Child Matters" will help us build on the support for young people we have already put in place through Sure Start, full service extended schools, Child and adolescent mental health services, the Connexions Service and the PSHE curriculum and anti-bullying measures in schools. Children's Trusts will provide the means to deliver of integrated, multi-agency services to all children and young people in an area. This will enable the provision of high-quality preventive measures and early interventions tailored to help individual children who may already be considering suicide or engaging in self-harm.

Charles Hendry: To ask the Secretary of State for Education and Skills what guidance is issued through the Connexions service to *(a)* parents, *(b)* young people, *(c)* schools and *(d)* organisations working with young people on (i) suicide and (ii) deliberate self-harm in young people. [140656]

Margaret Hodge: The Connexions service does not issue specific guidance on these subjects. Suicide and deliberate self-harm are very serious issues requiring specialist advice and support. Where young people present with such issues or give cause for concern or where parents, schools or other organisations approach Connexions for guidance, Connexions will take responsibility for ensuring that they are quickly and efficiently linked up with specialist organisations who offer the necessary support and guidance. In all cases, robust child protection policies and procedures will be adhered to.

Charles Hendry: To ask the Secretary of State for Education and Skills what qualifications and expertise Connexions personal advisers have in dealing with young people suffering from mental distress. [140657]

Margaret Hodge: Connexions Personal Advisers are trained in an awareness of mental heath issues and in identifying young people who demonstrate behaviour which could indicate mental health disorders but they are not experts in mental health matters. Connexions Personal Advisers can access a range of specialist services for young people. They have links with Child and Adolescent Mental Health Services and other services that provide the specialist help on mental health problems.

HEALTH

Alcohol Treatment Programmes

Norman Lamb: To ask the Secretary of State for Health how much money has been directed towards alcohol treatment programmes by the Government in each of the past five years; and if he will make a statement. [141985]

Miss Melanie Johnson: The majority of the funding for alcohol treatment is spent via the general budgets of primary care trusts and local social service departments, consistent with provision being determined following a local consideration of need. Latest estimates indicate that around £95 million is spent each year on treatment in England, and that most of this funding is provided by the Government.

Norman Lamb: To ask the Secretary of State for Health if he will make a statement on the Government's future plans for alcohol treatment strategies. [141986]

Miss Melanie Johnson: The Government's Alcohol Harm Reduction Strategy for England is due to be published and implemented from 2004 in accordance with the timetable set out in the NHS Plan.

This strategy will set the future direction for the development of alcohol treatment.

Ambulance Staff

Gregory Barker: To ask the Secretary of State for Health (1) if he will make a statement on plans to expand the *(a)* training, *(b)* qualifications and *(c)* skills of ambulance staff; [142397]

(2) whether the planned expansion to the training given to ambulance staff will take place in-house; and if he will make a statement; [142398]

(3) if he will make a statement on changes in the *(a)* workload and *(b)* expertise of ambulance (i) paramedics and (ii) technicians. [142402]

Ms Rosie Winterton: The latest information available about ambulance workloads is contained in the Department of Health Statistical Bulletin, "Ambulance Services, England 2002–03". A copy of the bulletin is available in the Library and on the Department's website at www.doh.gov.uk/public/sb0313.htm.

Increases in the workload have meant additional work for all grades of ambulance staff. Clinical and technological advances have extended the nature and range of pre-hospital interventions available. Front line ambulance staff—both technician and paramedic—have undergone further training and developed additional treatment skills leading to higher standards of patient care.

This has included expanding the role of paramedics to provide more out of hospital care through the administering of clot busting drugs and in some areas being based in general practitioner surgeries. New ways of working have seen ambulance services introducing community/first responder schemes in a number of areas across the country.

It is the responsibility of local trusts to determine the training needs of their staff.

Gregory Barker: To ask the Secretary of State for Health which procedure is used to determine whether ambulances should be sent with a police escort when answering an emergency call. [142401]

Ms Rosie Winterton: The decision to request a police escort lies with the individual ambulance crew. Policies and procedures for the request of a police escort are agreed at a local level between the ambulance trust and its local police force.

Ankylosing Spondylitis

Mrs. Helen Clark: To ask the Secretary of State for Health (1) what plans he has to improve treatment facilities for ankylosing spondylitis; [140486]

(2) what information he has collated on the availability of anti-TNF treatment for ankylosing spondylitis; [140488]

(3) what estimate he has made of the numbers of patients with ankylosing spondylitis who *(a)* might benefit from anti-TNF treatment and *(b)* benefit from anti-TNF treatment. [140489]

Dr. Ladyman: The anti-TNF drug, Remicade (Infliximab), is licensed for ankylosing spondylitis for patients who have not responded adequately to conventional drugs. It is given by injection into a vein (intravenously) every four to eight weeks.

Infliximab for the treatment of ankylosing spondylitis was referred to the National Institute for Clinical Excellence (NICE) in October 2003. Until NICE publishes its guidance on treatments for ankylosing spondylitis, national health service bodies are expected to continue with local arrangements for the managed introduction of new technologies where guidance from NICE is not available at the time the technology first became available. These arrangements should involve an assessment of all the available evidence. Funding for such treatments should not be withheld simply because of an absence of guidance from NICE. The anticipated date for publication of the NICE guidance is due on its website at www.nice.org.uk shortly.

Information is not collected centrally on the number of patients who benefit or who might benefit from anti-TNF treatment. However, the table shows figures which relate to hospital admissions.

Primary diagnosis (ICD-10 M45.-) Ankylosing Spondylitis—Count of finished admission episodes: NHS hospitals, England 2001–02

	Number
Admissions	1,379

Notes:

1. Admissions—Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.

2. Diagnosis (Primary Diagnosis)—The primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.

3. Grossing—Figures have not (yet) been adjusted for shortfalls in data (i.e. the data are ungrossed).

Source:

Hospital Episode Statistics (HES), Department of Health.

Body Mass Index

Mr. Burstow: To ask the Secretary of State for Health what information he has collated on the average body mass index in England for each year since 1990. [141581]

Ms Rosie Winterton: Figures for average body mass index in England are available from the Health Survey for England from 1991, when the survey began, for adults and children and are shown in the table. Figures are not available for 1990.

Body mass index (BMI) by survey year and sex

BMI(kg/m2)

	Men	*Women*	*Boys*[1]	*Girls*[1]
1991–92[2]	25.7	25.4	—	—
1993	25.9	25.7	—	—
1994	26.0	25.8	—	—
1995	26.1	25.9	17.6	18.0
1996	26.3	26.0	17.7	18.0
1997	26.5	26.2	17.7	18.0
1998	26.5	26.4	17.7	18.2
1999	26.5	26.4	18.1	18.2
2000	26.8	26.6	17.9	18.4
2001	27.0	26.7	18.0	18.3
Bases				
1991–92[2]	3,114	3,430	—	—
1993	7,247	8,037	—	—
1994	6,795	7,884	—	—
1995	6,707	7,729	1,890	1,872
1996	6,997	8,064	2,098	1,978
1997	3,685	4,254	2,966	2,975
1998	6,600	7,730	1,908	1,811
1999	3,204	3,699	946	920
2000	3,260	3,703	848	812
2001	6,267	7,414	1,555	1,587

[1] The Health Survey for England collected data on children only from 1995 for children.

[2] The sample sizes in 1991 and 1992 were smaller than in subsequent years and for reporting purposes the estimates from both years were combined.

Note:

Figures for men and women are for ages 16 and over. For children, ages are 2–15, except 2001, which is 0–15.

Source:

Health Survey for England, Department of Health.

Breast Cancer

Mr. Baron: To ask the Secretary of State for Health (1) what the change has been in non-urgent referral waiting times for breast cancer following the introduction of the two-week target for urgent referrals; [141879]

(2) what effect the two week urgent referral target for breast cancer patients has had on *(a)* other and *(b)* overall waiting times; [141880]

(3) what assessment he has made of the effect the emphasis on the two-week target for urgent referrals for breast cancer patients has had on the number of patients that would have previously been put on this list being put on the non-urgent referral list. [141881]

Miss Melanie Johnson *[holding answer 4 December 2003]:* Data are not collected centrally on waiting times for those women who were not urgently referred with breast conditions and who were later diagnosed with cancer. The two week waiting time standard has been a success with over 98 per cent. of women with suspected breast cancer now seeing a specialist with two weeks of urgent referral. It is vital that general practitioners (GPs) refer suspected breast cancer appropriately and we have issued GP cancer referral guidelines to assist GPs in determining those patients who need to see a specialist urgently within two weeks.

However, the two week waiting time standard should not be seen in isolation but as part of the Government's wider programme for improving and modernising cancer services. We are making significant extra investment in cancer services (an extra £570 million a year in 2003–04); the biggest ever single cash investment in cancer equipment; extending breast cancer screening, ensuring the provision of additional doctors and nurses working in new ways, and modernisation of care provision through the cancer services collaborative.

The maximum waiting time standard of one month from diagnosis to first treatment, from December 2001, also applies to those women who were routinely referred to ensure they receive speedy treatment following diagnosis.

Cancelled Operations

Simon Hughes: To ask the Secretary of State for Health how many operations were cancelled at London hospitals in each of the last 16 quarters for which figures are available; what percentage of the cancelled operations were consequently carried out within four weeks; and if he will make a statement. [140856]

Mr. Hutton *[holding answer 2 December 2002]:* As part of the NHS Plan cancelled operations guarantee introduced on 1 April 2002, data are collected on the number of operations cancelled by the hospital 'at the last minute' due to non-clinical reasons, and the number of patients not admitted within 28 days of a 'last minute' cancellation.

Data at England level and by national health service trust and strategic health authority level are available in the Library and on the Department's website at: www.doh.gov.uk/hospitalactivity/data requests.htm.

This data includes all London trusts.

The NHS Plan states that, from 1 April 2002, if a patient's operation is cancelled by the hospital on the day of surgery for non-clinical reasons, the hospital will have to offer another binding date within a maximum of the next 28 days or fund the patient's treatment at the time and hospital of the patient's choice.

Since 1 April 2003 the guarantee has been extended to cover those patients who are cancelled at the last minute i.e. on the day patients are due to arrive, or after arrival in hospital, or on the day of their operation.

Notes:

1. Since 1 April 2003 quarterly data are collected on the number of operations cancelled by the hospital for non-clinical reasons:
(i) at the last minute (i.e. on the day patients are due to arrive, or after arrival in hospital, or on the day of their operation), and
(ii) the number of patients not admitted within 28 days of a 'last minute' cancellation.
2. From 1 April 2002 to 31 March 2003, quarterly data were collected on the number of operations cancelled by the hospital for non-clinical reasons:
(i) on the day of surgery, and
(ii) the number of patients not admitted within 28 days of a cancellation on the day of surgery.

Choice and Plurality Conference

Mr. Blizzard: To ask the Secretary of State for Health if he will publish the All Data Report of the Norfolk, Suffolk and Cambridgeshire Strategic Health Authority conference on Choice and Plurality in the NHS held on 2 and 3 July. [140617]

Dr. Ladyman: Norfolk, Suffolk and Cambridgeshire Strategic Health Authority forwarded a copy of "Fair for all, Personal to You", their all data report, as part of their response to the national consultation on "Choice, responsiveness and equity in the NHS and social care". The formal consultation ran until 11 November, with a Government document to be published before the end of the year setting out the broad themes that have arisen from the consultation and how these will shape future policy and action.

Correspondence

Mr. Hancock: To ask the Secretary of State for Health when he will reply to the letter from the hon. Member for Portsmouth, South of 9 September on the importation of dietary supplements. [142197]

Miss Melanie Johnson: I replied to the hon. Member on 26 November 2003.

Dementia

Mr. McWalter: To ask the Secretary of State for Health what his estimate is of *(a)* the number of people suffering from (i) severe dementia and (ii) moderate to severe dementia in Hertfordshire and *(b)* the number of residential places within the county which might accommodate those with (i) severe dementia and (ii) moderate to severe dementia. [141915]

Dr. Ladyman: There is no routine collection of information at national or local level about the number of people living with dementia. Research evidence shows that about five per cent. of the population over 65 has dementia. The research quoted by the older people's national service framework in 2001 estimated that approximately 600,000 people in the United Kingdom have dementia, of whom there are about 17,000 people under the age of 65.

All care homes which have the client group/service user category of DE (dementia under 65 Years) or DE(E) (dementia over 65 years) are able to accept client/service users with dementia.

Mr. Frank Field: To ask the Secretary of State for Health (1) what measures *(a)* have been recently introduced and *(b)* are proposed to provide appropriate residential care for those less than 50 years of age suffering from dementia in (i) England and (ii) Wirral; [141461]

(2) what *(a)* recent measures have been introduced and *(b)* what measures are proposed to support those under 50 years of age suffering from dementia in (i) England and (ii) Wirral. [141462]

Dr. Ladyman: The national service framework for older people includes a standard about promoting good mental health in older people and treating and supporting those older people with depression and people of all ages with dementia. The standard sets out the key interventions required for people with dementia, a service model, action required by the national health service and councils, and milestones for assessing progress.

In March 2003, my right hon. Friend the Member for Darlington (Mr. Milburn), announced that, as part of the eighth wave of its work, the National Institute for Clinical Excellence will be producing guidelines on dementia care. These will benefit people of all ages with dementia.

Local councils are responsible for identifying the care needs of those living in their area and for purchasing or providing the appropriate care. This includes the need for residential care for people with early onset dementia.

Dentists

Mr. Andrew Turner: To ask the Secretary of State for Health how many people *(a)* aged 17 or under and *(b)* aged 18 or over were registered with an NHS dentist in (i) Hampshire and the Isle of Wight Strategic Health Authority and (ii) the Isle of Wight Primary Care Trust in each of the last five years; and what proportion each represents of the relevant age group. [142425]

Ms Rosie Winterton: Information on the number and percentage of child and adult registrations in Hampshire and the Isle of Wight Strategic Health Authority and each of the primary care trusts in Hampshire and Isle of Wight for September 2002 and 2003 are shown in table 1 together with the registration rates of the relevant populations.

Table 2 shows the number and percentage of child and adult registration in Isle of Wight health authority and Hampshire health authority areas for September 1999, 2000 and 2001 together with the registration rates of the relevant populations.

Registrations lapse if patients do not return to their dentists within 15 months. Registrations will exclude patients who haven't been to their general dentist service

(GDS) dentist within the past 15 months and patients who receive dental treatment from other national health service dental services.

Patients wishing to register with a CDS dentist can obtain details of dentists accepting new patients by contacting NHS Direct.

Table 1: General Dental Service: Number of registrations and percentage of the population at 30 September each year—England

	2002			
Strategic health authority/Primary care Trust	*Child registration*	*Percentage*	*Adult registration*	*Percentage*
Hampshire and Isle of Wight	243	61.9	558	41.1
New Forest	24	69.4	60	44.9
North Hampshire	30	61.1	59	37.2
Isle of Wight	14	52.7	37	35.2
Mid Hampshire	26	69.0	61	46.5
East Hampshire	23	59.1	40	31.0
Portsmouth City	27	66.8	73	53.1
Blackwater Valley and Hart	24	58.4	50	39.2
Southampton City	27	60.7	82	47.6
Fareham and Gosport	24	56.8	48	34.4
Eastleigh and Test Valley South	24	64.0	49	39.4

	2003			
Strategic health authority/Primary care Trust	*Child registration*	*Percentage*	*Adult registration*	*Percentage*
Hampshire and Isle of Wight	239	60.9	528	38.9
New Forest	24	68.5	55	41.3
North Hampshire	29	59.9	56	35.9
Isle of Wight	14	51.3	32	30.6
Mid Hampshire	27	71.3	64	48.6
East Hampshire	21	55.0	33	25.3
Portsmouth City	27	66.8	74	53.5
Blackwater Valley and Hart	24	58.9	51	39.7
Southampton City	25	56.1	72	41.9
Fareham and Gosport	22	54.1	39	27.8
Eastleigh and Test Valley South	25	66.8	52	42.4

Notes:

1. Registration numbers are in thousands.
2. Population data are estimates of 2001 census.

Table 2: General Dental Service: Number of registrations and percentage of the population at 30 September each year—England

	1999			
Health authority	*Child registration*	*Percentage of the population*	*Adult registration*	*Percentage of the population*
Isle of Wight	16	61.6	42	41.6
Portsmouth and South East Hampshire	72	59.1	171	40.6
Isle of Wight, Portsmouth and SE Hampshire combined	88	59.5	214	40.8
North and Mid Hampshire	76	58.5	165	38.3
Southampton and South West Hampshire	79	66.6	201	47.0

	2000			
Health authority	*Child registration*	*Percentage of the population*	*Adult registration*	*Percentage of the population*
Isle of Wight	16	61.6	43	42.1
Portsmouth and South East Hampshire	74	59.1	167	39.5
Isle of Wight, Portsmouth and SE Hampshire combined	90	60.9	210	40.0
North and Mid Hampshire	79	58.5	175	40.5
Southampton and South West Hampshire	77	66.6	194	45.2

	2001			
Health authority	*Child registration*	*Percentage of the population*	*Adult registration*	*Percentage of the population*
Isle of Wight	—	—	—	—
Portsmouth and South East Hampshire	—	—	—	—
Isle of Wight, Portsmouth and SE Hampshire combined	89	60.3	207	39.2
North and Mid Hampshire	79	60.7	177	40.9
Southampton and South West Hampshire	76	64.6	191	44.3

Notes:

1. Registration numbers are in thousands.
2. Population data are estimates of 1991 and 2001 census.
3. Isle of Wight, Portsmouth and South East Hampshire HA merged in 2001.

Brian Cotter: To ask the Secretary of State for Health how many dentists in the Weston-super-Mare constituency *(a)* offer NHS treatment and *(b)* have vacancies for NHS patients. [142495]

Ms Rosie Winterton: Information is not collected on a constituency basis. Figures for Somerset Primary Care Trust are shown in the table.

General Dental Service (CDS) dentists in North Somerset PCT—30 September 2003

North Somerset Primary Care Trust	*Number*
Total	89
Principals	82
Assistants	6
VDPs	1

Note:
The number of dentists shown are those whose main work is in North Somerset PCT.
Source:
Dental Practice Board

NHS Dental Services: Number of General Dental Service dentists in North Somerset PCT registering charge exempt adults, charge paying adults and children under 18 years for NHS treatment, 4 December 2003

North Somerset Primary Care Trust	*Number*
Registering charge paying adults for NHS treatment	10
Registering charge exempt adults for NHS treatment	17
Registering children under 18 years for NHS treatment	24

Note:
This data has been extracted from the www.nhs.uk website. The information on this site is provided by Primary Care Trusts Webmasters and is used by NHS Direct to advise patients on the availability of dental services in their area.
Source:
www.nhs.uk

Departmental Hospitality

Mr. Burstow: To ask the Secretary of State for Health how much his Department spent on hospitality in each year since 1997, broken down by main expenditure heading. [140473]

Ms Rosie Winterton: Expenditure arises on hospitality only in the context of promoting the Department's business objectives. All such expenditure is made in accordance with published Departmental guidance on financial procedures and propriety, based on principles set out in "Government Accounting". Information on hospitality expenditure since 1997 is shown in the table. A more detailed breakdown is not readily available.

The expenditure listed is for hospitality provided by both Ministers and officials in the Department.

Department of Health hospitality expenditure

	£
1996–97	105,192
1997–98	90,883
1998–99	67,953
1999–2000	50,114
2000–01	93,091
2001–02	121,968
2002–03	125,291
2003–04	38,073

Note:
2003–04 expenditure is for April to October 2003.

Diabetes

Tim Loughton: To ask the Secretary of State for Health if he will promote research to enable a comparison to be made of *(a)* mortality and *(b)* diabetic complication rates from using (i) animal and (ii) human insulin. [141159]

Ms Rosie Winterton: I am not aware of any past or current research comparing clinical outcomes, mortality and complications, from treatment with animal or human insulin. It was not a topic which was raised in the public consultation exercise that was organised for the joint Department of Health and Medical Research Council's review of current and future research on diabetes in 2002.

Doctors/Nurses

Mr. Hancock: To ask the Secretary of State for Health how many *(a)* nurses and *(b)* doctors are employed in the Portsmouth and South East Hampshire health authority. [141358]

Ms Rosie Winterton: Information on the number of nurses and doctors employed by Portsmouth Hospitals National Health Service Trust, Portsmouth City Primary Care Trust and East Hampshire Primary Care Trust is shown in the table.

All NHS doctors and nurses within Hampshire and Isle of Wight strategic health authority and in the specified organisations, as at 30 September 2002

Number (headcount)

		Of which		
	Hampshire and Isle Of Wight SHA	*Portsmouth City PCT*	*East Hampshire PCT*	*Portsmouth Hospitals NHS Trust*
Total doctors[1]	3,595	150	202	569
Of which				
HCHS medical and dental general staff[2]	2,426	45	75	569
General Medical Practitioners[3]	1,169	105	127	
Total nurses	11,658	473	732	2,019
Of which				
Practice nurses[3]	867	95	98	—
Qualified nursing, midwifery and health visiting staff	10,791	378	634	2,019

[1] Excludes hospital medical hospital practitioners and hospital medical clinical assistants, most of whom are GPs working part time in hospitals.

[2] All practitioners include GMS unrestricted principals, PMS contracted GPs, PMS salaried GPs, restricted principals, assistants, GP registrars, salaried doctors (Para 52 SFA), PMS other and GP retainers.

[3] Practice nurses are employed by unrestricted principals and equivalents (UPEs). UPEs include GMS unrestricted principals, PMS contracted GPs and PMS salaried GPs.

Sources:

Department of Health General and Personal Medical Services Statistics
Department of Health Medical and Dental Workforce Census
Department of Health Non-medical Workforce Census

Epilepsy

Mr. Baron: To ask the Secretary of State for Health what plans he has to reduce the number of epilepsy sufferers estimated to be misdiagnosed or inappropriately treated following referral to an epilepsy clinic. [141877]

Dr. Ladyman *[holding answer 4 December 2003]*: I refer the hon. Member to the reply I gave him on 19 November 2003, *Official Report*, column 1111W. We expect several related policies to help reduce the number of people who may be misdiagnosed and inappropriately treated following referral to an epilepsy clinic.

The National Institute for Clinical Excellence (NICE) has already made its report of the "National Clinical Audit of Epilepsy Related Death" available to local national health service clinicians and organisations to help improve the management of epilepsy and epilepsy-related death. The NICE clinical guideline for the diagnosis, management and treatment is planned for publication next year and will be available to the NHS to support improvements in services. Additionally, implementation of the clinical quality standards of the new general medical services contract from next April will help improve the management of epilepsy in primary care.

We are also developing the national service framework (NSF) for long term conditions, which will focus on improving the standard of neurology services across England for conditions such as epilepsy. We currently plan to publish the NSF late next year for implementation from 2005.

Fertility Clinics

Jim Dobbin: To ask the Secretary of State for Health what improvements will need to be made to standards of quality and safety in UK licensed fertility clinics in order to comply with European Union Document No. 10122/03 on the Quality and Safety of Human Tissues and Cells. [141563]

Miss Melanie Johnson: The proposed Directive on the quality and safety of human tissues and cells, will, if adopted, set common standards covering donation, procurement, testing, processing storage and distribution. It will be a legal requirement for all establishments undertaking activities within the scope of the Directive to be inspected and accredited by a designated body in each member state. However, the precise standards of quality and safety required for accreditation have yet to be developed. The Directive will provide for an expert committee to develop detailed annexes setting out the requirements.

Foundation Hospitals

Tim Loughton: To ask the Secretary of State for Health what powers foundation hospitals will have to appoint their own auditors. [141022]

Mr. Hutton *[holding answer 1 December 2003]*: Schedule 1, Paragraph 22 (2) of the Health and Social Care (Community Health and Standards) Act 2003 provides for the Board of Governors to appoint the auditor of a national health service foundation trust.

GPs

Brian Cotter: To ask the Secretary of State for Health what action the Government are taking to increase the number of general practitioners in the Weston Area Health Trust. [142492]

Ms Rosie Winterton: We are committed to increasing the general practitioner (GP) work force and have introduced a range of measures to improve GP recruitment and retention. These include financial incentives to new and returning GPs and older GPs who delay their retirement from the national health service, flexible retirement options, a GP Returners Campaign and the Flexible Career Scheme which will help to create additional part-time and flexible posts within general practice.

We have also substantially increased the number of GP Registrars (GPRs)—the GPs of the future and we expect GPR numbers to grow further this year and beyond.

I am advised that North Somerset Primary Care Trust is working closely with all practices to provide flexible packages to encourage GPs into the area.

Haemophilia

Mr. Brady: To ask the Secretary of State for Health what action he has taken to ensure that recombinant treatment is made available to adults with haemophilia who live in *(a)* England and *(b)* Northern Ireland. [141249]

Miss Melanie Johnson: We have been working with key stakeholders, including the Haemophilia Society, clinicians, primary care trusts and others to put in place a strategy to roll out access to recombinant products. We aim to begin the roll out as soon as possible. More information about the issues that the working group has had to consider prior to the roll out can be obtained from www.doh.gov.uk/blood/rcfwg.

Recombinant clotting factors have been made available for all adult haemophilia patients in Northern Ireland, except for a small group of adult patients with severe haemophilia. It is expected that these patients will receive recombinant early in 2004.

HFEA

Jim Dobbin: To ask the Secretary of State for Health how much remuneration the Right Reverend Richard Harries, Bishop of Oxford will receive per annum as a member of the Human Fertilisation and Embryology Authority. [141561]

Miss Melanie Johnson: Members of the Human Fertilisation and Embryology Authority (HFEA) spend approximately three days a month on HFEA business and receive £169 per day, plus travel and subsistence expenses.

Long-Term Conditions

Dr. Tonge: To ask the Secretary of State for Health what the key priorities are of the National Consultation's Expert Group on long-term conditions for *(a)* 2003–04 and *(b)* 2004–05. [141695]

Dr. Ladyman: Eight national task groups, including one for people with continuing, long-term conditions, contributed to the consultation on choice, responsiveness and equity in the national health service and social care. The Government intend to publish a document shortly setting out the broad themes that have emerged from the national consultation and how these will shape future policy and action.

Mr. Baron: To ask the Secretary of State for Health if the Government will provide ring-fenced funding to implement the national service framework for long-term conditions. [142629]

Dr. Ladyman: We currently plan to publish the national service framework for long-term conditions at the end of next year. Implementation will take place over 10 years from 2005 and will be in line with our overall strategy to support delivery of the NHS Plan, which is to set a clear national framework of standards backed up by independent inspection and, increasingly, to give more responsibility to front-line health and social services providers so that local organisations have more flexibility and freedom to plan, resource and deliver services. As a result we are increasing general funding allocations to local national health service and social care organisations.

Malnutrition

Dr. Murrison: To ask the Secretary of State for Health what assessment he has made of the *(a)* causes of malnourishment in England and *(b)* extent to which the incidence of malnutrition in England has altered since 1990. [141035]

Miss Melanie Johnson: Malnourishment is caused by an imbalance of nutrients, particularly energy intake, which impacts on body weight. Eating a balanced diet and keeping physically active helps people to maintain a healthy body weight.

The table shows the count of finished in year admissions episodes for national health service hospitals in England from 1995–96 to 2001–02, where the primary diagnosis is malnutrition. Comparable data are not available prior to 1995–96.

	Number
1995–96	244
1996–97	234
1997–98	249
1998–99	271
1999–2000	234
2000–01	209
2001–02	299

Source:

Hospital Episodes Statistics (HES), Department of Health.

In the NHS Plan (2000), the Government made a commitment to reduce under-nutrition by developing a hospital nutrition policy to improve the outcome of care of patients by 2004. A number of measures and strategies are in place to manage, monitor and screen patients for under nutrition in hospitals, residential care and the wider community. Nutritional screening is recommended for the care of specific groups, such as those outlined in the national service framework for older people (2001).

Medicinal Self-administration

Sandra Gidley: To ask the Secretary of State for Health who is responsible for monitoring which hospitals have introduced self-administration schemes for medicines for older people. [142052]

Dr. Ladyman: Responsibility for monitoring this service development rests with individual strategic health authorities.

Mental Health Bill

Tim Loughton: To ask the Secretary of State for Health (1) when he will publish the revised Mental Health Bill; [140987]

(2) whether the consultation responses to the draft Mental Health Bill will be published before the proposed pre-legislative scrutiny committee on the bill is appointed; [140989]

(3) whether the proposed pre-legislative scrutiny committee on the Mental Health Bill will consider a revised version of the draft Mental Health Bill; [140990]

(4) what revisions he proposes to make to the draft Mental Health Bill. [140991]

Ms Rosie Winterton *[holding answer 1 December 2003]*: A revised and completed Mental Health Bill will be brought forward for pre-legislative scrutiny as soon as possible.

We have been carefully considering the responses to consultation on the draft Bill that was published in June 2002, and further points raised in subsequent meetings with stakeholders.

The Government's response to the consultation will be published prior to introduction of the Bill. It will be available in hard copy and on the Department's website. At that time, copies of responses to the draft Bill will be placed in the Library, except in cases where respondents have asked for confidentiality.

The Government response will set out the changes that have been made to the Bill.

Tim Loughton: To ask the Secretary of State for Health (1) whether he intends that Members of both Houses should be included on the proposed pre-legislative scrutiny committee on the Mental Health Bill; [141032]

(2) what remit he proposes for the proposed pre-legislative scrutiny committee on the Mental Health Bill. [141033]

Ms Rosie Winterton: A revised and completed Mental Health Bill will be brought forward for pre-legislative scrutiny in this session.

What committee, or form of committee, should conduct the pre-legislative scrutiny is currently under negotiation through the usual channels in both Houses.

Neurological Conditions

Mr. Baron: To ask the Secretary of State for Health what action the Government are taking to collect figures on the numbers of people with neurological conditions in England. [142630]

Dr. Ladyman: We do not ask the national health service to collect data on the incidence of individual neurological conditions such as neurology because of the enormous range of conditions and diseases that exist.

However, the Department of Health has already commissioned a series of research studies, following the announcement of the national service framework (NSF) for long-term conditions, to assist the work of the external reference group. Emphasis has been placed on reviews of existing evidence, rather that on the collection of new data.

The studies include:

an epidemiological study of head injury data gathering in four UK sites;

around (£2 million) of research to underpin the implementation of the NSF;

a working group looking at research and evidence issues for the NSF.

Also, the Neurological Alliance recently published a brief review of the numbers of people in the UK with a neurological condition.

NHS Trust Laboratories

Mr. Burstow: To ask the Secretary of State for Health how funding for specialist public health work will be provided to NHS trust laboratories in *(a)* 2005–06, *(b)* 2006–07 and *(c)* 2007–08. [142244]

Miss Melanie Johnson: The central funding which supports public health work will continue to be provided to national health service trusts, via the Health Protection Agency (HPA), under service level agreements. Specialist and reference microbiology, for both clinical and public health purposes, is provided by the laboratories of the HPA.

The public health outputs of NHS microbiology pathology laboratories will be monitored by the HPA's regional microbiologists and their procedures and practices will be inspected by the Department's Inspector of Microbiology.

Pain Management Services

Mr. Baron: To ask the Secretary of State for Health what waiting-time information he collates on consultant referrals to pain management services. [140575]

Mr. Hutton *[holding answer 1 December 2003]:* The Department does not collect waiting time information on referral from consultant to pain management service.

The Department does collect waiting time information on written referral from general practitioner to first out-patient appointment with a pain management consultant, and for patients waiting for elective admission where the main specialty is pain management. Latest published information for England on these two areas is shown in the tables.

Patients waiting for 1st consultant out-patient appointment following G/D/P referral: England: Quarter 2 2003–04 Provider based

	Not yet seen at end of quarter who have been waiting (weeks)
13to <17	859
17 to <21	261
21 to <26	0
26 and over	0

Source:

Department of Health form QM08.

Patients waiting for elective in-patient admission and elective in-patient admission events: England: Quarter 2 2003–04 Provider based

		Patients waiting for admission by months waiting			
Admission type	Total number of patients waiting for admission	Less than 3 months	3–5 months	6–8 months	9–11 months
Ordinary	264	155	79	27	3
Day case	6,921	4,752	1,523	535	111

Admission type	Decisions to admit	Admissions	Failed to attend	Removals	Self deferrals	Suspensions
Ordinary	442	414	6	81	23	6
Day case	8,589	7,250	341	1,167	552	211

Source:

Department of Health forms KH07, KH06 and KH07A.

Mr. Baron: To ask the Secretary of State for Health how much the NHS has spent in each of the last five years on pain management research. [140576]

Mr. Hutton *[holding answer 1 December 2003]:* Management of much of the research supported by national health service research and development funding is devolved and expenditure at project level is not held centrally by the Department. Details of ongoing and recently completed research projects funded by, or of interest to, the NHS are available on the national research register at www.doh.gov.uk/research/nrr.htm.

Current projects include a £0.7 million trial of a primary-care based cognitive behavioural programme for low back pain, a £0.6 million study of the comparative effectiveness of topical and oral Ibuprofen for the treatment of chronic knee pain in older people, and a £0.6 million study of interventions for pain relief in patients with abdominal malignancy.

Sexual Health

Mr. Burns: To ask the Secretary of State for Health (1) what the average waiting time for each genito-urinary medicine clinic in England from first walking into the clinic to being treated for *(a)* men and *(b)* women was in 2003; and what the figures were in (i) 2000 and (ii) 1997; [140601]

(2) what the average time is an *(a)* man and *(b)* woman has had to wait in a (i) genito-urinary medicine clinic and (ii) sexual health clinic between walking into the clinic and being seen by a specialist in 2003; and what the figures were in (A) 2000 and (B) 1997; [140602]

(3) how many *(a)* men and *(b)* women have been initially turned away without treatment from a (i) genito-urinary medicine clinic and (ii) sexual health clinic in the last 24 months; and for what reasons this happened; [140603]

(4) if he will make a statement on *(a)* the mean and *(b)* the median waiting time for (i) men and (ii) women to receive treatment from a sexual health clinic in (A) the last year for which figures are available, (B) 2000 and (C) 1997; [140604]

(5) what the longest waiting times for treatment in *(a)* genito-urinary medicine clinics and *(b)* sexual health clinics was in (i) the last year for which figures are available, (ii) 2000 and (iii) 1997; and if he will make a statement; [140689]

(6) what the average waiting time from first contact with a sexual health clinic to being treated is for *(a)* men and *(b)* women in each sexual health clinic in England was in the last year for which figures are available, and what the waiting times were in (i) 2000 and (ii) 1997; [140690]

(7) how many and what proportion of *(a)* men and *(b)* women waited (i) 1 to 3 days, (ii) 4 to 7 days, (iii) 8 to 14 days, (iv) 15 to 21 days, (v) 21 to 28 days and (vi) over 28 days for treatment after their first examination at (A) genito-urinary medicine clinics and (B) sexual health clinics in (1) the last year for which figures are available, (2) 2000 and (3) 1997; and if he will make a statement; [140694]

(8) what the *(a)* mean and *(b)* median waiting times for (i) men and (ii) women to receive treatment for a sexually transmitted infection from (A) a GP and (B) a genito-urinary medicine clinic were in (1) the last year for which figures are available, (2) 2000 and (3) 1997; [140717]

(9) how many genito-urinary medicine clinics provided walk-in facilities in the past and no longer do so. [140718]

Miss Melanie Johnson: These data are not currently collected centrally. We are examining with the Health Protection Agency ways in which data on waiting times at genito-urinary medicine clinics can be obtained. Early next year, we will be undertaking pilot surveys in a number of genito-urinary medicine clinics, where patients will be asked to complete a short anonymous questionnaire seeking information on waiting times in days. Because data on postcode will be collected it will be possible to calculate average waiting times for the residents of individual primary care trusts. If the pilots are successful the first main survey of clinics will be undertaken in 2004.

Mr. Burns: To ask the Secretary of State for Health if he will make a statement on measures to tackle the incidence of sexual ill health; and what steps he is taking to improve access to *(a)* medical advice and *(b)* treatment for people suffering from a sexually transmitted infection. [140695]

Miss Melanie Johnson: The Government are concerned about the poor state of sexual health and remain committed to tackling increasing rates of HIV and sexually transmitted infections (STIs) through the Sexual Health and HIV strategy. Reducing transmissions of STIs is a complex issue that will involve people in changing their behaviour. We are drawing on the best evidence on what works to achieve this. Our "sex lottery" campaign is designed to improve awareness of STIs and how to avoid them. The Department has invested over £35 million in the past two years in specialist genito-urinary medicine clinics including an additional £15 million just announced for capital investment. This funding will increase capacity in services and reduce waiting times, thereby helping primary care trusts to offer quicker access to diagnosis and treatment. We are also rolling out a chlamydia screening programme and investing £8 million to convert laboratories in every area to a superior and more reliable test for chlamydia.

Mr. Burns: To ask the Secretary of State for Health how many *(a)* sexual health and *(b)* genito-urinary medicine clinics there are in England; how many there were in (i) 2000 and (ii) 1997; and how many have walk-in facilities. [140705]

Miss Melanie Johnson: There are currently 208 genito-urinary medicine (GUM) clinics in England. In 2000 there were 207 and in 1997 there were 208. The Department is investing £1.8 million this year and in next two financial years to pump-prime development of GUM services in 10 areas and expand service capacity.

Sexual health clinics are integrated services providing a range of advice, testing and treatment for sexually transmitted infections and contraception. Data are not collected on numbers of these services or how many clinics provide walk-in facilities.

Speech Therapists

Mr. Baron: To ask the Secretary of State for Health what assessment he has made of the effect "Agenda for

Change" will have on the pay levels for speech and language therapists; and if he will make a statement on how it will affect their professional status. [142627]

Mr. Hutton: As part of the agreement with trades unions earlier this year on the new national health service pay system, "Agenda for Change", NHS speech and language therapists, like other health service workers, will receive a minimum 10 per cent. increase in basic pay over the period 2003–04 to 2005–06. It is too early to assess in more detail the impact of "Agenda for Change" on speech and language therapists' pay levels. The impact will vary between posts depending on a range of factors, including the national job profile to which the particular post matches or—where there is no match with a national profile—the results of local job evaluation. The national job profiles for speech and language therapists have only recently been agreed with the trade unions.

"Agenda for Change" will provide a framework for pay and career progression that is fair, consistent and transparent across all groups of NHS staff. It provides greater opportunities to recognise and reward NHS staff who take on extra responsibilities and use increased knowledge and skills in their work. It provides greater scope to create new roles that enable staff to deliver more patient-centred care.

Sports

Mr. Gardiner: To ask the Secretary of State for Health how much per head of population has been spent by his Department on promoting and facilitating sport and physical activity in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [140499]

Miss Melanie Johnson: This information is not available.

Suicides

Mr. Burstow: To ask the Secretary of State for Health what action his Department is taking to reduce the number of suicides happening in December and January; and if he will make a statement. [141209]

Ms Rosie Winterton: The National Suicide Prevention Strategy for England recognises that the factors associated with suicides are many and varied. This is why the strategy sets out a broad approach, involving a wide range of organisations and individuals in the public, private and voluntary sectors. The strategy also identifies some groups that are at high-risk of suicide and has targeted them for specific action, although the winter months of December and January are not singled out for special attention. Whatever the causes of suicide, and we do not fully understand them all, it is a matter of great concern to the Government and to those delivering mental health services. Improving mental health services is a priority.

Tuberculosis

Mr. Hancock: To ask the Secretary of State for Health how many cases of tuberculosis have been reported in the Portsmouth and South East Hampshire health authority area in each year since 2000–01. [141357]

Ms Rosie Winterton: Information on notified cases of tuberculosis is collated by the Communicable Disease Surveillance Centre (CDSC) of the Health Protection Agency through the notification of infectious diseases (NOIDs) system. The number of notified cases in the local and unitary authorities corresponding to the old Portsmouth and South East Hampshire health authority area, since 2000 is shown in the table.

	Number of cases
2000	8
2001	7
2002	32

Valuing People

Mr. Burstow: To ask the Secretary of State for Health what monitoring his Department has undertaken to ensure that the funding announced to support Valuing People and allocated to strategic health authorities and primary care trusts was spent on initiatives to support Valuing People; how the remaining capital element of the LDDF was spent in 2002–03; and for what reasons the decision was taken to change the way the capital fund was distributed for 2003–04. [140474]

Dr. Ladyman: Capital allocations from the Learning Disability Development Fund (LDDF) are included in monthly returns which strategic health authorities (SHAs) make to the Department. It is for SHAs to monitor how individual primary care trusts and national health service trusts use the funds.

Local authorities provide information to the Department about the use of the revenue element of the LDDF as part of their delivery and improvement statements.

In 2002–03, the allocation of the LDDF capital was handled centrally. Learning disability partnership boards were invited to submit bids as part of their joint investment plans. £16.7 million of the £20 million available was allocated to support the development priorities for capital investment in the learning disability White Paper "Valuing People". It was not possible to spend the full amount because of the long lead in time on capital projects and the remaining £3.3 million was therefore used on other centrally funded projects.

In accordance with our policy of decentralisation, it was decided to simplify the procedure for 2003–04 and enable decisions about the use of the money to be taken as closely as possible to the point of spending. The £20 million per annum LDDF capital was therefore distributed to SHAs as part of their three-year strategic capital allocations. This enabled us to issue their funds to them more quickly. Given the long lead in for many capital schemes, making three-year allocations should also enable the SHAs to make better use of the money. SHAs were informed about the change of procedure through the Chief Executive's Bulletin and a more detailed note setting out the priorities for use of the fund was included on the Department's web site.

WORK AND PENSIONS

Benefit/Pensions Payment

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions how pensions will be paid to pensioners with neither a bank account nor a Post Office Card Account. [142426]

Mr. Pond: Almost 50 per cent. of pensioners are already paid by Direct Payment and 90 per cent. of pensioners already have an account suitable to receive Direct Payment. And for those who do not, new easy to operate accounts, which are accessible at the Post Office, are widely available.

We have always recognised that there will be a small number of people who we cannot pay directly into an account. Our plan is to design an exceptions method of payment to properly meet the needs of customers in these circumstances. Detailed arrangements for this method of payment are not finalised yet, but it is anticipated that it will be a cheque-based solution. Payment outlets will include Post Office branches.

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions how many claimants have *(a)* phoned his Department to request a Post Office Card Account, *(b)* completed a Card Account application form and returned it to EDS and *(c)* returned an invitation pack form with card account details to his Department. [142427]

Mr. Pond: Key figures on the progress of conversion to Direct Payment are available in the Library, updated every four weeks.

Information regarding the number of Post Office card account applications completed and returned are matters that fall within the responsibilities of Post Office Ltd. (POL).

Mr. Hancock: To ask the Secretary of State for Work and Pensions if he will make it his policy *(a)* to end the practice of his Department's managers and agencies seeking to dissuade claimants from using the Post Office to access their benefits in preference to banks and building societies and *(b)* to promote the use of the Post Office for such a purpose on an equal basis; and if he will make a statement. [140925]

Mr. Pond: No such practice exists. All Department for Work and Pensions staff have been provided with information on all of the account options available to the customer. The role of the staff member is to provide factual information and not advise which option the customer should choose. It will be up to the customers themselves to decide which type of account they wish to have their money paid into.

Miss McIntosh: To ask the Secretary of State for Work and Pensions what targets his Department set for the number of people opting to use *(a)* bank or building society accounts and *(b)* Post Office card accounts to receive their benefits payments; and where these targets are published. [141507]

Mr. Pond: The Department has a published Public Service Agreement (PSA) that by 2005, 85 per cent. of customers will have their benefits paid by Direct Payment. Direct Payment includes both bank/building society current and basic accounts and the Post Office card account.

The PSA can be found in the 2002 Spending Review which is available in the House of Commons Library.

Mr. Challen: To ask the Secretary of State for Work and Pensions if he will withdraw the guidance circulating within his Department that encourages the use only of direct payments of benefits. [142215]

Mr. Pond: Payment directly into a bank or building society account, including the Post Office card account is the normal method of payment for benefits and pensions.

All staff have been provided with appropriate, up to date, guidance on all of the account options and it will be up to customers to choose the best account to suit their circumstances.

Chronic Pain

Mr. Sheerman: To ask the Secretary of State for Work and Pensions what the cost of incapacity benefit paid to sufferers of chronic pain in the UK was in 2002–03. [140477]

Maria Eagle: The information is not available.

Employers Liability Insurance

Brian Cotter: To ask the Secretary of State for Work and Pensions what plans he has to change enforcement arrangements for employers liability compulsory insurance; and if he will make a statement. [142494]

Mr. Browne: The Department has set out its proposals for changing enforcement arrangements for employers' liability compulsory insurance (ELCI) in the second stage report of the review of ELCI published on 4 December. This also makes reference to the latest research on compliance which has been commissioned by the Health and Safety Executive (HSE). A copy of the report is available in the Library.

Health and Safety

Mr. Nicholas Brown: To ask the Secretary of State for Work and Pensions what recent representations he has received from the Health and Safety Commission concerning the Health and Safety Executive's priorities. [140645]

Mr. Browne: On 8 October 2003, we launched a consultation on the Health and Safety Commission's draft "Strategy for Workplace Health and Safety in Great Britain to 2010 and beyond". The strategy sets out what the Commission and Health and Safety Executive see as priorities to ensure that the health and safety system remains relevant and effective in the changing economy. It deals with the active management of risk in the workplace, and the need to place greater emphasis on rehabilitation and access to occupational health provision.

The Commission will shortly finalise and submit the strategy to Ministers. The Commission will then determine programmes of activity to deliver its objectives and targets for improvements in health and safety at work.

Mr. Nicholas Brown: To ask the Secretary of State for Work and Pensions what representations he has received from the Health and Safety Commission concerning the setting of measurable targets for the work of the Health and Safety Executive. [140647]

Mr. Browne: The Government and Health and Safety Commission first set targets for health and safety at work in the Revitalising Health and Safety Strategy Statement in June 2000. The Commission set out how they will deliver their contribution to the targets in their Strategic Plan 2001–04 and annual Business Plans. Priority programmes are in place with the aim of addressing those hazards and industries where significant improvements in health and safety are needed to achieve the targets.

The Commission is introducing high level targets for the Executive's work in major hazard industries intended to achieve a sustained reduction in the occurrence of precursor incidents in these industries between 2004 and 2006. The Commission is also keen to promote improved heath and safety in the public sector and to set measurable targets to secure these improvements.

Housing Benefit

Mr. Flook: To ask the Secretary of State for Work and Pensions when district councils will be informed of the element of the rate support grant for handling Housing Benefit. [142792]

Mr. Pond: Responsibility for payment of the Housing Benefit subsidy element, previously distributed by the Office of the Deputy Prime Minister, The National Assembly for Wales and the Scottish Executive through the Revenue Support Grant, has been transferred to the Department for Work and Pensions. This element represented the 5.5 per cent. residual subsidy paid to authorities for Rent Allowance, Council Tax Benefit and non Housing Revenue Account Rent Rebates, which supplemented the 95 per cent. direct subsidy we already pay.

Our agreement that all funding relating to Rent Allowance, Rent Rebate and Council Tax Benefit would transfer to the Department for Work and Pensions from April 2004 provided the opportunity to review all subsidy rates and rules, in order to produce a more transparent and simplified system.

From April 2004 we will pay all subsidy as a direct grant, payable at 100 per cent. for correct claims. Authorities will not therefore receive any indirect subsidy through the Revenue Support Grant relating to Housing Benefit. Although the overall levels of funding have not changed, we recognise that individual authorities may gain or lose under the new regime; a transitional protection scheme has been put in place, which ensures that no authority will lose more than 1 per cent. in the first year over that which they would have received had the rates not changed.

A subsidy circular (S9/2003) was issued to all authorities on Monday 1 December to explain the funding changes in greater detail. A copy has been placed in the Library.

New Deal for Communities

Mr. McLoughlin: To ask the Secretary of State for Work and Pensions what assessment he has made of the impact of the New Deal for Communities since 1998 in *(a)* West Derbyshire and *(b)* the East Midlands on (i) reducing crime, (ii) creating jobs and (iii) raising standards in education. [141434]

Yvette Cooper: I have been asked to reply.

There are no New Deal for Communities (NDC) Partnerships in West Derbyshire so there is no direct benefit to West Derbyshire from New Deal for Communities programme.

In the East Midlands, there are three NDC Partnerships, in Leicester (Braunstone), Derby (Derwent) and Nottingham (Radford and Hyson Green).

The NDC programme is scrutinised and reviewed using two, complementary and linked streams of work:

a performance management system, which drives annual and mid-year reviews, lead by the Government Offices for the Regions

the NDC National Evaluation, providing external assessment at partnership, programme and theme level, lead by Sheffield Hallam University.

The performance management system was introduced in 2003 and used for the first time for the 2002–03 annual reviews. Partnerships reviewed their own performance and the results that they are starting to achieve.

The evidence provided in these reviews by the NDC Partnerships show that Partnerships in the East Midlands are beginning to make an impact in reducing crime, creating jobs and raising standards in education. For example:

In Nottingham the NDC has recruited and trained local residents to act as teaching assistants;

In the Derby NDC area, GCSE results are up 30 per cent. in the first two years of the programme;

In Braunstone, Leicester, unemployment has fallen from 12.6 per cent. to 8.5 per cent.;

Nottingham NDC's achievements on reducing crime include target hardening, street lighting, extra policing and Neighbourhood Wardens;

In the Braunstone area of Leicester, Burglary has fallen by 20 per cent. and vehicle crime by 16 per cent.

Data from the national NDC evaluation about the progress NDC Partnerships are making towards achieving their outcome targets are now beginning to come through. An overview of the latest position was recently published in the Office of the Deputy Prime Minister Research Report 7 "New Deal for Communities: The National Evaluation: Annual Report 2002/03". Copies are available in the Library of the House.

Mr. McLoughlin: To ask the Secretary of State for Work and Pensions what proposals he has to *(a)* continue and *(b)* develop New Deal for Communities schemes in (i) West Derbyshire and (ii) the East Midlands. [141435]

Yvette Cooper: I have been asked reply.

There are no New Deal for Communities (NDC) schemes in West Derbyshire. There are no plans to develop any NDC schemes in West Derbyshire.

In the East Midlands, there are three NDC schemes, in Leicester (Braunstone), Derby (Derwent) and Nottingham (Radford and Hyson Green). The Leicester programme is scheduled to complete in seven years (in 2006–07), the Nottingham programme is scheduled to run over 10 years and will continue until 2009/10 and the Derby Partnership, also over 10 years, until 2010–11. There are no plans to develop any further rounds of NDC.

Mr. McLoughlin: To ask the Secretary of State for Work and Pensions if he will list the *(a)* schemes and *(b)* funding made available to West Derbyshire since 1998 under the New Deal for Communities. [141436]

Yvette Cooper: I have been asked to reply.

There are no New Deal for Communities (NDC) schemes in the West Derbyshire district and so no funding has been made available in the area under the NDC scheme.

New Deal for Young People

Mr. Gibb: To ask the Secretary of State for Work and Pensions what assessment he has made of the finding of the National Audit Office report on the New Deal for Young People of 28 February 2002 on the average annual cost per additional person of any age in employment. [141796]

Mr. Browne: The National Audit Office (NAO) estimates of the average annual cost per additional job were similar to those found in earlier research. Cost per job figures such as those produced by NAO count all the expenditure on the programme up to a point in time, but not all the benefits that will ultimately result from that expenditure—such as social benefits. They are, therefore, likely to over-estimate the long-run cost of the programme to the economy.

A study by the National Institute for Economic and Social Research found that for every £5 spent on the New Deal for Young People, the Government gets £3 back in higher tax returns and lower social security spending.

Pension Credit

Mr. McLoughlin: To ask the Secretary of State for Work and Pensions how many pensioners in West Derbyshire *(a)* are receiving Pension Credit, *(b)* are entitled to Pension Credit but are not yet claiming it, *(c)* are receiving Pension Savings Credit, *(d)* are entitled to Pension Savings Credit but are not yet claiming it, *(e)* received free eye tests in the last year for which figures are available, *(f)* received free TV licences in the last year for which figures are available and *(g)* will be entitled to winter fuel payment (i) at the standard rate and (ii) at the higher rate for older pensioners in 2003–04; and if he will make a statement. [141437]

Malcolm Wicks: Information is not available in the format requested. Such information we can give is as follows.

As at 17 October, 2003 the number of pensioner households receiving Pension Credit in West Derbyshire constituency was 2,185 of whom 1,640 were in receipt of the savings element. Around 300,000 pensioner households in the East Midlands region are entitled to Pension Credit.

Notes:

1. Figures on the number of Pension Credit recipients have been rounded to the nearest five.
2. Figures are based on 100 per cent. Generalised Matching Service (GMS) data.
3. Parliamentary constituencies are assigned by matching postcodes against the relevant ONS postcode directory.

Source:

IAD Information Centre, 100 per cent sample

For the year ending 31 March, 2003, there were 27,800 free eye tests in the North Derbyshire Health Authority and 40,700 in South Derbyshire Health Authority for people aged 60 and over.

Notes:

1. West Derbyshire falls within North Derbyshire and South Derbyshire Health Authorities.
2. Sight tests cannot be equated to the numbers of patients. Although most people do not come back for a sight test within the year, some patients suffering from medical conditions are advised to have re-examinations sooner.
3. Everyone over 60, regardless of income, was entitled to free NHS sight tests for this period.
4. This information is derived from six monthly returns from health authorities.
5. Figures are rounded to the nearest hundred.

As at 31 May 2003, the number of people in the West Derbyshire constituency aged 75 and over eligible for a free TV licence was 8,600. However, as only one TV licence is required per household, the number of free TV licences issued will be lower than this figure.

Notes:

1. Figures based on 5 per cent. data taken from the Client Group Analysis of the population over State Pension age, and are therefore subject to a degree of sampling variation.
2. Figures are based on based on those receiving key benefits which are Attendance Allowance, Disability Living Allowance, Severe Disablement Allowance, Incapacity Benefit, Minimum Income Guarantee and State Pension.
3. Figures are rounded to the nearest hundred

Source:

IAD Information Centre, 5 per cent. sample of people on key benefits.

The number of people in West Derbyshire parliamentary constituency who received a Winter Fuel Payment for winter 2002–03 was 20,620. We expect the number to be around the same for 2003–04. Of that figure 4,225 were aged 80 and over and we therefore expect a similar number would become eligible to receive a higher amount of Winter Fuel payment.

Notes:

1. Figures taken from the Matching Intelligence Data Analysis Service Winter Fuels Payment 2002–03 exercise 100 per cent. data.
2. 100 per cent. data figures are rounded to the nearest five.

Source:

IAD Information Centre 100 per cent sample

Pensioners (St. Helens)

Mr. Woodward: To ask the Secretary of State for Work and Pensions what the average pensioner income in St. Helens was in each year since 1992. [141300]

Malcolm Wicks: Statistically reliable information on average pensioner incomes in St. Helens is not available due to insufficient sample size. St. Helens is in the Government Office Region of North West England. The following table gives average pensioner incomes in North West England between 1994–95 and 2001–02[1].

Pensioner incomes in the North West in 2001–02 prices:

Pensioner units North West England

	£
1994–95	198
1995–96	201
1996–97	206
1997–98	210
1998–99	230
1999–2000	232
2000–01	238
2001–02	239

Pensions

Mr. Woodward: To ask the Secretary of State for Work and Pensions what plans the Government have to review the policy of unlimited pension contribution holidays in final salary pension schemes. [142381]

Malcolm Wicks: Since pension provision by employers is voluntary, the levels of contributions are a matter for agreement between pension scheme trustees and sponsoring employers.

Under the new scheme-specific funding regime, which is intended to replace the Minimum Funding Requirement, trustees and sponsoring employers will be required to develop and agree, with the scheme actuary's advice, the funding principles for their scheme—including a determination of whether the level of contributions is sufficient to meet a scheme's long-term pension commitments.

The new proposed, simpler tax regime for approved pension schemes (set out in the document "Simplifying the taxation of pensions: increasing choice and flexibility for all" (December 2002)) would abolish the rules requiring approved occupational pension schemes to run off their surplus funds (for example by agreeing contributions holidays) or lose their full tax-exempt status. In addition, the document "Action on Occupational Pensions" announced that pension funds will be able to make payments to employers from an actuarial surplus only where the scheme is funded above a level sufficient to secure full buy-out of scheme liabilities".

Post Office Card Account

Mr. Challen: To ask the Secretary of State for Work and Pensions when he will reply to the letter to him of 13 November from the Communication Workers Union on Post Office card accounts. [142214]

Mr. Pond: I wrote to Andy Furey, of the Communication Workers Union (CWU), on 26 November on behalf of myself and my right hon. Friend the Secretary of State. My reply covered a number of matters relating to Direct Payment, including those raised in CWU's letter of 13 November to all MPs. A copy of this letter has been placed in the Library.

State Pension (Payment Abroad)

Chris Grayling: To ask the Secretary of State for Work and Pensions what rules apply to the payment of state pensions to pensioners who retire to Commonwealth countries; and whether they differ according to country. [141841]

Malcolm Wicks: State Pension, which is payable abroad, is uprated in the normal way for pensioners living in some Commonwealth countries and certain other countries abroad where there is a legal requirement or a reciprocal social security agreement to do so.

The Commonwealth countries with which the UK has reciprocal agreements allowing State Pension upratings to be paid are: Barbados, Cyprus, Jamaica, Malta and Mauritius. Pensions are not uprated in any other Commonwealth country.

TREASURY

Annuities

Mr. Woodward: To ask the Chancellor of the Exchequer what estimate the Government has made of the market for index-linked annuities in relation to the supply of index-linked gilts. [142388]

Ruth Kelly: No specific assessment has been made. Index-linked gilts make uppart of gross gilt sales and contribute to the Government's overall financing requirement. There are a range of factors affecting the market for annuities of all kinds, including index-linked annuities.

Mr. Woodward: To ask the Chancellor of the Exchequer what the Government's policy is on the expansion of the number of companies from which trustees of employer final salary schemes in wind-up can purchase bulk annuities. [142392]

Ruth Kelly: The purchase of bulk annuities is a commercial matter for the companies concerned and the pension scheme trustees.

Cervical Cancer

Mrs. Calton: To ask the Chancellor of the Exchequer how many people aged *(a)* 30–39, *(b)* 40–49, *(c)* 50–59 and *(d)* 60–69 were diagnosed with cervical cancer per 100,000 population in each year since 1986. [141996]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mrs. Patsy Calton, dated 8 December 2003:

As National Statistician, I have been asked to reply to your recent question concerning how many people aged *(a)* 30–39, *(b)* 40–49, *(c)* 50–59 and *(d)* 60–69 were diagnosed with cervical cancer per 100,000 population each year since 1986. [141996].

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[1] Family Resources Survey data is unavailable prior to 1994–95.

The latest available figures, for people diagnosed with cervical cancer, are for 2000. The rate of registrations of newly diagnosed cases of cancer of the cervix in England for the age groups requested are given in the table below for the years 1986 to 2000.

Rates per 100,000 women of newly diagnosed cases for cervical[1] cancer in England, selected age groups, 1986–2000

Age	*1986*	*1987*	*1988*	*1989*	*1990*	*1991*	*1992*	*1993*	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*
30–39	26	25	28	25	24	22	20	20	19	17	17	16	17	16	14
40–49	26	27	24	23	26	20	18	20	18	17	17	16	15	16	15
50–59	23	23	26	21	23	18	17	16	15	14	13	13	12	13	11
60–69	31	30	29	28	28	23	20	17	16	16	14	13	13	13	11

[1] For the years 1986 to 1994, International Classification of Diseases, Ninth Revision Code (ICD-9), code 180. For the years 1995 to 2000, International Classification of Diseases, Tenth Revision (ICD-10), code C53.

Source:

Office for National Statistics.

Child Benefit

Mr. George Osborne: To ask the Chancellor of the Exchequer (1) what amount of child benefit he estimates was saved as a result of children being in local authority care in the last 12 months for which figures are available; [141836]

(2) what the annual cost would be of providing child benefit for children in local authority care. [141840]

Dawn Primarolo: Local authorities provide financial support for children in care under section 23 of the Children Act 1989. The amount of child benefit that would be paid in respect of children in local authority care would depend on the rate or rates payable. The total cost to public funds of making these payments would depend on what other changes were made to the financing of the care.

Mr. George Osborne: To ask the Chancellor of the Exchequer what the take-up of child benefit as a percentage of those eligible was in the last 12 months for which figures are available. [141839]

Dawn Primarolo: Precise figures are not available, but the take up rate of child benefit is thought to be around 98 per cent.

Pregnancy Statistics

Mrs. Calton: To ask the Chancellor of the Exchequer how many pregnancies in females under the age of 20 there were in each year since 1986 per 100,000 population. [141995]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mrs. Patsy Calton, dated 8 December 2003:

As National Statistician, I have been asked to reply to your recent question asking how many pregnancies in females under the age of 20 there were in each year since 1986 per 100,000 population. (141995)

Prior to 1987, the method used for calculating mother's age at conception was not comparable to that used in later years.

The data shown in the attached table are for 1987 to 2001, the latest year available. Please note that these data only cover conceptions that led to a maternity (i.e a live or still birth). Conceptions which resulted in miscarriage or termination are not included.

Conceptions leading to maternities (numbers and rates), 1987–2001—England and Wales. Women aged under 20

Year	*Number*	*Rate***
1987	79,227	42.6
1988	76,167	42.2
1989	74,502	43.0
1990	72,825	43.7
1991	66,576	42.0
1992	61,770	40.9
1993	57,303	39.3
1994	55,723	38.3
1995	56,639	38.4
1996	60,485	40.2
1997	60,708	39.7
1998	63,216	40.9
1999	60,661	39.0
2000	59,238	38.1
2001*	57,221	36.3

* Figures for 2001 are provisional.

** Rates per 1,000 women aged 15–19.

Mr. Ruane: To ask the Chancellor of the Exchequer how many births to girls conceiving under the age of 16 there were in each local authority area in Wales in each of the past 20 years, expressed as a percentage of the total population of girls under 16 in each local authority area. [142631]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Chris Ruane dated 8 December 2003:

As National Statistician I have been asked to reply to your recent question asking how many births to girls conceiving under the age of 16 there were in each local authority in Wales in each of the past 20 years, as expressed as a percentage of the total population of girls under 16 in each local authority area. (142631)

Population figures by local authority prior to 1991 are not available by single year of age. It is therefore not possible to provide percentage calculations for under 16s for this period.

Figures shown in the attached table are for 1991 to 2001, the latest year for which data are available.

Births to girls conceiving under the age of 16: Number and percentage of total population of girls aged under 16, Wales—1991 to 2001

	1991		1992		1993		1994		1995		1996	
	Births	%	Births	%	Births	%	Births	%	Births	%	Births	%
Blaenau Gwent	10	0.1	8	0.1	11	0.1	16	0.2	14	0.2	16	0.2
Bridgend	10	0.1	18	0.1	14	0.1	16	0.1	22	0.2	27	0.2
Caerphilly	15	0.1	28	0.2	28	0.1	27	0.1	36	0.2	36	0.2
Cardiff	23	0.1	33	0.1	30	0.1	20	0.1	40	0.1	39	0.1
Carmarthenshire	7	0.0	9	0.1	10	0.1	12	0.1	7	0.0	11	0.1
Ceredigion	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—
Conwy	3	0.0	6	0.1	10	0.1	9	0.1	12	0.1	16	0.2
Denbighshire	5	0.1	5	0.1	6	0.1	9	0.1	[1]—	[1]—	8	0.1
Flintshire	4	0.0	8	0.1	14	0.1	9	0.1	10	0.1	14	0.1
Gwynedd	7	0.1	10	0.1	9	0.1	7	0.1	[1]—	[1]—	12	0.1
Isle of Anglesey	5	0.1	7	0.1	9	0.1	5	0.1	6	0.1	[1]—	[1]—
Merthyr Tydfil	7	0.1	16	0.2	13	0.2	14	0.2	12	0.2	8	0.1
Monmouthshire	4	0.1	5	0.1	[1]—	[1]—	5	0.1	7	0.1	9	0.1
Neath Port Talbot	10	0.1	8	0.1	12	0.1	8	0.1	25	0.2	9	0.1
Newport	21	0.1	16	0.1	19	0.1	25	0.2	14	0.1	16	0.1
Pembrokeshire	[1]—	[1]—	[1]—	[1]—	7	0.1	6	0.1	7	0.1	10	0.1
Powys	7	0.1	4	0.0	6	0.1	[1]—	[1]—	6	0.1	7	0.1
Rhondda, Cynon, Taff	39	0.2	25	0.1	26	0.1	25	0.1	40	0.2	39	0.2
Swansea	22	0.1	12	0.1	15	0.1	20	0.1	27	0.1	34	0.2
The Vale of Glamorgan	8	0.1	9	0.1	[1]—	[1]—	13	0.1	10	0.1	12	0.1
Torfaen	7	0.1	9	0.1	9	0.1	18	0.2	12	0.1	17	0.2
Wrexham	13	0.1	12	0.1	11	0.1	8	0.1	14	0.1	13	0.1
Wales	230	0.1	253	0.1	267	0.1	276	0.1	330	0.1	360	0.1

	1997		1998		1999		2000		2001[2]	
Unitary authority	Births	%	Births	%	Births	%	Births	%	Births	%[3]
Blaenau Gwent	10	0.1	17	0.2	9	0.1	13	0.2	13	0.2
Bridgend	16	0.1	21	0.2	13	0.1	20	0.2	11	0.1
Caerphilly	32	0.2	26	0.1	24	0.1	28	0.2	16	0.1
Cardiff	37	0.1	40	0.1	34	0.1	23	0.1	25	0.1
Carmarthenshire	12	0.1	15	0.1	12	0.1	12	0.1	12	0.1
Ceredigion	5	0.1	[1]—	[1]—	[1]—	[1]—	5	0.1	[1]—	[1]—
Conwy	11	0.1	7	0.1	14	0.1	7	0.1	8	0.1
Denbighshire	7	0.1	9	0.1	5	0.1	10	0.1	6	0.1
Flintshire	10	0.1	13	0.1	21	0.1	5	0.0	7	0.0
Gwynedd	9	0.1	[1]—	[1]—	5	0.0	10	0.1	12	0.1
Isle of Anglesey	[1]—	[1]—	5	0.1	5	0.1	[1]—	[1]—	[1]—	[1]—
Merthyr Tydfil	9	0.1	13	0.2	11	0.2	11	0.2	12	0.2
Monmouthshire	[1]—	[1]—	[1]—	[1]—	[1]—	[1]—	5	0.1	4	0.0
Neath Port Talbot	11	0.1	16	0.1	9	0.1	16	0.1	13	0.1
Newport	19	0.1	12	0.1	21	0.1	10	0.1	13	0.1
Pembrokeshire	5	0.0	12	0.1	5	0.0	10	0.1	[1]—	[1]—
Powys	4	0.0	8	0.1	8	0.1	7	0.1	4	0.0
Rhondda, Cynon, Taff	45	0.2	32	0.1	25	0.1	26	0.1	32	0.1
Swansea	30	0.1	38	0.2	25	0.1	23	0.1	21	0.1
The Vale of Glamorgan	17	0.1	9	0.1	10	0.1	[1]—	[1]—	8	0.1
Torfaen	10	0.1	12	0.1	6	0.1	9	0.1	7	0.1
Wrexham	15	0.1	8	0.1	15	0.1	9	0.1	[1]—	[1]—
Wales	318	0.1	322	0.1	282	0.1	265	0.1	235	0.1

[1] Figure supporessed to prevent disclosure of a count less than 3 or disclosure by differencing.

[2] 2001 conception data are provisional.

[3] 2001 percentages are based on revised population figures. All other years are subject to futher revision.

Preventive Health Strategies

Mr. Gardiner: To ask the Chancellor of the Exchequer how much per head of population has been spent by the Government on preventive health strategies in *(a)* 2001, *(b)* 2002 and *(c)* 2003. [140497]

Mr. Boateng: I refer the hon. Gentleman to the answer my hon. Friend the Minister for Public Health gave to him on 4 December 2003 (*Official Report*, column 182W).

Aid and Trade Conference

Annabelle Ewing: To ask the Chancellor of the Exchequer if he will list those invited to the conference the Treasury is hosting in February 2004 to discuss aid and trade. [142724]

John Healey: The Treasury is delighted to be hosting a conference on behalf of Lord Carey of Clifton and Lord Griffiths of Fforestfach to discuss issues surrounding trade and aid. The conference is being organised by Christian Responsibility in Public Affairs whose invitees will include representatives from faith groups, media, business, government, and non-governmental organisations from across the UK.

Air Passenger Duty

Mr. Woodward: To ask the Chancellor of the Exchequer what the Government's policy is on *(a)* reducing and *(b)* providing an exemption from air passenger duty for (i) Merseyside and (ii) Objective 1 areas. [142180]

John Healey: The Government have no such plans.

Art Acquisition

Norman Baker: To ask the Chancellor of the Exchequer how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 was; how much it cost; and what the total revenue raised by his Department through sales of its works of art has been since 1997. [142370]

Ruth Kelly: The amount spent by the Treasury is as follows.

	£
1997–98 to 2001–02	nil
2002–03	46,534
2003–04	41,505

This expenditure relates to paintings, prints and photography for the Treasury's refurbished building, occupied in the summer of 2002. The most expensive pieces were two items at £3,500 each; the next most expensive was £525. No works of sculpture have been acquired. No departmental-owned works of art have been sold during this period.

Census (2001)

Mr. Collins: To ask the Chancellor of the Exchequer when he will publish the results of the 2001 census at parish level; and if he will make a statement. [142330]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Tim Collins, dated 8 December 2003:

As National Statistician, I have been asked to reply to your recent question asking when the results of the 2001 Census at parish level will be published. (142330)

The results of the 2001 Census for parishes in England and communities in Wales form part of the series of reports to Parliament. Although the remaining release timetable is currently under review, it is planned to release the parish results in March 2004.

Results for many parishes can already be derived using the results for small areas published in August-September 2003, together with information also available from the Office for National Statistics on how these small areas relate to parishes.

Council Tax

Mr. Cousins: To ask the Chancellor of the Exchequer if he will estimate the proportion of income represented by net payments of council tax after benefits in each income quintile from 1996–97. [142419]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

National Statistician and Registrar General

Letter from Len Cook to Mr. Jim Cousins dated 8 December 2003:

As National Statistician, I have been asked to reply to your recent question asking for the proportion of income represented by net payments of council tax after benefits in each income quintile group from 1996–97 onwards. (142419)

Estimates in the following table are produced from the Office for National Statistics' analysis "The effects of taxes and benefits on household income" published on the National Statistics website on October 21st 2003 at http://www.statistics.gov.uk/taxesbenefits. The analysis includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey. This is a sample survey covering about 7,500 households in the UK and sample sizes are only sufficient to give approximate estimates. In particular, results for the lowest quintile are less reliable than for others because of greater variability. The Family Resources Survey would have been an alternative source with a larger sample size, but the taxes and benefits analysis has been used for consistency with answers to other recent parliamentary questions.

The table shows, from 1996–97 to 2001–02, the net council tax paid by all households in Great Britain as a percentage of gross income and for each income quintile group where households are ranked by equivalised disposable income. Council tax is not paid in Northern Ireland. Equivalisation is a standard methodology that takes into account the size and composition of households and adjusts their incomes to recognise differing demands on resources. The net council tax figures are gross council tax less reported council tax benefits and discounts. The table also shows the boundaries between equivalised disposable income quintiles for GB. For example, the 1st quintile boundary is the income level below which one fifth of those households are estimated to lie.

Net council tax paid as a percentage of gross income by equivalised disposable income quintile, 1996–97 to 2001–02: Great Britain

	1996–97		1997–98		1998–99	
Quintile	*Income boundary[1] (£ per year)*	*Net council tax as % of gross income*	*Income boundary[1] (£ per year)*	*Net council tax as % of gross income*	*Income boundary (£ per year)*	*Net council tax as % of gross income*
Bottom		3.2		3.3		3.9
	8,059		8,564		8,832	
2nd		2.8		2.9		3.1
	11,393		11,936		12,582	
3rd		2.4		2.5		2.6
	15,619		16,442		17,281	
4th		2.0		2.0		2.1
	22,063		23,588		24,384	
Top		1.3		1.4		1.4
Average for all households		1.9		2.0		2.1

	1999–2000		2000–01		2001–02	
Quintile	Income boundary[1] (£ per year)	Net council tax as % of gross income	Income boundary[1] (£ per year)	Net council tax as % of gross income	Income boundary[1] (£ per year)	Net council tax as % of gross income
Bottom		4.2		4.2		4.8
	9,193		9,821		10,397	
2nd		3.4		3.3		3.3
	13,221		13,893		14,717	
3rd		2.7		2.1		2.8
	18,324		19,134		20,042	
4th		2.2		2.2		2.3
	26,295		27,296		28,596	
Top		1.4		1.5		1.4
Average for all households		2.2		2.2		2.2

[1] Boundary point between equivalised disposable income quantities

Source:

Office for national Statistics, based on the analysis 'The effect of taxes and benefits on household income', published on the ONS website and in Economic Trends.

Customs (Shoreham Harbour)

Tim Loughton: To ask the Chancellor of the Exchequer if he will make a statement on the future of the HM Customs Unit based at Shoreham Harbour. [141094]

John Healey: UK criminality is becoming ever more sophisticated and organised. To meet these threats Customs need to change tactics and respond by operating more flexibly and organising and targeting their law enforcement activity to respond to the greatest risks.

The activities carried out by Customs staff based in Shoreham are no longer concentrated in and around the locality. More often the operational teams will be working together with colleagues from larger principal offices dealing with criminals who operate on a UK-wide scale. Customs have therefore outlined proposals to consider bringing together posts from Shoreham with other Law Enforcement staff in larger centralised locations by 2006.

I am informed that discussions with local staff affected by these proposals and with the departmental trade union will take place before any final decisions are taken.

EU Aid Budget

Mr. McFall: To ask the Chancellor of the Exchequer if he will make a statement on the EU aid budget for developing countries. [141930]

Ruth Kelly: The Government believe it is vital that the EU puts development assistance to the most effective use and maintains flexibility in the budget to meet new international challenges such as Iraq. Research evidence strongly suggests that development assistance is most effective when focused on the poorest regions that want to reform, and on poverty reduction programmes. In addition, the ED, through its member states, is committed to meeting the Millennium Development Goals, placing poverty reduction at the heart of the Union's development objectives.

However, the proportion of EU assistance spent on poverty reduction is still only around 50 per cent. (provisional figure for 2002). A substantial shift in favour of poorer regions, poverty programmes and quality is called for. To support this my right hon. Friend, the Chancellor of the Exchequer, presented at ECOFIN in May an action plan, designed to improve the effectiveness of EU development assistance, particularly in terms of poverty reduction and meeting the Millennium Development Goals. The action plan covers the remainder of the current Financial Perspective and seeks to ensure that reform is institutionalised after 2006.

The action plan builds on the Commission's on-going reforms and has been well received by Finance Ministers and by the Commission. Some elements of it are already being implemented, albeit at the early stages. However, it will take time to bear fruit: the Government does not expect significant changes in the allocation of EU development assistance before 2007, when most assistance programmes are due for renewal. The Government will be working in ECOFIN and the General Affairs and External Relations Council, to pursue implementation of the plan.

Fair Trade Products

Mr. Bercow: To ask the Chancellor of the Exchequer whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142814]

Ruth Kelly: The Treasury's catering contractor offers fair trade products for sale to staff. Such products are not used as a matter of course in catering for official functions.

Inland Revenue (IT System)

Richard Burden: To ask the Chancellor of the Exchequer whether the problems with the Inland Revenue's IT system to which paragraph 9 of the Government Response to the Treasury Committee's Tenth Report refers, on Inland Revenue Matters (HC 834) of Session 2002–03 have been resolved; and what corrective measures have been taken by the Inland Revenue to ensure that similar problems do not reoccur when end-of-year-reconciliation occurs. [141307]

Dawn Primarolo: The IT support for the new tax credits is a major system. Though there were a number of difficulties in the early days of live running, the system has been stable for some months with significantly improved performance. We have carefully reviewed our plans for future IT releases. An audit by independent IT consultants was commissioned as part of that review. Its results are informing the implementation of the next major IT releases, which will deliver the processes for finalising tax credit awards and renewing claims in 2004. We have also asked the consultants to support the Inland Revenue and its IT supplier in implementing the lessons learned from previous IT releases.

Parliamentary Questions

Mr. Martlew: To ask the Chancellor of the Exchequer what his estimate is of the average cost of answering *(a)* a written and *(b)* an oral parliamentary question. [142316]

Ruth Kelly: The average cost of answering a written parliamentary question was £135 in April 2002, as I announced in a written answer on 11 April 2003, *Official Report*, column 466W. The April 2002 figure for an oral question was £313. An annual uprating of these figures will take place in the new year.

Private Finance Initiative

Jon Trickett: To ask the Chancellor of the Exchequer (1) how many Government construction projects with a net present value of £250 million or more are utilising *(a)* Private Finance Initiative methods and *(b)* conventional methods of procurement; [142321]

(2) if he will list the *(a)* value and *(b)* nature of each PFI construction contract being undertaken. [142324]

Mr. Boateng: While construction is often a major element of a PFI project, it is not true for all. PFI procurement also involves design and maintenance of public facilities. We do not therefore breakdown contract value by the component parts and cannot therefore provide figures for PFI construction by value centrally. Individual departments may, however hold this information on an individual project basis.

The Treasury does submit data on signed PFI projects to parliament biannually. This information, which includes the capital value and nature of each project, is submitted by departments and collated into a 'Signed Projects List' which is published on the Treasury's website www.hm-treasury.gov.uk.

The most recent Signed Projects List states that there are 13 projects with a capital value of more than £250 million. I am happy to write to my hon. Friend with the details of these projects should he so wish. Departments do not submit information on the net present value of their projects.

There is currently no central data source on the capital value or net present value of conventionally procured projects.

Jon Trickett: To ask the Chancellor of the Exchequer (1) in how many Private Finance Initiative contracts the value of the cost estimates increased after the time at which the relevant department had established the identity of the contractor; what the increase in value was in each case; and what the percentage increase was in each case; [142322]

(2) if he will list the value of *(a)* the construction element and *(b)* the percentage added for risk when calculating the public sector comparator for each Private Finance Initiative contract which is being undertaken. [142323]

Mr. Boateng: PFI covers a broad range of procurements across government. This means that there is no standard breakdown of a public sector comparator. The new green book provides Departments with further advice on how to incorporate optimism bias and risk calculations into the project appraisal process.

The information requested by my hon. Friend is not held by the Treasury. Where available, information on individual PFI projects will be held by the procuring authority or sponsoring Department in question. Information on construction performance, both general and project specific, is also available on the NAO website at www.Nao.gov.uk

Public Sector Employment

Mr. Cousins: To ask the Chancellor of the Exchequer what the stock of public sector jobs was in each region and nation in 1997; what the net change in such jobs in each region and nation has been in each year since 1997; and what the stock of such jobs was in each region for the most recent period for which figures are available. [142329]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Jim Cousins, dated 8 December 2003:

As National Statistician, I have been asked to reply to your recent question about jobs in the public sector. (142329)

Information about jobs in the public sector in the United Kingdom is compiled by the Office for National Statistics from returns made by public bodies. The latest available statistics are for 2002. The attached table shows the number of jobs in the public sector in each year from 1997 to 2002, together with the change from the previous year. Comparable information is not available for individual nations or regions.

Public Sector Jobs in the UK

Thousands, not seasonally adjusted

	August 1997	*August 1998*	*August 1999*	*August 2000*	*August 2001*	*August 2002*
Number of jobs	4,954	4,944	5,094	5,094	5,212	5,298
Change on previous year	—	-10	150	0	118	86

Source:

Administrative returns from public bodies

Public Sector Pay

Dr. Cable: To ask the Chancellor of the Exchequer how many public sector employees are covered by index-linked pay; what their total pay has been for each year since 1997; and what it would have been if the Harmonised Index of Consumer Prices had been applied. [142290]

Mr. Boateng: Police are the only public sector employees whose pay is index linked. Individual employers and departments are responsible for the pay arrangements of particular groups of employees.

Public Sector Pensions

Dr. Cable: To ask the Chancellor of the Exchequer how many public sector pensioners are paid index-linked pensions; what the annual payouts to them were in each year since 1997; and what the payouts would have been if the Harmonised Index of Consumer Prices index had been applied. [142289]

Mr. Boateng: All public service pensions are increased annually in line with the retail prices index (RPI) directly under, or by analogy to, provisions of the Pensions (Increase) Act 1971 and section 59 of the Social Security Pensions Act 1975. In addition a number other schemes in the wider public sector may opt to provide full RPI, but no information is held centrally on these schemes.

There are approximately 3.3 million pensions in payment to members of public service pension schemes or their dependants. Expenditure on public service pensions was about £20 billion in 2002–03.

Expenditure for previous years can be found in the schemes' published resource and appropriation accounts. There are no plans to change the indexation of public service pensions from the RPI to the harmonised index of consumer prices (HICP) and no analysis has been carried out on what the costs and benefits would be of doing so.

Research and Development Tax Credit

John Barrett: To ask the Chancellor of the Exchequer if he will make a statement on the take-up of the research and development tax credit in Scotland. [142821]

Dawn Primarolo: Research and development tax credits were introduced for small and medium companies in 2000. They were extended to all companies in 2002 and further improvements were made in 2003. No specific figures are available for Scotland, but the credits helped over 3,000 innovative SME companies nationally in 2001–02, the latest year for which complete data is available.

Regional Pay Flexibility

Mr. Cousins: To ask the Chancellor of the Exchequer if he will place in the Library his guidance on regional flexibilities in pay. [142328]

Mr. Boateng: I have already done so. The guidance is also accessible on the Treasury's website.

Regulations (Consultation)

Brian Cotter: To ask the Chancellor of the Exchequer what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142486]

Ruth Kelly: I refer the hon. Gentleman to my answer to the hon. Member for Twickenham (Dr. Cable) on 21 October 2003 *Official Report*, column 489W.

Small Businesses (Consultation)

Brian Cotter: To ask the Chancellor of the Exchequer whether his Department uses a database of individual small businesses for consultation purposes. [142479]

Ruth Kelly: HM Treasury uses a variety of methods to engage small businesses in consultation exercises. As well as being available on the department's website and through its public enquiries unit all consultation documents are also often circulated alongside the Budget and Pre-Budget Reports. Where appropriate, the department has used 'roadshows' or visits around the UK to further engage with interested parties, including small businesses. The department works closely with the DTI's Small Business Service, which maintains strong contacts with small businesses and acts as secretariat to the Small Business Council. As such the department maintains close relationships with many small businesses and their representatives, but does not maintain a single database for this purpose.

Tax Cases

Mr. Cousins: To ask the Chancellor of the Exchequer if he will list the tax cases involving United Kingdom companies which have been *(a)* decided and *(b)* entered for decision in the European Court of Justice in the last five years; and if he will estimate the net revenue effect in each case. [142184]

Dawn Primarolo: Notice is published in the *Official Journal* of the European Communities (C Series) of the commencement of all cases before the European Court of Justice, including tax cases. A summary of judgments of the court is also so published, and the full text is available on the Europa website. The *Official Journal* is available in the Library of the House.

Tax Revenue

Mr. Chope: To ask the Chancellor of the Exchequer pursuant to the answer of 2 December 2003, *Official Report*, column 38W, if he will give separate figures for *(a)* Bournemouth and *(b)* Poole. [142500]

Dawn Primarolo: The requested information is given in the following table.

Additional full-year yield of increasing the basic rate of tax by 1p in 2000–01

	£ million
Bournemouth Unitary Authority	7.7
Poole Unitary Authority	6.9

Estimates are based upon the 2000–01 Survey of Personal Incomes. The effects of the illustrative changes can be scaled up or down over a reasonably wide range. The results exclude any behavioural response to the tax change.

Taxation

Mr. Edward Davey: To ask the Chancellor of the Exchequer what *(a)* social security contributions and *(b)* taxes on income were as a percentage of household income in each year since 1999. [142219]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Edward Davey, dated 8 December 2003:

As National Statistician, I have been asked to reply to your recent question asking for social security contributions and taxes on income as a percentage of household income. (142219)

Estimates in the following table are taken from Table 3 in the analysis "The effects of taxes and benefits on household income 2001–02" produced by the Office for National Statistics and published on 21st October 2003 on the National Statistics website at: http://www.statistics.gov.uk/taxesbenefits.

The analysis includes measures of income inequality for the United Kingdom as a whole based on data from the Expenditure and Food Survey (EPS), formerly the Family Expenditure Survey (FES). This is a sample survey covering about 7,500 households in the UK. The Family Resources Survey would have been an alternative source with a larger sample size, or National Accounts estimates for the households and non-profit institutions serving households (NPISH) sector, but the taxes and benefits analysis has been used for consistency with answers to other recent parliamentary questions.

The table shows social security contributions and taxes on income as a percentage of gross income for UK households. Social security contributions are defined as employees' and self employed contributions to National Insurance and National Health Services. Taxes on income are defined as income tax less tax relief at source on life assurance premiums. Gross income includes income from earnings, occupational pensions and investments and cash benefits such as state retirement pensions and income support. It does not take account of deductions for taxes.

Social security contributions and taxes on income as as a percentage of gross income for ALL households, 1999–2000 to 2001–02

United Kingdom

	1999–2000	*2000–01*	*2001–02*
Social security contributions	3.9	3.8	3.8
Taxes on income	13.4	13.7	13.8

Source:

Office for National Statistics, based on the analysis 'The effects of taxes and benefits on household income', published on the ONS website and in Economic Trends.

Top-up Fees

Annabelle Ewing: To ask the Chancellor of the Exchequer what assessment he has made of the impact of the Government's proposals for top-up fees on the operation of the Barnett Formula; and if he will make a statement. [142766]

Mr. Boateng: Tuition fees are a devolved matter for the Scottish Executive. The Barnett Formula provides the devolved administrations with a population-based share of comparable increases in spending of Government Departments.

VAT (Places of Worship)

Sue Doughty: To ask the Chancellor of the Exchequer if he will raise with his counterparts in the Council of Ministers the feasibility of a change to the rules preventing reduced rates of VAT for repair and maintenance of places of worship; and if he will make a statement. [142202]

John Healey: I refer the hon. Lady to the answer I gave to my hon. Friend the Member for Warrington, North (Helen Jones) on 18 September 2003, *Official Report*, column 971W.

Waste Generation

Mr. Drew: To ask the Chancellor of the Exchequer what plans there are to bring forward a public service agreement target to reduce the amount of waste generated in the UK; and what discussions he has had with the Office of the Deputy Prime Minister on this subject in advance of the forthcoming Spending Round. [142255]

Mr. Boateng: The Department for Environment, Food and Rural Affairs currently has a PSA target to enable 25 per cent. of household waste to be recycled or composted by 2005–06. We will be reviewing this target as part of Spending Review 2004.

DEPUTY PRIME MINISTER

Brighton and Hove Albion

Norman Baker: To ask the Deputy Prime Minister which directors of Brighton and Hove Albion football club *(a)* he has and *(b)* other Ministers in his Department have met since 1 January 2002; and if he will make a statement. [142431]

Yvette Cooper: The Office of the Deputy Prime Minister was set up in May 2002. No Ministers in the Office of the Deputy Prime Minister have held meetings with any directors of Brighton and Hove Albion Football Club since the Office was established.

Norman Baker: To ask the Deputy Prime Minister if he will list those hon. Members from whom he has received oral representations in respect of the outstanding planning application relating to the possible construction of a football stadium at Falmer, East Sussex. [142432]

Keith Hill: I understand that the hon. Member appeared at the inquiry held into the proposals at Falmer. No other hon. Members have made oral representations on this case.

Consultation

Brian Cotter: To ask the Deputy Prime Minister what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142482]

Yvette Cooper: The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. In the period 1 January 2001 to 31 December 2002, the Office of the Deputy Prime Minister (and its predecessor, the Department for Transport, Local Government and the Regions) published 119 consultations under the Code, of which 18 were less than

12 weeks. Information on which consultations have led to regulation is not held centrally and could be provided only at disproportionate cost.

Council Housing

Mr. Byers: To ask the Deputy Prime Minister how much is held by each housing authority in receipts from the sale of council houses. [142209]

Keith Hill: The information requested is not held centrally, and could be provided only at disproportionate cost.

Defence Fire Service

Mr. Hammond: To ask the Deputy Prime Minister what assessment he has made of the impact of a decision by the Ministry of Defence to privatise the Defence Fire Service on the Government's ability to provide emergency fire cover in the event of a future strike by civilian fire-fighters. [141254]

Phil Hope: No final decision has been made in relation to the Airfield Support Services Project. In evaluating bids consideration is being given to military assistance to the civil authority and military assistance to Government Departments.

Hazardous Waste

Sue Doughty: To ask the Deputy Prime Minister what discussions his Department has held with the Department for the Environment, Food and Rural Affairs on the planning requirements for the disposal of hazardous waste required by the EU Hazardous Waste Directive. [142520]

Phil Hope: The Office of the Deputy Prime Minister works closely with the Department for Environment, Food and Rural Affairs to achieve sustainable waste management and has contributed to the work of the Hazardous Waste Forum. The Forum has been set up by Government to bring together key stakeholders to advise on the way forward on the management of hazardous waste and has, among a number of matters, considered the waste planning and permitting processes for new facilities.

Sue Doughty: To ask the Deputy Prime Minister what assessment he has made of the impact of delays in the implementation of the Hazardous Waste Requirements of the Landfill Directive (1999/31/EC) on the regeneration of brownfield sites required to meet housing targets. [142522]

Phil Hope: The Office of the Deputy Prime Minister is working to ensure that all policies affecting the re-development of brownfield land do not create unintended obstacles to regeneration. Discussions are currently taking place within Government, and with industry on the implications of the implementation of the Landfill Directive for the regeneration of brownfield sites.

Fire-fighters Pay Dispute

Mr. Hammond: To ask the Deputy Prime Minister what his estimate is of the net cost to Fire Authority employers of meeting the fire-fighters' pay settlement in *(a)* 2003-04, *(b)* 2004-05 and *(c)* 2005-06, taking account of financial savings from modernisation under the June agreement. [141896]

Phil Hope: The Independent Review of the Fire Service estimated that the net costs and savings of its proposals would be:

2003-04: £25 million net cost

2004-05: £4 million net cost

2005-06: £34 million net saving

The Local Government Association (LGA) has said that the fire-fighters' pay settlement will balance over the Spending Review 2002 period. The Government agrees but recognises that there may be a lag between costs and savings of modernisation. An additional £30 million transitional funding is therefore available for England and Wales, which will be released subject to satisfactory progress on on-going pay negotiations and modernisation and repaid by fire and rescue authorities over the Spending Review 2002 period.

Head of Land and Property

Mr. Hammond: To ask the Deputy Prime Minister whether the post of Head of Land and Property in his Department has been filled. [141906]

Yvette Cooper: No.

Homes (Physical Disabilities)

Miss Begg: To ask the Deputy Prime Minister what plans he has to increase the number of appropriate homes for people with physical disabilities. [142190]

Keith Hill: The Office of the Deputy Prime Minister is increasing the number of appropriate homes for people with physical disabilities through adaptations to existing homes.

Through the Disabled Facilities Grants (DFG) programme, the Office of the Deputy Prime Minister continues to provide resources for local authorities to help disabled homeowners and tenants to pay for essential adaptations. Recently the level of funding has increased, giving authorities new, supplementary powers to help the disabled and issued draft guidance to local authorities to help them deliver a first class adaptations service.

The Office of the Deputy Prime Minister is also increasing the number of appropriate homes for people with physical disabilities by ensuring newly built homes are accessible and convenient for everyone.

All newly built homes must meet the requirements of 'Part M' of the building regulations, which the Government revised in 1999 to improve the accessibility and convenience of new housing. The revised regulations include requirements to ensure that entrances, lifts, corridors, doorways and WCs are accessible, including to wheelchair users.

All new build schemes funded by the Government through the Housing Corporation must comply with the Corporation's scheme development standards which adopt criteria for accessibility and internal environments that help to make homes even more adaptable to long-term needs.

House Construction (Timber)

Norman Baker: To ask the Deputy Prime Minister what guidance is given to the Housing Corporation regarding the use of timber in house construction to ensure that all timber used comes from legal and sustainable sources; and if he will make a statement. [142230]

Keith Hill: The Housing Corporation sets out requirements and recommendations for all housing projects which receive Social Housing Grant (SHG) in its Scheme Development Standards. The Government works with the Housing Corporation on reviews of the Scheme Development Standards.

The standards make clear that housing projects should endeavour to incorporate measures which aid environmental sustainability. Compliance and performance on environmental sustainability is tested using the EcoHomes assessment framework developed by the Building Research Establishment (BRE). The credit requirements under the EcoHomes assessment scheme include criteria for the use of timber from sustainably managed sources, or reused timber, in both the basic building elements and the finishing elements of homes.

All new built homes funded by the Housing Corporation are required to achieve a BRE EcoHomes rating of 'Pass' as a minimum essential condition of grant and housing associations are encouraged to aim for the higher 'Good' rating. The Housing Corporation intends to increase the minimum requirement to a 'Good' rating from April 2005 with housing associations encouraged to aim for the higher 'Very Good' rating from the same date.

Housing

Mr. Hammond: To ask the Deputy Prime Minister what assessment his Department has made of the impact of the withdrawal of local authority social housing grant on the rate of completion of affordable homes by Runnymede borough council. [141907]

Keith Hill: Local Authority Social Housing Grant (LASHG) has been abolished to allow the resources to be better targeted, in particular, to achieve the objectives set out in "Sustainable Communities: Building for the Future". Transitional arrangements over the 2003–04 to 2005–06 period are expected to provide around 14,000 homes but no estimates have been made on the impact this will have on the number of social housing dwellings provided, either in total or in particular locations. That will depend on a number of factors, including on what and where the available resources should be spent following the recommendations from the new Regional Housing Boards.

Sir George Young: To ask the Deputy Prime Minister how many excess winter deaths he estimates could be avoided by bringing homes of vulnerable households up to minimum legislative standards; and what his estimate is of the cost of such work. [142005]

Keith Hill: In 2000–01 it was estimated that there were around 25,000 excess winter deaths. It is not possible to say how many of those were as a direct result of housing condition.

The relationship between indoor temperatures and ill health is complex and the causes of excess winter deaths are not clear but cold weather and illnesses such as flu play an important part alongside other factors such as outside exposure and behavioural patterns.

Local Government Finance

Dr. Starkey: To ask the Deputy Prime Minister in relation to Stage 1 of the Special Grants Programme from his Department for 2004–05, if he will *(a)* list the recipients and *(b)* the value of all grants awarded. [140688]

Yvette Cooper: No grants are awarded at Stage 1 of the Special Grants Programme. A number of Stage 1 applicants are prioritised and invited to submit full Stage 2 applications. Grants are awarded after Stage 2 applications have been appraised. The list of successful applicants and the amount awarded to each is published each year on the Office of the Deputy Prime Minister's website. Successful applications to the 2004–05 competition will be announced early in 2004.

Mr. Hayes: To ask the Deputy Prime Minister (1) how many renewal areas have been established by local authorities in each of the last 10 years; and how many renewal areas were established between 18 July 2002 and 18 July 2003; [141017]

(2) how many renewal areas have been established since 18 July. [141018]

Keith Hill: The Office of the Deputy Prime Minister records show that the following number of renewal areas were declared in each of the last 10 years:

	Number of renewal areas declared
1993	22
1994	9
1995	3
1996	11
1997	8
1998	12
1999	3
2000	7
2001	4
2002	1

The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 repealed the requirement for local authorities to send their declaration of renewal areas to my right hon. Friend the Deputy Prime Minister from 18 July 2002. The Office of the Deputy Prime Minister therefore does not hold a record of the number of renewal areas declared after 18 July 2002.

Miss McIntosh: To ask the Deputy Prime Minister what representations he has recently received on the funding settlement for *(a)* North Yorkshire county council and *(b)* district councils in North Yorkshire. [142037]

Phil Hope: Since the start of consultation on the provisional local government finance settlement 2004–05 on 19 November the Office of the Deputy Prime Minister has received a representation from North Yorkshire county council and one from Scarborough borough council.

The Office of the Deputy Prime Minister's proposals for the funding of local authority revenue spending provide local government overall with a 4.7 per cent. increase in general grant or, a like for like basis. This is the seventh successive year of real terms increases for local government and means that since 1997, we have increased grants to local authorities by some 29 per cent. in real terms.

Regional Assemblies

Andrew Rosindell: To ask the Deputy Prime Minister if he will estimate the cost of *(a)* setting up and *(b)* the annual manning of a regional assembly. [141721]

Mr. Raynsford: The information is as follows:

(a) The actual cost of setting-up an elected regional assembly will vary from region to region, mainly because of the different sizes of their electorates and membership. It is expected to be around £30 million in each region. This estimate includes all costs necessary to establish an assembly, including the cost of referendums, local government reviews and the first elections.

(b) The Office of the Deputy Prime Minister estimates that each assembly would cost around £25 million a year to run. But £5 million of this cost will be directly offset because staff will be transferring from existing bodies such as the region's Government Office. The remaining costs could be absorbed within the assembly's programme budget through efficiency savings of around 5 per cent. or less in larger regions.

Mr. Gordon Prentice: To ask the Deputy Prime Minister when he expects to publish the full list of *(a)* powers and *(b)* functions of the proposed regional assemblies. [142567]

Phil Hope: The Office of the Deputy Prime Minister published the Regional Governance White Paper, Your Region, Your Choice Revitalising the English Regions in May 2002. This set out our proposals for elected regional assemblies for regions that chose to have them. The powers and functions of assemblies were set out in full in the White Paper.

The Fire White Paper, "Our Fire and Rescue Service", published in June of this year, announced that responsibility for the fire and rescue service will transfer to a regional level in regions that choose to have an elected assembly.

We hope to publish a draft Bill to establish elected regional assemblies before the referendums take place next autumn in the North East, the North West and Yorkshire and the Humber.

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will make it his policy to set a minimum percentage participation threshold in referendums for regional assemblies for the result to be acted upon; and if he will make a statement. [142569]

Phil Hope: I refer my hon. Friend to the answer given on 11 November 2003, *Official Report*, column 256W.

Mr. Gordon Prentice: To ask the Deputy Prime Minister in what circumstances the referendums on regional assemblies would be held after October 2004. [142570]

Mr. Raynsford: It is the Office of the Deputy Prime Minister's firm intention to hold referendums in the three northern regions in the autumn of 2004. But before that can happen, the Boundary Committee for England must make its recommendations on restructuring the local government of two tier areas in those regions and Parliament must approve Orders under sections 1 and 2 of the Regional Assemblies (Preparations) Act 2003.

Sections 103 and 109 of the Political Parties, Elections and Referendums Act 2000 mean that there will need to be at least 10 weeks between the Orders being approved and the referendums being held.

Mr. Gordon Prentice: To ask the Deputy Prime Minister what steps he will take to maximise turnout in the proposed regional assembly referendums. [142571]

Phil Hope: The regional assembly referendums are being held by all-postal ballot. Recent all-postal ballots pilots in local government elections have produced increased turnout.

The Electoral Commission is empowered under the Regional Assemblies (Preparations) Act 2003 to encourage voting.

My right hon. Friend the Deputy Prime Minister and my right hon. Friend the Minister for Local Government, Regional Governance and Fire launched an information campaign in the North East, North West and Yorkshire and Humber on the 3 and 4 November. The purpose of the campaign is to raise awareness of the referendums and the issues around them. Further events will be held over the next year. Referendums websites have been established for each of the regions and copies of our explanatory leaflet will be widely available.

Mr. Gordon Prentice: To ask the Deputy Prime Minister what events he plans to hold in East Lancashire to promote the benefits of a North West Regional Assembly. [142996]

Phil Hope: My right hon. Friend the Deputy Prime Minister and my right hon. Friend the Minister for Local Government, Regional Governance and Fire launched the 'Your Say' information campaign for the North West in Warrington on 4 November. This was the start of a continuing information campaign to raise awareness of elected regional assemblies and the responsibilities that they will have, before the referendums.

Ministers will visit the North West, including East Lancashire, to continue this awareness raising information campaign.

Mr. Gordon Prentice: To ask the Deputy Prime Minister when he expects the Electoral Commission to decide on the level of grant to award to designated organisations representing both sides in the regional assembly referendums. [142223]

Phil Hope: This is a matter for the Electoral Commission.

Street Wardens (Suffolk)

Mr. Spring: To ask the Deputy Prime Minister what the sources of funding are for street warden schemes in Suffolk; and how much funding is being received by each source in 2003–04. [140608]

Yvette Cooper: Street warden schemes can be funded from a number of sources such as the Office of the Deputy Prime Minister's warden programme, local authorities, housing associations and businesses. Suffolk's two street warden schemes, in Bury St. Edmunds and Lowestoft, and Ipswich have been allocated funding for 2003–04 from the Office of the Deputy Prime Minister of £121,000 and £53,000 respectively. Match funding comes from Suffolk county council, St. Edmundsbury borough council and the local CDRP and Ipswich local authority.

Sustainable Development

Mrs. Helen Clark: To ask the Deputy Prime Minister what action the Green Minister in his Department is taking to ensure that his bid to the forthcoming Government spending round contributes towards the United Kingdom's objectives on sustainable development. [142526]

Phil Hope: Sustainable development has been identified by Her Majesty's Treasury (HMT) as a key thematic issue for SR2004. The Office of the Deputy Prime Minister's submission for SR2004, to support the creation of sustainable communities, will be framed in that context.

Tenancy Deposit Scheme

Mr. Jim Cunningham: To ask the Deputy Prime Minister what the estimated minimum potential cost of independent adjudication is under a tenancy deposit scheme. [142438]

Keith Hill: I refer my hon. Friend to the answer given on 13 November 2003, *Official Report*, column 461W. There are no estimates of minimum cost.

Mr. Jim Cunningham: To ask the Deputy Prime Minister what his assessment is of the potential benefits of a tenancy deposit scheme. [142439]

Keith Hill: In financial terms, we estimate that the amount of deposit currently wrongly withheld from tenants (which they would receive under a compulsory deposit protection scheme) is £20.1 million per year.

CONSTITUTIONAL AFFAIRS

Trespass

Mr. Laurence Robertson: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs if he will introduce measures to strengthen the ability of property and land owners to take legal action against persons entering their land or premises without permission; and if he will make a statement. [141930]

Mr. Leslie: The current law already provides property and landowners with the right to take legal action against trespassers where appropriate. Landowners whose property boundary has been breached by an unlawful visitor may seek an injunction to restrain the continuation of the trespass. The landowner may also have a legal cause of action for any damage suffered because of the trespass. The Government currently has no plans to review the law in this area.

Electoral Commission

Donald Davies: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs how many persons were interviewed for the position of Chair of the Electoral Commission when it was first established. [141901]

Mr. Leslie: There was not a separate application process for the position of Chair of the Electoral Commission. An open competition was held and applicants were asked to indicate if they wished to be considered for Chair and/or as a member. As a result of this process 16 people were invited to attend an interview, and the selection panel determined which, of those that had shown an interest in the position, should get the job of Chair.

Court Fines

Simon Hughes: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs how many and what value of court-imposed fines were defaulted on in *(a)* each London borough and *(b)* England in each year since 1997. [140857]

Mr. Leslie *[holding answer 2 December 2003]*: Magistrates' Courts Committees (MCCs) have a responsibility for the collection of a range of debts imposed by both the magistrates' courts and the Crown Court. Data on the number of court imposed fines are not collected at present. Information on the value of fines is available only from 1999–2000 when a new data collection procedure was implemented. The debt collected includes not only fines, but also fees, compensation, confiscation orders, legal aid contributions and some maintenance orders. It is not yet possible to separate out fines only from the total so the figures provided in the following table include all the elements above. The data available covers Greater London only as separate data are not available for each London borough. Also, separate data are not available for England only, so information provided is for England and Wales.

Debt Analysis for 1999–2003

£ million

	1999–2000	*2000–01*	*2001–02*	*2002–03*
Greater London				
Amount imposed in period	95.0	76.6	77.6	111.3
Amount paid in period	46.4	39.4	33.5	44.5
Closing balance owed[1]	111.2	118.5	116.3	143.0
Total arrears at year end	61.9	69.6	53.3	72.3
England and Wales				
Amount imposed in period	431.1	383.0	387.0	425.9
Amount paid in period	267.3	242.5	228.1	236.3
Closing balance owed[1]	417.5	409.1	439.0	486.7
Total arrears at year end	227.4	225.9	246.5	276.9

[1] Including amounts not yet due

Tim Loughton: To ask the Parliamentary Secretary, Department for Constitutional Affairs what proportion of fines imposed have been collected by courts in each county in each of the last five years. [141063]

Mr. Leslie: Information on the proportion of fines imposed that have been collected is not available for each county. The information provided is for the 42 Magistrates' Courts Committees (MCCs) in England and Wales. A new data collection procedure was implemented in 1999–2000 and comparable figures are therefore only available from that period.

In addition, earlier this year, I agreed to a revision of the fine enforcement payment rate target so that it provides a far clearer focus for the performance of those involved in this vitally important area.

The April to September column of the table sets out year-to-date performance on the basis of the new formula which excludes things like confiscation orders.

Further management information is awaited for the rest of the business year before we can be certain that the improvement in performance we expect is fully delivered. Nevertheless, we now have a much more robust baseline data on performance and early signs are encouraging.

Original payment rate by MCC

Percentage

MCC	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*[1]
Avon and Somerset	41	62	54	64	86
Bedfordshire	55	55	58	58	82
Cambridgeshire	63	52	36	45	150
Cheshire	73	67	58	56	84
Cleveland	83	69	54	47	84
Cumbria	80	76	76	74	98
Derbyshire	63	67	58	58	73
Devon and Cornwall	69	73	70	63	78
Dorset	71	74	89	76	76
Durham	68	67	75	74	80
Dyfed Powys	96	100	73	65	67
Essex	79	76	75	74	94
Gloucestershire	68	60	43	84	128
Greater London	49	51	46	40	62
Greater Manchester	53	60	61	64	55
Gwent	69	67	66	57	87
Hampshire and Isle of Wight	79	67	68	77	98
Hertfordshire	76	75	59	67	54
Humberside	71	65	71	67	120
Kent	50	61	64	61	80
Lancashire	69	65	68	63	81
Leicestershire	73	63	62	69	75
Lincolnshire	66	97	76	59	73
Merseyside	52	47	34	33	48
Norfolk	70	69	74	75	75
North Wales	55	51	69	53	104
North Yorkshire	79	82	75	78	90
Northamptonshire	59	62	52	63	107
Northumbria	65	61	62	59	75
Nottinghamshire	80	70	65	65	58
South Wales	59	56	40	52	80
South Yorkshire	65	73	66	61	76
Staffordshire	85	90	73	57	82
Suffolk	72	77	70	69	90
Surrey	74	58	79	81	80
Sussex	93	63	62	62	113
Thames Valley	63	62	75	69	58
Warwickshire	73	71	46	87	108
West Mercia	89	62	48	71	82
West Midlands	58	64	58	49	55
West Yorkshire	68	71	86	47	50
Wiltshire	82	83	67	68	92
England and Wales	61	63	59	55	72[2]

[1] April to September.

[2] The basis on which the payment rate is calculated has been changed. The new payment rate ensures that confiscation orders (these are not fines) are excluded, and that judicially cancelled amounts are taken into account.

Illegal Meat Imports

Tim Loughton: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs what guidance has been issued to magistrates on dealing with cases of illegal meat imports. [140992]

Mr. Leslie: My Department has issued no guidance to magistrates' on dealing with cases of illegal meat imports. However, on 3 November 2002, the Magistrates' Association made available on it's website a document entitled "Costing the Earth", which included guidance for sentencers and a case study on illegal meat imports. The Judicial Studies Board has been asked, in consultation with the Magistrates' Association and the Justices' Clerks Society, to consider this matter.

Tim Loughton: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs what guidance is available to clerks of court on dealing with cases involving illegal meat imports. [140993]

Mr. Leslie: My Department has issued no guidance to court clerks on dealing with cases of illegal meat imports. The Justices' Clerks Society has been asked, in consultation with the Judicial Studies Board and the Magistrates' Association, to consider this matter further.

Judges (Training)

Mr. Allen: To ask the Parliamentary Under Secretary of State, Department for Constitutional Affairs what plans he has to introduce *(a)* training programmes and *(b)* examinations for judges, with particular reference to shorthand for use during court proceedings. [141873]

Mr. Leslie: Judicial training is the responsibility of the Judicial Studies Board (JSB), an independent body chaired by Lord Justice Keene. The JSB already provides a full programme of training for judges. It has no plans to provide training in shorthand. Neither are there plans to introduce formal examinations for the judiciary. An appraisal system is, however, already in place for a number of part-time judicial post-holders.

Juries

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps his Department is taking to ensure the impartiality of juries. [142085]

Mr. Leslie: Juries play a vital role in the criminal justice system. The Government are committed to ensuring that jurors are impartial; that the risk of jury tampering is minimised; and that jury panels are representative of their community.

There are a variety of safeguards in place to ensure that juries try cases fairly, impartially and in accordance with the evidence presented at trial (and only in accordance with that evidence). For example, jurors are randomly selected; they are told (in jury leaflets and videos shown on arrival at court) that they must disclose any connection with the people involved in the trial and tell court officials if anyone tries to influence them in their decision. This last point is being reinforced by the introduction of posters in all Crown Courts advising jurors they are to report any attempts made on them to influence their decisions.

Jurors are also required to swear an oath, the message of which is reinforced by directions from the trial judge at the end of the trial. It is also common practice for the judge, at the outset of the trial, to inform jurors that they can at any time, including during deliberations, raise questions or concerns with him or her.

The Criminal Justice Act 2003 contains measures which will provide for a trial to be conducted without a jury where there is evidence of a real and present danger of jury tampering, or continued without a jury where the jury has been discharged because of jury tampering.

Written Answers to Questions

Tuesday 9 December 2003

LEADER OF THE HOUSE

Big Conversation

Mr. Heald: To ask the Leader of the House what visits *(a)* he and *(b)* Ministers in his Office (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143101]

Mr. Hain: The Labour Party is consulting its members and the wider community on the Government's progress and challenges ahead. The Big Conversation is a party document and has been issued by the Labour Party.

Ministers and special advisers have of course participated in this process according to the rules laid out in the Ministerial Code and the Special Advisers Code. No events have been held using public funds, and no civil servants have attended them.

Fair Trade Products

Mr. Bercow: To ask the Leader of the House whether it is the policy of his office to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142808]

Mr. Hain: My office does not have a refreshment facility in which it could stock and sell fair trade products.

While there is currently no Government-wide approach to the procurement of fair trade products, we will endeavour to use them for official entertaining, subject to this being value for money.

DEFENCE

Boards of Inquiry

Mr. McNamara: To ask the Secretary of State for Defence what the result was of the investigation held into the death of Private David Shipley by the Royal Military Police Special Investigation Branch; on what date a board of inquiry was convened; and what its principal recommendations were. [142114]

Mr. Ingram: The Board of Inquiry convened on 15 September 2003 and is on-going. Her Majesty's Coroner has yet to convene his inquiry. It would therefore be inappropriate to release details of the police findings at this stage.

Defence Estates

Mr. Keetch: To ask the Secretary of State for Defence what expenditure is planned on defence estates upgrades in each year up to 2008; and if he will make a statement. [141660]

Mr. Caplin *[holding answer 8 December 2003]*: Our current planned provision or the funding of the UK estate is:

2003–04—£760 million

2004–05—£930 million.

No planned provision figures are available after that date.

Future Strategic Tanker Aircraft Programme

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on the tanker programme. [142720]

Mr. Ingram: We are currently considering proposals from two consortia that are bidding for the Future Strategic Tanker Aircraft programme. We plan to make a decision on this complex and important PFI competition as soon as possible in the new year.

Northern Ireland

Mr. Barnes: To ask the Secretary of State for Defence what the protocol is for debriefing soldiers who have served an operational tour in Northern Ireland. [142739]

Mr. Ingram: There are no formal protocols for debriefing soldiers after they have served an operational tour in Northern Ireland. However, as with any operational deployment, on their return, units are required to produce a Post Operational Tour Report.

Mr. Barnes: To ask the Secretary of State for Defence if he will list the incidents in the Troubles since 1973 involving members of the British Army which resulted in deaths and injuries to members of the armed forces; and which regiment was affected in each case. [142746]

Mr. Ingram: Since 1973 a total number of 474 members of the Army died as a result of terrorist activity in Northern Ireland. The number of Army personnel injured from 1973 is 4,645. This figure relates primarily to injuries which were incurred while on duty, however, the manner in which data has been historically complied means some injuries off duty may have been included.

It is not feasible to list each death, injury and which Regiment was involved since 1973 as the data is not held on one particular format and that information could be provided only at disproportionate cost.

St John's Wood Barracks

Mark Tami: To ask the Secretary of State for Defence what assessment has been carried out of the real estate value of the St. John's Wood Barracks. [142711]

Mr. Caplin: The last assessment by agents in 2002 concluded a value of £6.65 million.

EDUCATION AND SKILLS

Higher Education

Chris Ruane: To ask the Secretary of State for Education and Skills how much has been spent per student in higher education in each of the last 30 years. [142633]

Alan Johnson: Information on the funding per student at higher education institutions in Northern Ireland, Scotland and Wales is a matter for the devolved administration. The table as follows shows the public funding per student at higher education institutions in England since 1989–90.

Publicly planned funding per student via HEFCE/TTA in real terms, 2002–03 prices

	£ (rounded to nearest £10)
1989–90	8,150
1990–91	7,420
1991–92	7,050
1992–93	6,530
1993–94	6,170
1994–95	6,000
1995–96	5,740
1996–97	5,360
1997–98	5,200
1998–99	5,200
1999–2000	5,190
2000–01	5,130
2001–02	5,170
2202–03	5,170
2003–04	5,310
2004–05	5,340
2005–06	5,500

Information for earlier years was published "Higher Education in the learning society", the report of the National Committee of Inquiry into Higher Education chaired by Lord Dearing. The information required is in chart 3.16 of that report. A link to that report is available at www.leeds.ac.uk/educol/ncihe.

Household Earnings (Hampshire)

Mr. Hoban: To ask the Secretary of State for Education and Skills for the most recent year available, what were the *(a)* male, *(b)* female and *(c)* two earner household average earnings for people resident in (i) each borough within Hampshire, (ii) Portsmouth Unitary Authority and (iii) Southampton Unitary Authority. [143120]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Mark Hoban, dated 9 December 2003:

As National Statistician, I have been asked to reply to your recent question on the average earnings of *(a)* males, *(b)* females and *(c)* two earner households for people resident in (i) each borough within Hampshire, (ii) Portsmouth Unitary Authority and (iii) Southampton Unitary Authority in 2003. (143120).

I attach a table showing the average gross weekly pay including overtime for *(a)* males and *(b)* females for people resident in (i) each borough within Hampshire, (ii) Portsmouth Unitary Authority and (iii) Southampton Unitary Authority in 2003. The information on average earnings for two earner households is unavailable.

The New Earnings Survey (NES) publication criteria states that all estimates with a sample number less than 30 or a relative standard error greater than 5% must be suppressed. A large number of estimates have been removed from the lists due to the suppression criteria. The information is based on the 2003 NES, the latest survey for which data are available.

New Earnings Survey, April 2003

Full time employees on adult rates whose pay for the survey pay period was unaffected by absence.

Analysis by males and females living in Portsmouth UA, Southampton UA and each of the boroughs within Hampshire.

This table provides the number of data used for each area, an estimate of the average gross weekly wage and the relative standard error of the estimate (the standard error expressed as a percentage of the average gross weekly wage).

2003

	Males			*Females*		
	Mean (£)	*Number in sample*	*Standard error (%)*	*Mean (£)*	*Number in sample*	*Standard error (%)*
Unitary Authority						
Portsmouth	450.3	297	3.6	384.7	108	4.5
Southampton	457.4	234	3.8	—	110	5.1
Borough						
Basingstoke and Deane	—	199	5.2	—	126	5.6
East Hampshire	—	122	6.4	—	73	6.8
Eastleigh	569.7	156	4.9	—	95	5.6
Fareham	563.3	123	4.0	375.8	78	4.5
Gosport	406.2	79	4.2	—	67	5.5
Hart	—	104	5.9	—	98	7.2
Havant	—	142	6.1	345.4	82	3.9
New Forest	—	178	5.2	364.7	121	4.7
Rushmoor	530.6	113	4.7	—	70	7.3
Test Valley	—	126	5.4	—	82	5.5
Winchester	—	110	7.5	—	58	6.3

Minister for Children

Mr. Andrew Turner: To ask the Secretary of State

Children sought advice from departmental officials subsequent to writing her letter to the Chairman of the BBC about child abuse in Islington; and if he will make

Mr. Charles Clarke: At the point when the letter to the BBC came into the public domain, the Minister of State for Children, Young People and Families consulted Departmental Officials to ensure that she followed the procedures laid down in the Ministerial Code.

Private Finance Initiative

Mr. Willis: To ask the Secretary of State for Education and Skills how many of his Department's private finance initiative projects were completed *(a)* on time and *(b)* on budget; and of those that overran in terms of (i) time and (ii) budget, who bore the cost. [141663]

Mr. Miliband: Each schools PFI project involves a separate contract between the relevant local authority and a private sector contractor, and, for a variety of reasons, timetables of work may change from that which was envisaged when the contract was signed. It is not possible therefore, for DfES to hold a record of the circumstances of each completion. However, where there have been difficulties, these have generally been brought to our attention by the LEA concerned. These cases have been a small proportion of the total number of completions.

The responsibility for any overrun in terms of time and budget in any PFI project rests with the PFI contractor. Overruns in traditionally funded building projects are fairly commonplace but happen less frequently in PFI projects as the financial consequences of any overrun rest with the private sector.

Mr. Willis: To ask the Secretary of State for Education and Skills, how many school private finance initiative schemes are being examined by the Project Review Group. [141664]

Mr. Miliband: The Project Review Group (PRG) meets approximately every six weeks. At its meeting on 18 November it considered and approved two schools PFI projects. Currently there are four schools PFI projects to be considered at the next meeting on 16 December.

Top-up Fees

Mr. Cameron: To ask the Secretary of State for Education and Skills how much money has been spent in the last six months on advertisements to promote and explain top-up fees; how many advertisements have been broadcast; and what the total planned spending is on this campaign. [142642]

Alan Johnson *[holding answer 8 December 2003]:* The Department has not run any advertising in the last six months to promote and explain top-up fees. However, it has run advertising to inform those considering applying for a higher education course about the student support package available to them and how to apply. This is an annual campaign and was launched last month with radio, magazine and poster advertising costing £240,000.

There is information on the proposed changes to student finance in the campaign leaflet and website which are publicised in the advertising.

A second wave of this advertising for young people is planned for the New Year at the same weight and cost.

In parallel, we are also running advertorials in women's magazines for parents of those considering applying for a higher education course. The cost of this is £174,000, giving a total campaign cost of £654,000.

All costs exclude VAT.

Mr. Flook: To ask the Secretary of State for Education and Skills what rules govern the impact on the estate of an individual should he or she die owing student loans acquired to pay tuition fees; and whether he proposes that the forthcoming legislation should change the rules. [142702]

Alan Johnson *[holding answer 8 December 2003]:* Loan repayments are cancelled if a borrower dies before the loan is paid off. We have no intention of changing that policy in respect of loans for variable tuition fees from 2006.

Tuition Fees

Chris Grayling: To ask the Secretary of State for Education and Skills how much he estimates will be raised by student tuition fees in the current financial year. [141139]

Alan Johnson: It is estimated that institutions in England will receive £847 million in tuition fees for home and EU students in 2003–04. Updated projections will be issued shortly.

Charles Hendry: To ask the Secretary of State for Education and Skills how many students have been paying tuition fees in each year since they were introduced; and what proportion of the total student population this represents. [142532]

Alan Johnson *[holding answer 8 December 2003]:* New student support arrangements came into effect at the start of academic year 1998/99 when new entrants to higher education were expected to contribute towards the cost of their tuition. The amount of the contribution depends on family income.

The number and proportion of students eligible for support in England and Wales in academic years 1998/99 to 2001/02 (latest year for which data are available) who have been assessed to make a partial or full contribution towards the cost of their tuition is shown in the table.

Student Support Scheme—student numbers and proportions

Academic year	*1998/99*		*1999/2000*		*2000/01*		*2001/02*	
	Number (Thousand)	*% of eligible students*	*Number (Thousand)*	*% of eligible students*	*Number (Thousand)*	*% of eligible students*	*Number (Thousand)*	*% of eligible students*
Full or partial contribution towards the cost of tuition from student/parents/spouse/partner[3]	133	55	263	55	397	58	415	57

[1] Contributions towards the cost of tuition are assessed by local education authorities in England and Wales for students normally domiciled in their area and studying in the UK.

[2] Data for academic year 1998/99 comprise the cohort of students who entered higher education in that year; data for 1999/2000 comprise the 1998/99 and 1999/2000 cohorts; data for 2000/01 comprise those who entered in 1998/99, 1999/2000 and 2000/01; and data for 2001/02 comprise those students still in study from 1998/99 onwards and new entrants from 2001/02.

[3] Includes students who withdrew from their course before the fee due date (and therefore no fee payment was made by the local education authority). In 1998/99, includes estimation for students who, because they did not expect to receive a contribution towards the cost of their tuition from public funds, did not make an application to their local authority.

Source:

F503G survey of local education authorities.

National level data are published annually in the Department's Statistical First Releases (SFRs) (SFR 11/2003 for 2001/02).

Universities UK

Mr. Drew: To ask the Secretary of State for Education and Skills on how many occasions he and his ministerial colleagues have met Universities UK during the last 12 months. [143103]

Alan Johnson: My right hon. Friend and other Ministers regularly meet representatives of Universities UK in the course of normal business.

West Herts College

Mr. McWalter: To ask the Secretary of State for Education and Skills what steps he is taking to ensure that there is provision for life-long learning in the Hemel Hempstead area following the closure of courses at the Dacorum campus of West Hertfordshire College. [141908]

Alan Johnson: The Learning and Skills Council has responsibility for planning and funding lifelong learning delivered through further education colleges. The local LSC for Hertfordshire commissioned a Strategic Options Review of West Hertfordshire College, which reported in September 2003. The local LSC will shortly be publishing an action plan for public consultation which will take into account the finding of the review. The local LSC and the college are also working closely with partners to ensure that the needs of all learners in Hemel Hempstead are met.

CABINET OFFICE

Big Conversation

Mr. Heald: To ask the Minister for the Cabinet Office, what visits *(a)* he and *(b)* the Minister without Portfolio (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied (1) him and (2) the Minister without Portfolio in respect of such visits; what the cost to public funds was of visits by *(A)* him, *(B)* the Minister without Portfolio and *(C)* civil servants in connection with the Big Conversation; and if he will make a statement. [143097]

Mr. Alexander: I refer the hon. Member to the reply that my hon. Friend the Leader of the House gave today.

Regulatory Reform

Brian Cotter: To ask the Minister for the Cabinet Office, when his Department will publish the updated Regulatory Reform Action Plan. [142470]

Mr. Alexander: The updated Regulatory Reform Action Plan will be published later this week.

Timber

Mr. Gardiner: To ask the Minister for the Cabinet Office, by what means the policy for purchasing timber and timber products of *(a)* the Cabinet Office and *(b)* the Government Car and Despatch Agency ensures that they are obtained from legal and sustainable sources. [141662]

Mr. Alexander: The Cabinet Office and the GCDA's policy for purchasing timber and timber products takes account of current UK Government Timber Procurement Policy. Furthermore, the Model Contract Specification Clause is used in all new and existing contracts to ensure that purchases are obtained from Legal and sustainable sources.

CONSTITUTIONAL AFFAIRS

Law Commission

Mr. Jim Cunningham: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will list legislative proposals contained in reports published by the Law Commission since 1990 which have not subsequently been introduced. [142302]

Mr. Leslie: The following table sets out reports published by the Law Commission since 1990 which contain legislative proposals that have not been enacted.

Report number/ year	*Title*	*Legislative proposals*
1991		
194	Distress for Rent	Law of Property (Distress) Bill
1992		
208	Business Tenancies: Landlord and Tenant Act 1954, Part II	Landlord and Tenant (Business Tenancies) Bill

Report number/ year	Title	Legislative proposals
1993		
218	Offences against the Person and General Principles	Criminal Law Bill
1994		
222	Binding Over	Binding Over Bill
226	Judicial Review and Statutory Appeals	Administration of Justice Bill
227	Restitution: Mistakes of Law and Ultra Vires Public Authority Receipts and Payments	Restitution (Mistakes of Law) Bill
1995		
229	Intoxication and Criminal Liability	Criminal Law (Intoxication) Bill
231	Mental Incapacity	Mental Incapacity Bill
1996		
237	Involuntary Manslaughter	Involuntary Homicide Bill
238	Landlord and Tenant: Responsibility for State and Condition of Property	Landlord and Tenant Bill
1997		
246	Shareholder Remedies	Companies (Members' Proceedings) Bill
247	Aggravated, Exemplary and Restitutionary Damages	Damages Bill
1998		
248	Corruption Offences	Corruption Bill
249	Liability for Psychiatric Illness	Negligence (Psychiatric Illness) Bill
251	The Rules Against Perpetuities and Excessive Accumulations	Perpetuities and Accumulations Bill
253	The Execution of Deeds and Documents by or on behalf of Bodies Corporate	Instruments (Formalities) Bill
1999		
257	Damages for Personal Injury: Non-Pecuniary Loss	Damages (Role of Jury) Bill
262	Damages for Personal Injury: Medical, Nursing and other Expenses; Collateral Benefits	Damages for Personal Injury (Gratuitous Services) Bill
263	Claims for Wrongful Death	Fatal Accidents Bill
2001		
270	Limitation of Actions	Limitation Bill
272	Third Parties—Rights against Insurers	Third Parties (Rights Against Insurers) Bill
2002		
276	Fraud	Fraud Bill
2003		
283	Partnership Law	Partnerships Bill

Legal Finance

Mr. Dismore: To ask the Parliamentary Secretary, Department for Constitutional Affairs, how much was spent on experts' fees *(a)* from the Community Legal Service budget and *(b)* from the Criminal Defence Service budget in 2002–03. [141416]

Mr. Leslie: Information on experts fees paid as part of the Community Legal Service is not held centrally by the Legal Services Commission and could be obtained only at disproportionate cost.

For criminal cases the majority of payments are made out of central funds and came to £5.1 million. This figure includes interpreters' costs. Payments may also be paid out of the Criminal Defence Service through a payment made by the defending lawyer to an expert. Details of these payments are not held centrally and can be obtained only at disproportionate costs.

Magistrates Courts

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Department for Constitutional Affairs, if he will list the five *(a)* county and *(b)* magistrates courts in England which granted the greatest number of non-molestation orders in the last year for which figures are available. [142224]

Mr. Leslie: The five county courts that granted the most non-molestation orders during 2002 are listed in the table together with the Principal Registry of the Family Division which covers much of the London area. Data relating to the magistrates courts is not complete and a comparative list is unavailable.

County court	*Orders made*
Principal Registry of the Family Division (which covers much of the London area)	1,540
Croydon	784
Edmonton	552
Teesside	509
Brentford	464
Leeds	435

Matrimonial Disputes (Wales)

Gareth Thomas: To ask the Parliamentary Secretary, Department for Constitutional Affairs, what budget has been provided in Wales by the Legal Services Commission in respect of *(a)* legal advice and *(b)* legal representation in relation to matrimonial disputes in (i) 2002–03 and (ii) 2003–04. [142409]

Mr. Leslie: Regional budgets are not set for legal advice and representation in relation to matrimonial disputes.

HEALTH

Primary Care Trusts

15. **Dr. Evan Harris:** To ask the Secretary of State for Health what freedom primary care trusts have had to make their own decisions about what contracts best meet the needs of their local population. [142557]

Mr. Hutton: Primary Care Trusts work closely with their Strategic Health Authorities when planning any contracts for local services. PCTs have the freedom as well as the responsibility to deliver the right level of care to meet patients' needs locally, as well as national NHS requirements.

Binge Drinking

16. **Mr. Cousins:** To ask the Secretary of State for Health what steps he proposes to take to tackle the health problems associated with alcohol and binge-drinking. [142558]

Miss Melanie Johnson: The Government's Alcohol Harm Reduction Strategy for England will be published and implemented from 2004, in line with the commitments given in the NHS Plan. The strategy will be a cross-cutting effort on the part of Government and other key stakeholders to tackling the harms associated with alcohol misuse, including binge drinking.

Dental Services (East Devon)

17. **Mr. Swire:** To ask the Secretary of State for Health what discussions he has had with East Devon Primary Care Trust about the provision of dental treatment in East Devon. [142559]

Ms Rosie Winterton: We recognise that access to National Health Service dentistry can be difficult in some areas and that there may be growing pressure in East Devon. I have announced additional resources totalling £59 million over this year and next to support dental access. The NHS locally will be able to apply for funding from these new resources to increase access locally.

Welfare Food Scheme

18. **Paddy Tipping:** To ask the Secretary of State for Health if he will make a statement on the Welfare Food Scheme. [142560]

Miss Melanie Johnson: The current Welfare Food Scheme has served many families well since 1940, but no longer meets their nutritional needs. We have therefore taken powers in the Health and Social Care (Community Health and Standards Act) 2003 enabling reform. We will shortly publish a response to our autumn 2002 consultation on reform, and will consult on draft regulations in 2004.

Passive Smoking

20. **Mr. Barron:** To ask the Secretary of State if he will make a statement on his Department's latest research on the health effects of passive smoking. [142562]

Miss Melanie Johnson: The Scientific Committee on Tobacco and Health is currently updating the available data on secondhand smoke and its report is awaited.

General Practitioners

21. **Mr. Heath:** To ask the Secretary of State for Health if he will make a statement on the provision of information technology for general practitioners under the new GP contract. [142564]

Mr. Hutton: Primary Care Trusts, rather than individual general practitioner practices, will be responsible for funding the purchase and maintenance of information technology systems. This will form part of Integrated Care Record Services that will be implemented by the National Programme for IT. This has been supported with £20 million additional funding.

22. **Mr. Rendel:** To ask the Secretary of State for Health how many new whole time equivalent general practitioners have taken up post since 1999. [142565]

Mr. Hutton: The estimated number of additional whole time equivalent general practitioners, who have taken up post between September 1999 and June 2003 is 5,750.

Non-departmental Public Bodies

23. **Dr. Cable:** To ask the Secretary of State for health if he will make a statement on plans to review the number of health service non-departmental public bodies. [142566]

Ms Rosie Winterton: The Secretary of State for Health announced his intention to review the Department's non-departmental public bodies along with its other arm's length organisations to the Health Committee on 30 October. We want to ensure that roles of the Department's arm's length bodies are in line with current expectations and that the oversight of front-line health and social services is kept to an acceptable minimum. We expect that the review will reach its conclusions by the middle of next year.

Alcohol Treatment Programmes

Norman Lamb: To ask the Secretary of State for Health when he expects the Government's strategy document on alcohol treatment to be published; what the reason for the delay is; and if he will make a statement. [141984]

Ms Blears: I have been asked to reply.

On 19 September the Prime Minister's Strategy Unit published their Interim Analytical Report on the harms associated with alcohol misuse. This will help inform the development of the cross-governmental alcohol harm reduction strategy for England. The final report setting out the strategy will be published in time for implementation to begin in 2004, and in line with commitments given in the NHS Plan.

Alzheimer's

Mr. Clappison: To ask the Secretary of State for Health what assessment has been made by the National Institute for Clinical Excellence of Ebixa as a treatment for Alzheimer's; which health authorities have allowed it to be prescribed; and if he will make a statement on the National Hospital for Neurology and Neurosurgery and the use of Ebixa. [141415]

Dr. Ladyman: The National Institute for Clinical Excellence (NICE) is appraising memantine (Ebixa) as part of the eighth wave of its work programme. The anticipated publication date of its guidance is May 2005.

The Department has asked national health service bodies (in HSC 1999/176) to continue with local arrangements for the managed introduction of new technologies, including drugs such as memantine, where guidance from NICE is not published at the time the technology first became available. These arrangements should involve an assessment of all the available evidence. Information about which NHS bodies are currently allowing memantine to be prescribed is not collected centrally, but data collected about prescribing shows that memantine has been prescribed on the NHS in all strategic health authority areas.

The National Hospital for Neurology and Neurosurgery medical committee has considered the use of memantine and has agreed to prescribe it under certain protocols and shared care agreements.

Chiropody/Podiatry

Mr. Djanogly: To ask the Secretary of State for Health what recent representations he has received on chiropody and podiatry. [142550]

Dr. Ladyman: In the last three months we have received an estimated 22 representations on chiropody and podiatry from right hon. and hon. Members, representations from the other place and relevant organisations and others.

Contaminated Blood Products

Mr. Cousins: To ask the Secretary of State for Health how many people died in each of the last five years as a result of contamination by blood products *(a)* from HIV/AIDS, *(b)* from hepatitis C and *(c)* co-infected with HIV/AIDS and hepatitis C; and how many who were found to be suffering from each such contamination in each of those years remain alive. [142588]

Miss Melanie Johnson: The number of haemophilia patients infected with HIV/AIDS from infected national health service blood products registered with the Macfarlane Trust who have died in the last five years are shown in the table.

	Number
1998	22
1999	19
2000	24
2001	13
2002	12

The total number of registrants who remain alive is 397.

Information on the total number of patients who have died in each of the last five years from hepatitis C as a result of infection through NHS blood products and the number who remain alive in each of those years is not collected.

The figure on the total number of patients co-infected with HIV/AIDS and hepatitis C who have died in each of the last five years is not collected. The latest information from the United Kingdom Haemophilia Centre Doctors Organisations shows the total number of co-infected patients alive at 1 January 2000 is 469.

Mr. Laurence Robertson: To ask the Secretary of State for Health (1) if he will make a statement on deaths of people with haemophilia from hepatitis as a result of receiving contaminated transmissions of blood within the NHS; [143115]

(2) if he will make a statement on the levels of compensation payments offered to people who have contracted hepatitis as a result of receiving contaminated blood; [143116]

(3) what plans he has to compensate the relatives of patients who have died through having received contaminated blood on the NHS. [143117]

Miss Melanie Johnson: I refer the hon. Member to the answer I gave to the hon. Member for Portsmouth, South (Mr. Hancock) on 19 November 2003, *Official Report*, column 1106W.

Mr. Truswell: To ask the Secretary of State for Health how many people in *(a)* Leeds and *(b)* the UK have contracted (i) HIV and (ii) hepatitis C as a result of being given contaminated blood products; and how many (A) have died, (B) cleared the virus and (C) remain infected in each case. [143183]

Miss Melanie Johnson: Figures for the Leeds area are not available.

The number of people directly infected with HIV/AIDS as a result of National Health Service treatment with blood or blood products and who have been or are currently registered with the Macfarlane and Eileen Trusts in the United Kingdom is 1284.

The total number of Macfarlane and Eileen Trust registrants who have died is 876.

The number of people who have been infected with HIV as a result of NHS treatment with blood or blood products and cleared the virus is not known but is presumed to be zero.

The number of Macfarlane and Eileen Trust registrants who were directly infected with HIV as a result of NHS treatment with blood or blood products and who remain infected is 408.

Following the announcement of a financial assistance scheme for those inadvertently infected with hepatitis C, figures for the number of people infected, the number of people who have died and the number of people who remain infected are still being finalised.

Genetics White Paper

Kevin Brennan: To ask the Secretary of State for Health when he will announce the successful bids for research funding arising out of the White Paper on Genetics. [142563]

Miss Melanie Johnson: Commissioning Groups considering submitted proposals for research on gene therapy for single gene disorders, including cystic fibrosis, and on pharmacogenetics are to meet early next year to identify successful applicants. Details of the successful bids will be published in the National Research Register located on the Department's web site at www.doh.gov.uk/research/nrr.htm.

HIV/AIDS

Sir Teddy Taylor: To ask the Secretary of State for Health if he will make a statement on the incidence of HIV/AIDS in the UK; and what change there has been in the incidence in the last 10 years. [141328]

Miss Melanie Johnson: The numbers of new diagnoses of HIV infection reported in the UK for the last 10 years are shown in the table. These are a mixture of new (incident) cases and new diagnoses of longer-standing infections.

Year of diagnosis	*Number of HIV infected individuals*[1]
1993	2,621
1994	2,574
1995	2,653
1996	2,692
1997	2,737
1998	2,818
1999	3,072
2000	3,825
2001	4,982
2002	5,711

[1] Numbers, particularly for recent years, will rise as further reports are received.

Source:

Communicable Disease Surveillance Centre, Health Protection Agency, data to the end of September 2003.

Hormone Replacement Therapy

Mrs. Iris Robinson: To ask the Secretary of State for Health, what advice the Government are providing for women on hormone replacement therapy regarding the risk of breast cancer; and if he will make a statement. [141847]

Miss Melanie Johnson: The Committee on Safety of Medicines (CSM) and its expert working group on hormone replacement therapy (HRT) have kept the safety of HRT under constant review and provided targeted advice to women and health professionals in response to important new evidence as it has emerged.

In August 2003, the United Kingdom "Million Women" study provided important new information about the risks of breast cancer in long term HRT users. On the day of publication, the CSM informed women of the increase in risk that was observed in association with each different type of HRT preparation. The CSM further advised that these risks increase the longer that HRT is used, but return to normal within five years of stopping HRT. All women using HRT have been encouraged to attend regular breast screening and regularly check their breasts for any changes. Women have also been advised not to use HRT if they have breast cancer or if they have had it in the past.

In addition, the Medicines and Healthcare products Regulatory Agency (MHRA) has placed a comprehensive review of the risks, including breast cancer, associated with HRT use for women on its website. Detailed information has also been published in the safety bulletins issued by the MHRA and the Chief Medical Officer, which are also available on their respective websites.

The patient information leaflet that accompanies each pack of medicine has contained information about the risk of breast cancer in association with HRT use for some years. This information has been regularly updated to fully reflect all important new evidence as it has become available.

Very recently, a Europe-wide review of the overall risks and benefits of HRT has been completed. UK experts participated in this review and the CSM has endorsed its recommendations, published on 3 December 2003, that HRT should no longer be considered as the first choice treatment for the prevention of osteoporosis, for women over the age of 50 years. As with earlier advice, this information has been made available to health professionals and women through targeted communications and the MHRA website.

NHS Live 2004

Chris Grayling: To ask the Secretary of State for Health how much the total budget for NHS Live 2004 is. [140904]

Mr. Hutton: The total budget for NHS Live will depend upon the revenue generated through sponsorship and trade show exhibition.

Chris Grayling: To ask the Secretary of State for Health if he will list the organisations which have been approached to sponsor NHS Live 2004; and what amounts are being sought for such sponsorship. [140905]

Mr. Hutton: Sponsorship for NHS Live is being sought in accordance with Cabinet Office guidelines. No specific amount is being sought from individual sponsors. Any revenue received (or the equivalent payments in kind) will be published in the 2004 Departmental Report.

Chris Grayling: To ask the Secretary of State for Health what involvement his special advisers have had in *(a)* devising and *(b)* organising NHS Live 2004. [141570]

Mr. Hutton: A steering group chaired by the Chief Medical Officer oversees the planning for NHS Live. Special advisers have had no active role in devising or organising the NHS Live event.

Chris Grayling: To ask the Secretary of State for Health, whether he will participate in NHS Live 2004. [141571]

Mr. Hutton: It is anticipated that my right hon. Friend, the Secretary of State will address the conference or visit the NHS Live exhibition.

Chris Grayling: To ask the Secretary of State for Health, what criteria will be used for issuing invitations to NHS Live 2004. [141572]

Mr. Hutton: All National Health Service and social care organisations in England have been invited to participate in the NHS Live programme. Stakeholder organisations representing staff, patients and the public will also be invited to participate in developing the programme and in the event at Excel in July 2004.

Chris Grayling: To ask the Secretary of State for Health, whether the media will be invited to cover NHS Live 2004. [141573]

Mr. Hutton: The media will be invited to cover the NHS Live 2004 event.

Skin Cancer

Mr. Jenkins: To ask the Secretary of State for Health, what action the Department is taking to tackle the rise in skin cancer cases in England. [141815]

Miss Melanie Johnson: A new sun awareness initiative "SunSmart" was launched on 27 March by Cancer Research UK to make the public aware of the dangers of exposure to the sun. The campaign is based on the successful "SunSmart" campaign in Australia. The campaign has received funding from the United Kingdom Health Departments this year. We will be providing further funding for the campaign for next summertime.

The campaign's aim is to increase the profile of the issue of skin cancer and methods of effective sun protection.

The key objectives are to increase knowledge of the causes of skin cancer, to increase awareness of actions that can be taken to prevent skin cancer and to influence positively attitudes to sun protection.

Subject to further funding, longer-term aims are to reduce sunlight exposure through changes in behaviour and environment, to increase the proportion of people reporting with early stage disease and decrease the proportion of people presenting with late tumours.

The campaign's key messages have been disseminated by way of an alert to the campaign and mailshot pack of posters and leaflets to all general practitioner surgeries and health promotion units nationally, an alert to the campaign and mailshot to secondary schools with 3,500 leaflets and posters; and a series of press events over summer 2003, with leaflets and posters targeted in cities and seaside resorts. The effectiveness of the campaign is being evaluated and the lessons learnt will be fed into future development of the campaign.

The Department has separately developed the "SunSafe" web pages last year, designed with children in mind and these are available on the Department's website at www.doh.gov.uk/sunsafe. Sun awareness information is also contained on the "Wired For Health" website at www.wiredforhealth.gov.uk/teaching/sun/intro.html.

We continue to fund annually the Meteorological Office to provide the daily Ultra-Violet index in the media (TV, radio, Meteorological Office website).

The Department also provides core funding to the National Radiological Protection Board, which provides expertise on ultra-violet radiation issues.

Solid Waste Incinerators (Health Risks)

Chris Ruane: To ask the Secretary of State for Health what plans he has to update the research on *(a)* angiosarcoma, *(b)* lymphohematopoietic cancers and *(c)* cancer incidence near municipal solid waste incinerators. [142632]

Miss Melanie Johnson: The Department has no plans to carry out further research on angiosarcoma. The independent expert advisory Committee of Carcinogenicity of Chemicals in Food, Consumer Products and Environment that any potential risk of cancer from residency near to municipal solid waste incinerators was exceedingly low and probably not measurable by the most modern epidemiological methods. Therefore, no further research is planned on cancer incidence near municipal solid waste incinerators.

The Committee on Medical Aspects of Radiation in the Environment (COMARE) recommended in its third report an investigation of the geographical distribution of childhood cancer and leukaemia in Great Britain and how the pattern of cases around nuclear installations compares with the national pattern. This study is nearing completion and the Department has asked COMARE to advise on which, if any, nuclear installations in Great Britain have incidences of childhood cancer and leukaemia in their vicinity which are statistically outside the distribution seen nationally. COMARE hopes to report on this aspect of the study to the Department early next year. When complete, the database will also allow investigation of other environmental factors and their potential relevance to the temporal and spatial distribution of childhood cancer.

Waiting Lists/Times

Mr. Leigh: To ask the Secretary of State for Health what action he is taking, in response to the 45th Report of Session 2001–02 by the Committee of Public Accounts on Inpatient and outpatient waiting in the NHS, to reduce the regional variations in *(a)* waiting lists, *(b)* waiting times and *(c)* different specialisms. [142561]

Mr. Hutton: The Department has put a number of measures aimed at reducing inpatient and outpatient waits in the National Health Service and to improve access as outlined in the NHS Plan. Local action continues to implement these measures in reducing local variations in waiting lists, waiting times and different specialties.

SOLICITOR-GENERAL

Big Conversation

Mr. Heald: To ask the Solicitor-General what visits *(a)* she and *(b)* Ministers in her Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by *(A)* each Minister and *(B)* civil servants in connection with the Big Conversation; and if she will make a statement. [143160]

The Solicitor-General: Neither the Attorney-General nor I have made any such visits using public funds or accompanied by civil servants and none are currently planned.

Sand Yachting

Mr. Jack: To ask the Solicitor-General, what the basis was for the request by the Attorney-General to the Crown Prosecution Service to provide him with an update on whether sand yachting should be allowed to continue at St.Anne's. [142623]

The Solicitor-General: I refer the hon. Member to the Attorney-General's letter to him dated 3 December 2003, in which the Attorney stated the following:

> "I indicated in my last letter that I had asked the CPS to provide me with an update, including the future of sand yachting in the area. I made this comment on the basis that I could see that the CPS decision regarding a criminal prosecution would be relevant to those responsible for licensing sand yachting in the area. The issue of whether sand yachting should be allowed to continue is not a matter for the CPS to determine, as their review of these tragic events is restricted to the more limited issue of criminal culpability."

PRIME MINISTER

Art Acquisition

Norman Baker: To ask the Prime Minister how much his Office has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Office since 1997 was; how much it cost; and what the total revenue raised by his Office through sales of its works of art has been since 1997. [142365]

The Prime Minister: My office has neither sold nor bought paintings or sculptures since 1997.

Big Conversation

Mr. Heald: To ask the Prime Minister, what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143162]

The Prime Minister: I refer the hon. Member to the answer my right hon. Friend, the Leader of the House of Commons (Mr. Hain) gave him today.

House of Lords Reform

Mr. Gordon Prentice: To ask the Prime Minister, what continuing role he intends to propose for the Joint Committee on Reform of the House of Lords; and if he will make a statement. [142799]

The Prime Minister: The Joint Committee on House of Lords Reform published a press notice on 12 November, together with correspondence between my right hon. Friend, the Secretary of State for Constitutional Affairs (Lord Falconer of Thoroton) and my right hon. Friend, the Chairman of the Committee, (Mr. Jack Cunningham) on this issue. Copies are available in the House Library.

Ministerial Duties

David Davis: To ask the Prime Minister if he will make a statement on the *(a)* role, *(b)* duties and *(c)* responsibilities of (i) Mr. Jonathan Powell and (ii) the Deputy Prime Minister. [143200]

The Prime Minister: The Deputy Prime Minister and First Secretary of State deputises for me as required across the range of my responsibilities at home and abroad.

The Deputy Prime Minister chairs Cabinet Committees on domestic affairs, environment and local government; and Sub-Committees on energy policy social exclusion and regeneration.

The Office of the Deputy Prime Minister has responsibility for policy on local and regional government, local government finance, planning, housing, urban policy, the Fire Service, the Neighbourhood Renewal Unit, the Social Exclusion Unit, the Regional Co-ordination Unit and the Government Offices for the Regions.

Jonathan Powell is my Chief of Staff and is appointed on special adviser terms. He has direct responsibility for leading and co-ordinating operations across Number 10 and reports to me.

David Davis: To ask the Prime Minister what arrangements are in place for delegation of Prime Ministerial duties and responsibilities if the Prime Minister were unable to perform his duties for a period of time. [143201]

The Prime Minister: If I am absent for any reason then appropriate arrangements would be put in place as has been the practice under successive administrations.

Nuclear Weapons

Llew Smith: To ask the Prime Minister, if he will set out the circumstances under which he would authorise the use of UK nuclear weapons. [142568]

The Prime Minister: As has repeatedly been made clear, the British Government would only contemplate the use or thereat of use of nuclear weapons in extreme circumstances of self-defence. We would not use our weapons, whether conventional or nuclear, contrary to international law.

Queen's Speech

Mr. Gordon Prentice: To ask the Prime Minister, if he will bring forward proposals to replace the Queen's Speech with a statement to Parliament by the Prime Minister setting out the forthcoming legislative programme. [143032]

The Prime Minister: I have no plans to do so.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Composting

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the steps she is taking to promote composting. [142343]

Mr. Morley: Defra has set up the Waste Implementation Programme (WIP) to help local authorities meet their targets for reducing the landfilling of biodegradable municipal waste under the Landfill Directive. One of WIP's programmes being taken forward by the Waste and Resources Action Programme (WRAP) is to promote kerbside recycling and composting best practice in local authorities.

This sub-programme has two components:

1. A Recycling and Organics Technical Advisory Team (ROTATE) which will provide technical advice to local authorities needing to implement and improve kerbside recycling, with an emphasis on organics collections systems. This is supported by £14.9 million over the next three years.

2. An Organics Materials Programme which provides material-specific support and investment to the growing composting sector. It aims to develop markets in compost, with headline targets of increasing the market share of compost in the landscaping and horticultural markets by 35 per cent. and 30 per cent. respectively, by end 2006. This is supported by £12.2 million over the next three years.

These targets will be achieved through a range of activities including:

development of compost standards;

business development initiative for emerging compost companies;

marketing and product development targeted at the landscaping and horticultural sectors.

Defra also provides £272,000 over three years to the Composting Association to raise awareness and increase the understanding of composting and uses of compost.

In addition, Defra's Waste Minimisation and Recycling Fund has supported composting schemes run by local authorities. In 2003–04, 21 green waste-only kerbside schemes and five composting site developments received funding.

Crop Spraying

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received from *(a)* the Department of Health, *(b)* the Health Protection Agency and *(c)* the Countryside Agency regarding the consultation documents (i) plans for greater access to information about crop spraying and (ii) proposals for buffer zones between spraying areas and residential properties in England and Wales. [141961]

Alun Michael: The Pesticides Safety Directorate has not received representations from the Department of Health, the Health Protection Agency or the Countryside Agency regarding the informal consultation on plans for greater access to information about crop spraying or the formal consultation on proposals for buffer zones.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to obtain Land Cover Map information from the Centre of Ecology and Hydrology in order to calculate the number of people in England and Wales living directly adjacent to fields sprayed with pesticides. [141962]

Alun Michael: I have asked the Pesticides Safety Directorate (PSD) to carry out a Regulatory Impact Assessment (RIA) on proposals for the introduction of no-spray buffer zones between agricultural spray operations and residential properties. That will include consideration of evidence on the number of people in England and Wales living directly adjacent to fields sprayed with pesticides.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what plans she has for a formal public consultation on greater access to information on crop spraying; [141963]

(2) what plans she has to implement *(a)* a mandatory and *(b)* a voluntary pilot for proposals in the consultation paper, plans for greater access to information about crop spraying. [141966]

Alun Michael: The Pesticide Safety Directorate (PSD) issued approximately 1,500 consultation documents for the informal consultation on greater access to information on crop spraying. In addition, a series of meetings were held with interested parties.

Some 500 written responses were submitted to the PSD, reflecting a broad range of opinions, and officials are currently processing these. Some parties, in responding to the consultation, made the suggestion of running voluntary or mandatory pilot schemes.

Consideration whether to issue a formal consultation, or to carry out pilot schemes, will be given by ministers after the responses have been analysed.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) how many submissions her Department has received to the consultation on Plans for greater access to information about crop spraying; and how many favoured proposals to oblige pesticide users to *(a)* keep a public register of what pesticides they have used and *(b)* notify surrounding households when they are going to spray a pesticide, identifying the pesticide; [141964]

(2) how many submissions her Department has received to the consultation on Plans for greater access to information about crop spraying which are in favour

of disclosure of the records of pesticide use *(a)* directly to members of the public and *(b)* to parties acting on their behalf. [141965]

Alun Michael: The Pesticides Safety Directorate has received about 500 responses to the informal consultation on options for greater access to information about crop spraying. A series of questions were asked in the consultation document, with the aim of identifying practical arrangements for notification and disclosure of pesticide spray activities. Officials are now processing the responses, which contain a broad range of views, but it is possible to identify some general trends.

The majority of respondents were broadly in favour of greater access to information on pesticide spraying activities in general terms. However many raised potential practical difficulties with respect to the implementation of the proposals, particularly in respect of the issue of prior notification.

The majority of responses favoured the proposal to oblige pesticide users to keep a public register of what pesticides they had used. In general, members of the public were in favour of direct disclosure of spray records while farmers and industry groups were broadly in favour of disclosure via a third party such as a doctor or lawyer or via a Regulatory Authority.

Dredging (River Tyne)

Mr. Nicholas Brown: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in discussions between her Department and the Port of Tyne Authority concerning the dredging of the River Tyne and the disposal at sea of contaminated sediment; and what the present position is regarding the dredging and disposal. [140644]

Mr. Morley: The Port of Tyne Authority (PoT) applied for a licence in February 2003 to dispose of 315,123 cubic metres of sediment dredged from wharves within the port to the Souter Point disposal ground. Some sediments are contaminated with Tributyl-tin and heavy metals.

Defra and its advisers from the Centre for Environment, Fisheries and Aquatic Science (CEFAS) have met the PoT on a number of occasions to discuss potential disposal options. I met representatives of the port authority on 3 December.

On the basis of the currently available information, the levels of contamination are such that we would not be prepared to licence simple disposal of the sediments at sea. I also appreciate that land based disposal or remediation would be prohibitively expensive.

We have therefore suggested that:

(i) the PoT should carry out limited further sampling to *(a)* determine the characteristics of the sediment down to the proposed dredging depth and *(b)* more closely determine the extent of the most contaminated material. A sampling methodology is to be agreed.

(ii) with assistance from CEFAS, the PoT should prepare a methodology for confined disposal (capping of the contaminated material with clear material) at Souter Point including a strategy for monitoring the effectiveness of this approach.

Subject to the results of this work, we would then be prepared to license the disposal of at least part of the amount applied for on this basis.

Flood Protection

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what the new structures for *(a)* flood defences and *(b)* flood protection are; and what assessment she has made of efficiency savings in terms of (i) costs and (ii) manpower resulting from the introduction of new structures. [142040]

Mr. Morley: My right hon. Friend the Secretary of State announced the conclusions of the flood and coastal defence funding review on 12 March 2003. These include the transfer of responsibility for rivers creating the greatest flood risk to the Environment Agency; funding the Environment Agency through a single stream of Defra grand in aid; and introducing a single tier of flood defence committee by abolishing the local tier where it exists but creating additional regional committees where this is considered appropriate.

These measures are not designed primarily to secure cost or manpower savings. Rather they are designed to help achieve a more assured, streamline, effective and accountable service of flood defence and flood protection, that achieves a better reduction in flood risk nationally for the investment made.

Defra is however working with the Environment Agency on process improvement which will take account of the changes referred to above, further rationalise scheme appraisal and approval processes and reduce the proportion of overheads in scheme costs.

Fly-tipping

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost to landowners of clearing their land of waste that has been fly-tipped was in each of the last five years; how many convictions for fly-tipping have been secured by the Environment Agency; and what the total amount of fines paid arising from these convictions was. [142590]

Mr. Morley: No national data is available on the cost to landowners of clearing illegally dumped waste on private land.

The Environment Agency has kept separate data on fly-tipping prosecutions since the beginning of calendar year 2002. Before the time, fly-tipping was not distinguished on their database from other Environmental Protection Act (1990) s.3 and 34 offences.

2002 (Calendar Year)

Number of prosecutions—252

Fines—£228,620

2003 (to end of October)

Number of prosecutions—210

Fines—£225,702

Grand Totals (1 January 20 02—31 October 2003)

Number of prosecutions—462

Fines—£454,322

GM Crops

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs (1) on what basis the herbicide regime for use on GM maize was chosen for the farm-scale trials; what role Aventis (now Bayer) had in its choice; what international research was conducted to establish whether this was a commercially realistic regime to control weeds; and what research she has conducted on whether farmers in other countries use more aggressive herbicide mixes; [142304]

(2) what arrangements were made to ensure that farmers growing the GM trial crops managed them in a commercially realistic manner; and whether they were *(a)* required and *(b)* allowed to respray if the crop was under threat from excess weeds and was unlikely to produce an optimum yield. [142305]

Mr. Morley *[holding answer 8 December 2003]:* The herbicide regime used by farmers growing GM maize in the farm-scale trials was proposed by the product manufacturer, AgrEvo (now Bayer Crop Science). The way farmers could then use the product was further specified under the terms of the draft product label in line with the experimental approval. The draft product label gave farmers the freedom to apply more than one application of the herbicide if they required, providing it was within the specified crop growth stage limits.

The experimental approval assumed use of the herbicide under UK conditions. No research was conducted on the method of use of this or any other herbicides in other countries as this was not considered necessary.

The Scientific Steering Committee overseeing the farm-scale evaluations (FSEs) were content from the outset that the proposals for the use of the pesticide provided by the manufacturers and specified in the draft product label were capable of delivering cost-effective weed control under UK conditions. A full audit of herbicide use was conducted as part of the FSEs and published as part of the results (Champion et al. 2003). This paper also gives details of the number of GM maize fields that received more than one application of herbicide. In the published results it was concluded that cost-effective weed control had been achieved. This conclusion was endorsed by the steering committee and was further validated by the publishing journal through their peer-review process.

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs whether the Royal Society was asked to check the methodology of the farm-scale evaluation research, with particular regard to the selection of the herbicide regimes. [142423]

Mr. Morley *[holding answer 8 December 2003]:* The Royal Society was not asked to check the methodology of the farm-scale evaluations. The independent scientific steering committee was established for this purpose, and the committee endorsed both the methodology generally and the herbicide regimes in particular. The work was again independently validated by the publishing journal, *The Philosophical Transactions of the Royal Society (Biological Sciences)* that operates independently of the Royal Society through its peer review process.

GM Nation Debate

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will set up a review of the performance of the Central Office for Information in the GM public debate to investigate whether there has been mismanagement or incompetence; [142245]

(2) what assessment she has made of the implications for the GM Nation debate of constraints on funding. [142246]

Mr. Morley: The debate was acknowledged as an innovative process and a learning experience for all involved. We are currently working with the independent Steering Board and COI to consider what lessons can be learned from the GM Public Debate process. We will publish our conclusions in due course.

Hazardous Waste Directive

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what work was undertaken on preparation for the Hazardous Waste Directive in the Department for the Environment, Transport and the Regions; [142517]

(2) when her predecessor Department was informed of the *(a)* requirements and *(b)* implementation date of the EU Hazardous Waste Directive. [142518]

Mr. Morley *[holding answer 8 December 2003]:* The European Commission approved the Hazardous Waste Directive in December 1991. In common with the negotiation of other European Directives, the Government took an active part in proceedings, but there is no detailed record of the amount of work spent on preparation for this particular Directive by the then Department of the Environment.

The implementation date for the Directive as 27 June 1995 which was set out in an amendment to the Directive approved by the European Commission on 27 June 1994. The Department would have been aware of the Directive's requirements as it was negotiated.

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs how many staff who worked on the EU Hazardous Waste Directive in the Department for the Environment, Transport and the Regions transferred to her Department to continue this work. [142519]

Mr. Morley *[holding answer 8 December 2003]:* The European Commission approved the Hazardous Waste Directive in December 1991. Its requirements are currently transposed in England by the Special Waste Regulations 1996, but these are to be replaced by new regulations for hazardous waste in 2004. The Department for Environment, Food and Rural Affairs (Defra) was established in June 2001 and all staff that had worked on hazardous waste policy issues in the Department for Environment, Transport and the Regions transferred to Defra to continue this work. The Hazardous Waste Branch of Waste Management Division takes the lad on these issues as well as policy work on the transfrontier shipment of waste and consists of eight staff.

Kyoto Protocol

Mr. Peter Ainsworth: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the implications for UK environment policy of the statement made by the Russian authorities on 2 December on the Kyoto Protocol. [142793]

Mr. Morley *[holding answer 8 December 2003]*: The Government believe that the Kyoto Protocol, with its binding targets and timetables, is an essential first step in international action to tackle climate change, though of course much greater cuts in greenhouse gasses will be needed.

President Putin stated at the World Conference on Climate Change in Moscow in early October that the Russian Government was still analysing the economic implications of ratifying the Kyoto Protocol. The statement made by President Putin's economic adviser on 2 December does not appear to be an official statement of policy, and we look forward to a decision from the Russian Government when they have completed their assessment of the Kyoto Protocol.

The Secretary of State and I are attending the ninth Conference of the Parties on the UN Framework Convention on Climate Change in Milan, where Parties will be putting the finishing touches on preparations for entry into force of the Kyoto Protocol.

Marine Protection

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the *(a)* work, *(b)* resourcing and *(c)* institutional membership of the Marine Environment Monitoring Group. [141668]

Mr. Morley: The Marine Environment Monitoring Group (MEMG), formerly the Marine Pollution Monitoring Management Group, is a group of representatives from the Government organisations with marine environmental protection monitoring obligations. The group is chaired by a representative from the Centre for Environment, Fisheries and Aquaculture Science (CEFAS). Its aim is to ensure that monitoring of the marine environment is conducted in a co-ordinated way, is as cost-effective as possible and meets national and international requirements.

MEMG has no specific resources. The Departments and agencies who are members support the work of the group, and carry out the monitoring which it seeks to co-ordinate, as part of their own operations.

The core members of MEMG are:

Centre for Environment, Fisheries and Aquaculture Sciences
Department for Environment, Food and Rural Affairs
Environment Agency
Department of Agriculture and Rural Development (Northern Ireland)
Environment and Heritage Service (Northern Ireland)
Fisheries Research Services Marine Laboratory, Aberdeen
Scottish Environment Protection Agency
The National Assembly for Wales (Environment Division)
Scottish Executive Rural Affairs Department
Sir Alister Hardy Foundation for Ocean Sciences
Joint Nature Conservation Committee
IACMST Marine Observations Action Group

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what resources her Department has committed to support the work of the International Council for the Exploration of the Sea. [141669]

Mr. Bradshaw: No specific resources are committed directly to support the work of the International Council for the Exploration of the Sea (ICES) other than an annual subscription of approximately £130,000. However, an indirect resource commitment to ICES arises from the participation of scientists from the Centre for Environment, Fisheries and Aquaculture Science (CEFAS), a Defra agency, in ICES science and advisory working groups, and in the governance of ICES itself. These working groups cover areas of marine and freshwater fisheries, aquaculture, the environment and the ecosystem. The Current chairs of the Resource Management Science Committee and the Advisory Committee on the Ecosystem are currently also CEFAS scientists.

My predecessor, my hon. Friend the member for Scunthorpe (Elliot Morley) also signed, on behalf of the UK, the "Copenhagen Declaration" in 2002 in celebration of 100 years of ICES, wherein we affirmed our continuing support for ICES.

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what regulatory impact assessments have been prepared by her Department in respect of agreements made on the control of radioactive substances under the OSPAR Commission; and if she will place copies in the Library. [141670]

Mr. Morley: The Department published the UK Strategy for Radioactive Discharges 2001–2020 in July 2002. This constitutes the UK national plan for achieving the objective of the OSPAR Strategy with Regard to Radioactive Substances and it includes a regulatory impact assessment. Copies of the UK Strategy are in the Library.

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs which OSPAR priority areas in the radioactive materials sector have been volunteered to date by the United Kingdom as ones on which UK scientists will undertake basic scientific work as the lead country for OSPAR; which other areas are being considered for volunteer research; and if she will make a statement on United Kingdom relations with OSPAR. [141671]

Mr. Morley: UK experts are closely involved in the work programme of the OSPAR Radioactive Substances Committee. Current tasks for which the UK is the lead country are the preparation of proposals for reporting on discharges of radioactive substances from oil and gas installations and proposals for harmonised reporting procedures for inputs of radioactive substances from the non-nuclear sector.

UK experts have also participated in three intersessional working groups to establish the baseline situation regarding radioactive substances in the marine environment, against which progress in achieving the objective of the OSPAR Strategy with regard to Radioactive Substances will be assessed. In addition, a

UK expert is a member of the Radioactive Discharges Expert Assessment Panel, which examines trends in discharges from nuclear installations.

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what joint assessment and monitoring is being undertaken by UK-based scientific institutions on behalf of OSPAR; and if she will publish a list of current research projects in collaboration with OSPAR. [141672]

Mr. Morley: OPSAR agreed a revised Joint Assessment and Monitoring Programme at the Commission meeting in Bremen in June. A copy is in the Library of the House, and is available on the OSPAR website www.ospar.org. A large number of scientific institutions provide data which is used to fulfil the reporting requirements in respect of UK waters. These include the Centre for Environment, Fisheries and Aquatic Science, the Environment Agency, English Nature, and the Joint Nature Conservation Committee, and the equivalent bodies in the devolved Administrations.

The Department has an extensive research programme on marine environmental issues, and most projects will in one way or another inform the UK's input into the work of OSPAR. In some cases, such as the development of a number of Ecological Quality objectives, this work is being done by the UK on behalf of OSPAR as lead country; in other cases, the research will inform the UK's input to debate within OSPAR. A list of the 74 projects currently in the programme can be found on the Defra website at www.defra.gov.uk/research/project_data/Default.asp.

Recycled Products

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of the Government's total procurement of materials and products comprised recycled products in each year since 1997; and what the projections are for *(a)* 2003, *(b)* 2004 and *(c)* 2005. [142593]

Mr. Morley: Figures on recycled products and materials bought by the Government are not collected centrally and doing so would incur a disproportionate cost. In regards to the Government's current position on buying recycled paper products, I refer my hon. Friend to the Answer given to the hon. Member for Guildford (Sue Doughty) on 4 December 2003, *Official Report*, column 146W. Data on recycled paper bought by Government is available in the "Sustainable Development in Government" and "Greening Government" reports, which are available online at www.sustainable-development.gov.uk/sdig/reports/index.htm. Copies are also available in the Library.

Government is currently developing sustainable procurement targets under the "Framework for Sustainable Development on the Government Estate". The targets and online guidance will be published by Spring next year.

Recycling

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs, whether the processed output from mechanical biological treatment works counts towards local authority recycling targets. [142339]

Mr. Morley: Mechanical biological treatment [MBT] describes a range of processes with the common purpose of treating residual waste after material recovery, to prepare it for final disposal. Where this results in the recovery of further materials that are sent for recycling or a compost that meets the criteria set for the composting indicator then these outputs will count towards local authority Best Value targets for recycling and composting.

Regional Waste Plans

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the status of a local authority waste plan if its policies are in contravention of a regional waste plan. [142307]

Keith Hill: I have been asked to reply.

Local planning authorities are required, in formulating the policies in their development plans, to have regard to regional planning guidance as well as to current national policies. Planning Policy Guidance Note 10 (PPG10), "Planning and Waste Management", sets out a number of matters that waste planning authorities should take into account in developing the waste planning strategy for their area including regional planning guidance on waste management. PPG10 also expects waste planning authorities to plan for a provision of waste management facilities that is consistent with forecasts of local and regional requirements, as well as other planning considerations.

The weight attached to policies in a development plan depends upon the stage of plan preparation or review, increasing as successive stages are reached. Where an adopted or approved development plan contains relevant policies, section 54A of the Town and Country Planning Act 1990 requires that an application for planning permission or an appeal shall be determined in accordance with the plan, unless material considerations indicate otherwise.

Rural Transport

Mr. Soames: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the future of the Rural Transport Partnership grants. [142433]

Alun Michael: The Countryside Agency's Rural Transport Partnership grant scheme runs until March 2004, as set out in the 2000 Rural White Paper. The Agency has recently reviewed the scheme and the outcome will feed into the Agency's and Defra's decisions on the future direction and funding of the programme. It is hoped to announce the result with the Agency's settlement in the New year.

Sustainable Development

Julia Drown: To ask the Secretary of State for Environment, Food and Rural Affairs what action she is taking to ensure that her Department's bid to the forthcoming Government spending round contributes towards the UK's objectives on sustainable development. [140493]

Alun Michael: Defra's key principle is sustainable development which involves balancing economic, social and environmental considerations and is consistent with the wider approach of government as a whole. In Defra an Integrated Policy Appraisal (IPA) tool, which provides a systematic framework for the identification of the environmental, social and economic impacts of a policy, is actively promoted within the department. We will apply the IPA tool to our spending plans in SR04.

Timber

Mr. Gardiner: To ask the Secretary of State for Environment, Food and Rural Affairs by what means the policy for purchasing timber and timber products of *(a)* the Department, *(b)* the Centre for Science Laboratory, *(c)* the Centre for Environment, Fisheries and Aquaculture Science, *(d)* the Pesticides Safety Directorate, *(e)* the Rural Payments Agency, *(f)* the Veterinary Laboratories Agency, *(g)* the Veterinary Medicines Directorate, *(h)* the Forestry Commission, *(i)* the Countryside Agency and *(j)* English Nature ensure that they are obtained from legal and sustainable sources. [141333]

Mr. Morley: Details of the policy for purchasing timber are published on the Sustainable Development in Government Site. The Department for Environment, Food and Rural Affairs operates in accordance with this policy by using the model contract specification clause devised by Defra on behalf of all central government departments. This clause is designed to ensure that timber and timber products from legal and sustainable sources are supplied and that contractors provide documentary evidence to prove compliance.

Defra's Estate Strategy and Services Division is responsible for all major works and estate management on the Defra estate and that of the Pesticides Safety Directorate, the Rural Payments Agency, the Veterinary Laboratories Agency and the Veterinary Medicines Directorate. Adherence to the timber policy for the Department and these executive agencies falls to this central body of staff, which is fully appraised of the timber purchase policy.

The central Science Laboratory and Centre for Environmental Fisheries and Aquaculture are responsible for their own buildings and maintenance. They have also been made aware of the policy and have systems in place to ensure observance.

The Countryside Agency has confirmed that it has adopted the Government's policy on Timber Procurement for all construction and fitting-out contracts, as evidenced by the inclusion of "Sustainable Sources Only" Condition/Clause within Invitation to Tender/Contract Specification document.

The Forestry Commission is the Government Department responsible for forestry policy throughout Great Britain. All the woodland it manages (over 800,000 hectares) has been independently certified as being sustainably managed. On procurement, the Commission implements Government guidance to ensure that timber and timber products it purchases are only from legal and sustainable sources and records details of all such purchases.

English Nature has confirmed that it too is seeking to purchase timber from legal and sustainable sources and that its contracts are drafted to ensure compliance with this policy.

Water Supplies

Dr. Jack Cunningham: To ask the Secretary of State for Environment, Food and Rural Affairs what statutory responsibilities apply to *(a)* owners of private water supplies and *(b)* local authorities to ensure that water supplied for domestic consumption meets legal requirements in respect of (i) lead content and (ii) coliforms; what action they are required to take to ensure that water supplies which fail to meet required standards are improved; and if she will make a statement. [142446]

Mr. Morley: Any person who supplies water in connection with a commercial use is under a general duty of care to consumers, whether the supplier is a commercial supplier or is someone who offers occasional bed and breakfast facilities in their own home.

A local authority has a general duty to take steps to keep itself informed about the wholesomeness and sufficiency of water supplies, including every private water supply, to premises in their area. A supply is normally wholesome if it meets the standards set by the Private Water Supplies Regulations 1991, which include a maximum permitted concentration for lead and a standard of nil coliform bacteria.

Local authorities have a duty to monitor private water supplies at the frequencies set out in the Private Water Supplies Regulations 1991. Frequency depends on daily volume of supply or numbers of consumers. There is no statutory monitoring of private supplies that serve single dwellings solely for the daily domestic use of the occupants. Authorities prefer to advise such consumers informally where a supply is unwholesome.

Where a private supply is unwholesome, a local authority may serve a private supply notice, specifying remedial steps, or one or more "relevant persons". The steps may, for example, include installing a water treatment system, replacing lead pipework or taking protective measures at the source to prevent contamination. Such persons may be owners or occupiers of premises supplied by the private supply, or of premises where the source of the supply is situated, or persons exercising management or control in relation to the source.

Tees Estuary

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs, what inspection has taken place since their arrival to establish whether alien species are present in the ships which have arrived in Hartlepool for decommissioning by Able UK. [142334]

Mr. Morley: No inspections have yet been carried out to establish what organisms are present in the ships. Samples of the ballast water will be required to be taken for inspection and analysis before any discharge of ballast water is authorised.

TREASURY

Influenza

Mr. Burstow: To ask the Chancellor of the Exchequer how many children in the age groups *(a)* 0 to four and *(b)* five to 14 have died of influenza in each of the last 10 years for which figures are available. [142965]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Burstow, dated 9 December 2003:

As National Statistician, I have been asked to reply to your recent question asking how many children in the age groups *(a)* 0–4 *(b)* 5–14 have died of influenza in each of the last 10 years for which figures are available.

The latest available data are for 2002. Figures for the ten years 1993 to 2002 are therefore given in the table below.

Deaths from influenza[1]*, England and Wales, 1993 to 2002*[2]

	0–4[3]	*5–14*
1993	1	1
1994	2	0
1995	4	0
1996	1	1
1997	2	0
1998	5	1
1999	6	2
2000	3	0
2001	4	1
2002	4	1

[1] Selected using code 487 from the International Classification of Diseases Ninth Revision for 1993 to 2000 and codes J10-J11 from the International Classification of Diseases Tenth Revision for 2001 and 2002.

[2] Figures are for deaths occurring in each calendar year.

[3] Excludes deaths under 28 days.

60-year-olds

Mr. Webb: To ask the Chancellor of the Exchequer how many single *(a)* women and *(b)* men will reach the age of 60 years between 21 September and 25 December. [143078]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Mr Len Cook to Mr Steve Webb, dated 9 December 2003:

As National Statistician I have been asked to reply to your question concerning the number of single women and single men who will reach the age of 60 years between 21 September and 25 December 2003.

It is estimated that there will be 20,400 single women and 17,100 single men in England and Wales who will reach the age of 60 during this period. Single has been defined to include single (never married), widowed and divorced.

These figures are estimates. They have been derived using the latest national population projections produced by the Government Actuary's Department.

Data from the Office for National Statistics on the pattern of births in 1943 indicates the proportion of the projected total number of 59-year old men and women in June 2003 who will reach the age of 60 between 21 September and 25 December 2003. Date from the national population projections by marital status produced by the Government Actuary's Department have been used to estimate the proportion who are single.

80-year-olds

Mr. Webb: To ask the Chancellor of the Exchequer how many single *(a)* women and *(b)* men will reach the age of 80 years between 21 September and 25 December. [143079]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Steve Webb dated 9 December 2003:

As National Statistician I have been asked to reply to your question concerning the number of single women and single men who will reach the age of 80 years between 21 September and 25 December 2003.

It is estimated that there will be 29,500 single women and 9,800 single men in England and Wales who will reach the age of 80 during this period. Single has been defined to include single (never married), widowed and divorced.

These figures are estimates. They have been derived using the latest national population projections produced by the Government Actuary's Department.

Data from the Office for National Statistics on the pattern of births in 1923 indicates the proportion of the projected total number of 79-year-old men and women in June 2003 who will reach the age of 80 between 21 September and 25 December 2003. Data from the national population projections by marital status produced by the Government Actuary's Department have been used to estimate the proportion who are single.

Big Conversation

Mr. Heald: To ask the Chancellor of the Exchequer what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143100]

Ruth Kelly: I refer the hon. Member to the answer given to him by my right hon. Friend the Lord Privy Seal and Leader of the House today.

Companies' Tax

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what plans he has to propose legislation to require companies to publish in their annual reports a table showing the annual pre-tax profits and tax paid in each country. [142707]

Dawn Primarolo: The legal requirements for companies' published annual accounts are covered by the Companies Act which is within the responsibility of the Department of Trade and Industry. I am not aware of any plans on their part to change the legislation in the way you suggest.

Computers (Tax Relief)

Dr. Cable: To ask the Chancellor of the Exchequer what definition of computer is used by the Inland Revenue for the purposes of the changes to tax relief on employer-loaned computers introduced in the March 1999 budget. [142248]

Dawn Primarolo: The tax law (section 320 of the Income Tax (Earnings and Pensions) Act 2003) which sets out the benefits tax exemption for computers loaned to employees by employers does not define the term. In cases of doubt the Inland Revenue will have regard to the particular facts. In addition to the computer itself, the exemption also covers printers, scanners and other devices designed for use with a computer.

Customs and Excise

Mr. Cousins: To ask the Chancellor of the Exchequer what steps Her Majesty's Customs takes to check imported postal packets; and how many cases of *(a)* imports of banned items and *(b)* potential tax evasion were detected in the last three financial years. [142422]

John Healey: HM Customs and Excise control imported postal packets at the Royal Mail's two international postal depots at Coventry and Mount Pleasant.

Customs controls are applied to all postal packets imported into the UK from outside the European Union using well-established risk assessment techniques to identify consignments for examination. In addition, Customs examine declarations affixed to packets to ensure that the correct customs duty, excise duty and VAT are charged and collected. This process includes risk-based testing of packets with incomplete or missing declarations.

Customs records do not identify the number of individual packets on which tax may have been evaded as a result of mis-description or under-evaluation.

Packets containing banned items, including drugs, tobacco products, obscene material and firearms, are seized by Customs. The following table gives the numbers of packets containing banned items which were seized in the last three years.

	Packets identified and seized
2000–01	21,768
2001–02	20,008
2002–03	18,218

Euro

Mrs. Liddell: To ask the Chancellor of the Exchequer if he will make a statement on the recent work of the Standing Committee on Euro Preparations. [143234]

Ruth Kelly: The Chancellor's Standing Committee on Euro Preparations met on 23 October. It welcomed new members appointed by the Chancellor, and discussed next steps for preparations, the third outline National Changeover Plan and the work of the new Scotland, Wales and Northern Ireland Euro Preparations committees. They also considered the seventh Report on Euro Preparations, which was published by HM Treasury on 18 November.

Minutes of the meeting will be available shortly on www.euro.gov.uk.

Mrs. Liddell: To ask the Chancellor of the Exchequer if he will make a statement on the recent work of the *(a)* Scottish, *(b)* Welsh and *(c)* Northern Ireland euro preparation committees. [143235]

Ruth Kelly: Information about the work of the Scotland, Wales and Northern Ireland Euro Preparations Committees was published in Chapter 3 of the Seventh Report on Euro Preparations, issued by HMT on 18 November. Minutes of the meetings are available at www.dfpni.gov.uk (Northern Ireland), www.wales.gov.uk (Wales) and www.scottishsecretary.gov.uk (Scotland).

Film Industry

Mr. Laws: To ask the Chancellor of the Exchequer if he will list the titles of each film production which has benefited from film industry tax relief for each year since 2001–02; and if he will make a statement. [142299]

Dawn Primarolo: Details of individual films that have benefited from tax relief cannot be disclosed for reasons of taxpayer confidentiality. Exemption 15 (Statutory and other restrictions) of the Code of Practice on Access to Government Information applies. There are two main reliefs, section 42 of the Finance (No.2) Act 1992 and section 48 of the Finance (No. 2) Act 1997, available for expenditure incurred on the production or acquisition of the master version of a British qualifying film. DCMS certifies British qualifying films under the terms of the Films Act 1985. A list of qualifying films for the period since 1997 has been placed in the Libraries of both Houses.

Iraq

Mr. David Stewart: To ask the Chancellor of the Exchequer what plans he has to re-assess Iraq's debt repayments to the UK to assist the reconstruction of the country. [141558]

Mr. Boateng: The Government has made clear that we are seeking a fair and sustainable solution to Iraq's debt problems.

We believe the most effective way to deliver a solution is for the International Monetary Fund, World Bank, and other responsible international organisations, to complete first their assessment of Iraq's needs, resources and obligations. That would then be followed by a comprehensive debt restructuring by the Paris Club of official creditors and comparable treatment from other official and private creditors. G7 finance ministries have asked creditors to make their best efforts to complete the process by the end of 2004.

The Government believes that Iraq's debts should be dealt with under the new "Evian approach" to debt restructuring agreed by the Paris Club in October, which offers a long-term solution for countries with the most serious debt problems, including debt reduction where a need is clearly demonstrated. The Prime Minister has made clear that he hopes creditors will be generous in recognising Iraq's needs for the future.

London Infrastructure

Linda Perham: To ask the Chancellor of the Exchequer (1) if he will take steps to increase investment in London's infrastucture in response to projected population increases; [143029]

(2) what assessment he has made of the need for an increase in investment in London's infrastructure to address projected population increases. [143251]

Ruth Kelly: Spending plans were set out in the 2002 Spending Review for 2003–06, which included significant resources for infrastructural investment in all areas of the UK, including in London. The allocation of these resources takes in to account a number of factors, some of which relate to population. The Spending Review 2004 will also take into account these factors.

Public Sector Efficiency Review

Mr. Cousins: To ask the Chancellor of the Exchequer if he will set out the terms of reference of the Gershon public sector efficiency review; and whether that review is able to consider the value for money of different *(a)* project management methods and *(b)* financing mechanisms. [142227]

Mr. Boateng: The Government have asked Peter Gershon to undertake an independent review of efficiency across public services. He has identified six areas of activity to focus on, and these are the areas that he believes will have the greatest impact on efficiency. They are procurement, back office functions, transactional services, productive time, policy, finance and regulation of the public sector and policy, finance and regulation of the private sector. Further details are set out in the consultation paper which was issued on 20 October, and which was made available to the House on that day.

Regional Emphasis Documents

Linda Perham: To ask the Chancellor of the Exchequer if he will publish the Regional Emphasis Documents to be submitted to his Department by 31 December. [143028]

Mr. Boateng: The Treasury does not intend to publish the Regional Emphasis Documents, which are an input to Spending Review 2004. The documents are being produced jointly in each English region outside London by the Government Office, Regional Development Agency and regional chamber. In London, the Government Office, London Development Agency and Greater London Authority are producing the document. It is for the institutions in each region to decide whether to make the documents publicly available.

Supermarkets

Matthew Green: To ask the Chancellor of the Exchequer what meetings have taken place between his Department and representatives of *(a)* Tesco, *(b)* Sainsbury's and *(c)* Asda, including Asda's parent company Wal-Mart in the last 12 months; and what the (i) date and (ii) subject of each meeting was. [143022]

John Healey: Treasury officials and Ministers frequently meet with representatives of all kinds of businesses at many kinds of events. The Department has had a number of meetings with these supermarkets to discuss a variety of subjects in the last year.

Tax Avoidance

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what information his Department has supplied to the US authorities to help them with their investigations into tax avoidance schemes designed by accountancy firms. [142718]

Dawn Primarolo: The Inland Revenue cannot comment on particular cases. However, the Government regard exchange of information as essential in combating tax evasion and avoidance. The Inland Revenue regularly provides appropriate information under the provisions of agreements that provide for exchange of information.

Tax Credits

Mr. Hepburn: To ask the Chancellor of the Exchequer (1) what the time scale is for the repayment of tax credit overpayments; [142252]

(2) what methods of repayment of tax credit overpayment are available; [142253]

(3) how many people in *(a)* Jarrow constituency, *(b)* South Tyneside, *(c)* Tyne and Wear, *(d)* the North East and *(e)* the UK have received tax credit overpayments. [142254]

Dawn Primarolo: Overpayments of tax credits are identified when circumstances and income for the tax year are known and the award is finalised. Therefore no figures for the number of families with overpayment are yet available. During the year, awards of tax credit may be adjusted when changes of circumstances are reported or to prevent an overpayment arising at the end of the year.

The Inland Revenue's Code of Practice 26 explains how overpayments identified at the end of the year are recovered, and over what period.

Tax Penalties

Dr. Cable: To ask the Chancellor of the Exchequer what the yield in each year since 1997 was of *(a)* tax penalties and *(b)* interest on overdue tax accruing to (i) the Inland Revenue and (ii) Customs and Excise; and what percentage of total tax revenue this represented. [142249]

Dawn Primarolo: The information is as follows:

Inland Revenue

Details of the yield, to include additional tax, interest and penalties resulting from the Inland Revenue's work tackling non-compliance are set out in the Inland Revenue Annual Reports, copies of which are in the House of Commons Library. While separate details of late filing penalties are shown, details of the full amount of other penalties included in yield figures shown are not available and could be ascertained only at disproportionate cost.

Receipts from interest on overdue tax in the accounting years from 1997 are shown in the following table. Figures for 2002 will not be available until the Board publishes its annual report shortly.

	Total receipts (£ million)	*Interest receipts (£ million)*	*Percentage*
1997	102,431.5	230.1	0.23
1998	116,237.9	260.1	0.22
1999	125,888.9	321.1	0.26
2000	117,298.2	319.0	0.27
2001	117,842.7	327.2	0.27

Customs and Excise

The table contains information published in the Customs and Excise Annual Report. The report for 2002–03 is yet to be finalised for publication.

	All taxes and duties (£ million)[1]	*Fines and penalties (£ million)*	*Interest (£ million)*[2]	*Penalties and interest as percentage total yield*
1996–97	82,381	82	28	0.13
1997–98	90,136	90	33	0.14
1998–99	94,033	96	37	0.14
1999–2000	97,699	98	49	0.15
2000–01	102,282	103	39	0.14
2001–02	104,874	88	41	0.12
2002–03	108,895	106	36	0.13

[1] Does not include penalty or interest receipts.

[2] Interest is charged only on incorrect tax declarations where it represents commercial restitution.

Dr. Cable: To ask the Chancellor of the Exchequer what the current interest rates *(a)* charged on overdue tax and *(b)* paid on money owed to taxpayers are; and how these figures have changed since the latest rise in base rates by the Bank of England. [142250]

Dawn Primarolo: The information is to be found on the Inland Revenue's website at http://newinternet.inrev.gov.uk/rates/interest.htm.

VAT (Children's Clothes)

Tim Loughton: To ask the Chancellor of the Exchequer what plans he has to revise the criteria for the size of children's clothes subject to VAT. [142181]

John Healey: Following a review which the Government undertook with the industry and others, the scope of the zero rate was simplified and modernised in Budget 2001 to reflect more accurately the size of the average 13-year-old child. There are no plans to revise the criteria further.

HOME DEPARTMENT

Alcohol Bans

Richard Burden: To ask the Secretary of State for the Home Department (1) what assessment he has made of the effectiveness in tackling antisocial behaviour by the designation by local community safety partnerships of alcohol-free zones in public places; [142406]

(2) if he will list the local authorities which have banned the consumption of alcohol in designated public places where the premises concerned are not licensed. [142407]

Ms Blears: Section 12–16 of the Criminal Justice and Police Act 2001 (CJPA) came into force on 1 September 2001. The provisions in the Act allow local authorities to designate areas to restrict public drinking where there is evidence that nuisance is alcohol related. In such designated areas the police may use their discretionary powers to confiscate all alcohol where they reasonably believe that continued drinking in that place will lead to further disorder or nuisance. An assessment has not been undertaken on the effectiveness of designation orders.

Under the CJPA a place is not a designated public place or a part of such a place if it is a licensed premises or a registered club. As of June 2003, over 70 local authorities had notified the Home Office that they have made designation orders under Section 13 of the CJPA to restrict antisocial public drinking in areas that have experienced alcohol-related disorder or nuisance. The local authorities were listed in the response given to my hon. Friend the Member for City of Durham (Mr. Steinberg) on 18 June 2003, *Official Report*, column 257W.

Air Support Units (Police)

Mr. Cousins: To ask the Secretary of State for the Home Department what support he gives to police air support units; in which locations; and what bids have been submitted in the most recent round. [141196]

Ms Blears: £4 million is made available each year towards capital funding for police air support units in England and Wales.

Bids currently under consideration by the Home Office for capital funding in the next financial year have been received from the following forces:

Cambridgeshire

Cheshire

Derbyshire

Dorset

Dyfed Powys

Essex

Leicestershire

Metropolitan police

Northumbria (on behalf of the North East Consortium which includes Durham and Cleveland police)

North Wales

Suffolk

West Yorkshire

A decision on the allocation of capital funding for 2004–05 will be announced in January 2004.

Airwave Service

Mr. Leigh: To ask the Secretary of State for the Home Department, whether initial problems in the implementation of the Airwave service for the police have been overcome; and whether he is able to quantify the benefit to the police of this service as indicated in the Government's response to the 64th Report of the Committee of Public Accounts of Session 2001–02, Public Private Partnerships: Airwave. [142107]

Ms Blears: Yes. The initial problems have been overcome. The Airwave service is now available to more than half of the police forces. It is fully operational in nine police forces, and over 30,000 users are already enjoying the benefits of modern, secure, high-quality communications.

A Business Benefits project has been set up under the Airwave programme. It will provide a full quantitative analysis of the benefits of Airwave compared with previous police radio systems and will monitor the realisation of those benefits.

Anti-Social Behaviour Orders

Dr. Kumar: To ask the Secretary of State for the Home Department how many Anti-Social Behaviour Orders have been granted for *(a)* juveniles and *(b)* adults (i) in Middlesbrough, South and Cleveland, East (ii) in the Teesside region and (iii) in England. [141864]

Ms Blears: Information on the number of notifications received by the Home Office of Anti-Social Behaviour Orders (ASBOs) issued up to 30 June 2003 (latest available) is given in the table.

Number of ASBOs issued, as notified to the Home Office, within the Cleveland Magistrates Courts Committee area, from 1 April 1999 up to 30 June 2003

Area	*Total issued*	*Total age 10–17*	*Total age 18+*	*Total age not known*
Cleveland/Teesside region[1]	14	12	1	1
Of which:				
From 1 April 1999 to 31 May 2000 by pfa[2]	1	0	0	1
From 1 June 2000 to 30 June 2003 by local authority area	13	12	1	0
Hartlepool BC	6	5	1	0
Middlesbrough Council	3	3	0	0
Redcar and Cleveland Council	2	2	0	0
Stockton on Tees BC	2	2	0	0
England	1,293	650	493	[3]150

[1] The Teesside region includes Hartlepool, Redcar and East Cleveland, Middlesbrough and Stockton on Tees local authority areas.

[2] From 1 April 1999 to 31 May 2000 data was collected by police force area (pfa) only on the number of orders issued or refused.

[3] Includes 104 orders issued from 1 April 1999 to 31 May 2000.

Miss McIntosh: To ask the Secretary of State for the Home Department how many anti-social behaviour orders have been issued in *(a)* the Vale of York and *(b)* North Yorkshire in each of the last three years. [142048]

Ms Blears: The number of notifications received by the Home Office of anti-social behaviour orders (ASBOs) issued within the North Yorkshire magistrates courts committee (MCC) area, which includes the Vale of York, up to 30 June 2003 (latest available) is given in the table.

The number of notifications, as reported to the Home Office, of ASBOs issued in North Yorkshire from 1 June 20001 to 30 June 2003 (latest available)

	Number
1 June 2000 to 31 December 2000	0
1 January 2001 to 31 December 2001	7
1 January 2002 to 30 November 2002	0
31 December 2002 to 30 June 2003[2]	2
Total	9

[1] From 1 April 1999 up to 31 May 2000 data collected by police force area (pfa).

[2] Following implementation of the Police Reform Act (2 December 2002), data for December 2002 is incorporated into the first quarter 2003 data.

Antiques Burglary

Gregory Barker: To ask the Secretary of State for the Home Department how many incidents of antiques burglary were recorded by police in the SENLAC division of East Sussex in each quarter in the last two years. [140889]

Ms Blears: This information is not collected centrally.

Asylum Law

Mr. Cousins: To ask the Secretary of State for the Home Department if he will estimate the number of people to whom clause 15 of the Asylum and Immigration (Treatment of Claimants, etc.) Bill might apply. [142226]

Beverley Hughes: Clause 15 of the Asylum and Immigration (Treatment of Claimants, etc.) Bill, which refers to electronic monitoring, applies to persons subject to immigration control who appear to be at least 18 years of age where a residence restriction is imposed, where a reporting restriction could be imposed and where immigration bail is granted subject to a bail bond (except where bail is granted by a police officer or the Special Immigration Appeals Commission). The number of individuals to whom this would apply would also depend on individual risk assessment and the outcome of pilots which we plan to undertake once the legislation is in place.

Bedfordshire Police Force

Alistair Burt: To ask the Secretary of State for the Home Department how many officers left the Bedfordshire Police Force in *(a)* the last year for which figures are available and *(b)* each of the last five years, broken down by (i) rank and (ii) length of service. [140984]

Ms Blears: The available information is given in the table.

Police officer leavers for Bedfordshire Police Force (full time equivalents)

	Association of Chief Police Officers rank	Chief Superintendent	Superintendent	Chief Inspector	Inspector	Sergeant	Constable
31 March 1999	2	—	5	1	4	6	45
31 March 2000	0	—	3	2	1	7	45
31 March 2001	1	—	1	0	2	6	62
31 March 2002	1	—	1	0	4	6	38
31 March 2003[1]	0	1	0	1	7	12	71

[1] Not comparable to previous wastage figures as data do not include transfers to other England and Wales forces and officers leaving after a period of secondment.

Alistair Burt: To ask the Secretary of State for the Home Department how many officers were recruited to the Bedfordshire Police Force in *(a)* the last year for which figures are available and *(b)* each of the last five years. [141003]

Ms Blears: The available information is given in the table:

Police officers joining Bedfordshire Police Force (full time equivalents)

Bedfordshire	Number
3 March 1999	36
3 March 2000	37
3 March 2001	82
3 March 2002	131
3 March 2003[1]	136

[1] Not comparable to previous recruitment figures as data include transfers from other England and Wales forces and officers returning after a period of secondment.

Burglaries (Suffolk)

Mr. Spring: To ask the Secretary of State for the Home Department how many burglaries were reported to the police in Suffolk in each year since 1996–97; and how many reported burglaries in Suffolk resulted in a conviction in each year. [140610]

Ms Blears: Numbers of reported crimes are not collected centrally. The number of crimes recorded by the police are collected and published annually. Information on recorded burglaries are given in the table.

All Burglary[1] in Suffolk from 1996 to 2002–03

Year	Number of offences recorded
1996[2]	6,384
1997[2]	6,094
1998–99[3]	6,241
1999–2000	6,214
2000–01[4]	5,738
2001–02	6,346
2002–03	6,248

[1] All burglary comprises burglary in a dwelling, and burglary in a building other than a dwelling.

[2] Recorded on a calendar year basis up to 1997 and on a financial year basis thereafter.

[3] There was a change of counting rules for recorded crime on 1 April 1998, which had the effect of increasing the number of crimes counted. Numbers of offences for years before and after this date are therefore not directly comparable.

[4] Suffolk implemented the National Crime Recording Standard (NCRS) on 1 April 2000, two years prior to the national implementation. This will have had the effect of inflating the number of crimes counted.

Number of convictions for all burglary offences in Suffolk[1] are not available before 1999–2000. The available statistics are given in the table.

[1] Based on court proceedings statistics used for Narrowing the Justice Gap.

Year	Number of convictions
1999–2000	414
2000–01	369
2001–02	337

Closed Circuit Television Cameras

Mr. Hoyle: To ask the Secretary of State for the Home Department what funds are available for installation of CCTV cameras in villages. [142170]

Ms Blears: There are currently funds available for the installation of CCTV in all locations, including villages, under the Building Safer Communities Fund. The Building Safer Communities Fund is allocated by the Home Office to Crime and Disorder Reduction Partnerships to enable them to tackle local crime priorities through a number of interventions, including CCTV. For 2003–04 the Building Safer Communities Fund has provided Crime and Disorder Reduction Partnerships with £72.3 million.

Community Support Officers

Mr. Woodward: To ask the Secretary of State for the Home Department how many community support officers served *(a)* St. Helens, *(b)* Merseyside and *(c)* the North West region in each year since 1992. [141290]

Ms Blears: The Community Support Officers (CSO) initiative began in September 2002. Accordingly between 1992 and September 2002, there were no CSOs in St. Helens, Merseyside and the North West region.

The table gives a breakdown of CSO deployment in the North West region from December 2002 to date and a projection for April 2004.

Force	31 December 2002	1 April 2003	[1]Recruitment to date	[2]1 April 2004
St. Helens	0	8	10	20
Merseyside	0	40	64	100
Total North West Region	21	278	357	426

[1] 1 December 2003

[2] Projection

Crime (St. Helens)

Mr. Woodward: To ask the Secretary of State for the Home Department (1) what estimate he has made of the number of *(a)* violent crimes, *(b)* gun-related crimes and *(c)* burglaries which were drug-related in Merseyside in each year since 1992; [141288]

(2) how many reported crimes there were in St. Helens in each year since 1992, broken down by major category. [141289]

Ms Blears: Statistical data on numbers of offences recorded in different areas do not indicate which may have been committed due to drug taking. However, results from the NEW-ADAM research programme of interviewing and drug testing arrestees between 1999 and 2000 sheds some light on the links between drugs and crime in 16 sites throughout England and Wales. Summary data published in 2001 found that:

(a) 56 per cent. of arrestees tested positive for an illegal drug with up to 29 per cent. testing positive for opiates (including heroin) and/or cocaine (including crack);

(b) of those arrestees who reported using illegal drugs in the year prior to arrest, 40 per cent. acknowledged a link between their drug use and offending. Past year users of heroin and/or cocaine/crack were nearly twice as likely (78 per cent.) to acknowledge a link.

(c) Those not reporting any drug use in the last year reported an average of 46 acquisitive crimes (including theft, burglary, shoplifting, fraud, handling stolen goods, drugs supply and prostitution offences) over the same period. Drug use in general and especially use of heroin and/or cocaine/crack (hcc), was associated with much higher levels of offending. Among hcc users, respondents reported an average of 432 acquisitive crimes. This was nearly ten times higher than for non-drug users.

However, it should be noted that because an arrestee tested positive for drugs it does not necessarily mean that the consumption of drugs caused the crime to be committed. As a result, while the NEW-ADAM study advanced our knowledge of the links between drugs and crime, it will always be difficult to calculate precisely what proportion of crime is drug-related.

In September 2003, the Home Office Arrestee Survey commenced at 60 randomly selected custody suites in England and Wales. The survey is ongoing, and involves interviewing and drug testing a representative sample of around 9,000 arrestees per year about their offending and drug use. The survey will enable research into the links between drugs and offending and will also provide robust data at a national level to allow tracking of the Home Office Public Service Agreement target to reduce drug related crime.

Numbers of crimes recorded by the police in St. Helens are collected and published at Basic Command Unit (BCU) level. At this level, data is available from 1999–2000 to 2002–2003, and the number of crimes recorded are published for six key offence groups, as given in the table.

Number of crimes recorded in St. Helens Basic Command Unit from 1999–2000 to 2002–2003

	Year			
Offence	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Violence against the person	1,693	1,795	1,913	2,406
Sexual offences	109	153	125	192
Robbery	171	168	214	190
Burglary in a dwelling	1,550	1,669	1,569	1,655
Theft of a motor vehicle	2,000	1,923	1,650	1,654
Theft from a vehicle	1,680	1,725	1,652	1,822

[1] Merseyside implemented the National Crime Recording Standard (NCRS) on 1 April 2002. This will have had the effect of inflating the number of crimes counted. Therefore, following the introduction of the Standard, numbers of recorded crimes are not directly comparable with previous years.

Crime Figures

Mr. McLoughlin: To ask the Secretary of State for the Home Department (1) how may crimes were committed per head of population in West Derbyshire police force areas in the last five years for which figures are available; [141427]

(2) how many deaths there have been because of *(a)* dangerous driving, *(b)* driving under the influence of illegal drugs and *(c)* driving under the influence of alcohol in (i) West Derbyshire and (ii) East Midlands in each year since 2001. [141429]

Ms Blears: Information on the total number of crimes in West Derbyshire is not available centrally. Recorded crimes per head of population relating to relating to the Derbyshire Constabulary area is given in the table.

Number of crimes recorded by the police per 1,000 population

	Derbyshire
1998–99[1]	87
1999–2000	88
2000–01	84
2001–02	92
2002–03[2]	108

[1] There was a change of counting rules for recorded crime on 1 April 1998, which had the affect of increasing the number of crimes counted. Numbers of offences for years before and after this date, and figures calculated from them, are therefore not directly comparable.

[2] The National Crime Recording Standard (NCRS) was introduced in the Derbyshire Constabulary area in April 2002. Nationally, the NCRS has had the effect of increasing the number of rimes recorded by the police. Therefore, following the introduction of the Standard numbers of recorded crimes and figures derived from them are not comparable with previous years.

Statistics on the number of deaths caused by dangerous driving, driving under the influence of illegal drugs and driving under the influence of alcohol, are not available.

Forensic Science Service

Dr. Kumar: To ask the Secretary of State for the Home Department if he will make a statement about the proposed privatisation of the Forensic Science Service. [141861]

Ms Blears: We are not proposing to privatise the Forensic Science Service (FSS). The reasons for the decision to transform the FSS into a Public Private Partnership (PPP) were set out in the Home Secretary's statement to the House on 17 July. The actions we are taking to establish a successful PPP will ensure that the

FSS will continue to compete successfully in partnership with government, while continuing to protect the public interest and deliver major benefits to the wider criminal justice system.

We have accepted the recommendation of the independent Review of the FSS that the National DNA Database should remain exclusively under public sector control. Arrangements for the future ownership, governance and management are currently subject to consultation between Association of Chief Police Officers, the Association of Police Authorities and the Home Office.

Colin Burgon: To ask the Secretary of State for the Home Department what studies have been carried out to estimate the future level of investment needed by the Forensic Science Service in the years 2004 to 2007. [141933]

Ms Blears: Internal and external studies have been undertaken in order to estimate the future level of investment needed by the Forensic Science Service (FSS) in the years 2004–07.

Each year the FSS reviews its short, medium and long-term investment plans as part of its internal corporate and business planning process.

The recent Review of the FSS led by Robert McFarland in 2002–03 for the Home Office assessed the future level of investment needed by the Agency from an external perspective.

Additionally, the FSS's requirements in the area of investment will be reviewed as part of the move to establish it as a Public Private Partnership.

Colin Burgon: To ask the Secretary of State for the Home Department what legislation is required to alter the status of the Forensic Science Service in line with the proposed Government plans for the service. [141934]

Ms Blears: The transformation of the Forensic Science Service into a Public Private Partnership will require the revocation of The Forensic Science Service Trading Fund Order 1998.

Colin Burgon: To ask the Secretary of State for the Home Department what the terms of reference are for the Development and Remuneration Committee of the Forensic Science Service. [141935]

Ms Blears: The Development and Remuneration Committee of the Forensic Science Service is responsible for advising on the organisation of the agency, the staff reward and recognition strategy, and its management and succession planning.

The Committee also reviews and makes recommendations regarding non-executive directors' fees and expenses, and the terms and conditions of the Chief Executive and the Executive Board.

Dr. Desmond Turner: To ask the Secretary of State for the Home Department, if he will publish the terms of reference of the Home Office Review of the Forensic Science Service. [142191]

Ms Blears: I have arranged for a copy of the Final Report of the independent review of the Forensic Science Service to be placed in the Library.

Dr. Desmond Turner: To ask the Secretary of State for the Home Department, if he will publish a timetable for the implementation of the recommendations of the Home Office Review of the Forensic Science Service. [142192]

Ms Blears: The implementation of the recommendations of the independent review of the Forensic Science Service, including the timetable for its transformation into a Public Private Partnership, are currently the subject of detailed discussions with key stakeholders.

Gender-specific Drug Treatment

Vera Baird: To ask the Secretary of State for the Home Department what plans he has to create a specialist gender-specific drug treatment service for women in the community. [141623]

Caroline Flint: The National Treatment Agency is implementing Models of Care, which lays down a national framework for the commissioning and provision of local drug services. Models of Care sets quality standards, including on services for women and those with dependent children.

The NTA has also commissioned the University of Central Lancashire and Drugscope to work directly with drug services in three regions on meeting the needs of specific groups including women with dependants.

All Drug Action Teams are expected to review provision for under represented groups on an annual basis as part of their treatment planning.

High Crime Areas

Mrs. Brooke: To ask the Secretary of State for the Home Department, what efforts are being made by his Department to encourage the reporting of crime in high crime areas. [140468]

Ms Blears: We are encouraging more people to report crimes in all areas by improving the way in which crimes reported to the police are recorded. The National Crime Recording Standard, formally introduced in all forces in England and Wales in April 2002, aims to bring greater consistency to the way in which crime is recorded by the police and to ensure a more victim centred approach to crime recording.

There have also been crime specific initiatives aimed at increasing the numbers of such crimes reported to the police, particularly, domestic violence and sexual offences. For example, the British Crime Survey shows that there was a 5 per cent. Increase in the proportion of violent crimes being reported to the police in 2002–03 compared with the previous year.

With a total sample size of 40,000 interviews a year, more emphasis is now being placed on the British Crime Survey as a way of measuring crime, as it covers unreported and unrecorded crime as well as offences which are reported to the police. As the survey is unaffected by changes in the level of public reporting to the police or police recording, it provides a more accurate picture of crime across England and Wales.

Iraq

Dr. Murrison: To ask the Secretary of State for the Home Department how many UK civilian police officers have been operating in Iraq in each month since May; and what plans there are for future deployment. [141147]

Mr. Rammell: I have been asked to reply.

There are currently 11 UK civilian police officers in Iraq, in both Baghdad and Basra. The first four officers were deployed in July. They were joined by six more officers in October and one in November. We intend to deploy 24 police officers soon to the Regional Police Training Academy in Basra to help train new recruit to the Iraqi Police Service.

Knives

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department (1) what information his Department records on the types of knives used in assaults and other criminal offences; and what assessment he has made of the trends; [141365]

(2) how many woundings involving knives were reported in which *(a)* the perpetrators and *(b)* the victims were aged (i) under 16, (ii) 16 to 18 and (iii) over 18 in the last five years for which figures are available. [141366]

Ms Blears: This information is not collected centrally.

Mr. Gordon Marsden: To ask the Secretary of State for the Home Department what recent discussions his Department has had with Chief Constables on the use of stop and search powers to tackle the carrying of knives. [141549]

Ms Blears *[holding answer 3 December 2003]:* There have been no recent discussions between the Home Department and Chief Constables on the use of stop and search powers specifically to tackle the carrying of knives.

However, we have consulted the Association of Chief Police Officers (ACPO) on the revision of PACE Code A. It provides the guidance for police officers on the use of the powers of stop and search, including the powers to stop and search for offensive weapons and dangerous instruments. This guidance has recently been revised—a new version came into force on 1 April 2003. A further revision will come into force in April 2004. ACPO will be consulted on future revisions.

A stop and search sub group has been set up under the Lawrence Steering Group to look at issues around stop and search. ACPO are represented on that group. The sub group's work includes considering ACPO guidance to the police on their powers to stop and search for offensive weapons and dangerous instruments under section 60 Criminal Justice and Public Order Act 1994.

Neighbourhood Watch Scheme

Gregory Barker: To ask the Secretary of State for the Home Department, if he will make a statement on the relationship between the police and neighbourhood watch schemes. [140891]

Ms Blears: The police play a crucial supporting role for Neighbourhood Watch at a local level. This includes providing advice on how to set up schemes and assisting with administration and publicity. In some cases co-ordinators and scheme members work as part of a "Watch Support Group" in police premises.

Watch schemes can be vital partners of the police in the fight against crime. Their role in preventing crime, supporting victims and reporting crime is a key one.

The Government along with the Association of Chief Police Officers and the National Neighbourhood Watch Association are building on this relationship to ensure that those who give their time to their local Neighbourhood Watch schemes and their communities will get as much support as possible from the police.

Gregory Barker: To ask the Secretary of State for the Home Department, how much funding was provided by central Government to the Neighbourhood Watch Scheme in each of the last three years for which figures are available; and if he will make a statement. [140892]

Ms Blears: Neighbourhood Watch is a movement of over 155,000 local schemes covering around six million households. Local schemes are independent and largely self-financing. Police support for schemes can be considerable but its monetary value has not been calculated.

The Home Office supports the National Neighbourhood Watch Association. For the last three years it sponsored their annual conference at a cost of £80,000pa. The organisation is largely self-financing with funding from the private sector. Last year the Home Office provided a grant of £150,000 and this year it has provided £200,000 to date. This was to assist the Organisation during a period of transition between private sponsors.

The Home Office also pays for the production of a range of Neighbourhood Watch Publications, including a training manual for scheme co-ordinators, worth around £100,000 each year.

Gregory Barker: To ask the Secretary of State for the Home Department, how many Neighbourhood Watch schemes there are in England and Wales; and what estimate he has made of how many people belong to them. [140893]

Ms Blears: The 2000 British Crime Survey (BCS) estimated that there were over 155,000 Neighbourhood Watch Schemes in England and Wales covering more than six million households. National Neighbourhood Watch Association estimates that there are approximately 10 million Neighbourhood Watch members in England and Wales.

A copy of the 2000 BCS Findings on Neighbourhood Watch has been placed in the Library.

Gregory Barker: To ask the Secretary of State for the Home Department, what assessment he has made of the effectiveness of Neighbourhood Watch schemes. [140894]

Ms Blears: The British Crime Survey contains a number of questions about Neighbourhood Watch, including an assessment of its effectiveness. The findings of the 2000 British Crime Survey have been published and a copy has been placed in the Library.

Police

Mr. McWalter: To ask the Secretary of State for the Home Department what incentives he is providing to attract police officers who are of continuing value to the service to continue beyond 30 years of service. [142109]

Ms Blears: The Police Negotiating Board (PNB) Agreement of May 2002 included outline provisions for flexible arrangements that would give managers in the police service scope to retain officers who are entitled to retire with maximum pension benefits where they wish to do so. The main points of the 30+ scheme subsequently agreed by the PNB are:

Retirement from the force with the option of commuting part of one's pension for a tax-free lump sum;

Re-engagement at former rank and pay level;

Pension abatement lifted to allow for any replacement allowances lost on retirement to be made good;

Eligibility for Special Priority Payments and Competency Related Threshold Payments on the same basis as other officers;

Officer ceases to be a member of the Police Pension Scheme but can accrue further pension benefits by taking out a personal pension.

The 30+ scheme has been piloted in a selection of forces in England and Wales since December 2002. A total of 15 forces are currently participating and the initial response to the scheme has been generally positive, both from officers and forces. We are currently reviewing the progress of this scheme and will send a report to the PNB later this month about extending the scheme nationally.

Mr. Oaten: To ask the Secretary of State for the Home Department what guidance he has issued to police forces in relation to police officers' membership of or affiliation to *(a)* political parties and *(b)* other political organisations; and if he will place copies in the Library. [141806]

Ms Blears: Schedule 1 to the Police Regulations 2003 states that "A member of a police force shall at all times abstain from any activity which is likely to interfere with the impartial discharge of his duties or which is likely to give rise to the impression among members of the public that it may so interfere; and in particular a member of a police force shall not take any active part in politics".

Copies of Police Regulations 2003 are in the Library (Statutory Instrument No. 527 of 2003).

John Mann: To ask the Secretary of State for the Home Department what consultations have taken place over the last year about the formula for the police financial settlement. [140580]

Ms Blears: The policing community was consulted in August and October 2003 on the potential impact of changes in data used in the formula.

To provide stability in police funding following major changes for 2003–04, no changes to the structure of the police funding formula have been made for 2004–05 so formula change has not been the subject of consultation.

Gregory Barker: To ask the Secretary of State for the Home Department how many additional police officers have been recruited in *(a)* England and *(b)* East Sussex in the last five years; and what percentage increase this represents in each case. [140890]

Ms Blears: The available information is given in the table:

Total police strength[1]

31 March	*England*	[2]*Sussex*
1999	117,195	2,847
2000	115,324	2,822
2001	116,548	2,855
2002	120,073	2,893
2003	124,158	2,989
% change 31 March 1999 to 31 March 2000	5.9%	5.0%

[1] Full time equivalent

[2] Figures are available for the Sussex Police Force as a whole and not East Sussex as requested.

Mr. McCabe: To ask the Secretary of State for the Home Department how many police officers have been *(a)* killed and *(b)* injured by drivers (i) failing to stop and (ii) evading arrest in each of the last 10 years; and how many of those injured have retired from the police service as a result. [141326]

Ms Blears: Information in the form requested is not held centrally. Data on homicide of police officers where the method is described as being struck by a motor vehicle and the circumstances as resisting arrest or a reckless act involving a motor vehicle are listed in the following table:

Currently recorded homicides of police officers struck by a motor vehicle

	Circumstances	
	Resisting arrest	*Reckless act involving a motor vehicle*
1993	0	0
1994	0	0
1995	0	0
1996	0	0
1997–98	0	0
1998–99	0	0
1999–2000	2	0
2000–01	2	1
2001–02	0	0

Rural Crime

Miss McIntosh: To ask the Secretary of State for the Home Department (1) what representations he has received on the incidence of rural crime, with particular reference to farm land; [141244]

(2) what representations he has received on the effectiveness of *(a)* Farm Watch and *(b)* other rural initiatives to defeat crime; and what support Farm Watch receives from police forces. [141245]

Ms Blears: I am not aware of any representations concerning the effectiveness of Farm Watch, other rural crime initiatives, or concerning rural crime with regard to farmland. The Government are committed to tackling rural crime and has a £30 million Rural Policing Fund, specifically intended to enhance policing in rural areas.

Most rural forces have Watch schemes in place to tackle rural crime. North Yorkshire Police fully supports Farm Watch and the force has three dedicated Watch Co-ordinators supporting the scheme.

Sexual Assaults

Mr. Cousins: To ask the Secretary of State for the Home Department how many sexual assaults were recorded in each Basic Command Unit area of each metropolitan police force in each year for which Basic Command Unit information has been available. [141195]

Ms Blears: Numbers of sexual assaults are not available at Basic Command Unit (BCU) level, although the total number of sexual offences have been published at this level. The metropolitan police forces are taken to be the Metropolitan Police Service, City of London, West Midlands, Merseyside, Greater Manchester, West Yorkshire, South Yorkshire and Northumbria. The published information is available via the Research Development Statistics (RDS) website, at the following locations:

1990–2000 and 2000–01 BCU data (Home Office Statistical Bulletin 12/01, Table 11):

http://www.homeoffice.gov.uk/rds/pdfs/1201data3.xls

2001–02 and 2002–03 BCU data:

http://www.homeoffice.gov.uk/rds/pdfs2/hosb703sup2.xls

The National Crime Recording Standard (NCRS) was introduced across England and Wales in April 2002. Some forces adopted the principles of the Standard prior to this date. Of the eight metropolitan forces, both Greater Manchester (January 2002) and West Midlands (April 1999) adopted the Standard early. Broadly, the NCRS had the effect of increasing the number of crimes recorded by the police. Therefore, following the introduction of the Standard, numbers of recorded crimes are not comparable with previous years.

Speed Cameras (Vandalism)

Mr. Drew: To ask the Secretary of State for the Home Department how many speed cameras have been vandalised in each year from 1998 to 2002. [142238]

Caroline Flint: The information is not recorded centrally by the Home Office. We understand from informal reports that such acts are isolated incidents.

Speeding

Mr. Damian Green: To ask the Secretary of State for the Home Department which speed camera resulted in the highest number of prosecutions in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [140826]

Ms Blears: Information on the number of prosecutions for speeding offences detected by type of camera device used or individual camera location are not collected centrally.

Mr. Drew: To ask the Secretary of State for the Home Department how many hand-held speed-detecting radar guns are in operation in the UK, broken down by *(a)* police force and *(b)* Safety Camera Partnership. [142236]

Caroline Flint: The information is not available centrally. It is a matter for chief officers of police to decide on the number and type of speed detection devices to purchase from the overall funds allocated to them.

Vehicle Crime

Mr. Chope: To ask the Secretary of State for the Home Department (1) if his Department encourages the fitting of window security reinforcement systems as part of the campaign to reduce vehicle crime; and if he will make a statement; [141517]

(2) what plans he has to achieve a reduction in vehicle crimes in which vehicle windows are broken to secure entry. [141518]

Ms Blears: The Home Office New Car Security Guidance published in 1998 encouraged car manufacturers to fit glazing that would resist attack by methods commonly used by criminals for a minimum of 30 seconds. This standard applies whether conventional laminated glazing or security film is fitted. Officials are considering the merits of using the recently issued German test standard to measure whether products meet this Home Office requirement. In addition, any glazing (laminated or when fitted with security film) has to meet the appropriate standards set out in the Road Vehicles (Construction and Use) Regulations 1986, Directive 92/22/EEC and UN/ECE Regulation 43 to ensure safety and durability. We will encourage the fitting of any laminated glazing or security film that meets statutory requirements and makes a significant contribution to vehicle crime reduction.

We aim to raise motorists' awareness of the benefits of laminated glazing through Home Office publicity material, particularly the booklet "Steer Clear of Car Crime" and our website www.secureyourmotor.gov.uk. We also provide links from our Department for Transport websites to the insurance industry website (www.ncsr.co.uk) which provides motorists with information about their assessment of each car's ability to resist criminal attempts to gain entry.

Victims (Compensation)

Mr. Hancock: To ask the Secretary of State for the Home Department what plans he has for widening access to compensation for victims of crime. [142172]

Ms Blears: I refer the hon. Member to the answer given by my hon. Friend for Slough (Fiona Mactaggart) on 8 December, *Official Report*, column 235W.

NORTHERN IRELAND

Art Acquisition

Norman Baker: To ask the Secretary of State for Northern Ireland how much his Department has spent on the acquisition of works of art in each year since

1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 has been; how much it cost; and what the total revenue raised by his Department through sales of works of art has been since 1997. [142355]

Mr. Pearson: The annual amount spent on the acquisition of Works of Art by the Northern Ireland Office and Northern Ireland Departments in each financial year since 1997 is detailed in the table. The single most expensive piece of art purchased in that period has been a painting entitled 'Red Chard' at a cost of £7,650. No revenue has been raised through sales of works of art since 1997.

£

	Paintings (including prints)	*Sculptures (including textiles)*	*Total*
1997–98	21,200	1,800	23,000
1998–99	35,500	3,800	39,300
1999–2000	53,000	6,000	59,000
2000–01	30,000	—	30,000
2001–02	30,050	2,950	33,000
2002–03	23,500	2,500	26,000

Benefit Fraud

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to prevent benefit fraud in Northern Ireland. [142666]

Mr. Spellar: I would refer the hon. Lady to the answer I gave to the hon. Member for Strangford (Mrs. Robinson) on 8 December 2003, *Official Report*, column 266W.

Cory Report

Mr. Donaldson: To ask the Secretary of State for Northern Ireland what steps he has taken to consult the families concerned prior to the publication of the Cory Report; and if he will make a statement. [143184]

Mr. Paul Murphy: The Government are committed to publishing Justice Cory's report as soon as possible, in line with the judge's terms of reference. It remains my priority to inform the families as soon as possible in advance of publication, while bearing in mind my obligations to Parliament.

Disabled Persons Parking Scheme

Lady Hermon: To ask the Secretary of State for Northern Ireland for what reasons those with a colostomy in Northern Ireland no longer qualify for the Disabled Persons Blue Badge Scheme; if he will reverse this decision; and if he will make a statement. [142665]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Lady in response to this question. A copy of the letter will be placed in the Library.

Domestic Central Heating

Jane Griffiths: To ask the Secretary of State for Northern Ireland how many oil-fired domestic central heating installations there are in Northern Ireland. [143170]

Mr. Spellar: The Northern Ireland House Condition Survey 2001 found that 377,800 homes in Northern Ireland have oil-fired central heating systems. A further 61,500 homes have dual-fired central heating, where in the great majority of cases oil was the primary fuel.

Evacuated Dwellings Scheme

Mr. Donaldson: To ask the Secretary of State for Northern Ireland how many police officers in Northern Ireland have had their homes purchased under the scheme to Purchase Evacuated Dwellings as a result of terrorist threats in each year since the scheme was established. [143185]

Mr. Spellar: The information requested is not readily available. I will write to the hon. Gentleman when the figures have been compiled, a copy of the letter will be placed in the Library.

Homelessness

Lady Hermon: To ask the Secretary of State for Northern Ireland how many people were registered homeless in Northern Ireland in each of the past five years; and if he will make a statement on the measures he is taking to address homelessness in Northern Ireland. [142675]

Mr. Spellar: The information requested is as follows:

Financial year	*Number accepted as homeless*
2002–03	8,580
2001–02	7,374
2000–01	6,457
1999–2000	5,192
1998–99	4,997

The Government are fully committed towards helping those unfortunate enough to become homeless and while the figures show an annual increase, last year the Northern Ireland Housing Executive re-housed half of all homeless households within three months and 94 per cent. within 12 months. This year the Government plan to fund the provision of 213 new units in Northern Ireland, specifically for homeless families and single people, at a total cost of around £13.5 million. It is also overseeing the implementation of new arrangements for providing housing support services which include provision to help sustain and improve the existing support services provided to homeless people. The Northern Ireland Housing Executive has published the Northern Ireland Homeless Strategy and is working in partnership with all of those who have a part to play in tackling the problem of homelessness. In addition, an inter-departmental, cross sectoral Promoting Social Inclusion Review Group has been set up to consider how to ensure, firstly, that the risk of homelessness is reduced and secondly, that the full range of appropriate services is available to homeless people.

Midwives

Lady Hermon: To ask the Secretary of State for Northern Ireland, how many *(a)* part-time and *(b)* full-time midwives were serving in Northern Ireland in each of the past five years; and if he will make a statement on the recruitment of midwives in Northern Ireland. [142668]

Angela Smith: The information requested is as follows:

Number of part-time and full-time midwives working in Northern Ireland in each of the past five years

	Part-time		Full-time	
	Count	[1] *WTE*	*Count*	*WTE*
September 1999	668	437.89	563	563.00
September 2000	706	461.83	506	506.00
September 2001	738	477.92	497	497.00
September 2002	758	492.76	498	498.00
September 2003	769	500.56	508	508.00

[1] Whole Time Equivalent

Source:

Human Resource Management System

The Department currently commissions 40 places per annum on an 18 month shortened pre-registration midwifery training programme for registered nurses and the current group of students will complete their course in March 2004. A further group of 40 students commenced training in November 2003. In addition the DHSSPS as a new initiative has commissioned 15 places on a three year direct entry pre-registration midwifery programme in September 2003.

Monitoring Commission

David Burnside: To ask the Secretary of State for Northern Ireland whether allegations of activities by the Provisional IRA and members of Sinn Fein in *(a)* Colombia and *(b)* Florida can be investigated by the International Monitoring Commission. [142775]

Mr. Paul Murphy: I refer the hon. Gentleman to the answer I gave on 18 November 2003, *Official Report*, column 774W.

Plastic Baton Rounds

Mr. McNamara: To ask the Secretary of State for Northern Ireland how many and what percentage of plastic baton rounds ordered by the outgoing Northern Ireland Police Authority in November 2001 have *(a)* been delivered and *(b)* passed their active shelf life. [142186]

Mr. Paul Murphy: The Chief Constable has advised me that no baton rounds were ordered on behalf of the Police Service of Northern Ireland during November 2001.

Prescription Fraud

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he has taken to tackle prescription fraud in the NHS in Northern Ireland; and if he will make a statement. [141849]

Angela Smith: The Department of Health, Social Services and Public Safety, together with the Health Boards and the Central Services Agency, has been making considerable efforts to reduce losses through patient exemption fraud.

The key actions taken to date include:

The establishment of a dedicated Counter Fraud Unit to co-ordinate work to tackle prescription fraud;

The introduction for pharmacists of point of dispensing/treatment checks to confirm exemption from charges;

The introduction of a Fixed Penalty Charge Scheme for those who make false claims for free prescriptions. There have been some 500 charges imposed this year.

In sustaining efforts to further reduce patient exemption fraud it is planned to take the following actions:

The implementation of the criminal charge element of the Fixed Penalty Charge regulations. This will provide for a fine, upon conviction, of up to £2,500 for those who have been found to be persistently misclaiming exemption from health service charges; and

Renewed publicity early in the new year regarding the Fixed Penalty Charge Scheme and the various categories of exemption that apply across the Family Health Services.

The indications are that the measures introduced over the last few years have contributed to reducing the losses by some £6 million per annum. While this reflects significant progress, we will continue to work for further improvements to ensure that these funds are not denied to the health service.

School Transport Bill

David Burnside: To ask the Secretary of State for Northern Ireland what plans he has to introduce changes in home-to-school transport in Northern Ireland in line with proposals in the School Transport Bill in Great Britain. [142213]

Jane Kennedy: I have no plans at present to introduce changes in home-to-school transport in Northern Ireland in line with proposals in the School Transport Bill in Great Britain.

WORK AND PENSIONS

Child Support Agency

Mr. Webb: To ask the Secretary of State for Work and Pensions whether a lone parent in receipt of income support who receives a lump sum payment of arrears of child maintenance owing to delays in processing by the Child Support Agency will be able to carry forward unused amounts of child maintenance premium to set against the maintenance received. [143108]

Mr. Pond: Under the new child support scheme child maintenance premium is attributed to the same period as the payment of maintenance. Thus, if a non-resident parent pays £120 in child support, representing six weeks' liability of £20 per week, the child maintenance premium will be £60 (£10 x 6).

Health and Safety

Mr. Nicholas Brown: To ask the Secretary of State for Work and Pensions what representations he has received from the Health and Safety Commission about whether public sector sickness and absence should be a priority area; and if he will make a statement. [140648]

Mr. Browne: The Department has received representations from the Health and Safety Commission (HSC) on rolling out a programme of work addressed at improving health and safety performance in the public sector. We have agreed with them that this will become one of HSC's priority programmes.

A major element of HSC's "Government Setting an Example" programme will be supporting public sector organisations to reduce work related sickness absence through the development and dissemination of exemplary good practice in managing risks to occupational health, in particular musculo-skeletal disorders and stress.

The most recent analysis of sickness absence in the Civil Service for 2002 reports that mental illness and musculo-skeletal disorders are a major contributor to absence. HSE's stress management standards pilot includes organisations in the public sector. The pilot will end in Autumn 2003 and evaluation will continue until 2004.

Dr. Murrison: To ask the Secretary of State for Work and Pensions what progress has been made in addressing the health and safety needs of small and medium sized enterprises in the past 12 months; and if he will make a statement on the funding of further measures. [141036]

Mr. Browne: During the last year, the Health and Safety Commission (HSC) has taken a number of extra steps. This year the Commission reappointed a Commissioner specifically to represent small businesses.

It also piloted a grant scheme, providing matched funding for training and mentoring for micro businesses. The scheme finishes in December 2003, with an evaluation report expected early in 2004. HSC will evaluate the results of this scheme, comparing it with other initiatives, before making any recommendations about extending initiatives in the future.

The Health and Safety Commission (HSC) promoted new ways to promote positive models of health and safety through the use of new technology with well-tried methods, eg a CD Rom containing case studies and an electronic benchmark questionnaire. Both are supported by a managed visit programme whereby small businesses can learn and experience good practice.

Housing Benefit Subsidy Reform

Mr. Kidney: To ask the Secretary of State for Work and Pensions pursuant to his written statement of 1 December 2003, *Official Report*, column 49WS, on housing benefit subsidy reform, how the new subsidy system for housing benefit and council tax benefit will be implemented, with particular reference to transitional relief; and what the arrangements will be for payment of the administration grant. [143212]

Mr. Pond: The new subsidy system will be introduced on 1 April 2004 to all local authorities in England, Wales and Scotland. All claims relating to the 2004–05 subsidy year will be made under the new rates and rules. We issued a subsidy Circular (S9/2003) to authorities on 1 December to explain all the detailed changes; a copy of this circular is available in the Library.

Although the overall levels of funding under the new system will be cost neutral compared to the old system, we recognise that individual authorities may gain or lose under the new arrangements. A transitional protection scheme has therefore been put in place. At the end of 2004–05 subsidy claims from each local authority will be compared with the amounts of subsidy they would have received had they claimed under the subsidy rules in place in 2003–04. The scheme will ensure that in the first year no authority will lose more than 1 per cent. of the funding which they would have received had the rates not changed.

Details of individual allocations to authorities of administration grant for 2004–05 will be issued in a circular by the end of the month. The administration grant will be paid to authorities in 12 monthly instalments from April 2004.

New Deal for Disabled People

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will publish statistics for New Deal for Disabled People job broker programmes regularly on the internet. [141498]

Mr. Browne: New Deal for Disabled People statistics are currently published quarterly on the New Deal website. The latest figures are available at: www.newdeal.gov.uk/documents/disabled/performancelatest.doc

Pension Credit

Mr. McLoughlin: To ask the Secretary of State for Work and Pensions how many pensioners he estimates have yet to apply through the Pension Credit scheme in *(a)* West Derbyshire, *(b)* the East Midlands and *(c)* the UK; and what efforts are being made to simplify the Pension Credit process to make it easier for pensioners to claim their entitlement. [141438]

Malcolm Wicks: The information is not available in the form requested, but we estimate that around 300,000 pensioner households in the East Midlands region and around 3.8 million pensioner households in Great Britain are eligible for Pension Credit. The table gives the numbers of pensioner households and individuals in West Derbyshire, the East Midlands and Great Britain receiving Pension Credit at 17 October 2003. The number of pensioner households in Great Britain receiving Pension Credit had increased to approximately 1.97 million by 31 October.

The application process for Pension Credit has been designed to be straightforward for pensioners and their family and friends, who may apply on their behalf. The Pension Credit application line (0800 99 1234), which is the main method of applying, is working well and has taken over 1.3 million calls (to the end of October) since it became operational on 7 April. The Pension Service is able to offer alternative ways of applying to suit individual circumstances, including a textphone number and a paper application form. We are working closely with partner organisations to ensure that they can obtain paper application forms, through the Pension Service's local service, for those who want them. The local service can also arrange to see pensioners face-to-face either in a local surgery or, where appropriate, in the pensioner's home.

We continue to review and improve the application process in the light of experience.

Pension Credit recipients at 17 October 2003

Area	*Pension Credit pensioner households*	*Pension Credit individuals*
West Derbyshire parliamentary constituency	2,185	2,505
East Midlands Government Office Region (GOR)	130,935	155,725
Great Britain	1,902,715	2,247,605

Notes:

1. Figures in the table have been rounded to the nearest five.

2. The parliamentary constituency and the GOR are assigned by matching postcodes against the relevant ONS postcode directory.

Source:

IAD Information Centre, Generalised Matching Service, 100 per cent. sample.

Pensions

Mr. Webb: To ask the Secretary of State for Work and Pensions in what way the size of the lump sum available to an individual at age 70 to those who defer drawing their retirement pension will relate to the weekly retirement pension entitlement at age 65 of that individual. [143107]

Malcolm Wicks: We intend that the lump sum will comprise the total of the state pension given up during the period of deferment, plus a rate of return. Further details will be available when the Pensions Bill is published.

Research

Paul Holmes: To ask the Secretary of State for Work and Pensions if he will list the research conducted by his Department comparing a New Deal 25 plus unit of delivery and an Employment Zone in terms of *(a)* outcomes, *(b)* costs and *(c)* other factors; if he will place the findings in the Library; and if he will make a statement. [140481]

Mr. Browne: As with all our welfare to work programmes, Employment Zones are subject to extensive evaluation. The following reports have been published and placed in the Library: Working Age Evaluation Report 124—a qualitative study of Zone operations, published in July 2002; Working Age Evaluation Report 139—a qualitative study of Employment Zone and New Deal 25 Plus Personal Advisers, published in August 2002; Working Age Report 175—an economic study on the wider labour market impact of Employment Zones, and Working Age Report 176—a cohort study comparing characteristics and outcomes of Employment Zone participants with those of similar long-term unemployed clients published on 28 November 2003.

Report No. 176 compares the outcomes of Employment Zone and New Deal 25 Plus. However, this study does not provide us with a national evaluation of New Deal 25 Plus, but compares Employment Zone outcomes with New Deal 25 Plus outcomes in disadvantaged areas which are similar to the Employment Zone areas.

We keep all our programmes under on-going review to ensure they provide the most effective approach to helping long-term unemployed people into work.

Shell Brent Bravo

Mr. Carmichael: To ask the Secretary of State for Work and Pensions what plans he has to set up an inquiry into the deaths on the Shell Brent Bravo rig on 11 September. [140668]

Mr. Browne: A rigorous and detailed investigation into the two deaths on the Brent Bravo offshore installation on 11 September 2003 is already under way by both the Police and the Health and Safety Executive. The Health and Safety Executive will send their report to the Procurator Fiscal before the end of 2003. The Police will independently report to the Procurator Fiscal. Decisions on legal proceedings and Fatal Accident Inquiries are a matter for the Crown. The Health and Safety Commission does not consider it appropriate to seek the Secretary of State's consent for a public inquiry in addition to the investigations in progress.

DEPUTY PRIME MINISTER

Sellers' Packs

Mr. Clifton-Brown: To ask the Deputy Prime Minister in relation to the proposed seller's packs what the Government's estimate is of the *(a)* average cost, *(b)* number of properties that will be involved, *(c)* total cost, *(d)* number of surveyors required, *(e)* number of transactions accelerated and *(f)* number of transactions that would otherwise be aborted in a calendar year. [142008]

Keith Hill: The Office of the Deputy Prime Minister estimates that:

(a) The average cost would be £365 at current prices: made up of £300 for a home condition report and energy survey; £200 for local searches; £10 for office copy entries; and legal fees of £125 for pack assembly.

(b) The proposals would affect around 1.8 million homes put on the market each year. The total cost would be £1.14 billion. Most of this cost is already incurred under the current arrangements, although a majority of these are currently borne by the buyer rather than the seller.

(c) Between 7,500 and 8,500 surveyors will be needed altogether, to be met from surveyors already in place and others to be recruited and trained before implementation.

(d) The provision of vital information at the beginning of the process should ensure that almost all transactions will be accelerated.

(e) and *(f)* A reduction in the failure rate 10 per cent. is achievable thus avoiding over 380,000 aborted transactions per year. Our research suggests that over 580,000 transactions fail between offer acceptance and exchange of contracts (almost 30 per cent. of the total).

Tenancy Deposit Scheme

Mr. Jim Cunningham: To ask the Deputy Prime Minister what assessment he has made of *(a)* the estimated total number of disputes requiring adjudication under a tenancy deposit scheme and *(b)* the estimated costs of those procedures. [142827]

Keith Hill: The estimated maximum number of disputes is 127,000 per year. Extrapolating from jurisdictions which have compulsory deposit schemes, the figure is 19,000 per year. On the second part of the question, I refer my hon. Friend to the answer given on 8 December, *Official Report*, column 350W.

Mr. Jim Cunningham: To ask the Deputy Prime Minister what his latest estimate is of *(a)* the rate of alleged unreasonable withholding of deposits by landlords or agencies and *(b)* the cost of their retrieval. [142828]

Keith Hill: On the first part of the question, I refer my hon. Friend to the answer given to my hon. Friend the Member for Gower (Mr. Caton) on 10 November, *Official Report*, column 164W.

On the second part of the question, I refer my hon. Friend to the answer given on 8 December 2003, *Official Report*, column 350W.

Transitional Protection Scheme

Mr. Dennis Turner: To ask the Deputy Prime Minister (1) what assumptions will be made in the operation of the transitional protection scheme concerning the use of the option of housing authorities to apply to his Department for a special direction to transfer any amount of the 2001–02 Housing Revenue Account to the General Fund; [142822]

(2) whether he plans to consult on the possible ways in which the transitional protection scheme will operate; [142824]

(3) if he will provide before 1 January 2004 exemplifications of the impact of the Transitional Protection Scheme at an individual local authority level based on the latest available audited data on interim grant claims for 2003–04. [142826]

Keith Hill: Following publication of the rules of the scheme, authorities would have to write in to the Office of the Deputy Prime Minister specifying how much they wished to transfer between the Housing Revenue Account (HRA) and General Fund in 2004–05. So long as this amount fell within the maximum amount permissible to them under the rules of the scheme, a direction would be issued to that effect. An authority would be able to apply for a direction for 2004–05 at any time before the accounts for that year were closed.

The Office of the Deputy Prime Minister is consulting at present on proposals for the transitional protection scheme. Details of the proposed maximum amount transferable based on the audited figures for 2001–02 have been provided at an individual authority level with the current consultation on the draft HRA Subsidy Determination 2004–05. The closing date for consultation is 16 December 2003. The Office intends to issue the final rules of the scheme, including confirmed maximum amounts transferable by each authority in 2004–05, before 1 January 2004.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the extent of the areas which are under Taliban or Jihadist control in Afghanistan. [142863]

Mr. Mike O'Brien: Although scattered elements of Al Qa'ida and the Taliban remain in Afghanistan and continue to mount attacks against international and Afghan targets, the perpetrators cannot be said to control the areas in which they operate. Many attacks are carried out by insurgents who cross between Pakistan and Afghanistan. Others are mounted on a hit-and-run basis by groups within Afghanistan. Extremists are undoubtedly attempting to establish bases from which to operate. But successful military operations conducted by the Coalition and units of the Afghan National Army are preventing them from doing so. Apparent isolated instances of low-level control generally amount to no more than evidence of Taliban intimidation of local communities.

Burma

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs how much *(a)* heroin and *(b)* methamphetamine he predicts will be produced by Burma this year; and how much he estimates will reach the UK. [140919]

Mr. Rammell: The United Nations Office on Drugs and Crime (UNODC) estimated that 81,400 hectares of land were utilised for opium production in Burma in 2002. The UNODC figures for 2003 are not yet confirmed and initial indications suggest that they may show little overall change from 2002.

Burma is believed by UNODC to be one of the largest producers of methamphetamines in the world.

Despite Burma being a major producer of heroin and methamphetamines, there is no evidence that either of these substances is trafficked to the UK in significant quantities from Burma.

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the involvement of the Burmese Junta in *(a)* heroin and *(b)* methamphetamine production and export, with particular reference to the new factory 15 miles west of Maeken. [140920]

Mr. Rammell: There are reports that some production and trafficking of opium from Burma is carried out with the knowledge of the Burmese authorities. The Burmese authorities' overall response to the continued production and export of heroin and methamphetamines has been limited. According to figures from the United Nations Office on Drugs and Crime (UNODC) Burma is the world's second largest source of heroin and one of the largest sources of methamphetamines.

I have no specific information relating to a methamphetamine production facility near Maeken, although I am aware that UNODC reports indicate that such facilities exist in Burma.

Central Asian Drugs Action Plan

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the effectiveness of the Central Asian Drugs Action Plan since it was signed; how much the UK has contributed to it; and if he will make a statement. [141352]

Mr. Rammell: We welcome and support the aims of the European Union's action plan to help tackle the issue of drugs in central Asia. The plan covers Kazakstan, Kyrgyzstan, Tajikistan and Ukbekistan and should also be seen in the context of significant UK and EU action in Afghanistan, which is the main source country for heroin trafficked through central Asia. The UK does not directly fund the action plan. However we provide bilateral assistance to countries in the region which supports the plan's overall aims and objectives.

Colombia

Clare Short: To ask the Secretary of State for Foreign and Commonwealth Affairs whether the UK ambassador to Colombia supported the President of Colombia's claim that human rights NGOs were supporters of terrorists. [141510]

Mr. Rammell: Our ambassador and I have repeatedly expressed our concerns to the Colombian Government about blanket condemnation of Human Rights groups and made clear that if there are credible allegations of inappropriate conduct by certain groups they should be investigated by judicial process.

Human Rights (Syria and Iran)

Mr. Pope: To ask the Secretary of State for Foreign and Commonwealth Affairs what talks he has had with his counterparts in *(a)* Syria and *(b)* Iran regarding human rights in those countries. [140934]

Mr. Rammell: My right hon. Friend the Foreign Secretary makes a point of raising our grave concerns about both countries' human rights record whenever he is able to. In 2003 he has done so with his Iranian counterpart on 6 February, 29 June and 24 September. He has not met the Syrian Foreign Minister this year. But we regularly raise human rights concerns with Syria, both bilaterally and in conjunction with EU partners. I spoke of Syria's human rights failings in a Syria adjournment debate on 2 July and my hon. Friend the Minister of State at the Foreign and Commonwealth Office (Mr. Mike O'Brien) raised the issue with President Bashar al-Assad during his visit to Damascus on 5 March.

Iraq

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs how many families of the Iraq Governing Council were living in Iraq before the Allied invasion this year; and how many are living in Iraq. [140910]

Mr. Rammell: A number of families of Iraqi Governing Council members were living in Iraq prior to military action, and others returned when hostilities ceased. This number changes as the families come and go.

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the contracts which the Office of the Iraq Programme reported in November 2002 had been approved but for which no funds were available due to political disagreements between the governments of the US and UK and the then government of Iraq; what these contracts were for; and if he will make a statement. [141117]

Mr. Rammell: Gaps in funding for approved contracts were due to insufficient revenues from Iraqi oil exports, exacerbated by the former regime's unilateral decision on several occasions to halt exports. These contracts covered a range of sectors. The UN regularly urged the Iraqi Government to prioritise its requirements and ensure that minimal funds required to fund priority sector contracts were available, but the former regime refused to do so. Instead, Saddam Hussein continued to abuse the Oil For Food Programme, ordering many non essential goods, such as equipment for a new Olympic sports stadium.

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs whether it is his policy that NATO should have a role in Iraq; and if he will make a statement. [141119]

Mr. Rammell: NATO currently provides limited support to the Polish-led Multi-National Division in south central Iraq. We do not envisage NATO taking on a major role in Iraq in the short term, although we do not rule out further involvement at some stage.

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Coalition forces are taking to deal with shortages of medicine in Iraq; and if he will make a statement. [141181]

Mr. Rammell: Coalition forces are not responsible for the distribution of medicines in Iraq, but assist where appropriate. The public health system was left an empty shell by the former regime, but since May the Iraqi Ministry of Health has estimated that 15,000 tons of pharmaceuticals and medical supplies have been delivered. New drug supply systems are not yet fully operational. Until the supply accounting and reporting systems are in place, some difficulties will continue to occur.

Work is under way in the Iraqi Ministry of Health to develop a national drug formulary. This will form the baseline for future purchases throughout the country and will improve the sourcing of drugs. The Iraqi Ministry of Health, the Coalition Provisional Authority (CPA) and the World Health Organisation are also furthering a complete review of missing drugs and supplies. This is scheduled to finish in three months.

These initiatives provide the best and only ways to ensure that full medical supplies are getting through to the Iraqi people and we will continue to support them.

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps Coalition forces are taking to deal with waste water being pumped untreated into rivers in Iraq; and if he will make a statement. [141182]

Mr. Rammell: The Coalition has carried out emergency repair and rehabilitation work on several waste water treatment works in Iraq. Coalition partners have also partly funded UNICEF's environmental and sanitation programme in Iraq, with the UK's Department for International Development (DFID) contributing £6,835,187. DFID has also given £16,500,000 to the Red Cross movement, whose work includes water and sanitation activities.

We understand that a request to the US Congress for $675 million specifically for waster water treatment has been successful and will be invested (by the Coalition's Programme Management Office) over the next two years.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's estimate is of the numbers of Muslims killed directly or indirectly by Saddam Hussein since 1979, based on additional information discovered since 1 May. [141282]

Mr. Rammell: From 1979 Saddam Hussein's regime was involved either directly, or indirectly in the deaths of hundreds of thousands of people, the large majority of whom were Muslims. These deaths occurred during conflicts with neighbouring countries and through internal repression. Since 1 May, a large quantity of documentation has been found in Iraq relating to killings and persecution by the former regime. We are working with Iraqi Ministries and other organisations to analyse this documentation. Until this work is complete, a final figure will not be known.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs how many mass graves have been discovered in Iraq since 1 May; and what estimate he has made of the number of people buried in each of those graves. [141283]

Mr. Rammell: Since 1 May, some 270 mass graves have been reported to the Coalition Provisional Authority, with more sites still being discovered. Of these, about one third have been assessed so far, with one third of these confirmed as mass graves. The UK has seconded a forensic team to the CPA to co-ordinate and prioritise forensic work. From documentary and physical evidence found so far, it is estimated that around 300,000 people may be buried in mass graves in Iraq, although the true number will not be known until full investigations have been completed.

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what evidence of torture and killing of Iraqi citizens under the regime of Saddam Hussein have been discovered in Iraq since 1 May. [141284]

Mr. Rammell: Since 1 May, both physical and documentary evidence has been found which details the torture and killing of Iraqi citizens under Saddam Hussein's regime, including systematic abuse in police stations and prisons. UK secondees in the Coalition Provisional Authority Office of Human Rights and Transitional Justice are helping to analyse documentary evidence and take personal testimonies of human rights abuses by the former regime.

Kuwait

Dr. Murrison: To ask the Secretary of State for Foreign and Commonwealth Affairs what negotiations he is having with Kuwait over the future operation of border crossings at Safwan. [141048]

Mr. Rammell: The UK is not currently engaged in direct negotiations with Kuwait about the Safwan border crossing. Nevertheless, there is a continued dialogue between the Coalition and Kuwait on ways to reduce delays in border crossings. We are awaiting Kuwaiti reaction to a draft Memorandum of Understanding prepared by the US Army in consultation with the Headquarters of Multi-National Division (South East). The MOU aims to ensure the smooth flow of traffic across the border while meeting Kuwaiti requirements for adequate security measures.

Middle East

Mrs. Anne Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons the Government abstained in the vote on 16 September on Syria's draft resolution that Israel desist from any act of deportation and cease any threat to the safety of the elected president of the Palestinian Authority. [140591]

Mr. Rammell: The draft resolution before the UN Security Council on 16 September did not recognise both parties' obligations under the roadmap. It could have been detrimental, had it been adopted, to the implementation of the roadmap. As our Permanent Representative to the UN said at the time, we regret that the Security Council was unable to pass a balanced resolution. But the resolution's sponsors would not accommodate UK amendments intended to achieve a better balance, and the UK therefore abstained. A resolution on the situation of President Arafat was subsequently put to an Emergency Special Session of the UN General Assembly. European Union proposals for a more balanced text were then accepted and the UK, with our EU Partners, voted for the resolution.

My right hon. Friend the Foreign Secretary has made clear the Government's view that expelling or harming President Arafat would be wrong and counterproductive. Israel should not allow its justified anger at the continuing violence to lead to actions that would undermine both the peace process and its own interests.

Olympic Bid

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to ensure that Ministers representing the United Kingdom abroad are adequately briefed on the London 2012 Olympic bid. [140507]

Mr. Rammell: I refer my hon. Friend to the answer given to him by my right hon. Friend the Secretary of State for Culture, Media and Sport on 3 December 2003, *Official Report*, column 64–65W. As she has made clear, the Foreign and Commonwealth Office have in place arrangements for overseas missions to alert our Public Diplomacy Policy Department to relevant visits by Ministers so that appropriate briefing on the London 2012 bid can be provided.

The Foreign and Commonwealth Office are represented on the working group of officials set up to provide advice to London 2012 on the Government interests in the bid and to Ministers on matters relating to the bid, which the Secretary of State also mentioned in her answer.

Timber

Mr. Gardiner: To ask the Secretary of State for Foreign and Commonwealth Affairs by what means the policy for purchasing timber and timber products of *(a)* the Foreign Office and *(b)* each of its overseas missions, ensures that they are obtained from legal and sustainable sources. [141334]

Mr. Rammell: Our procurement policy follows the best practice guidance set out by Defra.

The requirement to purchase only legal and sustainable timber and timber products is laid down in the FCO's purchasing manual, which applies to all staff and contractors procuring such materials on behalf of FCO and to those making major purchases on behalf of overseas missions.

We also mandate the use of the Defra model contract clause on timber source verification in applicable contracts. This is designed to ensure that only timber or timber products from legal and sustainable sources is supplied.

We are considering the practicalities of extending this policy to cover minor building works and furniture purchase which our overseas missions fund from their devolved budgets.

CULTURE, MEDIA AND SPORT

Big Conversation

Mr. Heald: To ask the Secretary of State for Culture, Media and Sport what visits *(a)* she and *(b)* Ministers in her Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if she will make a statement. [143163]

Tessa Jowell: I refer the hon. Member to the answer given to him today by my right hon. Friend the Leader of the House.

Art Acquisition

Norman Baker: To ask the Secretary of State for Culture, Media and Sport how much her Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by her Department since 1997 has been; how much it cost; and what the total revenue raised by her Department through sales of its works of art has been since 1997. [142353]

Estelle Morris: In the seven financial years since 2 May 1997 the Government Art Collection has spent a total of £679,657 from its Programme Vote on the purchase of paintings and sculpture. This breaks down as follows:

£

Financial year	*Paintings*	*Sculpture*
2 May 1997 to 1998	72,919	15,800
1998–99	61,594	8,460
1999–2000	84,879	38,588
2000–01	43,269	12,866
2001–02	73,922	9,488
2002–03	111,564	68,444
2003 to 2 December 2003	77,732	132

The single most expensive work of art cost £63,450; for security purposes it is not possible to give the details of this item.

The Government Art Collection has sold no works of art from its holdings since May 1997.

Digital Satellite Television

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what action she is taking to encourage BBC, ITV and Channel 4 to broadcast their audio-described programmes on digital satellite as soon as possible. [141994]

Estelle Morris: I understand there are still technical and commercial issues to be solved by broadcasters, manufacturers and platform operators before the BBC, ITV and Channel 4 audio-described programmes are available on satellite. But DCMS officials are working within the Digital Television Action Plan to ensure that audio-description can be received on all platforms.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Culture, Media and Sport whether it is the policy of her Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142803]

Mr. Caborn: DCMS has a catering contract for staff restaurant facilities and hospitality. While the contractors are encouraged to use Fair Trade products the extent to which they are sold is dependent on the commercial success of so doing. Where Fair Trade products have been accepted by the customers as representing good quality and value for money, they continue to be sold. When renewing the contract in the spring of 2004 DCMS will stipulate that Fair Trade goods should be an option wherever possible.

Flying Scotsman

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport what representations she has received about the possible sale by Flying Scotsman plc of the Flying Scotsman locomotive. [142314]

Estelle Morris: In addition to the letter I have received from the hon. Member for the Vale of York, I have received one other letter about the possible sale of the Flying Scotsman locomotive.

Miss McIntosh: To ask the Secretary of State for Culture, Media and Sport if she will *(a)* declare the Flying Scotsman as an historic item of national importance and *(b)* take steps to prevent the sale abroad of the Flying Scotsman. [142315]

Estelle Morris: An historic train can only be listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 if it can be demonstrated that it has a longstanding permanent home. Moveable objects cannot be added to the list. With regard to a potential sale, I have no locus to intervene in the sale of private property, but if sold to an overseas purchaser the locomotive would of course be subject to the normal export licensing procedures.

National Lottery

Lady Hermon: To ask the Secretary of State for Culture, Media and Sport what the total spending on the National Lottery was in each Northern Ireland constituency in each of the past five years; and what proportion of this money was allocated to good causes in Northern Ireland. [142678]

Estelle Morris: Information on total National Lottery sales is not available by constituency. The available information about National Lottery sales by postcode area is set out in a table placed in the Library, in response to a question from the hon. Member for Edinburgh, West (John Barrett).

The information needs to be interpreted with care, since it is dependent on a number of factors, including the Post Office's updating of postcode information on a quarterly basis. The table shows total sales since the lottery started, including year to date sales up to the end of September 2003. The data has been extracted from Camelot's sales database and will not directly reconcile to Camelot's financial reporting.

It is worth noting that the funds that the National Lottery generates for the good causes are shared between 15 distributing bodies—some of which are UK-wide, while others operate only in one of the four home counties—in fixed proportions. There is no necessary correlation between the way in which the proceeds are divided between the 15 distributing bodies, or the way in which grants are allocated by each of the distributors, and the level of ticket sales generated in particular areas. The address of a lottery grant recipient is not necessarily a reliable guide to the area or region which is benefiting from the expenditure (for example, London-based organisations often receive lottery grants but spend the money elsewhere).

Information on the value of grants awarded is not available as a proportion of sales. The following table shows the amount of money awarded to good causes in Northern Ireland in each of the past five calendar years. This is derived from the Department's Awards Database, which is based on information supplied by the distributing bodies.

Amount of money awarded to good causes in Northern Ireland in each of the past five calendar years

£

	Amount
1998–99	42,069,683
1999–2000	66,137,769
2000–01	32,330,494
2001–02	56,012,802
2002–03	42,560,640

Timber

Mr. Gardiner: To ask the Secretary of State for Culture, Media and Sport by what means the policy for purchasing timber and timber products of *(a)* the Department and *(b)* the Royal Parks Agency ensures that they are obtained from legal and sustainable sources. [141344]

Mr. Caborn: DCMS and the Royal Parks Agency have sustainability as a major consideration in all procurement. Contracts for the supply of timber or timber products specify the need for Forest Stewardship Council or equivalent certification. Recent purchases of timber desks at DCMS had full Forest Stewardship Council certification and World Wildlife Fund accreditation.

Trafalgar Square

Mr. Keith Simpson: To ask the Secretary of State for Culture, Media and Sport who owns Trafalgar Square. [142864]

Mr. Caborn: Trafalgar Square is land owned by The Queen in Right of the Crown It is managed by the Greater London Authority under section 383 of the Greater London Authority Act 1999. Westminster City Council owns the roads around Trafalgar Square including the pedestrianised area of the North Terrace.

TRANSPORT

London Congestion Charge

Mr. Bellingham: To ask the Secretary of State for Transport what estimate he has made of the total direct cost to UK businesses of the London congestion charge since its introduction. [142142]

Mr. McNulty: We are following the scheme's progress with interest. However, it is the responsibility of the Mayor and Transport for London (TfL) to monitor the scheme's effects, including its impact on business and the economy. TfL's spring 2004 congestion charging annual report will report the full impacts of the scheme and we shall study this carefully.

A419

Mr. Clifton-Brown: To ask the Secretary of State for Transport what accidents have taken place in the last 10 years on the A419 between *(a)* Cirencester and Swindon and *(b)* Cirencester and Nettleton Bottom due to cross-over accidents; and what plans he has to review the types of central reservation. [142011]

Mr. Jamieson: I have asked the chief executive of the Highways Agency, Mr. Archie Robertson, to write to the hon. Member.

Letter from Archie Robertson to Mr. Geoffrey Clifton-Brown dated 9 December 2003:

I have been asked by David Jamieson to reply to your recent Parliamentary Question about cross-over accidents on the A419 between Cirencester and Swindon and Cirencester and Nettleton Bottom.

On the A419 between Cirencester and Swindon, three cross-over accidents occurred between April 1996 and September 2003. There were no such accidents on the Cirencester to Nettleton Bottom section of the road during the same period.

One of these accidents was on a section of road which, due to design constraints, is without central reserve safety fencing. An improvement to the route at this location is included in the Government's Targeted Programme of Improvements. A second accident occurred on the section of the road through Cricklade where, at the time of the accident, there was no safety fencing in place. However, the Agency has recently completed an improvement scheme which included the provision of safety fencing at this location. The third, and most recent accident occurred at a location with safety fencing. We are investigating and reviewing the causes.

Airports

Mr. Greg Knight: To ask the Secretary of State for Transport what public consultations are planned within the next two years on further airport construction and expansion in the UK. [142636]

Dr. Howells: Following our consultation on the Future Development of Air Transport in the UK, we will shortly be publishing a White Paper setting out our conclusions and our proposals.

Mr. Woodward: To ask the Secretary of State for Transport what the Government's policy is on ring-fencing landing slots at major London airports for the exclusive use for *(a)* Liverpool John Lennon Airport services and *(b)* other regional services; and what plans he has to review this policy. [142179]

Mr. McNulty: The issue of access to London airports for regional services will be addressed in the air transport White Paper.

Blue Badges

Tim Loughton: To ask the Secretary of State for Transport (1) what plans he has to change the system for issuing blue badges for disabled drivers; [143043]

(2) whether he has any plans to reform the powers of inspection over disabled blue badges to police. [143044]

Mr. McNulty: I refer the hon. Member to my answer of 1 December 2003, *Official Report*, column 4W, on the plans to change the Blue Badge Scheme.

With regard to powers of inspection, we are committed to introducing a specific power for the police, traffic wardens and local authority parking enforcement officers to inspect badges. We are also looking at the feasibility of establishing a national database of badge holders; the introduction of smartcard technology; increasing penalties for abuse and misuse of the Scheme.

The power to inspect, and a number of other measures, will need to be introduced through primary legislation and we are looking for a suitable legislative opportunity to do so. Meanwhile, we are already working on the changes that require secondary legislation, taking forward a number of research projects and drafting new guidance for local authorities to accompany the changes. We aim to implement the changes at the earliest opportunity.

Civil Servants (Disabled Staff)

Tim Loughton: To ask the Secretary of State for Transport how many senior civil servants in his Department are disabled staff expressed *(a)* in actual terms and *(b)* as a percentage of whole-time equivalent. [143045]

Mr. McNulty: There are no senior civil servants in the Department for Transport who have declared a disability to the Department.

Consultation

Brian Cotter: To ask the Secretary of State for Transport what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142484]

Mr. McNulty: There is not always a direct correlation between government consultations and individual regulations. For example, there would not be a consultation prior to certain statutory instruments introducing temporary local speed limits.

The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. The Department for Transport was established on 29 May 2002.

In the period from 29 May 2002 to 31 December 2002 the Department published 28 consultations under the Code, of which one was less than 12 weeks.

These figures do not include consultations that were carried out by the Department's Executive Agencies.

A full list of consultations on transport issues that have taken place from May 2002 (as DfT) and from before (as DTLR) can be found on the Department's website www.dft.gov.uk.

Crash Barriers

Mr. Mackay: To ask the Secretary of State for Transport how many times *(a)* steel barrier systems and *(b)* concrete barrier systems on trunk roads and motorways were breached in the latest year for which he has figures. [142757]

Dr. Howells: Information on the number of times *(a)* steel barrier systems and *(b)* concrete barrier systems on trunk road and motorways in England have been breached is not available.

The standard recording procedure for injury accidents does not record detail of the type of barrier hit. No data is available for non-injury accidents.

The Highways Agency is not aware of any breaches of concrete barrier on trunk roads or motorways in England. However, this may be influenced by the relatively small proportion of this type of barrier on the network.

Mr. Mackay: To ask the Secretary of State for Transport what account is taken of whole-life maintenance costs in the procurement process for barrier systems used on motorways and trunk roads. [142758]

Dr. Howells: The Highways Agency requires its Agents to take account of whole-life costs as part of the scheme and programme development process for motorway and trunk roads in England. However, the procurement process for barrier systems on motorways and trunk roads in England does not currently take explicit account of whole-life maintenance costs.

The Highways Agency is looking to address this through a current research project considering the performance characteristics of different barrier types, as well as the whole life construction, maintenance, repair and replacement costs, including traffic delay costs and safety risks to operatives carrying out the work. This research is expected to be completed in early 2004 and will help in the understanding of the key factors to be taken into account in the procurement process.

Mr. Mackay: To ask the Secretary of State for Transport what account is taken of *(a)* congestion costs and *(b)* the potential danger to the workforce during repairs to barrier systems when bids for barrier contracts are at tender stage. [142759]

Dr. Howells: The Highways Agency's tender assessment process for barrier systems does not currently take formal account of congestion costs or the potential danger to the workforce during repairs to barrier systems when evaluating bids for barrier contracts at tender stage.

The Highways Agency is looking to address this through a current research project considering the performance characteristics of different barrier types, as well as the whole life construction, maintenance, repair and replacement costs, including traffic delay costs and safety risks to operatives carrying out the work. This research is expected to be completed in early 2004 and will help in the understanding of the key factors to be taken into account in the bid evaluation process.

Mr. Mackay: To ask the Secretary of State for Transport what plans he has to review the type of barrier systems in use on *(a)* motorways and *(b)* trunk roads in England and Wales. [142761]

Dr. Howells: Since the 1960s, the former Department of Transport, and more recently the Highways Agency, have spent significant amounts developing barrier systems for use on the UK motorway and trunk road network. Products include tensioned and untensioned steel barrier, wire rope barrier and concrete barrier. Over the years, these systems have been placed on the network in varying amounts. There are now sufficient lengths of these different barrier types on the network to obtain data on their respective in-service performance levels. This data is currently being collected and used to support research into the whole-life cost and safety-effectiveness of different types of barrier on motorways and trunk roads.

The research is considering the performance characteristics of different barrier types, as well as the whole life construction, maintenance, repair and replacement costs, including traffic delay costs and safety risks to operatives carrying out the work. This research is expected to be completed in early 2004 and will help in the understanding of the optimum systems for use in different situations on the motorway and trunk road network.

Sue Doughty: To ask the Secretary of State for Transport what research has been undertaken on the use of barriers to prevent lorries leaving the road in the event of an accident such as that which occurred recently on the A3 through Guildford. [143012]

Mr. Jamieson: The Highways Agency has undertaken detailed research into the use of barriers and accidents involving single vehicles leaving the nearside of English roads. This has demonstrated that there are no significant shortcomings in the current standard for safety barriers and that the barrier provision strikes the right balance between the risks or errant vehicles leaving the road and the risks of impact with safety barriers themselves.

Complementary research is currently being undertaken to examine the performance standard requirements for central reserve barriers. It is expected that the results from this research will give a better understanding of the factors and criteria influencing the choice of safety barrier.

Drink-driving

Mr. Burstow: To ask the Secretary of State for Transport how many car drivers and passengers have died in drink-driving accidents in *(a)* December and *(b)* January in (i) England and (ii) each region in each of the last six years. [141576]

Mr. Jamieson: The following table shows the numbers of fatally injured car drivers and passengers in an accident that involved at least one driver or rider with a blood alcohol concentration over 80mg/100ml or whose breath test result was positive or who failed to provide a breath test.

Numbers of fatally injured car drivers and passengers

	1996	*1997*	*1998*	*1999*	*2000*	*2001*	*Total*
December							
Northern	1	1	0	3	0	0	5
Yorks/Humberside	4	2	7	5	2	0	20
East Midlands	2	0	2	2	0	2	8
Eastern	2	0	2	3	3	3	13
South East	0	4	4	1	0	4	13
Greater London	0	2	0	1	1	1	5

Numbers of fatally injured car drivers and passengers

	1996	*1997*	*1998*	*1999*	*2000*	*2001*	*Total*
South West	1	1	2	1	3	1	9
West Midlands	2	1	1	4	5	2	15
North West	2	0	2	1	2	2	9
England	14	11	20	21	16	15	97
January							
Northern	1	0	4	1	2	0	8
Yorks/Humberside	0	1	1	0	1	4	7
East Midlands	2	0	2	1	6	8	19
Eastern	0	1	3	2	5	5	16
South East	7	1	3	4	3	2	20
Greater London	0	1	1	2	1	0	5
South West	2	0	3	0	2	1	8
West Midlands	0	3	5	2	7	2	19
North West	7	1	3	1	3	1	16
England	19	8	25	13	30	23	118

Identity Cards

Mr. Webb: To ask the Secretary of State for Transport what assessment he has made of the implications of the introduction of compulsory identity cards for his Department. [142414]

Mr. Jamieson: My Department is continuing to discuss with the Home Office and others the programme of work announced by the Home Secretary on 11 November, including the implications for driving licences.

Invalid Tricycles

Mr. Hunter: To ask the Secretary of State for Transport if he will take steps to amend section 20 of the Chronically Sick and Disabled Persons Act 1970 and the Use of Invalid Carriages on Highways Regulations 1988 to allow a mechanically propelled invalid tricycle which is capable in other circumstances of travelling at more than eight miles per hour to be used on public footways at a speed of less than eight miles per hour. [142201]

Mr. McNulty: "Invalid Carriages" as they are known in law, provide invaluable independent mobility to many disabled and older people. The Chronically Sick and Disabled Persons Act 1970 permits the use of these vehicles on footways and their maximum permitted speeds are set out in the Use of invalid Carriages on Highways Regulations 1988. These vehicles must not travel faster than 4mph on footways and must be incapable of exceeding 8mph on the level under its own power on carriageways. These speed limits are fixed with the safety both of the users of these vehicles and of other road users and pedestrians in mind.

We are currently conducting a comprehensive review of the legislation beginning with a research study to establish basic facts about current usage and to canvass views of users and other key stakeholders. Subject to the outcome of this investigation we will be considering what changes may need to be made to current legislation governing the construction and use of these vehicles on the highway. The question of speed limits will be included in this review.

Ports

Mr. Carmichael: To ask the Secretary of State for Transport what steps the Government are taking to comply with the International Ship and Port Facility Code; how many ships and ports have reached the required standard; and what estimate he has made of the date by which the UK will have met these obligations. [141911]

Mr. Jamieson: The Department for Transport's Transport Security Directorate (TRANSEC) is carrying out a programme of assessments of all the UK ports which fall within the scope of the IMO International Ship and Port Facility Security (ISPS) Code, leading to the approval of Port Facility Security Plans and implementation of security measures. TRANSEC is also approving Ship Security Plans (SSPs) and issuing International Ship Security Certificates (ISSCs) for UK flagged cruise ships and ferries. The Maritime and Coastguard Agency is approving SSPs and issuing ISSCs for the UK flagged cargo fleet.

The Government expect that all UK ports and UK flagged ships will comply with the required ISPS standards by the deadline date of 1 July 2004.

Railways (Litter)

Tom Brake: To ask the Secretary of State for Transport (1) what recent discussions he has had with *(a)* Network Rail and *(b)* train operating companies on the collection of litter; [142514]

(2) what standards apply to the levels of cleanliness in and around rail stations; and what fines can be levied for failure to maintain railway premises free of litter. [142515]

Mr. McNulty: No recent discussions have taken place over the collection of litter at stations. It is a condition of station access agreements between the train operating companies and Network Rail, that the station and any adjoining road frontage be kept free from refuse, and in a clean and tidy condition.

Section 91 and 92 of the Environmental Protection Act 1990 confers powers on councils and magistrates courts to enforce the duty to clear litter from railway land. Where litter abatement orders or notices are not complied with, those responsible would be guilty of an offence and liable on summary conviction to a maximum Level 4 fine.

Re-signalling Project (Dorset)

Mrs. May: To ask the Secretary of State for Transport what assessment he has made of the safety aspects of the Dorset re-signalling project. [142787]

Mr. Darling: None. I understand that the project was approved following the submission to Her Majesty's Railway Inspectorate (HMRI) by Network Rail of a rigorous safety case. This document demonstrated compliance to Network Rail's Railway Safety Case and safety management systems. The scheme also followed the rail industry internal approval process, which included the appointment of an independent safety assessor. Network Rail and HMRI have conducted regular reviews throughout the project.

Mrs. May: To ask the Secretary of State for Transport when he expects the Dorset re-signalling project to be completed; and if he will make a statement on the timetable of the project from tendering to completion. [142788]

Mr. Darling: Network Rail advises that the project will be commissioned during the week ending 14 December 2003. The timetable from the tendering process to completion has been 42 months.

Mrs. May: To ask the Secretary of State for Transport what training has been made available to drivers and signallers to operate the new signal system in the Dorset region; and when that training will be complete. [142789]

Mr. Darling: Network Rail advises that it has completed training for all signalling staff required to operate the new signalling system including its associated radio systems. Nework Rail has provided training packs which include route learning videos, to enable driver training to be carried out by the train companies who operate along this section of railway—English Welsh and Scottish Railway, South West Trains and Virgin Trains. They have indicated that this training will be complete prior to project commissioning.

Mrs. May: To ask the Secretary of State for Transport which parties were involved in the decision to go ahead with the Dorset re-signalling project; when the decision was taken; and what information was available at the time on the comparative safety of the available signalling systems. [142791]

Mr. Darling: Network Rail advises that the Dorset Coast signalling project uses tried and tested technology already in use elsewhere in Europe. The decision to proceed with the project was taken during the early part of 2000 by Railtrack. This followed extensive consultation involving Her Majesty's Railway Inspectorate, signalling suppliers, train operating companies and the then infrastructure maintenance contractor Balfour Beatty Rail Infrastructure Services.

An assessment was carried out during this time comparing existing systems to the selected system from a safety, performance, reliability and maintenance perspective. The findings of this assessment were satisfactory.

Road Accidents

Mr. Damian Green: To ask the Secretary of State for Transport how many people were *(a)* killed and *(b)* seriously injured in road accidents in each year since 1997. [142232]

Mr. Jamieson: The information requested is shown in the following table.

Fatal and serious road accident casualties: GB 1997–2002

	Fatalities	*Serious*
1997	3,599	42,984
1998	3,421	40,834
1999	3,423	39,122
2000	3,409	38,155
2001	3,450	37,110
2002	3,431	35,976
Total	20,733	234,181

South Coast Multi-Modal Study

Norman Baker: To ask the Secretary of State for Transport (1) in respect of the recommendations relating to rail in the South Coast Multi-Modal Study, how many *(a)* are being implemented, *(b)* have been ruled out by the Strategic Rail Authority, *(c)* have been ruled out by train operating companies and *(d)* have not yet been subject to decision; [142340]

(2) in respect of the recommendations relating to roads in the South Coast Multi-Modal Study, how many *(a)* are being implemented, *(b)* have been ruled out and *(c)* have not yet been subject to decision. [142341]

Mr. McNulty: Our 9 July 2003 response to the South Coast Multi-Modal Study, which was sent to MPs within the South East as part of an announcement package, set out in detail where we have asked for further work to be undertaken by the respective delivery agencies. This includes where we have asked for schemes to be taken forward, where we have asked for schemes to be considered further or where to look at alternatives. Implementation of all schemes included in the announcement is subject to the successful completion of all necessary consultation and statutory procedures.

The Highway Agency, Local Authorities and the Strategic Rail Authority are taking this work forward in liaison with interested parties.

Norman Baker: To ask the Secretary of State for Transport what the total cost was of the South Coast Multi-Modal Study. [142342]

Mr. McNulty: The total cost of the South Coast Multi-Modal Study (SoCoMMs) including call-off contract is around £1.8 million, excluding VAT.

Speed Cameras

Mr. Damian Green: To ask the Secretary of State for Transport pursuant to his answer of 1 December 2003, *Official Report*, column 7W, on speed cameras, how many people were *(a)* killed and *(b)* seriously injured at the camera sites within the pilot areas. [142233]

Mr. Jamieson: Data and analysis are described in the Department's report. Numbers of killed and seriously injured (KSI) casualties are added together for sites in six areas. Sites were phased in so have different numbers of months of data.

For sites with two years of after data, there were 0.66 KSI casualties per year per site before cameras and 0.36 KSI per year per site afterwards. For sites with one year's data it was 3.83 to 2.02 KSI per site per year.

Train Punctuality

Mr. Drew: To ask the Secretary of State for Transport what plans he has to monitor reliability and punctuality on train performance into Paddington station, with specific reference to the performance of First Great Western, in the last 12 months for which figures are available. [142234]

Mr. McNulty: The Strategic Rail Authority monitors the performance of all train operating companies and publishes statistics in its quarterly "National Rail Trends" publication, copies of which are placed in the Library of the House. The next edition covering performance to the end of September 2003 will be published later this month. Information is provided for the services of each operator in aggregate, not by specific destination stations.

Transport Projects (St. Helens)

Mr. Woodward: To ask the Secretary of State for Transport which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141275]

Mr. McNulty: The information is not available in the form requested. The table shows capital expenditure projects in St. Helens since 1992. Maintenance-related projects are too numerous to list here.

Project	*Financial year started*	*Government funding (£000)*	*Outcomes*
St. Helens Bus Station	1992–93	2,200	Quality Bus Corridor
St. Helens Linkway	1992–93	8,037	Transport Corridor Improvements
Earlestown Station	1993–94	180	Refurbishment
St. Helens Subway Design	1994–95	8	Design for subway to industrial development
IT St. Helens Bus Station	1995–96	132	IT equipment to provide information at bus stations
St. Helens Rail Station	1995–96	38	Refurbishment/upgrade
St. Helens Junction Study	1996–97	114	Study of useage
St. Helens Junction	1998–99	599	Developing major scheme
Lea Green New Station	1997–98	2,293	New Station Construction
St. Helens Corridor Appraisal	1999–2000	73	Assessment of Bus Corridor outcomes
Corridor Q	2001–02	2,188	Smart bus route
Centre 6	2001–02	651	Town centre highway and environmental improvements
Capital Challenge	1998–99	858	Town centre transport improvements
Newton 21	1998–99	93	SRB Environmental Improvements

Mr. Woodward: To ask the Secretary of State for Transport what central Government expenditure has been allocated by his Department in *(a)* St. Helens and *(b)* Merseyside in each year since 1992. [141301]

Mr. McNulty: The following table shows allocations to St. Helens and across all five Merseyside authority areas since the 1997–98 financial year:

£000

Financial year	*Allocations to St. Helens*	*Allocations to five Merseyside authorities*
1997–98	934	8,752
1998–99	1,055	8,134
1999–2000	1,533	11,310
2000–01	2,378	15,618
2001–02	3,890	29,364
2002–03	3,974	32,098
2003–04	4,508	39,501

Comparable information is not available for the period prior to 1997.

Mr. Woodward: To ask the Secretary of State for Transport what the level of government expenditure on *(a)* rail, *(b)* bus and *(c)* road infrastructure was in (i) St. Helens, (ii) Merseyside and (iii) the North West region in each year since 1992. [141302]

Mr. McNulty: The information is not available in the form requested. During the period 1997–98 to 2005–06, St. Helens are committed to spend a total of £14 million on a range of integrated transport schemes. During the same period the total commitment by all five Merseyside authorities on integrated transport schemes is £126 million. In addition to this, funding has been provided direct to enable Merseytravel to deliver schemes with a total value of £417 million across Merseyside during the same period.

Mr. Woodward: To ask the Secretary of State for Transport if he will list the projects assisted by central Government expenditure which *(a)* have been started and *(b)* are expected to start on (i) rail, (ii) bus and (iii) road infrastructure in (A) St. Helens and (B) Merseyside in each year since 1992. [141303]

Mr. McNulty: The following table shows capital expenditure projects in St. Helens from the 1992–93 financial year onwards:

Project	*Authority area*	*Financial year started*
St. Helens Bus Station	St. Helens	1992–93
St. Helens Linkway	St. Helens	1992–93
Earlestown Station	St. Helens	1993–94
St. Helens Subway Design	St. Helens	1994–95
IT St. Helens Bus Station	St. Helens	1995–96
St. Helens Rail Station	St. Helens	1995–96
St. Helens Junction Study	St. Helens	1996–97
St. Helens Junction	St. Helens	1998–99
Lea Green New Station	St. Helens	1997–98
St. Helens Corridor Appraisal	St. Helens	1999–2000
Corridor Q	St. Helens	2001–02
Centre 6	St. Helens	2001–02
Capital Challenge	St. Helens	1998–99
Newton 21	St. Helens	1998–99

A total of 336 integrated transport schemes taken forward in Merseyside since 1992; too many to list individually here.

Trunk Roads (Gloucestershire)

Mr. Drew: To ask the Secretary of State for Transport how many stretches of new trunk road have been opened in *(a)* Stroud and *(b)* Gloucestershire in each of the last three years for which figures are available. [143030]

Mr. Jamieson: North facing slip roads were added to M5 Junction 12 in Gloucestershire as part of a full rebuilding of the junction. The work was completed on 27 November 2002.

There have been no other new stretches of trunk road opened in Stroud or Gloucestershire in the last three years.

TRADE AND INDUSTRY

Anti-retroviral Drugs (Illegal Trade)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry (1) what action her Department is taking to combat the illegal trade in anti-retroviral drugs; [142145]

(2) what estimate she has made of the value of anti-retroviral drugs traded illegally in each of the last five years. [142146]

Mr. Mike O'Brien: No specific estimate has been made of the value of anti-retroviral drugs traded illegally in the last five years.

However, with the increased emphasis on trade in differentially priced drugs—including anti-retroviral drugs—to developing countries, it is likely that there will be an increase in the number of attempts made by unscrupulous traders to divert differentially priced drugs from their intended markets in developing countries to markets in developed countries in order to take advantage of the higher prices (and therefore higher profit margins) which can be obtained in markets in developed countries.

It is important that we address this issue, both in order to ensure that such drugs reach the people in developing countries who need them most and to ensure that diverted drugs do not undermine the market in developed countries which is necessary to allow for further research and development into new drugs.

The Government have consistently supported suitable measures to combat the diversion of differentially priced drugs. We have supported the introduction of a new EU Regulation intended to combat the diversion of differentially priced drugs; worked with our G8 colleagues to secure commitments to action on this issue at the G8 summit in Evian; and ensured there were suitable provisions addressing the issue of diversion in the recent agreement in the WTO on how countries with insufficient manufacturing capacity in the pharmaceutical sector can make effective use of the compulsory licensing provisions in the WTO TRIPS Agreement.

Art Acquisition

Norman Baker: To ask the Secretary of State for Trade and Industry how much her Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by her Department since 1997 has been; how much it cost; and what the total revenue raised by her Department through sales of its works of art has been since 1997. [142354]

Ms Hewitt: There has been no significant expenditure on works of art by the Department since 1997 nor any sales.

Auditing

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry (1) what assessment she has made of the effects of raising the audit exemption threshold to £5.6 million; and if she will make a statement; [140887]

(2) what assessment she has made of the impact of raising the audit exemption threshold to £5.6 million on the business environment, with particular reference to *(a)* standards of business behaviour, *(b)* quality of financial information available to stakeholders and *(c)* levels of economic crime. [140888]

Ms Hewitt: The Government estimate that raising the audit exemption threshold has the potential to save small companies around £94 million a year. There are inevitably risks as well as benefits associated with raising the threshold. The Government concluded, following consultation, that these risks are small and are outweighed by the benefits in terms of costs savings and greater flexibility for small businesses. The Government's consultation document on the proposal contained a draft impact assessment discussing the risks and benefits. The consultation document "Raising the Thresholds", which was published on 11 July 2003, is available on the Department's website at http://www.dti.gov.uk/cld/published.htm. A final version of the impact assessment will also be available there in due course.

Big Conversation

Mr. Heald: To ask the Secretary of State for Trade and Industry what visits *(a)* she and *(b)* Ministers in her Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if she will make a statement. [143156]

Ms Hewitt: I refer the hon. Member to the reply given to him by my right hon. Friend the Leader of the House today.

Biotechnology

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the availability of long-term sources of finance in the biotechnology industry. [140517]

Ms Hewitt: The Government has taken a number of steps to improve the financial environment for the biotechnology industry. The R&D Tax Credit system, has benefited many bioscience companies. UK-based companies can also take advantage of the DTI's business support products. Four products have been launched to date, all of which may be of use to biotechnology companies:

Small Firms Loan Guarantee

Grant for Investigating an Innovative Idea

Grant for Research and Development

Knowledge Transfer Partnerships

The Higher Education Innovation Fund (£187 million over 2004–05 and 2005–06) and Public Sector Research Exploitation Fund (£15 million over 2004–05 and 2005–06) are examples of Government's support for commercialisation of research.

Commercial funding of the industry through financial markets is essential, however, for its long-term success. Government will normally intervene only in financial markets where it can identify a clear market failure, but where such failures are identified, the track record of intervention is strong. For example the UK High Technology Fund (UKHTF), an element of the £180 million Enterprise Fund was announced in 1998. Other initiatives include the Regional Venture Capital Funds launched on a national basis for England through the Small Business Service in 2002, and funds set up by the Regional Development Agencies and Devolved Administrations to tackle localised market failures.

The UK has the most liquid capital markets in Europe and the most developed venture capital sector in the world after the USA. Optimism about the long-term prospects for bioscience is starting to return to public markets after a global downturn and good UK biotechnology companies are still receiving venture capital investment. The UK is also home to some of the world's largest pharmaceutical companies, providing long-term finance for biotechnology companies through deals to purchase or license technology.

The Government is not complacent, however. The DTI and Department of Health prompted the establishment of the Bioscience Innovation and Growth Team, to identify and clarify the issues that are critical to the future competitiveness of the UK biosciences sector. The BIGT report was published in November 2003 and includes recommendations on the flow of seed capital, improvement of public sector technology transfer activity, and the provision of a favourable regulatory and fiscal environment. The Government will examine these recommendations carefully and respond to them all in due course.

Business Start-ups

Dr. Kumar: To ask the Secretary of State for Trade and Industry how many Government schemes, and how much state funding, have assisted business start-ups in 2001 to 2003 *(a)* in Middlesbrough South and East Cleveland, *(b)* in Teesside and *(c)* in the United Kingdom. [141863]

Jacqui Smith: Advice and support to business start-ups are provided by a range of organisations in the region. This includes DTI's Small Business Service and Business Link Organisations (and the Small Firms Loan Guarantee), ONE NorthEast (the regional development agency), local authorities, universities, community organisations, and Inland Revenue and Customs and Excise. Support for investment projects can be accessed by start-up businesses through DTI's Regional Selective Assistance (administered by ONE NorthEast—the regional development agency) and the Small Business Service's Enterprise Grant. Training and skills support is provided through Business Link Organisations and Local Learning and Skills Councils. Funding comes from a range of sources including central Government, European Structural Funds, and local authorities. It is not possible to identify easily the value of assistance accessed by start-up businesses within the overall totals of advice and support.

The available statistics for the value of assistance to start-up businesses in the areas requested are as set out.

The value of Business Link Organisation for Tees Valley's "Start Right in Business" scheme is shown in the following table. This is the closest available match to the geographic analysis requested. There is no national equivalent.

Assistance to start-up businesses

£

Period	*Tees Valley*	*Middlesbrough*	*Redcar and Cleveland*
2001 to date	388,188	113,652	72,324

The Small Business Service's Enterprise Grants (EG) for small and medium sized enterprises, including start-up business give support to capital investment for manufacturing and service to manufacturing companies. The following table shows the values of assistance for all businesses. While a number are known to be start-ups specific information for start-up businesses is not readily available.

Values of assistance for all businesses

£

	Tees Valley	*Middlesbrough South and East Cleveland*
2001 to date	1,635,260	114,250

European Structural Funds are available through the North East of England Objective 2 Programme 2000–06.

Specific measures within the programme are designed to assist business start-ups.

1. Measure 1.1—Growing New Businesses and Marrying Entrepreneurs with Ideas. Is funded regionally as follows:

Funding

	£ million
European Regional Development Fund (ERDF)	26.904
Public Sector Funds (includes other Government funding)	28.783
Private Sector Funding	1.479

The target number of Small to Medium Enterprises (SMEs) to be assisted is 9,973. From 2001 to date grant offered regionally totals £16.476 million and 1,628 SMEs have been assisted, of which 184 (Grant Value £3.968 million) are in Teesside.

2. Measure 1.2—Providing Access to Finance for Entrepreneurs. Is funded regionally as follows:

Funding

	£ million
European Regional Development Fund (ERDF)	14.121
Public Sector Funds (includes other Government funding)	8.796
Private Sector Funding	8.553

The target number of SMEs to be assisted is 2,065.

From 2001 to date grant offered regionally totals £1.616 million and 554 SMEs have been assisted, of which 32 are in Teesside.

European Social Fund (ESF) funding is also available to assist with the training needs of beneficiaries associated with new SMEs.

3. Measure 1.4—Entrepreneurial Attitudes and Skills. Is funded regionally as follows:

Funding

	£ million
European Social Fund (ESF)	9.866
Public Sector Funds (includes other Government funding)	9.866
Private Sector Funding	2.192

From 2001 to date offers worth £1.941 million have been made regionally, with 4,355 people trained, of which 1,611 (Grant Value £0.650 million) are in Teesside.

Arts Council England North East operates the Cultural Business Venture, providing support to the cultural sector for business expansions including start-ups. Additional funding is provided by ONE NorthEast and European Structural Funds Objective 2 programme. The following figures show the value of assistance offered. There is no national equivalent.

Assistance to start-up businesses

	£
Period	2001 to date
Tees Valley	388,188
Middlesbrough	113,652
Redcar and Cleveland	72,324

Canada Lottery

Mr. Donohoe: To ask the Secretary of State for Trade and Industry what action the Government are taking to protect people from being defrauded by people purporting to represent the Canadian Lottery. [142856]

Mr. Sutcliffe: The Office of Fair Trading (OFT) launched a consumer awareness campaign on 3 December in response to the increase in telephone marketing scams originating from Canada.

The OFT is working closely with the Canadian authorities to ensure prompt and effective action is taken against these scams.

The campaign includes a telephone hotline set-up by the OFT to collect evidence which the Canadian authorities can use to prosecute the scam operators.

Employment Rights

Mr. Bellingham: To ask the Secretary of State for Trade and Industry (1) what representations she has received from *(a)* overseas companies and *(b)* British companies regarding the rights of overseas workers to pursue unfair dismissal claims against their employers under the Employment Rights Act 1996; [142839]

(2) if she will make a statement on the recent Employment Appeal Tribunal ruling on the rights of overseas workers to pursue unfair dismissal claims under British employment law. [142852]

Mr. Sutcliffe: The Department has received representations on behalf of one company with bases in Great Britain and overseas.

The Employment Rights Act 1996 confers the right to complain of unfair dismissal. When territorial limits in the Act were abolished in 1999, the Government's intention was that employees working overseas would be able to claim unfair dismissal only if there was a proper connection with Great Britain. The employment Appeal Tribunal has confirmed that this is the test which the employment tribunals must apply.

European Molecular Biology Organisation

Lynne Jones: To ask the Secretary of State for Trade and Industry what UK contributions at current prices have been made to the European Molecular Biology Organisation in *(a)* each of the last three years and *(b)* the current year; what contributions are proposed for the next three years; and what assessment she has made of the benefits the UK has gained from its contributions. [141753]

Ms Hewitt: The UK government, through grant-in-aid to the Medical Research Council (MRC), contributes to the European Molecular Biology Conference (EMBC) which is the funding body for the

European Molecular Biology Organisation (EMBO). The UK's contributions for the last three years and the current year are as follows:

Euros

Year	*Actual contribution*	*Contribution at 2003 prices*
2000	1,224,222	1,291,063
2001	1,466,010	1,531,246
2002	1,502,628	1,531,246
2003	1,531,246	1,531,246

EMBC management is proposing an increase, over the next three years, of around 18 per cent. extra in 2004 rising to 44 per cent. extra in 2006 (about £700,000 per annum extra for the MRC). This is currently under discussion with EMBC and the UK contributions are not therefore known.

It is a matter for the MRC to decide/agree what level of subscription they should pay to EMBC, taking into account other commitments and priorities. They undertake periodic reviews of the relevant EMBO schemes in preparation for EMBC budget discussions. The main benefits of participation are association with, and access to, prestigious and well-run fellowships schemes that have added value to the development of the European molecular biology.

Family Friendly Employment

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry (1) what *(a)* training and *(b)* support is provided to managers to help them to institute family-friendly employment procedures; [141886]

(2) what information and support is available for employers regarding flexible working arrangements for employees; [141887]

(3) what plans the Government have to provide specialist guidance for small and medium enterprises, with particular reference to effective family-friendly working practices among small firms. [141888]

Mr. Sutcliffe *[holding answer 8 December 2003]:* An extensive package of support and guidance to help businesses implement and benefit from the laws for working parents has accompanied their introduction in April this year.

This includes:

Detailed guidance incorporating standard letter templates, summary flowcharts and 'how to' hints and tips.

Interactive web-based guidance via the TIGER website (www.tiger.gov.uk)

A case studies booklet "Flexible Working—The Business Case: 50 Success Stories" giving real examples of how businesses have introduced flexible working practices and how they have benefited. Half of those featured are small businesses.

Specific information concerning the payment of statutory maternity, paternity and adoption pay for employers is available on the Inland Revenue website (www.inlandrevenue.gov.uk/employers/during.htm). In addition, information on the new laws was sent to all employers registered with the Inland Revenue (1.5—1.7 million copies) in August 2002.

An awareness raising campaign incorporating national newspaper and online adverts aimed specifically at business. Further adverts are planned early next year in the national press and specialist business publications. The DTI also intends to mail in excess of 100,000 SMEs to further raise awareness and facilitate uptake and signpost them to further information.

A series of six seminars for Business Link advisers on family-friendly policies run by the DTI in the spring of 2003. A Business Link factsheet on flexible working, tailored specifically for SMEs, is also available.

A number of projects in partnership with external stakeholders. For example DTI supported a joint partnership project by the Federation of Small Business (FSB), British Chambers of Commerce (BCC) and the National Society for the Prevention of Cruelty to Children. An awareness raising poster was circulated to 155,000 FSB members and 1,300 BCC branches, and a collection of case studies promoting the business case for flexible working in smaller businesses and giving examples of good practice was developed. (Getting it Right: Improving work-life balance in your business.)

Free confidential advice to employers via the Acas helpline service (08457 474747), which is signposted on guidance and advertising.

A programme of seminars, reaching almost 10,500 employers throughout the UK, run by Acas during the first quarter of 2003. They continue to run seminars on all issues relating to working parents as part of their core seminar programme.

The Government's work-life balance campaign, which actively promotes family-friendly working practices across the workplace. Part of the non-legislative agenda for employment relations policy, the campaign focuses on researching and disseminating best practice to industry and business.

All guidance material is accessible through the DTI website: www.dti.gov.uk/workingparents.

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry what steps the Government are taking to promote the take-up of family friendly options at work by men. [142659]

Mr. Sutcliffe *[holding answer 8 December 2003]:* In April this year, the Government introduced new laws for working parents which cover fathers as well as mothers, including the right for fathers of children aged under six or disabled children under 18 to request flexible working and the right to two weeks paid paternity leave. These new rights together with the existing rights to parental leave and time off for dependants recognise that men increasingly want to play a greater role in the family and provides them with more choices for doing so.

To facilitate take-up, the Government are running an on-going awareness raising campaign which includes national newspaper adverts targeted specifically at fathers. In addition posters have been circulated to CAB's GP's surgeries and libraries. We are working in partnership with stakeholders to raise awareness. We provided support to the charity, Fathers Direct for their pilot magazine aimed at new fathers—'Dad', launched in five different maternity units in April 2003 and distributed to all new fathers coming into contact with those units.

The Government's Work-Life balance campaign also encourages employers to adopt best practice and provide family-friendly policies right across the work force.

Gas Bills

Mr. Edward Davey: To ask the Secretary of State for Trade and Industry what the average household gas bill was in *(a)* England and *(b)* each English region in each financial year since 1996–97. [142273]

Mr. Timms: Information on average gas bills is regularly published by my Department in "Quarterly Energy Prices", available at www.dti.gov.uk/energy/inform/energy_prices/index.shtml. The available information is as follows:

Average annual domestic gas bills: England and Wales

£

	Standard credit	*Direct debit*	*Prepayment*
1998	315	277	331
1999	304	268	318
2000	295	264	311
2001	293	266	309
2002	310	281	327
2003[1]	315	287	333

[1] Provisional bills for 2003 cover consumption from Q4 2002 to Q1 2003 and are then grossed up to take account of Q2 2003 and Q3 2003.

Notes:

1. Figures for 1996 and 1997 are not available for England and Wales as the survey from which regional information is produced began in 1998.
2. Bills relate to total bill received in the year e.g. covering consumption from Q4 of the previous year to Q3 of the named year.
3. All bills are calculated using an annual consumption of 18,000 kWh. Figures are inclusive of VAT.

Regional annual average domestic gas bills (England and Wales)

£

Region	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*
Standard credit						
West Midlands	317	312	297	296	313	319
South East	314	311	296	295	311	317
Wales	313	311	291	291	306	314
Eastern	318	311	296	291	309	316
Northern	315	312	290	292	312	314
North Western	314	311	295	294	309	316
London	318	311	295	293	309	316
North East	309	312	294	294	309	314
East Midlands	316	312	292	290	309	309
South West	312	312	299	290	312	319
Southern	316	312	299	297	311	318
Direct debit						
West Midlands	280	271	265	268	284	287
South East	276	269	262	270	279	286
Wales	278	266	265	249	283	291
Eastern	280	266	264	265	280	286
Northern	277	262	259	262	281	285
North Western	277	267	267	268	283	285
London	280	268	267	268	282	290
North East	271	268	263	268	282	280
East Midlands	278	266	261	264	281	285
South West	275	268	265	261	281	288
Southern	278	270	265	267	280	290
Prepayment						
West Midlands	331	318	312	309	327	332
South East	331	317	311	309	327	331
Wales	330	325	311	310	329	352
Eastern	331	317	311	308	326	331
Northern	331	320	312	308	327	330
North Western	331	318	311	309	326	331
London	331	318	311	308	326	332
North East	331	319	312	309	327	330
East Midlands	331	316	312	309	326	330
South West	330	318	312	309	327	333
Southern	331	320	312	309	328	339

Note:

Regions quoted are Gas Local Distribution Zones

Gross Domestic Product

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what steps she is taking to encourage manufacturing investment in the UK. [140949]

Ms Hewitt: We published the Government's Manufacturing Strategy in May 2002—the first such strategy for 30 years—which we developed in partnership with industry, trade unions and other stakeholders, following a summit meeting on the challenges facing manufacturing held in December 2001.

By maintaining a stable macroeconomic climate, together with measures such as reforming capital gains tax; making permanent enhanced capital allowances for small and medium sized firms; introducing the R&D tax credit for small and large firms; establishing Regional Venture Capital Funds; and extending the Small Firms Loan Guarantee, we are providing a climate conducive to investment for the long term in UK manufacturing.

Insolvency Service

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how much revenue has been generated by the Insolvency Service in each year since 1997; and what the cost of administering the Insolvency Service has been *(a)* in each year since 1997 and *(b)* in each quarter of 2003. [143142]

Mr. Sutcliffe: The Income and Expenditure of the Insolvency Service as reported in its Annual Report and Accounts since 1997 was:

£000

	Income from fees	*Investment income*	*Expenditure*
1997–98	37,495	50,980	78,538
1998–99	41,935	47,500	78,159
1999–2000	45,341	43,400	80,512
2000–01	51,270	45,100	80,314
2001–02	52,260	39,400	81,840
2002–03	58,674	34,800	90,332

Investment Income derived from the Insolvency Services Investment Account was surrendered to the Consolidated fund in accordance with Section 405 of The Insolvency Act 1986. 2003–04 is the last year of this funding regime. A new financial regime will be introduced on 1 April 2004 under the Enterprise Act 2002. Under the new financial regime investment income will be paid to creditors and The Insolvency service will seek to cover its case administration costs in full through a revised fees structure.

In year financial monitoring and management control information is being produced monthly. These unaudited figures are not directly comparable with previous years as they include the costs and income of the Redundancy Payments Service together with estimates of non-cash and other charges that can only be known at year-end.

International Trade

Lynne Jones: To ask the Secretary of State for Trade and Industry if she will make a statement on the impact of EU trade rules on developing countries. [142169]

Mr. Mike O'Brien: The overall impact of EU trade arrangements on developing countries is determined by a number of factors. The European Union offers preferential access to European markets to developing countries under the Cononou Agreement with African, Caribbean and Pacific (ACP) countries, the 'Everything But Arms' initiative for Least Developed Countries and the Generalised System of Preferences for Developing Countries. In addition to preferential arrangements, other instruments have a direct or indirect impact on developing countries, including anti-dumping measures, the common agricultural policy, sanitary and phytosanitary measures, and technical regulations. The impact of such factors differs from country to country, and there is little research on the aggregated net effect either on specific developing countries or on developing countries as a group.

We continue to work closely with the European Commission and other member states to ensure the greatest benefit to developing countries of increased international trade through, for example, the WTO negotiations on the Doha Development Agenda, and Economic Partnership Agreement negotiations under the Cotonou Agreement.

Iraq

Mr. Sheerman: To ask the Secretary of State for Trade and Industry how many representatives from her Department are in Iraq; how many representatives of her US counterparts are in Iraq; and if she will make a statement on the effect on UK industry of the numbers. [140534]

Ms Hewitt: There are five staff from my Department working in Iraq. Three are seconded to the Coalition Provisional Authority, including one responsible for trade development. Two are based in the British Office to promote trade relations with Iraq. A further staff member will go to Basra early in the New Year to promote trade. We have had positive feedback for my Department's work to support British firms in Iraq and we will continue to work with all interested British firms as well as with trade associations and other industry bodies. I am not in a position to comment on US Government staffing for Iraq.

Mr. David Stewart: To ask the Secretary of State for Trade and Industry what the level is of Iraq's debt to the UK which was accrued up to the point of the fall of Saddam Hussein; how much has been written off; what the nominal repayment due each year is; and what debt repayments were made in each year since 1997. [141557]

Mr. Mike O'Brien: ECGD has unrecovered claims of around £623 million arising from contracts with Iraq signed prior to the first Gulf conflict in 1991. This amount does not include interest, which it is estimated could bring the figure to some £1 billion. The only monies recovered by ECGD since 1997, all through the United Nations Compensation Commission were £2.68 million in 2001–02 and £320,000 in 2003–04.

No debt has been written off but the Paris club group of creditors, including the UK, has announced that it intends to agree a comprehensive treatment of Iraq's debt problem by the end of 2004. In the meantime no payment of these arrears of debt will be sought.

The Government have made it clear that it is seeking a fair and sustainable solution to the Iraqi debt problem. We believe that the debts should be dealt with under the new Paris Club 'Evian approach' which offers a long-term solution for countries with the most serious debt problems, including debt reduction where the need is clearly demonstrated.

ISO 9001:2000

Mr. Sheerman: To ask the Secretary of State for Trade and Industry how she intends to encourage further implementation of ISO 9001:2000 following the employment of this standard by suppliers to the Ministry of Defence. [140663]

Ms Hewitt: ISO 9001:2000 is the latest version of the quality management systems standard. It has been substantially revised to take account of modern management practice and the experience gained in industry over the past 25 years. It is already the most widely recognised management standard in the world and I am sure that the advantages and benefits of the new version will encourage its use still further. The DTI welcomes tenders from suppliers that have certification to this standard for a relevant scope but it is not a mandatory requirement and it is acceptable for a potential supplier to use other means to demonstrate how it has implemented its quality policy.

Motor Industry

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what representations her Department has received from the motor industry regarding possible membership of the euro. [142127]

Jacqui Smith: I have had discussions with many companies from the automotive sector, and had a range of representations on whether the UK should join the euro. The Government's policy on membership of the single currency is unchanged. The determining factor is the national economic interest, as assessed by the Government's five economic tests.

Pension Payments

Mr. Chope: To ask the Secretary of State for Trade and Industry if she will initiate an inquiry into the reasons underlying the number of pensioners receiving their state pension by means of direct payment into a Post Office card account on 6 September. [141519]

Mr. Timms: No. The reasons for opting for a Post Office account are a matter for individual customers. The Department of Work and Pensions provides customers with all the information that they need to choose the type of account into which they want to have their pension or other benefit paid, including those with Post Office access. It is for the customer to take the final decision on which account is best for them in their own particular circumstances.

Posting of Workers Directive

Mr. Cousins: To ask the Secretary of State for Trade and Industry what guidelines she gives under the

Posting of Workers Directive; whether collective agreements in construction will be enforced; and if she will make a statement. [142418]

Mr. Sutcliffe: Guidance on the Posting of Workers Directive is available on the DTI website. Unlike most EU countries, the UK has a voluntarist system of collective employment relations. Collective agreements in construction are not universally applicable and accordingly are extended by law to cover employers and workers not party to them. These collective agreements are, therefore, not covered by the Directive, which we have fully implemented in the UK.

Paddy Tipping: To ask the Secretary of State for Trade and Industry when she last met representatives from trade unions representing construction industry workers to discuss the Posting of Workers Directive, with particular reference to its implication for *(a)* collective agreements and *(b)* health and safety. [142436]

Mr. Sutcliffe *[holding answer 8 December 2003]:* I meet the TUC periodically to discuss various issues, including matters relating to the construction industry. I am meeting representatives from the Transport and General Workers Union on 10 December, and I will be discussing the Posting of Workers Directive among other issues.

Renewable Energy

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what plans she has to change the targets for the purchase of renewable energy by UK companies. [142130]

Mr. Timms: The Government have set a target that, by 2010, 10 per cent. of sales from licensed electricity suppliers should come from renewable sourced electricity. There are no plans to change this target.

The Renewables Obligation, enforced under the Renewables Obligation Order 2002 in England and Wales, and the Renewables Obligation (Scotland) Order 2002, is the main mechanism which the Government have introduced to help achieve the growth necessary to reach this target. The Obligation will remain in place until 2027, and licensed electricity suppliers are required to supply a specified and growing proportion of their sales from renewable sourced electricity each year. The level of the Obligation was 3 per cent. in its first year of operation, and now stands at 4.3 per cent. and is set to rise to 10.4 per cent. in the 2010–11 period.

The Government have recently announced their intention to bring forward proposals to raise the levels of the Obligation for the years beyond 2010–11, by further annual increases, reaching 15.4 per cent. in the 2015–16 period. This is a further sign of our commitment to developing the renewables industry.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what proportion of companies have met their targets for the purchase of renewable energy in the last 12 months. [142147]

Mr. Timms: Under the terms of the Renewables Obligation Order (2002), and the Renewables Obligation (Scotland) Order 2002, licensed electricity suppliers in Great Britain are required to supply specific proportions of their electricity sales from renewable sourced electricity—with the aim of reaching the target of 10.4 per cent. in the period 2010–11.

For the year to April 2003, the level of the Obligation was set at 3 per cent. (The current level is 4.3 per cent.). Suppliers demonstrate their compliance with the Obligation through presenting Renewables Obligation Certificates (ROCs) to Ofgem. If they do not present ROCs in this way, they must buy out all or part of their obligation target. Payments made to this buyout fund are then subsequently recycled to those suppliers who have demonstrated their compliance through the ROC mechanism.

The proportions of suppliers meeting their obligations through (1) complete fulfilment and (2) partial fulfilment are shown in the tables.

Suppliers and the 3 per cent. Renewables Target in England and Wales (Renewables Obligation)

	Number	Percentage
Suppliers reaching 3 per cent. target	12	31
Suppliers partially meeting 3 per cent. target	11	29
Suppliers failing to meet any of 3 per cent. target	14	40

Suppliers and the 3 per cent. Renewables Target in Scotland (Renewables Obligation Scotland)

	Number	Percentage
Suppliers reaching 3 per cent. target	15	54
Suppliers partially meeting 3 per cent. target	4	14
Suppliers failing to meet any of 3 per cent. target	9	32

Taking all licensed electricity suppliers in Great Britain together, the proportion of the Renewables Obligation met by the actual supply of renewables in 2002–03 was 58.9 per cent.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what estimate she has made of the cost to UK companies of meeting current targets for the purchase of renewable energy. [142148]

Mr. Timms: The costs of the Renewables Obligation, the Government's main policy instrument for the achievement of our 10 per cent. renewable energy target for 2010, are expected to be passed on by electricity supply companies to electricity consumers across the industrial, commercial and domestic sectors. The Government estimates that, by 2010–11, the impact of the Renewables Obligation on electricity prices will be the equivalent of an average increase of 4.9 per cent. in real terms over actual 1999 prices.

Standardisation

Mr. Sheerman: To ask the Secretary of State for Trade and Industry what measures she is taking to push standardisation as part of an export and growth drive. [140536]

Ms Hewitt: The National Standardisation Strategic Framework (NSSF) sets out to promote standardisation to the benefit of business, government and society. Within this Framework, the British Standards Institution (BSI) is aligning its activity in international standards making (ISO standards) to changing British business interests. An objective stated in the NSSF is to "Optimise the use of standardisation as an international gateway to achieve more open markets, reduce technical barriers to trade, UK trading advantage, technology transfer and international development objectives". We are currently determining how best to pursue this objective. It may be that promotion of UK or European standards will form part of the Government's support for certain sectors of UK business in key export markets.

Timber

Mr. Gardiner: To ask the Secretary of State for Trade and Industry by what means the policy for purchasing timber and timber products of *(a)* the Department, *(b)* Companies House, *(c)* the Employment Tribunals Service, *(d)* the Insolvency Service, *(e)* the National Weights and Measures Laboratory, *(f)* the Patent Office, *(g)* the Radiocommunications Agency and *(h)* the Small Business Service ensures that they are obtained from legal and sustainable sources. [141341]

Ms Hewitt: The Department's London headquarters estate (including SBS) operates an environmental management system certified to ISO14001. This environmental management system (EMS) sets out the policy and procedure to be followed in the procurement of timber products. The EMS requires timber to be FSC or equivalent certification. All other buildings within the DTI HQ estate but outside of London are subject to the same procurement criteria.

Letter from David Smith to Mr. Barry Gardiner, dated 9 December 2003:

The Secretary of State for Trade and Industry has asked me to reply on behalf of the Radiocommunications Agency to your Parliamentary Question detailing by what means the policy for purchasing timber and timber products ensures that they are obtained from legal and sustainable sources.

I can confirm that, where the Agency has had the need to procure timber products, it has followed the Department's strict guidelines on purchasing from qualified and certified organisations. All of the Agency's timber products are purchased from suppliers who have satisfied the Department's and the OGC's strict monitoring and inspections regime on producing goods from legal and sustainable sources.

Letter from Alison Brimelow to Mr. Barry Gardiner, dated 9 December 2003:

I am replying to this parliamentary question, tabled on 28 November 2003, regarding the policy of purchasing timber and timber products.

The Patent Office does not purchase timber direct from any suppliers. However, furniture is purchased through the Office of Government Commerce's (OGC) Buying Solutions Framework Agreement where it is a requirement that preferred suppliers hold the relevant Forestry Stewardship Council (FSC) certification. Where we engage the use of contractors for minor building work requirements, they must provide evidence that timber products are sourced from managed and sustainable sources.

In addition, the Patent Office is presently working towards an environmental management system certified to EN ISO 14001.

Letter from Dr. J. W. Llewellyn to Mr. Barry Gardiner, dated 9 December 2003:

The Secretary for Trade and Industry has asked me to reply on behalf of the National Weights and Measures Laboratory (NWML) to your question on what means the policy for purchasing timber and timber products of the National Weights and Measures Laboratory ensures that they are obtained from legal and sustainable sources.

The National Weights and Measures Laboratory (NWML) is part of the DTI HQ estate and thus is within the scope of the Department's environmental management system, which is certified to ISO 14001. This management system sets out the policy and procedure for procurement of timber products and requires FSC or equivalent certification. Furniture for NWML is purchased from Kinnarps who are an approved OGC supplier. Stationery is purchased mainly from Guilbert (UK) who hold the DTI stationery contract. Where possible products are obtained from their 'environmental benefit' range.

Letter from Desmond Flynn to Mr. Barry Gardiner, dated 9 December 2003:

I refer to your question tabled on 28 November 2003 to Patricia Hewitt regarding the use of timber and timber products. I have been asked to reply to you in relation to The Insolvency Service.

Although we are not major consumers of timber products The Service's policy is always to specify to contractors and suppliers that these materials are provided from sustainable sources. We also require prospective suppliers to confirm this with their bids for our work. Timber is mainly used in office refurbishment projects whereas our office furniture these days is invariably made from melamine-faced chipbord (MFC), rather than virgin timber.

Letter from Roger Heathcote to Mr. Barry Gardiner, dated 9 December 2003:

You asked the Secretary of State for Trade and Industry by what means the Department's policy for purchasing timber and timber products ensures they are obtained from legal and sustainable sources. I have been asked to reply on behalf of the Employment Tribunals Service (ETS), which is an Agency of the DTI.

All furniture supplies are purchased through contracts let by the Office of Government Commerce in respect of which the suppliers have already established proof of conforming with the necessary legal and sustainable requirement in respect of timber. The same requirement is built into our standard terms of contract for works services.

Letter from Claire Clancy to Mr. Barry Gardiner, dated 9 December 2003:

I am responding to your recent Parliamentary Question to the Secretary of State for Trade and Industry on behalf of Companies House, which is an Executive Agency of the DTI.

Companies House operates an environmental management system certified to ISO14001. This sets out the policy and procedure to be followed in the procurement of timber products. Any purchases are therefore from Forestry Stewardship Council accredited sources.

US-UK Energy Dialogue

Matthew Taylor: To ask the Secretary of State for Trade and Industry what progress has been made in the US-UK Energy Dialogue to enhance co-ordination and co-operation on energy issues between Britain and the United States of America; on what dates since 1 January she has held meetings with the United States Commerce Secretary at which the US-UK Energy Dialogue was discussed; and where each of these meetings was held. [142390]

Mr. Timms: Officials from US Departments of Energy, Commerce and State meet regularly with officials in the Department of Trade and Industry and FCO to discuss shared interests in the field of energy. Topics include security and diversity of international energy supplies, the role of energy in development, how to promote clean energy technologies to address security of supply and environmental challenges, and national energy policy. We have had detailed discussions on science and technology matters and used the existing

Memorandum of Understanding to develop joint activities on the contribution of basic science to meeting energy challenges, cleaner fossil fuels, the development of a hydrogen economy and carbon capture and storage.

My right hon. Friend the Secretary of State for Trade and Industry has not had any meeting with Department of Commerce Secretary Don Evans to discuss energy issues this year.

Written Answers to Questions

Wednesday 10 December 2003

LEADER OF THE HOUSE

Parliamentary Data and Video Network

Michael Fabricant: To ask the Leader of the House whether hon. and right hon. Members will be allowed to remain remotely connected to the parliamentary network during a Dissolution of Parliament. [142800]

Mr. Hain: I understand that the Information Committee will be examining Dissolution arrangements in due course.

Catering

Mr. Dennis Turner: To ask the Leader of the House pursuant to his answer to the hon. Member for North-East Hertfordshire (Mr. Heald) on 27 November 2003, *Official Report*, column 129, what the change in demand for the Members' Dining Room has been since the change in sitting hours of the House. [143580]

Mr. Hain: I inadvertently gave a figure of five per cent. for the increase in demand for the Members' Dining Room since the new sitting hours came into effect. The correct figure was 0.5 per cent. based on a comparison of covers served in January-October 2003 against January-October 2002. I am grateful for this opportunity to correct the record.

CONSTITUTIONAL AFFAIRS

Census 1911

Mr. Carmichael: To ask the Parliamentary Secretary, Department for Constitutional Affairs when he plans to release the 1911 decennial population census for England and Wales. [141913]

Mr. Leslie: The 1911 census returns, now in the custody of the National Archives, are currently closed for 100 years by Lord Chancellor's Instrument no. 12 of 1966, on the grounds that the information was supplied in strict confidence. s5(2) of the Public Records Act 1958 provides for the extension of the normal 30-year closure period in such cases. The National Archives is, therefore, currently considering ways of making the 1911 census data generally available to the public at the end of the 100 year closure period.

Legal Finance

Mr. Dismore: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much was spent on barristers' fees for criminal legal aid in 2002–03; and how much of this was attributable to payments to QCs. [141418]

Mr. Leslie: Spending on barristers fees in the Crown court and above during 2002–03 was £317.36 million and £1.4 million for assigned counsel in the magistrates court. £0.4 million was also paid to counsel (both assigned and unassigned) for residual work not covered under the General Criminal Contract. It is estimated that of this amount, £76 million was paid to QCs. It is not possible to give a precise figure because the type of barrister is not always recorded.

Legal Advice (Matrimonial Disputes)

Gareth Thomas: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps the Legal Services Commission is taking to ensure adequate provision in Wales for legal advice in relation to matrimonial disputes. [142408]

Mr. Leslie: In order to ensure adequate provision of legal advice across Wales in all categories of law, including matrimonial disputes, the Legal Services Commission (LSC), the Legal Services Committee for Wales, and the local Community Legal Service Partnership monitor provision on a regular basis. Where gaps in provision are identified, the LSC can re-allocate the number of publicly funded legal matters which suppliers can start in any particular category of law, in order to meet priority needs. In addition, the LSC has just announced that solicitors in England and Wales can start an additional 20,000 legal matters by April 2004.

Supreme Court

Mr. Lazarowicz: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether it is his policy that the proposed Supreme Court for the UK should sit outside London on *(a)* an occasional and *(b)* a permanent basis. [142709]

Mr. Leslie: It is envisaged that the main permanent base of the Supreme Court will be in London; however, no final decision has yet been taken. That would not preclude the court sitting elsewhere in the United Kingdom from time to time when it is judged appropriate to do so.

WALES

Small Businesses

8. **Mr. Bellingham:** To ask the Secretary of State for Wales, how much money was spent by the Government on assisting small businesses in Wales in 2002–03. [142076]

Mr. Hain: The Welsh Assembly Government provides financial support for small businesses. The majority of this is supplied by the WDA, which contributed more than £75 million in 2002–03. In addition UK Government supports small businesses through cost saving initiatives such as R&D tax credit, the improvement of the Small Firms Loan Guarantee Scheme and raising the audit threshold for SMEs.

Police Grant

9. **Mr. Roger Williams:** To ask the Secretary of State for Wales, what recent discussions he has had with the Home Department about the police grant for Wales. [142077]

Mr. Touhig: My right hon. Friend and I have regular discussions with colleagues about matters affecting Wales.

Higher Education

10. **Ian Lucas:** To ask the Secretary of State for Wales, what discussions he has had with the Education Secretary of the National Assembly for Wales Government concerning the funding of higher education courses in England for students from Wales. [142078]

Mr. Hain: Welsh students are currently eligible to apply for fee remission grants to cover tuition costs and for income contingent loans for living costs. From 2004–05, students will also be eligible for the new HE grant of up to £1,000.

Barnett Formula

11. **Mr. Win Griffiths:** To ask the Secretary of State for Wales, what discussions he has had with *(a)* the Treasury and *(b)* the National Assembly for Wales Government on the outcome of the Yvonne Watts v Bedford Health Authority case on the Treasury block grant for Wales under the Barnett formula. [142079]

Mr. Touhig: As the Government is appealing against the ruling in this case, it would not be appropriate for me to speculate on the final outcome of the case. However, funding for the NHS in Wales is a matter for the National Assembly for Wales, which is free to allocate resources from within the block grant as it sees fit. The Government has no current plans to review the Barnett formula which has produced fair and transparent settlements over the years.

Flooding

12. **Miss McIntosh:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about flooding in Wales. [142080]

Mr. Touhig: My right hon. Friend and I have regular discussions with Assembly Secretaries about issues affecting Wales, including flooding and flood prevention measures. The Assembly has recently consulted on new flood defence management arrangements for Wales.

Police Funding

13. **Gareth Thomas:** To ask the Secretary of State for Wales what recent discussions he has had with the First Secretary about police funding in Wales. [142081]

Mr. Touhig: My right hon. Friend and I have regular discussions with colleagues about matters affecting Wales.

Community Support Officers

14. **Mr. Martyn Jones:** To ask the Secretary of State for Wales how many community support officers there are in Wales. [142082]

Mr. Touhig: Funding has been made available for 113 Community Support Officers in Wales.

In July I met with a group of Community Support Officers based in my own constituency who are already coming to be recognised as a valuable part of the local policing team.

Parliamentary Constituencies

15. **Huw Irranca-Davies:** To ask the Secretary of State for Wales what representations he has made to the Boundary Commission for Wales about the fifth general review of parliamentary constituencies in Wales. [142083]

Mr. Hain: None.

Art Acquisition

Norman Baker: To ask the Secretary of State for Wales how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 was; how much it cost; and what the total revenue raised by his Department through sales of its works of art has been since 1997. [142363]

Mr. Hain: The Wales Office was established in 1999. Since then the Department has not purchased or sold any works of art. However, my office does showcase a collection of Welsh artwork loaned to both our offices in Gwydyr House and Cardiff by the Government Art Collection and National Museums and Galleries.

Big Conversation

Mr. Heald: To ask the Secretary of State for Wales what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143158]

Mr. Hain: I refer the hon. Member to the answer I gave yesterday as Leader of the House of Commons, at column 355W.

Council Tax

Mr. Wiggin: To ask the Secretary of State for Wales what the average council tax in Wales is in 2003–04. [142575]

Mr. Hain: Figures published by the National Assembly on 25 March show that the average band D council tax for 2003–04 is £837.

EU Landfill Directive

Mr. Wiggin: To ask the Secretary of State for Wales what discussions he has had with the National Assembly for Wales to ensure Wales plays its part in meeting the commitment to the EU Landfill Directive target of 25 per cent. of 1995 levels by 2010. [140815]

Mr. Touhig: My right hon. Friend and I have regular discussions with Assembly Secretaries about matters affecting Wales. In June 2002, the Assembly published a comprehensive national waste strategy for Wales: "Wise about Waste". It contains challenging targets for local authorities to increase their recycling and composting of municipal waste to 40 per cent. by 2010. The Assembly has also issued guidance to local authorities to assist the development of their own municipal waste management strategies. There has been some early and encouraging progress showing significant increases in recycling and composting: for example eight authorities have reported achieving the initial 15 per cent. target for 2003–04 by 2002–03.

EU Structural Funds

Adam Price: To ask the Secretary of State for Wales what discussions he has had with colleagues in the National Assembly for Wales Government on the repatriation of European funds. [140538]

Mr. Hain: I have regular discussions with colleagues in the National Assembly for Wales on the future of European structural funds, and I am keeping abreast with the latest developments.

Adam Price: To ask the Secretary of State for Wales what discussions he has had with the Treasury on the repatriation of European structural funding. [140539]

Mr. Hain: I have regular discussions with the Treasury on the future of European structural funds, and I am keeping abreast with the latest developments.

Gross Domestic Product

Mr. Wiggin: To ask the Secretary of State for Wales what the Welsh gross domestic product per capita figures are since 1990. [141162]

Mr. Hain: The available information is given in the following table. Gross value added (previously known as gross domestic product) is only available at the prevailing price levels in each year.

Gross value added per capita in Wales, current basic prices:

Per capita

£

	Amount
1990	7,212
1991	7,450
1992	7,742
1993	8,106
1994	8,565
1995	9,020
1996	9,427
1997[1]	9,860
1998[1]	10,273
1999[1]	10,593
2000[1]	10,987
2001[1]	11,396

[1] Provisional.

Source:

Office for National Statistics, regional accounts

Job Creation

Mr. Wiggin: To ask the Secretary of State for Wales how many jobs have been created in Wales since 1997 in *(a)* the public and *(b)* the private sector. [141161]

Mr. Touhig: Comparing the 12 months to August 2003 with 1997, there has been an increase of 49,000 people employed in the public sector and 61,000 employed in the private sector in Wales.

Source:

Labour Force Survey

Ministerial Visits

Mr. Wiggin: To ask the Secretary of State for Wales how many visits he has made to Bangor in his capacity as Secretary of State for Wales. [142574]

Mr. Hain: I regularly visit different parts of Wales and have been to Bangor twice in my capacity as Secretary of State for Wales.

Neath Port Talbot Hospital

Mr. Wiggin: To ask the Secretary of State for Wales if he will make a statement on the meeting he had with health officials on 7 November on the future of the Neath Port Talbot Hospital. [141164]

Mr. Hain: I attended this meeting as a constituency engagement as the Member of Parliament for Neath.

Owain Glyndwr (Commemoration)

Adam Price: To ask the Secretary of State for Wales what discussions he has had with his colleagues in the National Assembly for Wales Government on the organisation of events to commemorate Owain Glyndwr in 2004. [140542]

Mr. Touhig: I have regular meetings with Assembly Secretaries on a range of issues affecting Wales.

I understand that a number of organisations have made representations to the National Assembly about this anniversary. The assembly is considering how the event should be commemorated.

Regiments

Mr. Wiggin: To ask the Secretary of State for Wales how many Welsh regiments he has visited in 2003. [142573]

Mr. Hain: I recently met Brigadier Iain Cholerton prior to him taking up his new post as commander of the senior royal regiment of Wales. I also met with his predecessor. We discussed the possibility of a visit in the near future.

DEFENCE

Al Yamamah Contract

Mr. Cousins: To ask the Secretary of State for Defence who determines the *(a)* prices, *(b)* specifications and *(c)* standards of the items set out in the Al Yamamah contract; and by what procedures prices, specifications and standards are revised. [142584]

Mr. Ingram: Al Yamamah is a Government-to-Government agreement. Its content and all revisions are negotiated and agreed between officials of the United Kingdom and Saudi Arabian Governments.

Mr. Kilfoyle: To ask the Secretary of State for Defence what liaison he has had since 3 November with the Serious Fraud Office on the allegations made by Mr. Edward Cunningham relating to the Al Yamamah programme. [142113]

Mr. Ingram: None.

Bearskins

Mr. Jenkins: To ask the Secretary of State for Defence how many bearskins the Army has purchased in each of the last five years; and whether these bears are *(a)* killed in the wild and *(b)* farmed for their skins. [141855]

Mr. Ingram: A total of 694 bearskin caps have been procured over the last five years.

Calendar year	*Caps procured*
1998	54
1999	166
2000	232
2001	63
2002	179
Total	694

The pelts used in the manufacture of bearskin caps are purchased through a licensed agent and imported under licence from Canada. We understand from manufacturers that the pelts are supplied from bears hunted as part of the quotas established under the Canadian Provinces' conservation plans.

One bear pelt can make on average between one and two caps. A cap refurbishment programme has been in place since 2001 with the aim of reducing the requirement for new caps to a minimum. A total of 430 caps have been refurbished since this programme began.

Deepcut Barracks

Mr. McNamara: To ask the Secretary of State for Defence what role Ministry of Defence Police officers have had in the reopened police investigation of deaths at Deepcut barracks; and how many potential witnesses were canvassed and interviewed by military personnel in the investigations into the deaths of *(a)* Mr. Sean Benton, *(b)* Cheryl James, *(c)* Mr. Geoff Gray and *(d)* Mr. James Collinson. [143128]

Mr. Ingram: In response to a request from Surrey Police, two Ministry of Defence Police Detective Constables were seconded to the Surrey Police team for the duration of their investigation into the Deepcut deaths. During the secondment the two officers have been at all times under the full operational control of that Force. The details of the investigations are matters for the Surrey Police.

Defence Export Services Organisation

Mr. Cousins: To ask the Secretary of State for Defence whether the *(a)* costs and *(b)* offsetting receipts of government-to-government defence export programmes are included in the administration and sales promotion expenses of the Defence Export Services Organisation staff in the central Top Level Budget. [142416]

Mr. Ingram: The costs and offsetting receipts of government-to-government defence export programmes are included in the Administration and Sales Promotion expenses of the Defence Export Services Organisation staff in the Central Top Level Budget. Details of these expenses are published in Table 11 (Export of Defence Equipment) of Cmd 5912, the Government's Expenditure Plans (Ministry of Defence) 2003–04 to 2005–06.

Eurofighter Typhoon

Mr. Steen: To ask the Secretary of State for Defence when the contracts will be awarded for the second tranche of the Eurofighter project; how much the contracts will be for; and if he will make a statement on the reasons for the delay. [142303]

Mr. Ingram: Intense work is under way involving our partner nations and industry to enable contracts for the second tranche of Eurofighter Typhoon aircraft to be placed as soon as possible. The cost to the United Kingdom is expected to be of the order of £5,000 million. Under the original schedule, the contracts had been due to be placed during 2003 but the programme, including the delivery of Tranche 1 aircraft, has been subject to delay. We are determined to ensure that Industry's proposals for Tranche 2 are soundly based to deliver capability to a schedule against which the Royal Air Force can plan with confidence.

Norman Lamb: To ask the Secretary of State for Defence if he will make a statement on the planned interchangeability of weapons between the Eurofighter Typhoon aircraft ordered by the four partner nations. [141978]

Mr. Ingram: It will be physically possible to fit and operate any weapon that has been integrated with Typhoon on any nation's Typhoon aircraft, although not all nations would necessarily have the airworthiness clearance and training to use any weapons. There are currently no plans for one nation to use weapons bought by another.

Norman Lamb: To ask the Secretary of State for Defence whether gun safety indicators will be fitted to the RAF's operational Eurofighter Typhoon aircraft. [141979]

Mr. Ingram: We currently have no requirement for Typhoon to be armed with a gun. For overall armament safety there is a Remote Position Indicator for the Master Armament Safety Switch (MASS), which removes power from all the armament systems on the aircraft, and confirms to the groundcrew, before they approach the aircraft, that the MASS has been set to safe.

Norman Lamb: To ask the Secretary of State for Defence what assessment has been made of the speed limitations caused by the external carriage of weapons on the Eurofighter Typhoon; and whether the merits of an internal weapons bay in this respect have been assessed. [141980]

Mr. Ingram: Assessments have been carried out to determine the flight limitations necessitated by the thermal effects of high-speed carriage of weapons on the Eurofighter Typhoon. The merits of an internal weapons bay were assessed during the early design phase of the aircraft. However, this arrangement was rejected because the aircraft was designed primarily for the air superiority role where the rapid availability of weapons mounted on external pylons offers greater operational advantage.

Norman Lamb: To ask the Secretary of State for Defence whether the weapons suspension points on the RAF's operational Eurofighter Typhoon aircraft will be compatible with Military Standard 1760; and if he will make a statement. [141982]

Mr. Ingram: All the weapons suspension points on the RAF's operational Eurofighter Typhoon will be compatible with Military Standard 1760.

Norman Lamb: To ask the Secretary of State for Defence whether a competition process is intended between bidders for a mid-life update to the RAF's Eurofighter Typhoon aircraft; and if he will make a statement. [141983]

Mr. Ingram: Typhoon's incremental acquisition strategy means that enhancements to the aircraft's capabilities will be incorporated progressively after its initial entry into service. It is too early in the Typhoon programme to consider whether a formal mid-life update for the aircraft might be needed or how it might best be achieved.

Future Strategic Tanker Aircraft Programme

Mr. Gerald Howarth: To ask the Secretary of State for Defence what the implications are for the UK's acquisition of air tanker aircraft of the US Department of Defense's re-examination of the equivalent programme. [142779]

Mr. Ingram: None.

Hawk Jet Trainer

Mr. Gerald Howarth: To ask the Secretary of State for Defence what progress is being made in finalising the contractual arrangements between his Department and BAe Systems in respect of the acquisition of Hawk 128 Advanced Jet Trainers. [141990]

Mr. Ingram: Good progress has been made to date with BAE Systems. A contract for risk reduction activities is expected to be signed before the end of the year. Negotiations towards a final contract for Hawk 128 continue.

Hercules

Mr. Gray: To ask the Secretary of State for Defence if he will list the C-130K Hercules airframes, giving the out-of-service dates of each. [142604]

Mr. Ingram *[holding answer 8 December 2003]:* Based on current predictions it is expected that the RAFs Hercules C-130K fleet will be retired around the end of this decade. The out of service dates for individual aircraft have yet to be decided.

Mr. Gray: To ask the Secretary of State for Defence what work is planned to upgrade the C-130K fleet; whether this will include upgrading of the wings; and what effect such upgrades will have on the out-of-service dates of each aircraft. [142638]

Mr. Ingram: On current plans it is expected that the RAF's Hercules C-130K aircraft will be progressively withdrawn from service from around the end of this decade to be replaced by A400M aircraft. Consequently there is no upgrade programme for the C130K fleet. However, a small number of aircraft have had their capabilities enhanced to meet the demands of recent operations in Afghanistan and Iraq. This did not include upgrading of their wings.

Israel

Norman Baker: To ask the Secretary of State for Defence what his policy is on the supply to Israel of *(a)* weapons and *(b)* machine parts that can be used to enhance that country's (i) nuclear and (ii) biological weapons capability. [142335]

Mr. MacShane: I have been asked to reply.

As with export licence applications for all other countries, licences for the supply of strategic goods to Israel are assessed on a case-by-case basis against the Consolidated EU and National Export Licensing Criteria. The criteria ensure that proper consideration is taken of the risk of the goods being used for either internal repression or external aggression. The assessment includes careful consideration of the possible, as well as the stated, end-use of any equipment supplied.

The Government would not issue an export licence that was in contravention of the criteria.

Marine Navigational Aids PFI

John Thurso: To ask the Secretary of State for Defence (1) when the public private partnership/private finance initiative project for the provision of MoD marine navigational aids is to be concluded; and what the cost to the Department has been; [142535]

(2) if he will list the parties involved in the public private partnership/private finance initiative project for the provision of MoD marine navigational aids; [142536]

(3) what consultation he has had with *(a)* the Maritime and Coastguard Agency, *(b)* Trinity House, *(c)* the Northern Lighthouse Board and *(d)* the Commissioners for Irish Lights regarding the public private partnership/private finance initiative contract for the provision of marine navigational aids. [142537]

Mr. Ingram: The future provision of Marine Services, which includes work relating to marine navigational aids, is the subject of a PPP/PFI Acquisition programme. These services are currently provided by Serco Denholm, under a Government Owned-Contractor Operated (GOCO) arrangement and by the Royal Maritime Auxiliary Service (RMAS). The RMAS are currently responsible for the laying/recovery and annual maintenance of some 205 navigational buoys around the coast of the British Isles. Under current plans, the design authority for navigational buoys and the supply of related mooring materials will also be transferred to the successful bidder.

Invitations to Negotiate have been issued to Serco Denholm Ltd and a consortium led by Babcock Naval Services Ltd. The RMAS have also been given the opportunity under the Acquisition programme to compete for a package of work similar in scope to their current portfolio. Announcement of the preferred option is planned in early 2005 with the conclusion of the PPP/PFI programme expected in Autumn 2005.

Maintenance of MOD navigational buoys represents a small part of the future provision of Marine Services programme and it is not possible to identify separately the management costs for this aspect alone.

Discussions took place with the General Lighthouse Authorities (GLAs), Non-Departmental Public Bodies sponsored by the DfT, in 2001 to determine whether there was scope for the GLAs to take over the maintenance and upkeep of MOD UK navigational buoys. However, it was subsequently decided not to proceed as such an arrangement would provide little benefit to the MOD. No further discussions on this matter have taken place either with public or private sector bodies.

National Defence Industries Council

Mr. Keetch: To ask the Secretary of State for Defence if he will list the industrial members of the National Defence Industries Council; what the criteria are for their appointment; and if he will make a statement. [141843]

Mr. Ingram: The industry members of the National Defence Industries Council (NDIC) currently are:

Sir Richard Evans: Chairman, Defence Industries Council and Chairman, BAE Systems plc
Mr. Andrew Davies: Vice President Defence, Intellect
Mr. Martin Jay: President, Society of Maritime Industries
Sir David Lees: Chairman, GKN plc
Mr. Nick Prest: Chairman, Defence Manufacturers Association
Mr. Gordon Page: President, Society British Aerospace Companies
Dr. Sally Howes: Secretary, Defence Industries Council
Mr. Simon Frost: Chairman, Claverham Group
Mr. Alex Dorrian: Chief Executive Officer, Thales Defence Ltd.
Mr. Colin Green: President of Defence Aerospace, Rolls-Royce plc
Mr. Tony Pryor: Chairman Devonport Management Ltd., and Chief Operating Officer Europe and Africa, Kellogg Brown and Root

The NDIC is the senior body that provides a focus for regular consultation between the Ministry of Defence and industry on questions of defence supply and procurement of mutual concern, and defines areas for joint study.

Appointment to the NDIC is at the discretion of the Secretary of State. The industry membership comprises the senior representatives of the four main trade associations, senior industrialists, representatives of the service sector and representatives of small and medium-sized enterprises, who are invited on an individual basis.

Qatar

Matthew Taylor: To ask the Secretary of State for Defence whether BAE Systems sought the advice of the *(a)* Ministry of Defence and *(b)* the Defence Export Services Organisation on whether commissions for Shaik Hamad bin Jassin bin Jaber al-Thari were legitimate in connection with a defence equipment package for Qatar signed in 1996. [142412]

Mr. Ingram: No evidence has been found in available records of advice being sought from the Ministry of Defence (including the Defence Export Services Organisation) on the question of commission payments in connection with a defence equipment package for Qatar signed in 1996.

Recruitment

Lady Hermon: To ask the Secretary of State for Defence what proportion of the armed forces recruitment budget was spent in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in each year since 1997; and if he will make a statement. [142676]

Mr. Caplin: The total recruiting budget for each Service in each year since 1997–98 was as follows:

£ million

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
RN/RM	25.4	28.5	28.7	30.8	33.1	29.9
Army	53.9	48.1	53.0	55.2	65.5	71.8
RAF	27.4	30.6	27.4	28.2	29.7	31.0

The proportion of the recruiting budget spent by country was:

Percentage

	1997–98	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
RN/RM						
England	81	81	81	80	81	81
Wales	6	6	6	6	5	6
Scotland	11	11	11	12	12	11
Northern Ireland	2	2	2	2	2	2
RAF						
England	27	25	29	29	29	29
Wales	2	2	3	3	3	3
Scotland	4	4	5	5	5	5
Northern Ireland	3	1	1	1	1	1

The remainder of the budget was taken up by National recruiting campaigns and Central costs. The Army's recruiting budget is managed centrally and cannot be broken down in the format requested.

Territorial Army (Balkans)

Mr. Flight: To ask the Secretary of State for Defence how many Territorial Army personnel are serving in the Balkans. [143345]

Mr. Caplin: As at 1 December 2003, 182 Territorial Army personnel were mobilised for service in the Balkans.

Tornado

Norman Lamb: To ask the Secretary of State for Defence why new shoulder weapons pylons were not procured for the upgrade of Tornado GR1 aircraft to GR4 standard; and if he will make a statement. [141981]

Mr. Ingram: The shoulder weapon pylons on the Tornado GR1 were upgraded to Tornado GR4 standard as part of the Tornado GR1 mid-life upgrade programme. There was therefore no requirement to procure new shoulder weapon pylons.

Warships

Dr. Julian Lewis: To ask the Secretary of State for Defence if he will list significant *(a)* accidents and *(b)* fires on RFA Argus within the past six months. [143259]

Mr. Ingram: There have been no accidents on RFA Argus in the last six months. However, the ship is currently undergoing a refit and on 2 December a small fire occurred during work on her boiler. Damage was limited to the boiler and Argus is expected to return to service, as planned, early next year.

WORK AND PENSIONS

Occupational Pensions

Mr. McWalter: To ask the Secretary of State for Work and Pensions what help he can offer pensioners who have lost money because the occupational schemes of their insolvent employers have been administered under the Pensions Act 1995 since 6 April 1997. [142110]

Mr. Woodward: To ask the Secretary of State for Work and Pensions (1) what the Government's policy is on establishing a compensation fund for payments backdated to 1997 to pension scheme members who would be entitled to final salary pensions where the scheme *(a)* has been wound up and *(b)* is being wound up where there are insufficient assets fully to meet the scheme pension liabilities; [142378]

(2) what proposals the Government have to make the proposed Pension Protection Fund retrospective from the introduction of the Pensions Act 1995. [142382]

Malcolm Wicks: The Government have great sympathy for the pension scheme members who have suffered pension losses due to their insolvent company's scheme winding up underfunded. These cases have highlighted the need for urgent action so that their situation can be avoided in the future. This is why we are amending the priority order, introducing the Pension Protection Fund and strengthening the employer debt by introducing the full buy out provision.

When the introduction of the Pension Protection Fund (PPF) was announced on 11 June 2003, *Official Report*, column 683, my right hon. Friend the Secretary of State stated that it would be introduced as soon as parliamentary time allows, and that it would apply to the future, not retrospectively.

Ministers have been meeting those affected by pension losses in order to understand their plight and to listen to suggestions regarding assistance ahead of the PPF's introduction. However, to provide help for those who have already lost out would raise a number of complex and difficult issues, and, as a result, Ministers have emphasised that they do not want to raise false hope in this area.

Mr. Woodward: To ask the Secretary of State for Work and Pensions (1) what the Government's policy is in relation to the protection of pension rights on employer insolvency under Article 8 of the EU Insolvency Directive of 1980; [142373]

(2) if he will make a statement on how the Government has complied with Article 8 of the EU Insolvency Directive of 1980. [142374]

Malcolm Wicks: Our policy in relation to Article 8 of the EU Insolvency Directive of 1980, is to safeguard certain contributions that members pay into occupational pension schemes.

We meet our obligations under Article 8 of the Insolvency Directive, as successive Governments have done since it was adopted in 1980. Under the Employment Rights Act 1996 and the Pensions Scheme Act 1993, the Redundancy Payments Directorate, on behalf of the Secretary of State for Trade and Industry, makes insolvency payments from the National Insurance Fund (NIF) to qualifying former employees. The amounts payable from the NIF are subject to statutory upper limits. In addition, the Pensions Act 1995 requires salary-related schemes to meet the Minimum Funding Requirement (MFR), and provides for a statutory priority order for the distribution of a scheme's assets if a scheme, that is required to meet the MFR, winds up.

Mr. Woodward: To ask the Secretary of State for Work and Pensions (1) what the Government's estimate is of the number of final salary pension funds that *(a)* have been wound up and *(b)* are being wound up since the introduction of the Pensions Act 1995; and how many of those employers were (i) solvent and (ii) insolvent at the time of winding-up; [142375]

(2) what estimate the Government has made of the total value of pensions lost since 1997 as a consequence of final salary pension schemes that *(a)* have been wound up and *(b)* are being wound up by (i) solvent and (ii) insolvent employers; [142376]

(3) if he will list by *(a)* region and *(b)* constituency final salary pension schemes which (i) have been wound up and (ii) are being wound up by (A) a solvent and (B) an insolvent employer in each year since 1997. [142377]

Malcolm Wicks: The Pensions Schemes Registry (PSR), administered by the Occupational Pension Schemes Regulatory Authority (OPRA), holds information on the number of final salary schemes which are currently in the winding-up process and the number of schemes which have entered and completed winding-up. The registry database is, however, limited in a number of ways as described in the footnote. Consequently, it does not provide all the information requested, though it nevertheless remains the most comprehensive source of information available on the aggregate number of pension schemes in the UK.

According to the PSR's most recent data, around 1,400 private sector final salary schemes were in the winding-up process at the beginning of September, and around 4,800 private sector final salary schemes have completed winding-up. The data does not permit any further analysis on whether these schemes have commenced/completed winding-up prior to 1997 or 1995.

It is not possible to split the above by whether they are connected to a solvent or insolvent employer. No alternative data source exists to provide this information. Also, the information collected does not facilitate analysis by region or constituency. As regards estimating the value of pensions lost (due to winding-up), this is also fraught with numerous difficulties. The extent of loss depends on many different factors—such as the maturity of the scheme (that is, the age profile and retirement status of members), and the funding position before starting winding-up. The latter in turn is highly sensitive to investment decisions and conditions in the financial markets. With no information to draw on at an aggregate level, we are unable to comment on the extent of scheme under-funding and losses arising from wind-up. The PSR, as mentioned, was not designed originally for the purposes of such analysis, and therefore does not provide information on scheme funding positions and costs.

Note:

The Pension Schemes Registry (PSR) is not designed or intended to provide a comprehensive or continuous statistical record of the status of schemes. The PSR registers schemes for tracing purposes and collects the levy from pension schemes, including those in the process of winding-up. New scheme data are being reported to the PSR on a continuous basis. Therefore, the figures are subject to continuous revision. When a scheme has changed status, the previous status of the scheme is not recorded on the Registry. Schemes have up to 12 months to notify OPRA of any status change.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what estimate the Government has made of the cost of paying compensation backdated to 1997 for pension scheme members who would be entitled to final salary pensions where the scheme is *(a)* wound up and *(b)* being wound up and where there were insufficient assets to fully meet the scheme pension liabilities. [142379]

Malcolm Wicks: It is not possible to provide an estimate of the cost of a compensation arrangement without a range of assumptions, including assumptions about the nature and level of compensation to be provided, the number of people covered and the degree of underfunding in their pension schemes.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what the Government's policy is on the guarantee of members' future pension benefits of existing final salary pension schemes in the period before the introduction of the proposed Pension Protection Fund. [142383]

Malcolm Wicks: The Pensions Act 1995 makes provision for the payment of compensation to trust-based occupational pension schemes in cases of dishonesty. The compensation scheme should provide some help where the sponsoring employer is insolvent and the value of the scheme assets has been reduced as a result of dishonesty.

There is legislation currently in place that provides that, when a salary-related occupational pension scheme winds up, any deficiency in the pension fund becomes a debt on the employer. The Government have issued draft regulations designed to strengthen this protection. They state that where a scheme is wound up and the sponsoring employer is solvent, the employer should ensure that there are sufficient funds in the scheme to meet the full costs of the rights accrued by scheme members, unless doing so would put the company itself at risk.

The current legislation provides a statutory priority order for distribution of assets on wind-up. We have issued draft regulations on a revised statutory priority order that will ensure that the degree of protection offered will reflect the length of time a member has been contributing to the scheme.

We are planning for both sets of regulations to come into force in early 2004.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what the Government's policy is on protecting the accrued pension rights inherent in the value of money transferred into employer defined benefit occupational pension schemes from other schemes, to prevent loss of these sums as a consequence of employer insolvency. [142385]

Malcolm Wicks: The current legislation which applies when a defined benefit occupational pension scheme winds up does not differentiate between accrued pension rights that have been transferred into a scheme, and other accrued rights that are already in the scheme. We have no plans to alter this position.

We have announced a package of measures to protect all members of defined benefit occupational pension schemes when their employer becomes insolvent. These include the introduction of the Pension Protection Fund and refinements to the priority order.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what plans the Government have to reduce the time taken to wind up final salary pension schemes. [142386]

Malcolm Wicks: In April 2002, we introduced legislation to speed up the time taken to wind up pension schemes. Trustees are required to make regular progress reports to the Occupational Pensions Regulatory Authority (Opra). Opra can direct that action is taken by those responsible if it considers that the winding up is being unreasonably delayed. Other people involved in running the scheme are required to tell Opra if there are no trustees so that consideration can be given to appointing a trustee. And trustees can apply to Opra for an order to modify the scheme so that it can be wound up.

In addition, there will be proposals in the recently announced Pensions Bill for the introduction of a more hands-on role for the new Pensions Regulator which will be based on risk analysis. This approach will further facilitate the winding up of schemes and will provide welcome support for trustees.

Mr. Woodward: To ask the Secretary of State for Work and Pensions what comparative studies the Government has carried out to establish how the cost of providing annuities to employer final salary schemes in wind-up can be of best value to scheme members. [142387]

Malcolm Wicks: The Government have not carried out studies into the use of annuities when a final-salary scheme is in wind-up. When a pension scheme is in wind-up, its trustees seek to discharge the scheme's liabilities, using annuities to secure pensioners' incomes.

Pension Credit

Mr. Cousins: To ask the Secretary of State for Work and Pensions if he will list the passported benefits for *(a)* Guarantee Pensions Credit, *(b)* Savings Pension Credit and *(c)* Council Tax Benefit. [142658]

Malcolm Wicks: The principal passported benefits for Pension Credit Guarantee Credit and Pension Credit Savings Credit are in the following table.

Benefit/Scheme	*Administration*	*Department*	*Passported by Pension Credit Guarantee Credit*	*Passported by Pension Credit Savings Credit alone*
Assisted Prison Visits	England, Scotland and Wales	Home Office	Yes	No
Court Fees Exemption	England and Wales	Department for Constitutional Affairs	Yes	No
Dental Treatment	England, Scotland and Wales	Department of Health	Yes	No
Discretionary Grant for the Disabled	England	Office of the Deputy Prime Minister	Yes	No
Discretionary Grant for the Disabled	Wales	Welsh Assembly	Yes	No
Home Energy Efficiency Scheme	England	Department for Environment Food and Rural Affairs	Yes	Yes
Home Energy Efficiency Scheme	Scotland	Scottish Executive	Yes	Yes
Home Energy Efficiency Scheme	Wales	Welsh Assembly	Yes	Yes
Improvement and Repair Grants	Scotland	Scottish Executive	Yes	No
Milk Tokens for Pregnant partners	England, Scotland and Wales	Department of Health	Yes	No
Optical Vouchers and Sight Tests	England, Scotland and Wales	Department of Health	Yes	No
Seat Belts—no need to pay for medical evidence for exemption	England, Scotland and Wales	Department for Transport	Yes	No

Legal Aid—Pension Credit Guarantee Credit and Pension Credit Savings Credit will be disregarded in the assessment for financial eligibility for Legal Aid.

People who qualify for a guarantee credit only or who qualify for a guarantee credit and a savings credit will generally get help through Housing Benefit towards all of their eligible rent payments, provided these are reasonable, minus deductions for any non-dependants living with them.

People who receive only the savings credit will not be entitled to full Housing Benefit. Instead, the amount of Housing Benefit they receive will depend upon their income (including their savings credit), their personal circumstances and the amount of their eligible rent. However, the personal allowances used in the Housing Benefit calculation have been enhanced to reflect the maximum savings credit figure. This will ensure that people do not lose the gains from the savings credit in the calculation of their Housing Benefit. This enhancement will apply to all Housing Benefit claimants, aged 65 or over, irrespective of whether they are receiving the maximum savings credit or no savings credit.

Welsh further education tuition fee remission policy is at the discretion of the Further Education College. People in receipt of Pension Credit may (subject to the other criteria) be eligible for a payment from the Social Fund.

People in receipt of Pension Credit have access to the Social Fund subject to the criteria which apply to the different types of Social Fund payment available.

Pension Service

Mr. Webb: To ask the Secretary of State for Work and Pensions how many pensioners *(a)* have requested, *(b)* have received and *(c)* are currently on a waiting list to receive a home visit from the Pension Service local service; and what the average waiting time is before a pensioner can expect to receive a visit. [143082]

Malcolm Wicks: The Pension Service is primarily a telephony-based service delivered through a network of pension centres across the UK. However, for a variety of reasons, not all older people are able to conduct their business in this way and require either a home appointment or an appointment at a location convenient to them. These customers are referred to local service. During October 2003 (latest available statistics), 45,925 such customers were referred to local service from pension centres and 43,601 received home appointments.

There are no 'waiting lists'. The standard for local service is that customers will be offered a convenient home or surgery appointment within 10 working days. Latest available statistics show that this standard is being met in 96.1 per cent of cases. Home visits are sometimes postponed by the customer while relevant documents are obtained or to enable a relative to be present.

Timber

Mr. Gardiner: To ask the Secretary of State for Work and Pensions by what means the policy for purchasing timber and timber products of *(a)* the Department, *(b)* the Appeals Service, *(c)* the Child Support Agency, *(d)* JobCentre Plus and *(e)* the Pension Service ensures that they are obtained from legal and sustainable sources. [141343]

Maria Eagle: The Department's PFI Estates Partner—Land Securities Trillium—supplies the majority of timber products for the Department and all its executive agencies. They were made aware of the requirement to purchase timber from legal and sustainable sources in September 2000, by e-mail and during the regular progress meetings that are held between the Department and Land Securities Trillium.

Land Securities Trillium provide an annual report to the Department, giving information on all their suppliers, the type of timber product supplied and details of all supporting verification. This report is then subject to independent verification.

The roll out of the new Jobcentre Plus service means that there are some contracts for refurbishment of sites that are being let outside of the Department's main PFI estates contract. Details of the model contract specification were circulated to the relevant procurement team. A requirement for evidence of the sustainability of timber was included within all contracts. The Department is currently reviewing what evidence has been supplied to date.

Winter Fuel Allowance

John Barrett: To ask the Secretary of State for Work and Pensions what steps are being taken to encourage men aged between 60 and 65 to apply for the winter fuel allowance for the 2003–04 winter. [142833]

Malcolm Wicks: Each year, we are able to identify most men who are likely to become newly eligible for a winter fuel payment using current departmental records and they are sent claim forms automatically with an invitation to make a claim.

An extensive publicity campaign is carried out from June each year and continues throughout the year. The campaign includes: advertisements in national and local press; a leaflet and poster made available in a variety of venues, a dedicated Winter Fuel Payment Helpline and information on the internet.

Where a person needs to claim, it is up to them whether they do so. They have until 30 March 2004 to make their claim for this winter.

John Barrett: To ask the Secretary of State for Work and Pensions what targets have been set for the number of men aged between 60 and 65 to apply for the 2003–04 Winter Fuel Allowance. [142834]

Malcolm Wicks: We expect all those entitled who are not paid automatically, including men aged between 60 and 64, to claim their entitlement to Winter Fuel Payments. In order to achieve full take up we issue claim forms to all those in the target group and publicise the availability of Winter Fuel Payments.

So far 172,790 claim forms have been issued to men aged 60–64 for this winter. All those who need to claim have until 30 March 2004 to do so.

Note:

1. Figures rounded to the nearest five.
2. Information to identify those likely to be entitled was extracted from the Departmental Central Index based on post codes.

John Barrett: To ask the Secretary of State for Work and Pensions (1) what plans he has to revise the qualifying week for winter fuel payments; [142835]

(2) for what reason his Department chose 21 September as the final qualifying date for the 2003–04 winter fuel payment. [142836]

Malcolm Wicks: There are no current plans to change the winter fuel payment qualifying week.

The qualifying week is set in legislation for the third week in September to enable the Department to establish the correct amount of winter fuel payment and make automatic payments to the vast majority of those entitled at the time the payment is most needed.

Annabelle Ewing: To ask the Secretary of State for Work and Pensions how many winter fuel payment claim forms have been issued in 2003 in the Perth constituency; and how many claim forms have been submitted. [142654]

Malcolm Wicks: The number of winter fuel payment claim forms issued so far this year to people who are likely to become eligible for a winter fuel payment in the Perth constituency is 696, and of those 446 have been returned.

We are publicising the availability of winter fuel payments and how to obtain a claim form. Those who need to claim for this winter have until 30 March 2004 to do so.

Note:

Information to identify those likely to be entitled was extracted from the Departmental Central Index based on postcodes.

Mr. Woodward: To ask the Secretary of State for Work and Pensions how many Winter Fuel Payment claim forms have been issued in 2003 in *(a)* Merseyside and *(b)* St. Helens; and how many claim forms have been submitted. [142716]

Malcolm Wicks: The number of Winter Fuel Payment claim forms issued so far this year to people who are likely to become eligible for a Winter Fuel Payment in Merseyside is 31,005, and of those 20,698 have been returned.

The number of Winter Fuel Payment claim forms issued so far this year to people who are likely to become eligible for a Winter Fuel Payment in St. Helens is 2,133, and of those 1,547 have been returned.

We are publicising the availability of Winter Fuel Payments and how to obtain a claim form. Those who need to claim for this winter have until 30 March 2004 to do so.

Note:

Information to identify those likely to be entitled was extracted from the Departmental Central Index based on post codes.

DEPUTY PRIME MINISTER

Central Heating

Jane Griffiths: To ask the Deputy Prime Minister (1) what regulations are in place to ensure the safe *(a)* installation and *(b)* operation of domestic central heating systems, with particular reference to preventing pollution from oil leakages; [143068]

(2) what quality standards apply to domestic central heating oil storage tanks in *(a)* metal and *(b)* plastic; [143069]

(3) how many oil-fired domestic central heating installations there are in England. [143171]

Phil Hope: Evidence from the English House Condition Survey indicates that there are around 700,000 oil fired domestic heating installations in England.

Part J of the Building Regulations covers the pollution risks associated with the installation of domestic oil fired central heating. Ways of meeting the requirement are conveyed in Approved Document J (2002) and include compliance with BS 5410 (1997 amended 2001): Code of Practice for Oil Firing—Part 1: installations up to 45 kW output capacity for space heating and hot water supply purposes, providing secondary containment where a risk assessment indicates this is necessary, and labelling storage systems with what to do if an oil spill occurs. BS 5410 refers to BS 799 Part 5 (1987) : Specification for oil tanks for steel tanks and to the industry (OFTEC) standard OFS T100 (1995) Polyethylene oil storage tanks and bunds for distillate fuels. OFTEC has since published OFS T200 as their specification for steel tanks.

The Control of Pollution (Oil Storage) (England) Regulations 2001, SI 2001:2954 provide minimum standards for domestic tanks where the storage capacity is in excess of 3,500 litres. There are no other regulations specifically covering the prevention of oil pollution from oil leakages arising from the operation of domestic oil fired central heating systems. However, it is a statutory offence to cause or knowingly permit the pollution of "controlled waters" (which includes ground and surface waters) under the Water Resources Act 1991.

Regeneration

Mr. Chaytor: To ask the Deputy Prime Minister what guidance he has issued to English Partnerships in respect of the criteria used in determining allocations to assist housing-led regeneration schemes outside housing market pathfinder renewal areas; and if he will make a statement. [140941]

Keith Hill: English Partnerships' remit was set out in the Office of the Deputy Prime Minister's "Sustainable communities: building for the future" which was published earlier this year.

EP's priorities for expenditure include:

The 20 per cent. most deprived wards;

The Coalfields programme;

Urban Regeneration Company areas;

Housing Market Renewal Fund pathfinder areas;

Target areas for major housing growth in the South East of England;

Strategic brownfield sites in or close to any of the above priority areas or in areas of housing pressure or housing abandonment;

Other discretionary projects that promote wider regeneration benefits, particularly where EP can add significant value.

English Partnerships is represented on all regional housing boards and takes their strategies into account when making decisions on specific projects in their regions.

Local Government Reorganisation

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will amend the financial model used by the Boundary Committee in assessing the costs of reorganising local government in the three northern regions to include *(a)* transitional, *(b)* opportunity and *(c)* ongoing costs of change. [142222]

Mr. Raynsford: No. The model used by the Boundary Committee looks at the "cost of being in business"—that is, the recurring costs that an authority must incur regardless of the level of service that it provides. Other costs and savings that will result from re-organisation are heavily dependent on the policy decisions of the elected representatives of individual councils and cannot, therefore, be used for modelling purposes without making assumptions about the decisions that will be taken by authorities that have yet to be created. The cost of being in business, being less dependent on such assumptions, provides a sounder basis on which to make comparisons.

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will make it his policy to collect centrally the costs of any reorganisation of local government; and if he will make a statement. [142225]

Mr. Raynsford: It is too early to say what the cost of and potential long-term savings from reorganisation might be. It will depend ultimately on the pattern of unitary authorities introduced following referendums and on decisions that the new unitary authorities take about their organisational structure. The Office of the Deputy Prime Minister will discuss how any costs will be funded with local authorities and the Local Government Association nearer the time.

Housing Market Renewal

Mr. Gordon Prentice: To ask the Deputy Prime Minister when he will respond to the bids for resources from the market renewal pathfinders; and if he will make a statement. [142994]

Keith Hill: The nine market renewal pathfinders are each required to submit a strategic scheme to outline their proposals on how they plan to spend the Housing Market Renewal fund that they are bidding for and address the issues of low demand. These schemes are assessed by the Office of the Deputy Prime Minister in negotiation with the pathfinder and independently scrutinised by the Audit. Following successful negotiations and a satisfactory report from the Audit Commission the Office of the Deputy Prime Minister will allocate a proportion of the Housing Market Renewal Fund to a scheme.

£125 million has already been allocated to the Manchester Salford pathfinder for implementation of its scheme over the next two and a half years. Strategic schemes from two other pathfinders, Newcastle Gateshead and Merseyside, have been received and are being assessed by the Office of the Deputy Prime Minister and the Audit Commission. Others are expected over the next few months.

Regional Assemblies

Mr. Gordon Prentice: To ask the Deputy Prime Minister what plans he has to change the voting system in reorganised single tier authorities which may be established following the referendums on regional assemblies; and if he will make a statement. [142572]

Mr. Raynsford: The Office of the Deputy Prime Minister has no plans for reorganisation to affect the voting systems in English local government.

Mr. Gordon Prentice: To ask the Deputy Prime Minister what recent representations he has received from organisations in the North West urging the Government to extend the powers and functions of the proposed regional assembly; and if he will make a statement. [142798]

Mr. Raynsford: Since it was announced which regions would proceed first towards referendums on 16 June 2003 the Office of the Deputy Prime Minister has received four representations from organisations in the North West region asking the Government to extend the powers of the proposed regional assembly. In addition three individuals urged greater powers.

Right to Buy Scheme

Jon Trickett: To ask the Deputy Prime Minister in what circumstances the Government will overrule a local council's decision as to a property's exemption from the right to buy scheme. [142909]

Keith Hill: My right hon. Friend the Deputy Prime Minister may overrule a Council's decision in relation to the Right to Buy in only one circumstance.

Under paragraph 11 of Schedule 5 of the Housing Act 1985, a landlord may deny a social tenant's application to buy his or her home on the grounds that the dwelling is particularly suitable for occupation by the elderly, having regard to its location, size, design, heating system and other features, and if it was let to the tenant or a predecessor in title of his for occupation by a person who was aged 60 or more (whether the tenant or a predecessor or another person). In determining whether the dwelling is particularly suitable, no regard shall be had to the presence of any feature provided by the tenant or a predecessor in title of his.

Paragraph 11(4) provides that the question shall be determined by the Secretary of State if the tenant applies to him within the period of 56 days from notification of the landlord's decision. If on receiving such an appeal, my right hon. Friend the Deputy Prime Minister considers that the property does not meet the criteria set out in paragraph 11, he can determine that the Right to Buy application should proceed. The main points on which my right hon. Friend the Deputy Prime Minister will normally expect to be satisfied before determining that a property is in fact particularly suitable for occupation by the elderly are set out in Department of the Environment Circular 13/93. They are that:

there should be easy access on foot to the dwelling; access is unlikely to be regarded as easy, in an area which is not hilly, if it is necessary to climb three or more steps (in addition to the threshold) and there is no handrail

the accommodation should be on one level

in the case of a flat above ground floor level there should be access by lift

there should be no more than two bedrooms

there should be adequate arrangements for heating the living room and at least one bedroom

the dwelling should be located reasonably conveniently for shops and public transport, having regard to the nature of the area.

My right hon. Friend the Deputy Prime Minister will also consider other features to which his attention may be drawn.

Jon Trickett: To ask the Deputy Prime Minister how many local council decisions on exemption from the right to buy scheme he has overruled since 1997; and if he will make a statement. [142910]

Keith Hill: Secure tenants denied the Right to Buy by their landlords under paragraph 11 of Schedule 5 of the Housing Act 1985, on the grounds that their homes are particularly suitable for occupation by elderly persons, may appeal to my right hon. Friend the Deputy Prime Minister. The numbers of such appeals determined since 1997 are set out in the table (the figures do not include invalid or withdrawn appeals):

	Appeals accepted	*Appeals refused*	*Totals*
1997	46	106	152
1998	53	121	174
1999	70	150	220
2000	55	120	175
2001	53	179	232
2002	71	243	314
2003 (as at 4 December)	112	303	415

Smoke Alarms

Mr. Cawsey: To ask the Deputy Prime Minister what plans he has to make smoke alarms in rented property a legal requirement. [142776]

Phil Hope: The Housing Bill 2003 provides that a local housing authority can impose as a condition for a house in multiple occupation to be licensed under Part 2, or for any house subject to selective licensing under Part 3 of the Bill, that the property is equipped with smoke alarms. Schedule 4 of the Bill provides that it is mandatory condition that where smoke alarms are installed they are properly maintained.

Tenancy Deposit Scheme

Mr. Steen: To ask the Deputy Prime Minister when he will respond to the Select Committee on the Office of the Deputy Prime Minister's recommendation that a tenancy deposit scheme should be introduced; and if he will make a statement. [142866]

Keith Hill: The government published its response to the Select Committee on 10 November 2003.

Mr. Steen: To ask the Deputy Prime Minister if he will establish a fast track procedure to enable tenants' deposits withheld by private landlords after the termination of their contract to be speedily returned. [142867]

Keith Hill: As indicated by the government's response to the Select Committee on the Housing Bill of 10 November 2003, we are considering detailed proposals.

EDUCATION AND SKILLS

Modern Apprenticeships

Mr. Jim Cunningham: To ask the Secretary of State for Education and Skills what steps he is taking to encourage the take-up of apprenticeships. [141885]

Mr. Ivan Lewis *[holding answer 8 December 2003]:* The Government are wholly behind Modern Apprenticeships as a high quality work-based learning option for young people. We are fully committed to implementing the reforms recommended by the Modern Apprenticeships Advisory Committee under Sir John Cassels, which included a major boost to the marketing of MAs, and to more recent Skills Strategy announcements. Under Sir Roy Gardner a business-led Modern Apprenticeship Task Force is taking a key role in promoting MA to employers and thereby contributing to increased take-up. We have adopted a PSA target for 2004 of 28 per cent. of young people entering a Modern Apprenticeship before the age of 22. We have made sufficient resources available to ensure that we meet this target and are on course to achieve it.

LEA Staff (Assault)

Mr. Jenkins: To ask the Secretary of State for Education and Skills what plans he has to introduce a national incident reporting system for recording physical assaults on *(a)* teachers and *(b)* other local education authority staff. [141810]

Mr. Ivan Lewis: Employers are already required to report to the Health and Safety Executive incidents, including ones resulting from acts of physical violence, which cause injuries to staff resulting in more than three days' absence from work. Local education authorities and other employers of school staff also have their own reporting arrangements. The Government have no plans to add to these systems.

Civil Servants

Tim Loughton: To ask the Secretary of State for Education and Skills how many senior civil servants in his Department are disabled expressed in actual terms and as a percentage of FTE staff. [143067]

Mr. Charles Clarke: My Department has two senior civil servants who have declared a disability. This equates to 1.3 per cent. of FTE staff.

School Exclusions

Mr. Hancock: To ask the Secretary of State for Education and Skills how many children have been excluded from *(a)* primary, *(b)* secondary and *(c)* special schools in (i) Portsmouth, South and (ii) England in each year since 1999–2000. [141348]

Mr. Ivan Lewis: The information requested is shown in the table.

Maintained primary, secondary and all special schools: number of permanent exclusions

	1999/2000		2000/01		2001/02	
	Number	*Percentage*[1]	*Number*	*Percentage*[1]	*Number*	*Percentage*[1]
Portsmouth, South constituency						
Primary[2]	0	0.00	0	0.00	0	0.00
Secondary[2]	9	0.17	10	0.19	4	0.07
Special[3]	0	0.00	0	0.00	0	0.00
Total	9	0.07	10	0.08	4	0.03
England						
Primary[2]	1,226	0.03	1,436	0.03	1,451	0.03
Secondary[2]	6,713	0.21	7,305	0.23	7,741	0.24
Special[3]	384	0.40	394	0.41	343	0.36
Total	8,323	0.11	9,135	0.12	9,535	0.12

[1] Number of permanent exclusions expressed as a percentage of school population.

[2] Includes middle schools as deemed.

[3] Includes maintained and non-maintained special schools.

Source:

Annual Schools' Census

Higher Education

Mr. Edwards: To ask the Secretary of State for Education and Skills what assessment he has made of the paper by the hon. Members for The Wrekin (Peter Bradley) and for Southampton, Test (Dr. Whitehead) on the funding of higher education; and if he will publish his assessment. [142539]

Alan Johnson: I shall be writing to my hon. Friends concerning their proposal. A copy of this letter will be placed in the House Library in due course.

Mr. Edwards: To ask the Secretary of State for Education and Skills if he will meet the vice chancellors of *(a)* South Bank University, *(b)* University of Glamorgan and *(c)* University College Wales, Newport to discuss the future of higher education. [142540]

Alan Johnson: I have frequent meetings with vice chancellors in which our proposals for the future of higher education are discussed. However, as a devolved matter, issues related to higher education institutions in

Wales such as the University of Glamorgan and University College Wales are a matter for the Welsh Assembly.

Jeff Ennis: To ask the Secretary of State for Education and Skills (1) how many universities he expects will be in a position to offer bursaries to students from poorer backgrounds under the Government's new higher education funding proposal; [142902]

(2) what his estimate is of the percentage of students from poorer backgrounds who could qualify for a bursary under the new higher education funding proposals. [142956]

Alan Johnson: We are considering and discussing the contents of access agreements and the duties of the Office for Fair Access, and will make a statement in due course.

Chris Grayling: To ask the Secretary of State for Education and Skills what grants OFFA will be involved in distributing and on what basis; and where its funding will come from. [143072]

Alan Johnson: We have no plans for the Office for Fair Access to distribute any grants. It will be a regulatory body, not a funding body.

Chris Grayling: To ask the Secretary of State for Education and Skills whether it is his policy to intervene to prevent universities charging the full top-up fee to its students. [142516]

Alan Johnson: We propose that all universities will be able to charge variable fees of up to 3,000 from academic year 2006/07, provided they have an Access Agreement approved by the Office for Fair Access.

Annabelle Ewing: To ask the Secretary of State for Education and Skills what representations he has received from *(a)* student representative bodies and *(b)* the university sector in Scotland on the subject of top-up fees. [142730]

Alan Johnson: My right hon. Friend has received a number of representations from various stakeholders in Scotland on the subject of variable fees.

Annabelle Ewing: To ask the Secretary of State for Education and Skills what written representations he has received from the First Minister of Scotland on the subject of top-up fees. [142765]

Alan Johnson *[holding answer 8 December 2003]*: My right hon. Friend has had a number of discussions with the First Minister of Scotland on the subject of variable fees and other higher education issues.

Mr. Alan Williams: To ask the Secretary of State for Education and Skills whether he plans to link the threshold for repayment of tuition fees to *(a)* the cost of living and *(b)* average earnings. [143176]

Alan Johnson: We will set out the Government's policies on repayment thresholds for student loans in the new year in the Regulatory Impact Assessment, which will set out the financial implications of the policies announced in the Higher Education White Paper.

Helen Jackson: To ask the Secretary of State for Education and Skills what consultation there has been with mature entrants to university on the impact of variable tuition fees. [142601]

Alan Johnson: The Department has received a number of representations from a variety of sources following the publication of the White Paper. We have taken steps to stimulate debate about the future of higher education among all interested groups. We want to encourage able students of all ages to take advantage of a university education. Under our proposals for variable tuition fees, every graduate would repay according to their personal financial circumstances regardless of their age.

Mr. Gordon Prentice: To ask the Secretary of State for Education and Skills how many universities have indicated their intention to waive fees for students embarking on *(a)* science, *(b)* engineering and *(c)* mathematics degrees; and if he will make a statement. [142785]

Alan Johnson: It will be for higher education institutions themselves to decide what level of fees they set for each of their courses from 2006/07 onwards, between £0 and £3,000. I would expect them to consider a range of factors in doing so, including the likely impact of their decisions on demand by students for their courses.

Student Loans

Mr. Alan Williams: To ask the Secretary of State for Education and Skills what proportion of average earnings the threshold for repayment of a student loan was at *(a)* the time it was introduced and *(b)* the latest date for which figures are available. [143175]

Alan Johnson: The first point at which borrowers could be required to repay income contingent loans was April 2000. At that time the threshold of £10,000 was 44 per cent. of average earnings (£22,475[1]). In April 2003 the threshold (£10,000) was 40 per cent. of average earnings (£25,134[1]).

[1] As used in the setting of the repayments threshold for mortgage style student loans.

TRADE AND INDUSTRY

European Insolvency Directive (Legal Action)

Mr. Woodward: To ask the Secretary of State for Trade and Industry what the Government's estimate is of the cost of defending the legal action that the Iron and Steel Trades Confederation and Amicus brought in relation to the implementation of Article 8 of the 1980 European Insolvency Directive. [142502]

Malcolm Wicks: I have been asked to reply.

At such an early stage in the proceedings, it is not possible to provide an estimate of the costs of defending the action brought by ISTC and Amicus.

Audit

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what discussions she has had with *(a)* UK firms and *(b)* representatives of the accountancy profession on the decision to raise the audit exemption threshold to £5.6 million; and if she will publish the minutes of such meetings. [140884]

Ms Hewitt: On 11 July 2003 the Government published a consultation document on the proposal to increase the audit exemption threshold. The consultation document was sent to some 870 organisations, businesses and individuals, including UK firms and representatives of the accountancy profession. There were 90 responses of which 35 were from UK firms and 11 from bodies representing the accountancy profession. A summary of the responses is available on the Department's website at http://www.dti.gov.uk/cld/published.htm

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what estimate she has made of the change in cost to UK businesses of the reduction in the timescale for rotation of audit partners from seven to five years. [140885]

Ms Hewitt: The regular rotation of audit partners plays an important role in upholding auditor independence. The Government welcomed the recommendation by the Coordinating Group on Audit and Accounting Issues (CGAA) last January to reduce the timescale for the rotation of the lead audit partner from seven to five years. The professional audit bodies implemented the recommendation immediately through revised guidance. They pointed out that audit firms would incur some costs in terms of familiarisation and planning (which would vary according to size of firm) in moving to the new five year cycle, but agreed with the CGAA that, as the requirements only relate to firms that are auditing listed and public interest entities, the benefits in terms of safeguarding auditor independence from the client outweighed any such transitional costs.

Meanwhile the Auditing Practices Board have drafted a new ethical standard which formalises the reduction from seven to five years, and are currently consulting on this and other ethical standards.

Business Employment

Mr. Woodward: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of businesses employing more than *(a)* five people, *(b)* 50 people, *(c)* 100 people and *(d)* 250 people in St. Helens in each year since 1992. [141306]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Shaun Woodward, dated 10 December 2003:

As National Statistician, I have been asked to reply to your recent question about the number of businesses employing more than *(a)* five people, *(b)* 50 people, *(c)* 100 people and *(d)* 250 people in St. Helens in each year since 1992. (141306)

The attached table gives the information you requested for 2003, but only the total number of businesses is available for earlier years.

VAT-based enterprises in St. Helens 1992–2003

		Employment size band				
Year	*Total*	*<5*	*5–49*	*50–99*	*100–249*	*>250*
1992	3,055	—	—	—	—	—
1993	2,985	—	—	—	—	—
1994	2,820	—	—	—	—	—
1995	2,815	—	—	—	—	—
1996	2,730	—	—	—	—	—
1997	2,755	—	—	—	—	—
1998	2,790	—	—	—	—	—
1999	2,780	—	—	—	—	—
2000	2,775	—	—	—	—	—
2001	2,750	—	—	—	—	—
2002	2,715	—	—	—	—	—
2003	2,675	1,765	820	40	25	20

Notes:
Employment size bands not published prior to 2003.
Counts are of enterprises with main address in St. Helens.
Counts are rounded to the nearest five to avoid disclosure.
Source:
Size Analysis of UK Businesses (ONS)

Disadvantaged Communities

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what targets her Department has set for creating more enterprise in disadvantaged communities; and what progress has been made towards these targets. [143002]

Nigel Griffiths: The target is to narrow the gap between VAT registrations in the 20 per cent. most and 20 per cent. least deprived wards in England by one percentage point per year.

The figures for the last two years for which data are available illustrate that the gap between the two VAT registration rates has narrowed and meets the target, (see Figure 1).

Figure 1: VAT registrations per 10,000 resident adult population, English wards only

	20 per cent. most deprived wards	*20 per cent. least deprived wards*
2000	31	49
2001	30	46

Sources:
ONS Inter Departmental Business Register (special analysis), the Index of Multiple Deprivation 2000, and population estimates from the Office for National Statistics

Between 2000 and 2001, the gap in the rates narrowed by one percentage point and therefore progress is on track.

Further details on this target can be found in the DTI Autumn Performance Report (ref. CM 6067), published on Friday 5 December 2003 and on the DTI website shortly.

Hunting

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what estimate her Department has made of the *(a)* number of small businesses which are dependent on hunting for their survival and *(b)* number of jobs that would be lost in the event of a ban on hunting with hounds. [142830]

Alun Michael: I have been asked to reply.

There are many businesses providing goods and services for the whole range of rural activities. No reliable estimate is possible of how many such businesses are so dependent on hunting that they would fail if hunting is regulated or banned. The Burns Report (paragraph 3.8) said

> "Hunting, as an economic activity, is so small as to be almost invisible in terms of national aggregates."

The Burns Report, paragraph 3.37, Table 3.5, estimated employment dependent on hunting as the following full-time equivalents:

	Number
Direct employment by the hunts	710
Direct employment by the followers	1,497
Indirect employment	1,992
Individual employment	1,525
Total	5,724

Evidence subsequently presented to the public hearings held in Portcullis House suggested that Burns' estimates were too high and that the number of jobs associated with hunting was much smaller.

Insurance Liability

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what discussions she has had within the last year with representatives of the insurance industry on the limitations of insurability in respect of *(a)* nuclear issues and *(b)* climate change issues; and if she will make a statement. [141213]

Nigel Griffiths: DTI Ministers have not had any discussions with the insurance industry on the limitations of insurability in respect of climate change issues.

With regard to insurability in respect of nuclear issues, UK nuclear operators have a statutory obligation to cover their liability by insurance. DTI officials have maintained close contact with the insurance industry over the last 12 months and are satisfied that sufficient cover is available.

Regulations (Consultation)

Brian Cotter: To ask the Secretary of State for Trade and Industry what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142483]

Nigel Griffiths: The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. In the period 1 January 2001 to 31 December 2002, the Department of Trade and Industry has published 133 consultations covered by the Code, of these consultations 103 lasted 12 weeks.

Renewable Energy

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what assessment she has made of the comparative costs of *(a)* each renewable form of electricity generation and *(b)* energy efficiency measures in reducing carbon dioxide emissions; and if she will make a statement. [140942]

Mr. Timms: The Department has published estimates of the cost of electricity generation from a variety of forms of renewables and the comparative cost of energy efficiency measures in reducing carbon dioxide emissions. These are contained in a report published in February 2002 available at: www.dti.gov.uk/energy/greenhousegas/index.shtml.

The Performance and Innovation Unit at the Cabinet Office also published similar estimates in its 2001 Energy Review. These are available at: www.number-10.gov.uk/su/energy/1.html.

The energy White Paper published in February 2003 committed the Government to putting the UK on a path to reducing carbon dioxide emissions by 60 per cent. by 2050. Improvements in energy efficiency and increasing the share of renewables in generation will both be important in achieving this objective. The White Paper sets an objective to double the recent rate of improvement in energy efficiency and an aspiration to achieve a 20 per cent. share for renewables in 2020, double the level of the Renewables Obligation set for 2010.

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what estimate she has made of the cost to public funds of wind turbine construction in the UK to 2010. [140955]

Ms Hewitt: To date, the Government have committed £117 million to support early offshore windfarm development. No estimate has been made of the level of funding that may be needed to support future development in this area, but we expect industry to respond to the market for wind turbines created by the Renewables Obligation.

No direct support is provided for onshore windfarm development except for some small household or community installations under the Clear Skies scheme.

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of new wind turbines which will be built in the UK by 2010. [140956]

Ms Hewitt: The Government have set a target that 10 per cent. of electricity in the UK should come from renewable sources by 2010. However, no targets have been set for individual technologies, such as wind power. Decisions on which technologies to bring forward are left to the industry, consistent with the

Government's policy of an open and competitive energy market. We expect the industry to respond to the market for renewables (including wind) created by the Renewables Obligation.

However, it is acknowledged that electricity generated from wind turbines— both onshore and offshore—will make the largest contribution to the overall target. While we do not publish technology forecasts, it is estimated that to supply 7 to 8 per cent. of our electricity generation by wind turbines by 2010, which is what is likely to be required to achieve our 10 per cent. target, would require in the range of 3,000 to 5,000 turbines, assuming a mix of onshore and offshore devices. There are currently just over a thousand turbines within the UK.

Small and Medium-sized Enterprises

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the overall productivity of small and medium enterprises since 1997; what the gross value added per employee was in *(a)* SMEs and *(b)* large firms in each year since 1997; and if she will make a statement. [143003]

Nigel Griffiths: A measure of productivity is gross value added per employee. Data on gross value added per employee are only available on a comparable basis from 1999 onwards. The latest data available are for 2001 (see Figure 1).

Figure 1: Approximate Gross Value Added per employee[1], UK, 1999 to 2001

	1999	*2000*	*2001*
SMEs	31,000	32,000	34,000
Large firms	34,000	34,000	35,000

[1] GVA is calculated at basic prices only. Public administration, education, health, financial intermediation and real estate have been excluded. There have been slight changes to the ABFs coverage over the period.

Source:

SBS, based on a special analysis from the ONS Annual Business Inquiry.

Between 1999 and 2001, the productivity of SMEs has increased at a faster rate than the productivity of large firms, and the gap in productivity has therefore narrowed. In 1999, SME productivity was 93 per cent. of large firms productivity. In 2000, it had risen to 94 per cent. By 2001, SMEs were 96 per cent. as productive as large firms.

Industrial Diseases (Solicitors' Fees)

Paddy Tipping: To ask the Secretary of State for Trade and Industry how much has been paid in fees to *(a)* solicitors and *(b)* handling agents in respect of compensation for (i) chronic bronchitis and emphysema and (ii) vibration white finger. [142013]

Mr. Timms *[holding answer 4 December 2003]:* As of 23 November 2003 the total 217 million has been paid in solicitors' costs for respiratory disease claims and 80 million for Vibration White Finger claims.

The claim handlers, IRISC, are not made aware of the total costs paid to handling agents for processing these claims.

UK/EU Trade

Mr. Bellingham: To ask the Secretary of State for Trade and Industry pursuant to her Answer of 2 December 2003, *Official Report*, column 24W, if she will make a statement on the goods trade deficit with the European Union for *(a)* the last year for which figures are available and *(b)* the previous six years. [142857]

Mr. Mike O'Brien: According to figures published by the Office for National Statistics, the UK goods trade deficit with the European Union in 2002 amounted to £20.2 billion. Figures for the previous six years were as follows:

UK goods trade deficit with the European Union 1996–2001

	£ billion, current prices
1996	-4.9
1997	-4.5
1998	-6.3
1999	-8.4
2000	-5.3
2001	-11.7

Note:

To some extent the deficit reflects the relative strength of the UK economy

Source:

Monthly Review of External Trade Statistics, ONS

TREASURY

Household Debt

Malcolm Bruce: To ask the Chancellor of the Exchequer what the average household *(a)* debt per quarter and *(b)* monthly income was in each quarter since 2000, broken down by region. [143124]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Malcolm Bruce dated 10 December 2003:

As National Statistician I have been asked to reply to your recent question on a regional breakdown of average household debt per quarter and household monthly income.

There are no quarterly estimates of household debt available at regional level. However, the following table shows national estimates of average debt levels and monthly incomes for households in each year since 1997. These estimates are derived from the national accounts series for the combined household and non-profit institutions serving households (NPISH) sectors, and are taken from an answer to a previous written question (*Official Report*, 16 July 2003, column 303W).

£

Year	*Average Household Debt (£) during year*[1]	*Average Household Income per month*[2]
1997	24,500	1,950
1998	26,000	2,000
1999	28,000	2,100
2000	30,600	2,200
2001	33,500	2,350
2002	37,500	2,400

[1] Rounded to nearest £500

[2] Rounded to nearest £50

ONS does not produce monthly or quarterly data for income by region. The most recent annual estimates for total household income and gross disposable household income for the countries and regions of the UK are available for 1995–1999. Figures at regional, sub-regional and local area levels (NUTS 1, 2 and 3 respectively) were published in a news release on 26 March 2002, available on the National Statistics website at: http://www.statistics.gov.uk/pdfdir/reg0302.pdf

Income Tax

Lynne Jones: To ask the Chancellor of the Exchequer what the average cost of collecting income tax was as a percentage of the amount collected in 2002–03; and what the average administrative cost of paying tax credits has been as a percentage of the amount paid. [142708]

Dawn Primarolo: The cost/yield ratio for collecting income tax and the cost of administering tax credits as a percentage of the amount paid will be shown in the Inland Revenue Annual Report for 2002–03, to be published shortly.

Mr. Kaufman: To ask the Chancellor of the Exchequer if he will provide an estimate of the additional revenue that would accrue to the Exchequer annually if the top rate of income tax were 50 per cent. [142920]

Dawn Primarolo: I refer my hon. Friend to table 1.6 "Direct effects of illustrative tax changes" on the Inland Revenue website www.inlandrevenue.gov.uk/stats/tax_expenditures/g_t06_1.htm. The figures exclude any estimate of behavioural response to the tax change.

Lorry Road User Charge

Mr. Damian Green: To ask the Chancellor of the Exchequer (1) what the proposed *(a)* minimum and *(b)* maximum toll charge is under the Lorry Road User Charge scheme; [142913]

(2) what the estimated *(a)* capital and *(b)* administrative cost is of the Lorry Road User Charge scheme; [142914]

(3) what the estimated cost to British hauliers is of the planned Lorry Road User Charge. [142915]

John Healey: The proposed rates of Lorry Road User Charge have not yet been set. We are still considering a variety of options for how the scheme might work and have yet to go to the market to invite bids, so the estimated capital and administrative costs are not yet known. The Government are committed to reducing fuel duty for those hauliers who pay the Lorry Road User Charge so that overall they will pay no more tax as a result of the introduction of the charge. In our proposals for the charge, we have the broad support of the main haulage trade associations.

Research and Development Tax Credit

Mr. Robathan: To ask the Chancellor of the Exchequer how many research and development tax credit claims for the year ended 31 March 2002 are being investigated. [143350]

Dawn Primarolo: Records of the number of inquiries into corporation tax returns do not separately highlight the number of those returns which include a claim for the R&D tax credit.

Mr. Robathan: To ask the Chancellor of the Exchequer how many applications for research and development tax credit for the year ended 31 March are awaiting a result of inquiries into those or previous applications. [143352]

Dawn Primarolo: Records of the number of inquiries into corporation tax returns do not separately highlight the number of those returns which include a claim for the R&D tax credit.

Tax Avoidance

Mr. Austin Mitchell: To ask the Chancellor of the Exchequer what plans he has to propose legislation to require companies to register details of tax avoidance schemes with the Inland Revenue. [142706]

Dawn Primarolo: The Government have made no specific proposals along these lines, but will keep under consideration its overall approach for tackling tax avoidance, paying attention to the experiences of other fiscal authorities.

Tax Credits

Mr. Drew: To ask the Chancellor of the Exchequer how many letters, phone calls and direct contacts he has received from *(a)* hon. Members and *(b)* members of the public on the action to be taken in the case of overpayment of tax credits. [142256]

Dawn Primarolo: The records kept of written correspondence, calls received and direct contacts are not classified in a way that permits the extraction of these numbers.

Mr. Webb: To ask the Chancellor of the Exchequer how many claims for interim payments relating to child and working tax credit claimants have been made in each month since the tax credits were introduced; how many payments have been made; and if he will estimate the *(a)* average and *(b)* total value of these payments. [143077]

Dawn Primarolo: The number of individual same day interim payments made through local offices to claimants of child and working tax credits in each month is shown in the following table. Also shown is the number of automatic direct payments made centrally to tax credit claimants in each month.

2003	*Number of same day interim payments made through local offices*	*Number of automatic direct payments (million)*
April	25,000	8.5
May	175,000	9
June	75,000	9.5
July	25,000	11.5
August	10,000	10.5
September	8,000	11
October	6,000	11.5
November	6,000	11

Notes:

1. The numbers of interim payments to July are rounded to the nearest 25,000, and for later months to the nearest thousand. The numbers of automatic direct payments are rounded to the nearest 0.5 million.

2. No figures are available for the number of claims for interim payments that have been refused.

It is estimated that in excess of £100 million tax credits were paid out by the end of November using the interim payments system.

VAT

Malcolm Bruce: To ask the Chancellor of the Exchequer how many enterprises were registered for VAT at the start of each year since 1997; and if he will list *(a)* the number of enterprises registering for VAT, *(b)* the number of businesses deregistering from VAT, *(c)* the number of closures involving bankruptcy or insolvency proceedings and *(d)* the net gain or loss in the stock of registered enterprises for (i) each year since 1997 and (ii) each month in 2003 broken down by (A) standard industrial classification and (B) region. [143123]

John Healey: HM Customs and Excise do not produce detailed statistics of VAT registrations or de-registrations or of insolvencies. The statistics requested at *(a)*, *(b)* and *(d)* are published by the Small Business Service; the statistics requested at *(c)* are published by the Department of Trade and Industry. [More information is available on their respective websites at www.sbs.qov.uk and www.dti.gov.uk].

HOME DEPARTMENT

Community Punishments

Vera Baird: To ask the Secretary of State for the Home Department what financial resources have been allocated for community punishments in the current financial year; and what proportion is directed towards women offenders. [141624]

Paul Goggins: Resources are not specifically allocated to local probation areas for community punishment. The Boards receive a general allocation that they are permitted to spend on the range of activities they carry out. Financial information collected from the 42 Boards indicate that they collectively will spend about £75 million on community punishment orders in 2003–04 and a further £20 million on community punishment and rehabilitation orders. The number of women offenders in receipt of community punishment orders is estimated at about 12 per cent. of the total.

Criminal Cases Review Commission

Mr. McNamara: To ask the Secretary of State for the Home Department how many referrals to the Royal Courts of Justice Citizens Advice Bureau Miscarriage of Justice Project have been made by the Criminal Cases Review Commission; and what the working policies and practices of the Commission are for a referral to the project. [141807]

Paul Goggins: The Commission does not refer cases to the Royal Courts of Justice Citizens Advice Bureau. However when sending an applicant the statement of reasons, which accompanies the Commission's decision to refer his or her case to the Court of Appeal, a copy of the Royal Courts of Justice Miscarriages of Justice Project leaflet is enclosed. The provision of the Royal Courts of Justice Citizens Advice Bureau's service is also referred to in the letter, which accompanies the statement of reasons. It is then up to the individual to decide whether he or she wishes to utilise the service.

Mr. McNamara: To ask the Secretary of State for the Home Department how many applications for permission to judicially review a decision not to refer have been made against the Criminal Cases Review Commission; and of those how many *(a)* were refused leave by a single judge on the papers, *(b)* refused leave by the court at oral hearings and *(c)* were granted leave by either the single judge or the court. [141808]

Paul Goggins: A total of 67 applications for judicial review have been made. Of these 26 applications for permission for a judicial review have been refused by the Single Judge on the papers. These applications were not renewed. Twenty-four applications have been refused at oral hearing.

Seven applications have been granted permission, of which one was remitted to the Commission for a further review and two await a decision.

Six cases were concluded by the consent of the parties and four applications for permission are currently waiting for a decision by the Single Judge or on oral renewal to the full court.

Mr. McNamara: To ask the Secretary of State for the Home Department how many re-applications for review of alleged wrongful conviction upon indictment have been received by the Criminal Cases Review Commission in each of the last six years; how many of those have been reinvestigated and completed; and of those how many have *(a)* resulted in a decision not to refer and *(b)* been referred. [141817]

Paul Goggins: Data are available only for the last three complete years and there have been 25, 52 and 79 re-applications in each of these years. There have been 102 re-applications in the financial year to 30 November 2003.

One hundred and eighty-four of these re-applications have been completed; 176 of these upheld the original decision and eight re-applications have been referred to the appropriate court of appeal.

Mr. McNamara: To ask the Secretary of State for the Home Department how many applications for review of alleged wrongful convictions in Northern Ireland have been received by the Criminal Cases Review Commission; and of those how many *(a)* were ruled ineligible, *(b)* were reviewed and a decision not to refer made and *(c)* were reviewed and referred. [141820]

Paul Goggins: The Commission has received a total of 93 applications from Northern Ireland, of which 15 are still open, 14 were closed as ineligible, 52 were closed with a decision not to refer and 12 were referred.

Criminal Justice System (Public Confidence)

Mr. Allen: To ask the Secretary of State for the Home Department what estimate he has made of recent trends in public confidence in the criminal justice system in the Nottinghamshire Criminal Justice Board area; and if he will make a statement. [140597]

Paul Goggins: Responses to the British Crime Survey (BCS) on confidence in Nottinghamshire indicate that confidence in bringing offenders to justice has fallen from 36 per cent. in 2001/2002 to 28 per cent. in 2002–03.

Improving confidence in the Criminal Justice System is a key priority for both the National Criminal Justice Board and Local Criminal Justice Boards. Nottinghamshire and other Local Criminal Justice Boards have prepared action plans to address local confidence issues. These plans include actions to provide better services to victims and witness, to address the priorities of local communities and to improve communications with the public.

Identity Cards

Lynne Jones: To ask the Secretary of State for the Home Department for what period of time he proposes that identity cards should remain valid. [140510]

Beverley Hughes: We expect the validity period of the card to be 10 years.

However, in order to ensure that the cards, which incorporate technology features such as a microchip function, are reliable, it may be necessary to replace the cards after five years.

The costs estimates which my right hon. Friend the Home Secretary set out in Command Paper 6020 were based on the assumption that this automatic replacement card would be provided free of charge.

The scheme would also include an allowance for having a lifetime card validity period for those who have been in retirement for some time.

Foreign nationals coming to the United Kingdom for more than three months would be issued with a card valid for up to five years depending on the conditions of their clearance. For foreign nationals granted permanent residence the validity period for their cards would be on the same basis as that for British citizens.

Sir Teddy Taylor: To ask the Secretary of State for the Home Department what estimate he has made of the cost of introducing identity cards in the UK; and what assessment he has made of the likely benefits. [141327]

Beverley Hughes *[holding answer 8 December 2003]:* My right hon. Friend the Home Secretary announced on 11 November that the Government have decided to begin the process of introducing a national identity cards scheme following the consultation paper published in July 2002.

The Government are determined to ensure that the development of a national identity cards scheme is managed to the highest standards, and that the major business change and IT challenges which we face are dealt with effectively. A Programme Board has been established, chaired by the Home Office, to co-ordinate and drive forward the different elements of the identity cards scheme. Progress at every stage will be monitored and reviewed as further decisions are taken during the implementation. Before decisions are taken on implementation, there will be an intensive phase of feasibility assessment and prototyping so that decision making is soundly based and risks in the programme are kept to a minimum. Once the Office of Government Commerce (OGC) has confirmed that the programme is ready to proceed, by means of an OGC Gateway Zero review, we will publish draft legislation to enable the scheme to be introduced.

Set up costs for the first three years have been estimated at £186 million. Costs thereafter will be covered by charges. It would not be appropriate to publish more detailed information while we prepare options for procurement and implementation of the identity cards scheme. However, we are continuing to work with potential suppliers and partners to ensure estimates are accurate, realistic and deliverable.

An identity card scheme will provide a number of benefits including to help deter and prevent illegal immigration and illegal working and to combat identity fraud enhancing our capability to counter terrorism and serious and organised crime. Identity cards will make it easier to prove entitlement to public services and faster to prove one's own identity for public or private transactions, enabling individuals to assert their identity and that they belong here as well as protecting an individual's own identity from identity fraud.

John Thurso: To ask the Secretary of State for the Home Department if he will list the public services for which devolved administrations have responsibility and which he envisages will be included in the compulsory card scheme. [141174]

Beverley Hughes *[holding answer 2 December 2003]:* The powers and responsibilities of each devolved Administration are governed by the Acts of Parliament which established them and by any relevant Transfer of Functions Orders and post devolution Acts.

It is intended that the draft Identity Cards Bill will include enabling powers so that in the future access to specified public services could be linked to the production of a valid identity card. In the case of services for which the devolved Administrations are responsible, decisions on whether the identity card should be required for access to these services would be a matter for them.

Ministerial Responsibilities

Sue Doughty: To ask the Secretary of State for the Home Department for what reason a single Minister has responsibility for immigration, asylum and terrorism and their implications for Government policy and strategy. [142903]

Beverley Hughes: My right hon. Friend the Home Secretary has overall responsibility for immigration, asylum and counter-terrorism issues as part of his ministerial portfolio. On these issues, I provide in-depth support and scrutiny.

All ministerial appointments are the responsibility of the Prime Minister.

Pornographic Websites

Charles Hendry: To ask the Secretary of State for the Home Department what legal restrictions are in place to ensure that children under the age of 18 do not have access to pornographic internet sites. [140652]

Paul Goggins: The same legal restrictions apply to the publication of pornographic material on-line as they do off-line.

The Obscene Publications Act 1959 makes it an offence to publish any article which is considered to be obscene; that is, an article which, in the view of the court, tends to "deprave and corrupt" a person likely to see, hear or read it. The Act has been successfully applied to material published via the internet although enforcement is more difficult because the publisher or website operator is frequently based abroad and beyond UK jurisdiction. In addition, the taking, making, distribution, possession or publication of indecent photographs or pseudo photographs of children are all serious criminal offences.

Given the nature of the internet, we believe that it is not possible to prevent children under the age of 18 having access to pornographic internet websites by legislative means. However, there are ways of reducing the risk of children accessing such material by practical measures and raising awareness.

For example, a wide range of filtering software packages have been developed to enable schools and parents to restrict the types of websites to which their children have access. The Task Force on Child Protection on the internet, a multi-agency group which was established in March 2001, has set up a sub-group on rating and filtering, to consider how to evaluate and provide advice in the long term on filtering and other safety software products. The sub-group has made an initial report to the Task Force and will report again in due course.

At the beginning of the year, the Task Force published a single document covering separate models of good practice aimed at providers of chat services, instant messaging and web services, including providers of adult content. We consider that these models are a significant step forward in making the internet a safer place for children. As far as we know they are unique. They are voluntary but were presented to the industry with a strong recommendation that they be used. We are confident that they will be supported, by the major service providers represented on the Task Force and by the Internet Service Providers Association. The effectiveness of the models will be evaluated.

The Task Force has also run two successful public awareness campaigns highlighting both the huge benefits that the internet has to offer and the potential risks particularly to children of giving out personal information online.

The Government are determined to deal with paedophile activity vigorously, and in the Sexual Offences Act 2003 we have introduced, among other child protection measures, new offences relating to a person showing a child sexual material. Section 12 makes it an offence to cause a child, for the purpose of obtaining sexual gratification, to look at an image of a person engaging in sexual activity. It carries a maximum penalty on indictment of 10 years imprisonment.

Terrorism (Organised Crime)

Sue Doughty: To ask the Secretary of State for the Home Department if he will make a statement on the relationship between drug crime, organised and international crime and terrorism; and what the implications are for Government policy and strategy. [142203]

Caroline Flint: We recognise that there are links between some of those involved in drugs and organised crime and terrorist groups. We have therefore introduced a range of powers to deal with this in the Terrorism Act 2000, the Anti-terrorism Crime and Security Act 2001 and the Proceeds of Crime Act 2002, and we continue to work closely with our international partners.

Timber

Mr. Gardiner: To ask the Secretary of State for the Home Department by what means the policy for purchasing timber and timber products of *(a)* the Home Office, *(b)* the Assets Recovery Agency, *(c)* the Criminal Records Bureau, *(d)* the Forensic Science Service, *(e)* HM Prison Service, *(f)* the UK Passport Service and *(g)* the Immigration and Nationality Directorate, ensures that they are obtained from legal and sustainable sources. [141335]

Fiona Mactaggart: A Timber Procurement Bulletin was sent to all Home Office Procurement Units, Agencies and Non-Departmental Public Bodies in June 2003. It is also available on the Home Office Intranet site. The Bulletin included model contract specification clause, promulgated by the Department for Environment, Farming, and Rural Affairs (DEFRA), together with background information and contact points for further information.

The Department, its Agencies and Non-Departmental Public Bodies have adopted the model contract clause for procuring timber and timber products to actively seek to purchase timber from legal and sustainable sources.

Victim Support

Mrs. Brooke: To ask the Secretary of State for the Home Department what action his Department is taking to monitor discrepancies in referral rates to Victim Support by individual police forces. [140469]

Paul Goggins: The Home Office continues to monitor the effectiveness of the arrangements that already exist for the referral by police forces of victims to Victim Support at local level. Home Office guidance is available and there is a protocol in place between Victim Support and the Association of Chief Police Officers that sets out what information needs to be supplied. Provisions in the new Domestic Violence, Crime and Victims Bill will, if enacted, assist with the process of data sharing between criminal justice agencies.

Mrs. Brooke: To ask the Secretary of State for the Home Department what action his Department is taking to increase recruitment of volunteers for Victim Support, with particular reference to high crime areas. [140470]

Paul Goggins: Victim Support's 12,000 volunteers play a vital role in the delivery of support services to victims and witnesses of crime. As an independent voluntary organisation it is for Victim Support to decide the best approach to take in recruiting and deploying additional volunteers. The organisation has already put in place arrangements to improve its ability to do this. As part of its overall monitoring of Victim Support's work the Home Office will continue to discuss with Victim Support the availability of volunteers within the organisation, including those serving higher-crime areas.

Mrs. Brooke: To ask the Secretary of State for the Home Department when his Department expects to complete its strategy for increasing volunteering for Victim Support. [140471]

Paul Goggins: The Home Office values the work done by Victim Support's existing volunteers in delivering services to victims and witnesses of crime. As an independent voluntary organisation it is, of course, for Victim Support to determine how best to recruit and retain suitable volunteers to deliver its services. The organisation is currently updating its volunteer strategy and as part of our general monitoring of Victim Support's work we will be discussing this strategy with them. The Home Office is, of course, keen to encourage people to become more active in their communities and volunteering with Victim Support is one of the many ways in which they can do this.

HEALTH

Physical Activity Co-ordination Team

Mr. Gardiner: To ask the Secretary of State for Health (1) if he will list the recommendations the Activity Co-ordination Team has made on a methodology to secure better evidence and data on participation; [140495]

(2) if he will list the *(a)* interventions and *(b)* pilot projects for which the Activity Co-ordination Team has provided funding; [140503]

(3) if he will list the recommendations the Activity Co-ordination Team has made to his policy of raising mass participation in sport and physical activity. [140505]

Miss Melanie Johnson: The Activity Co-ordination Team (ACT) has been established by the Government to increase participation in physical activity and sport. The ACT is not a funding body, but in spring 2004, will provide Ministers with a delivery plan setting out recommendations to co-ordinate cross-Government initiatives to increase physical activity.

Copies of the terms of reference for the ACT are available in the Library.

Ankylosing Spondylitis

Mrs. Helen Clark: To ask the Secretary of State for Health what information he has collated on the availability of licensed treatments for ankylosing spondylitis. [140487]

Ms Rosie Winterton: According to the records kept by the Medicines and Healthcare products Regulatory Agency (MHRA) there are currently 426 marketing authorisations granted for the treatment of ankylosing spondylitis. Most contain Ibuprofen that is indicated for this condition.

There is also a European Marketing Authorisation for Infliximab (Remicade) granted by the European Medicines Evaluation Agency (EMEA). This is a prescription-only medicine.

Of these products, 389 are only available through the prescription of a registered doctor. Of the others, 21 are available by a prescription or a retail pharmacy, 14 are available by prescription, retail pharmacy or general retail outlet, one is only available through a retail pharmacy and one is available by a prescription or general retail outlet.

Breastfeeding

Mrs. Brooke: To ask the Secretary of State for Health if he will take steps to ensure that jars of babyfood are labelled such that breastfeeding is encouraged for six months rather than four. [142587]

Miss Melanie Johnson: Current European Commission legislation provides that weaning foods may be labelled as suitable for infants from four months of age. This is due to be reviewed in the new year in light of the World Health Assembly (WHA) Resolution 54.2 on Infant and Child Nutrition to strengthen activities and develop new approaches to protect, promote and support exclusive breastfeeding for six months. The Government supported the WHA resolution and will be supporting measures to achieve this including the appropriate labelling of weaning foods.

Care Homes

Sandra Gidley: To ask the Secretary of State for Health what the weekly amount paid towards *(a)* residential homes and *(b)* nursing homes was in each year since 1997, broken down by local authority. [142050]

Dr. Ladyman: This information is available covering the last three years at http://www.doh.gov.uk/public/pssstat.htm and in less detail but covering five years at http://www.doh.gov.uk/paf/.

Departmental Staff

Mr. Burstow: To ask the Secretary of State for Health if he will list the Department's staff by job title, broken down by board directorate. [141109]

Ms Rosie Winterton: The information requested on job titles could be provided only at disproportionate cost. Total numbers of staff by payband in each of the Department's three new business groups is shown in the tables.

Strategy and business development group

	Number
Fast Stream	28.7
Payband 1	203.8
Payband 2	245.5
Payband 3	359
Payband 4	228.6
Senior Civil Service	62.7
Total	1,128.3

Health and social care standards and quality business group

	Number
Fast Stream	14
Payband 1	258.5
Payband 2	264
Payband 3	283.6
Payband 4	326.6
Senior Civil Service	124.9
Total	1,271.6

Health and social care delivery group

	Number
Fast Stream	16
Payband 1	112
Payband 2	159.1
Payband 3	208.4
Payband 4	182.5
Senior Civil Service	69.6
Total	747.6

Other staff (on secondment, loan, maternity leave etc)

	Number
Fast Stream	5
Payband 1	66.2
Payband 2	65.9
Payband 3	82
Payband 4	61.6
Senior Civil Service	43.3
Total	324

Maternal Deaths (Mifegyne)

Jim Dobbin: To ask the Secretary of State for Health how many female deaths in England and Wales have been attributable to the abortion pill RU486 since 1990. [141562]

Miss Melanie Johnson: There were eight maternal deaths associated with termination of pregnancy reported to the Confidential Enquiries into Maternal Deaths for the period 1991–99. None of these deaths were attributable to Mifegyne (also known as RU486). The data for 2000–02 are not yet available.

The Medicines and Healthcare products Regulatory Agency (MHRA), which is responsible for medicines regulation in the United Kingdom, and the Committee on Safety of Medicines (CSM) receive reports of suspected adverse drug reactions to medicinal products via the Yellow Card Scheme. Since marketing authorisation was first granted in 1991, the MHRA and CSM have received two reports of fatal suspected reactions in association with use of Mifegyne. However, the reporting of a suspected adverse drug reaction does not necessarily mean that the drug was responsible. Many factors, such as the medical condition that is being treated, other pre-existing illnesses or other medications might have contributed.

Flu Vaccine

Sandra Gidley: To ask the Secretary of State for Health what the take-up rates for influenza vaccine were at *(a)* 1 November and *(b)* 1 December, broken down by health authority. [142053]

Miss Melanie Johnson: Flu vaccination uptake rates for those aged 65 years and over at 1 November 2003 by strategic health authority are shown in the table.

Data for vaccine uptake rate as at 1 December is not yet available.

Strategic health authority	*Percentage uptake November 2002*
Birmingham and Black Country	52.5
Shropshire and Staffordshire	59.8
West Midlands South Health Authority	56.3
Leicestershire, Northamptonshire and Rutland	56.5
Trent	60.8
Bedfordshire and Hertfordshire	56.9
Essex	56.2
Norfolk Suffolk and Cambridgeshire	58.8
South Yorkshire	58.1
West Yorkshire	59.9
North and East Yorkshire and Northern Lincolnshire	59.5
Northumberland Tyne and Wear	60.6
County Durham and Tees Valley	57.8
Greater Manchester	55.8
Cumbria and Lancashire	54.5
Cheshire and Merseyside	58.9
North East London	55.5
North Central London	48.7
South East London	46.6
South West London	52.3
North West London	50.2
Hampshire and Isle of Wight	57.3
Thames Valley	54.5
Surrey and Sussex	57.2
Kent and Medway	57.6
Avon, Gloucestershire and Wiltshire	57.2
South West Peninsula	54.1
Dorset and Somerset	57.1

Genetically Modified Food

Gregory Barker: To ask the Secretary of State for Health what scientific advice he has received on whether children may be more susceptible to allergies and other diverse effects from eating GM food. [138818]

Miss Melanie Johnson: To date, the Food Standards Agency is not aware of any research that has been undertaken to determine if children are more susceptible to allergies and other possible effects from eating genetically modified food.

Gregory Barker: To ask the Secretary of State for Health what assessment he has made of research conducted worldwide into the effects on the health of children of consuming GM foods. [138819]

Miss Melanie Johnson: The Food Standards Agency is not aware of any such research and has not therefore made an assessment. Each genetically modified (GM) food is only approved after a rigorous safety assessment, which is carried out on a case-by-case basis. GM foods have been consumed by millions of people in the United States over a number of years with no reports of adverse effects.

Group B Streptococcus

Mr. Hancock: To ask the Secretary of State for Health (1) if he will make a statement on *(a)* the latest statistics for children born with Group B streptococcus infection and *(b)* his Department's current strategy for dealing with it; [140922]

(2) if he will make it his policy to offer all pregnant women a test for Group B streptococcus. [140923]

Dr. Ladyman: A 2001 UK surveillance study identified 376 cases of early onset group B streptococcus (GBS). Other studies have estimated that the prevalence ranges from 0.4/1,000 live births to 1.4/1,000 live births in England and Wales.

The current position is that routine screening for GBS should not be offered to all pregnant women.

The recently published National Institute for Clinical Excellence clinical guideline on antenatal care recommends that pregnant women should not be offered routine antenatal screening for GBS because evidence of its clinical effectiveness and cost-effectiveness remains uncertain.

The UK National Screening Committee (NSC) is currently reviewing the position and has commissioned an assessment of the existing evidence on screening for group B streptococcus in pregnancy against criteria used to assess potential screening programmes to ensure they do more good than harm. The NSC considered a preliminary report of a workshop at its meeting this month and will consider the full report at its meeting in March 2004.

Mr. Brady: To ask the Secretary of State for Health whether it is his Department's policy to make screening for Group B streptococcus routinely available to pregnant women in the United Kingdom. [141251]

Dr. Ladyman: The current position is that routine screening for group B streptococcus (GBS) should not be offered to all pregnant women.

The recently published National Institute for Clinical Excellence clinical guideline on antenatal care recommends that pregnant women should not be offered routine antenatal screening for GBS because evidence of its clinical effectiveness and cost effectiveness remains uncertain.

The UK National Screening Committee (NSC) is currently reviewing the position and has commissioned an assessment of the existing evidence on screening for GBS in pregnancy against criteria used to assess potential screening programmes to ensure they do more good than harm. The NSC considered a preliminary report of a workshop at its meeting this month and will consider the full report at its meeting in March 2004.

Cytology Services

Mr. Streeter: To ask the Secretary of State for Health what assessment he has made of the recent trials of liquid-based cytology; and what the timescale is for introducing this method of cervical screening across the whole NHS. [142205]

Miss Melanie Johnson: The National Institute for Clinical Excellence has appraised the use of liquid based cytology (LBC) and based on their recommendation we announced, on 22 October 2003, that LBC will be rolled out nationally across the national health service cervical screening programme.

We expect the roll out to take up to five years, due to the retraining of all laboratory staff who read cervical screening tests and all sample takers in primary care. Strategic health authorities have been issued with advice on how best they can roll out LBC for their local populations, laboratories and primary care.

Men's Health

Mr. Hopkins: To ask the Secretary of State for Health how much was spent by the National Health Service taking blood pressure and other health checks into the workplace to provide healthcare for hard to reach groups of men in the last year for which figures are available. [141653]

Miss Melanie Johnson *[holding answer 4 December 2003]:* The amount spent by the national health service from the devolved Department of Health budgets providing workplace health checks is not known centrally.

Mental Illness

Dr. Kumar: To ask the Secretary of State for Health what steps are being taken to *(a)* identify and *(b)* treat different classifications of mental illness in (i) women, (ii) people from black and ethnic minority groups and (iii) the general population in each Government Office of the Regions area. [141867]

Ms Rosie Winterton: Information regarding the identification and treatment of mental disorder by gender and ethnicity in each locality is not available centrally.

The national service framework for mental health, published in September 1999, set out seven evidence-based national standards for mental health, designed to improve the quality of services for everyone with mental health needs, regardless of their gender or ethnicity.

The Government have established a new programme of work through the National Institute for Mental Health to support the development of services that ensure that individuals from black and minority ethnic communities are given fair and equitable treatment. In October, we also launched for consultation: "Delivering Race Equality: A Framework for Action". The consultation ends in January 2004 and full guidance will be issued thereafter.

The Government have also published this year guidance on Mainstreaming Gender and Women's Mental Health, available at www.nimhe.org.uk, which recommends ways to take action to mainstream gender and women's mental health. It will assist services in delivering gender sensitive and gender specific services.

NHS Dentistry

Mr. Pope: To ask the Secretary of State for Health how many dentists in the Hyndburn constituency *(a)* offer NHS treatment and *(b)* have vacancies for NHS patients. [140937]

Miss Melanie Johnson: The information requested is shown in the tables.

Number of General Dental Service (GDS) dentists in Hyndburn and Ribble Valley Primary Care Trust—30 September 2003

	Number
Total	44
Principals	43
Assistants	1
VDPS	—

Source:
Dental Practice Board.

Number of General Dental Service dentists in Hyndburn and Ribble Valley Primary Care Trust registering charge exempt adults, charge paying adults and children under 18 years for NHS treatment—4 December 2003

	Number
Registering charge paying adults for NHS treatment	4
Registering charge exempt adults for NHS treatment	4
Registering children under 18 years for NHS treatment	7

Note:
This data has been extracted from the www.nhs.uk website. The information on this site is provided by primary care trusts' webmasters and is used by NHS Direct to advise patients on the availability of dental services in their area.
Source:
www.nhs.uk.

NHS Live 2004

Chris Grayling: To ask the Secretary of State for Health which Minister in his Department has responsibility for NHS Live 2004. [141569]

Ms Rosie Winterton: My right hon. Friend the Member for Barrow and Furness (Mr. Hutton), the Minister of State, Department of Health, has responsibility for NHS Live 2004.

Pharmaceutical Trade

Dr. Tonge: To ask the Secretary of State for Health what inspection mechanisms are in place in the United Kingdom for short line wholesalers in the parallel pharmaceutical trade. [141700]

Ms Rosie Winterton: Short line wholesalers distribute a limited range of medicinal products and often specialise in parallel traded pharmaceuticals known as "parallel imports". They are licensed by the Medicines and Healthcare products Regulatory Agency (MHRA) and are inspected for compliance with good distribution practice at regular intervals.

Wholesalers who assemble parallel imported products are also required to hold assembly licences granted by the MHRA and are inspected for compliance with good manufacturing practice at regular intervals.

Dr. Tonge: To ask the Secretary of State for Health what representations he has had from, and what discussions he has had with, patients' groups concerning the repackaging of medicines from the parallel trade in pharmaceutical products. [141701]

Miss Melanie Johnson: To date, the Medicines and Healthcare products Regulatory Agency (MHRA) has not received any representations from, nor had any discussions with, patient groups about the repackaging of medicines from the parallel trade in pharmaceuticals.

The MHRA has received some letters from patients, patient carers and health professionals on this matter. In these cases the product labelling has been reviewed and, where appropriate, the parallel importer asked to address the concerns raised.

In licensing parallel imports, the MHRA ensures the products comply with the appropriate regulations.

Dr. Jenny Tonge: To ask the Secretary of State for Health what recent action he has taken to maintain safeguards for patients taking medicines emanating from short line wholesalers. [142200]

Ms Rosie Winterton: In order to assure the quality of medicines stored and distributed by wholesalers and safeguard patients, the Inspection and Enforcement Division of the Medicines and Healthcare Products Regulatory Agency (MHRA), on behalf of the Secretary of State for Health, licences all pharmaceutical wholesalers in the United Kingdom and inspects their premises and procedures for compliance with good distribution practice.

The same standards of licensing and inspection are applied to full-line wholesalers, who deal in the full range of medicinal products available in the United Kingdom and short-line wholesalers, who deal in a more limited range of products. MHRA inspectors in the financial year 2003–04 have, to date, inspected over 250 wholesale sites. The inspections have confirmed compliance by these wholesalers with good distribution practice. There has been no recent necessity for additional action to maintain the safeguards to patients taking medicines emanating from short-line, or full-line wholesalers.

Research

Dr. Gibson: To ask the Secretary of State for Health what plans he has to ensure that all public funded research is recorded and made freely available to *(a)* patients, *(b)* health professionals, *(c)* the public and *(d)* members of the scientific community. [142505]

Miss Melanie Johnson: I refer my hon. Friend to the reply I gave him on 8 September 2003, *Official Report*, column 256W.

Stroke

Mr. Truswell: To ask the Secretary of State for Health when a specialist stroke service will be established in Leeds; and whether it will include *(a)* a rapid access neurovascular clinic, *(b)* an acute stroke unit, *(c)* a stroke rehabilitation unit and *(d)* community rehabilitation, including (i) voluntary support groups and (ii) intermediate care, *(e)* specialist community stroke teams and *(f)* stroke clubs. [143180]

Miss Melanie Johnson *[holding answer 9 December 2003]:* A specialist stroke unit will be fully established in Leeds by April 2004. It will include all the elements outlined in the question, many of which already exist in the city, with the exception of specialist community stroke teams, which will initially be on a pilot basis.

Mr. Truswell: To ask the Secretary of State for Health how many stroke patients were treated in Leeds in each of the last five years for which figures are available. [143181]

Miss Melanie Johnson *[holding answer 9 December 2003]:* The information requested is shown in the table.

	Admissions
1998–99	1,469
1999–2000	1,303
2000–01	1,242
2001–02	1,962
2002–03	2,468

Notes:

1. Primary Diagnosis (ICD-10 160—164) Selected Cerebrovascular Diseases ("Stroke")—Health Authority of Treatment QDH Leeds—Count of Finished In year Admission Episodes NHS Hospitals, England 1998–99 to 2002–03.

2. Admissions—admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.

3. Diagnosis—the primary diagnosis is the first of up to 14 (seven prior to 2002–03) diagnosis fields in the Hospital Episode Statistics (HES) data set and provides the main reason why the patient was in hospital.

4. Grossing—figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02 and 2002–03, which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HS), Department of Health.

Mr. Truswell: To ask the Secretary of State for Health how many people in Leeds died from strokes in the last five years for which figures are available. [143182]

Miss Melanie Johnson *[holding answer 9 December 2003]:* The information requested is shown in the table.

Deaths from strokes[1], Leeds[2] 1998 to 2002[3]

	Number
1998	759
1999	721
2000	663
2001[4]	751
2002[4]	783

[1] Strokes defined as deaths with an underlying cause of cerebrovascular disease. These were defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes 430–438 for the years 1998 to 2000 and, for the years 2001 and 2002, the International Classification of Diseases, Tenth Revision (ICD-10) codes 160–169.

[2] Deaths of usual residents of Leeds local authority.

[3] Figures are for deaths which occurred in each calendar year.

[4] The introduction of ICD-10 for coding cause of death in 2001 means that data for strokes in this year and 2002 are not comparable with data for earlier years. The interpretation of international coding rules in ICD-10, compared with the rules used in ICD-9, has led to an apparent increase in the number of deaths coded to strokes of 13 per cent. for males and 9 per cent. for females. The figures should therefore be interpreted with caution. The effect of the major changes to mortality statistics in ICD-10 compared with ICD-9 were described in a report published in May 2002.[*]

[*] Office for National Statistics. Results of the ICD-10 bridge coding study, England and Wales, 1999. "Health Statistics Quarterly" 14 (2002), 75–83.

Source:

Office for National Statistics.

Therapeutic Cloning

Jim Dobbin: To ask the Secretary of State for Health if he will make a statement on the safety of therapeutic cloning. [141564]

Miss Melanie Johnson: The Human Fertilisation and Embryology Authority (HFEA) has not yet issued any licence for human therapeutic cloning research.

One of the aims of therapeutic cloning research will be to explore new means of deriving stem cells and tissues which may, in future, be used in treatment of serious disease. As with any cell or tissue based therapy, they will undergo comprehensive assessment of safety.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Health what progress has been made towards the creation of a central register for cases of work-related stress in the Department. [141693]

Ms Rosie Winterton: While the Department collects data on sickness absence, which includes stress as a master code description, it is not possible to identify whether the cause of stress-related illness or anxiety was work related. It is not possible, therefore, for the Department to create a central register for cases of work-related stress.

The Department has a number of procedures in place to help managers and staff to be aware of and to reduce work-related stress.

CULTURE, MEDIA AND SPORT

Olympic Bid

Mr. Hawkins: To ask the Secretary of State for Culture, Media and Sport what plans she has to liaise with the owners of the Dome about its possible use as an Olympic venue to assist the bid to host the Olympics in 2012. [143278]

Tessa Jowell: Selecting potential Olympic venues and negotiating the terms of their use is a matter for the Olympic bid company, London 2012 Ltd. I understand that the potential owners of the Dome, the Anschutz Entertainment Group, are already engaged in discussions with London 2012 Ltd.

Sport England

Kate Hoey: To ask the Secretary of State for Culture, Media and Sport when she will publish the Quinquennial Review of Sport England. [142859]

Mr. Caborn: Stage One of the Quinquennial Review of Sport England was published and laid before the House in July 2001, and performed a useful service in demonstrating the need for the re-organisation of Sport England's funding and other activities.

It was intended that Stage Two of the Review should include detailed re-organisation proposals. Such proposals were at an advanced stage of preparation when my right hon. Friend the Prime Minister's Strategy Unit commenced its review of sports policy in the spring of 2002. The Strategy Unit's proposals for the re-organisation of Sport England formed a major part of its wider recommendations for the future of sports policy, published as Game Plan in December 2002. They continue to inform the major Sport England reform programme which is now underway, and this programme should be seen as having superseded the proposals which were under discussion during Stage Two of the Quinquennial Review.

FOREIGN AND COMMONWEALTH AFFAIRS

Racism

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs at what level the Government will be represented at the UN High Commissioner on Human Rights-convened regional seminar of experts for Western States, Implementing the Durban Programme of Action, from 10 to 12 December. [142187]

Mr. Rammell: The Government will be represented by one official from the Race Equality Unit in the Home Office and one from the Human Rights Policy Department in the Foreign and Commonwealth Office. These were the two departments that led on the government's preparations for the 2001 World Conference Against Racism.

Afghanistan

Paul Flynn: To ask the Secretary of State for Foreign and Commonwealth Affairs what his calculation is of the total opium crop in Afghanistan in each year from 1999 to the present; and what changes have taken place in the amount of land devoted to poppy cultivation since the end of hostilities in 2001. [142865]

Mr. Rammell: The United Nations Office on Drugs and Crime (UNODC) conducts an annual survey into the level of opium poppy cultivation and production in Afghanistan. It has reported levels over the past five years as follows:

Year	*Hectares*	*Tonnes*
1999	91,000	4,600
2000	82,000	3,300
2001	8,000	185
2002	74,000	3,400
2003	80,000	3,600

The low level of cultivation and low production figure in 2001 reflect the Taliban ban on opium cultivation; the ban did not however address the underlying causes of poppy cultivation in Afghanistan and was enforced with mix of threat and bribery.

The UNODC poppy cultivation survey in 2003 has shown reductions in the traditional areas, compared to 2002, but new cultivation in some areas that have not previously been involved in poppy production. The reduction in the traditional areas demonstrates that drug control policy has been effective where the Afghan Government has been able to exert control. Production also tends to move from traditional areas to more marginal and inaccessible areas to protect crops against law enforcement activity. Increasing security and stability in Afghanistan remains key to progress in reducing opium production.

Arms Trade

Mr. Byers: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to promote an international arms trade treaty; and if he will make a statement. [142969]

Mr. MacShane: I refer my hon. friend to the previous answer I gave the hon. Member for Portsmouth, South (Mr. Hancock) on 23 October 2003, *Official Report* column 654W.

Colombia

Mr. Allan: To ask the Secretary of State for Foreign and Commonwealth Affairs what reasons were given by the Colombian Government for the rates of voter abstention in *(a)* the Colombian referendum and *(b)* the municipal and departmental elections of 25 and 26 October. [143186]

Mr. Rammell: The abstention rate for the Referendum was high with participation at only 20.04 per cent. Our assessment, based on discussion with Colombian election officials and international observers, is that the security situation played its part, particularly in the more remote and more conflict-ridden areas of Colombia, where despite a state security presence the participation rate was below national average. The complexity of the questions on which citizens were being asked to vote also caused a reluctance to vote.

The elections had a better turnout of 50.49 per cent. This was about average for Colombian elections. The turnout for the Congressional elections and Presidential elections in 2002 were 42 per cent. and 50 per cent. respectively.

Foreign Office Staff (School Places)

Mr. Foulkes: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what proportion of the money his Department spent on school places for children of Foreign Office personnel was spent on the independent sector in each year since 1996; and what he estimates the proportion will be in 2003; [140561]

(2) what the average cost to his Department was of the school places provided for the children of Foreign Office personnel in independent and private schools in each year since 1996. [140562]

Mr. Rammell: Education expenditure for children of Foreign Office personnel since 1996 has been spent almost entirely on fee-charging schools in the private and independent sector. Less than 1 per cent. in each year is spent on boarding fees for state run boarding schools.

We do not distinguish between private and independent schools. The annual expenditure on education for children of FCO personnel since 1996 is as follows.

Financial year	£
1995–96	10,569,861
1996–97	11,669,734
1997–98	10,547,169
1998–99	10,477,132
1999–2000	12,114,888
2000–01	12,944,790
2001–02	13,806,197
2002–03	15,990,618

Gulf War

Harry Cohen: To ask the Secretary of State for Foreign and Commonwealth Affairs what percentage of the oil-for-food income was allocated to Gulf War reparations through the UN administered Compensation Fund; what amount in pounds sterling that percentage represented from *(a)* December 1996 to December 2000 and *(b)* December 2000 to 21 November 2003; and what the amount paid by Iraq in reparations was prior to December 1996. [141116]

Mr. Mullin: When the "oil-for-food" scheme was launched in December 1996, the United Nations Compensation Commission (UNCC) received 30 per cent. of the proceeds of Iraq's oil sales, allowing it to make regular compensation payments to successful claimants. This percentage was reduced to 25 per cent. pursuant to Security Council resolution 1330 (2000). On 22 May 2003 the Security Council adopted resolution 1483 (2003), which reduced the percentage of revenue from Iraqi oil sales to be paid into the Compensation Fund to 5 per cent. The total amount paid in compensation to victims of Iraq's invasion and occupation of Kuwait to date is over US$17.5 billion. The figures in pounds sterling are not readily available, nor is a breakdown of the amounts paid between the dates stated.

Bribery/Corruption

Hugh Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs what advice has been given and on what dates to UK embassies, high commissions and other diplomatic posts abroad about the need to report information about possible cases of international bribery and corruption by UK citizens and companies; which posts have reported cases; on how many occasions; and how many of those reports have been followed up by investigations by UK law enforcement agencies. [141108]

Mr. MacShane: I refer my hon. Friend to the replies I gave the hon. Member for Ceredigion (Simon Thomas) on 15 and 28 October respectively, *Official Report,* columns 264W and 181W. The guidance telegrams referred to there were issued in January 2002, February 2002 and March 2003. We cannot comment on individual reports received in order not to prejudice criminal investigations.

Liberia

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the status of Liberia's membership of the International Monetary Fund. [142781]

Mr. Mullin: Liberia is a member of the International Monetary Fund (IMF). But on 5 March 2003 the IMF suspended Liberia's voting rights. Liberia was not sufficiently servicing its significant arrears and failed to address key concerns adequately, including improving transparency and management of revenue and government expenditure, addressing human rights violations and regional interference.

Now Liberia is under new leadership we are working with key partners, including the IMF and World Bank, to help redevelop Liberia and restore its relations with the international donor community. We understand that the IMF will visit Liberia for discussions with the National Transitional Government.

North Korea

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what role the UK Government is playing in the six-party talks about the future of North Korea. [142204]

Mr. Rammell: The Government has no direct involvement in the six party talks process. We follow developments closely as a permanent member of the UN Security Council, as a Depositary State of the Nuclear Non-Proliferation Treaty, and as a member of the European Union. We are also in direct and regular contact with all the parties involved in the six party talks process, including the Democratic People's Republic of Korea.

Sri Lanka

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Government of Sri Lanka on the subject of religious tolerance for Christians. [142257]

Mr. Mike O'Brien: I refer my hon. Friend to the answer I gave him on 12 November 2003, *Official Report*, columns 361–62W. Officials from the British High Commission in Colombo regularly raise this and other human rights issues with the authorities—most recently with the Sri Lankan Ministry of Christian Affairs. However, I have not had discussions with the Government of Sri Lanka specifically on the subject of religious tolerance for Christians in Sri Lanka.

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the peace talks in the Sudan, with specific reference to the situation in Darfur. [142308]

Mr. Mullin: We are optimistic about the prospects for peace between the Government of Sudan and the Sudanese People's Liberation Movement. Much progress has been made since the Inter-Governmental Authority on Development (IGAD) sponsored talks re-started in June 2002. Agreement has been reached on the key issues of self-determination for the south and the application of Sharia law. A Memorandum of Understanding on a cessation of hostilities for the duration of the peace talks was signed in October 2002, and a monitoring mechanism established. Most recently, on 25 September 2003, a framework agreement on security arrangements during the interim period was reached.

The talks, adjourned for Ramadan, re-started in Naivasha on 1 December. Various issues still need to be resolved, notably power and wealth sharing arrangements and the three conflict areas (of Southern Blue Nile, the Nuba Mountains and Abyei). But we are hopeful that the parties will reach agreement this year or early next. We continue to offer the parties and mediators our full support and advice and remain actively involved in helping them reach a comprehensive peace agreement.

We remain concerned about the situation in Darfur. I discussed the matter with the Sudanese Ambassador on 2 December. We are pressing the Government of Sudan to ensure unrestricted humanitarian access to Darfur. This would allow a fuller assessment of the situation and enable relief agencies to provide support to the most vulnerable. And we are urging all parties to engage constructively in the Abeche peace talks. All sides should know from bitter experience that a military solution is not in prospect, and that peace and reconciliation offer the only real chance of a brighter future.

Terrorism

Lembit Öpik: To ask the Secretary of State for Foreign and Commonwealth Affairs how many United Kingdom nationals were killed in terrorist attacks between *(a)* 1 June 2002 and 28 February 2003 and *(b)* 1 March 2003 and 26 November; and if he will make statement. [140774]

Mr. MacShane: In the period from 1 June 2002 to 28 February 2003, 29 British nationals were victims of terrorism perpetrated by international terrorists: 28 British nationals in Bali and one British national in Riyadh. Between 1 March 2003 to 26 November 2003, 2 British nationals were killed in a bomb attack in Riyadh and 3 British nationals were killed in the bombing of the British Consulate General in Istanbul. These figures do not include British personnel killed in Iraq. We believe that international terrorists have been involved in some terrorist attacks in Iraq.

Overseas Posts (Security)

Lady Hermon: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he has taken to improve security at British high commissions and embassies following the recent terrorist attacks in Turkey. [142670]

Mr. Rammell: We keep the security of all our posts under constant review. Immediately after the attack in Istanbul, all Diplomatic Missions were instructed to review their security urgently and, where appropriate, implement security enhancements. In addition, those Missions with a high level of threat sought additional protection from the host government.

We are now carrying out a detailed assessment of the security of all Missions to identify what more might be done to enhance their security, against terrorist attack in particular

Western Sahara

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss the revised Baker Plan for the western Sahara with the US Secretary of State following his return from his visit to Morocco. [142258]

Mr. Rammell: None. However, we remain in regular contact with members of the United Nations Security Council at all levels on the western Sahara issue.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what Government policy is on the dispute between the Moroccan Government and the non-governmental group Polisario. [142277]

Mr. Rammell: The United Kingdom supports fully the efforts of the United Nations Security General and his personal envoy, James Baker III, to find a just, lasting and mutually acceptable solution to the western Sahara dispute that provides for self-determination for the people of western Sahara.

TRANSPORT

Road Traffic Management

Mr. Dhanda: To ask the Secretary of State for Transport what plans he has to require the extension of public consultation procedures when road traffic management procedures are proposed by local authorities. [142981]

Mr. McNulty: Where traffic management schemes require traffic regulation orders under the Road Traffic Regulation Act 1984 the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (SI 1996/2489) apply to the making of such orders. Regulation 6 sets out who an order making authority should consult in particular cases. Otherwise it is a matter for authorities as democratically elected bodies to decide whom to consult in taking schemes forward. We have no current plans to amend the 1996 procedure regulations.

Bicycle Rickshaws

Mrs. Dunwoody: To ask the Secretary of State for Transport what assessment he has made of the adequacy of the safety rules governing the use of bicycle rickshaws used on public roads; how many bicycle rickshaws are in use in London; what licensing and insurance rules exist to enable bicycle rickshaws to carry passengers; and what safeguards exist for the general public who hail bicycle rickshaws. [142899]

Mr. Darling: Bicycle rickshaws or pedicabs must comply with the Highway Code, road traffic laws, construction and use and road vehicle lighting regulations. We believe these are sufficient as principal measures for safeguarding public safety. Licensing of pedicabs to carry passengers is the responsibility of Transport for London, who we understand are looking at the issue. The numbers of pedicabs used in London is unknown.

Bingley Relief Road

Mr. Damian Green: To ask the Secretary of State for Transport (1) when the Bingley Relief Road is due to be *(a)* completed and *(b)* opened; [140926]

(2) whether a Government Minister will attend the opening of the Bingley Relief Road. [141105]

Mr. Jamieson: The A650 Bingley Relief Road will open to traffic at the earliest opportunity after construction is completed and the necessary safety checks have been undertaken. I expect that the scheme should be ready to open to traffic late December/early January. Arrangements are being made for a Minister to officially dedicate the road early in the new year.

Congestion Charging

Keith Vaz: To ask the Secretary of State for Transport which areas *(a)* have and *(b)* intend to have a congestion charging system. [142928]

Mr. McNulty: London and Durham have road user charging schemes. Nottingham City Council is developing a work place parking levy scheme and Derbyshire County Council is looking at the options for a road user charging scheme at the Ladybower reservoir in the Peak District National Park. Although a number of other authorities have expressed interest, none has firmly committed to the development of a scheme.

M25

Mr. Mackay: To ask the Secretary of State for Transport what the cost was of repairs and maintenance to *(a)* steel barrier systems and *(b)* concrete barrier systems on the M25 for the last five years for which figures are available. [142760]

Dr. Howells: On the basis of information since September 2001 the figures available for the cost of repairs to the steel barriers on the M25 are:

Cost of repairs

	£
September 2001—August 2002	2,248
September 2002—August 2003	3,302
September 2003—To date	479,000

There is an annual budget of £94,000 for maintenance of steel barriers. Most repairs to the barriers are due to accident damage and where possible, costs are recovered from the drivers that are responsible for an accident.

The concrete barriers on the M25 are designed to be maintenance free after their initial construction. There have been no major repairs required in this period due to accidents.

Driver and Vehicle Licensing Agency

Hugh Bayley: To ask the Secretary of State for Transport on how many occasions in the last full year for which figures are available the DVLA initiated court proceedings against people who were believed not have paid vehicle excise duty; on how many occasions the DVLA *(a)* withdrew proceedings and *(b)* lost a case in court because the vehicle keeper showed that he or she had paid VED; how much the DVLA estimates such proceedings cost the taxpayer; what steps the DVLA will take to improve its administration procedures to avoid the commencement of this type of unnecessary proceedings; and if he will make a statement. [140883]

Mr. Jamieson: During the year 2002–03, a total of 231,149 prosecutions were taken by DVLA against people who were believed not to have paid vehicle excise duty.

Proceedings were withdrawn on 18,255 occasions and 1,303 cases were unsuccessful at court. Cases are withdrawn for a variety of reasons, but less than 1 per cent. are as a result of a licence being in force at the time.

DVLA estimates that the cost of taking each case to court is £45 and requests this amount at every successful prosecution. Last year the agency was awarded £9.4 million in costs by the courts.

DVLA already takes every opportunity to avoid unnecessary court action. In most cases of alleged unlicensed use of a vehicle, a letter is sent to the registered keeper offering to settle the matter out of court. This also provides the opportunity to produce evidence that vehicle excise duty has already been paid. In addition, procedures have recently been introduced to barcode the licensing transaction at Post Offices. This allows DVLA's records to be updated within three days of the application, thus reducing the risk of inappropriate enforcement action.

Driving Assessments

Mr. Chope: To ask the Secretary of State for Transport if he will make it his policy to include all test centres run by the Driving Standards Agency among the places at which driving assessments recommended by the Medical Adviser to the Driver and Vehicle Licensing Agency can be carried out. [143274]

Mr. Jamieson: DVLA's Medical Advisers do on occasions ask drivers to undergo driving assessments in order to help determine their fitness to drive. Referrals are only made to driving assessment centres which are members of the Forum of Disabled Drivers Assessment and Mobility Centres. Such Centres are experienced at assessing drivers with medical conditions and specifically assess the impact of medical conditions upon driving behaviour and whether performance can be enhanced by either tuition or vehicle modification. For these reasons, DVLA prefers to use disability assessment centres rather than ask individuals to take a standard 'pass or fail' driving test. However, if an individual has particular problems in attending at an assessment centre, the Agency is able to refer the individual for a formal driving test with the Driving Standards Agency.

Mr. Chope: To ask the Secretary of State for Transport if he will list the places where driving assessments recommended by the Medical Adviser to the Driver and Vehicle Licensing Agency can be carried out. [143275]

Mr. Jamieson: A list of the driving assessment centres can be found at pages 37 and 38 of the Agency's booklet "At a Glance Guide to the current Medical Standards of Fitness to Drive". I am arranging for copies of the booklet to be placed in the Libraries of the House. This document is also available on the internet at: www.dvla.gov.uk/drivers/dmedl.htm.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Transport whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142807]

Mr. McNulty: The Department's catering contracts have required provision of Fair-Trade beverages since 1999. Fair-Trade tea and coffee is available for staff to purchase from the staff restaurant or to choose when providing hospitality catering for receptions and meetings.

Haymarket Station, Edinburgh

John Barrett: To ask the Secretary of State for Transport what recent discussions he had with *(a)* the Scottish Executive, *(b)* Network Rail and *(c)* others regarding lift facilities at Haymarket railway station in Edinburgh. [142619]

Mr. McNulty: Subject to the availability of funding, the SRA is considering how best to prioritise a programme of works to meet the accessibility requirements of the Disability Discrimination Act and will be consulting on draft criteria next year. Stations that have high usage, such as Haymarket, are likely to be given priority.

Light Dues

John Thurso: To ask the Secretary of State for Transport when he expects to publish the results of the Light Dues Review: Meeting the Costs of Marine Aids to Navigation consultation published in May 2002; and if he will publish the responses received. [142527]

Mr. Jamieson: In March, in my annual statement on the level of light dues rates, I announced a programme of work to investigate issues raised within the review. We do not intend to publish a separate Government statement to the consultation paper 'Light dues Review: Meeting the Costs of Marine Aids to Navigation'.

The responses received to the consultation paper will be published on the Department's website following the completion of the Study of the Economic Impact of Light Dues.

John Thurso: To ask the Secretary of State for Transport when he expects to publish the results of the economic review of light dues. [142528]

Mr. Jamieson: The report on the Study of the Economic Effect of Light Dues will be published as soon as possible following completion of the study, expected in the new year. It will be made available in hard copy and on the Department's website.

Taxis

Mrs. Dunwoody: To ask the Secretary of State for Transport if he will undertake a study of *(a)* the provision of taxi plates by local authorities outside London, *(b)* the availability of taxi services and *(c)* the speed of services to the public provided by extended granting of licences; and if he will make a statement on the report by the Office of Fair Trading on the licensed taxi industry. [142900]

Mr. Darling: We are currently considering the taxi and private hire vehicle market study report published on 11 November by the Office of Fair Trading, which was based on a range of research. We are now consulting principal stakeholders and are committed to responding to the recommendations within 120 days of the report's publication.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Home Energy Efficiency

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the companies used to supply equipment to homes under the Warm Front initiative; and if she will make a statement. [141940]

Mr. Bradshaw: Following a competitive procurement process in 2000 two companies were appointed to supply heating materials for the Warm Front scheme. Those companies are Plumb Centre and Newey and Eyre.

Air Pollution

John Barrett: To ask the Secretary of State for Environment, Food and Rural Affairs what the average air quality levels were in England in each year between 1985 and 1995. [136781]

Mr. Bradshaw: Comprehensive information on concentrations of air pollutants in England between 1985 and 1995 is available from the Air Quality Archive at www.airquality.co.uk. The following table shows, for urban and rural air monitoring site sin England, the average number of days for the years between 1985 and 1995 on which levels of any one of a basket of five pollutants (carbon monoxide, nitrogen dioxide, ozone, fine particles and sulphur dioxide) were 'moderate or higher' according to the Air Pollution Information Service bandings. These data are the headline air quality indicator, one of 15 headline indicators of sustainable development.

Data are missing for some years because there were, at that time, not enough air monitoring sites operating to provide data on all pollutants. Data for 2002 for England are available at www.sustainable-development.gov.uk/indicators/regional/2002/h10.htm and for 1987–2003 for the UK at http://www.defra.gov.uk./news/2003/030508a.htm.

When the indicator was established in 1998, the back time series was constructed from results from an increasing set of monitoring sites as the network (particularly the urban network) was developed. Research demonstrated that the increasing number of sites used in the indicator in fact had little effect on the overall trend produced. However, caution should be taken when comparing data for the early years of the urban network, as the number of sites was much lower than present that could have resulted in a lower number of exceedences being detected. The number of urban sites increased from three in 1992 to 35–40 from 1998 onwards, while the number of rural sites has remained fairly constant since it started.

The table also shows average concentrations of black smoke and sulphur dioxide (SO_2) in the UK between 1985 and 1995. These two combustion-generated pollutants are also a good indicator of average air quality for the years in question.

There is no clear trend in the average number of days of 'moderate' or 'higher' air pollution between 1985 and 1995. There is annual variability due mainly to differences in weather conditions from year to year. Data since 1995 show a long-term improvement in the number of days of 'moderate' or 'higher' air pollution as a result mainly of reduced emissions from road vehicles, electricity production and industry. There is an improving trend in average UK concentrations of black smoke and sulphur dioxide between 1985 and 1995, which have almost halved.

Average air quality levels between 1985–1995

	England air quality headline indicator (number of days)		*(Micrograms per metre cubed)*	
	Rural average	*Urban average*	*UK average black smoke*	*UK average sulphur dioxide-SO_2*
1985	—	—	17.5	41.2
1986	—	—	17.7	41.1
1987	23	—	17.0	39.1
1988	34	—	15.9	36.5
1989	58	—	14.7	35.3
1990	58	—	14.3	35.6
1991	60	—	13.4	32.8
1992	52	—	11.6	29.6
1993	44	59	11.0	28.2
1994	52	50	9.0	24.6
1995	53	50	10.6	24.4

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what the total amount of recognised carcinogens released to the air was *(a)* in England and *(b)* broken down by Government region in each year since 1997. [139191]

Mr. Bradshaw: The National Atmospheric Emission Inventory (available on-line http://www.naei.org.uk/) compiles annual air pollutant emissions for the United Kingdom. The most recent year for which emissions have been calculated is 2001. Emissions of four known or probable human carcinogens are calculated: benzene, 1,3-butadiene, benzo[a]pyrene and dioxins. Table 1 shows the national annual emissions since 1997 taken from the National Atmospheric Emission Inventory.

Emissions are generally calculated using statistics that are available on a national scale (e.g. fuel use). Inventory experts are gathering the regional information in order to undertake the complex process of calculating regional totals. So far, emissions for England have been calculated for 2001, but emissions for each Government region are not yet available.

Table 1: UK emissions 1997 to 2001

	Units	*1997*	*1998*	*1999*	*2000*	*2001*
Benzene	kt	35.8	31.7	28.7	15.7	15.4
1,3-Butadiene	kt	7.3	6.4	5.9	5.1	4.5
BaP	t	11.2	9.7	8.6	6.7	7.2
Dioxins	gTEQ	471	411	395	346	341

Table 2: England emissions for 2001

	Units	*2001*
Benzene	kt	11.8
1,3-Butadiene	kt	3.7
BaP	t	6.1
Dioxins	gTEQ	272

Notes:

1. BaP = benzo[a]pyrene (a carcinogen in its own right and a marker for carcinogenic polycyclic aromatic hydrocarbons in ambient air;
2. The term dioxin refers to a range of polychlorinated dibenzo-p-dioxin and polychlorinated dibenzofuran compounds. The emissions of dioxins are presented in terms of the sum of the weighted emissions expressed as gTEQs. TEQs weight the toxicity of the less toxic congeners as fractions of the toxicity of 2,3,7,8-TCDD, the most toxic congener.

Badgers/Bovine TB

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans the Department has to evaluate the impact on efficacy of culling of the use of anaesthesia in badger setts prior to lethal gassing. [141081]

Mr. Bradshaw: The Department has no plans to evaluate the impact on efficacy of culling of the use of anaesthesia in badger setts prior to lethal gassing. The gassing of badgers has been discounted as a culling option because it is considered to be inhumane.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs for how long mycobacterium bovis bacilli can survive in badger setts. [141394]

Mr. Bradshaw: It is not known precisely how long M. bovis (the causative organism of bovine tuberculosis) may survive in badger setts. The organism is killed by exposure to ultra violet light and extremes of temperature and humidity, as well as the growth of other bacteria and fungi. The lack of light and relatively constant temperature and humidity conditions found inside a badger sett would favour the survival of M. bovis.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what predictions were made, in explanatory material made available to farmers by her Department as to the percentage of badgers which were to be killed by culling teams engaged in the Krebs trials. [141993]

Mr. Bradshaw: In their first report, the Independent Scientific Group on Cattle TB, reported that informal estimates suggested a capture rate of up to 80 per cent. could be expected using cage traps alone. Information made available to farmers by leaflet, refers to "Proactive culling as many badgers as possible from a whole area (about 80 per cent.)" based, in part, on post-culling assessments of trapping efficiency. These assessments were based on field signs and are therefore largely subjective. They are, however, carried out by experienced personnel and give a useful indication of the extent of badger population reduction in proactively culled areas.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what information she has collated on whether significant damage is caused by badgers to ground nesting birds. [142460]

Mr. Bradshaw: Badgers are known to predate on ground nesting birds, although such predation is likely to be largely opportunistic. The impact of badger predation on bird populations has not been specifically quantified, but is not thought to significantly affect populations nationally. Locally, however, the situation may be different.

Bird remains are typically found in about 7.5 per cent. of badger dung in the U.K., and diet studies confirm that badgers eat eggs, nestlings and adult birds. These studies are unable to distinguish between scavenged and killed birds, and do not quantify the importance of birds in the badger diet.

Defra is currently funding research aimed at providing a scientifically vigorous assessment of the importance of badger predation for ground nesting birds. The project involves a review of current knowledge and intensive field investigations to assess to extent of predation by badgers. The project, which is being undertaken by the Central Science Laboratory, will report its findings in March 2005.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the welfare implications are for badgers infected with TB; at what stage in the disease they suffer; and how long that suffering can last. [142461]

Mr. Bradshaw: In a study by the Central Science Laboratory and Veterinary Laboratories Agency, TB as a cause of death accounted for less than 7 per cent. of badgers found dead. It is difficult to make objective assessment of whether these animals suffer. Typically, individuals may live for many months or even years while infected, showing no overt signs of clinical illness and maintaining normal body weights. Infected female badgers often give birth and successfully rear litters. However, post mortem findings where advanced pathological changes have occurred, particularly in the lungs, indicate that during the final stages of disease there would undoubtedly be an effect on the quality of life of such an animal. This stage is thought to last for a few weeks at most.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many times in each of the reactive areas of the randomised badger culling trials badger clearances were carried out. [142463]

Mr. Bradshaw: For each of the 10 reactive treatment areas the number of individual clearance operations is detailed in the following table.

Reactive trial area	*Number of reactive operations completed*[1]
A1	10
B1	10
C1	20
D1	4
E1	[2]10
F3	10
G1	7
H1	4
I1	3
J2	0

[1] Individual reactive operations vary in the extent of the geographical area involved and the number of herd notifications for reactive culling included

[2] Includes an operation halfway through the culling period at the time of suspension of reactive culling on 4 November 2003.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on *(a)* the adequacy of the resources allocated to the reactive cull component of the Government's randomised badger culling trials and *(b)* the adequacy of the number of personnel allocated, with particular reference to clerical personnel with sufficient skills, training and experience. [142464]

Mr. Bradshaw: The information requested is as follows.

(a) It has at times been difficult for MAFF/Defra to carry out reactive culling in response to a herd breakdown as quickly as the Independent Scientific Group on Cattle TB (ISG) anticipated its First Report. Resource limitations, including difficulties inherent in the recruitment and retention of appropriately skilled staff, have played a part. Difficulties became apparent in 2002 when, in effect, the impact of the suspension of TB testing in 2001 due to foot and mouth disease meant that two years1 worth of breakdown notifications required reactive culling, alongside the servicing of culling in the proactive areas. Defra has worked hard since FMD to meet the ISG's expectations both in terms of the time between breakdown and culling, and the number of operations completed. The ISG has helped by making some pragmatic decisions by assisting with priorities and by setting realistic, yet challenging, targets which Defra has either met or exceeded.

(b) It is considered that the level of clerical or administrative support has been adequate and not had any a diverse impact on the fieldwork for the Randomised Badger Culling Trial.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how long a reactive culling area must be maintained for statistically valid data to be obtained from the trial in that area. [142465]

Mr. Bradshaw: As set out in the Second Report of the Independent Scientific Group on Cattle TB (ISO), the design of the trial is based on accumulating a maximum of 50 triplet years of data to provide a probability exceeding 90 per cent. of detecting a 20 per cent. effect. The ISO committed itself at the outset, to carry out an initial analysis of the data once 100 new breakdowns had been accumulated in trial areas, and to repeat the analysis at six-month intervals.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many reactive culling areas were designated during the randomised badger culling trials; and what the dates were on which the trials commenced in each area. [142466]

Mr. Bradshaw: Within each of the 10 reactive treatment areas the number of individual culling areas varies from 0 to 20. I attach a table that presents the requested data clearly.

Reactive Trial Area	*Number of reactive operations completed*[1]	*Date of Field Operations*[2]
A1	10	3 July 2000
B1	10	24 May 1999
C1	20	15 May 2000
D1	4	25 August 2003
E1	[3]10	17 June 2002
F3	10	29 July 2002
G1	7	19 August 2002
H1	4	15 January 2003
I1	3	16 May 2003
J2	0	-

[1] Individual reactive operations vary in the extent of the geographical area involved and the number of herd notifications for reactive culling included

[2] Date that traps are first set to catch badgers

[3] Includes an operation halfway through the culling period at the time of suspension of reactive culling on 4 November 2003

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what concerns Professor Bourne has raised with her on the effect of delays in obtaining culture test results for bovine samples on management of the randomised badger culling trials. [142337]

Mr. Bradshaw: Professor Bourne wrote to the then Parliamentary Secretary (Commons), Mr. Morley, on 9 May 2003 enclosing a number of reports including one reviewing the implementation of the reactive strategy in the randomised badger culling trial. This pointed out that clearance of the TB testing backlog, caused by the suspension of testing during the 2001 foot and mouth disease outbreak, had overwhelmed culture facilities and contributed to delays in the notification of TB herd breakdowns that triggered reactive culling operations. The paper brought the concerns of the Independent Scientific Group on Cattle TB to the Minister's attention but concentrated on advising the Department on what it could do to improve notification and reactive response times.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the projected expenditure is by her Department for the next five years on developing vaccines for protecting *(a)* bovine animals and *(b)* badgers against TB infection. [141967]

Mr. Bradshaw: The content and funding for the future TB research programme is currently under discussion within the Department and is taking account of external scientific advice. TB vaccine development is likely to form an increasingly important part of the research programme.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the total expenditure since 1973 by her Department and its predecessors has been on developing vaccines for protecting *(a)* bovine animals and *(b)* badgers against TB infection. [141977]

Mr. Bradshaw: Work on vaccinating badgers against TB was carried out by MAFF from 1983 to 1990, but the figures for expenditure at that time are not available.

Much of the development work involves developing candidate vaccines. This work applies equally to vaccines for cattle and badgers so the figures do not differentiate between the two species.

The major effort on TB vaccine research, in relation to cattle and badgers, started in 1998, subsequent to the Krebs Report on Bovine Tuberculosis in Cattle and Badgers. The following table shows vaccine related research costs for the financial years 1998–99 to date.

£

Financial Year	*Vaccine related research cost*
1998–99	825,942
1999–2000	1,352,204
2000–01	1,415,287
2001–02	1,505,887
2002–03	1,495,314
2003–04	1,618,819

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions her Department has had with pharmaceutical companies on the Government's efforts to identify a candidate vaccine for bovine TB. [140840]

Mr. Bradshaw: There was input from the pharmaceutical industry into Defra's Chief Veterinary Officer's TB vaccine steering group and the Independent Scientific Group's Vaccine Scoping Study Sub-Committee, whose report is to be published shortly. Officials are also engaged with representatives of the animal medicine industry to discuss possibilities for Government/industry partnerships.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many bovine animals were compulsorily purchased and slaughtered as a result of TB infection between 1994 and 1998. [142456]

Mr. Bradshaw: The number of cattle slaughtered in Great Britain as a result of TB infection between 1994 and 1998 is set out in the following table:

	Cattle slaughtered[1]
1994	2,773
1995	3,451
1996	3,881
1997	3,760
1998	6,083
Total	19,948

[1] TB Reactors plus dangerous contacts. Veterinary Officer—Animal Health 1998

Source:

The Report of the Chief

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many bovine animals have been compulsorily purchased and slaughtered as a result of TB infection since 1998. [142458]

Mr. Bradshaw: The number of cattle slaughtered in Great Britain as a result of TB infection between 1999 and 2002 is set out in the following table:

	Cattle slaughtered[1]
1999	6,772
2000	8,353
2001	5,916
2002	[2]22,886
Total	43,927

[1] TB Reactors plus dangerous contacts. Source: The Report of the Chief Veterinary Officer—Animal Health 2002

[2] In 2001, the TB testing and control programme was largely suspended due to the foot and mouth disease (FMD) outbreak. Since testing resumed in 2002, resources have been concentrated on herds with overdue TB tests which would have had a longer period in which to contract the disease. Also the proportion of high risk herds being tested post-FMD is greater than that prior to the outbreak. As a result, the number of TB reactors identified and slaughtered in 2002 is not comparable to those identified and slaughtered in previous years.

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her recent decision to end badger culling as a means of countering TB in cattle. [143118]

Mr. Bradshaw *[holding answer 9 December 2003]:* The Independent Scientific Group on Cattle TB (ISG) was appointed by Ministers in 1998 to design and oversee a large-scale field trial, the Randomised Badger Culling Trial (RBCT), aimed at evaluating badger culling as a means to reduce the incidence of cattle TB. The trial involves three experimental treatments: (i) proactive culling, which aims to reduce badger densities to very low levels across entire trial areas, (ii) reactive culling, which seeks to remove only those badgers geographically close to recent cattle TB outbreaks on particular premises, and (iii) no culling (survey only).

The ISG has advised Ministers that its interim analysis of trial data so far indicates that there has been a 27 per cent. increase in the number of cases of bovine TB (breakdowns) in cattle herds occurring in reactive culling areas compared to the related survey-only areas (where no badger culling took place). The culling of badgers in reactive treatment areas of the RBCT was suspended from 4 November, because of the risk that a further three months of culling would cause additional TB breakdowns.

On the advice of the ISG, operations will continue in proactive areas because the data for these areas does not yet yield a statistically significant result. The survey-only (control) areas will also continue to be monitored.

This is a significant step forward in the development of a strategy to control bovine TB. Although we have now effectively ruled out small-scale, reactive culling of badgers, it gives us and the industry a greater impetus to focus our attention on other measures, such as the development of an improved diagnostic test, improved biosecurity and husbandry, and the development of a vaccine.

Full details available on Defra's website http://www.defra.gov.uk/animalh/tb/culling/index.htm

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what research she has undertaken on whether effective control of bovine TB can be achieved solely by means of herd bio-security and good animal husbandry. [142002]

Mr. Bradshaw: An investigation, costing approximately £0.5 million, of potential badger/cattle interactions and how cattle husbandry methods may limit these is being funded by Defra. The final report will be published after the investigation ends in December 2005.

A survey known as TB99 is under way and assesses potential risk factors that may predispose herds to TB outbreaks. The survey was delayed because of the foot and mouth disease outbreak but is back on course.

Advice leaflets on the health and welfare of livestock are available from Defra's website. Important advice on preventative strategies for avoiding introduction of cattle diseases, such as bovine TB, can be found in the leaflets "Golden Rules for a Healthy Herd" and "TB in Cattle—Reducing the Risk".

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what advice is given to farmers by her Department on bio-security measures aimed at preventing infection of cattle by TB. [142004]

Mr. Bradshaw: Defra has produced a concise list of disease prevention measures (including the need to always know the health status of animals being bought or moved) in the form of a yellow card which was developed with livestock industry representatives and vets. It was sent to all livestock farmers in 2002, and is available on the Defra website.

The Defra booklets "TB in Cattle—Reducing the Risk", "Golden Rules for a Healthy Herd" and Farm Biosecurity—Protecting Herd Health", which contain guidance on disease control measures, are also available from the Animal Health Divisional Offices or on the Defra website.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what effect delays in obtaining TB culture tests results have had on the reactive cull trial. [142336]

Mr. Bradshaw: In the majority of cases TB infection would have been confirmed on gross pathology, in abattoirs, by the presence of visible lesions, so culture results are of significance in only the non-visible lesion cases which were positive to the tuberculin test. Delays in culture results will have contributed in part to delays in the notification process but administrative and logistical delays, including the no cull period, would have a greater significance.

Dairy Farming

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many dairy cows there were in England in each of the past five years; and what the average size of dairy herds was in each year in *(a)* Cornwall and *(b)* Devon. [140715]

Mr. Bradshaw: The information is in the table.

Dairy Cows in Cornwall and Devon 1998—2002

	Dairy Cows	*Holdings*	*Average Herd Size*
Devon CC			
1998	160,039	2,396	67
1999	163,242	2,278	72
2000	154,707	2,151	73
2001	138,789	1,843	75
2002	144,148	1,798	80
Plymouth			
1998	659	6	110
1999	664	6	111
2000	—[1]	—[1]	—[1]
2001	—[1]	—[1]	—[1]
2002	—[1]	—[1]	—[1]
Torbay			
1998	351		
1999	368		
2000	262		
2001	268		
2002	—[1]	—[1]	—[1]
Cornwall and the Isles of Scilly			
1998	87,936	1,381	64
1999	89,747	1,310	69
2000	85,882	1,281	67
2001	87,513	1,222	72
2002	82,549	1,101	75

[1] Denotes that the data have been treated to avoid disclosure of information relating to individual holdings.

Note:

Figures for 1998 and 1999 show main holdings only, from 2000 onwards minor holdings are also included.

Source:

June Agricultural Census

Farm Subsidies (CAP)

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what advice her Department has offered tenant farmers in respect of the extent to which the forthcoming single farm payments will be attributed to *(a)* the land and *(b)* the farming activity where decoupled payments will be made under the reformed Common Agricultural Policy. [140813]

Mr. Bradshaw *[holding answer 1 December 2003]:* Entitlements under the Single Payment Scheme will be allocated to farmers, whether owner-occupiers or tenants, rather than to the land or particular farming activities. Farmers may then use any eligible land at their disposal in support of an annual claim for payment against their entitlements. Eligibility for the payment will not be dependent on any farming activity other than keeping all agricultural land on the claimant's holding in good agricultural and environmental condition.

Foot and Mouth

Mr. Roger Williams: To ask the Secretary of State for Environment, Food and Rural Affairs if she will reconsider the payment of slaughter premium on adult bovines slaughtered on farm through the Livestock Welfare Disposal Scheme during the foot and mouth outbreak because the farming businesses were subject to Form D movement restrictions. [142441]

Mr. Bradshaw *[holding answer 8 December 2003]:* No. In deciding to make ex gratia payments equivalent to the Slaughter Premium entitlement, plus interest, on all adult cattle killed in abattoirs under the Livestock Welfare (Disposal) Scheme we have taken account of the eligibility conditions applicable to the payment of Slaughter Premium.

Large Combustion Plant Directive

Mr. Clapham: To ask the Secretary of State for Environment, Food and Rural Affairs what the basis was of her decision to recommend to the European Commission on 27 November a national plan rather than an emissions limit value approach on the Large Combustion Plant Directive. [141322]

Mr. Bradshaw *[holding answer 4 December 2003]:* The Government's decision to submit a national plan to the Commission was in order to keep the option open. The Directive requires that any national plan is submitted to the European Commission by 27 November 2003. The Government considers that further analysis is required before taking a decision which implementation approach it is in the UK's interest to adopt. The UK can withdraw the plan if further analysis suggests that the emission limits approach is in the UK's best interest. A decision on whether to withdraw the national plan would be taken before spring 2004.

Mr. Clapham: To ask the Secretary of State for Environment, Food and Rural Affairs which of the two options under the Large Combustion Plant Directive other European countries have opted for; what discussions she has had with the Department of Trade and Industry on the option that fits most constructively with their energy policy; and what inquiries she has undertaken to determine the effects of implementing a national plan approach on UK energy jobs during the period in which further analysis on the two approaches is completed. [141324]

Mr. Bradshaw *[holding answer 4 December 2003]:* In addition to the UK, Ireland have submitted a national plan to the European Commission, and that several other Member States are likely to submit national plans.

Government decisions on implementing the Large Combustion Plants Directive (2001/80/EC) were reached following extensive contacts with all Departments having an interest in the issue. Both approaches are compatible with the Government's energy policy, but this is an area where we expect to undertake more analysis; for example, on issues surrounding security of supply.

Mr. Clapham: To ask the Secretary of State for Environment, Food and Rural Affairs what the sensitivities associated with each option under the Large Combustion Plant Directive referred to in the press statement her Department issued on 27 November are; and if she will make a statement. [141325]

Mr. Bradshaw: The Government have decided to look further into whether there is a different impact on the coal industry resulting from the emission limits approach to that from the national plan approach method of implementing the revised Large Combustion Plants Directive (2001/80/EC) for plants first licensed before July 1987. In addition there is a possible direct sensitivity to other policies, for example in connection with the UK's implementation of the European Union Emissions Trading Scheme, and the effect of the decision on the security of energy supplies.

Sea Birds

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what work her Department is doing to establish the size and distribution of offshore bird populations; and if she will make a statement. [141943]

Mr. Bradshaw: The Seabirds at Sea survey is a part Government funded national survey under the JNCC management. The survey does not cover all our seas on an annual basis, but areas of our seas have been selected each year since 1979. In the main our knowledge of the distribution of bird populations in the offshore environment comes from species surveys, many of which have been done in response to development pressures and some of which have been part funded by the country conservation agencies.

In addition to this work some information is gathered on both numbers and distribution around our coasts from the BTO/WWT/RSPB/JNCC Wetland Bird Survey, which is the part-government funded national scheme for counting waterbirds in the UK. This scheme relies on observers on land and therefore does not provide full coverage of birds that use the open sea.

The JNCC and WWT are, within their partnership, currently developing a strategy for monitoring sea ducks, divers and grebes, and JNCC will present this to government as formal advice in 2004.

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what work her Department is doing to establish the size and distribution of offshore populations of the common scoter; and if she will make a statement. [141944]

Mr. Bradshaw: The Seabirds at Sea survey is a part Government funded national survey under the JNCC management. The survey does not cover all our seas on an annual basis, but areas of our seas have been selected each year since 1979. In the main our knowledge of the distribution of bird populations in the offshore environment comes from species surveys, many of which have been done in response to development pressures and some of which have been part funded by the country conservation agencies.

In addition to this work some information is gathered on both numbers and distribution around our coasts from the BTO/WWT/RSPB/JNCC Wetland Bird Survey, which is the part-government funded national scheme for counting waterbirds in the UK. This scheme relies on observers on land and therefore does not provide full coverage of birds that use the open sea.

The JNCC and WWT are, within their partnership, currently developing a strategy for monitoring sea ducks, divers and grebes, and JNCC will present this to government as formal advice in 2004.

While there is no national scheme we do know that that the UK wintering population of common scoter is estimated to be 50,000 individuals (Kershaw and Cranswick. 2003. Biological Conservation 111: 91–104) and those of other species can be found on the WWTs website at: http://www.wwt.org.uk/publications/default.asp?PubID = 14

The distributions of these birds can be found in the JNCC publication "An Atlas of seabird distribution in north-west European waters" (Stone et al. 1995).

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what progress her Department is making in designating Shell Flat, Liverpool Bay as a special protection area; and if she will make a statement. [141942]

Mr. Bradshaw: The Statutory Nature Conservation Agencies are currently verifying survey data for the common scoter population in the Liverpool Bay area, including Shell Flat. Once the data has been scientifically verified a site proposal will be submitted to this Department. English Nature would then undertake a full public consultation exercise before any Special Protection Area is classified.

Pet Pigs

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on licences for walking pet pigs; and what plans she has to bring forward legislation on such licences. [143223]

Mr. Bradshaw: Pigs spread pig diseases rapidly. In order to track movements and reduce the potential for disease, pet pig walking licenses were introduced in 1995. The first legislation to require these licenses was the Pigs (Records, Identification and Movement) Order 1995. The Pigs (Records, Identification and Movement) Order 2003 continues to require these licences to be issued by the local Divisional Veterinary Manager.

Mr. Steen: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of pet pig walking licences issued; what the cost has been of issuing licences; and what plans she has to require the issue of licences for walking pet sheep. [143224]

Mr. Bradshaw: Pet pig walking licences are issued as routine work by Defra Local Animal Health Divisional Offices. They allow Defra to minimise the risk of disease spreading from pet pigs to commercial herds. No central record is maintained. To obtain details of the licences issued would result in disproportionate costs.

There are no plans to introduce legislation to require pet sheep walking licences.

Pharmaceutical Crops

Gregory Barker: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received about proposals to test pharmaceutical crops in the UK. [138806]

Mr. Morley: We have received no such representations. Commercial testing of crops for pharmaceutical use is a matter for the industry. The relevant statutory safeguards would need to be complied with, for example in the cultivation of hemp and other similar crops for authorised purposes. There have been no proposals to release GM crops modified for the production of pharmaceutically active components.

Regulations (Consultation)

Brian Cotter: To ask the Secretary of State for Environment, Food and Rural Affairs what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142490]

Alun Michael: The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. In the period 1 January 2001 to 31 December 2002 Defra has published 141 consultations under the Code, of which 87 lasted for less than 12 weeks.

Wood for Good Campaign

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs whether she plans to continue with funding of the Wood for Good campaign beyond the end of 2003; and if she will make a statement. [142228]

Mr. Bradshaw: The Forestry Commission is planning to continue to support the wood for good campaign in 2004 through its funding partnership with UK and Nordic producers.

NORTHERN IRELAND

Big Conversation

Mr. Heald: To ask the Secretary of State for Northern Ireland what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143155]

Mr. Paul Murphy: I refer the hon. Member to the answer provided by my right hon. Friend the Leader of the House on 9 December 2003, *Official Report,* Vol. 415, column 355W.

Human Rights

Mr. McNamara: To ask the Secretary of State for Northern Ireland (1) if he will list the amendments made to the Northern Ireland Human Rights Action Plan as a result of proposals made by his staff; [141856]

(2) if he will place in the Library copies of e-mail exchanges between his office and the offices of the Northern Ireland Human Rights Commission that relate to the preparation of the Human Rights Commission Action Plan. [141857]

Mr. Paul Murphy: My officials met the Chief Commissioner of the Northern Ireland Human Rights Commission on 6 October and offered some general suggestions, in line with the Commission's independence, about ways in which the Commission might wish to consider strengthening the Action Plan in relation to communications, strategy and organisation. No particular amendments were requested either in discussion or by e-mail, since it was understood that the Action Plan would be the Commission's alone.

Mr. McNamara: To ask the Secretary of State for Northern Ireland what provisions of the Paris Principles govern relations between his officials and members of the Northern Ireland Human Rights Commission. [141858]

Mr. Paul Murphy: The Northern Ireland Act 1998 governs relations between the Northern Ireland Office and the Northern Ireland Human Rights Commission. Nonetheless the Government believes relations between the two organisations are in line with the provisions of the Paris Principles.

Prison Officers

Lady Hermon: To ask the Secretary of State for Northern Ireland what meetings he has had with the Northern Ireland Prison Officers Association in relation to recent strike action by prison officers in Northern Ireland. [142669]

Mr. Paul Murphy: The lead in the matter of the strike action had been taken by the Minister of State, who had several meetings with the Prison Officers Association. I have been kept fully informed of events but have not been directly involved in meetings with the union representatives.

Saintfield Yarns

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what assistance is being given to the former employees of Saintfield Yarns by government agencies to access *(a)* re-training and employment opportunities and *(b)* redundancy and benefits payments before the Christmas period. [142697]

Mr. Pearson: Following notification of closure at Saintfield Yarns, the Department for Employment and Learning's Ballynahinch JobCentre offered to the company its job brokerage service and a full range of advisory services relating to training opportunities, redundancy payments and benefit entitlement. This took place over two days on the employer's premises and approximately 100 employees availed of the service. Representatives of the Social Security Agency, Invest NI, Enterprise Ulster, and local training organisations were also involved.

In addition, representatives from Marks and Spencer and Antrim Carpets were available to discuss job opportunities and to distribute application forms.

The Department has received 168 applications for Redundancy and Insolvency payments from former employees. These claims are being verified and processed and all eligible applicants are likely to receive a redundancy payment before Christmas. It is also anticipated that all claims for benefit will be processed within the same timescale.

JobCentre staff are providing continuing support to all who require it.

Written Answers to Questions

Thursday 11 December 2003

SCOTLAND

Big Conversation

Mr. Heald: To ask the Secretary of State for Scotland what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by *(A)* each Minister and *(B)* civil servants in connection with the Big Conversation; and if he will make a statement. [143161]

Mr. Darling: I refer the hon. Member to the answer given by my right hon. Friend the Leader of the House, on 9 December 2003, *Official Report*, column 355W.

Fisheries Council

Miss McIntosh: To ask the Secretary of State for Scotland what discussions he has had with the First Minister on progress of negotiations towards the December Fisheries Council. [142045]

Mrs. McGuire: My right hon. Friend and the First Minister discuss a wide range of matters.

Top-up Fees

Annabelle Ewing: To ask the Secretary of State for Scotland what representations he has received from *(a)* student representative bodies and *(b)* the university sector in Scotland on the subject of top-up fees. [142729]

Mrs. McGuire: My right hon. Friend has not received any representations on the subject of variable tuition fees from student representative bodies, but he has had correspondence from three MPs writing on behalf of Scottish universities and individual students.

Annabelle Ewing: To ask the Secretary of State for Scotland what written representations he has received from the First Minister of Scotland on the subject of top-up fees. [142764]

Mrs. McGuire *[holding answer 8 December 2003]:* My right hon. Friend has frequent exchanges with the First Minister on a range of relevant issues, including the possible impact in Scotland of the introduction of variable tuition fees in England.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Noise Pollution

Tony Wright: To ask the Secretary of State for Environment, Food and Rural Affairs what provisions exist for the police to take action against motorists who emit loud noise from car stereos. [141919]

Mr. Bradshaw: The police have powers to restrict noise from moving vehicles under Regulation 97 of the Road Vehicles (Construction and Use) Regulations 1986. This regulation makes it an offence to use a motor vehicle on the road in such a manner as to cause any excessive noise that could have been avoided by the exercise of reasonable care on the part of the driver; this includes excessive noise from car stereos. The penalty is a fine of up to £1,000.

In addition, Section 59 of the Police Reform Act 2002 gives power to seize a vehicle if it is being used in certain specified circumstances, including in a manner

> "causing or likely to cause, alarm, distress or annoyance to members of the public".

The Police (Retention and Disposal of Motor Vehicles) Regulations 2002 (SI 2002/3049) provide for the retention, safe-keeping and disposal by the police (or persons authorised by them) of vehicles seized under section 59.

Cider

Mr. Bellingham: To ask the Secretary of State for Environment, Food and Rural Affairs what volume of cider was produced in the UK in each of the last five years. [142140]

Mr. Bradshaw: The volume of cider produced in each of the last five financial years for which data are available is as follows:

Financial Year	*Million litres*
1997–98	475
1998–99	495
1999–2000	505
2001–01	510
2001–02	495

Source:
Mintel

Mr. Bellingham: To ask the Secretary of State for Environment, Food and Rural Affairs what the total profit made by UK cider producers was in each of the last five years. [142141]

Mr. Bradshaw: The total profit before tax made by major cider producers in the UK in each of the last five financial years for which data are available is as follows.

Financial Year	*£ million*
1997–98	51
1998–99	15
1999–2000	28.5
2000–01	49
2001–02	5

Source:
Defra

Projects (St. Helens)

Mr. Woodward: To ask the Secretary of State for Environment, Food and Rural Affairs which projects have been *(a)* wholly and *(b)* partly funded by her Department in St. Helens since 1997; when each project was announced; when it started or was expected to start;

what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141271]

Alun Michael: Information and statistics on the distribution of the Department's funds are not normally held on a parliamentary constituency basis. The following tables show as fully as possible details of projects that have benefited St. Helens since 1997.

Countryside stewardship scheme (part of the England rural development programme)

Project funded by Defra	*Project 1*	*Project 2*	*Project 3*	*Project 4*	*Project 5*	*Project 6*
Project was announced	2002	2002	1995	1995	2001	1998
Project started	2002	2002	1995	2000	2001	1999
Funding provided by	Defra	Defra	Defra	Defra	Defra	Defra
Third party	n/a	n/a	n/a	n/a	n/a	n/a
Target group	General public	General public	General public	General public	General public	General public
Funding since 1997 (£)	558.75	477.90	3,000.00	1,500.00	1,000.00	2,000.00
Name of the project	Access	Access	Educational access	Educational access	Educational access	Educational access

European agricultural guidance and guarantee fund (St. Helens)—Objective 1 Merseyside

Project funded by Defra	*Project 1*	*Project 2*	*Project 3*	*Project 4*	*Project 5*
Objective 1	2000–06	2000–06	2000–06	2000–06	2000–06
Project started	January 2003	September 2003	September 2003	March 2001	March 2001
Funding provided by	Defra	Defra	Defra	Defra	Defra
Third party	EU	EU	EU	EU	EU
Target group	Farmer	Farmer	Farmer	Land owners	Land owners
Funding since 1997 (£)	23,000	16,000	18,000	66,000	150,000
Name of the project	Farm diversification	Food processing and marketing	Food processing and marketing	Forestry	Forestry

Processing and marketing grant (ended 1996)

Project funded by Defra	*Project 1*
Project was announced	Unknown
Project started	1996
Funding provided by	Defra
Third party	None
Target group	Poultry processor
Funding since 1997 (£)	162,474
Name of the project	n/a

Environment quality and waste

Project funded by Defra	*Project 1*	*Project 2*
Project was announced	December 2003	December 2003
Project started	April 2004	April 2004
Funding provided by	Defra	Defra
Third party	None	None
Target group	General public	General public
Funding since 1997 (£)	645,000	350,000
Name of the project	n/a	n/a

The latest information on regional progress in the national headline indicators of sustainable development were published by Defra in the second edition of the 'Regional quality of life counts' report on 21 June 2002. This provides updated regional figures and analysis for 13 of the 15 headline indictors for each of the English Government Office Regions. The Government's third annual report on sustainable development in the UK—Achieving a better quality of life—was published by Defra on 24 February 2003. Both publications are available on the Government's sustainable development website: www.sustainable-development.gov.uk. In addition, a wide range of information about the Department's policies and work is also included in the Defra Publication Scheme which was introduced in November 2002 and is available on the Defra website at www.defra.gov.uk.

Bovine Tuberculosis

Sir Michael Spicer: To ask the Secretary of State for Environment, Food and Rural Affairs what the incidence of TB in badgers in *(a)* England, *(b)* Herefordshire and *(c)* Worcestershire was in the last six months for which figures are available. [140457]

Mr. Bradshaw *[holding answer 1 December 2003]*: Data from the Randomised Badger Culling Trial (RBCT) and the associated current Road Traffic Accident (RTA) survey are not available. The most recent data available are for the period 18 February 1999 to 18 August 1999. These data are sourced from the previous RTA survey and sources other than from badger removal operations, and pre-date the current RTA and RBCT.

The following table shows the number of badger carcases tested for Mycobacterium bovis (the causative organism for bovine tuberculosis) for this period. Data for Hereford and Worcester were collected together, and thus given as a total.

Badgers tested for Mycobacterium bovis 18 February 1999 to 18 August 1999

	England	*Hereford and Worcester*
Number of badger carcases tested	771	128
Number of badger carcases *M.bovis* positive	72	19
Percentage	10.1	14.8

It is not possible to provide incidence rates for TB in badgers for the period in the absence of data about the date badgers became infected.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many people, since 1998, have been arrested for interfering with Government badger traps; and how many have been prosecuted. [141973]

Mr. Bradshaw: The arrest and prosecution of anti-trial activists is the responsibility of the relevant police forces in whose areas the Randomised Badger Culling Trial areas are located, and the Crown Prosecution Service. Defra does not receive information on, or maintain records of, such arrests and prosecutions.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what deleterious effects on wildlife arising from the current badger population level have been recorded by her Department and other UK public bodies. [141992]

Mr. Bradshaw: Previous research has shown that there is a negative relationship between badger and hedgehog abundance, i.e. more badgers equals fewer hedgehogs, in rural areas. This is believed to be due to hedgehog predation by badgers and through hedgehogs avoiding areas of higher badger density. However, this is not necessarily a "deleterious effect on wildlife", since predator/prey interactions are a feature of ecosystems. It has been suggested that badgers may impact adversely on some species of ground nesting birds. The interaction between the badgers and other species in the ecosystem is the subject of a study being carried out by the Central Science Laboratory. This study is being conducted in selected areas of the Randomised Badger Culling Trial and the results will not be available until after the fieldwork programme finishes at the end of 2004.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost has been of the reactive cull component of the Government's Randomised Badger Culling Trials. [142459]

Mr. Bradshaw: It is not possible to give an accurate cost of the reactive element of the Randomised Badger Culling Trial. The total cost of the trial to the end of March 2004 is forecast to have reached £30.5 million.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs how many badgers have been killed as part of the Randomised Badger Culling Trials; how many were tested for TB infection; and how many were culture positive for TB. [142467]

Mr. Bradshaw: As at 5 December 2003, 8,276 badgers had been culled in the Randomised Badger Culling Trials. All culled badgers are tested for TB infection. On the advice of the Independent Scientific Group on Cattle TB, data on the prevalence of TB in badgers caught in the trial, along with locations of their capture and the incidence of TB in cattle in trial areas, once triplets are active, are not released. This is to protect the integrity of the trial, and for the security of Defra field staff and farmers co-operating in the work.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what criteria are used to assess whether a reactive badger culling programme is effective. [142472]

Mr. Bradshaw: These are set out in the Second Report of the Independent Scientific Group on Cattle TB. Essentially, over the same time period, the number of cattle herd breakdowns in reactive trial areas are compared with the number of herd breakdowns in the survey only trial areas, taking into account factors such as numbers of herds per trial area, timing of tuberculin test and a number of other variables. For analytical purposes, the starting point used for such comparisons, for each triplet, is the end of the initial culling operation in the proactive trial area.

Sir Michael Spicer: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the results of the research into the interaction between TB in badgers and TB in cattle. [140458]

Mr. Bradshaw *[holding answer 1 December 2003]*: The Independent Scientific Group on Cattle TB (ISO) intends to publish the results of the Randomised Badger Culling Trial as soon as possible following its predicted conclusion in 2006.

In line with its undertaking to report any significant results that emerge from analyses before the trial's conclusion, the ISO recently reported results that indicated that localised badger culling seemed to increase TB incidence in cattle. These results stem from a comparison between the level of TB incidence in cattle in the reactive culling and the control (no culling) treatment areas. Further information is available from the Defra website http://www.defra.gov.uk/animalh/tb/index.htm and from a paper the ISO have published in *Nature* www.nature.com/nature.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what examples there have been of reactive badger culling programmes in England where the work was successful in controlling TB in cattle; and where and when those programmes were carried out. [141970]

Mr. Bradshaw: Since the early 1970s MAFF/Defra has carried out a range of badger control strategies in an attempt to reduce TB incidence in cattle. These were reviewed in the Krebs Report in 1997 where, among other things, it was recommended that a scientific field experiment be set up to test rigorously the effectiveness (and cost-effectiveness) of different badger culling strategies and to provide the evidence on which to base future TB control strategies. The Krebs report recommended a randomised block approach comprising three treatments: reactive culling, proactive culling, and no culling. The Randomised Badger Culling Trial, as recommended by Krebs and designed by the Independent Scientific Group on Cattle TB, commenced in 1998.

Previous control strategies included Gassing (1975–82), Clean Ring (1982–86), Interim (1986 to 1998) and Live Test (1994–96) further details are available in the Krebs Report Chapter 5 page 76. None of the control strategies has been assessed in a properly designed experiment to establish their efficacy. While removal operations may have had an effect on the prevalence of TB in badgers and on herd breakdowns, other factors may also have influenced these. In the absence of scientific controls, it is not possible to separate out the effects of badger removal from these confounding factors.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the incidence of TB in *(a)* badgers and *(b)* cattle in England during (i) 2004 and (ii) 2005. [142469]

Mr. Bradshaw: It is only possible to make estimates of the incidence of bovine TB in cattle based on previous years. Unfortunately, data for both 2002 and 2001 cannot be easily compared with earlier years. This is because, in 2001, TB testing was largely suspended during the foot and mouth disease outbreak, and in 2002 much of the testing effort was aimed at high-risk herds and those with overdue tests. Nevertheless, early indications suggest that the reduced levels of testing in 2001 have not substantially altered the underlying historical trend of confirmed TB incidents in cattle, which continues to rise at a yearly average rate of about 18 per cent. for new herd incidents.

No estimates have been made regarding the incidence of TB in badgers.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact of the level of funding to laboratories for the examination of bovine samples for M. bovis on the time scale for the testing of samples. [142338]

Mr. Bradshaw: Culture of samples for *Mycobacterium bovis* (the causative organism for bovine tuberculosis) takes at least six weeks. A backlog of samples built up at the Veterinary Laboratories Agency (VLA) after the foot and mouth disease outbreak in 2001.

An extra £650,000 funding was made available in 2003–04 to the Veterinary Laboratories Agency (VLA) to tackle the backlog. So far in 2003, the monthly throughput at VLA of bovine samples for culture has been more than three times higher than in 2002. Fresh samples are now being processed as they arrive at VLA and we are further reducing the backlog of frozen samples.

At the end of October 2003 there were 1,781 tissue samples awaiting culture at the VLA (down from 6,329 at the end of March 2003). Nearly all of the outstanding samples (1,712) are from carcases that showed no visible lesions at post-mortem, and thus not causing a delay in lifting movement restrictions from farms.

Chemical Solvents

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what controls apply to the use of chemical solvents as substitute fuels in cement kilns; and what monitoring takes place of emissions which might reasonably be expected to derive from such use. [142345]

Mr. Bradshaw: The use of solvents as substitute fuel in a cement kiln requires a permit from the Environment Agency. The permit contains conditions specific to the cement kiln which include:

(a) a specification for the substitute fuel(s);

(b) requirements for on-site storage and handling of substitute fuel(s);

(c) requirements for monitoring and sampling to ensure that out-of-specification substitute fuel is not burned in the kiln;

(d) a range of other requirements ensuring adequate control of the process;

(e) emission limits for pollutants likely to be emitted in significant quantities; and

(f) requirements for monitoring and reporting emissions.

Permits require the continuous monitoring of the following parameters:

Particulate matter

Oxides of Nitrogen (NO plus NO_2 expressed as NO_2)

Sulphur Dioxide (SO_2)

Carbon Monoxide (CO)

Hydrogen Chloride (HCL)

Oxygen, moisture, temperature and pressure

Volatile Organic Carbon expressed as Total Organic Carbon (VOCs as TOC)

Permits require the periodic monitoring of the following parameters:

PM_{10}[1]

Oxides of Nitrogen (NO plus NO_2 expressed as NO_2)

Sulphur Dioxide (SO_2)

Carbon Monoxide (CO)

Hydrogen Chloride (HCL)

Hydrogen Fluoride

Volatile Organic Carbon expressed as Total Organic Carbon (VOCs as TOC)

Heavy metals

Dioxins and furans[2]

Moisture, temperature, oxygen,

Flow

Other species[3]

[1] PM10s monitored during substitute fuel trials.

[2] Dioxin-like polychlorinated biphenyls are being included in new permit variations.

[3] Other species may be specified based on an assessment of the fuel composition and trial data.

Each of the above controls including monitoring requirements is considered in detail in the "Substitute Fuels Protocol"—Environment Agency guidance for managing substitute fuel trials on cement and lime kilns.

Milk

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how many litres of milk were produced in the UK in each of the last 10 years; and what the national quota was in each of those years. [141566]

Mr. Bradshaw: The following table gives the total amounts of quota allocated to the UK for the period 1994–95 to 2002–03 and the amount of milk produced in each of these years.

Million litres

Quota year	*Quota allocation*	*Amount produced*
1994–95	14,167	14,256
1995–96	14,167	14,324
1996–97	14,167	14,221
1997–98	14,167	14,294
1998–99	14,167	14,205
1999–2000	14,167	14,232
2000–01	14,179	13,885
2001–02	14,186	14,103
2002–03	14,186	14,064

North Norfolk Coast

Norman Lamb: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on her Department's strategy for the stretch of coastline from Happisburgh to Winterton in North Norfolk; and what the cost of implementing this strategy is. [141989]

Mr. Morley: Development and implementation of options for defending against flooding and coastal erosion is the responsibility of the flood and coastal defence operating authorities—the Environment Agency, local authorities and, in areas with special drainage needs, internal drainage boards.

The Environment Agency is responsible for a 14 kilometre length of sea defences from south of Happisburgh village to Winterton-on-Sea. This coastline has a long history of erosion and breaching of the defences, causing flooding of a large low-lying hinterland, extending into the Norfolk Broads area.

Defra agreed the Agency's current sea defence strategy for this frontage which recommends maintaining the existing system of sea defence structures by implementing a programme of beach recharge and groyne replacement. The estimated cost of this strategy is now £60 million, if continued over the next 50 years.

This strategy accords with the 'Hold the Line' defence policy recommended in the current Shoreline Management Plan. This plan is currently being reviewed.

Pet Pig Walking Licences

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the veterinary resources required to administer the pet pig walking licence scheme. [143634]

Mr. Bradshaw: Pet Pig walking licences are issued as routine work by Defra Local Animal Health Divisional Offices. They allow Defra to minimise the risk of disease spreading from pet pigs to commercial herds. No central record is maintained. To obtain details of the licences issued would result in disproportionate costs.

Countryside and Rights of Way Act

Brian White: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost is of completing the mapping stage of the Countryside and Rights of Way Act 2000, broken down by *(a)* year, *(b)* central government and *(c)* local government. [143015]

Alun Michael: By the end of October 2003, the Countryside Agency and the Planning Inspectorate had spent a total of £22.7 million on implementing Part I of the Countryside and Rights of Way Act 2000. This figure includes expenditure of £2.5 million in 2000–01; £3.4 million in 2001–02; £9.1 million in 2002–03 and £7.7 million in 2003–04. As well as the costs of mapping work completed, whether or not yet invoiced, it covers other costs arising from Part 1 of the Act, such as appeals, restrictions and publicity, and it includes staff costs.

It is not possible to give accurate figures for the remainder of the mapping exercise because there are still large external factors to be taken into account. These include the number of comments received on draft maps and the number of appeals. These variables could have a large impact on the final costs of the mapping exercise.

The figures relate to England. Information on mapping in Wales is a matter for the National Assembly for Wales. Local government is not involved in the mapping stage.

Cement Kilns

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what steps she takes to ensure that materials agreed as suitable for fuel under the Environment Agency's Substitute Fuels Protocol in practice result in no net detriment to the environment; what formula is applied to consider relative gains against relative losses in environmental impact; and if she will make a statement. [142347]

Mr. Bradshaw: The Substitute Fuels Protocol is based on the premise that it is necessary for an operator proposing to use substitute fuel(s) to undertake a programme of rigorous trials, in order to establish scientifically the facts about the possible environmental impacts of its proposals on the area around the site in question. The results of such trials ensure that the Environment Agency is able to make sound judgments as to whether or not the permanent use of substitute fuel(s) should be permitted and, if so, under what conditions.

For applications to allow the use of substitute fuel(s), the Environment Agency ensures that the change will not produce any net detriment to the environment.

The methodology for making this assessment is entitled "H1: Environmental Assessment and Appraisal of BAT" published by the Environment Agency. This methodology enables different operating scenarios to be compared for emissions to all media.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what analysis is carried out to determine the impact on emissions from cement kilns of *(a)* particulate matter and *(b)* complex chemical compounds from the switch from fossil based fuels to substitute fuels, with particular reference to hazardous waste. [142348]

Mr. Bradshaw: The Environment Agency requires operators to conduct a comparative environmental assessment of process emissions, including particulate matter and complex chemical compounds such as dioxins and furans, when plant operation is switched from burning fossil fuels to substitute fuels, such as hazardous wastes.

Particulate matter is continuously monitored irrespective of the operating scenario.

Complex chemical compounds such as dioxins and furans monitored using extractive techniques. Other compounds may be specified based on an assessment of the fuel composition and trial data. In addition, irrespective of the fuel composition, carbon monoxide and volatile organic carbon emissions are continuously monitored as they are both considered a good surrogate for monitoring efficient combustion. The operational criteria specified for hazardous waste combustion (temperature greater than 1100°C and residence time at least two seconds) are exceeded in cement kilns thus ensuring destruction of complex chemical compounds.

Waste Management

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the ability of the planning process to enable sufficient infrastructure to be built by 2020 to manage waste in compliance with the EU's Landfill Directive. [143288]

Keith Hill: National planning policy on waste management is set out in Planning Policy Guidance Note 10 Planning and Waste Management (PPG10). PPG10 underlines that the planning system should enable adequate provision of waste management facilities in appropriate locations, without undue adverse environmental effects or nuisance. As part of the Government's wider planning reform programme, PPG10 will be reviewed in 2004 and updated as a planning policy statement (PPS). The new PPS will properly reflect and state the need for new, or upgraded, waste management facilities of all types. This will include the infrastructure required to support the prime objectives of reduction and recycling but, also, sites and plants for final treatment and disposal.

TRANSPORT

Crash Barriers

Mr. Mackay: To ask the Secretary of State for Transport what assessment he has made of whether the performance standards of barriers used on motorways and trunk roads in England and Wales are the same as those used in other EU countries; and if he will make a statement. [142780]

Dr. Howells: The Highways Agency has carried out targeted investigations into performance standards of barriers at the approaches to bridges on motorways and trunk roads in England, and of the comparative performance standards in other EU countries. This found that some other EU countries require higher performance standards than England at these locations.

The Highways Agency is also aware that some other EU countries require higher performance standards than England for motorway and trunk road central reserve barriers. The Highways Agency is currently carrying out research into the potential safety-benefits and cost-effectiveness of increasing the current performance standard for central reserve barriers.

Emergency Vehicles

David Davis: To ask the Secretary of State for Transport what privileges accrue from having a vehicle fitted with an emergency blue light and siren; and what regulations govern which vehicles may be fitted with such equipment. [143241]

Dr. Howells: The fitting and use of blue lights on emergency vehicles are controlled by Regulations 16 and 27 of The Road Vehicles Lighting Regulations 1989, and sirens by Regulations 37 and 99 of The Road Vehicles (Construction and Use) Regulations 1986.

The authority to fit and use blue lights and sirens does not of itself provide any special privileges for drivers.

Privileges often associated with their use, such as exemption from speed limits are contained in Section 87 of the Road Traffic Regulation Act 1984, and exemption from certain signals and traffic signs are contained in The Zebra, Pelican and Puffin Pedestrian Crossings Regulations 1997 and The Traffic Signs Regulations 2002.

Public Transport (Disabled People)

Mr. Stringer: To ask the Secretary of State for Transport what estimate he has made of the number of disabled people prevented from working because they are unable to use public transport. [143556]

Mr. McNulty: The Department for Transport has not carried out an assessment in that area.

TransPennine Express Franchise

David Davis: To ask the Secretary of State for Transport why the Hull-Manchester Airport link was not part of FirstGroup's Public Service Requirement when it acquired the TransPennine Express franchise. [143244]

Dr. Howells: The Passenger Service Requirement (PSR) for the Hull-Leeds-Manchester route, as part of the Arriva Trains Northern franchise, does not include an absolute requirement to operate services to Manchester Airport. The TransPennine Express franchise will inherit substantially the same PSR.

Transport Investment (Yorkshire and Humber)

David Davis: To ask the Secretary of State for Transport how much investment there was in transport in the Yorkshire and Humber region in each of the past five years. [143307]

Dr. Howells: I refer the right hon. Member to Public Sector Statistical Analyses 2003 Tables 8.10a to 8.13b where figures covering both transport investment and resource expenditure for the years 1998–99 to 2001–02 may be found. Data for 2002–03 are not yet available.

CULTURE, MEDIA AND SPORT

Digital Television

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport pursuant to her answer of 4 December 2003, *Official Report*, column 165W, on digital television, what estimate has been made of the number of households expected to purchase the new viewing card announced last month which replaces the Solus viewing card. [143497]

Estelle Morris: The latest ITC estimates for Q2 2003 are that 738,900 homes receive Free to Air (FTA) digital satellite services and could therefore wish to buy a viewing card. These figures comprise an estimate of the number of Sky viewers who have only ever been FTA viewers plus an estimate of the number of ex-Sky subscribers who continue to use their set-top boxes for viewing FTA channels.

Projects (St. Helens)

Mr. Woodward: To ask the Secretary of State for Culture, Media and Sport which projects have been *(a)* wholly and *(b)* partly funded by her Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141272]

Mr. Caborn: My Department has wholly or partly funded a wide range of projects in St. Helens since 1997, covering the arts, sport, heritage, museums and libraries. I am particularly pleased that five schools in St. Helens are taking part in the DCMS/Arts Council England 'Creative Partnerships' initiative. Additional information on this initiative and other projects that have been wholly or partly funded by the Department for Culture, Media and Sport in St. Helens since 1997 has been placed in the Library.

Racing Greyhounds

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport if she will make it her policy to use the proposed Gambling Bill to improve the statutory protection for the welfare of racing greyhounds. [143371]

Mr. Caborn: The Gambling Bill is intended to reform the regulation of gambling rather than make provision for animal welfare: this is a matter for separate legislation now under consideration by the Department for Environment, Food and Rural Affairs. However, we envisage that the premises licences for greyhound tracks which local authorities will issue under the proposed Bill will include conditions safeguarding the integrity of betting events which will entail compliance with minimum welfare standards.

The prime responsibility for the welfare of a greyhound must reside with the owner. I am, however, presently exploring with both the bookmaking and greyhound industries if more funds could be provided for welfare through the existing voluntary funding arrangements.

INTERNATIONAL DEVELOPMENT

European Constitution

Mr. Bercow: To ask the Secretary of State for International Development whether it is the policy of his Department that the European Constitution should specify poverty eradication as the primary objective of EU development programmes and expenditure in every developing country. [140870]

Mr. Gareth Thomas: The draft new Treaty suggests that the principal aim of the Union's development policy is to reduce, and in the long term, eradicate poverty. We very much welcome this statement and have lobbied hard for this during the Convention debate.

HIV/AIDS

John Barrett: To ask the Secretary of State for International Development what steps are being taken to improve health delivery mechanisms in developing countries to ensure the dispersal of World Health Organisation-approved generic anti-retroviral drugs; and if he will make a statement. [142621]

Mr. Gareth Thomas: DFID is committed to working with others, including our donor partners, the pharmaceutical industry, investors, developing country governments and non-governmental organisations (NGOs) to improve access to medicines in developing countries, including for the treatment of HIV/AIDS.

With the World Health Organisation, DFID believes that affordable pricing, sustainable financing, reliable health and supply systems, and the rational selection and use of existing drugs are all essential to improve access to medicines.

In line with this, DFID has committed over £1.5 billion since May 1997 to support the strengthening of health and supply systems in developing countries, which will help to build capacity to deliver medicines to the poor and to make effective choices about the selection of drugs. The UK has also pledged $280 million to the Global Fund to Fight AIDS, TB and Malaria (GFATM). This will help pay for increased coverage of proven interventions for the three diseases and some associated health systems strengthening. According to UNAIDS, the UK is the second largest bilateral donor for HIV/AIDS programmes.

DFID supports a comprehensive response to HIV/AIDS, which includes prevention, treatment and care and alleviation of the impact of AIDS. We welcome recent reductions in the price of both patent and generic anti-retroviral drugs for the treatment of HIV. These reductions have created new opportunities to allow poor people to benefit from the same life-saving treatment that has been available in affluent countries. We will continue to work with the WHO, the patent based and generic pharmaceutical industries and others to further reduce prices. DFID supports the target set by the World Health Organisation and UNAIDS for three million people receiving treatment by the end of 2005. A new policy on treatment and care, to be launched early next year, will set out how DFID will coordinate work with partners to promote anti-retroviral treatment for poor people and for women.

Mr. McFall: To ask the Secretary of State for International Development if he will make a statement on his discussions regarding HIV and retro-viral drugs for developing countries. [141931]

Mr. Gareth Thomas: DFID supports a comprehensive response to HIV/AIDS, which includes prevention, treatment and care and alleviation of the impact of AIDS. Recent reductions in the price of anti-retroviral drugs for the treatment of HIV has created new opportunities to allow poor people to benefit from the same life-saving treatment that has been available in affluent countries. This is why we support the target set by the World Health Organisation and UNAIDS for three million people receiving treatment by the end of 2005.

DFID, the World Health Organisation and others believe that affordable pricing, sustainable financing, reliable health and supply systems, and the rational selection and use of existing drugs are all essential to improve access to medicines. DFID is committed to continuing our discussions with others, including our G8 partners, the pharmaceutical industry, investors, developing country governments and non-governmental organisations (NGOs) to improve access to medicines in developing countries, including for the treatment of HIV/AIDS. A new policy on treatment and care, to be launched early next year, will set out how DFID will coordinate work with partners to promote anti-retroviral treatment for poor people and for women.

Malaria

Tim Loughton: To ask the Secretary of State for International Development how much funding the Government has contributed towards research and development into affordable anti-malarial drugs in 2003–04; and how much it plans to spend in *(a)* 2004–05 and *(b)* 2005–06. [141191]

Mr. Gareth Thomas: DFID is supporting public-private partnerships to develop the new generation of affordable drugs required for malaria control in developing countries. In 2003–4, we are contributing £1 million in support of the work of Medicines for Malaria Venture (MMV). We will also contribute £1 million to MMV in 2004–5 and a further £1 million in 2005–6.

We are working in partnership with GlaxoSmithKline, the World Health Organisation and the University of Liverpool to develop an effective, safe and affordable drug called Lapdap, for treating drug resistant malaria. DFID is currently funding compliance and pharmacovigilance trials of Lapdap. Our funding in 2003–4 will be £213,000 and in 2004–5 it will be £286,000.

DFID contributes to the Medical Research Council whose activities include funding research projects to develop medicines for resistant strains of malaria. We provide a core contribution to WHO, some of which is used to support the WHO Special Programme for Research and Training in Tropical Disease (TDR) to develop new approaches for treating infectious diseases, including malaria.

Future funding plans beyond current commitments to September 2006 are under review.

SOLICITOR-GENERAL

Bicycle Rickshaws

Mrs. Dunwoody: To ask the Solicitor-General what discussions she has had in relation to *(a)* the decision in the High Court on bicycle rickshaws and their ability to convey passengers safely, and *(b)* clarifying (i) licensing, (ii) insurance and (iii) safety rules in relation to the carrying of the public by bicycle rickshaws. [142908]

The Solicitor-General: None.

Guantanamo Bay

Llew Smith: To ask the Solicitor-General if she and the Attorney-General will examine the lecture by Lord Steyn of 25 November on the legal status of British citizens at Guantanamo Bay in Cuba. [142901]

The Solicitor-General: The Attorney-General and I have already read a transcript of the lecture given by Lord Steyn on 25 November on the subject of Guantanamo Bay.

Mr. Roger Sylvester

Harry Cohen: To ask the Solicitor-General what has been the Government's response to the recent inquest decision that the death of Roger Sylvester amounted to an unlawful killing; and if she will make a statement. [141210]

The Solicitor-General: On 3 October 2003, an inquest jury returned a verdict that Roger Sylvester was unlawfully killed. Lawyers from the Crown Prosecution Service were present throughout the inquest hearing and have commenced a fresh review of the case. The review will include the evidence given at the inquest once the relevant transcripts have been received. It will be for the reviewing crown prosecutor to decide, in accordance with the Code for Crown Prosecutors, whether any criminal proceedings should be instituted.

WORK AND PENSIONS

Household Incomes

Simon Hughes: To ask the Secretary of State for Work and Pensions what his estimate is of the number of adults living on an income of less than *(a)* £5,000, *(b)* £7,500, *(c)* £10,000, *(d)* £15,000, *(e)* £20,000, *(f)* £30,000, *(g)* £35,000, *(h)* £40,000, *(i)* £50,000, *(j)* £75,000, *(k)* £100,000, *(l)* £150,000, *(m)* £200,000, *(n)* £500,000, *(o)* £1 million and *(p)* £10 million in London in each of the last six years for which information is available. [140853]

Mr. Pond: The information requested is provided for households and is set out in the table.

Number of households with net equivalised income, before housing costs, of less than:

Number (million)

	1996–97	*1997–98*	*1998–99*	*1999–00*	*2000–01*	*2001–02*
(a) £5,000	0.1	0.1	0.1	0.1	0.1	0.1
(b) £7,500	0.3	0.3	0.3	0.3	0.3	0.3
(c)£10,000	0.8	0.7	0.6	0.6	0.6	0.5
(d) £15,000	1.5	1.5	1.4	1.3	1.3	1.2

Number (million)

	1996–97	*1997–98*	*1998–99*	*1999–00*	*2000–01*	*2001–02*
(e) £20,000	2.0	2.0	1.9	1.8	1.8	1.7
(f) £30,000	2.5	2.6	2.5	2.5	2.5	2.4
(g) £35,000	2.6	2.7	2.6	2.7	2.7	2.7
(h) £40,000	2.7	2.8	2.8	2.8	2.8	2.8
(i) £50,000	2.8	2.9	2.9	2.9	2.9	3.0
(j) £75,000	2.9	3.0	3.0	3.0	3.0	3.1
(k) £100,000	3.0	3.0	3.0	3.0	3.1	3.2
(l) £150,000	3.0	3.0	3.0	3.1	3.1	3.2
(m) £200,000	3.0	3.0	3.0	3.1	3.1	3.2
(n) £500,000	3.0	3.0	3.1	3.1	3.1	3.3
(o) £1,000,000	3.0	3.0	3.1	3.1	3.1	3.3
(p) £10,000,000	3.0	3.0	3.1	3.1	3.1	3.3

Notes:

1. Figures in the table compares reported household incomes uprated by inflation, to equivalent 2001/02 prices, against the income levels *(a)* to *(p)*.
2. Estimates are for London and are rounded to the nearest 0.1 million.
3. The estimates are sample counts, which have been adjusted for non-response using multipurpose grossing factors that, in the case of the Family Resources Survey, control for tenure, Council Tax band and a number of other variables. Estimates are subject to both sampling error and to variability in non-response. The income measure used is weekly net (disposable) equivalised household income (that is to say income that is adjusted to reflect the composition of the household).
4. Income is adjusted or equivalised to take into account variations in both size and composition of the household. This process reflects the notion that a family of several people needs a higher income than a single person in order for both households to enjoy a comparable standard of living. Incomes of larger families are adjusted downwards and incomes of smaller households adjusted upwards. The equivalence scales used takes a couple with no children as the reference point, and increases relatively the income of single persons households, and reduces relatively the incomes of households with larger consumption capabilities.
5. The estimates are presented on a Before Housing Costs (BHC) basis. Figures are provided including the self-employed

Source:

Family Resources Survey (FRS).

Access to Work Scheme

Malcolm Bruce: To ask the Secretary of State for Work and Pensions how many *(a)* deaf, *(b)* blind and *(c)* deaf-blind people have applied for the Access to Work scheme in each year since its introduction; and how many have been successful in their application; how many appeals against refusals were lodged; how many were found in favour of the claimant since the introduction of the scheme; and how many people are receiving support under the Access to Work scheme. [140513]

Maria Eagle: The information requested is not routinely collected and could be obtained only at disproportionate cost. The total number of people receiving Access to Work support in 2002–03 was 36,606; of these 15,199 were new applicants.

Malcolm Bruce: To ask the Secretary of State for Work and Pensions what initiatives he is planning to increase *(a)* awareness and *(b)* uptake of the Access to Work scheme. [140515]

Maria Eagle: Information on all our disability services is available from Jobcentre Plus offices, and is also available on the Jobcentre Plus web site (www.jobcentreplus.gov.uk). The web address is included in our publicity material.

Jobcentre Plus invests around £300,000 each year on marketing and publicising its specialised services and programmes for disabled people, including Access to Work. Promotional material is available in a range of media such as leaflets, audiotapes and videos.

Disability Employment Advisers meet regularly with local employers to promote the full range of services available to disabled people, including Access to Work. In addition, many organisations for disabled people actively promote Access to Work to their members, and some also include information about the programme on their website.

The number of people helped through Access to Work has increased year on year since 1996. In 1997–98, 12,825 people received support; that had risen to 36,606 in 2002–03.

Child Maintenance Premium

Mr. Goodman: To ask the Secretary of State for Work and Pensions what administrative reasons might prevent parents with care from receiving the child maintenance premium. [143535]

Mr. Pond: The child maintenance premium is a key feature of the new child support scheme. It relies on links with Jobcentre Plus IT systems to match up individuals on benefit with payments received. The new IT system is designed to do this and by the end of November 7,500 of the poorest families were already benefiting from the new premium. However to apply the premium to old scheme cases would require redesigning and rebuilding both the new and old IT systems.

Chronic Pain

Mr. Sheerman: To ask the Secretary of State for Work and Pensions what the cost of disability payments paid to sufferers of conditions associated with chronic pain was in 2002–03. [140478]

Maria Eagle: The available estimates relate to Disability Living Allowance and Attendance Allowance. In 2002–03, the Disability Living Allowance and Attendance Allowance payments made to people for whom their recorded main disabling condition was one usually associated with chronic pain amounted to some £3.8 billion.

Employment and Social Policy, Health and Consumer Affairs Council

Mr. Hood: To ask the Secretary of State for Work and Pensions what the outcome of the Employment and Social Policy, Health and Consumer Affairs Council was on 1 December; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [142006]

Mr. Andrew Smith: I represented the UK together with the Under-Secretary of State for Trade and Industry, my hon. Friend the Member for Bradford, South (Mr. Sutcliffe), at the Employment, Social Policy, Health and Consumer Affairs Council in Brussels on 1 December 2003.

The Council reached partial political agreement on the Articles of a new Regulation to replace Regulation 1408/71 co-ordinating social security systems for people moving from one member state to another. In particular, member states reached a compromise on Unemployment Benefit for people who live in a member state other than the one where they last worked. This relates to a reimbursement system that member states have agreed to: the last state of work will reimburse part of the Unemployment Benefit paid by the state of residence. UK retains a Parliamentary Scrutiny on this Regulation.

The Council discussed the Commission Communication on Structural Indicators for next year's spring Council and took note of the opinions of the Economic Policy Committee, the Working Group on Environment, Employment Committee and Social Protection Committee. The Presidency invited the General Affairs and External Relations Council to adopt joint conclusions as close as possible to the existing draft.

The Council adopted Conclusions on disability, on immigration, integration and employment and on gender equality indicators. The Council also agreed a general approach on a Council Decision establishing a Social Protection Committee. Council noted the Other Business items without comment.

In the Consumer Affairs part of the Council, a Resolution on the Safety of Services was adopted without comment. There was a general policy discussion on the proposed EC Regulation on Consumer Protection Co-operation, and the UK supported the proposal.

My right hon. Friend the Minister of State for Health (Mr. Hutton), represented the UK for consideration of the health items on the agenda of the Council on 2 of December.

The main health business related to the Proposal for a European Centre for Disease Prevention and Control. Discussion focused on the scope of the Centre, which is due to be operational by 2005, with member states agreeing it should concentrate initially on communicable disease, with the possibility of broadening the remit following external evaluation of its operations at a later date. Issues still to be resolved include the legal base, where the UK retained its reserve, and data protection requirements.

A draft Council Decision was adopted authorising the Commission to negotiate the revision of the International Health Regulations under the framework of the World Health Organisation, within its area of competence.

The Council Conclusions emerging from a conference on Healthy Lifestyles: Education, Information and Communication were adopted. These cover action on lifestyles monitoring and evaluation and impact assessment, aimed to help develop a European action plan to promote healthy lifestyles.

The Council Recommendation on Cancer Screening advocating mass cancer screening through clearly established and scientifically proven methods in quality controlled screening programmes were also adopted, as was the Council Resolution on Pharmaceuticals and Public Health Challenges—Focusing on the Patients.

The Council adopted Council Conclusions on Medical Devices which acknowledge the importance of medical devices in health and social care, endorse the good work done so far and invite further work to strengthen co-ordination, interpretation and implementation of the sectoral Directives in the interests of protecting public health.

The Council received information from the Italian Presidency on the threat posed by malaria. The French delegation presented information on raising tobacco tax to help reduce tobacco consumption and the Irish delegation presented proposals for the forthcoming Irish Presidency where the emphasis will be placed on cardiovascular disease and e-health matters.

No votes were taken at this Council.

Legislation

Mr. Redwood: To ask the Secretary of State for Work and Pensions how many pages of *(a)* primary and *(b)* secondary legislation the Department put through Parliament in 2002–03. [141169]

Maria Eagle: The Department did not sponsor any primary legislation during the 2002–03 Session (13 November 2002 to 20 November 2003).

The Department was responsible for the making of 97 General Statutory Instruments during the 2002–03 Session and these accounted for 725 pages of secondary legislation. The number of instruments produced includes some that consolidated and revoked previous instruments.

New Deal for Disabled People

Mr. Webb: To ask the Secretary of State for Work and Pensions how many people have *(a)* registered with a new New Deal for Disabled People job broker, *(b)* been placed in work by a job broker and *(c)* achieved sustained work with a job broker's help since the extension of the New Deal for Disabled People. [141496]

Maria Eagle: New Deal for Disabled People was extended nationally in July 2001. Between July 2001 and September 2003, over 57,000 disabled people registered to find work; over 15,500 found work; and over 5,900 achieved sustained employment.

Notes:
1. Overall Performance and Resource Agreement (PRA) job entries in life of programme total over 20,000.
2. Sustained employment is defined as where a person remains in work for six months or more.

Source:
DWP statistics

Winter Fuel Payment

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the number of eligible people who have not received backdated winter fuel payments for the first three years of the scheme; and what the value was of such payments. [143083]

Malcolm Wicks: According to our estimate around 1.9 million people could have been eligible for backdated payments for the first three years of the scheme and about 1.2 million people have now been paid. There are no cut-off dates for these retrospective payments.

It is not possible to provide a reliable estimate of the numbers who have not claimed because the estimate of those newly eligible was based on sample data. It is up to the individual, where a claim is necessary, to decide whether or not to make that claim.

Mr. Webb: To ask the Secretary of State for Work and Pensions what plans he has to introduce a cut-off date for claiming backdated Winter Fuel Payments for the first three years of the scheme. [143084]

Malcolm Wicks: There are no current plans to introduce a cut-off date for claiming backdated Winter Fuel Payments for the first three years of the scheme.

Income Support

Ms Walley: To ask the Secretary of State for Work and Pensions what assessment he has made of the income support needs of women carers who are pensioners. [143340]

Malcolm Wicks: Pension Credit replaced Minimum Income Guarantee from 6 October 2003. Around half of all pensioner households are eligible and stand to gain around £400 a year. Of those eligible, over half are single women (when partners are included almost two thirds of the people who will benefit from Pension Credit are women.)

Under Pension Credit additional amounts are included for carers. All those entitled to Carer's Allowance or treated as satisfying the qualifying conditions for the award benefit from the additional amount. A person may be entitled to Carer's Allowance even if it is not payable, (for example because of the overlapping benefit provisions). The rate is currently set at £25.10.

MINISTER FOR WOMEN

Commission for Equality and Human Rights

21. **Mr. David:** To ask the Minister for Women if she will make a statement on the Making it Happen consultation. [143338]

Jacqui Smith: My right hon. Friend the Minister for Women announced on 30 October the Government's intention to set up a Commission for Equality and Human Rights (CEHR). The CEHR will be key to realising the Government's vision of a fairer, more prosperous, more inclusive Britain based on equal opportunities for all and respect for the dignity and worth of each person. We have set up a Task Force to advise Government on the vision for the new body, and as a first task, assist us in the preparation of a White Paper to be published in the spring.

Domestic Violence

22. **Andrew Selous:** To ask the Minister for Women if she will make a statement on proposals to tackle domestic violence as it affects women. [143339]

Ms Hewitt: We introduced the Domestic Violence, Crime and Victims Bill in the House of Lords on 1 December 2003. This is the biggest overhaul of domestic violence legislation for 30 years.

Iraq

23. **Kali Mountford:** To ask the Secretary of State for Trade and Industry, if she will make a statement on action she is taking to ensure that Iraqi women play a full part in the leadership of Iraq. [143341]

Ms Hewitt: I have been very involved in supporting Iraqi women to play a full role in the leadership of their country.

I recently met Dr. Raja Khuzaai, one of the two female members of the Iraqi Governing Council, to discuss concrete ways to support women's full involvement in the emerging political structures.

I have also pledged my full support for the establishment of an Iraqi Women's Higher Council—a non-governmental advisory body on women's issues.

Sex Discrimination Act

24. **Julie Morgan:** To ask the Minister for Women what plans she has to propose amendments to the Sex Discrimination Act 1975 to introduce a public sector duty to promote equality between men and women. [143342]

25. **Joan Ruddock:** To ask the Minister for Women when she will take steps to amend the Sex Discrimination Act 1975 to introduce a public sector duty to promote equality between men and women. [143343]

Jacqui Smith: The Government are taking forward a significant legislative agenda on equality matters, and they have committed themselves to introduce a duty on public bodies to promote equality of opportunity for women and men generally when parliamentary time allows.

TRADE AND INDUSTRY

Inflation Target

14. **Mr. Amess:** To ask the Secretary of state for Trade and Industry what assessment she has made of the

impact of the change in the Bank of England's inflation target from RPIX to HICP on the competitiveness of UK business. [143332]

Jacqui Smith: The move of target to the HICP will have no effect on the competitiveness of UK business.

Miners' Compensation

15. **Dr. Palmer:** To ask the Secretary of State for Trade and Industry, if she will make a statement on the legal fees charged to former coal miners who are claiming compensation for industrial illnesses. [143333]

Nigel Griffiths: The Department's position on solicitors' or claims handlers' charges is clear: we believe that all the compensation should go to the claimant without anyone taking a slice of it.

I deplore any attempt to charge sick miners or their widows and families for legal or administration expenses, which are covered by the DTI. I am asking the firms involved to reimburse sick miners' widows and families in such cases.

16. **Mr. Illsley:** To ask the Secretary of State for Trade and Industry what representations she has received regarding solicitors charging success fees in coal health compensation claims. [143334]

Nigel Griffiths: My right hon. Friend and the Prime Minister have received angry representations from hon. Members and others.

I deplore any attempt to charge sick miners or their widows and families for legal or administration expenses that are covered by the DTI. I am asking the firms involved to reimburse sick miners widows and families in such cases.

Bangladesh

17. **James Purnell:** To ask the Secretary of State for Trade and Industry if she will make a statement on bilateral trade relations with Bangladesh. [143335]

Ms Hewitt: Bilateral trade in goods between the United Kingdom and Bangladesh in 2002 was worth £549.8 million, an increase of 5 per cent. over 2001. In the first nine months of 2003, bilateral trade in goods with Bangladesh amounted to £438 million, an increase of 8.2 per cent. over the same period in 2002.

Total UK exports to Bangladesh in 2002 were worth £66 million. Our principal exports are power generating machinery and equipment, dyeing, tanning and colouring materials and specialised industrial machinery and medical and pharmaceutical products.

Carbon Tax

18. **Mr. Key:** To ask the Secretary of State for Trade and Industry if she will make it her policy to promote the introduction of a carbon tax to apply to the energy industry. [143496]

Ms Hewitt: Since this is a tax matter, any decisions are a matter for the Chancellor as part of the Budget process, taking account of the Government's economic, social and environmental objectives.

Bankruptcy

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many self-employed people have declared themselves bankrupt in each quarter since quarter one of 2002. [143150]

Mr. Sutcliffe: The number of self-employed people declared bankrupt in England and Wales from the first quarter of 2002 to the second quarter of 2003 is shown in the following table. Total bankruptcies are also provided to put the figures in context. The sub-division of total bankruptcies into self-employed and other categories is not yet available for third quarter 2003.

	Self-employed bankruptcies	*Total bankruptcies*
2002		
Q1	2,261	6,027
Q2	2,235	6,269
Q3	2,244	6,249
Q4	2,114	5,747
2003		
Q1	2,468	6,912
Q2	2,267	6,948
Q3	n/a	7,217

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many self-employed individuals were declared bankrupt *(a)* in the third quarter of 2003 and *(b)* since 1 October, broken down by industrial sector; and how many (i) employees, (ii) unemployed people and those with no occupation, (iii) directors and promoters of companies and (iv) people whose occupation is unknown were declared bankrupt (A) in the third quarter of 2003 and (B) since 1st October. [143256]

Mr. Sutcliffe *[holding answer 10 December 2003]*: There were 7,217 bankruptcies as a whole in England and Wales in the third quarter of 2003. The requested breakdown into types of individual is published one quarter in arrears of the main series and is not yet available for third quarter 2003. The third quarter data will be published on 6 February 2004. The latest data published on 7 November 2003 cover up to the second quarter of 2003 and are attached.

Bankruptcies in England and Wales—Industrial analysis

	2002			*2003*	
Industry	*Q2*	*Q3*	*Q4*	*Q1*	*Q2*
Self-employed					
Agriculture and horticulture	35	34	21	42	50
Manufacturing					
Food, drink and tobacco	6	7	3	1	4
Chemicals	3	0	3	1	0

Bankruptcies in England and Wales—Industrial analysis

Industry	2002			2003	
	Q2	*Q3*	*Q4*	*Q1*	*Q2*
Metals and engineering	72	66	63	77	50
Textiles and clothing	7	7	11	21	9
Timber and furniture	15	15	11	23	22
Paper, printing and publishing	12	22	18	18	9
Other	26	30	24	27	28
Total	141	147	133	174	122
Construction and Transport					
Construction	393	452	387	456	422
Transport and communication	279	260	271	301	300
Total	672	712	658	757	722
Wholesaling					
Food, drink and tobacco	11	9	8	13	4
Motor vehicles	5	2	4	10	0
Other	12	3	16	15	5
Total	28	14	28	38	9
Retailing					
Food, drink and tobacco	73	79	71	68	58
Motor vehicles and filling stations	25	38	37	38	35
Other	187	150	144	160	146
Total	285	267	252	266	239
Services					
Insurance	9	5	9	4	8
Other financial and business services	296	241	267	286	269
Hotels and catering	225	291	250	263	293
Total	530	537	526	553	570
Other	544	533	496	638	555
Total self-employed	2,235	2,244	2,114	2,468	2,267
Other individuals					
Employees	1,565	1,502	1,377	1,676	1,752
No occupation and unemployed	1,748	1,853	1,688	2,133	2,217
Directors and promoters of companies	82	67	85	72	102
Occupation unknown	639	583	483	563	610
Total other individuals	4,034	4,005	3,633	4,444	4,681
Total bankruptcies	6,269	6,249	5,747	6,912	6,948

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will provide a breakdown by *(a)* age, *(b)* sex, *(c)* ethnicity, *(d)* region, *(e)* housing tenure and *(f)* household structure of individuals declared bankrupt in (i) each year since 1997 and (ii) each quarter in 2003. [143257]

Mr. Sutcliffe: The official bankruptcy figures for England and Wales are available broken down by the Official Receiver's Office that dealt with the case. There are no official breakdowns available by age, sex, ethnicity, housing tenure or household structure of the bankrupt.

The following table gives the total number of bankruptcies by regions classified according to groupings of Official Receivers' Offices falling within them from 1999 to 2002 and the first three quarters of 2003.

Number of bankruptcies in England and Wales by regions classified according to Official Receiver's Offices

	1999	*2000*	*2001*	*2002*	2003		
					Quarter 1	*Quarter 2*	*Quarter 3*
Anglia	3,408	3,144	3,521	3,527	1,013	1,003	1,082
London	1,286	1,285	1,427	1,457	450	463	479
Midlands	3,066	3,187	3,409	3,501	1,046	1,002	1,105
North East	3,396	3,838	4,228	4,227	1,082	1,208	1,185
North West	3,517	3,640	4,108	4,116	1,020	1,208	1,039
South East	2,931	2,730	2,755	3,052	1,017	999	1,056
South West	4,002	3,720	4,023	4,401	1,281	1,351	1,267
Public Interest Unit	5	6	6	11	3	3	4
National total	21,611	21,550	23,477	24,292	6,912	6,948	7,217

British Energy

Mr. Laurence Robertson: To ask the Secretary of State for Trade and Industry if she will make a statement on the pension rights of employees of British Energy following the financial restructuring of that company. [143119]

Mr. Timms *[holding answer 9 December 2003]:* British Energy's proposed restructuring is intended to restore the company to long-term viability in the private sector. The pension rights of its employees will remain the responsibility of the company as at present.

Correspondence

Sir Michael Spicer: To ask the Secretary of State for Trade and Industry when she will reply to the letter of 7 October from the hon. Member for West Worcestershire. [143433]

Ms Hewitt: My hon. Friend the Minister of State for Trade, Investment and Foreign Affairs responded to the hon. Gentleman's letter of 7 October on 17 November. I will however be responding shortly about his query on EU subsidies on sugar.

E-business

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many businesses in the United Kingdom were trading online *(a)* in each quarter in 2003 and *(b)* in each year since 1997, broken down by region. [143140]

Mr. Timms: The DTI's International Benchmarking Study has been produced annually since 1997 and is used to measure the take-up and use of ICT's by business.

(a) No information is available on a quarterly basis.

(b) Trading online figures by region, are only available for the period 2000 to 2002 (earlier studies did not capture this type of information). Copies of the International Benchmarking Study for 2000 (URN 00/147), 2001 (URN 01/147) and 2002 (URN 02/147) are available from the Libraries of the House.

The 2003 study (URN 03/147) will be published on Thursday 11 December 2003. Copies will be available from the Libraries of the House.

Energy

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what estimate she has made of *(a)* total energy production, *(b)* total energy primary consumption and *(c)* total final energy consumption in the (i) industrial sector, (ii) service sector, (iii) domestic sector and (iv) transport sector in each month in 2003. [143004]

Mr. Timms: The energy data requested are published on a quarterly basis and are currently available for the first two quarters of 2003.

Million tonnes of oil equivalent

	Q1 2003	*Q2 2003*
Total Indigenous Energy Production	73.0	63.0
Total Primary Consumption	71.6	55.1
Total Final Consumption	50.7	37.2
Of which:		
Industrial Sector	10.6	8.0
Service Sector (including Agriculture)	6.4	4.2
Domestic Sector	17.9	8.6
Transport Sector	12.9	13.7

Further information is published in table 1.3a of Energy Trends, copies of which are available in the Libraries of the House. The latest edition was released on 25 September 2003; the next edition containing data for Q3 2003 will be released on 8 January 2004.

Hallmarking

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of United Kingdom Hallmarking in the context of discussions on the draft Directive on Articles of Precious Metals following the European Council of 27 November. [142129]

Mr. Sutcliffe: Following the decision of the Committee of Permanent Representatives not to send the draft Directive to the Council of Ministers on 27 November, the draft Directive has now effectively been shelved again, and UK hallmarking will continue as before. After the Accession countries join the EU next year (nine of the 10 have compulsory independent hallmarking systems) there will be more support for compulsory third party marking.

Indonesia

Mr. Caton: To ask the Secretary of State for Trade and Industry if she will make a statement on the export of British military equipment to Indonesia. [143144]

Mr. MacShane: I have been asked to reply.

All export licence applications for Indonesia are rigorously assessed on a case by case basis against the Consolidated EU and National Arms Export Licensing Criteria, taking account of the circumstances prevailing at the time and other announced Government policies.

All strategic exports licensed to Indonesia in 2002 are set out in the Annual Report on Strategic Export Controls, which is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/Trade-and-Investment/Export Controls. The report also shows that the approximate value of exports of UK military goods to Indonesia in 2002 was £2,130,000.

Legislation

Mr. Redwood: To ask the Secretary of State for Trade and Industry how many pages of *(a)* primary and *(b)* secondary legislation her Department put through Parliament in 2002–03. [141121]

Ms Hewitt: My Department sponsored four Bills during the 2002–03 Session, which made a total of 632 pages once enacted.

In the case of secondary legislation, my Department was responsible for the making of 141 General Statutory Instruments which would have been considered either by the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments. These instruments made a total of 1,295 pages.

It should be noted that the instruments produced by my Department include many which consolidated and revoked previous instruments and which may have been produced at the prompting of Parliamentary Committees.

Medicines (Parallel Trade)

Dr. Tonge: To ask the Secretary of State for Trade and Industry (1) what assessment she has made of the loss to pharmaceutical companies in the UK from parallel trade of medicines from abroad; [141698]

(2) what discussions she has had with pharmaceutical companies regarding the parallel trade in medicines from abroad. [141699]

Ms Rosie Winterton: I have been asked to reply.

In terms of the impact on national health service expenditure, information is not routinely collected on the source of products, but from the data currently available the Department of Health estimates that parallel imports saves the NHS in England approximately £60 million per year in the community sector. No estimate is available for the hospital sector.

The Government have not made their own assessment of the loss to pharmaceutical companies in the United Kingdom from parallel trade. The NHS does not reap the full benefit of the price differentials associated with parallel trade, as much of the difference is lost within the supply chain across Europe.

Ministers in the Department of Health meet representatives of the pharmaceutical industry frequently to discuss issues affecting that sector, including parallel trade in Europe. The most recent meeting was on 2 December, between my right hon. Friend the Secretary of State for Health my noble Friend the Under-Secretary of State for Health (Lord Warner) and representatives of the Association of the British Pharmaceutical Industry.

Minimum Wage

Chris Ruane: To ask the Secretary of State for Trade and Industry how many completed successful investigations into underpayment of the national minimum wage there have been, broken down by constituency; and how much was recovered in each case. [142634]

Mr. Sutcliffe: Between the start of the minimum wage in April 1999 and September 2003 the Inland Revenue have carried out 8,471 successful investigations, in which underpayments of over £14.3 million was identified.

These statistics are not available at constituency level.

National Environment Research Council

Julie Morgan: To ask the Secretary of State for Trade and Industry what percentage of its annual budget the National Environment Research Council has given to each university in England and Wales. [142911]

Ms Hewitt: The most recent details of the expenditure by university are set out in the NERC Annual Report and Accounts for the year 2002–03 on pages 44 and 45. During this period NERC received £224.513 million grant in aid. Copies of the NERC Annual Report and Accounts were laid before both Houses of Parliament on 16 July 2003 and are also available at http://www.nerc.ac.uk/publications/annualreport2003/pages.pdf.

Overtime

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what estimate her Department has made of the total annual value of unpaid overtime by British workers. [142853]

Mr. Sutcliffe: According to the Labour Force Survey over the four quarters to summer 2003 the average number of employees who actually worked unpaid overtime in a week was 3.82 million. On average, they worked 7.7 hours of actual unpaid overtime a week and their gross hourly pay for the hours they did get paid for was £14.95. By multiplying these numbers together (and by multiplying by 52 weeks) we get an estimated value of annual actual unpaid overtime worked by employees in the UK of £22¾ billion. If managers and senior officials who receive a salary rather than an hourly rate are excluded then the value of annual unpaid overtime falls markedly, to £12½ billion. These workers (2.55 million) on average worked 7.1 hours of actual overtime per week and their gross hourly pay for the hours they did get paid for was £13.40.

Post Office Closures

Mr. Waterson: To ask the Secretary of State for Trade and Industry if she is satisfied with the existing arrangements for consultation by the Post Office and Postwatch on proposed post office closures. [141591]

Mr. Timms: The Government do not have a role in the consultation process for post office closure proposals, which is laid out in the code of practice agreed between Post Office Ltd. and Postwatch. I attach great importance to the role of Postwatch in protecting the interest of customers when any closure is proposed. Final decisions on closure, after consideration of representations received, are an operational matter for Post Office Ltd.

Renewable Energy

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what progress has been made towards her Department's target of the UK obtaining 5 per cent. of its electricity from renewable sources by 2003; what her assessment is of whether the target will be met within the stipulated time; what percentage of electricity has been produced from renewable sources in each year since the target was introduced; and which renewable sources have contributed in each year. [143125]

Mr. Timms *[holding answer 10 December 2003]*: Government Ministers acknowledged in the debates leading up to the introduction of the Renewables Obligation on 1 April 2002 that earlier hopes to obtain 5 per cent. of our electricity from renewable sources by 2003 would not be met. Such hopes had always depended on a high proportion of proposals awarded contracts under the old Non Fossil Fuel Obligation (NFFO) arrangements resulting in commissioned projects, and it had become apparent that this was not happening with the necessary speed.

The percentage of UK electricity coming from all renewable sources and the contributing categories of renewables in the years since 1999 are as follows:

percentage

	1999	*2000*	*2001*	*2002*
All renewables	2.76	2.75	2.62	2.96
of which:				
Wind, wave and solar	0.23	0.25	0.25	0.32
Hydro	1.45	1.35	1.05	1.24
Biofuels	0.93	1.01	1.19	1.27
Wastes	0.15	0.14	0.13	0.13

The table includes all renewable energy sources, including those not eligible for the Renewables Obligation, such as large-scale hydro, since the 5 per cent. target pre-dated the Renewables Obligation.

The Government's target for renewable energy is for 10 per cent. of our electricity sales to come from renewable sources eligible for the Renewables Obligation by 2010.

Mr. Beggs: To ask the Secretary of State for Trade and Industry what percentage of renewable energy in the United Kingdom is supplied by the hydro-electric industry. [143195]

Mr. Timms: In 2002, 42 per cent. of the renewable electricity generated in the UK was from hydro-electric schemes.

Royal Mail

Mr. Drew: To ask the Secretary of State for Trade and Industry what discussions she has had with Postcomm with regard to its proposals to redefine the Royal Mail's universal service obligations. [143024]

Mr. Timms: The Department has a regular dialogue with Postcomm on a wide range of postal issues concerning the postal market.

Shop Window Displays

Mr. John Taylor: To ask the Secretary of State for Trade and Industry if she will extend to shop window displays the taste and decency controls that apply to advertising hoardings and advertisements on buses. [143492]

Jacqui Smith: No. Extension of the British Code of Advertising Practice would be for the Advertising Standards Authority, an independent body, to consider. However, it is already a criminal offence, under the Indecent Displays Control Act 1981, publicly to display indecent matter, which includes displays in shop windows.

Small Businesses

Mr. Woodward: To ask the Secretary of State for Trade and Industry what the *(a)* start-up and *(b)* failure rate was for small businesses in (i) the North West Region, (ii) Merseyside and (iii) St. Helens in each year since 1992. [142715]

Nigel Griffiths: VAT registrations are the best official guide to start-ups. VAT de-registrations and insolvency statistics give an indication of failure rates and numbers.

The rates of businesses registering and de-registering for VAT in each calendar year from 1992 to 2002 in the North West Government Office Region, Merseyside and St. Helens, are as follows:

Start-ups: VAT Registrations per 10,000 resident adults[1]

	1992[2]	*1993*[2]	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
North West	36	33	31	30	32	35	35	34	34	33	33
Merseyside	28	24	22	22	22	24	24	23	23	23	22
St. Helens	27	20	19	19	20	21	19	20	21	20	20

Closures: VAT De-registrations per 10,000 resident adults[1]

	1992[2]	*1993*[2]	*1994*	*1995*	*1996*	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*
North West	41	40	34	33	30	30	31	31	31	31	33
Merseyside	34	31	24	25	23	21	21	20	21	19	23
St. Helens	29	28	20	23	22	19	19	18	18	17	18

[1] Mid-year resident adult (16 and over) population estimates.

[2] The large VAT threshold increase in 1993 means data before and after this date are only broadly comparable.

Source:

Business Start-ups and Closures: VAT Registrations and De-registrations 1980–2002; population data from The Office for National Statistics

For further information on the VAT statistics please see www.sbs.gov.uk/statistics/vatstats.php

The number of company insolvencies for each financial year in the North West area is as follows:

Company insolvencies in the North West[1]

	Company insolvencies[2]
1999–2000	672
2000–01	620
2001–02	651
2002–03	927

[1] Includes the Official Receivers offices of Blackpool, Chester, Liverpool, Manchester and Stoke-on-Trent. Businesses recorded in these figures were not necessarily active in the North West prior to being wound-up.

[2] Does not include creditors voluntary liquidations.

For further information on the DTI insolvency statistics please see: www.dtistats.net/sd/insolv/index.htm

Sun Chemicals

Andrew Mackinlay: To ask the Secretary of State for Trade and Industry whether the acquisition of the printing ink manufacturers Gibbons and Coates and Lovilleux by Sun Chemicals has been referred to the Competition Commission; and if she will make a statement. [143000]

Mr. Sutcliffe *[holding answer 10 December 2003]:* Ministers are no longer involved in decisions on whether to refer to the Competition Commission mergers which do not raise specified public interest considerations.

The Office of Fair Trading is not currently investigating this acquisition.

Working Time Directive

John Barrett: To ask the Secretary of State for Trade and Industry what estimate she has made of the number of workers who work more than 48 hours a week but who have not signed the opt-out to the 48-hour average working week limit. [142606]

Mr. Sutcliffe: A survey of workers' experiences of the working time regulations conducted on behalf of my Department in 2001 estimated that three quarters of long hours workers had not signed a written agreement with their employer to opt-out of the 48-hour average working week limit. Also, the Second Work-Life Balance Study: Employees Survey carried out in early 2003 estimates that 70 per cent. of employees who usually or were contracted to work more than 48 hours per week had not signed a written agreement to opt-out of the 48-hour average working week limit. Some of these employees would not have been required to sign an opt-out as not all would have worked over 48 hours per week on average over the 17 week reference period, some would have been autonomous workers and others would have been in sectors or occupations that were excluded from the regulations at the time of the surveys.

John Barrett: To ask the Secretary of State for Trade and Industry what steps are being taken to increase the awareness of the 48-hour average working week limit among workers. [142607]

Mr. Sutcliffe: Guidance on the Working Time Regulations, which includes a comprehensive chapter on the weekly working time limits is available on the Department of Trade and Industry website. In addition the Advisory, Conciliation and Arbitration Service (ACAS) operate an inquiry helpline on all employment related legislation, including the Working Time Regulations. As part of their work, the enforcing agencies also play a role in educating employers and workers on the working time limits.

John Barrett: To ask the Secretary of State for Trade and Industry what assessment she has made of the numbers of workers who are unaware of the 48-hour average working week limit. [142608]

Mr. Sutcliffe: A survey of workers' experience of the working time regulations conducted on behalf of my department in 2001 estimated that around 30 per cent. of workers were unaware of laws regarding the number of hours people can work each week.

John Barrett: To ask the Secretary of State for Trade and Industry if she will estimate the number of workers whose conditions of employment included a requirement to opt out of the 48-hour average working week limit. [142609]

Mr. Sutcliffe: Employers are required to keep a record of workers who have opted out of the 48-hour average working week limit. As there is no requirement to report opt out agreements to anyone other than the parties concerned, there are no official estimates of the numbers of workers whose conditions of employment included a requirement to sign an opt out. However, workers who have agreed to opt out of the weekly working time limit retain the right to end the agreement at any time subject only to a notice period of a maximum of three months.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the future of the UK's individual opt-out from the Working Time Directive. [142847]

Mr. Sutcliffe: The European Commission's Communication on the opt-out is expected shortly. The Government hope that the Communication will present a range of options on the opt-out that can be discussed with UK social partners.

UK is firmly committed to reducing working hours, demonstrated by the work/life balance campaign, but the problem is workplace culture rather than a lack of laws. Work/Life balance is not just about long hours but about providing individual workers with choice over their hours or pattern of work and ensuring that they are not disadvantaged by their choice.

DEFENCE

Armed Forces Personnel

Mr. Hancock: To ask the Secretary of State for Defence how many personnel were serving in the *(a)* Army, *(b)* Royal Air Force and *(c)* Royal Navy at the beginning of each of the last three years; what the predicted numbers are for each of the next three years; and if he will make a statement. [142199]

Mr. Caplin: The numbers of personnel serving in the armed forces over the last three years are displayed in Tri-Service Publication (TSP) 1 'UK Regular Forces Strengths and Changes', a copy of which can be found in the House of Commons Library.

Each service sets manpower requirements at the level required to deliver the capabilities needed to meet their endorsed requirements. The requirements and the performance in meeting them are reported by the Defence Analytical Services Agency (DASA) both annually in UK Defence Statistics and quarterly under National Statistics arrangements. Copies of these can also be found in the House of Commons Library.

Army (Victimisation)

Mr. Keetch: To ask the Secretary of State for Defence how many members of the Army indicated when last questioned that they believed that *(a)* harassment, *(b)* discrimination and *(c)* bullying are problems in (i) their immediate area of work and (ii) the Army as a whole; what percentage of those responding this represents; what percentage of the actual strength this represents; and if he will make a statement. [142576]

Mr. Caplin: In response to the latest Serving Personnel Army Continuous Attitude Survey, 202 of those surveyed indicated they believed that harassment, discrimination or bullying were problems within their immediate work area; this represents 12 per cent. of those who responded to this question and 12 per cent. of those who returned questionnaires. In addition, 837 serving personnel indicated that they believed harassment, discrimination and bullying were problems within the British Army; this represents 51 percent of those who responded to this question and 50 per cent. of those who returned questionnaires.

The latest survey was undertaken in December 2002 and was sent to a four percent stratified random sample of the trained Army (excluding Gurkhas and Full Time Reserve Service).

Mr. Keetch: To ask the Secretary of State for Defence how many members of the Army indicated when last questioned that they have been a victim of *(a)* harassment, *(b)* discrimination and *(c)* bullying in the Army; what percentage of those responding this represents; what percentage of the actual strength this represents; and if he will make a statement. [142577]

Mr. Caplin: In response to the latest Army Serving Personnel Continuous Attitude Survey, those members of the Army that indicated they had been subject to harassment, discrimination or bullying in the last 12 months are shown in the table:

Question	*Number within previous 12 months*	*Percentage of those who answered the question*	*Percentage of those who returned a completed questionnaire*
Racial Discrimination	37	2.3	2.2
Racial Harassment	26	1.6	1.6
Sex Discrimination	54	3.3	3.2
Sexual Harassment	28	1.7	1.7
Bullying	83	5.1	5.0

The latest survey was undertaken in December 2002 and was sent to a 4 per cent. stratified random sample of the trained Army (excluding Gurkhas and Full Time Reserve Service personnel); There may be an element of double counting in the number of occurrences, for example, one individual may have indicated they were subject to both racial discrimination and racial harassment, this having been counted twice.

Defence Finance

Angus Robertson: To ask the Secretary of State for Defence what his Department's budget was in *(a)* cash terms and *(b)* at 2002–03 prices for each year from 1997–98 to 2002–03; what his estimates are for each year from 2003–04 to 2005–06; and if he will make a statement . [142030]

Mr. Ingram: The Ministry of Defence's outturn for 1998–99 to 2002–03 and plans for 2003–04 to 2005–06 at outturn prices are set out in The Government's Expenditure Plans for the MOD 2003–04 to 2005–06. These exclude the cost of unprogrammed operations and conflict prevention. At 2002–03 prices they are as follows:

£ million

	Outturn Prices	*2002–03 Prices*
1998–99	22,321	24,393
1999–2000	22,105	23,719
2000–01	23,170	24,440
2001–02	23,838	24,517
2002–03	24,382	24,382
2003–04	25,872	25,194
2004–05	26,590	25,240
2005–06	27,496	25,463

The MOD's cash outturn in 1997–98, as set out in The Government's Expenditure Plans for the MOD 2002–03 to 2003–04, was £20,748 million at outturn prices and £23,292 million at 2002–03 prices.

Both documents are available on the MOD's website: www.mod.uk

From 1997–98 to 2000–01 the Department was controlled in cash. Meaningful year-on-year comparison is not possible with the 2001–02 outturn in the light of the transition from cash to Stage 1 Resource Accounting and Budgeting (RAB) in that year. Near cash figures after the transition to Stage 2 RAB, from 2003–04 to 2005–06, are intended to allow comparison with the Stage 1 RAB figures in 2001–02 and 2002–03.

Procurement

Mr. Keetch: To ask the Secretary of State for Defence, (1) if he will list the major *(a)* defence estates upgrades and *(b)* information infrastructure upgrades that will be met from the Defence Procurement Agency budget, stating in each case *(a)* the in-service date and *(b)* the total projected cost of each project; and if he will make a statement; [143265]

(2) if he will list the amounts *(a)* spent on procurement through the Defence Procurement Agency in each year since 1997 and *(b)* projected to be spent in each year up to 2012, indicating in each case the percentage of the defence budget represented in each case; and if he will make a statement. [143267]

Mr. Ingram: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Mr. Keetch: To ask the Secretary of State for Defence if he will list the total estimated cost of *(a)* refurbishment of western jetties, *(b)* Navystar, *(c)* Access, *(d)* LITS, *(e)* EMMA, Phase 1 and *(f)* RAFT at Devonport, stating in each case (i) the in-service date and (ii) which budget line the expense will be drawn from; and if he will make a statement. [143266]

Mr. Ingram: I will write to the hon. Member and place a copy of my reply in the Library of the House.

Depleted Uranium

Lynne Jones: To ask the Secretary of State for Defence when the UNEP depleted uranium environmental survey will be completed; and if he will place a copy in the Library. [142320]

Mr. Caplin: The timing of the United Nations Environment Programme (UNEP) environmental field survey of Iraq, of which a survey into depleted uranium is an element, will depend upon the local security situation. However, UNEP expect to commence the field survey in spring 2004. I am unable to say at present when the proposed depleted uranium survey will be complete.

No discussions have taken place about publication but I would anticipate a copy to be made available to the Library of the House.

Mental Health

Mr. Keith Simpson: To ask the Secretary of State for Defence which companies entered the competitive bidding process to provide psychiatric treatment and rehabilitation to members of the armed forces previously treated at the Duchess of Kent Psychiatric Hospital; and what assessment was made of the political affiliation of the board members of the bidding companies. [143485]

Mr. Caplin: Five companies responded to the initial tender advertisements that appeared in the Official Journal European Community (OJEC) Services Directive and the MOD Contracts Bulletin in February 2003. Of these, four attended an Industry Day held on the 15 April 2003, and subsequently three received Invitations to Tender: Cygnet Health Care, The Priory Group, and Affinity Health Care. The first two of these submitted final tender responses.

Following detailed evaluation of the tender bids, The Priory's tender was considered the most technically compliant and they were accordingly awarded the contract.

No assessment was made of the political affiliation of the bidding companies. The Ministry of Defence's competitive tendering arrangements do not take such factors into account.

Missile Defence

Mr. Kilfoyle: To ask the Secretary of State for Defence what discussions he has had with the US Department of Defence on the technical issues to do with the UK sites encountered in developing missile defence. [142112]

Mr. Hoon: None, though officials have a wide range of contacts with US experts on technical matters relating to missile defence. As I told the House on 5 February 2003, *Official Report*, column 11WS, the Government have agreed to the upgrading of the early warning radar at RAF Fylingdales for missile defence purposes. UK and US officials are discussing the detailed plans for this upgrade, and we expect to finalise the necessary bilateral agreement shortly.

Navigational Aids

John Thurso: To ask the Secretary of State for Defence what navigational aids are employed by the Ministry of Defence; where they are stationed; and at what cost, in each of the last five years for which figures are available. [141742]

Mr. Ingram: The Ministry of Defence uses both sea and land based navigational aids. For sea based aids the Department currently operates four vessels used to lay/recover and undertake annual maintenance of some 205 navigational buoys, 120 moorings and 15 targets around the coast of the British Isles. The Department also maintains 12 Oceanographic Data Acquisition System buoys for the Meteorological Office. The sea based navigational aids are provided to mark channels, boundaries or hazards contained within the dockyard ports, trials ranges and areas of interest to MOD.

This work is to be included in a PPP/PFI Acquisition programme for future provision of Marine Services, and I am withholding details of expenditure in accordance with Exemption 7 of the Code of Practice on Access to Government Information (Effective management and operations of the public service).

The requested information on land based navigational aids will take some time to collate and I will write to the hon. Member and place a copy of my letter in the Library of the House.

Northern Ireland Veterans

Mr. Barnes: To ask the Secretary of State for Defence (1) how many claims have been made to the Veterans' Agency for post traumatic stress disorder-related illnesses attributed to service in Northern Ireland since 1973; [142741]

(2) how many war pensions are being paid to members of the armed forces injured during their service in Northern Ireland. [142745]

Mr. Caplin: The information is not available in the format requested and could be provided only at disproportionate cost.

Mr. Barnes: To ask the Secretary of State for Defence how many Northern Ireland veterans have taken their own lives *(a)* after and *(b)* during their service in Northern Ireland since 1973. [142742]

Mr. Caplin: Between 1984 and 2002 there have been 45 deaths among Regular Service personnel serving in Northern Ireland recorded with a suicide verdict or an open verdict from a coroner. During this period there were three other deaths among Regular Service personnel serving in Northern Ireland for whom we are waiting for a coroner's verdict. Information on deaths prior to 1984 is not held centrally. Information on other Service personnel who may have served in Northern Ireland, but died in Service elsewhere is not held centrally and could be provided only at disproportionate cost. Information on deaths of Service personnel after they have left the Service is also not generally available to the Ministry of Defence.

Mr. Barnes: To ask the Secretary of State for Defence what reports he has received from associations or organisations specifically set up to support Northern Ireland veterans. [142860]

Mr. Caplin: The Ministry of Defence has not received any reports from organisations specifically set up to support Northern Ireland veterans. The recently formed Northern Ireland Veterans Association has been invited to attend the next Veterans Plenary Forum on 24 March 2004 which I chair as Minister for Veterans.

Nuclear Deterrent

Lynne Jones: To ask the Secretary of State for Defence under what circumstances it would be necessary to replace Trident; and what implications this would have for the renewal of Article III of the Mutual Defence Agreement. [142319]

Mr. Hoon: I refer my hon. Friend to paragraph 3.11 of the Defence White Paper (Cm 6041) which was laid before the House on 11 December, in which the Government stated that

> 'decisions on whether to replace Trident are not needed this Parliament but are likely to be required in the next one. We will therefore continue to take appropriate steps to ensure that the range of options for maintaining a nuclear deterrent capability is kept open until that decision point'.

Implications for the 1958 Mutual Defence Agreement, or other relevant agreements, are therefore hypothetical at this stage.

Reserve Forces

Mr. Meale: To ask the Secretary of State for Defence what plans he has to encourage more employers to enable their workforces to participate in the reserve forces. [142985]

Mr. Caplin: The SaBRE (Supporting Britain's Reservists and Employers) campaign aims to win and maintain the support of employers for the Volunteer Reserves. This is achieved through a combination of highly targeted direct marketing and the establishment of a network of Employer Support Executives to focus employer support at the regional level. We are confident that SaBRE succeeds in generating increased levels of interest in, and support for, our Volunteer Reserve forces, and demonstrate to employers the benefits of employing reservists in their organisations.

In addition, as part of the overall process of identifying lessons learned from all aspects of Operation Telic, we will be reviewing the employer support package, including the right to claim financial assistance to cover the additional costs resulting from the call out of a member of staff.

Also as a result of our experiences during Operation Telic we intend to foster greater involvement of employers in "intelligent mobilisation" in the future. This process recognises that, if there is time, it is better to seek volunteers for specific posts whose employers have given permission for them to be mobilised. Where possible, we will also endeavour to provide reasonable notice of mobilisation plans and improve the flow of information to employers about mobilised Reservists.

Warships

Dr. Julian Lewis: To ask the Secretary of State for Defence whether HMS Bridport has been placed in *(a)* reserve and *(b)* extended readiness. [143258]

Mr. Ingram: The terms 'in reserve' and 'extended readiness' are broadly similar, although the latter is in more common usage and describes the very low level readiness state in which HMS Bridport is currently held.

CABINET OFFICE

Art Acquisition

Norman Baker: To ask the Minister for the Cabinet Office how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 was; how much it cost; and what the total revenue raised by his Department through sales of its works of art has been since 1997. [142364]

Mr. Alexander: The Cabinet Office has not spent any monies on the acquisition of works of art since 1997. No revenue has been raised by the Cabinet Office through sales of its works of art.

Fair Trade Products

Mr. Bercow: To ask the Minister for the Cabinet Office whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on departmental premises and *(b)* receptions and meetings involving staff and visitors. [142812]

Mr. Alexander: It is Cabinet Office policy to purchase on the basis of value for money. Whilst we have no specific policy on purchasing Fair Trade products, we encourage our contracted catering providers to purchase Fair Trade products where commercially practicable and viable.

Hutton Inquiry

Mr. Cameron: To ask the Minister for the Cabinet Office for what reason the document 'Submissions of the Government to the Inquiry' (CAB/28/0002–0017), submitted to the Hutton Inquiry, was not published; and if he will make a statement. [142056]

Mr. Leslie: I have been asked to reply.

Lord Hutton conducted the inquiry on the basis that all the evidence given by witnesses at the inquiry and all the documents referred to in evidence, together with the oral statements of Counsel to the inquiry, would be made public, but that the written submissions of the parties would not be made public, pending the publication of his report. After the publication of the report Lord Hutton will decide whether some or all of the written submissions should be published.

NORTHERN IRELAND

Electoral Fraud (Northern Ireland) Act

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the effectiveness of the Electoral Fraud (Northern Ireland) Act 2002 in combating electoral fraud in Northern Ireland. [142692]

Mr. Spellar: We are satisfied that the Electoral Fraud (Northern Ireland) Act 2002 has proved to be successful in combating electoral fraud and has improved public confidence in the electoral process. Furthermore I am also pleased to see that a report, published by the Electoral Commission on 9 December, concludes that the register more accurately reflects those entitled to be registered than the previous register.

However, we also recognise that work still needs to be done to ensure that all those entitled to have the opportunity to register. We will continue to work closely with the Electoral Office and the Electoral Commission to ensure this happens.

Fire Service

Lady Hermon: To ask the Secretary of State for Northern Ireland how many *(a)* part-time and *(b)* full-time fire officers were serving in the Northern Ireland Fire Brigade in each year since 1997; and if he will make a statement on Fire Service recruitment in Northern Ireland. [142674]

Angela Smith: The numbers of whole-time and retained fire fighters serving in the Northern Ireland Fire Brigade since 1997 are as follows:

	Whole-time	*Retained*
1997	918	975
1998	909	971
1999	881	960
2000	879	798
2001	894	799
2002	895	812
2003	887	788

The Northern Ireland Fire Brigade has just completed one of the most extensive retained recruitment campaigns in the UK fire service, having recruited 126 retained fire-fighters over 41 stations in recent months. A further retained recruitment campaign will be launched in January 2004.

The Brigade is currently short-listing candidates to fill whole-time vacancies.

Lady Hermon: To ask the Secretary of State for Northern Ireland how many attacks on firefighters there have been in each Fire Authority district in Northern Ireland in each of the past five years; what steps he is taking to reduce such attacks; and if he will make a statement. [142696]

Angela Smith: The information requested by the hon. Lady is set out in the following table. Information is available at this level of detail only from 2001.

The reported increase in 2002 is partly the result of improved recording procedures. Although the reduction this year is welcome, attacks on firefighters—and other staff in the emergency services—are criminal offences and utterly unacceptable. I have taken every opportunity to condemn them, and continue to do so in the strongest possible terms.

This year I have made available to the fire and ambulance services special additional funding, totalling £400,000, to help them to raise public awareness that such attacks endanger not only their crews but also those members of the public they are trying to help.

I am grateful to those elected representatives and community leaders who have been using their influence to reinforce this message, and I urge them to continue to do so.

Reported attacks on firefighters by district, 2001–03

District	*2001*	*2002*	*2003 (to 5 December)*
South and East Belfast	38	126	82
North and West Belfast	59	142	122
Ballymena	3	10	4
Coleraine	0	2	2
Glengormley	5	28	21
Lisburn	0	7	1
Portadown	4	16	24
Bangor	1	17	9
Newry	9	23	14
Downpatrick	1	5	5
Londonderry	10	20	21
Omagh	1	1	1
Cookstown	2	9	7
Enniskillen	0	4	2
Total	133	410	315

Hare Coursing

Mr. Luff: To ask the Secretary of State for Northern Ireland if he will meet *(a)* the Game Conservancy Trust and *(b)* Professor Montgomery of the School of Biology at Queen's University, Belfast, to discuss management of the hare population in Northern Ireland. [142937]

Angela Smith: As Minister with responsibility for environmental matters, including issues relating to management of the Irish hare population, I would be prepared to consider any request for a meeting on the issue.

Mr. Luff: To ask the Secretary of State for Northern Ireland what assessment he has made of the effect of *(a)* legal coursing on the recovery of the hare population and *(b)* appropriate land management by coursing clubs and responsible hunting groups on hare conservation; and if he will make a statement. [142938]

Angela Smith: No such assessments have been made.

The Species Action Plan (SAP) for the Irish Hare, published by the Environment and Heritage Service of the Department of the Environment in October 2000, contains a number of steps to encourage all relevant landowners to adopt hare and habitat management practices that will contribute to the SAP objective to double the population of Irish Hares, over as wide an area as possible, by 2010.

Mr. Luff: To ask the Secretary of State for Northern Ireland what assessment he has made of the reliability of evidence for the decline in the Irish hare; what assessment he has made of the effect of *(a)* setting up a monitoring system and *(b)* developing current hunting, shooting and coursing practices to ensure they cannot have an unsustainable impact on hare numbers; and if he will make a statement. [142939]

Angela Smith: The Irish Hare Species Action Plan, published by the Department of the Environment in 2000, identified the need for regular surveys of the Irish hare population, building on the baseline population for the species established by research commissioned by the Department from Queen's University of Belfast (QUB) in 1997. This was followed by The Northern Ireland Irish Hare Survey 2002, also carried out on the Department's behalf by QUB. Both reports confirmed that Irish hare numbers are low. I am satisfied that this research provides as accurate a population estimate as can be made for such an elusive and uncommon animal.

The Department intends to carry out regular monitoring throughout Northern Ireland in order to detect future trends in Irish hare numbers. The next survey is scheduled for spring 2004.

No assessment has been made of the effect on hare numbers of developing current hunting, shooting and coursing practices to ensure they cannot have an unsustainable impact on hare numbers. These practices are subject to the provisions of the Game Preservation Act (Northern Ireland) 1928, as amended. I recently published notice under the Act, of a proposal to introduce a temporary ban on the killing or taking, or the sale or purchase of Irish hares. This is intended to allow time to consider, within a current review of the Wildlife (Northern Ireland) Order 1985, whether there is a need to strengthen the statutory protection afforded to the Irish hare.

Mr. Luff: To ask the Secretary of State for Northern Ireland what scientific evidence he has assessed that supports the case for banning hare hunting and coursing in Northern Ireland; for what reason such evidence was not circulated in detail to concerned parties; and if he will make a statement. [142941]

Angela Smith: Research carried out at the Queen's University of Belfast (QUB) reported in 1997 that the population of the Irish Hare was at low density in Northern Ireland.

This assessment was followed up by a research study, "The Northern Ireland Irish Hare 'Lepus timidus hibernicus' Survey 2002", commissioned by the Environment and Heritage Service (EHS) of the Department of the Environment and also carried out by QUB. It reported that Irish Hares were widespread but occurred at a low density of about one hare per kilometre square. The report of this study included the recommendation that the Department should consider removal of the Irish Hare from the quarry list and giving protection under the Wildlife (Northern Ireland) Order 1985. This recommendation is among the issues being considered in a current review of the Wildlife Order.

I considered the research and survey report in the context of the Irish Hare Species Action Plan published by EHS in 2000, which has among its objectives a target to double the Irish Hare population, over as wide an area as possible, by 2010. The inconsistency between this policy objective and the continuing practice of hunting and coursing Irish Hares led to the proposal for a temporary ban on the killing or taking, or the sale or purchase, of Irish Hares, pending the outcome of the Wildlife Order review.

A seminar delivering the results of the 2002 Survey was held in January 2003 at Queen's University Belfast. Interested parties were invited to attend. Following this seminar the full text of the report was made available on the EHS website, (http://www.ehsni.gov.uk/pubs/publications/Irish HareSurvey2002.pdf) where it remains available, together with the Irish Hare Species Action Plan. Copies of both documents have also been placed in the Library.

Kate Hoey: To ask the Secretary of State for Northern Ireland if he will place in the Library a copy of all the evidence and advice given to him by his Department on the issue of the ban on hare-hunting. [143126]

Angela Smith: I have placed in the Library copies of:

Biodiversity in Northern Ireland—Species Action Plans—Irish Hare, Chough and Curlew, published by the Environment and Heritage Service of the Department of the Environment in 2000; and

The Northern Ireland Irish Hare "Lepus timidus hibernicus" Survey 2002 by Dr. Jane Preston, Dr. Paulo Prodohl, Dr. Alex Portig and Professor Ian Montgomery of the Queen's University of Belfast; commissioned by the Environment and Heritage Service.

These documents provide evidence of the size of the Irish Hare population and assess the reasons for the decline in its numbers. They were the principal sources of information on the low numbers of Irish Hare on which I took the decision to refuse a licence to a coursing club to net hares and to propose the making of a special protection order to introduce a temporary ban on killing and taking Irish Hares, pending the outcome of a current review of the Wildlife (Northern Ireland) Order 1985, which will examine, among other things, whether the Irish Hare should be placed on the list of species that are protected at all times.

Milk

Lady Hermon: To ask the Secretary of State for Northern Ireland what discussions he has had with representatives from Northern Ireland's dairies in relation to milk prices. [142671]

Mr. Pearson: I have had no formal discussions recently with representatives from Northern Ireland's dairies in relation to milk prices. This is a reserved matter and it is not Government policy to interfere in the operation of normal market forces. I note, however, that average producer price for raw milk sold in Northern Ireland in October 2003, at 21.18 pence per litre, was 15.6 per cent. higher than the price of 18.32 pence per litre realised in October 2002.

NHS Direct

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to introduce NHS Direct to Northern Ireland; and if he will make a statement. [143817]

Angela Smith: The Department of Health, Social Services and Public Safety has sought to introduce a pilot project based on the NHS Direct concept in the Western Health and Social Services Board area to test the system locally. Two bids were made for Executive Programme Funds to support this initiative but these were unsuccessful. The Department is currently engaged in the development of a Primary Care Strategy Framework document that will identify those issues that matter to people who use the service. The Strategy will determine the priority to be accorded to various initiatives to be introduced to primary care over the next 20 years.

Police Act 1997

Ms Shipley: To ask the Secretary of State for Northern Ireland on what date Part V of the Police Act 1997 will commence in Northern Ireland. [142905]

Jane Kennedy: There is no date for the commencement of Part V of the Police Act 1997 in Northern Ireland as yet.

Ms Shipley: To ask the Secretary of State for Northern Ireland whether an implementation plan exists for the commencement of Part V of the Police Act 1997 in Northern Ireland. [142906]

Jane Kennedy: We are considering how best to implement Part V of the Police Act 1997 in Northern Ireland and are exploring a number of options. It is important to note that the Pre-Employment Consultancy Service will continue to check the suitability of those seeking to work with children pending the implementation of Part V of the Police Act.

Ms Shipley: To ask the Secretary of State for Northern Ireland whether Part V of the Police Act 1997 will be commenced in tandem with the Protection of Children and Vulnerable Adults (NI) Order 2003. [142907]

Jane Kennedy: We are considering how best to implement Part V of the Police Act 1997 and officials from the DHSSPS(NI) and other relevant NI departments will be involved in such considerations.

Potato Ring Rot

Lady Hermon: To ask the Secretary of State for Northern Ireland what steps he is taking to prevent the spread of ring rot to Northern Ireland. [142672]

Mr. Pearson: The recent finding of potato ring rot in Wales poses a significant threat to the potato industry in Northern Ireland. Stringent preventative measures are already in place to minimise the risk of this disease spreading to Northern Ireland. The Department of Agriculture and Rural Development (DARD) has increased its existing preventative actions. Its response to the current incident has included:

checking and sampling of crops produced from GB seed potatoes this year;

further targeted sampling of GB seed potatoes due to be planted in Northern Ireland in 2004;

increased monitoring by inspectors at the ports of Belfast, Larne and Warrenpoint of all seed and ware potato imports;

increased inspections at premises of importers and processors, including inspections of stocks and checks on sources and reliability;

the issue of letters to merchants and importers seeking information on imports. Letters will also be sent to all growers; and

meetings with stakeholder representatives and key industry individuals to provide scientific information on the disease and advice on new preventative measures.

Student Finance

Lady Hermon: To ask the Secretary of State for Northern Ireland what discussions he has had with representatives from Northern Ireland's universities in relation to tuition fees. [142694]

Jane Kennedy: I have had no discussions with representatives from Northern Ireland's Universities in relation to tuition fees. If student fees are increased in England, I will consider the implications for Northern Ireland with my officials and the relevant stakeholders, with a view to bringing forward proposals for consultation.

Working Time Directive

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the implementation of the European Union Working Time Directive in Northern Ireland. [142688]

Jane Kennedy: The European Directive on Working Time (93/104/EC) and the related Directive (94/33/EC) on the protection of young people at work were given effect in Northern Ireland by the Working Time Regulations (Northern Ireland) 1998, S.R. 1998/386. Subsequently, there have been two significant amendments to the 1998 Regulations, both of which were made this year, namely:

the Working Time (Amendment) Regulations (Northern Ireland) 2003, S.R. 2003/119, which implement certain provisions of the 1994 Directive which had not previously been introduced (maximum working day and working week, and restrictions on night work by young workers)

the Working Time (Amendment No. 2) Regulations (Northern Ireland) 2003, S.R. 2003/330 which implemented a further Directive known as the Horizontal Amending Directive (2000/34/EC). This extended working time provisions to previously excluded sectors (i.e. air, rail, road, sea, inland waterway and lake transport, sea fishing, other work at sea and doctors in training). The provisions for doctors in training will not apply until 1 August 2004.

Certain provisions of the Horizontal Amending Directive, which are being given effect on a UK-wide basis, have yet to be implemented.

FOREIGN AND COMMONWEALTH AFFAIRS

Afghanistan

Mr. Hammond: To ask the Secretary of State for Foreign and Commonwealth Affairs what action allied troops in Afghanistan are taking to *(a)* counter opium production and *(b)* interdict opium trade. [141899]

Mr. Ingram: I have been asked to reply.

International forces in Afghanistan are helping to train the Afghan Transitional Administration's security forces and, in Kabul, to assist in maintaining security. By doing so, troops of both the coalition and the International Security Assistance Force contribute towards the counter-narcotics programmes of civilian law enforcement and development agencies. They also help the Afghans themselves create the structures through which they can implement more effectively President Karzai's commitment to deal with both opium fanning and trafficking in his country.

Algeria

Gareth Thomas: To ask the Secretary of State for Foreign and Commonwealth Affairs what mechanism will be put in place to monitor Algeria's adherence to the human rights principles laid out in the EU/Algeria Association Agreement, once the Agreement is ratified. [143127]

Mr. Rammell: Under Articles 92–95 of the EU/Algeria Association Agreement, an Association Council will be established which shall meet at ministerial level once a year and examine any major issues arising within the framework of the agreement.

Article 2 states that human rights shall constitute an essential element of this agreement.

Ascension Island

Mr. Steen: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will amend the 1956 Bahamas Long Range Proving Ground Agreement in order to charge rent to the United States for their occupation of Wide Awake Airfield and additional land exclusively occupied by US personnel on Ascension Island; and if he will arrange for the rent to be made payable to the Ascension Island administration. [143279]

Mr. Rammell: We have no plans to amend the 1956 Bahamas Long Range Proving Ground Agreement.

Bangladesh

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the Government of Bangladesh concerning *(a)* attacks upon and *(b)* intimidation of (i) Christians and (ii) Hindus by militant Islamist groups. [142602]

Mr. Mike O'Brien: Officials from the British High Commission in Dhaka regularly raise discrimination against religious minorities and other human rights concerns with the authorities. While I have not personally raised the issue, our High Commissioner did so with the Acting Foreign Secretary on 6 November 2003.

Colombia

Sandra Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs how he proposes to ensure that funding to Colombia from *(a)* the EU and *(b)* the United Kingdom is used for the purposes for which it was given in the light of the Colombian Government's decision to merge the programmes of Plan Colombia, Social Solidarity Network and the Colombian Agency for International Cooperation and to create a single programme instead. [142972]

Mr. Rammell: We understand the merger is to form a single coordinating agency rather than a single programme of activity.

The UK's contribution to the EU Aid Budget to Colombia is some 19 per cent. Projects are monitored by the European Commission's office in Bogota. The workings of the merger are still settling down and it will be some time before things are completely clear. The European Commission are assessing the situation.

Funding for other UK assistance to Colombia is not channelled through any of these organisations. Our projects are implemented by non-governmental organisations, UN agencies or other Colombian Government bodies. We always ensure the reliability and probity of all our partners.

Sandra Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make it his policy not to support any process of demobilisation of the paramilitaries in Colombia that fails to take into account the rights of the civilian population to truth, justice and reparation. [142973]

Mr. Rammell: Before agreeing to support any process of demobilisation we would carefully consider all aspects, including the need to take into account the rights of the civilian population to truth, justice and reparation. We have stressed to the Colombian Government that in pursuing a peace process with any of the illegal armed groups that there should be no general amnesty or pardon for those who have committed human rights violations, and that all negotiations should be open, transparent and treated on the same basis.

Sandra Osborne: To ask the Secretary of State for Foreign and Commonwealth Affairs what support the British Government will give to human rights defenders in Colombia; and if it will provide on going financial support to the UN Office on Human Rights. [142974]

Mr. Rammell: We support publicly the role of human rights defenders, other NGOs and members of civil society in Colombia. We stress the importance of the role they should be given in the reform process, the need for continued dialogue, and for farther urgent and effective measures to protect them, at every opportunity. We will continue to do so.

We continue to provide financial support to the Office of UN High Commissioner for Human Rights in Bogota.

Mr. Allan: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on recent statements by ministers in the Colombian government that *(a)* the London Declaration of July 2003 is not binding and *(b)* the Colombian government will not be complying with all the UN recommendations on human rights because national sovereignty is more important than international commitments; and how the British Government will work with the EU to monitor full implementation of the UN recommendations. [143187]

Mr. Rammell *[holding answer of 10 December 2003]*: None of the governments who attended the London Meeting on International Support for Colombia are bound by the London Declaration. It is a declaration not a legal document. Nevertheless, political commitments were made at the Meeting which are reflected in the Declaration. We continue to stress to the Colombian Government the importance of keeping to these commitments.

We are working with EU partners through the Working Group in Bogota of the governments who attended the London Meeting to monitor implementation of the London Declaration, including UN recommendations. We have requested an end of year evaluation.

Lynne Jones: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications of recent accusations made by members of the Colombian military against *(a)* the displaced civilian populations of the Cacarica River basin and Jiguamiendo, *(b)* the ombudsman of Cacarica, *(c)* Peace Brigades International and *(d)* Justice and Peace for the Colombian Government's compliance with commitments they gave in July at the London Conference. [143198]

Mr. Rammell: We have stressed to the Colombian Government that such blanket public accusations are inappropriate and run the risk of being counterproductive. I made this clear to the Colombian Foreign Minister when I met her in September in New York and issued a press statement following the meeting. If there are credible allegations of impropriety by individual organisations, they should be investigated by due judicial process.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him dated 7 October 2003 from the right hon. Member for Manchester, Gorton, with regard to Abu Nayem. [142951]

Mr. Mullin: I would like to apologise to my right hon. Friend for not having replied to his letter of 7 October to my right hon. Friend the Foreign Secretary about Mr. Abu Nayem.

As a result of an administrative error a package containing a number of my right hon. Friend's letters was lost in transit between the Foreign Secretary's office and UKvisas, the department responsible for entry clearance matters arising overseas. The letters that were lost have been identified and copies have been sent to UKvisas. I can assure my right hon. Friend that the Foreign Secretary will write to him in the next few days on this case.

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when will he reply to the letter to him dated 7 October 2003 from the right hon. Member for Manchester, Gorton, with regard to Mr. Mukhtar Ahmed Rana. [142952]

Mr. Mullin: I can confirm that my right hon. Friend the Foreign Secretary replied on 3 December 2003 to my right hon. Friend's letter of 6 October 2003 with regard to Mr. Mukhtar Ahmed Rana.

Mr. Arbuthnot: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letters from the right hon. Member for North-East Hampshire of 7 April and 22 July, regarding his constituent Dr. McGarry. [143750]

Mr. Mike O'Brien: The reply was sent to the right hon. Member on 10 December 2003. I apologise for the delay in replying.

Eritrea

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the government of Eritrea concerning persecution of evangelical and Pentecostal Christians. [142603]

Mr. Mullin: I raised this issue most recently with Eritrea's Foreign Minister when he called on me in London on 1 December. On the same day, our ambassador in Asmara raised religious freedom with Eritrea's Director for Europe. Previously, I had raised this issue with the Eritrean ambassador when he called on me on 11 September 2003.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Foreign and Commonwealth Affairs whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142806]

Mr. Rammell: Foreign and Commonwealth Office purchasing policy is in accordance with the Government's Public Purchasing Consolidated Guidelines, which require the procurement of goods and services to be based on value for money and that they should be acquired by competition unless there are convincing reasons to the contrary.

Fair trade products are widely available in our offices. Almost all tea and coffee provided for official meetings is fair trade and our canteens and restaurants sell fair trade products including coffee, tea, chocolate and muesli bars.

Former Soviet Union

Andrew Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to aid former Soviet states in the decommissioning of nuclear weapons, devices and delivery systems. [142280]

Mr. MacShane: The Government published on 5 December the First Annual Report on the United Kingdom's contribution to the G8 Global Partnership. The Report details the work under way to address the nuclear, chemical and biological legacies of the former Soviet Union.

At the 2002 G8 Summit at Kananaskis in Canada, leaders pledged to provide up to US$20 billion over 10 years for a new Global Partnership against the spread of weapons and materials of mass destruction. My right hon. Friend the Prime Minister announced that the UK would make available up to US$750 million to fund projects in pursuit of these objectives.

Considerable progress has already been made as a result of close co-operation between FCO, DTI and MOD in conjunction with the Russian Federation and other countries of the former Soviet Union, Central and Eastern Europe as well as funding partners. The signing of bilateral agreements with the Russian Federation during President Putin's State Visit in June this year has helped to consolidate a firm foundation for the UK's programme of assistance.

The report outlines the specific projects in which the United Kingdom is involved. These include the dismantling of two Oscar class nuclear submarines and related projects; constructing a spent nuclear fuel facility, preparing the groundwork for the safe removal and storage of some 21,000 spent nuclear fuel assemblies at a former Russian Navy site, and constructing the infrastructure at a major chemical weapons destruction facility.

Copies of the report are available in the Library of the House. Further reports will be published annually setting out the progress achieved in the work being undertaken by the United Kingdom.

Hong Kong

Lady Hermon: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the recent elections in Hong Kong. [142667]

Mr. Rammell: District council elections took place in Hong Kong on 23 November 2003. Over a million people voted, 44 per cent. of those registered to do so, compared with a 36 per cent. turnout in the previous district council elections in 1999. The parties that secured the most out of the 400 seats available were the Democratic Party with 95 and the Democratic Alliance for the Betterment of Hong Kong (DAB), which secured 62 seats. The Chief Executive of the Hong Kong Special Administrative Region is entitled to choose up to an additional 102 people to sit in various district councils but has yet to announce these.

We continue to follow developments in Hong Kong closely. My right hon. Friend the Foreign Secretary continues to report regularly to the House on the implementation of the 1984 Sino-British Joint Declaration on Hong Kong. The last such report, which covered the first six months of this year, was published in July (Cmnd 5864).

Immigration Adjudicator

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs how many persons applied for the post of immigration adjudicator; and when he intends to announce the name of the successful candidate. [142934]

Mr. Mike O'Brien: 86 people applied for the post of Independent Monitor for Entry Clearance Refusals Without the Right of Appeal. As my hon. Friend will now be aware, my right hon. Friend the Foreign Secretary announced the appointment of Fiona Lindsley in a written statement to the House on 1 December 2003, *Official Report*, column 53WS.

Iraq

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs how many schools have been renovated by coalition forces in Iraq since 1 May. [141281]

Mr. Rammell: Since 1 May, UK forces have renovated 91 schools in Iraq, and are working on a further 140. We have no information about schools renovated by other Coalition forces.

Mr. Godsiff: To ask the Secretary of State for Foreign and Commonwealth Affairs whether, in the build up to the war with Iraq and subsequently, he permitted British Intelligence Services to intercept diplomatic communications between member states of the United Nations. [143035]

Mr. Straw: In common with most governments, we do not go into detail about intelligence-related issues, including interception. I can, however, give an assurance that the only purposes for which interception may be permitted are set out in legislation: national security, safeguarding economic well-being and the prevention and detection of serious crime.

Israel

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will support the implementation of the Geneva agreement between representatives of Israel and the Palestinian territories. [141814]

Mr. Rammell: The recognition and implementation of any final status agreement is for the Israeli Government and the Palestinian Authority. But, as my right hon. Friend the Prime Minister said in his Statement on the Geneva Accord on 1 December "I would like to commend this initiative and the debate that it has stimulated among Israelis and Palestinians, and more widely in the International Community. I hope that this initiative will also show that Israelis and Palestinians remain capable of finding partners for peace and working together, and encourage a return to the negotiating table.

Mrs. Calton: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps are being taken to encourage the Palestinian Authority to take steps to prevent further suicide attacks in Israel. [143131]

Mr. Rammell: The UK, nationally and with EU partners, continues to urge the Palestinian Authority to fulfil its roadmap commitments on security, and intensify its efforts to tackle groups and individuals engaging in terrorist activity. The UK is also providing practical support to the Palestinian Authority to help them to rebuild the capacity of their security forces to tackle terrorism.

Mrs. Calton: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to persuade the Israeli Government to *(a)* stop further construction of the separation wall in the West Bank and *(b)* prevent more settlements being built there. [143037]

Mr. Rammell: The Government have urged the Government of Israel to re-route the fence away from Palestinian areas and to freeze settlement activity. My right hon. Friends the Prime Minister and the Foreign Secretary have made clear our concerns to the Israeli Prime Minister and Foreign Minister on a number of occasions. My noble Friend Baroness Symons of Vernham Dean raised these matters with the Israeli Foreign Minister during her visit to Israel on 30 September, and with the Israeli Minister for National Infrastructure on 29 October in London. She also raised our concerns about the fence with the Israeli Ambassador on 22 October.

Continuing illegal Israeli settlement activity and the building of the fence on Palestinian land threaten the prospects for a two-state solution and is an obstacle to peace. Israel should reverse its settlements policy and end land confiscation for the construction of the fence.

Kyoto Protocol

Mr. Jenkins: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Russian Government regarding its decision not to seek ratification of the Kyoto Protocol. [142624]

Mr. Rammell: President Putin stated at the World Conference on Climate Change in Moscow in early October that the Russian Government was still analysing the economic implications of ratifying the Kyoto Protocol. The statement made by President Putin's economic adviser on 2 December does not appear to be an official statement of policy, and we look forward to a decision from the Russian Government when it has completed its assessment of the Kyoto Protocol.

My right hon. Friend the Secretary of State for Environment, Food and Rural Affairs, and my hon. Friend the Minister for Environment and Agri-Environment are attending the ninth Conference of the Parties to the UN Framework Convention on Climate Change in Milan, where Parties will be putting the finishing touches on preparations for entry into force of the Kyoto Protocol. Ministerial colleagues will continue to press their Russian counterparts on the importance of Kyoto ratification.

Lockerbie Bombing

Mr. David Marshall: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) what the total value is of the compensation paid by the Libyan Government to the families of victims of the Lockerbie bombing; [143005]

(2) whether payments to solicitors acting for families of the Lockerbie victims were paid under contingency fee agreements for percentage payments; [143006]

(3) if he will make a statement on the level of fees charged by solicitors in the Lockerbie case; and what action he is taking to limit such fees; [143007]

(4) what steps he is taking to ensure that the families of the Lockerbie victims receive the highest possible proportion of compensation payments made. [143008]

Mr. Rammell: Libya has agreed to pay $10 million per family in compensation for the Lockerbie bombing, payable in three tranches of $4 million, $4 million and $2 million on, respectively, lifting of UN sanctions against Libya, lifting of US bilateral sanctions against Libya, and removal of Libya from the United States' list of States involved in terrorism. The Government is not privy to the fee arrangements made between solicitors and their clients in the Lockerbie case and has no standing in this issue. The question of the level of fees charged by solicitors is entirely a matter for them and their clients.

Mr. Jafar Dhia Jafar

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs for what reasons Mr. Jafar Dhia Jafar has been refused permission to attend a meeting of the Royal Society in London; and if he will make a statement. [142171]

Mr. Mullin: I am withholding the information requested under exemption 5 of Part 2 of the Code of Practice on Access to Government Information.

It is not our practice to disclose details of the individual entry clearance cases in a public forum. However, I will write to the hon. Member with regard to this matter.

India

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he intends to announce the name of the new director of visa operations for India. [142970]

Mr. Mullin: It is not normal procedure formally to announce such appointments. However, I will write to my hon. Friend.

Zimbabwe

Mr. Hammond: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the impact on the political situation in Zimbabwe of that country's suspension from the Commonwealth. [141904]

Mr. Mullin: Robert Mugabe's decision to withdraw Zimbabwe from the Commonwealth highlights the increasing isolation of his regime. It will do nothing to ease the current crisis and shows how far ZANU (PF) has moved since it signed up to the Commonwealth's principles for good governance agreed at Harare in 1991. Once Zimbabwe has returned to democracy it will be welcomed back into the Commonwealth.

DEPUTY PRIME MINISTER

Housing

Mr. Hayes: To ask the Deputy Prime Minister (1) how many private sector housing initiatives have been launched in each of the last 10 years; and what local authority funds have been committed to private sector housing initiatives *(a)* in each of the last 10 years and *(b)* since April 2002; [141019]

(2) how many private sector housing initiatives have been launched since April 2002. [141020]

Keith Hill: The Office of the Deputy Prime Minister and its predecessor departments have launched many private sector housing initiatives over the last 10 years to improve the condition and management of the stock, and the rights and responsibilities of those who occupy it. These include:

measures enabling local authorities to adopt schemes to register houses in multiple occupation, and improve their condition, in 1996. These will be succeeded by licensing provisions in the forthcoming Housing Bill;

the sustainable home ownership initiative, in partnership with the lending and insurance industries, to improve the quality and take up of mortgage protection payment insurance, in 1999;

new, wider powers for local authorities to provide assistance to owners and tenants to repair, improve and adapt their homes, in 2002;

improved rights for leaseholders, including a new right to manage, improved enfranchisement and lease extension procedures and greater rights against unreasonable service charges, from 2002;

pilot projects in five areas of low demand to help local authorities make best use of existing powers to improve the condition and management of the private rented sector, in 2003.

In addition, a number of initiatives have been piloted during this period, including Home Information Packs and the Tenancy Deposit Scheme. The Office of the Deputy Prime Minister has also been involved in other initiatives launched, such as the National Approved Letting Scheme.

Other measures will be included in the forthcoming Housing Bill.

The condition of the private sector housing stock will also be improved as a result of initiatives including:

neighbourhood renewal, through key mechanisms such as the Neighbourhood Renewal Funds and New Deal for Communities Programme, which can contribute to regenerating private sector housing;

the nine market renewal pathfinders, which will help to tackle low demand and abandonment, including in private sector stock.

Detailed information is not held centrally and could be provided only at disproportionate cost in respect of all local authority funding for private sector housing. However, information for expenditure on private sector renewal assistance is tabled as follows:

	Amount (£000)
1993–94	461,914
1994–95	436,382
1995–96	401,981
1996–97	381,094
1997–98	310,300
1998–99	313,943
1999–2000	319,562
2000–01	296,831
2001–02	288,458
2002–03	259,102

Local Government Finance

Mr. Key: To ask the Deputy Prime Minister what percentage collection rate of council tax he expects in *(a)* 2003–04 and *(b)* 2004–05; and if he will make a statement. [142992]

Mr. Raynsford: The Office of the Deputy Prime Minister makes no estimate of the collection rate for council tax for the current or future years.

Mr. Gordon Prentice: To ask the Deputy Prime Minister if he will introduce additional council tax bands; and if he will make a statement. [142995]

Mr. Raynsford: The Local Government Act 2003 provides for a council tax revaluation in England in 2007 based on 1 April 2005 values. Ahead of that the Government will listen to the views of local government and taxpayers about council tax bands. Decisions on any changes to the banding structure will be taken nearer to the time of the revaluation.

School Finance

Mrs. May: To ask the Deputy Prime Minister what discussions Ministers and officials have had with the Department for Education and Skills regarding the 2004–05 settlement for those local authorities whose formula grant increase is equal to their schools' formula spending share increase. [143145]

Mr. Raynsford: Ministers and officials from the Office of the Deputy Prime Minister and the Department for Education and Skills have met on a number of occasions in recent months to discuss the additional resources that we propose to provide to these authorities.

Tamworth Borough Council

Mr. Jenkins: To ask the Deputy Prime Minister what level of grant from all government sources Tamworth borough council has received in each year since 1996. [142625]

Mr. Raynsford: Tabled are details of revenue grants received by Tamworth borough council as part of gross Aggregate External Finance (AEF) between 1996–97 to 2004–05.

£000

	Revenue support grant	*National non-domestic rates*	*Specific grants within AEF*
1996–97	2,070	2,540	160
1997–98	2,298	2,292	162
1998–99	2,012	2,321	160
1999–2000	1,902	2,514	164
2000–01	1,765	2,813	160
2001–02	2,017	2,773	183
2002–03	1,824	3,100	211
2003–04	2,809	2,603	[1]653
2004–05	3,216	2,032	[2]—

[1] The increase in specific grants within AEF between 2002–03 and 2003–04 is due to large increases in Council Tax Benefit Administration and Housing Benefit Administration, plus the introduction of grants for Neighbourhood Wardens and Building Safer Communities.

[2] Data not available until spring 2004 when it will be reported by local authorities on their RA and RA(SG) returns.

Notes:

1. The grants are on an unadjusted basis and may not be comparable between years, because transfers of function may have taken place.

2. Information on specific grants up until 2002–03 is taken from local authority outturn returns. From 2003–04, where outturn information is not yet available this is based on local authority budget returns.

CONSTITUTIONAL AFFAIRS

Written Constitution

Mr. Gordon Prentice: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to bring forward proposals for a written constitution for the UK; and if he will make a statement. [142997]

Mr. Leslie: There are no plans to draft a written constitution for the United Kingdom.

Fair Trade Products

Mr. Bercow: To ask the Parliamentary Secretary, Department for Constitutional Affairs whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142804]

Mr. Leslie: Catering services to meet my Department's requirements are provided through contractual arrangements with specialist suppliers.

My Department will continue to take every opportunity to encourage the use of fair trade products through its procurement activities, and specifically during the course of the review of the arrangements for contracted catering services that is currently under way.

Immigration Appeals

Mr. Gerrard: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many applications were made to judicially review a decision of the immigration appellate authorities in each of the last five years for which figures are available; and, of these, how many were granted permission for a review. [142530]

Mr. Leslie: The information requested is in the following table.

	1999	*2000*	*2001*	*2002*	*2003*[1]
Receipts where the First Defendant was recorded as IAT/Adjudicator/IAA	848	740	1,276	1,773	1,396
Grants of permission made during the relevant calendar year where the First Defendant was recorded as IAT/Adjudicator/IAA	306	284	302	290	252

[1] to end November.

Notes:

1. Cases are recorded in the Administrative Court Office database by defendant and only those cases in which the first defendant is recorded as the Immigration Appeal Tribunal, Adjudicator or Immigration Appellate Authority have been included.
2. These figures do not include any case in which the Secretary of State for the Home Department is recorded as the first defendant.
3. The figures for grants reflect decisions made in the calendar year. To identify the decisions in each of the cases received in the calendar years in question (a total of 6,033) would involve an audit on a case-by-case basis. Such an exercise would be labour intensive and would take several weeks.

It should be noted that due to the way in which details of cases were entered in the Administrative Court Office database prior to 2002, the above figures should not be regarded as providing a precise record of the applications received and granted.

Ross Cranston: To ask the Parliamentary Secretary, Department for Constitutional Affairs, in each of the last five years, how many cases were decided by immigration adjudicators; how many and what percentage of such cases were appealed to immigration appeals tribunal; in how many and what percentage of the appealed cases the appeal was *(a)* allowed and *(b)* remitted to adjudicators; and in how many and what percentage of the cases in category *(b)* the adjudicator decided in favour of the applicant. [142944]

Mr. Leslie: The information requested is contained in the following table Please note that the Immigration Appellate Authority does not hold certain elements of information prior to 2001. This is indicated in the table where appropriate:

	1998	*1999*	*2000*	*2001*	*2002*
Case decided by adjudicators	38,117	28,600	27,134	56,813	84,259
Number of cases applying for permission to appeal to the tribunal	14,356	11,142	7,365	18,046	28,945
Number of substantive appeals to the tribunal	2,331	2,870	2,061	4,437	7,687
Number of substantive tribunal appeals decided	1,841	2,619	3,568	3,867	6,564
Percentage of tribunal appeals allowed	Not held	Not held	Not held	18%	16%
Percentage of tribunal appeals remitted	Not held	Not held	Not held	45%	44%

Information on the number of appeals which are subsequently allowed by an immigration adjudicator following a remittal is not available without incurring disproportionate costs.

Mental Incapacity

Mr. Burstow: To ask the Parliamentary Secretary, Department for Constitutional Affairs what plans he has to bring forward legislation on mental incapacity in this parliamentary session. [140829]

Mr. Leslie: A draft Mental Incapacity Bill was scrutinised by a Joint Committee during the summer and their report was published on 28 November. My Department is working together with the Department of Health and stakeholders to consider the Committee's recommendations. We aim to respond in February 2004. We will seek to introduce the Bill in the current session of Parliament.

Work-related Stress

Dr. Cable: To ask the Parliamentary Secretary, Department for Constitutional Affairs what progress has been made towards the creation of a central register for cases of work-related stress in the Department. [141692]

Mr. Leslie: We have no central register for cases of work-related stress. However, under our sick absence management policies, managers are responsible for informing our in-house Welfare service immediately if the cause of an employees absence is stress or depression. Our Welfare Officers are fully trained, and ideally placed, to deal with issues involving work-related stress.

My Department is committed to reducing work-related stress. We have introduced a range of stress management courses for both managers and non-managers, and are currently working on a Stress at Work policy, which takes account of the latest HSE standards, and aims to:

> ensure that all employees are aware of the factors that can produce stress and are able to take preventative measures to avoid creating stressful situations;
>
> ensure that employees watch for evidence of undue stress in their own and others' behaviour and take prompt action, using all available support, to reduce stress levels in my Department.

My Department introduced a wide range of work-life balance policies during 2001, enabling staff to adopt more effective working patterns to better balance their work and home life. My Department won the Opportunity Now National Public Sector award earlier this year for these policies.

HEALTH

Pharmaceutical Trade

Dr. Tonge: To ask the Secretary of State for Health what assessment he has made of the loss or gain to the Exchequer from the parallel trade of medicines. [141697]

Ms Rosie Winterton: In terms of the impact on national health service expenditure, information is not routinely collected on the source of products, but from the data currently available the Department of Health estimates that parallel imports save the NHS in England approximately £60 million per year in the community sector.

No estimate is available for the hospital sector. The Government have not made their own assessment of the loss to pharmaceutical companies in the United Kingdom from parallel trade. The NHS does not reap the full benefit of the price differentials associated with parallel trade, as much of the difference is lost within the supply chain across Europe. Ministers in the Department of Health meet representatives of the pharmaceutical industry frequently to discuss issues affecting that sector, including parallel trade in Europe. The most recent meeting was on 2 December, between my right hon. Friend the Secretary of State for Health, my noble Friend the Under-Secretary of State for Health, Lord Warner, and representatives of the Association of the British Pharmaceutical Industry.

Age-related Macular Degeneration

Mr. Baron: To ask the Secretary of State for Health what estimate the Government have made of the number of people who will be affected by the Government's decision to extend implementation of National Institute for Clinical Excellence guidance to make photodynamic therapy available to those suffering from age-related macular degeneration. [142628]

Ms Rosie Winterton *[holding answer 8 December 2003]:* On the basis of limited epidemiological data the National Institute for Clinical Excellence (NICE) estimated that each year in England and Wales there may be 5,000 to 7,500 new cases of predominantly classic subfoveal choroidal neovascularisation (CNV) associated with wet age-related macular degeneration. However, they noted, there is a high degree of uncertainty about this estimate.

It was the Department's assessment, informed by advice from NICE, that the national health service would be unable to implement the guidance in full within the usual three-month period. We have previously varied the direction on five occasions when it was required to implement effectively the guidance to provide the service to patients.

Patients are already receiving photodynamic therapy (PDT) on the NHS and we are committed to working with the NHS to facilitate implementation by July 2004. We want to see eligible patients benefiting from effective treatment: this is why we are implementing the NICE guidance as quickly as possible and have asked the NHS to ensure that patients with suspected classic with no occult CNV are treated wherever capacity exists to do so.

Cabinet Office Website

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on the Cabinet Office website referred to in the Winter Supplementary Estimates; if he will publish the URL; and if he will make a statement. [142241]

Miss Melanie Johnson: The website referred to in the Winter Supplementary Estimates is the Department's own website, which is in the process of being migrated onto DotP ('Delivering on the Promise'), a centralised content management platform. DotP has been developed and hosted by the e-Delivery Team in the Office of the e-Envoy, which is part of Cabinet Office.

The Department's new website will go live early in the new year and will be available at www.dh.gov.uk.

Dental Laboratories

Richard Ottaway: To ask the Secretary of State for Health if he will list by county those dental laboratories which have registered with his Department under the Medical Devices Regulations. [142529]

Miss Melanie Johnson: This information could only be obtained at a disproportionate cost.

Sodium Depletion

Ann Winterton: To ask the Secretary of State for Health (1) what risk assessment his Department has conducted on depleted sodium levels in elderly people during hot weather conditions; [141465]

(2) what advice his Department has issued to elderly people on salt consumption during hot weather conditions. [141466]

Miss Melanie Johnson: The Department has not conducted any risk assessment on depleted sodium levels or issued any specific advice on salt consumption to older people during hot weather conditions.

There is insufficient evidence to suggest that elderly people should modify their normal salt consumption during hot weather conditions. It is, however, important to maintain an adequate fluid intake.

Food Labelling

Mr. Drew: To ask the Secretary of State for Health if he will ask the Food Standards Agency to take steps to tackle misleading nutritional information in food labelling aimed at children. [143209]

Miss Melanie Johnson: The Food Standards Agency (FSA) recognises that nutrition labelling can help parents choose food that contributes to a healthy diet for their children, but notes that currently there is no mandatory requirement for such information to be included on all food labels. The FSA would like to see such a requirement for all pre-packed food, including that aimed at children, and is pressing the European Commission to act on this. A proposal, which would revise the current legislation on nutrition labelling, is expected next year.

General Practitioners

Dr. Murrison: To ask the Secretary of State for Health which *(a)* ambulance service and *(b)* acute NHS trusts have made representations about their capacity to assume additional responsibilities that may arise from the new general practitioner contract. [143190]

Mr. Hutton: No representations have been received.

Brian Cotter: To ask the Secretary of State for Health how many general practitioners were in training in *(a)* England and *(b)* North Somerset in each of the last five years. [142491]

Mr. Hutton *[holding answer 8 December 2003]:* The numbers of general practice registrars (GPRs) in England since 1998 and in North Somerset Primary Care Trust (PCT) since 2001 are shown in the table.

Information prior to 2001 is not available at PCT level.

GP registrars for England and North Somerset PCT

Number (headcount)

	England	*North Somerset PCT*
1998	1,446	—
1999	1,520	—
2000	1,659	—
2001	1,883	13
2002	1,980	10
June 2003	2,157	11

Note:

Data as at 1 October 1998–99, 30 September 2000–02 and 30 June 2003.

Source:

Department of Health General and Personal Medical Services Statistics.

Genetic Information

Dr. Gibson: To ask the Secretary of State for Health (1) what progress is being made in developing a national policy on the use of genetic information by insurance companies after 2006; [142268]

(2) what steps *(a)* have been taken and *(b)* will be taken in 2004 to develop a regulatory framework for the use of genetic information by insurance companies after 2006; [142269]

(3) what stakeholders and interested groups *(a)* have been involved and *(b)* will be involved in 2004 in developing a national policy on the use of genetic information by insurance companies. [142270]

Miss Melanie Johnson: The Government have made clear their position on the use of genetic test results for underwriting life and health insurance in the October 2001 Government response to the report from the House of Commons Science and Technology Committee: Genetics and Insurance.

The Genetics and Insurance Committee (GAIC) is responsible for the evaluation of specific genetic tests and their relevance to particular types of insurance. The GAIC also provides independent scrutiny of compliance with the terms of the moratorium on the use of genetic test results by insurance companies, which runs until November 2006. If there is evidence of non-compliance with the moratorium by the insurance industry, then the Government are prepared to enforce it through legislation, if necessary.

The Human Genetics Commission (HGC) has been asked to work closely with the GAIC to provide Government with further advice in developing a longer-term policy on the use of genetic information by insurance companies.

The GAIC and HGC will also monitor the effectiveness of the Association of British Insurers (ABI) code of practice on genetics, which is mandatory for all ABI members.

The HGC and GAIC held a well-received joint public meeting in September 2003. A number of interested groups and members of the public attended this meeting, including representatives from organisations concerned with genetic disorders, as well as from insurance and re-insurance companies, and non-governmental organisations with an interest in this area. The HGC and GAIC are planning a further such meeting in 2004.

Research is also under way to consider the use of genetic information in insurance underwriting. This research will be completed by 2005.

GM Crops

Andrew George: To ask the Secretary of State for Health (1) if he will make a statement on the decision of the Food Standards Agency to vote to approve a licence for GM sweetcorn at the recent EU committee meeting; [143656]

(2) what discussions his Department has had with the Food Standards Agency regarding the application for use of Bt11 GM maize in food considered by the EC Standing Committee on Food Chain and Animal Health meeting on 8 December; [143474]

(3) what advice his Department has *(a)* given and *(b)* received from the Food Standards Agency on a decision regarding the application for use of Bt11 GM

maize in food considered at the EC Standing Committee on Food Chain and Animal Health meeting on 8 December. [143475]

Miss Melanie Johnson: A vote on the authorisation of Bt11 sweetcorn was taken at a meeting of the Standing Committee on the Food Chain and Animal Health on 8 December. The Food Standards Agency represents the United Kingdom at this committee. As is always the case at such committees, the UK delegation presented a position on behalf of the Government, which was agreed after consulting Ministers from all relevant Departments.

The application for the authorisation of a line of genetically modified sweetcorn for food use was made in 1999 under the novel foods regulation (EC) No. 258/97. The dossier was reviewed by the European Union member states and then referred to the European Community Scientific Committee on Food (SCF). The SCF reviewed the application along with an additional dossier of information provided by the applicant, which responded to questions raised by member states. The SCF opinion was published in May 2002 and concluded that this line of GM sweetcorn is as safe for human food consumption as its conventional counterparts.

The UK supported the proposal for authorisation because the criteria laid out in the relevant legislation had been met, namely: the product does not present a risk to the consumer, does not mislead the consumer and is not nutritionally disadvantageous compared with other foods that it might replace.

Mersey Regional Ambulance Service

Helen Jones: To ask the Secretary of State for Health if he will place in the Library a copy of the report prepared by Ms Pearl Brown for the Mersey Regional Ambulance Service. [143487]

Miss Melanie Johnson: The report prepared by Ms Pearl Brown for the Mersey Regional Ambulance Service National Health Service Trust is not a Department of Health publication. The information requested is not held centrally by the Department of Health.

Helen Jones: To ask the Secretary of State for Health on what date *(a)* the Mersey Regional Ambulance Trust and *(b)* any member of its board received notification from the trust's solicitors that there was a prima facie case of gross misconduct against the chief executive; on what occasions this matter was discussed with the (i) chair and (ii) chief executive of the Strategic Health Authority; and what action was taken to investigate the matter following the advice from the trust's solicitors. [143490]

Miss Melanie Johnson: The matter to which the question refers is one of individual employment between the trust and the employee. The information requested is not held centrally at the Department of Health.

Ministerial Meetings

Matthew Taylor: To ask the Secretary of State for Health on what dates Ministers in his Department have held meetings with members and officials of the United States Administration since 1 January 2002; where each meeting was held; which Ministers were involved in each meeting; which United States Administration Department attended each meeting; and which members and officials from the United States Administration attended each of these meetings. [142391]

Ms Rosie Winterton: My right hon. Friend the Member for Darlington (Mr. Milburn) met the American Secretary of Health and Human Services, Tommy Thompson, on 22 October 2002 while attending the Commonwealth Fund International Health Symposium in Washington.

They met again on the 24 October 2002, when Mr. Thompson was present at a Ministerial Round Table discussion at the same Commonwealth Fund International Health Symposium in Washington.

They met once more at the World Health Assembly in Geneva on 19 May 2003.

My right hon. Friend the Secretary of State for Health met Mr. Thompson while attending the Commonwealth Fund International Health Symposium in Washington on 22 October 2003.

The Minister of State, Department of Health, my right hon. Friend the Member for Barrow and Furness (Mr. Hutton) attended the Global Health Security conference in March 2002, which was attended by a number of United States officials from the Health, State and Defence Departments.

In May 2002, he also attended a dinner during the World Health Assembly on Global Health Security at which Mr. Thompson was present.

In November 2003, he met Mr. Thompson at the Berlin meeting on Global Health Security.

Pneumococcal Disease

Dr. Tonge: To ask the Secretary of State for Health what plans he has to put the pneumococcal conjugate vaccine on the routine childhood immunisation schedule. [143017]

Miss Melanie Johnson: The Government are very careful when considering introducing a new vaccine into the childhood immunisation schedule. We have to be sure that the vaccine is safe, and effective in preventing disease. It is also important to know how many doses that children need to be protected and at what age the doses should be given. We also need to be confident that introducing a new vaccine into the childhood immunisation schedule doses not interfere with the protection given by the other vaccines in the programme. We have to be sure that any new health intervention is cost-effective.

The independent expert advisory body, the Joint Committee on Vaccination and Immunisation (JCVI) is currently examining the evidence of the potential benefits of introducing pneumococcal conjugate vaccine to the infant immunisation schedule. What is clear is that there are many uncertainties in the evidence, in particular in measuring the burden of pneumococcal disease, and in the amount of disease that is expected to be prevented by a vaccine in both the short and longer term, because it protects against only seven of the numerous strains of pneumococcus.

Research is being undertaken to try to answer the questions, and the JCVI is assessing the evidence as it develops.

Dr. Tonge: To ask the Secretary of State for Health what assessment he has made of *(a)* the number of children affected by pneumococcal disease in the last year for which figures are available and *(b)* the severity of the disease and its complications in each case. [143018]

Miss Melanie Johnson: The nature of pneumococcal disease makes it difficult to measure with accuracy the burden of that disease. Notifications are for pneumococcal meningitis only and these are shown in the table for 2002.

Information on individual cases is not available centrally.

Number of notified cases of pneumococal meningitis in children for 2002

Age	*Number of cases*
0 years	49
1–4 years	29
5–9 years	6
10–14 years	3
15–24 years	8

Residential Care

Mr. Burstow: To ask the Secretary of State for Health what plans he has to produce national minimum standards of care for residential services provided by the NHS. [141527]

Dr. Ladyman: National minimum standards have been developed for a range of establishments and agencies regulated under the Care Standards Act. The National Care Standards Commission must take the standards into account when making any decision about whether an establishment or agency conforms to the relevant statutory regulations. The standards apply irrespective of who provides the service, thus care homes run by the national health service are subject to the standards.

There are no plans to produce national minimum standards for NHS hospital accommodation although residential services provided in such establishments would come within the Commission for Health Improvement's rolling review.

Sexual Health

Mr. Burns: To ask the Secretary of State for Health (1) how many referrals were made to *(a)* genito-urinary medicine clinics and *(b)* sexual health clinics by a general practitioner (i) after diagnosis by the GP for treatment and (ii) for diagnosis and treatment in *(A)* the last 12 months for which figures are available, *(B)* 2000 and *(C)* 1997; [140691]

(2) what the average waiting time for treatment for a sexually transmitted infection after initial examination by a general practitioner was in *(a)* the last year for which figures are available, *(b)* 2000 and *(c)* 1997; what proportion of such treatments were overseen by the GP who made the initial diagnosis; and if he will make a statement; [140692]

(3) how many, and what proportion, of general practitioners in England do not treat patients suffering from a sexually transmitted infection; and if he will make a statement; [140693]

(4) how many general practitioners in England provide sexual health services; how many provided them *(a)* in 2000 and *(b)* in 1997; and how many have walk-in facilities. [140719]

Miss Melanie Johnson: These data are not collected centrally. Data are only available on numbers of referrals from general practitioners to genito-urinary medicine (GUM) clinics and this is shown in the table. GUM clinics are open-access and this data does not include the vast majority of patients who will self-refer to GUM clinics or who are advised to attend by their GP without a formal referral letter.

GPs are required to provide for the management and on-going treatment of patients who are ill, or believe themselves to be ill. Some GPs provide diagnosis and treatment for sexually transmitted infections (STIs). However, others will make an initial assessment and advise the patient to attend a GUM clinic where more specialist skills and diagnostic tests are available.

Outpatients: Number of GP Referrals made (Provider Based) for Genito-urinary medicine in England

Specialty Code	*Specialty Name*	*GP referrals made in the Quarter*
360	Genito-urinary medicine	8,922
360	Genito-urinary medicine	9,209
360	Genito-urinary medicine	8,782
360	Genito-urinary medicine	8,698
360	Genito-urinary medicine	8,517
360	Genito-urinary medicine	8,712

Source:

Department of Health QM08.

Student Nurses

Mr. Burstow: To ask the Secretary of State for Health whether it is his Department's policy to pay for the top-up university fees charged to student nurses; and if he will make a statement. [141639]

Mr. Hutton *[holding answer 3 December 2003]*: Existing contracts between strategic health authorities and higher education institutions cover the full cost of training and top-up fees are not charged. The consultation document, Funding Learning and Development for the Healthcare Workforce, sets out our proposal for a national model contract. It is intended that this contract for national health service-funded pre-registration courses, to be introduced from 1 April 2004, will specifically prohibit the charging of top-up fees to students.

Vaccination and Immunisation

John Mann: To ask the Secretary of State for Health what guidance he gives to NHS trusts concerning Joint Committee on Vaccination and Immunisation recommendations. [143681]

Miss Melanie Johnson: Advice from the Joint Committee on Vaccination and Immunisation (JCVI) is made public on the JCVI website, and in the book *Immunisation against Infectious Diseases*. If new advice is given that results in a new vaccination campaign, this is communicated to trusts via Chief Medical Officer/Chief Nursing Officer/Chief Pharmaceutical Officer letter.

John Mann: To ask the Secretary of State for Health whether the recommendations of the Joint Committee on Vaccination and Immunisation are endorsed by the National Institute for Clinical Excellence. [143689]

Miss Melanie Johnson: The agendas and minutes for Joint Committee on Vaccination and Immunisation meetings are routinely sent to the National Institute for Clinical Excellence, and both committees collaborate to work on topics such as antiviral agents for influenza.

Works of Art

Norman Baker: To ask the Secretary of State for Health how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 was; how much it cost; and what the total revenue raised by his Department through sales of its works of art has been since 1997. [142366]

Ms Rosie Winterton: The Department does not own any works of art, nor has it purchased or sold any since 1997.

TREASURY

European Council of Finance Ministers

Mr. Hood: To ask the Chancellor of the Exchequer what the outcome was of the ECOFIN meeting held on 25 November; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [142978]

Mr. Gordon Brown: I attended ECOFIN on 25 November.

The Council discussed the Excessive Deficit Procedure for France and Germany (recommended under Article 104(8)). Council did not vote in favour of the Commission proposals under both Article 104(8) and 104(9) to enforce the excessive deficit procedures against both countries, therefore the decision was not adopted. It agreed non-binding Council conclusions and a separate declaration.

The UK did not support the Commission's proposal under Article 104(8). The Council reached an agreement on a general approach on the Transparency Directive. A compromise was reached on the important issue of mandatory quantitative quarterly reporting, whereby companies with shares on regulated EU markets will be required to disclose qualitative information, similar to trading statements, about the company's performance at least once in the six-months periods following the date of their annual and half-yearly reports. This was a success for the UK and followed our intervention at the 4 November ECOFIN when I expressed strong concerns about the regulatory burden of introducing mandatory quarterly reporting across the EU.

The Council noted a Commission presentation on its implementation report on the Risk Capital Action Plan and Conclusions were adopted inviting the Commission and the Financial Services Committee to undertake further work.

The Council took note of a report from the Code of Conduct group on the implementation of rollback and standstill. The group was asked to report back on rollback and standstill before summer 2004.

On VAT Reduced Rates, Council agreed to extend the VAT labour intensive services experiment for two years and produced a declaration to this effect, inviting the Commission to make the appropriate proposals. proposals.

The Commission presented its company tax communication, which was discussed further at the conference on EU corporate tax reform in Ostia on 5–6 December.

On the structural indicators to be used in the Commission's Spring Report for the European Council, the Commission welcomed a Joint Committee text. The Council invited the Permanent Representatives Committee (COREPER) to finalise the issues for approval at the next General Affairs (GAERC) meeting.

The Council adopted a report on European Action for Growth to be forwarded to the European Council in 12–13 December. The Council reached political agreement on an increased rate of Trans-European Networks co-financing of 20 per cent. for certain projects.

The Council adopted two reports concerning the European Investment Bank (EIB): on the mid-term review of EIB lending mandates and on the review of the EIB facility for Euro-Mediterranean Investment and Partnership (FEMIP).

The Council agreed to an additional allocation of EUR 500 million for lending to Russia and the Western Newly Independent States by the EIB until January 2007. In a unilateral declaration the UK noted

> "agreement reflected the assurance given by the Commission that the increase is compatible with the margin in the Loan Guarantee Reserve".

Council also agreed to develop further and reinforce FEMIP within the EIB.

On the Investment Services Directive, a UK-drafted Declaration was agreed, that will accompany the formal adoption of a Council Common Position on 8 December. This Declaration helpfully indicates Council's desire to reach an agreement with the European Parliament on this Directive by April 2004.

Inland Revenue

Mr. Gray: To ask the Chancellor of the Exchequer what annual efficiency savings targets were set for Inland Revenue in 2002 to 2003; what Inland Revenue's performance against these targets was in each year; and what the total sum paid in performance related pay as a consequence of Inland Revenue's achievement was in each year. [143674]

Dawn Primarolo: In 2001–02, 2002–03 and 2003–04 the Inland Revenue had a target to

> "Improve value for money by achieving productivity gains of at least 2.5 per cent. per year until March 2004 without detriment to accuracy or customer satisfaction".

This was set by Spending Review 2000. This target is measured by reference to four Performance Indicators and the results for 2001–02 and 2002–03 are set out below. The results for 2003–04 will not be known until after the end of the Financial Year. Spending Review 2002 also gave the Inland Revenue a value for money target that came into effect in 2003–04 to

> "Achieve annual efficiency savings of at least 2.5 per cent. per year until March 2006, without detriment to accuracy or customer satisfaction."

The results for 2003–04 will not be known until the end of the Financial Year.

IR performance against productivity target:

Percentages

	2001–02 target	*2001–02 result*	*2002–03 target*	*2002–03 result*
Percentage improvement in:				
Taxpayer cases dealt with per staff year	2.5	0.90	2.5	4.8
Number of NI work items per staff year	2.5	7.0	2.5	7.8
Number of WFTC decisions per staff year	2.5	3.4	2.5	12.4
Number of DPTC decisions per staff year	2.5	21.4	2.5	2.6

The need to make efficiency savings is only one of several objectives that any individual could have in their Performance Agreement. It is therefore impossible to quantify the amount of individual performance related pay that has arisen from the achievement of such targets. However, it is the case that performance related pay is only paid to individuals who have met or exceeded their Performance Agreement in total.

Mr. Gray: To ask the Chancellor of the Exchequer pursuant to his answer of 2 December 2003, *Official Report*, column 345W, on Inland Revenue (IT Systems), who the prospective suppliers who engaged in the Inland Revenue's market-making exercise for the EAGLE project prior to the placement by Inland Revenue of the Procurement Notice in the Official Journal of the European Communities were. [143604]

Dawn Primarolo: The initial Market-making exercise for the EAGLE contract prompted six responses prior to the placement of the Procurement Notice in the OJEC. The suppliers involved were:

CSC Europe/IBM UK;

EDS Ltd.;

Hoskyns Group Plc;

ICL/Anderson Consulting;

Digital Alliance (Digital Equipment Co., Logica and Barclays);

Sema Group UK.

Of these suppliers, two were invited to tender—EDS Ltd. and CSC Europe/IBM UK. The preferred supplier was announced in December 1993, and the contract awarded in May 1994.

Mr. Gray: To ask the Chancellor of the Exchequer whether the EAGLE Invitation to Tender (ITT) contained a provision that the Inland Revenue might undertake a review of the tax affairs of the companies responding to the ITT and that such reports might be used as a factor in the evaluation of tenders. [143671]

Dawn Primarolo: The EAGLE Invitation to Tender (ITT) did not contain any provision that the Inland Revenue might undertake a review of the tax affairs of the companies responding to the ITT or that such reports might be used as a factor in the evaluation of tenders.

Tax Credits

Mr. Robathan: To ask the Chancellor of the Exchequer what measures are being taken to ease the financial burden on firms whose research and development tax credit claims are under retrospective investigation by the Inland Revenue. [143353]

Dawn Primarolo: Companies claim R&D tax credits by entering figures on their Corporation Tax Self Assessment return at the end of the accounting period in which the R&D is undertaken. Companies self assess the amount of R&D tax credits due to them and receive payment of any R&D tax credit in line with their self-assessment.

Only a proportion of returns which contain an R&D tax credit claim will be inquired into. Where a return is inquired into, payments of the tax credit may be withheld during the inquiry but interim payments can be agreed.

Smoking

Malcolm Bruce: To ask the Chancellor of the Exchequer how many cigarettes have been consumed in the United Kingdom in each year since 1997; what the total revenue generated from duties was; what percentage of cigarettes were *(a)* smuggled and *(b)* crossborder sales of cigarettes in each year since 1997; and how much was lost in revenue from duty in each case. [143143]

John Healey: All figures relating to 2000–01 to 2002–03, and the smuggled cigarette share estimates for earlier years are published in "Measuring and Tackling Indirect Tax Losses (December 2003)".

The same figures for 1999–00 are contained in Measuring Indirect Tax Losses (November 2002).

Comparable figures for earlier years are not available.

Information on the total revenue generated from UK cigarettes duties can be found in the HM Customs and Excise 'Tobacco Bulletin'.

Copies of all these documents are available in the Library of the House.

Tourism

Mr. Beggs: To ask the Chancellor of the Exchequer how much tax revenue was raised from hotel accommodation in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland in each of the last five years. [143194]

Dawn Primarolo: The figures are not available in the format requested. They would be available only at disproportionate cost and would require assumptions about tax incidence that could render the results misleading.

EDUCATION AND SKILLS

Open Academies

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will place in the Library a copy of the admissions policy of each academy. [141565]

Mr. Miliband: I am pleased to confirm that copies of the admissions policies for all open Academies have been placed in the Libraries.

Children and Family Court Advisory and Support Service

Tim Loughton: To ask the Secretary of State for Education and Skills (1) what the current status is of the board of CAFCASS; and if he will make a statement; [143110]

(2) when he proposes to publish Sir Clive Booth's report on the operation of the board of CAFCASS; [143111]

(3) what his plans are for the future of CAFCASS; [143112]

(4) what changes have been made to the complaints procedure of CAFCASS since the appointment of the Children's Minister; [143113]

(5) what changes to the operation of CAFCASS have been initiated by the Minister for Children. [143114]

Margaret Hodge *[holding answer 9 December 2003]*: I am pleased to announce that Baroness Pitkeathley OBE has been appointed as Chairman of CAFCASS, with effect from 11 December 2003. In order for her to take the service forward, all but one member of the existing Board have agreed to resign.

The Government are grateful to them for their willingness to stand down and for their commitment and hard work since CAFCASS was launched.

As an interim measure Baroness Pitkeathley will be assisted by a temporary Board comprising:

Richard Sax
Baroness Howarth of Breckland OBE
Professor Jane Tunstill
Nicholas Stuart CB

We will be placing advertisements shortly for appointment to a new permanent Board.

The Board member who has declined to resign is being asked to accept the suspension of their Board membership, pending further consideration of their position.

There are no plans to publish Sir Clive Booth's report.

CAFCASS will be a key element of the Government's new focus on children's services. The Government Green Paper "Every Child Matters" sets out an exciting new agenda and CAFCASS has an important role in its delivery.

CAFCASS is a national non-departmental public body for England and Wales. As such, responsibility for its day-to-day work rests with its Executive Team and Board. I have, therefore, initiated no changes in its operation, though CAFCASS itself introduced a new complaints procedure with effect from April 2003.

Coalfield Communities

Adam Price: To ask the Secretary of State for Education and Skills what discussions he has had with the education ministers of *(a)* the National Assembly for Wales and *(b)* the Scottish Parliament on educational attainment in coalfield communities. [142947]

Mr. Ivan Lewis: I have regular discussions with Ministers from both the National Assembly for Wales and the Scottish Parliament regarding education matters (including educational attainment). However these discussions have not related to educational attainment in coalfield communities specifically.

Adam Price: To ask the Secretary of State for Education and Skills what discussions he and his officials have had with the Coalfield Communities Campaign on the levels of educational attainment in coalfield communities. [142948]

Mr. Ivan Lewis: My officials have an on-going dialogue with the Coalfield Communities Campaign on issues that need to be addressed in order to improve educational attainment.

Adam Price: To ask the Secretary of State for Education and Skills what studies of education attainment in coalfield communities have been undertaken since the 2001 Centre for Regional Economic and Social Research Study. [142949]

Mr. Ivan Lewis: Following the DfES commissioned study "Patterns of Educational Attainment in the British Coalfields", to which the hon. Gentleman refers in his question, my Department, together with the Coalfields Community Campaign, commissioned a further research project, "Raising Attainment in Schools in the Former Coalfield areas", with a view to learning more about factors that have led to school improvement in these areas. This research drew up case studies of eight schools in coalfield areas that are doing well, despite challenging circumstances.

The final report has recently been distributed to all secondary schools in coalfields areas as a tool for strengthening performance.

Education (North-west)

Mr. Woodward: To ask the Secretary of State for Education and Skills how many *(a)* teachers and *(b)* teaching assistants were employed in (i) nursery, (ii) primary and (iii) secondary education in (A) St. Helens, (B) Merseyside and (C) the North West Region, in each year since 1992. [141471]

Mr. Miliband: The following tables show full-time equivalent (FTE) regular teachers and teaching assistants in maintained nursery, primary and secondary schools in January of each year. Nursery and primary staff are shown as a group because staff providing nursery education within primary schools cannot be identified separately.

FTE Regular Teachers[1]

	St. Helens		*Merseyside*[2]		*North West*[3]	
Year	*Nursery and primary*	*Secondary*	*Nursery and primary*	*Secondary*	*Nursery and primary*	*Secondary*
1992[4]	770	850	6,290	6,020	29,210	28,590
1993[4]	780	850	6,240	6,040	29,400	28,800
1994	790	800	6,300	5,880	29,380	27,190
1995	780	790	6,300	6,010	29,310	27,380
1996	750	760	6,300	6,040	29,370	27,060
1997	760	760	6,270	5,940	29,210	27,190
1998	740	750	6,090	6,080	28,840	27,440
1999	730	760	6,000	6,160	29,070	28,050
2000	730	760	6,040	6,080	29,190	28,100
2001	730	760	6,040	6,290	29,010	28,480
2002	720	760	6,060	6,640	29,380	29,310
2003	760	790	5,990	6,390	29,100	29,490

[1] Excludes occasional teachers

[2] Includes Knowsley, Liverpool, St. Helens, Sefton and Wirral Local Education Authorities.

[3] Includes Merseyside.

[4] Sixth form colleges are included in the secondary sector for 1992 and 1993.

Source:

DfES annual survey of teachers in service and teacher vacancies (Form 618G)

FTE Teaching Assistants[1]

	St. Helens		*Merseyside*[2]		*North West*[3]	
	Nursery and Primary	*Secondary*	*Nursery and primary*	*Secondary*	*Nursery and primary*	*Secondary*
1992	130	[4]—	680	10	4,370	180
1993	150	[4]—	780	20	4,750	200
1994	190	[4]—	890	30	5,100	270
1995	180	[4]—	990	40	5,480	340
1996	180	10	1,060	70	5,990	500
1997	190	10	1,100	100	6,340	630
1998	200	10	1,150	130	6,720	750
1999	210	20	1,230	160	6,930	950
2000	220	20	1,360	220	7,630	1,200
2001	280	40	1,910	350	9,740	1,650
2002	290	50	1,660	510	9,630	2,250
2003	350	60	2,370	600	12,010	2,730

[1] Includes nursery assistants, teaching assistants, special needs support staff and from 1996 minority ethnic support staff

[2] Includes Knowsley, Liverpool, St. Helens, Sefton and Wirral Local Education Authorities.

[3] Includes Merseyside

[4] Number less than 5

Source:

Annual Schools Census

Education Spending

Mr. Kidney: To ask the Secretary of State for Education and Skills pursuant to his answer to the hon. Member for Lichfield (Michael Fabricant) of 3 December 2003, *Official Report*, column 89W, on education spending, what the basic amount included in the figures is for each *(a)* primary and *(b)* secondary pupil; and if he will list separately the amounts included in the figures he gave for (i) deprivation, (ii) additional costs and (iii) sparsity. [143129]

Mr. Charles Clarke: The basic entitlement in the Education Formula Spending Share calculations for 2004–05 is £2,111.59 for primary pupils and £2,826.23 for secondary pupils.

Tables showing the breakdown for the primary and secondary formula spending share for each local authority are available on the Department's school funding website and copies have been placed in the Libraries.

Further Education

Mr. Willis: To ask the Secretary of State for Education and Skills how many students studied *(a)* part-time and *(b)* full-time in further education in each of the last five years; and how many (i) full and (ii) part-time lecturing staff there were in each of those years; what figures for student/lecturer ratios for further education over this period he uses. [143276]

Mr. Ivan Lewis *[holding answer 11 December 2003]*: The numbers of full time and part time students studying at further education sector colleges in the five years to 2001/02 were published by the Learning and Skills Council (LSC) in the Statistical First Release (SFR) "Student Numbers At Colleges In The Further Education Sector And External Institutions In England In 2001/02" on 19 December 2002 and are shown in the following table. The numbers of full time and part time teaching staff in further education sector colleges in the five years to 2001/02 were published by the LSC in "Staff Statistics, 2001/2002" on 30 October 2003 and are also shown in this table.

Student and staff in further education sector colleges 1997/98 to 2001/02

Thousand

	1997/98	*1998/99*	*1999/2000*	*2000/01*	*2001/02*
Students					
Full time	925.1	890.6	860.7	839.6	870.7
Part time	2,211.8	2,124.0	2,076.1	2,215.0	2,625.9
Teaching staff					
Full time	47.0	46.1	45.6	46.8	47.3
Part time	92.7	95.7	91.1	87.5	89.6

Sources:

LSC Individualised Student Record; Staff Individualised Record

Staff student ratios are based on full time equivalents and are routinely published in the DfES Departmental Report. The following figures are derived from Annex L of the Department's 2003 Report. 2001/02 figures are not yet available.

Student to teaching staff ratio (in full time equivalents) in further education sector colleges

	Student/staff ratio
1997/98	16.2
1998/99	16.1
1999/2000	15.9
2000/01	14.9
2001/02	n/a

Sources:

LSC Individualised Student Record; Staff Individualised Record

Graduate Income

Mr. Alan Williams: To ask the Secretary of State for Education and Skills (1) what the latest Government estimate is of the extra life-time earnings arising from graduation; [140794]

(2) what the statistical sources are for Government estimates of extra life-time earnings arising from graduation; [140795]

(3) whether Government estimates of extra life-time earnings of graduates are *(a)* pre-tax and *(b)* post-tax. [140796]

Alan Johnson *[holding answer 1 December 2003]*: Higher Education is undoubtedly a good investment for the average graduate. The Department has previously estimated that first degree graduates earn on average around £120,000 more—in present value terms—over their working lives than those with two or more A-levels. The analysis is based on the spring 2002 quarter of the Labour Force Survey (LFS) for Great Britain. The £120,000 differential is derived from gross lifetime earnings streams that are assumed to grow at 2 per cent. per annum in real terms and are discounted at a rate of 3.5 per cent[1]. The Department estimates that the differential would fall to around £90,000 using net lifetime earnings streams, given that higher earning degree-holders would pay more tax on average over their working lives than those with only A-levels.

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[1] Real earnings are assumed to grow in line with productivity at 2.0 per cent., as set out in Annex A of The Budget 2003. The discount rate of 3.5 per cent. is the rate used by the Treasury in deciding whether public investments are worthwhile.

Key Stage 1

Stephen Hesford: To ask the Secretary of State for Education and Skills what plans he has to reform assessment methods at Key Stage 1; and if he will make a statement. [142858]

Mr. Stephen Twigg: We have developed a new approach to assessment at Key Stage 1. We have asked the Qualifications and Curriculum Authority to trial an approach that uses testing to underpin teacher assessment.

Teachers will make a rounded assessment of each child, taking into account task and test results and their own judgement on the child's work. 37 LEAs are in the trial. If the trial is successful it will be extended to all schools in the next academic year.

Oxbridge Funding

John Mann: To ask the Secretary of State for Education and Skills what the Government contribution was, at today's value, towards the funding of *(a)* Oxford and *(b)* Cambridge universities, (i) in total and (ii) as a percentage of the total, in (A) 1973, (B) 1980, (C) 1990 and (D) 2003. [143695]

Alan Johnson: The information is shown in the following table using 2002–03 prices.

	£ million	*Percentage of total*
Cambridge		
1972–73	97.3	71
1980–81	81.5	57
1990–91	83.6	37
2001–02	142.8	31
Oxford		
1972–73	97.4	68
1980–81	85.5	53
1990–91	86.5	35
2001–02	138.6	33

Sources:

Statistics of Education—Universities 1973, University Statistics—Finance 1980 and 1990–91, and HESA—resources of higher education institutions 2001–02.

School Finance

Mrs. May: To ask the Secretary of State for Education and Skills what discussions he has had with the local authorities whose grant increase is equal to their schools' formula spending share increase in the 2004–05 settlement. [143146]

Mr. Charles Clarke: No Ministers from the DfES have had specific discussions with the relevant local authorities regarding the 2004–05 settlement. Representatives of local authorities and the Local Government Association were involved in discussions on this topic with officials from the Office of the Deputy Prime Minister at Settlement Working Group meetings.

Mrs. May: To ask the Secretary of State for Education and Skills what guidance he has issued to local authorities regarding the passporting of schools' formula spending share budget increase of the 2004–05 settlement. [143166]

Mr. Charles Clarke: Both myself and my right hon. Friend the Deputy Prime Minister wrote to all local authorities with an education responsibility setting out their clear expectation that LEAs will passport their Schools Formula Spending Share in full unless there are wholly exceptional circumstances. The Government have ensured that every authority will receive an increase in its Formula Grant which is at least as big as its cash SFSS increase, on a like-for-like basis and has put additional resources into other services—a total of £300 million in additional Revenue Support Grant and specific formula grant to ensure that a decision to passport the full SFSS increase to schools should not be at the expense of other services.

Officials have also written twice to Chief Education Officers, firstly setting out the basis of the passporting calculation and explaining the amendments to the "reserve power" provisions of the School Standards and Framework Act 1998 (as amended) which were recently enacted through the Local Government Act 2003; and secondly setting out the passporting figures, the steps authorities need to take and the timetable involved.

Small Businesses

Brian Cotter: To ask the Secretary of State for Education and Skills whether his Department uses a database of individual small businesses for consultation purposes. [142477]

Mr. Stephen Twigg: There is no DfES departmental small business contact database. Normally DfES uses contacts in the representative bodies eg Small Business Council, Confederation of British Industry, Federation of Small Businesses; or through our delivery partners such as Learning and Skills Council and Sector Skills Development Agency as a way of consulting small firms. DfES shares research that the Small Business Service or DTI have gathered. The Department's small firms portal can also be used to seek views.

Specialist Schools

Mr. Hoban: To ask the Secretary of State for Education and Skills what proportion of specialist schools are permitted to select pupils by aptitude. [140977]

Mr. Miliband *[holding answer 1 December 2003]:* Section 102 of the 1998 Education Act and associated Regulations made under it allow schools with a specialism in modern foreign languages; the performing arts; the visual arts; physical education or sport; design and technology or information technology to select up to 10 per cent. of their intake on the basis of aptitude in the relevant specialism.

Ninety per cent. of mainstream secondary schools currently designated as specialist schools have one or more of these subjects as part of their specialist curriculum.

Student Finance

Mr. Cousins: To ask the Secretary of State for Education and Skills what *(a)* fee remission systems, *(b)* grants and *(c)* bursaries he proposes for (i) higher education and (ii) other level 4 courses delivered through the further education system. [142635]

Alan Johnson *[holding answer 9 December 2003]:* The HE White Paper sets out our proposals for student support. From 2004, we are introducing a grant worth up to £1,000 to assist students from low-income backgrounds. The full grant will be available to those whose household income is below £15,200, estimated to be around 30 per cent. of students. This is in addition to the loans available for students' living costs, currently of up to £4,930 and a grant for tuition fees currently worth up to £1,125 a year. From next year, the hardship loan fund will be merged into the Access to Learning Fund. All payments of grants will be non-repayable and will be delivered through universities and colleges. Students with dependants and disabled students will continue to benefit from a series of grants that are designed to assist with the cost of entering higher education. We are also introducing a more flexible package of support for part-time students. Full details on the 04/05 student support package were announced on 3 December 2003, *Official Report*, column 61WS.

From 2006, students will no longer have to pay up-front fees. Instead, we will offer a loan for fees, which with the maintenance loan will be repayable after graduation once earnings exceed £15,000. Any institution that wishes to charge higher fees must first have an access agreement, approved by the Office for Fair Access (OFFA). We are considering and discussing the content of access agreements, including bursaries and other financial support, and the role of OFFA, and will make an announcement in due course.

Michael Fabricant: To ask the Secretary of State for Education and Skills pursuant to the oral answer given by the Prime Minister to the hon. Member for Nottingham, South (Alan Simpson) on 3 December 2003, *Official Report*, column 504, if he will publish the alternative methods for funding higher education being considered by his Department. [142735]

Alan Johnson *[holding answer 9 December 2003]:* I refer the hon. Member to the letters from my right hon. Friend the Secretary of State to my hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly) dated 11 April, 3 June and 12 November, and also to our response to the Education and Skills Select Committee of 28 July. Copies of all these documents have been placed in the House Library. We will be providing further information in due course.

Mr. Drew: To ask the Secretary of State for Education and Skills how many students in each university are receiving *(a)* full fee remission and *(b)* bursary support. [143102]

Alan Johnson *[holding answer 9 December 2003]:* The information requested has been placed in the Libraries.

Mr. Drew: To ask the Secretary of State for Education and Skills what research he has commissioned into students' risk aversion to debt. [143104]

Alan Johnson [*holding answer 9 December 2003*]: The Department has recently published results from the 2002–03 Student Income and Expenditure Survey. This showed that more students are taking on debt; 92 per cent. of students anticipated leaving university with debts in 2002–03. All students are taking on more debt on average, partly as a result of the complete replacement of mandatory grants with student loans, and partly to finance higher levels of expenditure.

In addition, in 2001 the Department published research entitled, 'Social Class and Higher Education: Issues Affecting Participation by Lower Social Class groups' which amongst other things explored the relationship between social class and students' attitudes to debt. This research showed that most potential and current students accepted that they would accumulate debt but felt that the investment was worthwhile and that most current students were confident about paying back the debt they were accruing.

Both research reports are available from the Department's website at http://www.dfes.gov.uk/research/

Teaching Methods

Mr. Gibb: To ask the Secretary of State for Education and Skills what new teaching methods are being introduced geared to each child's ability. [141799]

Mr. Stephen Twigg: The national Primary and Key Stage 3 Strategies have enabled teachers to improve and broaden their teaching skills to raise standards of attainment for children of all abilities. Typical of their approach to inclusion has been the help on challenging and supporting all pupils in whole class teaching, in the ways in which teachers differentiate tasks, in the ways pupils are grouped, and in the ways in which teaching assistants are used to support pupils. This year Key Stage 3 Challenge Programmes offer support in new approaches in one-to-one teaching for pupils who are falling behind in basic skills. Our programme for gifted and talented education, including our support for the National Academy for Gifted and Talented Young, is also helping to develop teachers' understanding of the most effective approaches to the teaching of the most able pupils.

Our ambitions for personalised learning in schools are that universal provision should be tailored to the needs of every child. Central to this agenda are that teachers have more effective skills in formative assessment. We know through a wide body of research, for example through the Ofsted report "Good Assessment in Secondary Schools" published earlier this year, that the quality of assessment by teachers has a significant impact on attitudes to learning through challenging children and through encouraging teachers to focus on how to improve the learning skills of individual pupils. That is why we have made available to all schools the new Pupil Achievement Tracker to help them identify their pupils' strengths and weaknesses and set appropriate targets for development, based on the results of pupils in their National Curriculum Tests. And through the Primary and Key Stage 3 Strategies we will be making available to teachers next year support in assessment for learning techniques and approaches.

Timber

Mr. Gardiner: To ask the Secretary of State for Education and Skills by what means the Department's policy for purchasing timber and timber products ensures that they are obtained from legal and sustainable sources. [141332]

Mr. Stephen Twigg: The Department for Education and Skills uses the Ministry of Defence and Office of Government Commerce contracts for the supply of office furniture. These are compliant with all current Government guidance. It is also departmental policy to include the model timber specification clause in all relevant contracts, and all buyers of timber and timber related products are aware of central Government guidance.

University Funding

John Mann: To ask the Secretary of State for Education and Skills if he will list written representations he has received from the vice-chancellors of *(a)* Oxford, *(b)* Cambridge, *(c)* Sheffield and *(d)* Sheffield Hallam universities about university funding in the last three years. [143693]

Alan Johnson: Both my right hon. Friend and I have received numerous representations from universities on a number of matters related to the funding of higher education, both by means of formal correspondence and in meetings with Vice Chancellors and others from the higher education sector.

HOME DEPARTMENT

Big Conversation

Mr. Heald: To ask the Secretary of State for the Home Department what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by *(A)* each Minister and *(B)* civil servants in connection with the Big Conversation; and if he will make a statement. [143099]

Fiona Mactaggart [*holding answer 9 December 2003*]: I refer the hon. Member to the answer given by the Leader of the House on 9 December 2003, *Official Report*, Vol. 415, column 355W.

Antisocial Behaviour Orders

Mr. Ruffley: To ask the Secretary of State for the Home Department how many Antisocial Behaviour Orders have been issued in Suffolk in each year since their inception. [143529]

Ms Blears: The number of notifications received by the Home Office of Anti-Social Behaviour Orders (ASBOs) issued in Suffolk from 1 April 1999 up to 30 June 2003 (latest available) is given in the table.

The number of notifications, as reported to the Home Office, of ASBOs issued in Suffolk, from 1 April 19991 to 30 June 2003 (latest available)

	Number
1 April 1999 to 31 May 2000[1]	3
1 June 2000 to 31 December 2000	0
1 January 2001 to 31 December 2001	4
1 January 2002 to 30 November 2002	4
31 December 2002 to 30 June 2003[1]	11
Total	22

[1] From 1 April 1999 up to 31 May 2000 data collected by police force area (pfa).

Note:

Following implementation of the Police Reform Act (2 December 2002), data for December 2002 are incorporated into the first quarter 2003 data.

Asylum Seekers

Mr. Hunter: To ask the Secretary of State for the Home Department how many asylum seekers have been provided with accommodation at public expense in *(a)* Hampshire and *(b)* Basingstoke and Deane borough council in each year since 1997; what type of accommodation they were given; and what the nature of the tenancy was in each case. [143139]

Beverley Hughes: The information is not available in the form requested.

Figures in respect of asylum seekers in receipt of accommodation support from the National Asylum Support Service (NASS) are published at the end of each quarter by local authority area.

Figures for the areas requested as at the end of each quarter since December 2002 are shown in the table:

Statistics on the number of asylum seekers supported by NASS in each region are available on the Home Office's Immigration and Asylum Statistics website: http://www.homeoffice.gov.uk/rds/immigration1.html

	Numbers in NASS accommodation as at end			
Unitary/Local authority	*December 2002*	*March 2003*	*June 2003*	*September 2003*
Southampton	460	440	435	445
Portsmouth	340	380	510	555

Correspondence

Mr. Wyatt: To ask the Secretary of State for the Home Department when his Department will reply to the letter of 16 September from the hon. Member for Sittingbourne and Sheppey regarding a constituent, Mr. Dennis Spalding, and his son John Spalding, ref DL2252. [140706]

Paul Goggins: I wrote to my hon. Friend on 27 November 2003.

DNA Database

Mr. Hancock: To ask the Secretary of State for the Home Department how many individuals on the national DNA database have not been convicted of a criminal offence; and what criteria are used to determine who should be on the database. [142174]

Ms Blears: Section 63 of the Police and Criminal Evidence Act (PACE) 1984, as amended, provides powers for taking DNA samples from a person in police detention in the following circumstances:

> following charge with a recordable offence or notification that a suspect will be reported for such an offence;
>
> on an Inspector's authority, which may be given where the officer has reasonable grounds for believing the suspect is involved in a criminal offence and the sample will tend to confirm or disprove his involvement;
>
> following conviction for a recordable offence.

Section 82 of the Criminal Justice and Police Act 2001 amends section 64 of PACE and allows the retention of a DNA profile where the person has either been acquitted or against whom charges have been dropped. There are approximately 109,000 such profiles.

In addition, DNA profiles may also be retained from people who have voluntarily given a DNA sample and who have given their written consent to the profile being added to the National DNA Database. This will principally include people who have taken part in an intelligence screening exercise where an offender is believed to live in a particular area. There are approximately 10,500 such profiles.

Female Offenders

Mrs. Brooke: To ask the Secretary of State for the Home Department (1) what analysis his Department has undertaken into the variation of sentencing penalties for female offenders imposed by *(a)* Crown Courts and *(b)* magistrates courts; [142292]

(2) what research his Department has undertaken into the variation by region of sentencing penalties for female offenders . [142293]

Paul Goggins: "Statistics on women and the CJS" (published annually under section 95 of the Criminal Justice Act 1991) provides information on the treatment of women across the criminal justice system. It includes a comparison of trends in custody rates at magistrates courts and the Crown Court, for both males and females. Figures on use of imprisonment for adult males and females are provided broken down by offence type as well as court. The next section 95 report containing 2002 data will be published in January 2004.

Criminal Statistics, England and Wales, 2001 Supplementary Tables Volume 4 Table S4.1E provides regional sentencing indicators for females in magistrates courts. Criminal Statistics, England and Wales, 2001 Supplementary Tables Volume 2 table S2.2 provides figures for females sentenced at each Crown Court centre by type of sentence imposed. Figures for 2002 will be published later this month.

Forensic Science Service

Dr. Desmond Turner: To ask the Secretary of State for the Home Department if he will provide a breakdown of the capital investment needs of the Forensic Science Service identified in the Home Office review of the service. [142193]

Ms Blears: The Review of the Forensic Science Service identified a capital requirement of between £20 million and £30 million in order to sustain business at its present level. The review team did not undertake a detailed study of the service's capital investment needs, which would be necessary to determine more precise figures.

Identity Cards

Mr. Webb: To ask the Secretary of State for the Home Department what assessment he has made of the implications for his Department of the introduction of compulsory identity cards. [142653]

Beverley Hughes: The Home Office has lead responsibility for developing the national identity cards scheme, which my right hon. Friend the Home Secretary announced on 11 November. A national identity cards scheme will bring significant benefits in areas that are the responsibility of the Home Office. These include strengthening immigration controls, providing a means to encourage legal routes of migration to the United Kingdom, combating organised crime and terrorism and reducing identity fraud. The national identity cards scheme will be built incrementally by strengthening existing forms of identification, some of which are currently issued by the Home Office or one of its agencies such as residence permits and passports.

Immigration and Detention Centres

Alistair Burt: To ask the Secretary of State for the Home Department what guidelines he has issued in relation to racist language and behaviour to staff at immigration and detention centres run by the Home Office and its agents; if he will publish them; and if he will make a statement. [143582]

Beverley Hughes: Under Rule 3(2) of the Detention Centre Rules 2001 operators of removal centres are required to recognise the need for awareness of the particular anxieties to which detained persons may be subject and the sensitivity that this will require, especially when handling issues of cultural diversity.

The contract to operate Yarlswood Immigration Removal Centre, in common with other such contracts, requires the centre operator to have a race relations policy approved by the Immigration and Nationality Directorate. In addition, the Immigration and Nationality Directorate issued an Operating Standard on Race Relations to all removal centre operators in December 2002. This Standard sets out the minimum requirements expected of all removal centre operators. Copies of the two documents will be placed in the House Library.

Alistair Burt: To ask the Secretary of State for the Home Department if he will investigate allegations of *(a)* racism and *(b)* misconduct among staff at the Yarlswood Detention Centre; and if he will make a statement. [143583]

Beverley Hughes: We take these allegations very seriously indeed. It is obviously of the utmost importance that staff at immigration removal centres should carry out their duties professionally and sensitively. Our contractor at Yarlswood Immigration Removal Centre, Global Solutions Ltd. (GSL—formerly Group 4), has launched a full investigation into the allegations. The investigation will be conducted by a senior manager with no line management responsibility for Yarlswood. I have instructed the Director General of the IND to institute an independent investigation of the allegations.

Leicestershire Police

Keith Vaz: To ask the Secretary of State for the Home Department when he next intends to meet the Chief Constable of Leicestershire police. [142924]

Ms Blears: The Home Secretary meets the Chief Constable of Leicestershire Constabulary at regular intervals in his capacity as the Association of Chief Police Officers (ACPO) representative on the Lawrence Steering Group. The next meetings are scheduled for Wednesday 25 February and Wednesday 26 May 2004.

IRA Terrorism

Mr. Barnes: To ask the Secretary of State for the Home Department on which dates terrorist incidents ascribed to the IRA have taken place in England since 1973. [142754]

Mr. Blunkett: The information requested has been placed in the Library.

The table that has been placed in the Library details the number of incidents in Great Britain ascribed to Irish Republican terrorists on a yearly basis since 1973. Incidents include bomb attacks (including letter bombs), finds of improvised explosive devices, arrests and shooting incidents in Great Britain attributed to all Republican terrorist groups (OIRA, PIRA, RIRA, INLA). All incidents occurred in England except those that are indicated otherwise.

Policing (Gwent)

Paul Flynn: To ask the Secretary of State for the Home Department what assessment he has made of the trial Bobby on the Beat scheme in New Earswick. [142784]

Ms Blears: The Joseph Rowntree Housing Trust funded the project in New Earswick. I have not carried out any evaluation of the project myself, but am aware that a full evaluation was carried out by the Centre for Criminal Justice Studies at the University of Leeds for the Joseph Rowntree Foundation.

A full report of the research was published by the Joseph Rowntree Foundation on 9 October 2003 and is available, together with summary findings, on the Foundation's website at: http://www.jrf.org.uk/knowledge/findings/socialpolicy/023.asp.

Prisons

Mr. Hancock: To ask the Secretary of State for the Home Department what the average number of hours per week prisoners spent in education in the last 12 months was; and what the target figure is. [142175]

Paul Goggins: For the period September 2002 to August 2003 the average number of hours per week prisoners undertaking education spent in formal learning activities was 9.15. This excludes distance learning, private study, and learning which takes place on the wings, for example through peer support schemes.

We do not have a target for the number of hours prisoners should be spending in education. Our targets for prisoner learning are outcome-based, focusing on improving prisoners' literacy, language, numeracy and vocational skills. In 2002–03 prisoners gained 41,518 basic skills achievements against a target of 28,800 (exceeding our target by 44.2 per cent).

We are continuing to work towards widening prisoner access to appropriate learning opportunities: through increased investment, a robust quality improvement strategy, new contracts which put the individual at the centre of the learning process, and the support of newly appointed Heads of Learning and Skills across the prison estate.

Charles Hendry: To ask the Secretary of State for the Home Department how much was spent on the provision of education facilities in *(a)* prisons and *(b)* young offenders institutions in each of the past 10 years. [140653]

Paul Goggins: The following table shows education spend in prisons from 1993–94 to 2002–03.

Financial year	*Education expenditure (£ million)*
1993–94	31.08
1994–95	36.75
1995–96	36.95
1996–97	34.50
1997–98	36.17
1998–99	39.04
1999–2000	40.89
2000–01	41.87
2001–02	52.60
2002–03	59.40

These totals do not include additional funding for the Youth Justice Board and curriculum development projects. The 2002–03 total does not include £4.4 million allocated to prisons from the Capital Modernisation Fund to enhance the quality, quantity and relevance of education and training. From April 2003 money for vocational training of £12 million a year transferred to the Department for Education and Skills.

Vera Baird: To ask the Secretary of State for the Home Department what proportion of the female receptions into prison has been *(a)* under sentence and *(b)* on remand (i) for non-violent offences and (ii) for sentences of six months or less for each of the last 10 years. [141638]

Paul Goggins *[holding answer 2 December 2003]*: The number of females received under sentence by offence group, for the last 10 years, is given in tables 3.11 and 4.7 of Prison Statistics England and Wales 2002.

The number of females received under sentence by sentence length, for the last 10 years, is given in tables 3.12 and 4.8 of Prison Statistics England and Wales 2002.

The number of females received on remand by offence group, for the last 10 years, is given in table 2.9 of Prison Statistics England and Wales, years 1994 to 2002.

An individual who first enters the remand population and is subsequently received under sentence will be counted in both categories.

Copies of Prison Statistics England and Wales are available in the Library.

Mr. Chope: To ask the Secretary of State for the Home Department what estimate he has made of the percentage of *(a)* prisoners and *(b)* prison staff who are smokers; and what action he is taking to reduce the numbers. [143095]

Paul Goggins *[holding answer 9 December 2003]*: The information requested is as follows:

(a) Approximately 80 per cent. of prisoners smoke.

(b) There is no current estimate of the percentage of prison staff that smoke.

The Directorate of Prison Health has recently completed a pilot programme to establish best practice for smoking cessation services in prisons. Five prisons were involved in the pilots and the rollout programme is such that all prisons will be involved in these services by the end of the financial year.

Results so far indicate a similar success rate to that which is to be found with such initiatives in the community.

Delivery will be evaluated over the next two years and further development work is ongoing with Strathclyde University.

This year £500,000 has been allocated across all Primary Care Trusts that cater for prisons in their areas. It is planned that such funds will be made available each year through to 2006.

Since 1 July 1996, Prison Governors have been required to comply with the Prison Service Workplace Smoking Policy. The aim of this policy is to ensure that a smoke-free working environment can be enjoyed by everyone.

Smoking is not permitted in any office accommodation, including single occupancy offices and adjacent circulation spaces. Nor is smoking permitted in toilets, lifts and conference rooms.

In prisons, smoking is banned in all visits areas and it is recommended that governors prohibit smoking in all communal areas. In establishing local smoking policies, Governors are encouraged to complement them with the provision of smoking cessation courses for those wishing to give up.

Proceeds of Crime Act

Jim Dowd: To ask the Secretary of State for the Home Department what the value of assets seized by the Metropolitan Police under the provisions of the Proceeds of Crime Act 2002 has been in 2003. [142979]

Caroline Flint: The total amount of cash seized by the Metropolitan Police Service (MPS) under new powers in the Act which came into effect on 30 December 2002 is £7,237,530. Cash seizures are subject to forfeiture proceedings in the magistrates' courts. The value of cash forfeited by the MPS under the new powers in the Act is £602,195.

The confiscation powers in the Act, which are dependent on securing a conviction, are triggered by offences committed after the provisions were brought into force on 24 March 2003. It will, therefore, be some time before such cases are dealt with by the Crown Court in numbers.

Special Immigration Appeals Commission

Annabelle Ewing: To ask the Secretary of State for the Home Department what account of Scots Law principles is taken by the Special Immigration Appeals Commission. [142728]

Mr. Leslie: I have been asked to reply.

The jurisdiction of the Special Immigration Appeals Commission is United Kingdom wide. The Commission takes into account whatever principles of law are drawn to its attention in the appeals before it. In the appeals heard so far no principles peculiar to Scots Law, or to the law of England and Wales, have arisen.

Women Prisoners

Mr. Blunt: To ask the Secretary of State for the Home Department how many suicides there were among the female prison population in *(a)* 2001, *(b)* 2002 and *(c)* 2003 to date. [140452]

Paul Goggins: The information requested is provided in the following table:

	Number of female self-inflicted deaths
2001	6
2002	9
2003[1]	14
Total	29

[1] to 26 November.

The Prison Service employs the term 'self-inflicted death' rather than 'suicide'. This includes all those deaths where it appears the person may have acted specifically to take his/her own life.

The prison population, and particularly the women's estate, contains a large number of prisoners with a combination of factors that raise their risk of suicide. These include psychiatric disorders, a history of self-harm, drug and alcohol abuse, homelessness, relationship problems and previous abuse, and family background problems. Since January 2001, there has been a 34 per cent. increase in the women prisoner population.

A proactive three-year strategy to develop policies and practices to reduce prisoner suicide and manage self-harm in prisons commenced in April 2001. The main principles of the strategy apply across all types of prisons and prisoners whether male or female. An investment of over £21 million through the three-year programme is enabling appropriate physical improvements to be made at six pilot sites, one of which is Eastwood Park prison and young offender institution.

Vera Baird: To ask the Secretary of State for the Home Department what proportion of female prison establishments has the capacity to prescribe medications essential to detoxification in the evenings and at weekends. [141626]

Joan Ruddock: To ask the Secretary of State for the Home Department what proportion of female prison establishments has the capacity *(a)* in the evenings and *(b)* at weekends to prescribe medications essential to detoxification. [142894]

Paul Goggins: All of the seven prison establishments that receive women direct from court have the capacity to prescribe medications essential to detoxification in the evenings and weekends.

Vera Baird: To ask the Secretary of State for the Home Department what proportion of female prison establishments has a psychiatrically qualified doctor on duty *(a)* during the working day, *(b)* during the evening and *(c)* on a 24-hour basis. [141627]

Joan Ruddock: To ask the Secretary of State for the Home Department what proportion of the female prison establishments have a psychiatrically qualified doctor on duty *(a)* during the working day, *(b)* during the evening and *(c)* on a 24-hour basis. [142893]

Paul Goggins: The information requested is not available centrally. As part of the programme to implement the commitments to improved mental health services for prisoners in the NHS Plan (2000), the NHS is funding provision of multi-disciplinary mental health in-reach services at 94 establishments during 2003–04, including 11 for women. By 2006 such services will be available to all prison establishments.

Vera Baird: To ask the Secretary of State for the Home Department what the budget for the current financial year is for *(a)* mental health care to women prisoners and *(b)* the Dangerous and Severe Personality Disorder programme (i) in total and (ii) per capita. [141619]

Joan Ruddock: To ask the Secretary of State for the Home Department what the estimated budget is *(a)* to provide mental health care to women prisoners and *(b)* for the Dangerous and Severe Personality Disorder programme (i) in total and (ii) per capita in 2003–04. [142895]

Paul Goggins: Funding for mental health services in prisons is not specifically identified or ring-fenced within prison budgets. "Changing the Outlook, a Strategy for Developing and Modernising Mental Health Services for Prisoners" (December 2001) estimated that around half of the Prison Service's then expenditure on health care was spent on mental health care. In the current financial year total Prison Service expenditure on health services in prisons in England and Wales (excluding the contractually managed prisons) is expected to be around £130 million, including £19 million on establishments holding only female prisoners. In addition, the Department of Health made £903,000 available for NHS mental health in-reach services in 11 women's prisons during 2003–04.

In the current financial year £17.039 million has been allocated to meet the Home Office contribution to the development and running costs of the Dangerous and Severe Personality Disorder Programme. It is, however, too early in the development of this programme to give meaningful per capita costs.

Young Offenders

Dr. Kumar: To ask the Secretary of State for the Home Department what academic and vocational education and training is available to young people serving custodial sentences. [141865]

Paul Goggins: The Government is investing £40 million over three years through the Youth Justice Board to provide a range of academic and vocational training opportunities for juvenile offenders. The specification for learning and skills being implemented includes programmes that allow young people to:

Improve language literacy and numeracy skills

Continue with GCSEs, A levels and AS levels

Prepare for going back to schools, colleges or other places of learning

Attain specific vocational skills and general employability skills

Address offending behaviours

Develop a range of study skills and make good use of learning materials

There is a target for 90 per cent of juvenile offenders to engage in full-time education, training or employment by the end of 2004.

Dr. Kumar: To ask the Secretary of State for the Home Department what health services and support are available to young people *(a)* sentenced and *(b)* remanded to custody; and what specialist mental health services are available to repeat young offenders. [141866]

Paul Goggins: Young people held in prison custody, whether on remand or sentenced, have access to a full range of primary and specialist healthcare services through the institution's healthcare centre. Health care staff will arrange for any necessary specialist treatment to be provided, either within the institution or as an in-or-out patient at an outside hospital, as appropriate. A substantial programme of reform of prison health care, begun in 2000 on the basis of a partnership between the Prison Service and the NHS, is due to lead to the full devolution of prison health resources to NHS Primary Care Trusts by the end of March 2006.

Young offenders who need in-patient treatment for mental disorder may be transferred to psychiatric hospitals.

As part of the programme to implement the commitments to improved mental health services for prisoners in the NHS Plan (2000), the NHS is funding provision of multi-disciplinary mental health in-reach services at 94 prisons and young offender institutions during 2003–4. By 2006 such services will be available to all prison establishments.

Miss McIntosh: To ask the Secretary of State for the Home Department how many *(a)* assaults and *(b)* instances of criminal damage there were in HM Young Offenders Institution Wetherby in each of the past five years. [140587]

Paul Goggins: The numbers of assaults in the establishment for each of the last five years, with numbers of serious assaults[1] shown in brackets, are:

	Number of assaults	*Number of serious assaults*
April 1999 to March 2000	145	(4)
April 2000 to March 2001	135	(4)
April 2001 to March 2002	117	(10)
April 2002 to March 2003	129	(5)
April 2003 to October 2003	79	(2)

[1] 'Serious assault' is defined as an assault on any person, including fights (if resulting in detention in outside hospital as an in-patient, medical treatment for concussion or internal injury, fractures, scalds and burns, stabbing, crushing, extensive or multiple bruising, black eye, broken nose, lost or broken tooth, cuts requiring suturing, bites, temporary or permanent blindness or sexual assaults).

Information about incidents of criminal damage is not recorded centrally for the Prison Service estate as a whole. However, since April 2003 there has been central recording by Prison Service juvenile group of incidents of significant damage[1] to the fabric of cells within the Prison Service juvenile estate. From April to October 2003 there were 64 such incidents at Wetherby.

[1] 'Significant damage' is defined as any damage incurring a cost.

Miss McIntosh: To ask the Secretary of State for the Home Department how many sick days were taken by staff at HM Young Offenders Institution Wetherby in each of the past five years. [140589]

Paul Goggins: Information on staff sickness absence at Wetherby young offender institution is contained in the following table. Reliable data are not available prior to April 1999.

	Working days lost	*Working days lost per person*
1999–2000	2,456	10.1
2000–01	2,700	11.0
2001–02	3,984	15.5
2002–03	4,291	15.5
April to September 2003[1]	2,431	16.7

[1] April to September 2003 rate has been annualised.

The overall sick absence rate across the Prison Service has fallen this year and currently stands at 13.3 working days per member of staff per year. The Director General is committed to reducing this level further. At Wetherby, the increase in absence since 2001–02 was due in particular to a rise in long-term sickness absence.

However, I understand that there has been a significant reduction in such cases this year. In addition, a six-month pilot project has recently begun at Wetherby to provide a counselling and support service to staff to address issues associated with stress. It is too early to assess the impact of this project.

Miss McIntosh: To ask the Secretary of State for the Home Department what the reasons are for *(a)* the removal of staff batons and *(b)* the proposed removal of staff uniforms at HM Young Offenders Institution Wetherby. [140590]

Paul Goggins: The policy on the use of staves and mini-batons is set out in Prison Service Order 1600. Female staff who have been trained in its use may be issued with a mini-baton, and this applies at juvenile establishments and units, including Wetherby. In line with the policy relating to juvenile establishments and units, staff at Wetherby have been required to follow the practice of not carrying staves within the establishment.

In June 2003, after seeking clarification of the policy from Prison Service headquarters, the Governor ended the practice of issuing staff with staves when escorting young people outside the establishment.

Staff in the operational support and prison officer grades at Wetherby continue to wear the traditional Prison Service uniform. Prison Service Order 4950 sets out a requirement for a less formal uniform for staff. Consultations on the implementation of this aspect of the Order are taking place at a national level. The Prison Service remains committed to implementing a uniform that is appropriate for use in juvenile establishments.

Written Answers to Questions

Monday 15 December 2003

CULTURE, MEDIA AND SPORT

Disadvantaged Young People

Mr. Hancock: To ask the Secretary of State for Culture, Media and Sport (1) if she will contribute to the partnership of the Prince's Trust Football Initiative, FA Premier League, Football Foundation and Professional Footballers Association in helping disadvantaged young people; and if she will make a statement; [143447]

(2) what assessments she has made of the contribution made by the Prince's Trust Football Initiative to tackling social exclusion of young people. [143444]

Mr. Caborn: The Government fully support the aims of the Prince's Trust Football Scheme, which uses sport to offer personal development programmes to young people aged 16–25, the majority of whom are unemployed, have recently left social service care, or are ex-offenders. It is noteworthy that of 4,000 participants between 1997 and 2002, some 73 per cent. went on to find employment, or to further education or training.

The Scheme receives £250,000 a year from the Football Foundation's Community and Education Fund, which is part-funded by Sport England and the New Opportunities Fund.

ELECTORAL COMMISSION

Devon (Ward Boundaries)

Nick Harvey: To ask the hon. Member for Gosport, representing the Speaker's Committee on the Electoral Commission what progress the Electoral Commission is making towards making orders giving effect to the Boundary Committee's recommendations for Devon county council's ward boundaries; and if he will make a statement. [143736]

Mr. Viggers: I understand that it is the intention of the Electoral Commission to make the order implementing new ward boundaries by summer 2004 so that they will be in effect for the county elections due in 2005.

LEADER OF THE HOUSE

Big Conversation

Norman Baker: To ask the Leader of the House pursuant to his answer to the hon. Member for North-East Hertfordshire (Mr. Heald) of 9 December 2003, *Official Report*, column 355W, what estimate he has made of the amount of time spent by *(a)* Ministers and *(b)* special advisers on the Big Conversation; and what costs are associated with that time. [144118]

Mr. Hain: The involvement of Ministers and special advisers in this exercise is undertaken in accordance with the requirements of the Ministerial Code and the Code of Conduct for Special Advisers. It is not possible to provide an estimate of their time spent on the exercise but the cost will be minimal.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Animal Health

Mr. Cawsey: To ask the Secretary of State for Environment, Food and Rural Affairs what progress has been made in implementing the Animal Health (Amendment) Act 1998. [142777]

Mr. Bradshaw: The Animal Health (Amendment) Act 1998 extended the scope of the Order-making powers relating to importation in the Animal Health Act 1981 to cover the welfare of animals in quarantine. Between December 2000 and March 2001, MAFF undertook a consultation exercise on proposals for legislation to update the law on quarantine by reforming the quarantine rules to bring quarantine kennels up to the best modern practice and by introducing statutory welfare provisions.

Owing to the impact on resources of the foot and mouth disease outbreak during 2001, follow-up to that consultation was deferred. Since then, we have reached agreement on the EU Regulation on the movement of pet animals which will require some changes to the quarantine legislation. We are also preparing for consultation on an Animal Welfare Bill. We shall therefore need to review the proposed changes to the quarantine legislation to take account of these and other developments. I expect to complete the review in the first part of 2004.

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on how she intends to implement the recommendations of the Farm Animal Welfare Council's Report on the Welfare of Farmed Animals at Slaughter or Killing. [143558]

Mr. Bradshaw *[holding answer 11 December 2003]*: I refer my hon. Friend to my earlier answer given on 8 December 2003, *Official Report*, column 209W. Decisions on how to implement the recommendations will be taken once the public consultation exercise on the draft response has been completed.

Arable Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what sanctions apply to *(a)* farmers and *(b)* her Department in circumstances where an incorrect assessment has been made of areas planted for (i) wheat and (ii) other arable crops in the annual (A) June return and (B) IACS system. [143666]

Alun Michael: The June census is a UK survey designed to provide information for statistical purposes and to support policy decisions. In England it is carried out under the Agricultural Statistics Act 1979 which requires farmers to provide the information requested.

Any mistakes are normally simply corrected and we are not aware of any sanctions ever being applied in such issues. Defra seeks to produce the best estimates it can at particular points in the year. By the nature of the information, some figures will be provisional and subject to revision. The Department will republish if a mistake that significantly affects the results is found.

The IACS rules are part of the EU legislation governing the operation of the Common Agricultural Policy. In respect of arable area payments, they treat wheat and other arable crops in the same way. Where farmers claim arable area payments for less than their planted area there is no sanction. Where they overclaim by a small margin the claim is merely corrected. For larger overclaims the IACS system prescribes a scale of sanctions, which at the extreme can lead to the loss of all payment for the current year and to an equivalent sum being recovered from the claims made over the following three years. No automatic sanctions apply to Defra in such cases, but the European Commission has power to apply ad hoc financial penalties to member states who are found not to have sufficiently robust systems for inspecting claims and applying the prescribed sanctions.

Biopesticides

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what steps the Government are taking to speed up approvals for biopesticides. [143918]

Alun Michael: The Government are trying to find ways of speeding up the approval process for biopesticides. The Pesticides Safety Directorate (PSD) is carrying out a pilot exercise exploring ways of reducing data requirements and thus the costs and time taken to secure approval.

PSD has also appointed an "in-house" Small Business Champion to assist companies generally and specifically in making applications for approval of biological control agents.

However, PSD must ensure that approved pesticides cause no unacceptable risks to people or the environment. There are, therefore, certain essential data requirements that must be met, regardless of whether an application for a pesticide is for a conventional or an alternative product, such as a biopesticide.

Bovine TB

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether farmers are able to obtain insurance cover for TB infection in dairy cattle after a TB breakdown and subsequent claim. [141083]

Mr. Bradshaw: It is Government policy to pay compensation at 100 per cent. of the market value, with no upper limit, for cattle that are compulsorily slaughtered under TB control measures. Farmers therefore do not need to take out insurance for their animals. Theoretically, insurance can be bought to cover other consequential losses for which compensation is not paid, but this is a commercial matter between the farmers and their insurers. Section 34 (5) of the Animal Health Act 1981 explicitly allows insurers to deduct the amount of Government compensation from the value of any payout that they make.

Insurance companies will make their own decisions on whether to insure, and about the size of premiums, based on their assessment of the risk. Recent contact with insurance industry early in 2003 indicated that, although companies are honouring existing policies, they are not offering new policies to cover TB in cattle herds, particularly in areas where TB is increasingly prevalent. This is because farmers do not wish to take the cover in areas where the risk is low (such as Yorkshire), but do wish to purchase cover in areas of high incidence (such as the South West). However, the insurance companies consider that the financial risks in offering insurance policies in areas of high incidence are too high at present.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the total cost was of compensation paid to farmers in respect of compulsory purchase of bovine animals slaughtered as a result of TB infection *(a)* between 1994 and 1998 and *(b)* since 1998. [142457]

Mr. Bradshaw: The data requested are provided in the tables.

Cost of compensation paid in Great Britain as a result of TB infection between 1994 and 1998

	Cost (£)[1]
1994	2,019,911
1995	1,988,820
1996	2,275,481
1997	2,386,029
1998	3,605,242
Total	12,275,483

Source:

[1] The Report of the Chief Veterinary Officer—Animal Health 1998.

Cost of compensation paid in Great Britain as a result of TB infection between 1999 and 2002

	Cost (£)[1]
1999	5,770,983
2000	7,307,797
2001	7,074,125
2002	[2]23, 138,512
Total	43,291,417

Sources:

[1] The Report of the Chief Veterinary Officer—Animal Health 2002.

[2] In 2001, the TB testing and control programme was largely suspended due to the foot and mouth disease (FMD) outbreak. Since testing resumed in 2002, resources have been concentrated on herds with overdue TB tests that would have had a longer period in which to contract the disease. Also, the proportion of high risk herds being tested post-FMD is greater than that prior to the outbreak. As a result, the number of TB reactors identified and slaughtered (and hence compensated for) in 2002 is not comparable to those identified and slaughtered in previous years.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effect of shortages of large animal vets for successful control of TB in cattle. [141975]

Mr. Bradshaw: There are no plans to carry out such an assessment. However, the Environment, Food and Rural Affairs Committee issued a report on Vets and Veterinary Services on 23 October 2003 (HC 703), which considers wider concerns about the numbers of large animal practices and the contribution of the veterinary profession to the wider animal health and welfare strategy.

The report contains a number of recommendations and conclusions, and we will be seeking the views of the veterinary profession and other interested parties on the issues raised.

Badgers

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of whether badgers are capable of accessing mineral and feed troughs positioned at heights in excess of those advised by the Department; and what height that evidence indicates badgers are capable of accessing. [141503]

Mr. Bradshaw: Recent work carried out by the Central Science Laboratory has established that badgers are capable of climbing into feed troughs set at 115cm above ground level, at which height they are inaccessible to cattle.

Dead Animals

Mr. Rosindell: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the effect of the provisions in the Hunting Bill of Session 2002–03 on disposal by farmers of dead animals. [143554]

Alun Michael: The Animal By-Products Regulations 2003 permit hunt kennels to continue collecting fallen stock; however, they will be required to upgrade to knackers' yard standards if they wish to collect fallen stock for the purposes of feeding to hounds. The effect of a ban on hunting would depend on decisions made by those who currently offer a service and on choices made by farmers leading to take-up of the National Fallen Stock Scheme which the Government hope will be up and running early in 2004. Most hunts already make a charge and there is no reason why such a service should not continue as a business opportunity irrespective of the future of hunting.

Regional Producers (Wiltshire) Ltd.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how much public money has been paid to Regional Producers (Wiltshire) Ltd; and who the payees were. [143597]

Alun Michael: Regional Producers (Wiltshire) Ltd. have received grants worth £57,784 from public sector bodies. This comprised £20,000 from Business Link for Berkshire and Wiltshire from the South West Foot and Mouth Recovery Fund which they administered on behalf of the South West Regional Development Agency, and the balance from Great Western Enterprise, which is also funded by the South West Regional Development Agency.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs how many farmers were participants in Regional Producers (Wiltshire) Ltd.; and if she will make a statement. [143599]

Alun Michael: The conditions for providing public funding for Regional Producers (Wiltshire) Ltd. required them to secure a minimum of 25 shareholder members and this was achieved.

Regional Waste Plans

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs when the Regional Waste Plan for the South West is expected to be published; and what proposals it will make with regard to the designation of sub-regional zones. [142274]

Keith Hill: I have been asked to reply.

The Regional Waste Strategy for the South West region is being developed by the South West Regional Assembly. Currently it is planned to commence consultation on the strategy in early February 2004 with a view to publishing the completed strategy by July 2004.

The strategy is still under development and will be using data based on former county areas of the South West as these are currently the best available. These data will be used to develop sub regional indicative capacity allocations based on the former county areas.

Tropical Plywood

Mr. Wyatt: To ask the Secretary of State for Environment, Food and Rural Affairs how much tropical plywood was imported by each EU member state in the last year for which figures are available. [143222]

John Healey: Imports to the UK are given in "Overseas Trade Statistics", a copy of which is available in the Library of the House. Figures on trade between other countries are not available.

Wind Turbines

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the impact on wildlife of wind turbines. [142042]

Mr. Timms: I have been asked to reply.

Studies of the impact of wind farms on wildlife, in particular birds, suggests that there is only a small risk of bird strikes from the operation of properly sited wind turbines. In addition, under the normal planning regime and for consent under section 36 of the Electricity Act 1989 regime or the Transport and Works Act 1992, wind farm developers are required to consider all environmental aspects of wind energy projects and produce an Environmental Impact Assessment. These assessments are available to the public.

HOME DEPARTMENT

Public Services (Ethnicity)

Ms Buck: To ask the Secretary of State for the Home Department what assessment he has made of the effect of a person's ethnicity on their access to public services. [143574]

Fiona Mactaggart: The Government publishes an annual edition of Race Equality in Public Services which brings together key performance management data from across the range of Government Departments. The indicators used consist of three main parts:

The first looks at comparative perceptions of public services between minority ethnic and majority communities;

The second part uses performance data to describe the impact of a range of key services on different minority ethnic communities, as compared with the majority community;

The third looks at what the Government are doing to promote and improve race equality within the Civil Service and related services.

The fourth annual publication will be published early in 2004.

Animal Experiments

Mr. Beggs: To ask the Secretary of State for the Home Department how many experiments on animals were carried out in UK laboratories in 2002–03; what action he is taking to encourage alternative methods of experimentation; and if he will make a statement. [143178]

Caroline Flint: For the year 2002, the most recent year for which complete annual statistics are available and published, 2,752,278 scientific procedures were carried out on animals in the UK. Mice, rats and other rodents, along with fish and birds, were used in some 96 per cent. of the total.

The use of animals in regulated procedures is prohibited by the Animals (Scientific Procedures) Act 1986 in cases where a scientifically valid non-animal alternative is available. The Act also requires that, where replacement of animals is not possible, the number used in any licensed project must be reduced to the minimum, and the procedures must be refined to ensure that no unnecessary suffering is caused. This approach—of replacing, reducing and refining—is known as application of the 3Rs.

Most work on the 3Rs is neither done by Government nor with Government money, as industry spends many millions of pounds each year on the search for and development of alternatives. Nonetheless, every year the Home Office makes available to the Animal Procedures Committee a budget for research aimed at developing or promoting the use of the 3Rs. Details of completed research projects are published in the annual report of the Animal Procedures Committee, which is available from The Stationery Office. The amount made available to the Committee for 2003–04 for this specific purpose is £280,000.

This is not the only money spent by the Government on the development of the 3Rs, as other Departments and public funding bodies are also active in this area. Indeed, it is estimated that the total spent across Government is in the region of £2 million to £10 million each year.

To take this further on an international level, we continue to support the European Centre for the Validation of Alternative Methods (ECVAM) through contributions to the European Union, and last year we co-sponsored the 4th World Congress on Alternatives and Animal Use in the Life Sciences.

The Government support and encourage the development and promotion of the 3Rs in a number of other ways. For example, we are currently exploring the recommendation by the House of Lords Select Committee on Animals in Scientific Procedures, which reported in July 2002, that there should be a United Kingdom centre for research into the 3Rs. This is being considered by the Inter-Departmental Group on the 3Rs, led by the Home Office.

The Inter-Departmental Group is also reviewing the effectiveness of the Inter-Departmental Data Sharing Concordat announced in August 2000, which commits United Kingdom regulatory authorities to help resolve legal and other obstacles to data sharing between clients, in order to reduce animal testing.

In the longer term, we believe that further significant reduction in animal use will, and must, continue to rely largely on the scientific community's own efforts to develop, validate and adopt more advanced methods based on the 3Rs. This is not an area where quick gains can be expected, but any lack of progress in research into alternatives is more often due to the limitations of science, rather than to inadequate funding.

Correspondence

Angus Robertson: To ask the Secretary of State for the Home Department when he intends to respond to the letter of 23 July, from the hon. Member for Moray, with Home Office acknowledgement reference number PO11706/3; and if he will make a statement. [142026]

Beverley Hughes: I am sorry for the delay in replying to the hon. Member's letter of 23 July 2003.

Regrettably, this matter was originally submitted to the wrong unit who did not follow the matter up.

We are in the process of appointing an independent appraiser to review Mr. Christie's case. I have instructed IND officials to have the report completed by Christmas and I will then be in a position to write to the hon. Member.

Criminal Justice System

Mr. Allen: To ask the Secretary of State for the Home Department if he will publish the responses to the British Crime Survey questions on public confidence in the criminal justice system, broken down by criminal justice board area. [140596]

Paul Goggins: The responses to the British Crime Survey (BCS) questions on confidence in the criminal justice system from the 2001–02 BCS were published in the Crime in England and Wales 2001–02: Supplementary Volume in January 2003. Chapter 8 contains the information about confidence, and table 8.04 contains the figures broken down by Local Criminal Justice Board area.

The equivalent data for 2002–03 are due to be published in January by the Research, Development and Statistics Directorate at the Home Office in the upcoming supplementary volume to the 2002–03 British Crime Survey. The final title for this publication is still being decided.

In the meantime the confidence data for 2002–03 were made available to Local Criminal Justice Boards in July 2003 in the guidance document "Improving Public Satisfaction and Confidence in the Criminal Justice System". The document is available on the CJS website at: www.cjsonline.org.

Foreign Seafarers

Mr. Carmichael: To ask the Secretary of State for the Home Department what procedure there is for verifying that there are no qualified or experienced workers available when work permits are issued to foreign seafarers. [140670]

Beverley Hughes: The usual requirement is that the employer must demonstrate that they have been unable to fill the vacancy with a suitably qualified worker from the resident labour force. Employers will normally be required to provide evidence that they have advertised the post in an appropriate medium and the grounds on which they considered resident workers who applied for the post to be unsuitable. These requirements are waived only in respect of intra-corporate transfers, board level posts, inward investment posts and those occupations where Work Permits (UK) has established, on the basis of independent labour market information, that there is an acute shortage of suitably qualified resident workers. The latter do not include seafarers.

Immigration Control

Mr. Malins: To ask the Secretary of State for the Home Department how many UK immigration officers are in post working at *(a)* French ports, *(b)* Belgian ports and *(c)* other European ports on matters concerning immigration control. [142160]

Beverley Hughes: No UK immigration officers are in post in French ports but officers are currently deployed to French ports on a daily basis. There are 200 officers across three operational grades who are based in Cheriton near Folkestone and who are liable to work in the UK control zone at the Eurotunnel site in Coquelles where the UK Immigration Service provides 24-hour coverage.

There are 125 officers across three operational grades based at Waterloo International who perform duties in Lille Europe, Paris Gare du Nord, where the UK Immigration service covers all UK-bound Eurostar services. Officers based at Waterloo also assist the Belgian Immigration authorities in an advisory capacity at the Gare du Midi in Brussels.

Mr. Malins: To ask the Secretary of State for the Home Department how many potential illegal entrants to this country have been discovered at French ports in the last 12 months; and what steps have been taken against them. [142161]

Beverley Hughes: The French authorities do not publish figures of illegal immigrants discovered at Channel ports.

French policy is to remove illegal immigrants discovered in the Calais area, and take them to other parts of France to be processed where possible, thus disrupting contact with illegal networks. French police continue to arrest and imprison facilitators.

In addition, the UK and France have together taken vigorous action to combat illegal immigration to the UK following the closure of the Red Cross centre at Sangatte. Initiatives include the deployment of high-tech freight searching equipment to Calais, and British immigration officers working in an advisory capacity alongside the French Police aux Frontieres (PAF) at the port of Calais. Plans are under way to allow British immigration officers to exercise their full control powers at the ports of Calais, Dunkirk and Boulogne, as they already do at the Channel Tunnel. PAF officers will similarly be able to operate their controls at Dover.

Indicative management information suggests that the wide range of measures now in place in Calais and Coquelles has resulted in over 6,000 people being prevented from travelling to the UK from these points in the first nine months of this year.

Mr. Malins: To ask the Secretary of State for the Home Department how many heat detector machines are installed at *(a)* Dover, *(b)* Folkestone, *(c)* Portsmouth, *(d)* Cheriton and *(e)* other UK ports. [142164]

Beverley Hughes: The Immigration Service does not use heat detector machines however, it does deploy and operate a range of detection technology to detect clandestine entrants.

Heartbeat detectors and a gamma ray scanner are deployed at Dover. This technology is not employed at Folkestone, Portsmouth, Cheriton or any other UK ports, although x-ray scanners operated by Customs are routinely deployed at UK ports. Additionally, carbon dioxide detectors and body detection dogs, are deployed by the UK immigration service on an intelligence led basis by mobile teams operating at various UK ports in line with current threat levels in support of local immigration freight searching activity.

Mr. Malins: To ask the Secretary of State for the Home Department on how many occasions in the last 12 months heat detector machines at *(a)* Calais, *(b)* Coquelles and *(c)* Dover have broken down or malfunctioned. [142165]

Beverley Hughes: The Immigration Service does not employ heat detector machines in the detection of clandestine entrants. However it does deploy and operate a range of detection technologies to detect clandestine entrants including heartbeat detectors, gamma ray scanners, carbon dioxide detectors and Passive Millimetric Wave Imagers (PMMWI), technology that relies on naturally occurring background radiation to produce images indicating human presence in lorries. The equipment receives quarterly maintenance checks to ensure continued effectiveness. During the past 12 months occasional minor technical problems have been encountered. But these have been resolved, either by remote support or by prompt site attendance of an engineer.

Mr. Malins: To ask the Secretary of State for the Home Department how many heat detector machines are installed at *(a)* Calais and *(b)* Coquelles; and what the corresponding figures were in October 2002. [142166]

Beverley Hughes: The Immigration Service does not employ heat detector machines in the detection of clandestine entrants. However it does deploy and operate a range of detection technologies to detect clandestine entrants.

In October 2002 one heartbeat detector was in operation in Calais. There are now three heartbeat units in operation at the port together with two PMMWs (Passive Millimetric Wave Imagers), technology that relies on naturally occurring background radiation to produce images indicating human presence in lorries. This equipment has been loaned by the UK Immigration Service to the Calais port operator and is operated by their staff.

At Coquelles the Immigration Service operate a heartbeat detector and carbon dioxide detectors within the UK Control Zone. Carbon dioxide detectors have been in operation since before October 2002 while the heartbeat detector has been in operation since May 2003.

Oakington Reception Centre

Mr. Malins: To ask the Secretary of State for the Home Department what duties there are upon those released from Oakington Reception Centre in each of the last two years to report to the police or other authorities; and how many such persons have breached such duties. [142159]

Beverley Hughes: Oakington receives asylum claimants who are entitled to reside in the countries on the fast track suitable list. This list contains the 24 Non-Suspensive Appeal (NSA) designated countries and others which are believed to be suitable for a rapid decision-making process.

The outcome of claims from those on the NSA designated list will normally be removal if they have been served with a clearly unfounded certified decision to refuse asylum. An appeal may be submitted only from abroad.

Non-NSA claimants who receive negative decisions may be detained further at a Removal Centre or granted Temporary Admission pending the outcome of any in-country appeal. Over the period referred to in the question, the network of reporting facilities and the number of those leaving Oakington who have been required to report has grown, but any restrictions are dependent upon the circumstances of the individual case.

The information requested could be obtained only at disproportionate cost.

Information on Oakington and other asylum statistics is published quarterly. The most recent publication covering the third quarter of 2003 is now available on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html

Projects (St. Helens)

Mr. Woodward: To ask the Secretary of State for the Home Department which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141277]

Ms Blears: The information requested is not available for Home Office funding in St. Helens prior to the introduction of the Crime Reduction Programme in 1999. Furthermore files for projects funded before the introduction of the Safer Communities Initiative in 2002–03 are now in the Government Office's registry, and to retrieve them would incur disproportionate costs.

CRP initiative	*Year*	*Description (location)*	*Funding (£)*
CCTV	2001–02	Priority Wards Mobile System	50,000
CCTV	2001–02	St. Helens Hospital	50,450
CCTV	2002–03	Safer St. Helens	872,000
Reducing Burglary	2002–03	Windlehurst/Dentons Green Area, St. Helens	9,500
Communities Against Drugs	2001–02	Reduce impact on local communities of drugs	171,000
Small Retailers in Deprived Area Year 1	2001–02	CCTV in Finger Post Shopping Centre	18,509
Targeted Policing	2002–03	Merseyside Police—St. Helens—Vehicle crime	397,000
Safer Communities Initiative	2002–03	—	66,646
Communities Against Drugs	2002–03	£171,100 plus £165,135 Street Crime Uplift	336,235
Partnership Development Fund	2002–03	—	20,000
Small Retailers in Deprived Areas Year 2	2002–03	Junction Line, Elephant Line, Toll bar and Cambridge Road precincts	26,599
Building Safer Communities Fund	2003–04	—	244,982
HO Regional Directors Fund	2003–04	—	12,764
Basic Command Unit	2003–04	—	162,734
Communities Against Drugs carry forward	2003–04	£42,250[1]	42,250
Domestic Violence	2003–04	—	3,600

[1] Paid in 2002–03 but to be defrayed in 2003–04

Sentencing

Mr. Oaten: To ask the Secretary of State for the Home Department how many offenders were jailed in *(a)* 2001 and *(b)* 2002 under section 111 of the provisions of the Criminal Courts (Sentencing) Act 2000, for a third offence of burglary. [141645]

Paul Goggins *[holding answer 3 December 2003]*: Six people were sentenced under section 111 of the Criminal Courts (Sentencing) Act 2000 (previously section 4 of the Crime (Sentences) Act 1997) in England and Wales for a third offence of burglary in 2001 and two in 2002.

MINISTER FOR WOMEN

Private Member's Clubs

Mr. David Stewart: To ask the Minister for Women (1) what research she has *(a)* commissioned and *(b)* evaluated since July 2002 to identify private members' sports clubs which are voluntarily removing rules which lead to different gender playing practices; [141555]

(2) what percentage of private members' clubs deny women members equality of membership rights. [141556]

Ms Hewitt *[holding answer 9 December 2003]*: There has been no formal assessment of sex discriminatory practices in private members' sports clubs.

Sex discriminatory treatment in private clubs is contrary to this Government's principles of opportunity for all. We have in the past consulted informally with interested parties about their progress in reducing such discrimination by voluntary means. We are keeping this matter under review.

TRADE AND INDUSTRY

Arms Exports

Harry Cohen: To ask the Secretary of State for Trade and Industry how many surface to air missiles have been *(a)* exported and *(b)* transferred in each of the last 10 years; and to which countries. [143076]

Nigel Griffiths: The DTI holds information on licences issued but not on those not used.

The details of all export licences are published by destination in the Government's Annual Reports on Strategic Export Controls.

British Energy

Mr. Chaytor: To ask the Secretary of State for Trade and Industry what plans she has to increase the current £200 million loan facility to British Energy; and when she expects to take a final decision on the future of the company. [141666]

Mr. Timms *[holding answer 11 December 2003]*: I refer my hon. Friend to the written statement made by my right hon. Friend the Secretary of State for Trade and Industry on 1 December 2003, *Official Report*, columns 50 and 51WS.

British Energy's proposed restructuring will not be implemented until all conditions, including receipt of European Commission State Aid approval, are met. The company has put a back-stop date of 31 January 2005 for the restructuring to be completed, although it is expected to be implemented before then.

If the Government are not satisfied that British Energy will be viable in all reasonable foreseeable conditions, or if there is a material adverse change in British Energy's position, the Government have reserved the right to withdraw its support for the restructuring. The Government remain ready for administration if any of the restructuring conditions are not met.

Business Investment

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry to what she attributes the change in the 2003 business investment forecast between Budget 2002 and Budget 2003. [143427]

Ruth Kelly: I have been asked to reply.

The reasons for the change in business investment forecasts between Budget 2002 and Budget 2003 are clearly set out in Chapter B of the Budget 2003 document (HC500).

Civil Partnership Bill

Mr. Foulkes: To ask the Secretary of State for Trade and Industry whether the provisions of the Civil Partnership Bill apply to Scotland. [142626]

Jacqui Smith: The Scottish Executive has stated its preference for the Scottish Parliament to be invited to agree that provisions are included in the Civil Partnership Bill to establish a status of civil partnership in Scotland. The Scottish Executive is currently consulting on its Civil Partnership proposals and a final decision on the preferred legislative route will be made when the consultation has concluded. Including Scottish provisions within a UK Bill will be subject to the agreement of the Scottish Parliament.

The Government are prepared to include such Scottish provisions in its Bill on this basis.

The Bill will also make amendments to legislation which is reserved to Westminster and extends to Scotland.

Directors (Pay)

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has conducted into the pay gap between male and female directors. [140524]

Ms Hewitt: My Department has not conducted any specific research into the pay gap between male and female directors, however we do know that increases in the pay gap for very high earners drove the increase in the mean full-time pay gap figure last year.

As a consequence we provided a financial contribution towards the recent research 'The Female FTSE Report 2003' which showed that the number of female directorships currently stands at 101, up by 20 per cent. on last year. We also have a programme of work intended to encourage diversity in the boardroom.

East Midlands Development Agency

Mr. Robathan: To ask the Secretary of State for Trade and Industry what the annual advertising budget of the East Midland's Development Agency was in financial year 2002–03. [140807]

Jacqui Smith: East Midland's Development Agency's advertising costs for 2002–03 were £104,000.

Electricity Supply

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what powers she has to prevent a cut in electricity supply due to severe winter weather. [141889]

Mr. Timms: The market has responded to concerns about a possible shortfall by returning plant to service so that margins are at a similar level to the mid 1990's. However no system can be guaranteed and in the event of a possible power shortage there are a number of steps that NGT could take in order to maintain supplies and avoid rota cuts.

The Government have robust, and well rehearsed plans, for dealing with extreme circumstances that cannot be dealt with by NGT's normal operating arrangements.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Trade and Industry whether it is the policy of her Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142816]

Ms Hewitt: Departmental policy is to promote the use of fair trade products. However, this is set against the background of the need to obtain best value for money, the EC procurement rules and the Department's objectives. Within these guidelines the Depatment is committed to supporting ethical trading wherever possible.

Within our main headquarters buildings, fair trade tea and coffee are as a matter of course *(a)* sold in the Departmental Staff Restaurants and *(b)* used for receptions and meetings involving staff and visitors.

Financial Advisers

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on the development of an international kitemark for financial advisers by the International Standards Organisation. [142846]

Ms Hewitt: The International Organisation for Standardisation (ISO) is developing voluntary standards in the field of personal financial planning. The aim of the standards is to provide an international benchmark for financial planners to work towards and to increase recognition of the financial planning process to ultimately benefit the consumer. The UK member of ISO is the British Standards Institution (BSI) which is independent of Government. The current draft standards are available from BSI for public comment until 4 January 2004.

Financial Journalism

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on her assessment of the probable consequences of the proposed EU legislation regarding investment services for financial journalism. [142844]

Ruth Kelly: I have been asked to reply.

Article 6 (5) of the EU's Market Abuse Directive requires member states to adopt appropriate regulation governing the production and dissemination of investment recommendations. The regulation has to ensure that those making investment recommendations or disseminating such recommendations take reasonable care to present the information fairly and disclose any interests or conflicts of interest they have relating to the relevant financial instruments. Recital 22 to the Market Abuse Directive indicates that appropriate regulation in relation to Article 6 (5) can include appropriate mechanisms for self regulation. The technical arrangements for compliance with Article 6 (5) were set out in an implementing measure agreed by the European Securities Committee on 29 October.

The Treasury will issue a consultation document next year on proposals to transpose the Market Abuse Directive and its implementing measures into UK legislation. At this stage it is expected that the consultation document will outline proposals that journalists either producing or disseminating investment recommendations will be subject to self-regulatory mechanisms. This approach should enable traditional media freedoms in the UK to be maintained while supporting market integrity.

Food Supplements

Mr. Stunell: To ask the Secretary of State for Trade and Industry if she will list the EU meetings held in 2003 which *(a)* Ministers and *(b)* officials from the Department have attended where the maximum permitted level of nutrients in food supplements was discussed; and if she will make a statement. [141412]

Mr. Mike O'Brien: I refer the hon. Member to the reply given by the Parliamentary Under-secretary of State for Health on 3 December 2003, *Official Report,* columns 76–77.

Internet

Linda Gilroy: To ask the Secretary of State for Trade and Industry if she will estimate the number of people over 60 years of age who are connected to the internet. [143524]

Mr. Timms: According to the July 2003 ONS Omnibus Survey, 22 per cent. of people over the age of 60, an estimated 2.7 million, use the internet.

ISO 9001:2000

Mr. Sheerman: To ask the Secretary of State for Trade and Industry how she will ensure that more than the estimated 20 per cent. of United Kingdom companies comply with ISO 9001:2000 before 15 December. [140664]

Ms Hewitt: My Department does not collect information on companies certified to the ISO 9000 standards. However figures produced by the International Standards Organisation indicate that, in December 2002, there were 60,960 ISO 9000 certifications in the UK. Companies have had three years notice that the transition period for the migration of accredited certification, from the 1994 editions of the standard to ISO 9001:2000, would end on 14 December 2003. My Department has provided information about the new edition on its website. From the information my officials have received from representatives of certification bodies, about 90 per cent. of their UK customers are expected to make the transition successfully by the due date.

Job Creation

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many jobs her Department *(a)* created and *(b)* safeguarded in each year since 1997, broken down by (i) local authority region and (ii) region; and what the cost per job was in each instance. [143138]

Jacqui Smith: Information on the Department's principal scheme (Regional Selective Assistance) for job creation and safeguarding is given as follows, by region. Similar information by local authority region is not available.

Regional Selective Assistance—offers accepted

	Expected jobs		
Region	*New*	*Safeguarded*	*Average cost per job (£)*
1997–98			
East	203	15	2,092
East Midlands	1,782	843	3,138
London	899	275	2,421
North East	4,859	1,000	3,073
North West	6,587	9,374	4,945
South East	1,694	75	3,098
South West	1,549	222	3,623
West Midlands	2,445	2,777	6,576
York./Humb.	3,340	1,228	2,895
England	23,358	15,809	4,287
1998–99			
East	287	17	2,174
East Midlands	1,386	321	4,138
London	381	169	2,216
North East	4,491	1,225	4,444
North West	4,775	3,066	3,515
South East	845	79	5,222
South West	1,130	1,496	5,284
West Midlands	2,283	1,701	8,475
York./Humb.	2,806	1,380	3,310
England	18,384	9,454	4,606
1999–2000			
East	403	59	2,924
East Midlands	1,151	1,498	3,052
London	353	185	2,299
North East	5,271	1,413	4,428
North West	6,242	4,124	2,925
South East	954	439	3,251
South West	2,626	641	1,964
West Midlands	3,457	703	3,954
York./Humb.	4,557	1,194	2,291
England	25,014	10,256	3,152
2000–01			
East	290	221	3,853
East Midlands	1,970	514	4,680
London	182	199	3,010
North East	3,857	4,355	10,528
North West	3,267	2,056	3,753
South East	822	342	2,466
South West	2,893	594	3,214
West Midlands	4,895	1,086	6,865
York./Humb.	3,698	943	6,235
England	21,874	10,310	6,378
2001–02			
East	255	356	4,705
East Midlands	342	805	4,623
London	719	682	2,827
North East	2,329	1,196	4,691
North West	2,608	2,175	3,364
South East	1,094	214	5,780
South West	628	189	6,674
West Midlands	1,039	618	7,780
York./Humb.	822	643	5,644
England	9,836	6,878	4,723
2002–03			
East	324	57	3,147
East Midlands	1,665	414	3,515
London	490	108	3,968
North East	1,782	2,054	6,543
North West	2,866	2,704	6,496
South East	316	346	2,689
South West	372	521	6,562
West Midlands	805	1,618	4,229
York./Humb.	1,826	1,588	5,181
England	10,446	9,410	5,426

Joined-up Government

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will list *(a)* joint targets and *(b)* areas of joint responsibility between her Department and each other Government Department. [143141]

Ms Hewitt: The information requested is as follows:

(a) Joint Targets

The Department's Public Service Agreement targets from the 2002 Spending Review include the following joint targets:

PSA Target 1

> Demonstrate progress by 2006 on the Government's long term objective of raising the rate of UK productivity growth over the economic cycle, improving competitiveness and narrowing the productivity gap with the US, France and Germany. "Joint target with HM Treasury"

PSA Target 4

> (part) ... improve the environment and the sustainable use of natural resources, including through the use of energy saving technologies, to help to reduce greenhouse gas emissions by 12.5 per cent. from 1990 levels and moving towards a 20 per cent. reduction in carbon dioxide emissions by 2010. "Joint target with Department for Food and Rural Affairs"

PSA Target 5

> Secure agreement by 2005 to a significant reduction in trade barriers leading to improved trading opportunities for the UK and developing countries. "Joint target with the Department for International Development and Foreign and Commonwealth Office (FCO)"

PSA Target 7

> Make sustainable improvements in the economic performance of all English regions and over the long term reduce the persistent gap in growth rates between the regions, defining measures to improve performance and reporting progress against these measures by 2006. "Joint target with the Office of the Deputy Prime Minister and HM Treasury"

PSA Target 10

> In the three years to 2006, taking account of the economic cycle, increase the employment rate and significantly reduce the difference between the overall employment rate and the employment rate of ethnic minorities. "Joint target with Department for Work and Pensions"

PSA Target 11

> Deliver a measurable improvement in the business performance of UK Trade & Investment's customers; and maintain the UK as the prime location in the European Union (EU) for foreign direct investment. "Joint target with FCO"

> In addition, "PSA target 10" requires the DTI to work with all departments to bring about measurable improvements in gender equality across a range of indicators.

(b) Areas of joint responsibility

The Department has joint working arrangements with a number of government departments across a wide range of its activities. Examples include UK Trade and Investment, a joint DTI/FCO organisation which has as its objective the enhanced competitiveness of companies in the UK through overseas sales and investments and a continuing high level of quality foreign direct investment; the dual support system by which the DTI and DfES provide funding for university research; the enforcement of the National Minimum Wage by the Inland Revenue; and the "business.gov" programme, through which the Small Business Service, a DTI agency, is working with departments and organisations such as Inland Revenue, Customs and Excise and the Health and Safety Executive to develop more joined-up customer-focused services for business.

Motor Industry

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much funding MG Rover has received in total from the Foresight Vehicle LINK programme. [142121]

Jacqui Smith: Since the sale of MG Rover Group in May 2002, MG Rover has received one offer of grant for £62,500 under the Foresight Vehicle LINK programme.

Overseas Relocation

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what research her Department has carried out into the number of United Kingdom firms considering relocating all or part of their operations abroad. [140518]

Ms Hewitt: The Government take the issue of offshoring of UK operations very seriously. However, decisions on location are commercial matters for companies to take. We nevertheless need to understand better what is happening, and to this end we have launched a consultation document inviting views from businesses, employees and their unions, and consumer groups. I will also chair a round-table seminar in the new year, to help inform the debate on the impacts of offshoring.

Post Office Closures

Mr. Cousins: To ask the Secretary of State for Trade and Industry what response she is making to the letter from Postwatch of 1 December about the closure of post offices at Cowgate and Felham Hall Drive, Newcastle. [142586]

Mr. Timms *[holding answer 9 December 2003]:* I expect Post Office Ltd. to consider carefully the comments and representations by Postwatch and others during the public consultation on the proposed closure of Cowgate and Fenham sub post offices under the Urban Network Reinvention programme. I understand that the consultation period continues until 6 January.

Renewable Energy

Mr. Beggs: To ask the Secretary of State for Trade and Industry (1) what action she is taking to support derogations in support of applications to build new hydro-electric developments; and if she will make a statement; [143196]

(2) what measures she is taking to support small and medium size companies promoting hydro-electric generating projects. [143197]

Mr. Timms: Output from some hydro-electric generating stations attracts support under the Renewables Obligation (RO), a market driven support mechanism that creates an assured market for renewables generators through to 2027.

Specifically, hydro generating stations which meet the following criteria qualify for support under the RO:

> hydro stations under 20MW, subject to their fulfilling requirements on refurbishment;

> hydro stations of 1.25 MW or less that were built before 1990 that have always been in private ownership are eligible for the Obligation without having to refurbish;

> all other stations up to a maximum capacity of 20MW and built before 1990 must refurbish to qualify;

> all new stations commissioned after April 2002 will qualify.

Since the introduction of the RO, evidence shows an increase in the number of new hydro and refurbished hydro stations coming online. This year three new small hydro developments have received consent and a further eight applications are currently under consideration.

Grants are also available for small community or household schemes under the Clear Skies initiative.

Science and Society Directorate

Sue Doughty: To ask the Secretary of State for Trade and Industry if she will make a statement on the *(a)* composition, *(b)* budget and *(c)* activities of the Science and Society Directorate. [143542]

Ms Hewitt: As part of Office of Science and Technology the role of the Science and Society Directorate is an overarching, strategic cross departmental one, working with partners to identify and tackle major issues and to provide fresh evidence, insights, approaches and solutions.

The Directorate was established in July to contribute to driving up UK productivity and competitiveness by improving the work of the Government on: ensuring young people are equipped to engage with scientific issues as active citizens of the future; raising public awareness, engagement and support of science; ensuring there is a sufficient supply of scientists and engineers; and promoting the involvement of women and ethnic minorities in science.

The Directorate includes 13 staff and brings together four teams: the DiverSETy Team, which is currently responding to the Greenfield Report; the Public Engagement Team which works to increase public awareness of the role of science in society and everyday life; the Science in Schools Team, which works with external interests to deliver activities into schools that enhance the curricula; and the Supply of Scientists Team, which is focusing on responding to the Roberts Review.

The Directorate is responsible for the oversight of direct expenditure of £7 million this year.

Secondments

Malcolm Bruce: To ask the Secretary of State for Trade and Industry what the purpose was of each secondment of a departmental employee to a company since May; what recompense the company made to the Department for the secondee; what the cost of the secondee to the Department was over the period of the secondment, including wages and pension contribution; and if she will make a statement. [143210]

Ms Hewitt: Since May 2003, we have seconded five members of DTI to companies for a period of three months or more. The information requested is as follows:

Purpose of secondment	*Reimbursement to the Department (£)*	*Cost to the Department*
A developmental opportunity to increase knowledge of environmental issues in the energy sector	16,062 per year	Nil
A developmental opportunity to increase knowledge of the financial services sector.	45,523 per year	Nil
A developmental opportunity to gain first-hand experience of sales and marketing in a large plc.		Net cost nil. The Department remains responsible for the secondee' s salary costs during the secondment, but in return the Department receives a secondee from the host organisation
A developmental opportunity to increase business awareness by working in a large plc.		Net cost nil. The Department remains responsible for the secondees's salary costs during the secondment, but in return the Department receives a secondee from the host organisation
A developmental opportunity to increase knowledge of the international nuclear energy business.		Net cost nil. The Department remains responsible for the secondee's salary costs during the secondment, but in return the Department receives a secondee from the host organisation

In addition, we also run a programme of one week attachment—the "Week in Business" scheme for Senior Civil Servants. The aim of the "Week in Business" short-term external attachment scheme is to help the Department to become more outward facing with a greater understanding of the issues facing our external stakeholders. It is also key in helping members of the SCS to gain experience of different ways of working so that good practice can be adopted internally.

The scheme is also a mens of promoting the DTI to our external customers and making them more aware of how the Department operates and what we can offer.

Stamps

John Thurso: To ask the Secretary of State for Trade and Industry (1) how many *(a)* first and *(b)* second class stamps have been sold in (i) the UK and (ii) Scotland in each year since 1999; [144078]

(2) how many *(a)* first and *(b)* second class Scottish definitive stamps have been sold in Scotland in each year since 1999; [144079]

(3) how many *(a)* post offices and *(b)* retail outlets sell stamps in Scotland; [144080]

(4) what estimate she has made of the cost of making the *(a)* first and *(b)* second class Scottish definitive stamps available in book format for sale at (i) post offices and (ii) retail outlets in Scotland. [144083]

Mr. Timms: These are operational matters for Royal Mail Group plc. I have therefore asked the Chief Executive of Royal Mail to reply direct to the hon. Member.

Steel Tariffs (USA)

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what assessment she has made of the costs incurred by UK industry arising from the decision by the US Administration to impose tariffs on steel in March 2002. [140945]

Ms Hewitt: UK steel exports to the US fell significantly following the March 2002 decision. The impact on the UK industry was lessened to an extent by a number of decisions by the US to exclude particular products from the scope of the safeguard, and by the adoption by the EU of a mechanism to prevent surges of imported steel from third countries. These decisions, which followed lobbying by the Government in support of the steel industry, brought 74 per cent. of UK steel exports to the US outside the scope of the safeguard. However, the impact of the US measures continued to be negative and we therefore welcome the 5 December decision by President Bush to lift the US tariffs. This was a course of action that my right hon. Friend the Prime Minister strongly urged the President to take during his visit to London.

Swan Hunter

Mr. Hancock: To ask the Secretary of State for Trade and Industry what *(a)* applications have been made and *(b)* assistance has been granted for (i) Regional Selective Assistance and (ii) other Government grants by Swan Hunter in respect of its operations on Tyneside and Teesside since 1 January 2000. [143308]

Jacqui Smith: The information requested is as follows.

(i) For reasons of commercial confidentiality under Exemption 13—Third Party Commercial Confidences of the Code of Practice on Access to Government Information. I cannot comment on whether or not individual Regional Selective Assistance (RSA) applications have been made.

Details of approved RSA projects over £75,000 (name of business, offer amount, Travel to Work Area and Standard Industrial Classification description) are published quarterly in Labour Market Trends following the first payment of grant.

(ii) No other applications from or grants to Swan Hunter to assist its operations at Tyneside and Teesside since 1 January 2000 have been identified from available records.

Mr. Hancock: To ask the Secretary of State for Trade and Industry what applications have been made for *(a)* Regional Selective Assistance, *(b)* other Government grants and *(c)* European funding in respect of Swan Hunter's Port Clarence facilities. [143309]

Jacqui Smith: The information requested is as follows.

(a) For reasons of commercial confidentiality under Exemption 13—Third Party's Commercial Confidences of the Code of Practice on Access to Government Information. I cannot comment on whether or not individual Regional Selective Assistance (RSA) applications have been made.

Details of approved RSA projects over £75,000 (name of business, offer amount, Travel to Work Area and Standard Industrial Classification description) are published quarterly in Labour Market Trends following the first payment of grant

(b) and *(c)* No other applications from or grants to Swan Hunter to assist its operations at Teesside have been identified from available records.

Unsolicited Emails

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what steps she is taking to harmonise international laws on the sending of unsolicited emails. [142131]

Mr. Timms: The UK is active in international discussions on how to tackle the global problem of unwanted e-mail advertising, both in multilateral fora (such as the Organisation for Economic Cooperation and Development) and bilaterally with the USA and other national governments. The Privacy and Electronic Communications Regulations, which took effect on 11 December, implement the EU-wide approach in the Directive on Privacy and Electronic Communications (Directive 2002/58/EC) of 18 September 2003.

Value for Money

Malcolm Bruce: To ask the Secretary of State for Trade and Industry if she will make a statement on value for money improvements in her Department for each year from 1997–98 to 2002–03. [143134]

Ms Hewitt: My Department's annual spring Reports contain information on departmental management and public service delivery, including on measures taken to improve efficiency and value for money.

For the years 1997–98 and 1998–99, value for money and efficiency savings were not reported separately in the Department's annual reports but were contained within the chapters on the Management of the Department.

During the period covered by the Comprehensive Spending Review (1999–2002), the Department had a strategic efficiency target to achieve savings of 2.5 per cent. of its running costs each year. In 1999–2000 the DTI achieved a saving of 2.6 per cent. of running costs (£10.6 million projected costs of £406.6 million); and in 2000–01 the Department achieved a saving of 4.6 per cent. (£19.3 million on projected costs of £418.8 million).

The CSR efficiency target was replaced for the 2000 Spending Review period (2001–04) by a Public Service Agreement Target to

> "achieve value for money improvements of 2.5 per cent. a year across the Department",

which was carried over into the 2002 Spending Review (2003–06). In 2001–02 value for money improvements under this target amounted to 3.79 per cent. The Department's performance for 2002–03 will be reported on in the 2004 Departmental report, which is due to be published in spring 2004.

DEFENCE

Iraq

9. **Mr. Borrow:** To ask the Secretary of State for Defence what impact operations in Iraq have had on the future requirement for equipment. [143776]

Mr. Ingram: Operation Telic reinforced the requirement to be able in the future to deploy and sustain armed forces equipped and trained both for warfighting and peace support operations. Operations in Iraq also demonstrated the importance of integrated joint capability. These trends are reflected in the White Paper published last week.

18. **Mr. Hammond:** To ask the Secretary of State for Defence if he will make a statement on the security situation in Iraq. [143785]

Mr. Hoon: I refer the hon. Member to the answer I gave earlier today to my hon. Friend the Member for North Durham (Mr. Jones).

19. **David Taylor:** To ask the Secretary of State for Defence if he will make a statement on his assessment of the security situation in southern Iraq. [143786]

Mr. Hoon: United Kingdom forces continue to provide an effective security capability in Iraq. Recent operations against smuggling, for example, have been a considerable success and were widely welcomed by the Iraqi people. Our forces are also closely engaged in developing Iraq's own security capabilities so that Iraqis can increasingly take responsibility for their own security. Already more than 10,500 Iraqi police are on patrol in the Multinational Division (South East), and more are being trained; other Iraqi security personnel are guarding vital infrastructure, facilities and coastline.

22. **Mr. Carmichael:** To ask the Secretary of State for Defence if he will make a statement on operations in Iraq. [143789]

Mr. Hoon: I refer the hon. Member to the reply I gave earlier today to my hon. Friend the Member for North Durham (Mr. Jones).

Norman Baker: To ask the Secretary of State for Defence what his policy is on sending Christmas gifts, donated by charities and other organisations, to British troops in Iraq; and if he will make a statement. [143803]

Mr. Ingram: I refer the hon. Member to the answer I gave on 8 December 2003, *Official Report*, column 270W to the hon. Member for Mid-Norfolk (Mr. Simpson).

Armed Forces

11. **Bob Russell:** To ask the Secretary of State for Defence what progress he has made in the past three months in filling vacancies in the Army. [143778]

Mr. Caplin: The latest available figures indicate that whole Army trained strength increased by 540 between 1 August 2003 and 31 October 2003.

Mr. Flight: To ask the Secretary of State for Defence how many recruits have joined the trained strength of the armed services in each of the last two years. [143346]

Mr. Caplin: I refer the hon. Member to Tri Service Publication 4: United Kingdom Armed Forces Quarterly Press Release which is available in the Library of the House and is updated each quarter.

Table 4 contains figures for Gains to Trained Strength of UK Regular Forces.

Mr. Foulkes: To ask the Secretary of State for Defence what the cost to his Department was of providing school places for children of Service personnel under the Service Education Allowance Scheme in each of the past 10 years. [142991]

Mr. Caplin: The total sums paid annually for boarding and day school fees by the Ministry of Defence in each of the past 10 years are not held centrally.

I refer my right hon. Friend to the answer I gave him on 3 December 2003, *Official Report*, columns 67–68W, about the various per child annual rates of Service Education Allowances from 1996 onwards.

Big Conversation

Mr. Heald: To ask the Secretary of State for Defence what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143151]

Mr. Caplin: I refer the hon. Member to the answer given on 9 December 2003, *Official Report*, column 355W, by my right hon. Friend the Leader of the House of Commons.

Departmental Land

Mr. Rosindell: To ask the Secretary of State for Defence what action he has taken, and what plans he has, to derive money from land owned by his Department within the UK. [142285]

Mr. Caplin: I refer the hon. Member to the Ministry of Defence Annual Report and Accounts, a copy of which has been placed in the Library of the House.

Attitude Surveys

Angus Robertson: To ask the Secretary of State for Defence if he will list the top 10 answers in the last assessed Army Continuous Attitude Survey to *(a)* Question 27, *(b)* Question 35, *(c)* Question 39d, *(d)* Question 47 and *(e)* Question 48; how many respondents' answers agreed with each of the top 10; and if he will make a statement. [143617]

Mr. Caplin: From the latest Army Serving Personnel Continuous Attitude Survey undertaken in December 2002, answers to questions 27, 35, 47 and 48 were expressed in terms of a sliding scale from Very Satisfied to Very Dissatisfied or Very High to Low. The answer to question 39d was a straight Yes or No. Given the nature of the response options to these questions, it is not possible to analyse the data in terms of a "top ten".

Angus Robertson: To ask the Secretary of State for Defence when the Army Continuous Attitude Survey last included questions on *(a)* overstretch and *(b)* privatisation and contractualisation; for what reason those questions are not included in the latest edition of the Army Continuous Attitude Survey; and if he will make a statement. [143618]

Mr. Caplin: In compiling Continuous Attitude Surveys, questions are assimilated from a range of issues identified by the Army. The latest Army Serving Personnel Continuous Attitude Survey, undertaken in December 2002, included questions on overstretch. So far no direct questions have been asked about privatisation or contractorisation.

Angus Robertson: To ask the Secretary of State for Defence how many Army personnel answered Scottish to Question Q6a in the last assessed Continuous Attitude Survey, broken down by rank; and if he will make a statement. [143629]

Mr. Caplin: Question 6 in the latest Army Serving Personnel Continuous Attitude Survey, undertaken in December 2002, asked individuals about their nationality. The response options did not include "Scottish" and therefore information is not available to answer this question.

Angus Robertson: To ask the Secretary of State for Defence how many RAF personnel answered Scottish to Question A16a in the last assessed Continuous Attitude Survey, broken down by rank; and if he will make a statement. [143630]

Mr. Caplin: The most recent issue of the RAF Continuous General Attitude Survey for which results are available covers the period May to July 2003. The number of RAF personnel who answered Scottish to Question A16a in the last survey, broken down by rank is as follows:

Rank	*Number*
Aircraftman/woman	0
Leading Aircraftman/woman	0
Senior Aircraftman/woman	29
Junior Technician	5
Corporal	15
Sergeant	13
Chief Technician	5
Flight Sergeant	6
Warrant Officer/Master Aircrew	4
Pilot Officer	0
Flying Officer	1
Flight Lieutenant	2
Squadron Leader	3
Wing Commander	0
Group Captain	0
Air Commodore or above	0
Total	83

Angus Robertson: To ask the Secretary of State for Defence how many and what percentage of respondents to the last assessed RAF Continuous Attitude Survey responded *(a)* Strongly agree, *(b)* Agree, *(c)* Neither agree nor disagree, *(d)* Disagree and *(e)* Don't know/not applicable to questions (i) B12.1 and (ii) B12.2; and if he will make a statement. [143632]

Mr. Caplin: The information requested is set out in the following table.

RAF continuous attitude survey

	B12.1 numbers responding	*As a percentage of those asked*	*B12.2 numbers responding*	*As a percentage of those asked*
Strongly Agree	324	16.2	428	21.4
Agree	369	18.4	439	21.9
Neither agree nor disagree	176	8.8	116	5.8
Disagree	123	6.1	17	0.9
Strongly disagree	7	0.4	0	0
Don't Know/N/A	17	0.9	16	0.8
Total not responding to item or survey	984	49.2	984	49.2
Total number surveyed	2000	100	2000	100

Angus Robertson: To ask the Secretary of State for Defence how many and what percentage of respondents to the last assessed RAF Continuous Attitude Survey responded *(a)* Strongly agree, *(b)* Agree, *(c)* Neither agree nor disagree, *(d)* Disagree and *(e)* Don't know/not applicable to questions (i) B12.5, (ii) B12.6, (iii) B12.7 and (iv) B12.8; and if he will make a statement. [143633]

Mr. Caplin: The information requested is set out in the following table.

RAF continuous attitude survey

	B12.5 numbers responding	*As a percentage of those asked*	*B12.6 numbers responding*	*As a percentage of those asked*	*B12.7 numbers responding*	*As a percentage of those asked*	*B12.8 numbers responding*	*As a percentage of those asked*
Strongly Agree	92	4.6	51	2.5	43	2.1	62	3.1
Agree	163	8.1	72	3.6	87	4.3	143	7.1
Neither agree nor disagree	314	15.7	360	18	335	16.7	280	14
Disagree	237	11.9	280	14	299	15	281	14.1
Strongly disagree	71	3.5	78	3.9	75	3.8	68	3.4
Don't Know/N/A	137	6.9	174	8.7	175	8.8	180	9
Total not responding to Item or survey	986	49.3	985	49.3	986	49.3	986	49.3
Total number surveyed	2000	100	2006	100	2000	100	2000	100

Death-in-service Benefits

Mr. Swire: To ask the Secretary of State for Defence (1) what the lump sum death-in-service pay is to widows or widowers for an army corporal; [143021]

(2) what percentage of an army corporal's final salary is payable to a spouse following death-in-service. [143020]

Mr. Caplin: The current Armed Forces Pension Scheme (AFPS) final salary benefits are not based on individual earnings but on a representative rate of pay for each rank. This means that all those of the same rank with the same length of service retiring in the same year receive the same rate of pension regardless of their actual earnings. The current representative rate of pay for a corporal is £24,678 per annum. The level of death-in-service lump sum paid to a widow or widower of a corporal in the Regular Army depends on length of service and whether the death was attributable to service. Where the cause of death is not attributable, the current lump sum is between £23,938 and £35,907, between 97 per cent. and 146 per cent. of the representative rate of pay. If the death is attributable to service, an attributable gratuity of £11,969 is paid in addition to the non-attributable lump sum; this increases the value of the lump sum as a percentage of the representative rate of pay to between 146 per cent. and 194 per cent. Both the lump sum and gratuity are paid tax-free.

In addition to the lump sum, the widow of a corporal in the Regular Army would receive a short-term pension which is equivalent to 100 per cent. of the individual's final salary, paid, depending on circumstances, for a period of between 91 and 273 days. When the short-term pension ceases, a long-term pension is paid. The non-attributable widow's pension is 6.5 per cent. of the representative rate of pay where the individual has served for five years; this rises to 24.25 per cent. for 34 or more years' service. The attributable widows pension is 39 per cent. of the representative rate of pay.

European Union Defence Policy

Mr. Luff: To ask the Secretary of State for Defence what recent representations he has received from member Governments of NATO about European Union defence policy. [143790]

Mr. Hoon: Discussions are continuing on European Security and Defence Policy with both NATO and non-NATO EU member states. In addition to these bilateral discussions, the North Atlantic Council and the Political and Security Committee meet on a regular basis to discuss ESDP issues.

Mental Health

Mr. Keith Simpson: To ask the Secretary of State for Defence on what *(a)* medical, *(b)* financial and *(c)* administrative factors the decision to close the Duchess of Kent Psychiatric Hospital in Catterick was based. [143486]

Mr. Caplin *[holding answer 11 December 2003]*: I refer the hon. Member to the answer I gave on 16 October 2003, *Official Report*, column 324W to the hon. Member for South Dorset (Mr. Knight).

The decision to close the Duchess of Kent Psychiatric Hospital (DKPH) was taken on clinical grounds.

Ministry of Defence Police

Mr. McNamara: To ask the Secretary of State for Defence what standard instructions are given to Ministry of Defence police personnel on secondment or assignment to assist the civilian police where the criminal responsibility of senior officers may be the subject of the investigation. [143137]

Mr. Caplin: Ministry of Defence police officers seconded or assigned to assist a Home Department police force are subject to the operational control of that force. It would be for the force in question to issue instructions on the conduct of inquiries.

Northern Ireland Veterans

Mr. Barnes: To ask the Secretary of State for Defence what funding is available to support Northern Ireland veterans. [142734]

Mr. Caplin: There is no Ministry of Defence funding specifically for Northern Ireland veterans. MOD funds programmes aimed at preventing Service leavers, which would include those who have served in Northern Ireland, falling into social exclusion and homelessness such as the Single Persons Accommodation Centre for Ex-Services in Catterick, the Armed Forces Project in Colchester and the Joint Services Housing Advice Office. MOD also contributes towards Project Compass, a partnership project in London aimed at assisting homeless veterans back into employment.

Mr. Barnes: To ask the Secretary of State for Defence how many Northern Ireland veterans he estimates are homeless. [142743]

Mr. Caplin: The number of homeless veterans who have served in Northern Ireland is not known at present. In January 2004, the Ministry of Defence and the Office of the Deputy Prime Minister are planning to begin a study into the extent, causes, impact and costs of homelessness and rough sleeping among ex-Service personnel in England. As part of this study, homeless veterans will be asked about their Service background and operational experience which will include Service in Northern Ireland.

Mr. Barnes: To ask the Secretary of State for Defence how many Northern Ireland veterans are serving prison sentences. [142744]

Mr. Caplin: There are no routine statistics of this kind collected on veterans who have either served in Northern Ireland or who live there. The Home Office Research Development and Statistics Directorate survey, carried out in December 2001 in 76 prisons around the United Kingdom, found that 5.6 per cent. of prisoners were veterans of the armed forces, of which 11 per cent. had been in the Royal Navy, 4 per cent. were in the Royal Air Force and 85 per cent. were in the Army.

Territorial Army

Angus Robertson: To ask the Secretary of State for Defence how many members of *(a)* independent units and *(b)* specialist units of the Territorial Army have completed (i) five years, (ii) 10 years, (iii) 15 years and (iv) 20 years of service in each of the last six years in each nation within the UK; and if he will make a statement. [143998]

Mr. Caplin: The information requested is not held centrally and could be provided only at disproportionate cost.

Vaccinations

Mr. Hancock: To ask the Secretary of State for Defence if he will list the vaccines administered to service personnel since 1990 which were not licensed in the United Kingdom at the time of administration; for what there were administered; how many personnel were involved in each case; what follow up checks have taken place; and if he will make a statement. [142884]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

PRIME MINISTER

Big Conversation

Matthew Taylor: To ask the Prime Minister (1) how members of the public are being informed they can take part in the Big Conversation; and how Big Conversation events are being publicised; [144242]

(2) how many members of the public he estimates will respond to the Big Conversation; [144243]

(3) what proportion of the findings of the Big Conversation will be made public; and in what format; [144244]

(4) who will be responsible for replying to those who take part in the Big Conversation. [144245]

The Prime Minister: These are matters for the Labour Party.

Honours

Mr. Gordon Prentice: To ask the Prime Minister how many honours have been returned since January 1997. [142220]

The Prime Minister: Since 1 January 1997 18 people returned the honours they had been awarded to the Central Chancery of the Orders of Knighthood or to my office.

This compares with almost 18,500 honours granted to people during the same period.

Mr. Gordon Prentice: To ask the Prime Minister how many people refused the offer of an honour in the latest year for which figures are available, broken down by type of honour. [142221]

The Prime Minister: Because of the confidential nature of the honours process individuals are asked in confidence whether they wish to be considered for an honour; it is a matter for them whether they wish to make their decision known publicly.

The number of people who refuse an honour has consistently been around 2 per cent. of the recommendations that are made each year.

Ministerial Absence

David Davis: To ask the Prime Minister pursuant to his answer of 8 December 2003, *Official Report*, column 374W, on ministerial duties, on how many occasions appropriate arrangements have been put in place as a result of the Prime Minister being absent for any reason since May 1997; and what the arrangements were in each case. [144241]

The Prime Minister: A record of these occasions is not held centrally. However, as the right hon. Member will be aware, when I have been on official visits overseas, for example, the Deputy Prime Minister has deputised for me at Prime Minister's Questions.

Nuclear Non-proliferation

Llew Smith: To ask the Prime Minister what initiatives he took at the Commonwealth Heads of Government Meeting in Nigeria to raise with his *(a)* Indian and *(b)* Pakistani counterparts the prospects of their respective states joining the Nuclear Non-Proliferation Treaty as non-nuclear weapon states. [143511]

The Prime Minister: I discussed issues of mutual concern with Prime Minister Vajpayee in the margins of the Commonwealth Heads of Government Meeting. However, the question of Indian accession to the Nuclear Non-Proliferation Treaty as a non-nuclear weapons state was not raised.

Pakistan is currently suspended from all Councils of the Commonwealth.

We regularly press both countries to accede to both the Nuclear Non-Proliferation Treaty and the Comprehensive Nuclear Test Ban Treaty.

Office Space Allocations

Norman Baker: To ask the Prime Minister on what date office space was allocated by his office to accommodate the right hon. Member for Hartlepool (Mr. Mandelson), what square footage this comprises; what staff support has been made available to the right hon. Member; and if he will make a statement. [143840]

The Prime Minister: Neither office space nor staff support has been allocated or made available to the right hon. Member for Hartlepool (Mr. Mandelson).

Special Advisers

Mr. Tyrie: To ask the Prime Minister if he will list the costs of special advisers for 2002–03 indicating the cost of administrative and secretarial staff. [143379]

The Prime Minister: I refer the hon. Member to the answers I gave to the hon. Member for Croydon, Central (Geraint Davies) on 16 July 2003, *Official Report*, columns 327–30W.

The information requested on costs of administrative and secretarial staff is not held centrally.

EDUCATION AND SKILLS

Additional Lifetime Earnings

Mr. Purchase: To ask the Secretary of State for Education and Skills what estimate he has made of average additional lifetime earnings accruing to those leaving full-time education at age 19 compared to age 16. [143566]

Mr. Ivan Lewis: There is conclusive evidence that staying in full-time education after the age of 16 increases an individual's lifetime earnings potential. People who have two or more A-levels earn on average

15 per cent. more over their lifetime than people who do not, even after allowing for other qualifications gained. The returns to level 3 vocational qualifications typically acquired at ages 16–19 are also significantly positive.

The vast majority of young people remain in education until at least age 16. However, GCSE achievement rates vary. An individual who gains five or more GCSEs at grades A*-C can expect to earn 25–30 per cent. more than someone who does not achieve this level, again allowing for any other qualifications subsequently gained.

The document "Education and Skills: The Economic Benefit" published by DfES in May 2003 presents both Government and wider research undertaken into the economic benefits of public provision of education. It highlights the social and economic value of education and skills, from a basic skills level to degree level, in terms of earnings, employment and social benefits.

City Academies

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on the components of the expenditure on city academies as set out in the table of expenditure by function by the Department in the Winter Supplementary Estimate 2003–04. [143121]

Mr. Miliband *[holding answer 9 December 2003]*: The components of expenditure set out in the table relate to Academies running costs. The main component (set out in the table of expenditure by function contained within the Winter Supplementary Estimate) relates to recurrent costs and covers the general annual grant paid by the Secretary of State to individual Academies. This figure also includes the general administrative expenditure costs incurred by the Department in the running of the programme.

The second, smaller component relates to amounts paid to Academies by local education authorities in respect of the Standards Fund.

Coalfield Communities

Adam Price: To ask the Secretary of State for Education and Skills if he will make a statement on the levels of educational attainment in the UK coalfields, and on Government action to improve them. [142946]

Mr. Ivan Lewis: In England, the increase in levels of educational attainment in coalfield areas since 1998, reflects that of England as a whole. In addition we are already seeing evidence that the gap between attainment in coalfield areas and non-coalfield areas is beginning to close.

DfES is committed to working closely with other Departments in order to develop a package of support for former coalfield areas. We know that coalfield areas have suffered from low levels of educational attainment and we have a range of targeted initiatives to raise attainment. We are succeeding in raising aspirations and attainment though policies that aim to ensure that all learners attain the highest standards, regardless of where they live.

DfES also works closely with all the key coalfield organisations such as Coalfield Communities Campaign (CCC), Coalfields Regeneration Trust (CRT), Coal Industry Social Welfare Organisation (CISWO) and Coalfield Learning Initiative Partnership (CLIP) to improve our targeting and tackle problems.

Mr. Woodward: To ask the Secretary of State for Education and Skills what funding his Department has allocated in each year to the Sure Start programme since its establishment; and how it has been spent in *(a)* St. Helens South, *(b)* St. Helens, *(c)* Merseyside and *(d)* the North West Region. [141475]

Margaret Hodge: The total annual budget (capital and revenue) allocated to Sure Start local programmes since the policy was established has been as follows:

	£ million
1999–2000	84
2000–01	184
2002–02	184
2002–03	449
2003–04	[1]355

[1] Grant has been re-profiled to take account of previous year's rate of spend Individual programmes have been established through six planning rounds. In each round, eligible local authority districts were invited to identify a catchment area and set up a programme. The resulting programme has been provided with an indicative annual revenue profile and a single capital allocation to develop necessary facilities.

524 local programmes are being developed across the country. Of these, 108 are in the north-west of England—26 in Merseyside. The St. Helens district has five programmes of which three are in St. Helens South.

The financial information requested for the north-west region is set out in the following table. Information is drawn from local programmes' grant letters and their audit certificates as well as the Sure Start Unit's finance and performance monitoring IT system. Explanatory notes are attached at the end of each table.

Table (a) St. Helens South

			Revenue (£)							
			2001–02		*2002–03*		*2003–04*		*Capital (£)*	
Round	*Sure Start local programme*	*Year of approval*	*Allocation*	*Spend*	*Allocation*	*Spend*	*Allocation*	*Spend to date*	*Allocation*	*Claim to date*
4	Fourways	5/9/2001	102,691	102,691	382,400	332,170	594,200	253,115	1,000,000	0
5	Happy Elephant	27/6/2002	0	83,652	365,069	281,417	539,914	405,695	1,000,000	11,500
6	Phoenix	6/5/2003	n/a	n/a	n/a	n/a	560,000	0	1,000,000	0
	Total funding		102,691	186,343	747,469	613,587	1,694,114	658,810	3,000,000	11,500

Notes:

1. Local programmes are allocated funds at the beginning of each financial year based on their delivery plan.
2. Programmes claim grant quarterly using the Sure Start Unit's online claims system.
3. n/a denotes that the programme was not operational in that year.

4. Where there is spend against a nil allocation, this indicates start up or advance payments, which are anticipated from the first financial year of operation.
5. Claims for the 2003–04 financial year are still on-going—£0 indicates that a claim has either not been made or is in the process of being made.
6. Capital funding for Sure Start local programmes is normally a single allocated sum from which programmes draw down funds for particular projects. As programmes do not make regular claims, this has been shown as spend (or claims) to date. Programmes are encouraged to use their capital allocation within 3–5 years of their delivery plan being approved.

Table (b) St. Helens

			Revenue (£)					
			2000–01		2001–02		2002–03	
Round	*Sure Start local programme*	*Year of approval*	*Allocation*	*Spend*	*Allocation*	*Spend*	*Allocation*	*Spend*
1	Parr[1]	[1]20/1/2000	519,000	300,600	547,000	405,079	694,950	624,509
4	Fourways	5/9/2001	n/a	n/a	102,691	102,691	382,400	332,170
5	Happy Elephant	27/6/2002	n/a	n/a	0	83,652	365,069	281,417
5	Central Link	6/9/2002	n/a	n/a	0	98,660	323,129	189,236
6	Phoenix	6/5/2003	n/a	n/a	n/a	n/a	n/a	n/a
	Total funding		519,000	300,600	649,691	690,082	1,765,548	1,427,332

			Revenue (£)			
			2003–04		Capital (£)	
Round	*Sure Start local programme*	*Year of approval*	*Allocation*	*Spend to date*	*Allocation*	*Claim to date*
1	Parr[1]	20/1/2000[1]	755,170	413,914	1,250,000	15,700
4	Fourways	5/9/2001	594,200	253,115	1,000,000	0
5	Happy Elephant	27/6/2002	539,914	405,695	1,000,000	11,500
5	Central Link	6/9/2002	519,094	202,392	1,000,000	0
6	Phoenix	6/5/2003	560,000	0	1,000,000	0
	Total funding		2,968,378	1,275,115	5,250,000	27,200

[1] Sure Start Parr was approved in financial year 1999–2000 but because of late approval, spend was negligible in that financial year.

Notes
1. Local programmes are allocated funds at the beginning of each financial year based on their delivery plan.
2. Programmes claim grant quarterly using the Sure Start Unit's online claims system.
3. n/a denotes that the programme was not operational in that year.
4. Where there is spend against a nil allocation, this indicates start up or advance payments, which are anticipated from the first financial year of operation.
5. Claims for the 2003–04 financial year are still on-going—£0 indicates that a claim has either not been made or is in the process of being made.
6. Capital funding for Sure Start local programmes is normally a single allocated sum from which programmes draw down funds for particular projects. As programmes do not make regular claims, this has been shown as spend (or claims) to date. Programmes are encouraged to use their capital allocation within 3–5 years of their delivery plan being approved.

Table (c) Merseyside, including St. Helens

	Total funding (£)
Number of programmes—(26 across six rounds)	
Revenue	
2000–01	
Allocation	2,871,232
Spend	1,595,000
2001–02	
Allocation	5,228,760
Spend	3,678,612
2002–03	
Allocation	9,390,882
Spend	8,213,327
2003–04	
Allocation	15,999,058
Spend to date	5,773,821
Capital	
Allocation	27,199,839
Spend to date	3,765,510

Note:

1. A few round 1 programmes were approved at the end of the financial year 1999–2000 but, given the late start, spend in that financial year was negligible.

Table (d) North West

	Total funding (£)
Number of programmes—(108 across six rounds)	
Revenue	
2000–01	
Allocation	n/a
Spend	n/a
2001–02	
Allocation	22,770,182
Spend	15,379,256
2002–03	
Allocation	33,630,120
Spend	audits pending

Table (d) North West

	Total funding (£)
Number of programmes—(108 across six rounds)	
Revenue	
2003–04	
Allocation	72,175,410
Spend to date	14,417,816
Capital	
Total allocation	110,944,324
Spend to date	45,800,000

Notes:

1. We are unable to provide an accurate picture of the overall revenue spend for the North West region as a whole for financial year 2000–01 because data processes were not set up to collect this information on a regional basis until 2001–02.

2. Audit certificates for the financial year 2002–03 are still being submitted to the Sure Start Unit from some of the North West programmes and therefore spend figures for the region as a whole are unavailable at present.

3. The capital spend to date figure refers to the total value of capital projects approved to date, which programmes are able to draw down. The actual amount claimed to date is £15.3 million. The discrepancy is due to building work not being completed (and so not claimed for) or accountable bodies funding work and not yet claiming it back.

Education Projects (St. Helens)

Mr. Woodward: To ask the Secretary of State for Education and Skills (1) if he will list the capital projects which *(a)* have been completed and *(b)* were in progress in St. Helens in each year since 1997; [141279]

(2) what capital expenditure there was on *(a)* education as a whole, *(b)* nursery schools, *(c)* primary education and *(d)* secondary education in (i) St. Helens, (ii) Merseyside and (iii) the North West Region, in each year since 1992. [141470]

Mr. Miliband: We hold details only of total capital allocations made to (i) St. Helens, (ii) Merseyside and (iii) the North West. We do not hold the other information requested as the bulk of capital investment for school buildings is allocated to local education authorities and to schools. Capital funding allocated to St. Helens, Merseyside and the North West is set out in the following table:

	Capital allocations (£000)		
	St. Helens	*Merseyside*	*North West*
1996–97	2,286	14,823	66,532
1997–98	1,818	23,826	70,166
1998–99	3,244	31,119	99,517
1999–2000	3,802	33,725	127,927
2000–01	6,603	202,210	234,131
2001–02	5,562	55,150	220,608
2002–03	10,234	61,114	242,917
2003–04	7,152	73,057	334,065

Mr. Woodward: To ask the Secretary of State for Education and Skills which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141276]

Mr. Miliband: We do not hold the information requested as the bulk of capital investment for school buildings is allocated to local education authorities and to schools. Capital funding allocated to St. Helen's LEA is set out in the following table:

Capital funding allocated to St. Helen's LEA

St. Helen's LEA capital allocations	*Total (£000)*
1996–97	2,286
1997–98	1,818
1998–99	3,244
1999–2000	3,802
2000–01	6,603
2002–02	5,562
2002–03	10,234
2003–04	7,152

Foundation Courses

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the average cost of each place on a foundation degree course in the current academic year. [143652]

Alan Johnson: The Higher Education Funding Council for England funds honours degree and foundation degree courses on the basis of a formula which varies according to subject, institution and student factors. The funding is allocated to institutions as a block grant and how they allocate it is for them to determine. Institutions also receive funding from other sources, both public and private and may use it to subsidise some courses or faculties. The actual cost may therefore vary between institutions and subjects.

Further Education Colleges

Mr. Mahmood: To ask the Secretary of State for Education and Skills what assessment he has made of the effect of the proposals contained in the White Paper, "The Future of Higher Education", on further education colleges which provide higher education courses; and if he will make a statement. [143640]

Alan Johnson: The Higher Education Funding Council for England has recently run a bidding round for additional student numbers for foundation degrees. Further education colleges (FEC) have been invited to bid for those places in collaboration with higher education institutions, Sector Skills Councils and Regional Development Agencies. An announcement on the outcomes of this bidding round will be made early next year.

I have asked the Chief Executives of the Higher Education Funding Council and the Learning and Skills Councils to work together to reduce the bureaucracy faced by further education colleges that provide courses of higher education. I expect them to produce a consultation paper by early 2004.

The Quality Assurance Agency, Ofsted, and the Adult Learning Inspectorate have recently piloted a parallel review and inspection of a FEC, which should reduce burden and bureaucracy for the FEC. The agencies are currently evaluating the success of this pilot and will provide a report to me early in the New Year.

White Paper Commitment

Foundation degrees will often be delivered in further education colleges and we will build and strengthen the links between further and higher education, to give students clearer progression pathways and support the development of work-based degrees. As part of this, we will streamline the funding regimes to make collaboration easier.

GCSEs

Mr. Gibb: To ask the Secretary of State for Education and Skills in how many schools fewer than 20 per cent. of pupils achieved *(a)* qualifications equivalent to five GCSEs at grade A* to C and *(b)* five GCSEs at grades A* to C in each year between 1996 and 2002; and what his estimate is for each year from 2003 to 2006. [142989]

Mr. Miliband: The number of schools with fewer than 20 per cent. of pupils who achieved five or more grades A*-C at GCSE and GNVQ combined is:

Academic year	*Number of schools with less than 20 per cent. of pupils achieving 5+ A*-C at GCSE/GNVQ*
1996[1]	384
1997	361
1998	325
1999	277
2000	241
2001	196
2002	157

[1] 1996 figures includes GCSE results only, GNVQs commenced in 1997.

The number of schools with fewer than 20 per cent. of pupils who achieved five or more grades A*-C at GCSE only is:

Academic year	*Number of schools with less than 20 per cent. of pupils achieving 5+ A*-C at GCSE only*
1996[1]	384
1997	368
1998	339
1999	312
2000	279
2001	245
2002	240

[1] 1996 figures includes GCSE results only, GNVQs commenced in 1997.

The number of schools where fewer than 20 per cent. of pupils achieved five or more GCSEs at grade A* to C or the equivalent has dropped significantly year-on-year since 1996, and we are confident the efforts of pupils, schools and LEAs mean that this trend will continue. Through increasing use of contextualised pupil-level data, our Advisers are working closely with schools and LEAs to ensure that every pupil's chances of exam success are maximised. This work has a particular focus on narrowing the attainment gap between the lowest performing schools and the highest.

Higher Education

Mr. Steinberg: To ask the Secretary of State for Education and Skills what the limit of parental income would be beyond which students would receive no financial assistance under the Government's proposals for higher education funding. [142999]

Alan Johnson: All students, regardless of their family income, will be eligible for some financial assistance under the Government's proposals. The non-means tested element (75 per cent.) of the maintenance loan will continue to be available to all students, while the remaining 25 per cent. will be linked to family income. We do not intend to means-test loans for fees, which are to be introduced from 2006–07. Additional support will, as now, be available on a means-tested basis in the form of tuition fee remission and, from 2004–05, a new higher education grant will be introduced for those from poorer backgrounds. This financial assistance is in addition to existing targeted support for specific groups such as disabled students or student parents.

Leadership and Management

Mr. Hoban: To ask the Secretary of State for Education and Skills what initiatives the Department has introduced to improve *(a)* leadership and *(b)* management skills in schools; and what assessment he has made of their effectiveness. [141952]

Mr. Miliband *[holding answer 4 December 2003]:* We set up the National College for School Leadership in November 2000 to deliver a wide range of professional development and leadership training opportunities for headteachers, aspiring headteachers and other school leaders at every stage of their careers, including middle managers. Ofsted regularly inspects the effectiveness of school leadership and management and from September this year introduced a new framework for inspecting these skills more rigorously. In June this year Ofsted reported that the proportion of schools with very good or excellent leadership and management has more than doubled since 1996–97. In his statement to this House on 29 October about school funding, the Secretary of State announced that KPMG had been commissioned to work with NCSL and headteacher associations to design and develop a varied menu of support and guidance to help schools' budget and resource management. In the remaining months of the current financial year £1.5 million is being made available for this programme which includes a website, workshop, helpdesk and consultancy.

Leadership Initiative Payments

Mr. Kidney: To ask the Secretary of State for Education and Skills if he will list the schools that have received leadership initiative payments. [143130]

Mr. Miliband: The list of the 1406 schools eligible for the Leadership Incentive Grant is available on the DfES Standards website at www.standards.dfes.gov.uk/schoolimprovement

Music Lessons

Helen Jones: To ask the Secretary of State for Education and Skills what steps he is taking to ensure that musical instrument lessons are available to all pupils who wish to benefit from them; and if he will make a statement. [143489]

Mr. Miliband *[holding answer 11 December 2003]*: We have pledged that, over time, all primary school pupils who want to should have the opportunity to learn a musical instrument. Ofsted are currently evaluating 12 pilots that aim to demonstrate how schools, LEA Music Services and other providers can work together to offer a programme of wider musical opportunities which builds on the National Curriculum for Music. We will publicise the results of this evaluation in the New Year, along with some new guidance from QCA on how teachers can incorporate instrumental tuition into their classroom work.

In addition, the Department continues to support LEA Music Services. Almost £60 million a year goes to LEAs via the Music Standards Fund, which can be spent in any way which enhances opportunities for pupils to access musical education of high quality, including instrumental tuition.

National Learner Satisfaction Survey

Mr. Mahmood: To ask the Secretary of State for Education and Skills what assessment he has made of the National Learner Satisfaction Survey published by the Learning and Skills Council in November; and if he will make a statement. [143643]

Alan Johnson: The result of the 2002–03 National Learner Satisfaction Survey, commissioned by the Learning and Skills Council, is excellent news. It shows that learners' needs and aspirations are being met, with more than 90 per cent. overall satisfied with their learning experience. This important customer feedback, taken with other measures of quality we have put in place, is an important indicator against which to judge the success of the learning and skills sector.

Qualified Teachers

Mr. Willis: To ask the Secretary of State for Education and Skills if he will make a statement on the number of qualified teachers in schools. [143416]

Mr. Miliband *[holding answer 11 December 2003]*: In January 2003, there were 408,400 full-time equivalent regular teachers with Qualified Teacher Status employed in the maintained schools sector in England. That is 12,200 more than in January 1997 and the most at anytime since January 1984.

Pupil Behavioural Programmes

Mr. Hoban: To ask the Secretary of State for Education and Skills how much has been spent by his Department on pupil behavioural programmes in each year since 1997. [141732]

Mr. Ivan Lewis *[holding answer 3 December 2003]*: Since 1997 the DfES has provided funding for a range of activities related to pupil inclusion and disaffection, including behaviour and attendance. The Standards Fund has been the main channel for such funding. The following table shows relevant DfES grants to LEAs made through the Standards Fund or its predecessor from 1997–98 to 2002–03. It excludes LEA contributions. These funds were spent on a wide range of measures and services including Learning Support Units, Pupil Referral Units and Education Welfare Officers.

	£ million
1997–98	10.4
1998–99	11.4
1999–2000	28.5
2000–01	69.1
2001–02	85.9
2002–03	84.5

In 2002–03 the DfES also provided £50 million for targeted schools through the Behaviour Improvement Programme. Building on that, we will be providing over £150 million in 2003–04 to support schools and LEAs in improving behaviour and attendance.

Research Funding

Helen Jones: To ask the Secretary of State for Education and Skills what assessment he has made of the effect on the development of the North West regional economy of the revised distribution mechanisms for university research funding; and if he will make a statement. [143452]

Alan Johnson: Research funding is allocated to institutions according to quality and volume, using the results of the Research Assessment Exercise. There is no regional element. In 2003–04 the North West region received £108 million in quality-related research funding, an increase of over £9 million on the previous year.

The recent consultation on research assessment, carried out by the Higher Education Funding Council for England and the other UK higher education funding bodies, received over three hundred responses from higher education institutions and sector stakeholder bodies. The higher education funding bodies are considering the responses and are expected to make an announcement about a new system of assessment and funding distribution early in the New Year.

School Buildings

Mr. Willis: To ask the Secretary of State for Education and Skills how many school buildings in use were built before 1975; and where these are situated. [141665]

Mr. Miliband *[holding answer 9 December 2003]*: Our categorisation of LEA asset management plan data returns allows buildings constructed up to and including 1976 to be separately identified. The total number of separate school buildings (excluding temporary buildings) within this category, for which information has been provided, is approximately 52,000. This large number reflects the fact that many schools have several buildings of different age categories on their sites. The LEA/school number codes for each building on the attached spreadsheets indicate where they are situated. In view of the large size of the analysis document, it has been made available on the DfES web site at: www.teachernet.gov.uk/amps

School Trips

Mr. Goodman: To ask the Secretary of State for Education and Skills whether schools are obliged to publish risk assessments in relation to school trips. [143534]

Mr. Ivan Lewis *[holding answer 11 December 2003]* The Management of Health and Safety at Work Regulations 1999 require employers (local education authorities for most schools in England) to tell employees about the measures taken to manage risk. There is no requirement to publish the risk assessment.

Science Examinations

Malcolm Bruce: To ask the Secretary of State for Education and Skills how many *(a)* girls and *(b)* boys sat examinations in science subjects at (i) A Level and (ii) AS Level in each year since 1997; and what the pass rate was in each case. [143147]

Mr. Miliband: Information requested has been placed in the Library.

SEND Tribunal System

Mr. Andrew Turner: To ask the Secretary of State for Education and Skills what the cost to public funds of the Special Educational Needs and Disability tribunal system was in the last year for which information is available *(a)* in total, *(b)* per case dealt with and *(c)* per application. [143669]

Margaret Hodge *[holding answer 11 December 2003]:* The total cost of the SEN and Disability Tribunal (SENDIST) for the year 2002 to 2003 was £4,715,000 plus £1,252,000 central overheads giving a total of £5,967,000. 3,445 appeals were registered during that period, giving a cost of £1,732 per appeal. 3,780 appeals were received, giving a cost per appeal received of £1,578.

Skills Agenda (West Midlands)

Mr. Jenkins: To ask the Secretary of State for Education and Skills who is responsible for the Skills Agenda for the West Midlands region. [143219]

Mr. Ivan Lewis: There are a number of different agencies responsible for delivering different aspects of the skills agenda in the West Midlands. This reflects the wide range of national, regional and local bodies involved in the Government's national skills strategy. The strategy aims to integrate existing structures and focus them more effectively through stronger partnerships at national and regional level.

At regional level, we have asked each Regional Development Agency to work with delivery partners to create a Regional Skills Partnership. These will bring together the Learning and Skills Council, the Small Business Service, Jobcentre Plus, the Skills for Business network, Government Offices and others with an important regional perspective. Regional Skills Partnerships will address regional economic competitiveness and deliver the agenda set out in the Skills Strategy for their region.

Streaming

Mr. Gibb: To ask the Secretary of State for Education and Skills if he will make a statement on the educative value of ability grouping for English lessons. [142988]

Mr. Miliband: A review of research conducted by the National Foundation for Educational Research (NFER) in 1998, concluded that there are no significant differences between ability grouping, setting, mixed ability teaching and streaming in terms of outcomes, and that the overall effects are inconclusive. However, the review suggested that it is possible to identify a list of benefits and limitations for the main kinds of grouping at the level of the institution, teacher and pupil.

Pupil grouping by ability is not mandatory for English lessons. It is for schools to develop and determine for themselves, the best form of pupil grouping to meet the learning needs of all their pupils. To support this, both the Primary and the Key Stage 3 National Strategies in English have produced a range of resources for schools to use in meeting the needs of their pupils, particularly those below the expected levels. This allows schools the flexibility of being able to provide for their pupils whole class teaching; short-term optional modules suited to needs and abilities; within class pupil grouping for better differentiation of teaching; mentoring, booster and master class arrangements.

Student Finance

Mr. Drew: To ask the Secretary of State for Education and Skills what the average student loan taken out by students from *(a)* Stroud, *(b)* the South West Region and *(c)* England was in each year since 1999–2000. [143105]

Alan Johnson *[holding answer 9 December 2003]:* The table shows the average full-time income-contingent loan taken out by students in the South West Government Office Region and England.

Average income-contingent[1,2,3] loan taken out by domicile of student-academic years 1999/2000, 2000/01 and 2001/02[4]

	Academic year		
	1999/2000	*2000/01[5]*	*2001/02[6]*
South West Government Office Region[7]	3,240	3,190	3,250
England	3,180	3,160	3,190

[1] Loans available to students who entered higher education from September 1998, excludes the fixed rate loans (£500) for eligible part-time students, introduced in September 2000.

[2] Mandatory award holders, i.e. those eligible for mortgage style loans, made applications for student loans through their education institution; data are therefore not available for these students.

[3] Data at a level below England have been taken from available data and may include a small number of loans which have been authorised for payment but not paid; England data are only those loans actually paid.

[4] Figures have been rounded to the nearest £10.

[5] The apparent fall in the average value of income-contingent loan taken out in 2000/01 can be explained mainly by the fact that this was the third year of this loan scheme; students on the third year of a three year course will receive the final year rate of loan which is at a lower rate as it does not cover the summer vacation. This effect is not present in 1999/2000 and has been levelled out in the years subsequent to 2000/01. Additionally, this is likely to be the first year in which those students on sandwich courses have their placement year and are therefore in receipt of the reduced rate of loan.

[6] Latest year for which data are available.

[7] Government Office Region of domicile of student.

Note:

Data on the average student loan taken out by students from Stroud are not available

Source:

Student Loans Company

Student Loans

Mr. Willis: To ask the Secretary of State for Education and Skills whether his Department will continue to repay student loans for teachers of shortage subjects under the Repayment of Teachers' Loans Scheme; and if he will make a statement. [142650]

Alan Johnson: This Department will continue to repay the student loans of teachers who were accepted onto the scheme during the current three-year pilot. A thorough evaluation of the pilot will be undertaken and will inform the decisions on the scheme's future beyond 2004–05.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the total cost of funding the increased student loan book after the introduction of top-up fees in 2006. [143692]

Alan Johnson: The increase in the amount of student loan after the introduction of variable fees will depend on the following factors: the numbers of students entering Higher Education Institutions (HEIs); the level of fees charged by each HEI; and the proportion of students who choose to take out loans to cover the cost of their fees, and the value of such loans. We will make further details available in the New Year in the Regulatory Impact Assessment, which will set out the financial implications of the policies announced in the Higher Education White Paper.

Workforce Reform

Mr. Willis: To ask the Secretary of State for Education and Skills if he will make a statement on the paper, "Workforce Reform—Blue Skies". [143417]

Mr. Miliband *[holding answer 11 December 2003]*: This note by officials was produced without the authority or knowledge of Ministers. It is not policy and will not become policy.

TREASURY

Cancer

Mr. Clappison: To ask the Chancellor of the Exchequer what the survival rates were for the most common forms of cancer in *(a)* the United Kingdom and *(b)* other members of the European Union in (i) 1997 and (ii) the most recent period for which figures are available. [143724]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. James Clappison, dated 15 December 2003.

As National Statistician, I have been asked to reply to your recent question concerning the survival rates for the most common fofms of cancer in *(a)* the United Kingdom and *(b)* other members of the European Union in (i) 1997 and (ii) the most recent period for which figures are available. [143724]

Comparable information on cancer survival in the European Union is provided by the EUROCARE study. This covers parts of the UK and Europe. The most recently published results from this study are in "Survival of Cancer Patients in Europe: the EUROCARE-2 Study" (IARC Scientific Publications No. 151); a copy is available in the House of Commons Library. These results relate to patients diagnosed with cancer during 1985–89 and followed up to the end of 1994.

Findings from EUROCARE-3 are currently due to be published in the Annals of Oncology in early 2004. This will provide information on survival up to five years after diagnosis for patients diagnosed with cancer during 1990–94 and followed up to the end of 1999.

Ethnic Minorities

Mr. Oaten: To ask the Chancellor of the Exchequer what estimate he has made of the size of the ethnic minority population in England and Wales as a proportion of the general population in 2009. [143404]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Mark Oaten, dated 15 December 2003:

As National Statistician I have been asked to reply to your Parliamentary Question on the estimated ethnic minority population in England and Wales as a proportion of the general population in 2009. (143404)

There are currently no official projections of the ethnic minority population for England and Wales. However, the Office for National Statistics is currently carrying out a research project aiming to produce national and subnational population projections by ethnic group, fully consistent with the official national population projections, using existing data sources.

Customs

Mr. Gray: To ask the Chancellor of the Exchequer (1) when Customs records relating to regulatory controls on the importation of firearms at Farnborough airport in 1999 were destroyed; how many *(a)* prohibited firearms were controlled arising from a single flight arriving in March 1999 and *(b)* non-prohibited firearms were controlled at other times in 1999; and whether the date of March 1999 recorded as the month in which prohibited weapons were controlled at Farnborough has been ascertained from (i) a contemporaneous record and (ii) a secondary record; [143605]

(2) how many prohibited firearms were surrendered to Customs by passengers who arrived at United Kingdom airports in 1999 on civilian flights in such a manner that the incidents were deemed by Customs not to be irregular. [143673]

John Healey: I refer the hon. Gentleman to the answer I gave him on 20 November 2003, *Official Report*, column 1330W. The Customs records referred to in that answer were destroyed in February 2002. The date recorded in relation to the movement of prohibited weapons in March 1999 was obtained from a secondary record.

All four of the firearms controlled by HM Customs and Excise in the single importation in March 1999 were prohibited within the meaning of the Firearms Act 1968.

An accurate total of the number of non-prohibited firearms controlled by Customs at other times in 1999 is no longer available, as the only records still in existence are incomplete.

Information on the numbers of prohibited firearms surrendered at UK airports in 1999 could be provided only at disproportionate cost, and are also likely to be incomplete.

In accordance with international aviation agreements and Civil Aviation Authority regulations, Customs do not regard importations of prohibited firearms by air passengers as irregular where they are declared by:

a sky marshal who holds a firearm for the purposes of protecting and aircraft and its passengers;

a VIP bodyguard;

a properly authorised UK police officer; or

any other passenger who is resident in a foreign state and whose possession of that firearm is lawful in that state.

Customs' normal policy is to require prior notification of the intended arrival of armed sky marshals or bodyguards. Properly authorised police officers may retain possession of their firearms. In other cases Customs detain the firearms and any ammunition, which are then returned to the person on departure from the UK.

Mr. Gray: To ask the Chancellor of the Exchequer whether Customs facilities at Farnborough airport included red and green physical channels in 1999. [143672]

John Healey: Customs controls at Farnborough airport in 1999 operated on the basis of individual clearance of all the incoming international passengers, rather than use of the red and green Channels system.

Departmental Procurement

Mr. Gray: To ask the Chancellor of the Exchequer how much Government Departments spent in procurement *(a)* from the private sector and *(b)* from International Business Machines Corporation and its subsidiaries in each year from 1997–98 to 2002–03. [143675]

Mr. Boateng: This information about expenditure by Government departments with suppliers from the private sector, including International Business Machines and its subsidiaries, could only be obtained from individual departments and agencies. They would need to consider the ability to supply such information in consideration of guidance on disproportionate costs.

Euro

Mrs. Liddell: To ask the Chancellor of the Exchequer if he will provide an update on euro changeover planning *(a)* within Government, *(b)* across the public sector and *(c)* in other areas of the economy. [143225]

Ruth Kelly: The Seventh Report on euro preparations was published on 18 November 2003. The report sets out progress in euro preparations across the UK economy since the Chancellor's statement to the House of Commons on UK membership of EMU on 9 June 2003.

EU Trade

Mrs. Liddell: To ask the Chancellor of the Exchequer (1) what estimate he has made of the number of jobs in England reliant on trade with the EU in *(a)* 2003 and *(b)* each of the past 10 years; [143231]

(2) what estimate he has made of the number of jobs in Wales reliant on trade with the EU in *(a)* 2003 and *(b)* each of the past 10 years; [143253]

(3) what estimate he has made of the number of jobs in Northern Ireland reliant on trade with the EU in *(a)* 2003 and *(b)* each of the past 10 years; [143254]

(4) what estimate he has made of the number of jobs in Scotland reliant on trade with the EU in *(a)* 2003 and *(b)* each of the past 10 years. [143255]

Ruth Kelly: The Treasury estimates that 3 million jobs in the UK are linked, directly and indirectly, to the export of goods and services to the European Union. This figure is based on the assumption that the share of total UK employment associated with UK exports to the EU is equal to the share of total UK value added (GVA) generated by UK exports to the EU. The information necessary to apply the same method to derive comparable estimates for England, Scotland, Wales and Northern Ireland is not available.

Mrs. Liddell: To ask the Chancellor of the Exchequer (1) what estimate he has made of the value of *(a)* exports from Northern Ireland to the EU and *(b)* imports to Northern Ireland from the EU in (i) 2003 and (ii) each of the past 10 years; [143232]

(2) what estimate he has made of the value of *(a)* exports from Wales to the EU and *(b)* imports to Wales from the EU in (i) 2003 and (ii) in each of the past 10 years; [143233]

(3) what estimate he has made of the value of *(a)* exports from Scotland to the EU and *(b)* imports to Scotland from the EU in (i) 2003 and (ii) each of the past 10 years; [143245]

(4) what estimate he has made of the value of *(a)* exports from England to the EU and *(b)* imports to England from the EU in (i) 2003 and (ii) each of the past 10 years; [143246]

(5) what estimate he has made of the value of *(a)* exports from the UK to the EU and *(b)* imports to the UK from the EU in (i) 2003 and (ii) each of the past 10 years. [143252]

Ruth Kelly: The information is given in the tables:

Imports and exports by country or region

Estimates of regional trade with the European Union *£ million*

	1996	*1997*	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*[1]
Exports to EU								
England	70,836	67,937	69,371	71,962	76,613	77,237	80,858	38,460
Wales	4,335	4,171	4,284	4,493	4,884	4,788	4,691	2,361
Scotland	9,327	10,030	11,363	11,141	11,869	9,690	9,291	4,002
Northern Ireland	1,687	1,703	1,766	2,155	2,220	2,294	2,171	1,046
Imports from EU								
England	82,070	82,833	85,819	93,076	95,681	99,901	101,763	51,511
Wales	1,334	1,299	1,649	2,005	2,234	1,999	2,376	1,188
Scotland	3,003	3,288	3,204	3,221	3,539	3,008	3,004	1,341
Northern Ireland	1,421	1,435	1,463	1,520	1,712	2,009	2,084	1,006

[1] January to June.

Notes:

1. Figures from the Regional Trade Statistics series are only available from 1996.
2. The sum of the regions will differ from the UK figures published in the OTS, due to timing and coverage differences.

Imports and exports to/from the UK

UK trade with the European Union *£ million*

	Exports to EU—UK (OTS)[1]	*Imports from EU—UK (OTS)*[1]
1993	63,203	66,879
1994	70,397	74,793
1995	89,054	93,003
1996	95,429	99,390
1997	95,372	100,105
1998	95,087	102,337
1999	97,315	105,164
2000	106,877	111,128
2001	109,123	115,359
2002	109,236	120,362
2003[2]	77,882	92,600

[1] Overseas Trade Statistics. These figures may differ from those published in the Regional Trade Statistics series.

[2] January to September.

European Budget Deficits

Andrew Rosindell: To ask the Chancellor of the Exchequer what assessment he has made of the effects on the UK economy of *(a)* budget deficits in (i) Germany and (ii) France and *(b)* an average euro zone deficit of 3 per cent. [143551]

Ruth Kelly: The Pre-Budget Report 2003 (Cm6042) forecast for the UK economy takes full account of economic developments in the euro area.

Financial Services Markets

Mr. Tyrie: To ask the Chancellor of the Exchequer if he will make a statement on the timing of the N2+2 review of the Financial Services and Markets Act 2000. [143059]

Ruth Kelly: The Government committed to assessing the impact of the Financial Services and Markets Act 2000 (FSMA) on competition two years after it came into force in response to the Cruickshank Report on competition in UK banking.

The review will have three main strands. First, a review of the impact of FSMA on competition. This assessment will be carried out by the Office of Fair Trading. Second, changes to aspects of the FSA's practices and consideration of changes to the Financial Ombudsman Service. The FSA's practices to be examined include the complexity of the FSA's Handbook of Rules and Guidance and its cost-benefit analyses. On the Financial Ombudsman Service, among the issues to be considered are whether Ombudsman decisions should be subject to some form of appeal. The third strand will consider changes to the boundary of regulation, including in respect of advice or information provided by employers to employees about workplace pensions and by Citizens Advice Bureaux and similar advice centres to their clients.

I expect all the strands of the two-year review of FSMA to be completed within a year (with the possible exception of the scrutiny by the Office of Fair Trading).

Further information about the two-year review is in the written statement to Parliament that I made on 4 November 2003, *Official Report*, column 28WS.

Home Equity Release Products

Mr. Gardiner: To ask the Chancellor of the Exchequer (1) what discussions he has had with consumer groups on the prevention of mis-selling of home equity release products; and what impact the new regulatory structure will have on these efforts; [144334]

(2) what steps he is taking to improve the collection of Treasury statistics on the number of equity release products taken out each year; [144335]

(3) what steps are being taken to ensure that the new structure for the regulation of home equity release products allows for the easier collation of statistics on the number of products bought; [144336]

(4) what plans he has to regulate the valuation of properties for people taking out a home reversion policy. [144339]

Ruth Kelly: Mortgage-based equity release plans (lifetime mortgages) will be regulated by the Financial Services Authority (FSA) with effect from 31 October 2004. The FSA has published a consultation paper (CP 197) that sets out proposed reporting requirements for mortgage, insurance and investment firms. Regulated firms will have to provide product sales data regularly, and in particular, firms will be required to report on the type of product sold and the status of the borrower.

The Government published their consultation document on home reversion plans on 11 November and responses are due to be received by 13 February 2004. The issue of property valuation is discussed in paragraphs 21–23. My officials have met representatives of consumer bodies to discuss these proposals on a number of occasions.

Income Tax

Mr. Stevenson: To ask the Chancellor of the Exchequer what the additional revenue raised in Stoke-on-Trent by increasing the basic rate of income tax by one pence would be. [143876]

Dawn Primarolo: The additional full-year yield of increasing the basic rate of income tax by one pence in Stoke-on-Trent is £7.7 million in 2000–01. This estimate is based upon the 2000–01 Survey of Personal Incomes. The effects of the illustrative changes can be scaled up or down over a reasonably wide range. This result excludes any behavioural response to the tax change.

Mr. Stevenson: To ask the Chancellor of the Exchequer what the additional revenue raised in Stoke-on-Trent would be if the top rate of income tax were raised to 50 pence in the pound for income over £100,000 per annum. [143877]

Dawn Primarolo: Reliable information on this is not available.

Inland Revenue Staff

Mr. Gray: To ask the Chancellor of the Exchequer how many of the Inland Revenue employees transferred from the International Division in 2000–01 had immediately prior to transfer worked as part of the Advisory/Casework Team within the International Division. [143603]

Dawn Primarolo: It would be inappropriate to disclose the information requested as it would facilitate the identification of individual members of staff of the Inland Revenue. Exemption 8(a) of the Code of Practice on Access to Government Information applies in this case.

Iraq

Mr. Rosindell: To ask the Chancellor of the Exchequer how much the Government have spent on *(a)* the conflict in Iraq and *(b)* rebuilding the infrastructure in Iraq to date. [143544]

Mr. Boateng: I refer the hon. Member to paragraph 2.57 of the Pre-Budget Report 2003 (Cm 6042).

National Statistics

Dr. Cable: To ask the Chancellor of the Exchequer what the result was of the Treasury's review of pre-release access to National Statistics First Releases and associated briefing; and what changes to *(a)* procedures and *(b)* the list of people having access have resulted from the review. [143412]

Ruth Kelly: The Treasury has not yet formally completed its review of pre-release access to National Statistics First Releases, but certain changes in procedure have already been put in place.

Penrose Report

Norman Baker: To ask the Chancellor of the Exchequer on what date he received *(a)* a draft copy and *(b)* the final copy of the Penrose Report into Equitable Life; when he intends to publish the report; and whether the published version will be in its complete form. [143841]

Ruth Kelly: Treasury Ministers have not received a draft or a final copy of Lord Penrose's report into Equitable Life. Ministers expect that when Lord Penrose does report, he will provide the final version.

Ministers intend to publish the report as soon as is reasonably practicable following its receipt.

Publication will be in full if at all possible.

Pensions

Kevin Brennan: To ask the Chancellor of the Exchequer what estimate he has made of the net cost to the Exchequer caused by short-falls in final salary occupational pension schemes arising from company insolvency since 1997; and if he will make a statement. [143753]

Ruth Kelly: The Pensions Schemes Registry (PSR), administered by the Occupational Pension Schemes Regulatory Authority (OPRA), holds information on the number of final salary schemes which are currently in the winding-up process and the number of schemes which have entered and completed winding-up. The registry database is, however, limited in a number of ways. Consequently, it does not provide all the information requested, though it nevertheless remains the most comprehensive source of information available on the aggregate number of pension schemes in the UK.

According to the PSR's most recent data, around 1,400 private sector final salary schemes were in the winding-up process at the beginning of September, and around 4,800 private sector final salary schemes have completed winding-up. The data do not permit any further analysis on whether these schemes have commenced/completed winding-up prior to 1997. It is not possible to split the above by whether they are connected to a solvent or insolvent employer. No alternative data source exists to provide this information.

There will be a cost to the Exchequer from schemes winding up in deficit, from the loss in income tax receipts on pensions and an increase in income related benefits. As regards estimating the cost to the Exchequer, we have not estimated this due to the above data deficiencies.

Public Expenditure

Mr. Rosindell: To ask the Chancellor of the Exchequer how much the Government have budgeted to spend on *(a)* the reconstruction of Iraq and *(b)* education in the United Kingdom in 2004. [143545]

Mr. Boateng: The information is as follows:

(a) At the International Donor's Conference in Madrid in October, the UK Government committed a total of £544 million to support the reconstruction of Iraq over the three years from April 2003. Of this, £296 million will be for the next two financial years, 2004–05 and 2005–06, including bilateral funds and the UK's share of the proposed EU contribution in Iraq.

(b) Education expenditure in the UK over a very similar period is forecast to be £190 billion (consisting of £58.6 billion in 2003–04, £62.9 billion in 2004–05 and £68.5 billion in 2005–06).

Public Sector Pensions

Mr. Gray: To ask the Chancellor of the Exchequer what the actuarial liability estimated for the future payment of public sector pensions was in each year from 1997–98 to 2002–03; and what the value was of the funds existing in each year to meet this liability. [143615]

Mr. Boateng: I refer the hon. Member to the answer my hon. Friend the Economic Secretary to the Treasury gave to the hon. Member for Aldershot (Mr. Howarth) on 7 January 2003 *Official Report*, column 172W.

Suicides

Mr. Burstow: To ask the Chancellor of the Exchequer if he will list the *(a)* total number and *(b)* number per 100,000 population of suicides amongst adult males in (i) England and (ii) each region in each year since 1997. [143705]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Paul Burstow, dated 15 December 2003:

As National Statistician, I have been asked to reply to your recent question concerning the *(a)* total number and *(b)* number per 100,000 population of suicides amongst adult males in (i) England and (ii) each region in each year since 1997. (143705)

The most recent available mortality data are for the calendar year 2002. The attached table gives suicide figures for each year from 1997 to 2002.

Number of deaths and rates[1] from suicide and injury undetermined whether accidentally or purposely inflicted[2], among adult males (aged 15 years and over) for England and Government Office Regions, 1997-2002[3]

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Number						
England	3,477	3,655	3,601	3,387	3,286	3,225
North east	212	181	209	184	157	187
North west	551	608	552	519	498	456
Yorkshire and the Humber	419	390	391	322	336	310
East Midlands	276	298	318	311	294	258
West Midlands	342	376	409	367	372	370
East of England	317	366	329	319	335	342
London	493	520	479	453	432	450
South east	528	573	550	547	512	521
South west	339	343	364	365	350	331
Rate						
England	18.5	19.4	19.0	17.8	16.9	16.5
North east	21.5	18.4	21.3	18.8	15.9	19.0
North west	21.3	23.5	21.4	20.1	18.9	17.5
Yorkshire and the Humber	22.0	20.4	20.5	16.8	17.4	15.9
East Midlands	17.1	18.4	19.5	19.0	17.8	15.4
West Midlands	16.8	18.4	20.0	18.0	18.0	17.8
East of England	15.3	17.6	15.7	15.1	15.7	16.0
London	18.8	19.8	17.9	16.7	14.9	15.3
South east	17.2	18.6	17.7	17.5	16.2	16.4
South west	17.9	18.1	19.0	18.9	17.9	16.8

[1] Death rate per 100,000 population

[2] The cause of death was defined using the International Classification of Diseases, Ninth Revision (ICD-9) codes E950-E959 and E980-E989 excluding E988.8 for the years 1990 to 2000, and, for the year 2001 and 2002, the International Classification of Diseases, Tenth Revision (ICD-10) codes X60-X84 and Y10-Y34 excluding Y33.9 where the coroner's verdict was pending.

[3] Figures are for deaths occurring per calendar year.

Tourism

Mr. Beggs: To ask the Chancellor of the Exchequer what definition of tourism he uses for tax purposes. [143193]

Dawn Primarolo: There is no definition of "tourism" for tax purposes.

Travel Insurance

Angela Watkinson: To ask the Chancellor of the Exchequer if he will make a statement on the impact of Financial Services Authority regulation of travel insurance on *(a)* business and *(b)* customers. [143415]

Ruth Kelly *[holding answer 11 December 2003]*: The Government published a regulatory impact assessment

(RIA) on 5 June that covered the costs and benefits of implementing FSA regulation of insurance mediation including travel insurance sold as a standalone product. The RIA is available from the Treasury website www.hm-treasury.gov.uk.

Traveller Communities

Mr. Paice: To ask the Chancellor of the Exchequer what measures are in place to ensure that members of traveller communities are assessed for income tax and capital gains tax; and what estimate he has made of their level of tax avoidance. [143924]

Dawn Primarolo: The Revenue adopts an approach to managing non-compliance whereby resources are deployed on the basis of risk assessment.

Weapons Flown Abroad

Mr. Gray: To ask the Chancellor of the Exchequer in what circumstances Customs and Excise seek Civil Aviation Authority approval for flights carrying abroad weapons they have previously confiscated; and how often such approval was sought in respect of flights from Farnborough in 1999. [143886]

John Healey: It is the responsibility of the carrier to determine whether or not the carriage of firearms requires approval from the Civil Aviation Authority under the Air Navigation Order 2000 and, if so, to seek such approval. This applies in cases where Customs have released from control any firearms previously detained on arrival into the United Kingdom. Customs do not collect information on such approvals. Their role is confined to releasing the firearms in such a way as to ensure they are retained on board an aircraft under suitably secure conditions until it departs.

WORK AND PENSIONS

Child Poverty

Linda Perham: To ask the Secretary of State for Work and Pensions what the rate of child poverty is in *(a)* England, *(b)* the UK and *(c)* inner London. [143027]

Mr. Pond: Poverty and social exclusion are complex and multi-dimensional issues, affecting many aspects of peoples' lives-including their living standards, health, housing, the quality of their environment and not just low income. The fifth annual 'Opportunity for all' report (Cm 5956) sets out the Government's strategy for tackling poverty and social exclusion and presents information on the indicators used to measure progress against this strategy.

Specific information regarding low income for Great Britain is available in "Households Below Average Income 1994/95–2001/02".

All publications listed are available in the Library.

Access to Work Scheme

Malcolm Bruce: To ask the Secretary of State for Work and Pensions how many Access to Work applicants *(a)* have applied for sign language interpreting support and *(b)* have been successful since the introduction of the Access to Work scheme; what the average amount of hours of interpreter support awarded has been; and what the average award to people applying for human aids to communication through the Access to Work scheme has been. [140516]

Maria Eagle: The information requested is not routinely collected and could be obtained only at disproportionate cost.

Asbestos

Mr. Carmichael: To ask the Secretary of State for Work and Pensions how many people have died from asbestos-related diseases in the United Kingdom in each year since 1990; and what estimates his Department has made of the number of likely deaths in future years. [140669]

Mr. Browne: The number of deaths in Great Britain due to mesothelioma and asbestosis each year from 1990 is given in the following table. In addition, it is estimated that for each mesothelioma there are one to two lung cancer deaths due to asbestos.

Death statistics for mesothelioma and asbestosis for Northern Ireland are not included.

Deaths from mesothelioma and asbestosis 1990–2001

	Mesothelioma	*Asbestosis*
1990	895	100
1991	1,023	113
1992	1,097	91
1993	1,152	112
1994	1,246	116
1995	1,317	109
1996	1,322	137
1997	1,367	129
1998	1,541	123
1999	1,615	121
2000	[1]1,631	140
2001	[1]1,848	158

[1] Provisional.

Source:

HSE mesothelioma and asbestosis registers.

Statistical modelling has been used to estimate the future peak number of mesothelioma deaths among both males and females. The annual total number of mesothelioma deaths in Great Britain is expected to peak at around 1,950 to 2,450 deaths some time between 2,011 and 2,015. It is estimated that the ratio of one to two of the number of asbestos-related lung cancers to the number of mesotheliomas will decrease slightly over time. No estimates have been made of the likely deaths in future years due to asbestosis.

Assaults on Staff

Mr. Hancock: To ask the Secretary of State for Work and Pensions how many *(a)* physical and *(b)* non-physical assaults there have been on staff in the (i) Employment Service, (ii) Benefits Agency and (iii) Jobcentre Plus in each year since 2001; how many prosecutions resulted; what penalties were handed down; and if he will make a statement. [141504]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Benefits/Pensions

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions if he will assess the *(a)* nature and *(b)* quality of the advice issued by his Department under the Payment Modernisation Project. [143206]

Mr. Pond: The Department's information campaign, to support the move to Direct Payment, provides customers with factual information on the banking options available to them, including information on the Post Office card account.

This information campaign has been produced in consultation with the Post Office and a range of other stakeholders.

Customer information material is tested on groups of customers before it is issued. This helps to ensure that customers are supplied with all the information they need to choose the account option that is right for them and that they can understand that information.

The Department will continue to monitor and evaluate the quality and effectiveness of its customer information material and will make further changes if necessary. Our own internal monitoring suggests that our information material is working well and customers are choosing from all of the account options available to them.

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions how many customers have *(a)* made enquiries about the Post Office card account, *(b)* received invitations to open an account as a result and *(c)* opened such an account. [143207]

Mr. Pond: Key figures on the progress of conversion to Direct Payment are available in the Library, updated every four weeks. Information regarding the number of Post Office card accounts opened is a matter that falls within the responsibilities of Post Office Ltd. (POL).

Mr. Lilley: To ask the Secretary of State for Work and Pensions how much benefit he estimates was fraudulently claimed by claimants using false identities in 2002–03. [140565]

Mr. Pond: The Cabinet Office Study on Identity Fraud published in July 2002 estimated that between £20 and £50 million annually of benefit fraud was a result of benefit claims using false identities.

This estimate remains valid.

Mr. Cousins: To ask the Secretary of State for Work and Pensions what percentage of payments in each category of benefit were paid by order book in each region of the UK for the most recent available period. [142421]

Mr. Pond: The figures in the table have been compiled from data available on 1 November 2003 and show the percentage of accounts paid by Order book, broken down by benefit and Government Office Region.

Percentage

Benefit	*North East*	*North West*	*Yorkshire and Humberside*	*East Midlands*	*West Midlands*	*East of England*
Attendance Allowance (AA)	37.97	30.59	32.31	32.80	36.62	28.67
Bereavement Benefit (BB)	33.59	31.18	30.43	23.40	28.32	18.35
Disability Living Allowance (DLA)	57.81	53.28	53.00	50.01	53.99	44.45
Incapacity Benefit (IB)	63.01	58.35	55.90	52.25	53.86	47.40
Carer's Allowance (CA)	79.77	75.62	75.45	71.61	74.65	66.44
Industrial Injuries (II)	63.77	62.08	69.76	64.19	67.32	65.72
Income Support (IS)	76.14	71.60	71.82	68.47	70.56	64.70
Jobseeker's Allowance (JSA)	0.00		0.00	0.00	0.00	0.00
Pension Credit (PC)	79.06	75.67	76.37	73.54	77.27	70.80
State Pension (SP)	56.60	50.16	50.87	47.50	48.38	39.23
Severe Disablement Allowance (SDA)	67.33	64.33	64.37	61.05	62.59	54.76
Widows Benefit (WB)	59.62	54.15	53.32	48.09	51.70	41.06
Total for All Benefits	60.37	55.33	55.18	51.56	53.59	44.63

Percentage

Benefit	*London*	*South East*	*South West*	*Wales*	*Scotland*
Attendance Allowance (AA)	36.98	27.68	30.29	37.28	37.45
Bereavement Benefit (BB)	26.78	17.44	20.63	33.39	30.96
Disability Living Allowance (DLA)	48.13	42.88	45.57	55.89	54.50
Incapacity Benefit (IB)	53.87	47.44	48.15	61.86	62.36
Carer's Allowance (CA)	71.06	65.65	66.51	76.11	76.07
Industrial Injuries (II)	56.11	50.71	64.47	77.82	69.45
Income Support (IS)	68.52	63.07	64.16	73.80	71.40
Jobseeker's Allowance (JSA)	0.00	0.00	0.00	0.00	0.00
Pension Credit (PC)	70.75	66.32		79.27	77.30
State Pension (SP)	38.23	35.21	41.41	59.43	48.97
Severe Disablement Allowance (SDA)	60.22	53.43	56.84	68.51	61.57
Widows Benefit (WB)	46.70	37.75	42.34	59.34	55.27
Total for All Benefits	46.96	40.89	46.14	61.10	55.27

Notes:

1. Figures relate to payload and not caseload therefore if a claimant is receiving more than one benefit e.g. Pension Credit (PC) and State Pension (SP) but only receives one combined payment through the PC system they will only be shown as having a Pension Credit account and not a State Pension account.
2. Figures quoted are for GB only.

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions what the evidential basis is for the claim in his Department's internal memorandum from the Project Manager for the Payment Modernisation Programme, that paying pensions through Post Office accounts costs 30 times as much as through bank accounts. [143202]

Mr. Pond: The internal memorandum states costs are at least 30 times more for making payments into a Post Office card account than into a bank account. This statement is on the basis that, whereas the financial institutions meet the operating costs of providing their bank accounts, the Government pay additional costs to the Post Office for the provision of the Post Office card account services.

Mr. Cousins: To ask the Secretary of State for Work and Pensions if he will disregard the proposed Child Trust Fund in Housing Benefit and Council Tax Benefit assessments for claimants over the age of 16. [144003]

Mr. Pond: We are considering the precise impact on benefits; however, at present, the general principle is that no account is taken of capital held in trust funds until a young person has access to it.

We are aware of concerns about what would happen when Child Trust Funds are realised when young people reach age 18. We said in the pre-Budget report that we will keep under review the treatment of capital in income related working age benefits so that it strikes a sensible balance between providing targeted state support and not unfairly penalising those who have acted responsibly by saving.

Big Conversation

Mr. Heald: To ask the Secretary of State for Work and Pensions what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143159]

Maria Eagle: I refer the hon. Member to the answer given by my right hon. Friend the Leader of the House of Commons on 9 December 2003, *Official Report*, column 355W.

Carers Allowance

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions how many people *(a)* over and *(b)* under 65 were entitled to carers allowance but did not receive payment in each (i) Scottish constituency and (ii) local authority area in the last year for which figures are available. [143718]

Maria Eagle: Information on the numbers of people in Scotland entitled to carers allowance, but not receiving payment due to the overlapping benefit regulations, is in the tables.

People in Scottish local authorities who were entitled to carers allowance but were not receiving payment on 31 May 2003

		May 2003	
Local authorities	*All*	*Under 65*	*65 and over*
All	15,155	8,665	6,490
Aberdeen City	350	205	150
Aberdeenshire	350	210	140
Angus	330	150	185
Argyll and Bute	155	95	60
Scottish Borders, The	250	130	120
Clackmannanshire	150	90	60
West Dunbartonshire (previously Dumbarton and Clydeback)	455	215	240
Dumfries and Galloway	505	275	225
Dundee City	720	320	400
East Ayrshire	430	250	185
East Dunbartonshire	205	120	85
East Lothian	250	135	115
East Renfrewshire	135	80	55
Edinburgh, City Of	790	450	340
Falkirk	380	210	170
Fife	730	450	280
Glasgow City	2,615	1,575	1,040
Highland	470	285	185
Inverclyde	300	195	105
Midlothian	210	125	85
Moray	170	95	75
North Ayrshire	385	250	135
North Lanarkshire	1,215	790	425
Orkney Islands	25	15	10
Perth and Kinross (previously Perthshire and Kinross)	320	155	165
Renfrewshire	490	285	205
Shetland Islands	25	20	5
South Ayrshire	365	195	165
South Lanarkshire	1,255	755	500
Stirling	215	135	80
West Lothian	840	365	475
Comhairle nan Eilean Siar (previously Western Isles)	80	45	35

People in Scottish parliamentary constituencies who were entitled to carers allowance but were not receiving a payment as at 31 May 2003

		May 2003	
Parliamentary constituencies	*All*	*Under 65*	*65 and over*
All	15,155	8,665	6,490
Aberdeen Central	95	50	45
Aberdeen North	150	90	60
Aberdeen South	105	60	45
Airdrie and Shotts	335	220	115
Angus	220	100	120
Argyll and Bute	115	70	45
Ayr	210	115	95
Banff and Buchan	185	115	70
Caithness Sunderland and Easter Ross	145	95	50
Carrick Cumnock and Doon Valley	345	200	145
Central Fife	190	120	75
Clydebank and Milngavie	275	135	140
Clydesdale	370	220	145
Coatbridge and Chryston	290	175	110
Cumbernauld and Kilsyth	175	120	55
Cunninghame North	175	115	60
Cunninghame South	205	135	75
Dumbarton	250	120	130
Dumfries	280	160	115
Dundee East	335	145	190
Dundee West	385	175	210
Dunfermline East	140	100	40
Dunfermline West	120	75	45
East Kilbride	265	135	130
East Lothian	210	115	95
Inverclyde	300	195	105
Midlothian	210	125	85
Moray	170	95	75
North Ayrshire	385	250	135
North Lanarkshire	1,215	790	425
Orkney Islands	25	15	10
Perth and Kinross (previously Perthshire and Kinross)	320	155	165
Renfrewshire	490	285	205
Shetland Islands	25	20	5
South Ayrshire	365	195	165
South Lanarkshire	1,255	755	500
Stirling	215	135	80
West Lothian	840	365	475
Comhairle nan Eilean Siar (previously Western Isles)	80	45	35

Child Support Agency

Mr. Goodman: To ask the Secretary of State for Work and Pensions when he will write to the hon. Member for Wycombe about the Child Support Agency with reference to the debate in Westminster Hall on 12 November. [140902]

Mr. Pond: A letter was sent to the hon. Member for Wycombe on 3 December 2003.

Mr. Goodman: To ask the Secretary of State for Work and Pensions if he will make a statement on the implications of the appeal by Helena Smith against the Child Support Agency. [141261]

Mr. Pond: The period for appeal against the decision has not yet expired. However, the Agency is issuing guidance to its staff to assist them in handling inquiries arising from the decision.

Mr. Laurence Robertson: To ask the Secretary of State for Work and Pensions what account the Child Support Agency takes of court orders when assessing the level of maintenance to be paid by non-resident parents; and if he will make a statement. [141937]

Mr. Pond: Where an application to the Child Support Agency is made as a result of a parent with care claiming a relevant benefit, any court order for the child concerned is cancelled.

Under the new child support scheme, in non-benefit cases either parent can choose to use the services of the Agency even though they may have a court order. In such cases the court order is cancelled. The new provisions only apply to court orders made on or after 3 March 2003 and provided that the order has been in place for at least a year.

Court orders for other children may be taken into account when the Agency determines a non-resident parent's liability for child support maintenance.

Child Support Payments (North-west)

Mr. Woodward: To ask the Secretary of State for Work and Pensions how many and what proportion of families are entitled to child support payments in *(a)* St. Helens, *(b)* Merseyside and *(c)* the North West region in the last year for which figures are available. [141299]

Mr. Pond: The information is in the table.

Number and proportion of families entitled to Child Support payments at 30 November 2002

	Number of families (Thousand)	*Total number of Child Benefit families (Thousand)*	*Proportion of families entitled to Child Support payments (%)*
St. Helens	4.6	22.1	20.9
Merseyside	32.9	173.6	18.9
North West	148.3	848.1	17.5

Notes

1. CSA figures include all full maintenance assessment cases only and include direct pay cases and zero assessments.
2. CSA figures produced using IAD 5 per cent. scan of Child Support Computer System (CSCS) and therefore may be subject to sampling variation.
3. Figures are in thousands and rounded to the nearest hundred.
4. As a family can occasionally be part of more than one CSA case (when a parent with care has children by more than one non-resident parent) these figures represent a small over-estimate.
5. The proportion of families entitled to Child Support payments is derived by comparing the number of CSA cases with the number of families in receipt of Child Benefit.

Council Tax Benefit

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions what estimate his Department has made of the number of pensioners eligible for council tax benefit in Blackpool. [141362]

Mr. Pond: I regret that the information is not available in the format requested.

Statistics for Great Britain are presented in the DWP series "Income Related Benefits Estimates of Take-Up". The latest estimates relate to financial year 2000–01 and are in the Library.

Disability Living Allowance

John Barrett: To ask the Secretary of State for Work and Pensions how many people in *(a)* City of Edinburgh local authority area, *(b)* the Edinburgh West parliamentary constituency, *(c)* Scotland and *(d)* the UK are in receipt of (i) the middle rate of disability living allowance care component, (ii) the higher rate of disability living allowance care component and (iii) the higher rate of the disability living allowance mobility component. [142831]

Maria Eagle: The breakdown by area and component of disability living allowance received is outlined in the tables:

DLA by local authority as at 31 May 2003

Thousand

Edinburgh LA	
All	18.5
Highest rate care and higher rete mobility	3.0
Highest rate care and lower rate mobility	0.9
Highest rate care only	*0.3
Middle rate care and higher rate mobility	3.0
Middle rate care and lower rate mobility	2.3
Middle rate care only	0.6
Lowest rate care and higher rate mobility	1.9
Lowest rate care and lower rate mobility	1.0
Lowest rate care only	1.3
Higher rate mobility only	3.3
Lower rate mobility only	0.9

DLA by parliamentary constituency as at 31 May 2003

Thousand

Edinburgh West Parliamentary constituency	
All	2.6
Higher rate care and higher rate mobility	*0.3
Higher rate care and lower rate mobility	*0.1
Higher rate care only	*0.1
Middle rate care and higher rate mobility	*0.4
Middle rate care and lower rate mobility	*0.4
Middle rate care only	*0.1
Lower rate care and higher rate mobility	*0.3
Lower rate care and lower rate mobility	*0.2
Lower rate care only	*0.2
Higher rate mobility only	*0.4
Lower rate mobility only	*0.1

DLA by government office region as at 31 May 2003

Thousand

	GB	*Scotland*
All	2,497.6	277.7
Highest rate care and higher rate mobility	378.1	44.3
Highest rate care and lower rate mobility	110.3	12.9
Highest rate care only	41.2	3.6
Middle rate care and higher rate mobility	367.3	45.2
Middle rate care and lower rate mobility	286.5	33.0
Middle rate care only	102.6	8.8
Lowest rate care and higher rate mobility	342.1	34.5
Lowest rate care and lower rate mobility	107.5	12.6
Lowest rate care only	187.9	17.1
Higher rate mobility only	469.9	54.3
Lower rate mobility only	104.1	11.5

Source:

IAD Information Centre, 5 per cent.

Sample

Figures are in thousands and rounded to the nearest hundred.

Figures marked * are less than 500 and subject to a high degree of sampling variation. From November 2002, the methodology for producing these figures was changed to allow statistics to be published much sooner. This has resulted in a small increase in the reported caseload. This is because some cases which have actually terminated but have not yet been updated on the computer system are now included.

Mr. Donohoe: To ask the Secretary of State for Work and Pensions how many people were found to be fraudulently claiming the disability living allowance in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [141928]

Maria Eagle: Information on Disability Living Allowance fraud investigations is recorded by financial year rather than calendar year. The available information is in the table:

Year	*DLA Fraud investigations which resulted in a change in the rate of benefit and/or an overpayment*
April 2000-March 2001	1,546
April 2000-March 2002	1,381
April 2000-March 2003	1,275

Source:

DLA Fraud Database

Fareham Jobcentre

Mr. Hoban: To ask the Secretary of State for Work and Pensions (1) how many staff are located at the former jobcentre premises at 187–199 West Street, Fareham; [143697]

(2) what the *(a)* annual rental and *(b)* unexpired lease period is of the former jobcentre premises at 187–199 West Street, Fareham; [143698]

(3) if he will make a statement on the future use by the Department of the former jobcentre premises at 187–199 West Street, Fareham. [143699]

Mr. Browne *[holding answer 11 December 2003]*: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Gifts of Cash

Mr. Cousins: To ask the Secretary of State for Work and Pensions what plans he has to issue guidance that small gifts of cash to relatives under the age of 18 will be exempted from the Pension Credit and Income Support deprivation of capital requirements. [144002]

Malcolm Wicks: As with all the income related benefits, someone may be treated as having capital they do not actually have if they deliberately deprive themselves of the resource to secure or increase entitlement to Pension Credit, but it is not necessarily the case that they will be. The main purpose of this is to guard against people giving away capital with the intention of increasing benefit entitlement.

In addition, in Pension Credit people will not be treated as depriving themselves of capital if they have used their resources to reduce or repay a debt (for example, a mortgage), or to buy something which was reasonable in their circumstances (for example, a car). This is part of normal financial planning which people age 60 and over may undertake, particularly on retirement.

Guidance provides that decisions must be made in the light of the circumstances of each case and the considerable body of case-law which has developed on similarly worded provisions.

Guaranteed Minimum Pension

Mr. Woodward: To ask the Secretary of State for Work and Pensions (1) what steps the Government have taken since May 1997 to ensure that members of final salary pension schemes were made aware of risks to their accrued pension rights upon employer insolvency and scheme wind-up; [142380]

(2) what the Government's policy is on advising existing pension scheme members of risks to their pension rights as a consequence of employer insolvency. [142384]

Malcolm Wicks: The Government encourage anyone considering joining or leaving a pension scheme to obtain as much information as possible about the options open to them and to seek independent financial advice. As well as highlighting further sources of information, leaflets published by the Pensions Service provide basic information on occupational pensions for people to use as they decide the best way in which to provide for their retirement. Similar information aimed at pension providers is published by the Inland Revenue.

Occupational pension schemes are provided voluntarily by employers and the trustees are required as a minimum to make funding information available to members as part of the annual report. It is the responsibility of employers and scheme trustees to monitor how scheme assets compare with scheme liabilities and take whatever action is required to address any funding shortfall, working within the legislative framework provided by the Government. To reduce the risks to members' accrued pension rights as a consequence of employer insolvency, the Government is introducing the new Pension Protection Fund. The introduction of new scheme-specific funding requirements will raise member awareness and understanding by requiring that trustees send regularly updated information to scheme members each year, containing key information about the funding position of their scheme.

Housing Benefit

Lynne Jones: To ask the Secretary of State for Work and Pensions what the average cost was in 2002–03 of housing benefit payments made to *(a)* council tenants, *(b)* tenants of registered social landlords and *(c)* private tenants. [142605]

Mr. Pond: The information is in the table.

Average weekly HB by tenure in Great Britain 2002–03

Tenure	*Average weekly housing benefit (£)*
Local authority	47.00
Registered social landlord	63.90
Private (excluding registered social landlord)	71.40

Notes:

1. The data refers to benefit households claiming housing benefit, which may be a single person or a couple or a family. More than one benefit household can live in one property, for example two or more adults in a flat or house share arrangement.

2. The average amounts have been rounded to the nearest 10 pence.

3. Figures for any non-responding authorities have been estimated.

4. Figures exclude any Extended Payment cases.

5. The figures are averages taken from the four quarters May, August, November 2002 and February 2003.

Source:

Housing benefit and council tax benefit Management Information System Quarterly 100 per cent. caseload stock-count taken in May, August, November 2002 and February 2003.

Income Support/Jobseeker's Allowance

John Barrett: To ask the Secretary of State for Work and Pensions how much money was claimed in *(a)* income support and *(b)* jobseeker's allowance between October 2001 and September 2002. [142832]

Mr. Pond: The information is in the table.

Amount of income support and jobseeker's allowance paid out between October 2001 and September 2002

	£ million
Income support	9,640
Jobseeker's allowance	2,260

Notes:

1. Figures are rounded to the nearest £10 million.

2. The income support figure is for income support paid to people under 60 years of age. Persons over 60 years of age were paid the minimum income guarantee.

Source:

In-year Monitoring of Benefit Expenditure Reports

Jobcentre Plus

Mr. Viggers: To ask the Secretary of State for Work and Pensions what plans he has for the development of a Jobcentre Plus office in Gosport. [141827]

Mr. Browne *[holding answer 10 December 2003]*: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Mr. Peter Viggers, dated 15 December 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply direct to your question about the development of Jobcentre Plus in Gosport. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

Jobcentre Plus has been established to deliver a radical change in the way that benefits and employment services are provided to people of working age. By 2006, we plan to introduce a network of around 1,000 fully integrated Jobcentre Plus offices.

Through the development of these new modern offices, Jobcentre Plus will provide an integrated, work-focused service to all people of working age. The introduction of work-focused interviews is extending the opportunity to more people to take advantage of the help, guidance and support we can provide to assist them to move into sustainable employment. We are also introducing new services for employers, which will help them fill vacancies more quickly with well-prepared and motivated employees.

The Jobcentre Plus Implementation Programme for Hampshire commenced in June 2002. Early on in the process, it became apparent that, for Gosport, the existing Jobcentre premises in South Street would not be suitable for the delivery of the new Jobcentre Plus services.

Following a lengthy search and subsequent negotiations, suitable premises have now been secured. Work to convert and refurbish the site, situated next to the Iceland store in Walpole Road, commenced Monday 1 December, with the new office, which will offer the full range of Jobcentre Plus services, due to open in May 2004. While the work is in progress, the existing Jobcentre in South Street, together with the Social Security Office in the High Street will continue to operate as normal. In May 2004, following the opening of the new office, the existing Jobcentre in South Street will close. In addition to the new premises in Walpole Road, the Social Security Office will continue to offer access to the Social Fund and issue counter payments to customers.

I hope this is helpful.

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions when he will answer the letter from the hon. Member for Isle of Wight of 14 October 2003 about Jobcentre Plus jobs on the Isle of Wight. [142967]

Mr. Browne *[holding answer 9 December 2003]*: I regret we have no record of the hon. Member's letter. If he would send a copy to me I will arrange for it to be considered urgently.

Jobseeker's Allowance

Mr. Cousins: To ask the Secretary of State for Work and Pensions how many Jobseeker's Allowance claimants are signed up for further education courses for less than 16 hours; and what plans he has to extend the hours of coursework acceptable within his Department's guidelines. [142585]

Mr. Browne *[holding answer 9 December 2003]*: Information about the number of jobseekers who are engaged in part-time courses for less than 16 hours a week is not routinely collected and could be obtained only at disproportionate cost.

People in receipt of Jobseeker's Allowance can undertake part-time learning provided they are available for and actively seeking work and have a valid Jobseeker's Agreement which takes their learning into consideration. We have no plans to extend the number of hours that are regarded as part-time learning.

The Social Security system is not intended to finance education—this is a matter for the educational authorities and the Department for Education and Skills. Most students engaged in full-time education are not entitled to Jobseeker's Allowance.

Jobcentre Plus has a wide range of programmes, such as the New Deals and Work Based Learning for Adults (in England), to help jobseekers gain the skills they need to help them find work. For people who wish to pursue full-time learning, there are various Adult Learning funding options available through the Department for Education and Skills.

Late Payment of Debt

Brian Cotter: To ask the Secretary of State for Work and Pensions how many claims for statutory interest payments have been submitted to his Department under the terms of the Late Payment of Debt Act 1998; how many claims were met; and what the total value was of such payments in each year since the Act has been in operation. [141599]

Mr. Browne: I refer the hon. Member to the written answer given by my hon. Friend the Member for Edinburgh, South (Nigel Griffiths) on 3 December 2003, *Official Report*, column 102W.

Legislation

Mr. Redwood: To ask the Secretary of State for Work and Pensions what percentage of *(a)* primary and *(b)* secondary legislation sponsored by his Department in 2002–03 was introduced to implement EU requirements. [141128]

Mr. Pond: The Department did not sponsor any primary legislation during the 2002–03 Session (13 November 2002–20 November 2003).

The Department was responsible for the making of 97 General Statutory Instruments during the 2002–03 Session (including 11 from the Health and Safety Executive), some of which consolidated and revoked previous instruments. 9.27 per cent. of the total (nine Statutory Instruments, including seven from the Health and Safety Executive) give effect to EU requirements.

Local Authorities

Mr. Clifton-Brown: To ask the Secretary of State for Work and Pensions when the Government will issue the new regulations for payment and associated operations for *(a)* council tax benefit and *(b)* housing benefit by local authorities; and whether local authorities will be fully reimbursed by his Department for payments made under these benefits. [144195]

Mr. Pond: We have recently conducted a review of the Housing Benefit (HB) and Council Tax Benefit (CTB) subsidy rules and rates. Details of the new rules and rates, which are clearer and simpler to administer, were issued to all local authorities in HB/CTB Circular S9/2003, a copy of which is in the Library. Local authorities will be fully reimbursed for all correctly paid HB and CTB.

The Income-related Benefits (Subsidy to Authorities) Order 1998 (SI1998 No 562) and amendments provide the legislative basis of subsidy payments to authorities. The new rules and rates will be incorporated in an amendment to this Order which will be laid, in accordance with the normal practice, after the end of the 2004–05 year.

Ministerial Correspondence

David Winnick: To ask the Secretary of State for Work and Pensions when he will give a substantive reply to the letter of 23 October 2003 from the hon. Member for Walsall North, ref. PQ/03/400456. [143958]

Maria Eagle: I replied to the hon. Member today.

New Deal for Disabled People

Mr. Goodman: To ask the Secretary of State for Work and Pensions (1) how many people in the Wycombe constituency have *(a)* been registered and *(b)* found work under the New Deal for Disabled People this year; [143847]

(2) what organisations have helped to *(a)* register and *(b)* find work for people in the Wycombe constituency under the terms of the New Deal for Disabled People; and how many people each organisation has helped in each category. [143848]

Mr. Browne: Information about New Deal for Disabled People performance is not available by constituency.

There are four Job Brokers delivering New Deal for Disabled People in the Wycombe constituency: Support Shop Ltd.; Yes2Work; Shaw Trust; and Scout Enterprises (Western).

The latest national performance statistics are that, between July 2001 and September 2003, over 57,000 disabled people registered to find work; over 15,500 found work; and over 5,900 achieved sustained employment.

Notes:

1. Overall Performance and Resource Agreement (PRA) job entries in life of programme total over 20,000.

2. Sustained employment is defined as where a person remains in work for six months or more.

Source:

DWP statistics

Parents with Care

Mr. Webb: To ask the Secretary of State for Work and Pensions how many and what percentage of Child Support Agency parents with care were in receipt of *(a)* income-based jobseeker's allowance and income support and *(b)* working families tax credit in each of the last six years. [141528]

Mr. Pond: The information is in the table.

Benefit status of Parent/Person with Care

		Income Support		JSA (IB)		Family Credit		WFTC	
February	*Total*	*Thousands*	*%*	*Thousands*	*%*	*Thousands*	*%*	*Thousands*	*%*
1998	662.0	300.0	45.3	8.2	1.2	128.6	19.4	—	—
1999	826.8	356.8	43.2	9.6	1.2	171.2	20.7	—	—
2000	946.3	385.2	40.7	13.1	1.4	26.5	2.8	192.0	20.3
2001	998.5	393.3	39.4	10.8	1.1	—	—	244.6	24.5
2002	1,031.8	383.0	37.1	9.2	0.9	—	—	261.8	25.4
2003	957.4	355.6	37.1	6.9	0.7	—	—	278.4	29.1

Notes

1. All data taken from the published Quarterly Summary Statistics for the Child Support Agency.
2. The figures are based on a 5 per cent. scan of CSCS and therefore may be subject to sampling variation.
3. PWC benefit status derived using data on the IS, JSA and Family Credit/WFTC computer systems.
4. The figures are for cases with a full maintenance assessment.
5. The figures are for the February quarter because this is the latest point for consistent CSA data and data for WFTC.

Pension Credit

Mr. Cousins: To ask the Secretary of State for Work and Pensions whether pension credit applications can also indicate whether an entitlement to council tax benefit exists; and whether this information is passed to the *(a)* council tax benefit authority and *(b)* applicant for pension credit. [142657]

Malcolm Wicks: The Pension Credit application process alerts customers to the possibility of entitlement to housing benefit and council tax benefit and enables them to ask for a claim form for completion and return to the appropriate local authority. Entitlement to the guarantee credit element of Pension Credit provides linked entitlement to full housing benefit and council tax benefit. Information about Pension Credit awards is provided automatically to local authorities to enable them to determine entitlement to housing benefit and council tax benefit. Notification to customers about entitlement to housing benefit and council tax benefit is the responsibility of the appropriate local authority.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the additional cost of halving the assumed rate of income currently used to assess pension credit applications. [143088]

Malcolm Wicks: The additional cost of halving the assumed rate of income currently used to assess pension credit applications is estimated to be £220 million.

Notes:

1. Figure is rounded to the nearest £10 million.
2. Estimates relate to the year 2004–05.

Pensioner Poverty

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will update the table submitted by his Department to the Committee of Public Accounts and published in the 12th Report of Session 2002–03 on tackling pensioner poverty, Ev.20, setting out expenditure and out-turn for income support for the elderly and minimum income guarantee, to include figures for 2002–03. [143080]

Malcolm Wicks: The information requested is given in the following table updated with 2002–03 figures.

Income support for elderly/minimum income guarantee-expenditure and out-turn

£ million cash

Departmental report cash or resource basis	*1997–98 Cash*	*1998–99 Cash*	*1999–2000 Cash*	*2000–01 Cash*	*2001–02 Resource*	*2002–03 Resource*
Provision	3,878	3,776	3,827	4,052	4,540	4,275
Actual spending	3,773	3,619	3,781	3,984	4,486	4,481
Under (–)/over (+) spend	-105	-157	-47	-68	-55	+206

Notes:

1. Numbers may not sum due to rounding.
2. 2000–01 plans were on a cash basis, published out-turn on a resource basis. To ensure consistency we have quoted the unpublished cash out-turn.
3. 2002–03 actual spending is an expected out-turn figure which was published at Budget 2003. The final out-turn figure will be published shortly in the Department for Work and Pensions Resource Accounts.

Post Office Card Account

Mr. Andrew Turner: To ask the Secretary of State for Work and Pensions what monitoring takes place of the standard of response to telephone calls to his Department by claimants seeking to open Post Office Card Accounts. [142428]

Mr. Pond *[holding answer 8 December 2003]*: The standard of responses to telephone calls received by the Customer Conversion Centre (CCC) is subject to quality assurance monitoring, in keeping with industry practice, to ensure that agreed service standards are maintained.

All calls to the CCC are recorded and a selection of the calls are evaluated on a weekly basis.

Unemployment

Mr. Gibb: To ask the Secretary of State for Work and Pensions how many economically inactive people of working age were seeking employment in each year between 1992 and 2002; how many workless households there were in each year; and if he will make a statement. [143132]

Ruth Kelly: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Mr. Nick Gibb, dated 15 December 2003:

As National Statistician, I have been asked to reply to your Parliamentary Question about economically inactive people of working age seeking employment and the number of workless households. (143132)

The attached table gives the information requested for the three month periods ending May each year. These estimates are from the Labour Force Survey (LFS).

Economically inactive people seeking employment are not classified as unemployed in the United Kingdom statistics unless, following the International Labour Organisation guidelines, they are also available to start work within the two weeks following their LFS interview. The figures shown in the table are for the group of people who stated they were not available to start work within that period.

A workless household is a household that includes at least one person of working age where no-one present is in employment.

The LFS is a sample survey and, as with any sample survey, the estimates are subject to sampling variability.

United Kingdom *Thousands*

March to May	*Economically inactive people of working age*[1] *seeking employment (seasonally adjusted)*	*Number of workless households (not seasonally adjusted)*
1992	—	3,043
1993	274	3,283
1994	227	3,391
1995	237	3,446
1996	183	3,444
1997	205	3,271
1998	217	3,237
1999	212	3,158
2000	189	3,070
2001	194	3,063
2002	183	3,133
2003	197	3,043

[1] Men aged 16–64 and women aged 16–59.

— Due to questionnaire routing error, figures for 1992 are incorrect and therefore are not shown.

Those for workless households have not yet been subject to this adjustment.

Source:

Labour Force Survey (ONS)

Winter Fuel Payment

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate how many single *(a)* women and *(b)* men in 2003 will reach the age of 60 years after the qualifying week for Winter Fuel Payment eligibility, but before 25 December. [143085]

Malcolm Wicks: It is estimated that around 23,000 single women and 18,000 single men will reach the age of 60 after the qualifying week of 15 to 21 September 2003 but before 25 December 2003 in Great Britain.

We estimate around 11.5 million people will be eligible for a Winter Fuel Payment this winter and 11,316,111 payments have been issued to date.

Notes:

1. The figures have been calculated using the latest GAD population projections and the 2001 Census data.

2. Those recorded by the Census as being widowed or divorced have been included as being single.

3. The figure for entitlement should not be used to calculate take-up. It is an estimate and therefore subject to margins of error, the number of recipients will rise as late claims are proceeded.

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate how many single *(a)* women and *(b)* men in 2003 will reach the age of 80 years after the qualifying week for the 80 + Winter Fuel Payment eligibility, but before 25 December. [143086]

Malcolm Wicks: It is estimated that around 36,000 single women and 12,000 single men will reach the age of 80 after the qualifying week of 15 to 21 September 2003 but before 25 December 2003 in Great Britain.

We estimate over two million people in Great Britain will be eligible for the 80 + Annual Payment this winter and almost all have received their extra entitlement with their Winter Fuel Payment.

Notes:

1. The figures have been calculated using the latest GAD population projections and the 2001 Census data.

2. Those recorded by the Census as being widowed or divorced have been included as being single.

3. Virtually all cases aged over 79 will be in receipt of State Retirement Pension, or another DWP benefit, and will therefore be paid automatically.

TRANSPORT

End of Life Vehicles Directive

Mrs. Spelman: To ask the Secretary of State for Transport what measures are being implemented to prevent the Continuous Registration system of cars being circumvented, with regard to the End of Life Vehicles Directive. [143956]

Mr. Jamieson: The End of Life Vehicles Directive requires member states among other thing, to put in place measures to ensure that end of life vehicles are disposed of cleanly. In most cases initially, this will be by vehicle keepers and after 2007, by producers.

The purpose of continuous registration is to maintain an accurate vehicle register entry for every vehicle in use. In the event that it is disposed of by scrapping, the last keeper will be issued with a certificate of destruction by the DVLA. Under continuous registration the keeper is continuously responsible for licensing or declaring a Statutory Off Road Notice on their vehicle every year until transfer to another keeper or disposal.

A449

Mr. Luff: To ask the Secretary of State for Transport if he will make a statement on the timetable for improving the safety of the A449 between Claines Roundabout and Ombersley. [143926]

Mr. Jamieson: The Highways Agency will be conducting a safety study on this section of the A449 within the next three months to develop a package of measures to improve safety. Any recommendations from this study will be added to the programme of safety improvements.

Aircraft (Pollution)

Dr. Tonge: To ask the Secretary of State for Transport what assessment he has made of technological improvements in aircraft which will be available to reduce levels of nitrogen dioxide by 2010. [144193]

Mr. McNulty: The Government keep abreast of emissions technology developments and future prospects through direct contact with the industry and through international regulatory discussions. Significant advances are forecast for reducing emissions of oxides of nitrogen (NO_x) for engines due to enter service before 2010.

In the context of air quality assessment work supporting decisions to be announced in the forthcoming White Paper, DfT has examined emissions technology developments out as far as 2020.

Aircraft Noise

Mrs. Gillan: To ask the Secretary of State for Transport which areas he expects would be affected by aircraft noise following the possible construction of a third runway at Heathrow Airport. [144084]

Mr. McNulty: The areas that would be affected are set out in Chapter 7 of the consultation document "The Future Development of Air Transport in the United Kingdom: South East, Second Edition", published in February 2003, pages 56 and 57.

Mrs. Gillan: To ask the Secretary of State for Transport what estimate his Department has made of the level of increase in noise that residents living under and around the flight path would experience following the possible construction of a third runway at Heathrow Airport. [144085]

Mr. McNulty: The level of increase in noise would depend on the distance of individual residents from the proposed runway and its flight paths and the level of other existing noise sources. Illustrative noise contours, and the areas and populations contained within them at 3dBA intervals from 54dBA Leq up to 72dBA Leq are set out in Chapter 7 of the consultation document, "The Future Development of Air Transport in the United Kingdom: South East, Second Edition", published in February 2003, pages 56 and 57.

Mrs. Gillan: To ask the Secretary of State for Transport what action he would take to mitigate the effects of aircraft noise on residents living under or around the flight path if a third runway at Heathrow Airport was constructed. [144087]

Mr. McNulty: We asked for views on noise mitigation and compensation measures in Chapter 16 of the consultation document, "The Future Development of Air Transport in the United Kingdom: South East, Second Edition", published in February 2003, pages 144 to 149. Having considered the responses carefully, we will set out our conclusions in the White Paper to be published shortly.

Mrs. Gillan: To ask the Secretary of State for Transport whether the expected noise impact of a third runway at Heathrow Airport would breach the limitations on noise set out in the package of measures imposed by the Inspector for the Terminal 5 Inquiry as a condition for construction of a fifth terminal. [144088]

Mr. McNulty: The planning conditions for construction of Terminal 5, which were imposed by my right hon. Friend the Member for Tyneside, North (Mr. Byers) included a restriction, to apply from 2016, on the area enclosed by the 57dBA Leq 16-hour (0700–2300) noise contour to 145 square kilometres. Information illustrating the likely noise impact of a third runway was set out in Chapter 7 of the consultation document, "The Future Development of Air Transport in the United Kingdom: South East, Second Edition", published in February 2003, page 56.

Mrs. Gillan: To ask the Secretary of State for Transport whether aircraft using the proposed third runway at Heathrow Airport would be permitted to take off and land during the night. [144089]

Mr. McNulty: Restrictions on night movements at Heathrow will be decided in the light of periodic consultations on that issue.

Dr. Tonge: To ask the Secretary of State for Transport what action his Department is taking to reduce the level of noise pollution caused by *(a)* aircraft flying into and out of Heathrow airport *(b)* surface access routes into and out of Heathrow airport; and whether these measures would be affected by a further runway. [144115]

Mr. McNulty: Noise from aircraft flying into and out of Heathrow airport is regulated by Notices made under section 78 of the Civil Aviation Act 1982. These include night restrictions, departure noise limits, noise preferential routes and approach procedures. Noise from surface access modes is treated essentially as for those sources on non-airport routes or journeys. The noise implications of a further runway at Heathrow were set out in the consultation on the "Future Development of Air Transport in the United Kingdom (South East)".

Simon Hughes: To ask the Secretary of State for Transport what the total *(a)* area and *(b)* population affected by aircraft noise was within (i) 57 Leq Contour, (ii) 63 Leq Contour and (iii) 69 Leq Contour and above at (A) Gatwick, (B) Stansted and (C) City airports in each of the last five years. [144170]

Mr. McNulty: The information for Gatwick and Stansted airports is provided in the following tables. London City airport produces maps showing the 57dBA Leq contour and 60dBA Leq contour but the information is not available in the form requested.

Gatwick airport

	1998	*1999*	*2000*	*2001*	*2002*
Area (sq. kms) within:					
57 Leq contour	76.8	71.4	71.9	55.9	45.2
63 Leq contour	28.2	26.4	26.4	19.6	15.8
69 Leq contour	9.7	8.9	9.0	6.0	4.6
Population (thousand) within:					
57 Leq contour	9.0	7.8	8.7	5.2	3.5
63 Leq contour	1.4	1.4	1.4	0.8	0.5
69 Leq contour	0.3	0.3	0.2	0.1	0.1

Stansted airport

	1998	*1999*	*2000*	*2001*	*2002*
Area (sq. kms) within:					
57 Leq contour	64.5	52.3	52.4	32.1	31.7
63 Leq contour	22.3	20.5	20.4	11.6	11.3
69 Leq contour	8.7	7.9	7.6	3.6	3.4
Population (thousand) within:					
57 Leq contour	7.6	4.4	5.7	2.3	2.0
63 Leq contour	1.3	1.4	1.3	0.4	0.3
69 Leq contour	0.3	0.2	0.2	0.1	0.1

Airports

Mrs. Gillan: To ask the Secretary of State for Transport what comparison he has made of the noise impact upon local residents of *(a)* the proposal to construct a third runway at Heathrow Airport and *(b)* other proposals for airport expansion in the South East. [144086]

Mr. McNulty: The data to inform such comparison are set out in Chapters 7 and following of the consultation document, "The Future Development of Air Transport in the United Kingdom: South East, Second Edition", published in February 2003. We will announce the Government's conclusions in the White Paper to be published shortly.

ATOL Scheme

Miss McIntosh: To ask the Secretary of State for Transport what proportion of those booking overseas holidays from the United Kingdom were protected by the ATOL scheme in *(a)* 1995 and *(b)* the most recent year for which figures are available; and if he will make a statement. [143552]

Mr. McNulty: In 1995 the proportion of people protected by ATOL compared with the number of people going on holiday overseas was 97 per cent. In 2002, the most recent year for which figures are available, that proportion was 92 per cent. If people going abroad to visit friends and relatives are included, the proportions become 82 per cent. and 75 per cent. respectively.

Big Conversation

Mr. Heald: To ask the Secretary of State for Transport what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143157]

Mr. McNulty: I refer the hon. Member to the answer given by my right hon. Friend, the Leader of the House of Commons on 9 December 2003, *Official Report,* column 355W.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Transport when he will reply to the letter to him dated 4 November from the right hon. Member for Manchester, Gorton with regard to Mr. T. P. Garvey. [142955]

Mr McNulty: My right hon. Friend, the Secretary of State replied to my right hon. Friend's letter on 11 December 2003.

Crash Barriers

Sue Doughty: To ask the Secretary of State for Transport how many lorries have crashed through barriers on *(a)* dual carriageways and *(b)* motorways in each of the last five years. [143011]

Mr. Jamieson: The following table shows numbers of Heavy Goods Vehicles that have either hit the central reservation or crossed it for both motorways and dual carriageways for the years 1999–2002. The information is not available for 1998.

Vehicles

	[1] *Crossed central reservation*	*Hit central reservation*	*Hit near/offside crash barrier*
Dual Carriageways			
1999	42	171	104
2000	57	168	112
2001	48	152	118
2002	46	150	120
Motorways			
1999	20	98	76
2000	31	86	89
2001	21	81	95
2002	26	80	95

[1] May include vehicles that either "hit the central reservation" or "near/offside crash barrier".

Heathrow Airport

Mr. Randall: To ask the Secretary of State for Transport what discussions his Department has held with the Office of the Deputy Prime Minister on the implications for sustainable development in the areas of construction of a third runway at Heathrow. [143792]

Mr. McNulty: The Department is liaising with the Office of the Deputy Prime Minister on all aspects of the forthcoming air transport White Paper.

Mr. Randall: To ask the Secretary of State for Transport if he will arrange for the British Airport Authority's air quality strategy and action plan for Heathrow to be assessed by independent consultants. [143814]

Mr. McNulty: The three local authorities (Hillingdon, Spelthorne and Hounslow) adjacent to Heathrow have declared Air Quality Management Areas in the vicinity of the airport and are now developing action plans in order to reduce emissions.

The BAA Air Quality Strategy and Action Plan has been developed in consultation with local authorities and will be considered by the authorities in their assessments of future achievement of emissions requirements.

BAA's Air Quality Strategy and Action Plan was published in 2002 and has been in the public domain since then. It is also available on the internet, http://www.baa.co.uk/main/corporate/publications frame.html.

Many of the actions contained in the strategy are independently assessed (by independent consultants Casella Stanger) through BAA' Heathrow's reporting of performance in its annual sustainability report (see www.baa.com).

Mr. Randall: To ask the Secretary of State for Transport (1) what assessment his Department has made of the need to construct further terminals at Heathrow if a third runway were to be constructed; [143815]

(2) what estimate his Department has made of the effect on capacity on the north runway at Heathrow of aircraft crossing to access the third runway; [143820]

(3) what estimate his Department has made of how long it would take for aircraft to taxi from terminals to the proposed third runway at Heathrow. [143821]

Mr. McNulty: We have carefully considered all consultation responses on these issues and carried out some further assessment. We will announce the Government's conclusions in the White Paper to be published shortly.

Mr. Randall: To ask the Secretary of State for Transport what assessment his Department has made of the potential risks from aircraft crossing the northern runway to gain access a proposed third runway at Heathrow. [143822]

Mr. McNulty: In our assessment of all of the options for new airport capacity, we have taken full account of the need to ensure that all aircraft operations comply with the UK's very high aviation safety standards.

Dr. Tonge: To ask the Secretary of State for Transport what assessment his Department has made of the need for further terminals at Heathrow airport, if a third runway is approved. [144173]

Mr. McNulty: We have carefully considered all consultation responses on these issues and carried out some further assessment.

The Government's conclusions on UK airport capacity, including the consideration of development at Heathrow airport, will be set out shortly in the White Paper.

Dr. Tonge: To ask the Secretary of State for Transport what assessment his Department has made of the number of new areas in London which will be affected by noise pollution if the decision to create a third runway at Heathrow Airport goes ahead. [144180]

Mr. McNulty: The areas that would be affected are summarized in Chapter 7 of the consultation document "The Future Development of Air Transport in the United Kingdom: South East, Second Edition", published in February 2003, pages 56 and 57, and supplementary documents which were published in July 2002.

Lifeboats

Mr. Carmichael: To ask the Secretary of State for Transport pursuant to his answer of 4 December 2003, *Official Report*, column 158W, on lifeboats, when the International Maritime Organisation's Design and Equipment Sub-Committee will conclude its review of the standards and guidelines which currently apply to the launching and operation of lifeboats; and what the main objectives of the UK delegation on this committee are. [143498]

Mr. Jamieson: The Design and Equipment Sub-Committee will next meet from 1 to 5 March 2004. The short term objective, which will be reviewed at this meeting, is particularly concerned with reducing the number of accidents during lifeboat drills and ensuring reliability of the equipment. Additional guidance and regulations are being developed on crew training and the maintenance of equipment.

In the longer term, the Sub-Committee seeks to simplify standards for the design of lifeboats in order to make them easier and more reliable to use. It is essential that safety standards in this area are established on an international basis. The UK delegation will therefore support the Sub-Committee by working with international partners to ensure guidelines to the shipping industry are sufficient and effective.

London Underground

Mr. Damian Green: To ask the Secretary of State for Transport what the overall investment figures in the London Underground were for each year between 1990 and 2003, broken down by line. [140927]

Mr. McNulty: London Underground, which transferred from central Government to Transport for London on 15 July, does not record investment by line. They have provided the following information. In April 2000, London Underground adopted new accounting treatment for its investment expenditure which removed the category 'investment renewals' the majority of this expenditure was reclassified as capital, although some (£90 million) became resource expenditure. Therefore the figures before and after April 2000 are not directly comparable and are presented in two separate tables with the years 1990–91 to 1999–2000 on one consistent basis and those for a restated 1999–2000 to 2002–03 are on another. It is normal accounting practice when a change in accounting treatment occurs to restate the previous year's figures on the same basis in the accounts, so that a true comparison can be made.

Investment expenditure

£ million (outturn prices)

	1990–91	*1991–92*	*1992–93*	*1993–94*	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*
Capital	327	225	414	320	319	210	173	133	171	134
Renewals	87	70	218	159	184	275	198	191	244	208
Total core business	414	295	632	479	503	485	371	324	415	342
Jubilee line extension	40	63	68	261	396	587	660	476	283	655
CrossRail	5	12	29	45	30	16	4	—	—	—
Total investment	459	370	729	785	929	1,088	1,035	800	698	997

Investment expenditure

£ million (outturn prices)

	1999–2000	*2000–01*	*2001–02*	*2002–03*
Capital	252	293	418	402
Total core business	252	293	418	402
Jubilee line extension	655	—	—	—
CrossRail	—	—	—	—
Total investment	907	293	418	402

The deteriorating performance of London Underground in recent years reflects a long period of unstable funding and insufficient investment. That is why this Government have put in place stable long-term arrangements which will see more than £1 billion invested each year for the next 15 years in maintaining and modernising London Underground's assets, with financial incentives on the infrastructure companies to reverse the decline in performance.

Mr. Damian Green: To ask the Secretary of State for Transport how many *(a)* track and *(b)* signal failures there were on the London Underground in each year between 1990 and 2003, broken down by line. [140930]

Mr. McNulty: This is an operational matter for London Underground (LU), which transferred from central Government to Transport for London on 15 July. London Underground has provided the following information for those track and signal failures that caused more than two minutes delay to services. The information for the years before 1996 could be provided only at disproportionate time and cost.

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Signals							
Bakerloo	264	292	249	355	248	357	187
Central	644	880	308	335	490	582	520
District	303	269	278	394	525	632	590
East London[1]	—	—	—	—	46	68	57
Jubilee	79	110	197	338	398	415	304
Circle and Hammersmith	129	131	125	238	407	396	274
Metropolitan	209	266	194	290	522	613	510
Northern	298	323	216	317	358	388	597
Piccadilly	261	241	213	202	326	289	327
Victoria	115	166	149	131	186	314	425
Waterloo and City[2]	—	16	27	29	—	—	—
Total signals	2,302	2,302	1,929	2,600	3,522	4,081	3,820
Track							
Bakerloo	193	201	176	168	171	210	111
Central	203	92	65	50	62	133	89
District	74	51	69	83	179	190	259
East London[1]	—	—	—	—	10	26	20
Jubilee	45	38	77	146	126	103	139
Circle and Hammersmith	75	61	57	62	98	166	157
Metropolitan	105	73	83	82	136	136	157
Northern	141	165	109	105	208	143	246
Piccadilly	92	110	109	135	165	144	245
Victoria	54	80	66	66	56	56	62
Waterloo and City[2]	—	—	—	—	5	5	9
Total track	982	982	811	897	1,216	1,312	1,494

[1] East London Line was included with Jubilee line until 1999–2000.

[2] Waterloo and City Line included with Central Line until 1999–2000.

The deteriorating performance of London Underground in recent years reflects a long period of unstable funding and insufficient investment. That is why this Government have put in place stable long-term arrangements which will see more than £1 billon invested each year for the next 15 years in maintaining and modernising London Underground's assets, with financial incentives on the infrastructure companies to reverse the decline in performance.

Mr. Damian Green: To ask the Secretary of State for Transport how many delays of more than *(a)* five minutes, *(b)* 10 minutes and *(c)* 15 minutes there were on the London Underground in each year between 1990 and 2003, broken down by line. [140933]

Mr. McNulty: This is an operational matter for London Underground (LU), which transferred from central Government to Transport for London on 15 July.

London Underground does not hold the information in the format requested. It only holds data on delays irrespective of their cause where the delay is greater than 15 minutes. The information for the years before 1996 could be provided only at disproportionate time and cost. London Underground has provided the following figures:

Number of train delays > 15 minutes

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Bakerloo	255	232	300	329	300	318	356
Central	512	678	541	446	495	501	284
District	385	332	360	326	418	574	573
Jubilee	138	142	173	234	208	289	246
East London	—	4	295	136	110	108	102

Number of train delays > 15 minutes

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Northern	343	336	332	235	216	247	250
Piccadilly	258	246	275	246	267	333	392
Victoria	131	183	142	95	97	151	148
Metropolitan	374	375	302	319	404	495	564
Circle and Hammersmith	181	135	134	189	291	287	287
Waterloo and City	79	30	44	34	38	39	76
Total	2,656	2,693	2,898	2,589	2,844	3,342	3,278

The deteriorating performance of London Underground in recent years reflects a long period of unstable funding and insufficient investment. That is why this Government have put in place stable long-term arrangements which will see more than £1 billon invested each year for the next 15 years in maintaining and modernising London Underground's assets, with financial incentives on the infrastructure companies to reverse the decline in performance.

M20

Mr. Damian Green: To ask the Secretary of State for Transport when he expects Junction 10A of the M20 to be opened; and if he will make a statement. [140823]

Mr. Jamieson: Part of this scheme is required to provide access to development sites at Ashford. The completion date therefore depends on reaching agreement with the developers on the funding of those elements of the scheme required as a result of development, as well as the satisfactory completion of all necessary statutory and consultation procedures. The scheme is, currently, programmed to be completed by the end of the decade.

Maritime and Coastguard Agency

Mr. Hancock: To ask the Secretary of State for Transport what budget is available to the Maritime and Coastguard Agency for *(a)* ship inspections and *(b)* related activity, with particular reference to enforcement, in each of the last five years. [144496]

Mr. Jamieson: The Maritime and Coastguard Agency's budget for ship inspections and related activity, including enforcement in each of the last five years, is listed in the table.

	Budget (£000)
Resource Accounts	
2003–04	25,769
2002–03	25,072
2001–02	28,750
Cash Accounts	
2000–01	18,955
1999–2000	15,473

The Resource Accounts figures include depreciation and capital charge, which are not included within the Cash Accounts outturns.

Offshore Wind Turbines

Mr. Carmichael: To ask the Secretary of State for Transport what steps the Government are taking to limit the possibility of ships colliding with offshore wind turbines. [141909]

Mr. Jamieson: My Department will continue to strive to ensure that the risk of ships colliding with offshore wind turbines is kept as low as practicable. When granting consents under the Coast Protection Act 1949 my Department ensures that offshore wind turbines are not located in areas of high collision risk. When construction begins, the existence of offshore wind turbines in a specific location is made known to mariners by way of Notices to Mariners issued by the UK Hydrographic Office and, where necessary, by annotations on nautical charts. Offshore wind turbine developments are also required to be marked in accordance with guidance issued by the International Association of Lighthouse Authorities.

In considering the second round of bids for site leases, my Department is working with the Department of Trade and Industry and the Crown Estate to help direct offshore renewable energy developments towards areas of the sea associated with low numbers of ship movements. My Department wishes to obtain a full understanding of the cumulative impact on shipping caused by the potential development of the site leases and will consult the shipping and ports industries on the outcome of the Crown Estate's tender assessment panel.

There will also be further consultation by developers as the legislative consents process requires an environmental impact assessment to be made for each site. To assist developers assess the risks posed by shipping and the measures that they should take to mitigate those risks, detailed guidance has been made available by the Maritime and Coastguard Agency.

The Government are introducing legislative proposals in the Energy Bill for safety zones to be established around offshore renewable energy developments. The Bill, which was introduced into the other place (House of Lords) on 30 November, also makes provision for the creation of a new offence in respect of unauthorised ships entering, or breaching the restrictions on operating within, a safety zone. My officials will work closely with the Maritime and Coastguard Agency and the Department for Trade and Industry in establishing safety zones, appropriate to individual offshore turbine developments, in order to further reduce the risk of collisions.

Public Transport (Disabled Access)

David Davis: : To ask the Secretary of State for Transport what provision rail franchises are required to make for passengers who *(a)* are disabled and *(b)* have mobility problems, when deciding what rail links to maintain or discontinue. [143243]

Dr. Howells: The procedures for deciding whether to reduce or discontinue a rail service are designed, among other things, to ensure that the particular needs of passengers with disabilities or mobility problems are fully taken into account. The level of service which an operator must provide is governed by a Passenger Service Requirement (PSR) and any change requires Strategic Rail Authority (SRA) approval. Where station or line closures are proposed a statutory closure procedure, which includes consultation with passengers, must be followed. In deciding whether to approve a service reduction or closure, the SRA or statutory authorities are expected to take proper account of the implications for all affected groups, including disabled passengers.

Rail Services

Mr. Greg Knight: To ask the Secretary of State for Transport at how many railway stations in England and Wales platform extensions are *(a)* under way and *(b)* planned within the next two years; and where each such railway station is. [142618]

Dr. Howells *[holding answer 8 December 2003]:* It is understood that Network Rail has work under way at Hollingbourne, Harrietsham, Charing, and Nuneaton, and that work is planned at Sandal and Agbrigg, Wakefield Westgate, South Elmsall, Fitzwilliam, Braintree, Braintree Freeport, Cressing, White Notley, Harrow and Wealdstone, Bushey, Kings Langley, Apsley, Hemel Hempstead, Berkhamsted, Tring, Cheddington, Bletchley, Billingshurst, Portslade, West Norwood, Hampden Park, Lewes, Farnham, Virginia Water, Basingstoke, Ascot, Farncombe, Milford, Witley, Liphook, Liss, Petersfield, Bentley, Brockenhurst, Poole, Moreton, Lymington Town, Camberley, Abercynon North, Penrhiwceiber, Fernhill, Cwmbach, Aberdare, Lichfield Trent Valley, Hinckley, Narborough, South Wigston, Princes Risborough, Beaconsfield, Gerrards Cross, High Wycombe, West Ruislip, South Ruislip, Wembley Stadium, and Denham.

Mr. Ruffley: To ask the Secretary of State for Transport what assessment he has made of the provision of rail services in the east of England. [143527]

Mr. McNulty: My right hon. Friend the Secretary of State is currently considering proposals put to him by the Strategic Rail Authority for a new Greater Anglia franchise to commence on 1 April next year. The SRA will also begin consultation on an East Coast Main Line strategy early in the New Year. This is the third in a planned series of 10 strategies and will consider the best use of the existing line and its links to other areas.

Hugh Robertson: To ask the Secretary of State for Transport (1) what plans the Strategic Rail Authority has to develop train services to and from Faversham; [143916]

(2) what progress has been made with respect to phase 2 of the Channel Tunnel Rail Link as it affects Faversham. [143917]

Mr. McNulty: The Strategic Rail Authority recently completed consultations on the proposed Integrated Kent Franchise. The consultation included options for domestic services on the Channel Tunnel Rail Link (CTRL) but the aim is to improve rail services throughout Kent, not only to destinations which might be served by the CTRL. Further consultations on a more detailed service pattern are planned for early in the new year and it is therefore too soon to say what the outcome might be for individual destinations.

The CTRL domestic service options set out in the consultation are, regardless of the stations they might serve, dependent on completion of the line. Section 2 is on target to open early in 2007.

Road Safety

Mr. Ruffley: To ask the Secretary of State for Transport what recent representations he has received about safety on the *(a)* A14, *(b)* A134 and *(c)* A140 in Suffolk; and if he will make a statement. [143528]

Mr. Jamieson: I have received one recent representation on road safety on the A14, A134 and A140. The Highways Agency (responsible for the A14) and Suffolk County Council (responsible for the A134 and A140) are committed to achieving Government targets on reducing road casualties. The Highways Agency is making good progress with two Targeted Programme of Improvement schemes for resolving accident problems on the A14 in Suffolk, at Rookery Crossroads and the Haughley Bends, and Suffolk County Council have plans for further accident reduction measures on both the A134 and A140.

Safety Camera Partnerships

Mr. Damian Green: To ask the Secretary of State for Transport what guidelines he has issued to the local camera safety partnerships. [142916]

Mr. Jamieson: The rules and guidelines for the safety camera netting off scheme are contained in a Handbook that has been issued to every partnership.

Shipping

Mr. Carmichael: To ask the Secretary of State for Transport pursuant to his answer of 4 December 2003, *Official Report*, column 162W, on shipping, how the Government determine that ships which do not fly the red ensign but qualify for the tonnage tax regime are strategically and commercially managed in the UK. [143499]

Mr. Jamieson: The strategic and commercial management test arises from the European Commission's guidelines on State Aid in the maritime sector. As no specific EC guidance is available on the meaning of "strategically and commercially managed" the Government adopt a common sense interpretation, taking into account the various different strands of management activity that can be carried out in respect of a ship. Elements of both legs of the test must be demonstrated. Among the indicators that might be considered are:

Strategic management:

Location of HQ, including senior management staff

Where the board of directors makes its decisions

Commercial management:

Route planning

Taking bookings for passengers and cargo

Managing bunkers, provisioning and victualling requirements

Personnel management

Technical management

None of the indicators for strategic or commercial management will be conclusive on their own. The Government will consider the number and weight of the various indicators exhibited for both legs of the test and will expect to see real economic activity from ship operations in the UK. Greater weight will be given to the higher levels of decision making and management as opposed to day to day management.

Mr. Carmichael: To ask the Secretary of State for Transport pursuant to his answer of 4 December 2003, *Official Report*, column 162W, on shipping, how many people have been employed in the UK in each of the last 10 years as inspectors to carry out monitoring and compliance inspections of ships to ensure that security measures are properly implemented. [143500]

Mr. Jamieson: The numbers of Security Inspectors employed by the Department for Transport with responsibility for compliance inspections of ships for each of the last ten years are as follows:

1994—6

1995—5

1996—5

1997—5

1998—5

1999—5

2000—5

2001—5

2002—5

2003—4.

In accordance with security priorities identified by my Department the inspections are carried out on passenger vessels under the provisions only of the Aviation and Maritime Security Act 1990. The Inspectors are also responsible for ensuring security compliance by the ports from which these vessels operate thereby providing a fully integrated ship/port security regime.

Small Businesses

Brian Cotter: To ask the Secretary of State for Transport whether his Department uses a database of individual small businesses for consultation purposes. [142475]

Mr. McNulty: The Department for Transport is committed to good communications with all its stakeholders. Individual policy divisions consult widely with relevant stakeholders, including small businesses, as appropriate when formulating policy. The Department also uses the Small Business Service database of small businesses to seek views on policy proposals.

INTERNATIONAL DEVELOPMENT

Big Conversation

Mr. Heald: To ask the Secretary of State for International Development what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143154]

Hilary Benn: I refer the hon. Member the Leader of the House to the answer given by my right hon. Friend on 9 December 2003, *Official Report*, column 355W.

Burundi

John Barrett: To ask the Secretary of State for International Development what assessment he has made of UK aid levels in Burundi following the report of the UN Economic and Social delegation indicating that peace has been restored. [141367]

Hilary Benn: There have been encouraging developments in the peace process in Burundi, but it would be premature to say that peace has been fully restored. At the regional summit on Burundi which took place in Dar es Salaam on 16 November, the Burundi transitional government and the CNDD/FDD rebel group agreed to cease hostilities and share power pending national elections at the end of the transitional period in 2004. Efforts are continuing to persuade the remaining rebel group, the FNL, to cease hostilities and enter negotiations.

The UK is providing substantial aid support to Burundi. DFID assistance is likely to amount to some £7 million during the present financial year, comprising humanitarian assistance, and support to local peacebuilding programmes, government capacity building, and to the national HIV/AIDS programme. This does not include DFID's 5-year $25 million pledge to the Multi-Donor Demobilisation and Reintegration Programme for the Great Lakes Region, which will support Burundi's national Disarmament, Demobilisation and Reintegration (DDR) programme once it is under way. It also does not include the UK's contributions to the EC and other multilateral programmes in Burundi.

The UK is also contributing substantially to the African Union's peacebuilding force, the African Mission in Burundi (AMIB). So far this year we have contributed £3.9 million to help meet the equipment costs of the Mozambican contingent to AMIB, and have recently agreed a further contribution of £2 million to help meet AMIB's in-country costs.

Central Africa

Ms Oona King: To ask the Secretary of State for International Development when his Department will publish a joint strategy paper on the Great Lakes Region; what assessment he has made of the most recent report of the UN panel of experts on the exploitation of natural resources in the Democratic Republic of Congo; and if he will make a statement. [141833]

Hilary Benn: DFID plans to publish a note shortly, agreed jointly with the FCO, which will outline its global and regional approach to conflict resolution and development in the Great Lakes.

The FCO will shortly make a statement on the final report of the UN Panel, representing its position and that of the Department for Trade and Industry and DFID.

Mr. Rosindell: To ask the Secretary of State for International Development what steps are being taken as part of the UK's initiative to improve primary education in *(a)* Rwanda and *(b)* Malawi. [142282]

Hilary Benn: The Government of Rwanda have made remarkable progress in providing education for all since the 1994 genocide. Primary Net Enrolment reached 81.7 per cent. this year, more than twice the figure for 1995.

DFID has committed more than £13 million to education in Rwanda since 2001, focusing on improving the access, equity and quality of primary education. This includes £3 million for the purchase of primary school textbooks, as well as support for the development of the curriculum, the decentralisation of basic education services, initiatives for out-of-school children and for girls, education on HIV/AIDS and capacity building for education officials.

In addition, DFID provides some £25 million a year and the EC some €17 million a year in flexible budget support to the Government of Rwanda, which supports the implementation of Rwanda's Poverty Reduction Strategy.

DFID is also supporting improvements to the quality and accessibility of primary education in Malawi. This includes support for a more relevant primary curriculum, improved in-service training of teachers and the involvement of communities in school management. We have also built 250 classrooms and plan to add another 1,250 more. The total value of our current financial commitment is £61 million. We spent £4.6 million in financial year 2002–03 on education in Malawi.

Energy Policy

Norman Baker: To ask the Secretary of State for International Development (1) whether he has carried out an analysis of the extent to which his Department's support for fossil fuel investment is consistent with *(a)* the UK's obligations under the Kyoto Protocol and *(b)* the Government's goal to reduce its carbon dioxide emissions by 60 per cent. from 1990 levels by 2050; [142349]

(2) what his policy is towards the provision of loans and loan guarantees by multilateral development banks to fossil fuel projects overseas, and whether he has reviewed that policy in relation to concerns about climate change. [142351]

Hilary Benn: The UK Government are committed to taking a lead in meeting obligations under the Kyoto Protocol, including reductions of carbon dioxide emissions. At the same time, we recognise the rights of other sovereign states to fulfil their own legitimate development needs. In considering support for fossil fuel based investments, it is standard procedure for DFID to liaise with other relevant Government Departments to ensure balance and consistency between these objectives. In addition, our policy is to ensure that lending institutions take account of possible social and environmental impacts such as climate change as part of their policies and procedures in assessing fossil fuel projects, before providing loans or loan guarantees. We are particularly concerned that the management of revenues from such projects occurs transparently and with a positive developmental impact. We hope that initiatives such as the Extractive Industries Transparency Initiative will help to achieve this.

The UK Energy White Paper, Our energy future—creating a low carbon economy, sets out four core objectives of UK Energy Policy: Tackling Climate Change, Energy Security, Cutting Fuel Poverty and Competitiveness. DFID is working closely with other Government Departments, notably FCO, DTI and DEFRA, to ensure a co-ordinated Whitehall approach to international energy issues.

Norman Baker: To ask the Secretary of State for International Development what the total value of support from his Department is to overseas projects for *(a)* the extraction and transport of fossil fuels and *(b)* the development of renewable energy. [142350]

Hilary Benn: DFID does not fund any projects for the extraction and transport of fossil fuels. It supports six projects that develop and promote small scale renewable energy sources, especially for rural communities. Projects cover the range of energy options, including renewable/fossil fuel hybrid systems, decentralised power generation and comparison with conventional grid electrification. The total value is £1 million over three years[1].

[1] Engineering Knowledge and Research Progress Report 2002, Infrastructure and Urban Development Department.

Ethiopia

Mr. Laurence Robertson: To ask the Secretary of State for International Development what discussions he is holding with the Ethiopian Government about the border dispute with Eritrea; and if he will make a statement. [141947]

Hilary Benn: Her Majesty's Government keep in touch with the Governments of both Ethiopia and Eritrea at all levels. The Prime Minister recently wrote to both the Prime Minister of Ethiopia and the President of Eritrea indicating that the Boundary Commission's decisions are final and binding and that the two parties should engage in dialogue.

I met the Eritrean Foreign Minister when he visited London recently, during which we discussed the peace process. He also met my hon. Friend the Foreign and Commonwealth Minister for Africa. In addition, the Foreign and Commonwealth Minister has recently met with both the Ethiopian and Eritrean Ambassadors.

We also keep in close touch with development in the peace process through our Ambassadors in Addis Ababa and Asmara.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for International Development whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on departmental premises and *(b)* receptions and meetings involving staff and visitors. [142811]

Hilary Benn: The Government are committed to supporting the Fairtrade Foundation's efforts in promoting the supply and marketing of Fairtrade products. The contract for DFID refreshment facilities requires that a range of fair trade products is available for sales on departmental premises and for meetings.

Gender Advisers

Mr. Gummer: To ask the Secretary of State for International Development what security considerations led his predecessors to refuse to reveal the salaries of the gender advisers he assigned to Iraq. [141826]

Hilary Benn: Salary details are confidential to the employer and the individual under the Code of Practice on Access to Government Information. They were not withheld for security reasons.

Mr. Gummer: To ask the Secretary of State for International Development what guidance his Department sought in the appointment of two gender experts in Iraq from *(a)* recognised Muslim experts and *(b)* those with detailed understanding of Iraq. [141829]

Hilary Benn: DFID has extensive experience of working in Muslim countries in the Middle East and elsewhere.

In developing our understanding of Iraq, DFID draws on a wide range of expertise, inside and outside government, including our own staff, consultants and others working in Iraq.

Mr. Gummer: To ask the Secretary of State for International Development what salaries are paid to the two gender experts who have been assigned by his Department to Iraq. [141830]

Hilary Benn: As the Lord President of the Council, Baroness Amos, answered on 17 November to a question in another place, salary details are confidential under the Code of Practice on Access to Government Information.

Mr. Gummer: To ask the Secretary of State for International Development what experience of Muslim attitudes the two gender experts who have been assigned from his Department to Iraq have. [141831]

Hilary Benn: Both DFID-funded gender advisers in Iraq are Muslim and have extensive experience of working in Islamic cultures.

Mr. Gummer: To ask the Secretary of State for International Development what arrangements he has made to ensure the co-ordination of gender advice to the Government of Iraq between *(a)* secondees he has assigned and *(b)* those of other countries. [141832]

Hilary Benn: Both DFID-funded gender advisers in Iraq have clear and specific terms of reference setting out their roles with respect to the Iraqi authorities and the Coalition Provisional Authority. They are expected to co-ordinate their own work with that of other professionals in the field, in particular through the development of women's networks in Iraq.

Ghana

Chris Grayling: To ask the Secretary of State for International Development if he will make a statement on International Monetary Fund opposition to the increase in rice and poultry tariffs in Ghana. [143635]

Hilary Benn: In his February 2003 Budget the Minister of Finance of Ghana proposed increases in duties on rice and poultry respectively. These increases were the subject of discussions with the International Monetary Fund, which was about to grant Ghana an arrangement under the Poverty Reduction and Growth Facility. The discussions centred on the effects of the proposals on food prices and public revenues and not on the principles of trade liberalisation. The proposals were later withdrawn by the Government of Ghana.

Global Fund

Mr. David Stewart: To ask the Secretary of State for International Development what plans his Department has to help secure the long-term future of the Global Fund. [141499]

Hilary Benn: The UK is intensifying its efforts to tackle the HIV/AIDS epidemic, as set out in the recently published Call for Action. The UK was a prime mover in setting up the Global Fund to fight AIDS, TB and Malaria (GFATM) and we very much want it to be successful as one of a number of instruments in the fight to tackle these three terrible diseases. The long-term future of the fund will be decided by its ability to achieve good results. We and other partners are therefore working closely with the fund to help to increase its effectiveness.

The UK recognises that in order to be secure and to be able to plan well, the fund needs to have long-term stability of funding. We therefore extended our current commitment through to 2008 bringing our total contribution to the GFATM to US$280 million. Funding will be subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. We have been working closely with the fund on all of these issues and made some good progress at the recent Board meeting held in October—particularly on improving the financing system by moving to a more reliable system of replenishment based on commonly agreed performance measures. Good results will encourage increased contributions to the Global Fund—both from the UK and, importantly, from the wider international community and this will help to ensure its future.

Mr. David Stewart: To ask the Secretary of State for International Development what plans he has to contribute to the reform of the Global Fund's administrative structure. [141500]

Hilary Benn: The Global Fund was created as a new partnership between Governments, civil society, the private sector and affected communities in January 2002 and the UK was a prime mover in its establishment. It was set up with an innovative organisational structure—with Country Coordinating Mechanisms (CCMs), Local Fund Agents (LFAs) and Principal Recipients (PRs) at country level. The Fund recognises that there is a need at this early stage to assess the relevance, efficiency and effectiveness of the new structures in order to suggest and introduce improvements. Evaluation priorities for 2004–05 have been set these will include the Fund's governance structure and an assessment of the performance based funding system.

Members of the Board of the Global Fund have a collective responsibility to ensure its effectiveness. As a Board member and through our membership on committees of the Fund—such as the Monitoring and Effectiveness, Finance and Audit Committee, the UK will play its part in any reform resulting from these evaluations. We will be particularly keen to ensure that Global Fund processes do not add to the administrative burden of countries but align and harmonise with existing systems.

Mr. David Stewart: To ask the Secretary of State for International Development what plans his Department has to adopt a system of annual contributions to the Global Fund based on the Equitable Contribution Framework. [141502]

Hilary Benn: My Department has no plans to adopt a system of contributions based on an equitable contribution framework. At the sixth Board meeting of the Global Fund held in October, members of the Board of the Global Fund voted to move to a periodic replenishment model on a voluntary basis for all public donors, complemented by additional ad hoc donations. This is now the agreed system for contributions to the Global Fund and should put the Fund on a firmer financial footing.

Indigenous Peoples' Demonstration Project

Lynne Jones: To ask the Secretary of State for International Development how much money was originally allocated to the Indigenous Peoples' Demonstration Project for the conservation of Brazilian rain forest; what proportion of this sum will be reallocated for middle income countries; and when support for the IPDP will end. [142647]

Hilary Benn: The Indigenous Peoples' Demonstration Project (IPDP) has a budget of £2.1 million for five years. It started in May 2002, with an estimated completion date of April 2007. As DFID is still in the process of reviewing its programme to Brazil, no decisions have been taken yet on the extent to which the project may be affected.

Iraq

Mr. Gummer: To ask the Secretary of State for International Development what expert advisers, other than on gender, he intends to send to Iraq for strategic advice; and on which subjects. [141824]

Hilary Benn: Within the Coalition Provisional Authority in Baghdad, DFID currently provides strategic advisers in the following areas: Urban Development and Infrastructure, and Food Security. We are planning to deploy additional experts in the following areas: Water and Sanitation, Local Government and Institutional Development, and Economic Policy.

DFID currently funds strategic advisers within the Coalitional Provisional Authority South (CPAS) in the following areas: Education, Economic Policy and Financial Management and Governance.

DFID has also agreed to fund strategic advisory posts within the Department of Economic Planning and Development within CPAS. Recruitment is on-going and advisers will work in the following areas: Economic Policy and Financial Management, Agriculture and Irrigation, Justice, Housing and Construction, Transport, Health, Power, Fuel, Water and Sanitation, Telecommunications and Internally Displaced Persons/Refugees.

Harry Cohen: To ask the Secretary of State for International Development what immunisation programme is in place for infants in Iraq; what percentage of babies born since the end of the conflict have been immunised; and if he will make a statement. [142614]

Hilary Benn: A national immunisation campaign is under way in Iraq which aims to vaccinate Iraq's 4.2 million children under five against preventable diseases such as polio, measles, tuberculosis, diphtheria and tetanus. The Ministry of Health, supported by UNICEF, has run a series of national immunisation days since June encouraging routine immunisation. DFID has provided £13.8 million to UNICEF to help fund this and other work.

Until the national immunisation days commenced in June, it is thought that no babies born since the end of conflict had been immunised. Since then, an estimated 3 million children under five (including babies) have been vaccinated. This implies that around 80 per cent. of under-fives have been vaccinated so far, though no comprehensive data are available.

There is also a continuing immunisation campaign which takes place twice a week, and aims to reach those children who have missed out on the routine programme of immunisation. In October, the estimated number of children under five reached through this programme was nearly 250,000.

John Barrett: To ask the Secretary of State for International Development if he will make a statement on the humanitarian requirements of Iraqi refugees along the Jordanian border. [142783]

Hilary Benn: The office of the United Nations Commissioner for Refugees (UNHCR) report that there are 1,150 refugees, mostly Iranian Kurds from Al-Tash camp (inside Iraq) and a further 822 in Al-Ruwayshid camp (350 km east of Amman), most of whom are Palestinians. These camps have been prepared for the winter by renewing and strengthening some of the tents and by providing additional blankets and mattresses.

An NGO partner, the Jordan Hashemite Charity Organisation (JHCO), say that they have changed summer tents for thicker winter ones which have a heater inside. Plastic covering is also provided for the outside of the tents and the ground. The number of blankets has doubled and each refugee will have four blankets. Provision has also been made for specific storm shelters and extra clothing. In the area where the camps are established, the temperatures can be warm in the daytime but drop below zero at night.

Mr. Andrew Smith

Norman Lamb: To ask the Secretary of State for International Development what working arrangements there have been between Mr. Andrew Smith and his Department in Sierra Leone in the last 12 months. [142189]

Hilary Benn: There have been no such working arrangements.

Non-effective Anti-malarials

Tim Loughton: To ask the Secretary of State for International Development what research he has undertaken into the distribution of non-effective anti-malarials to African countries; and what plans he has to discuss this with the *(a)* Global Fund and *(b)* World Health Organisation. [142182]

Hilary Benn: Death from malaria, due to poor management of the disease, is increasing in Africa. Evidence suggests that this is in part due to drug resistance. The World Health Organisation (WHO) provides recommendations for anti-malarial drug policy based on sound evidence. WHO and Roll Back Malaria provide technical support to governments and their decision on national policies for anti-malarial drug policy. DFID provides financial support to WHO and Roll Back Malaria.

We support the process whereby existing treatment protocols are reviewed regularly in the light of evidence from the field and changing patterns of resistance. We support national governments to help strengthen health systems to deliver effective treatment for poor people. A team from DFID will be meeting with Roll Back Malaria partners in Geneva shortly and we will raise these issues with them.

Reproductive Health

Chris McCafferty: To ask the Secretary of State for International Development (1) what financial support his Department has provided for reproductive health supplies in each of the last three years; [143296]

(2) what proportion of his Department's support for sexual and reproductive health programmes since the International Conference on Population and Development has been utilised for the procurement of reproductive health supplies; [143297]

(3) whether his Department provides technical assistance to its partner countries in building their own capacity to forecast and procure reproductive health supplies; [143298]

(4) what proportion of his Department's financial support for reproductive health supplies in the past year has been channelled *(a)* bilaterally, *(b)* multilaterally and *(c)* to the private sector and NGOs; [143299]

(5) what proportion of his Department's support for HIV/AIDS programmes is spent on ensuring the availability of male and female condoms; [143300]

(6) whether his Department plans to make available to the United Nations Population Fund a grant for reproductive health commodities this year in addition to the core grant. [143301]

Hilary Benn: With permission, I will reply to all six questions together. Reproductive health supplies are normally provided as an integral part of broader programmes to promote sexual and reproductive health and prevent HIV/AIDS. The Department for International Development (DFID)'s data capture systems do not, therefore, allow us to isolate expenditure specifically on provision of reproductive health supplies.

DFID spent a total of over £270 million on reproductive health and HIV/AIDS programmes in the financial year 2002–03, up from around £40 million in 1997–98. DFID is one of the leading bilateral providers of condoms and other reproductive health commodities to developing countries. We are supporting a number of male and female condom social marketing programmes that combine condom procurement and distribution with encouraging behaviour change, communication and capacity building.

The Government have also committed £16 million (over five years) to the Medical Research Council's microbicide development programme. This promises to be an important new technology that, like female condoms, will empower women to protect themselves from sexually transmitted infections.

Condoms or drugs alone are not the answer to tackling HIV/AIDS. We regard provision of reproductive health supplies as an integral part of DFID's wide-ranging support for reproductive health. This includes HIV/AIDS programmes, prevention and treatment of sexually transmitted infections, family planning and maternal and adolescent health. The fight against HIV/AIDS must include effective public programmes involving education, prevention, treatment, care and support and impact mitigation.

Examples of reproductive health and HIV/AIDS programmes supported by DFID that include provision of reproductive health supplies are:

£2 million for a regional HIV/AIDS prevention programme in Asia;

£7.65 million for a regional AIDS programme in Southern Africa;

£2.9 million for support for reproductive health in Zambia.

DFID supports a £15 million HIV/AIDS Prevention and Care Project in China, which includes working with vulnerable groups, such as commercial sex workers, through civil society organisations. To date, this work has been focussed on reducing risk and vulnerability through increased condom use, access to education and health services. Government capacity to address the rights of children vulnerable to or affected by HIV and the need to address the gender dimensions of HIV and poverty are being given renewed attention.

More widely, DFID provides technical assistance to strengthen local capacity for health sector planning in a number of countries, including Bangladesh, Cambodia, Ghana, Nepal and Tanzania.

The Government are also a major donor to the United Nations Population Fund (UNFPA) and supports the Fund's work to provide the widest achievable range of safe and effective family planning and contraceptive methods, including condoms to prevent HIV/AIDS. This includes providing technical assistance to strengthen local planning capacity. DFID's core support has increased from £15 million a year up to 2001–02 to £ 18million a year from 2002–03 (planned) until 2005–06. We intend to enter into a funding arrangement with UNFPA for several years ahead, to coincide with their work programme, which will give them greater stability of funding. We have no plans to make an additional grant to UNFPA in the current financial year for provision of reproductive health commodities in addition to the core grant.

The UK played a leading role in setting up the Global Fund to fight AIDS, TB and Malaria (GFATM), which is now an important source of funding for HIV/AIDS programmes. In July 2003 the UK pledged an additional US$80 million to GFATM (US$40 million per annum over two further years). This will extend our current commitment to 2008 and bring our total contribution to US$280 million.

The Government also support reproductive health activities at a country level. DFID works through Sector Wide Approaches and Direct Budget Support as ways of supporting countries' own development frameworks, which are often in the form of Poverty Reduction Strategies. We work to ensure that sufficient attention is given to reproductive health issues, including the supply and availability of reproductive health commodities. In many circumstances, for example in Cambodia, DFID is also continuing to ring-fence support for reproductive health and HIV/AIDS work, including the supply of reproductive health commodities. The most recent data shows that, in the financial year 2002–03, out of a total of £96 million spent by DFID on Sector Wide Approaches, £31 million (32 per cent.) was spent on programmes that had reproductive health services as one of their target objectives. We work with partners to increase access by poor people to good quality reproductive and sexual health care and services.

On 1 December—World AIDS Day—the UK Government launched their Call for Action on HIV/AIDS. Details on this can be obtained by contacting: AIDS@dfid.gov.uk. The Call for Action challenges the international community to intensify its efforts to tackle HIV/AIDS and to achieve real progress towards the international targets.

Research Strategy

Tony Baldry: To ask the Secretary of State for International Development what development problems his Department is seeking to resolve through research. [142643]

Hilary Benn: The current research programme covers a very wide variety of development problems. DFID supports major research programmes, either alone or with other funders, on:

HIV/AIDS—including vaccine and microbicide research

Malaria

Tuberculosis

Reproductive and maternal health

Child health

Health systems and economics

Crop production, protection and post-harvest

Livestock and fish production and health

Forestry

Natural resources systems

Chronic poverty—how to reach the very poorest

The state, and how citizens can participate in decisions

Migration

Inequality and ethnicity

Competition, regulation and investment

How developing country governments respond to crises

Urbanisation

Water and Sanitation

Transport

Energy

Information and Communication Technology

I will also write to the hon. Member with some recent examples of DFID-funded research having an impact on poverty.

Tony Baldry: To ask the Secretary of State for International Development if he will make a statement on his Department's research strategy. [142644]

Hilary Benn: Following a review of DFID research last year, entitled "Research for Poverty Reduction", the Department is preparing a new research strategy which I hope to publish early in the new year.

Tony Baldry: To ask the Secretary of State for International Development if he will make a statement on the remit of the Policy Division within his Department. [142645]

Hilary Benn: Policy Division's role is to develop evidence-based, innovative approaches to development, which make a real difference to the poor. Policy Division has been set up to react flexibly to changing needs and priorities. The main areas of work are Aid Effectiveness, Growth, Working in Difficult Environments, Service Delivery, Future Challenges, and Research.

Policy Division has four equally weighted functions:

New policy development

Knowledge sharing and lesson learning across countries

Core policy subjects eg civil service reform

Advisory support to our country programmes worldwide

All Policy Division teams are focussed on producing work that can be put to practical use in the field of poverty reduction.

Policy Division has four Public Service Agreement/Service Delivery Agreement (PSA/SDA) targets:

1. Take up of innovative approaches and research findings developed by DFID.

2. Progress on global issues with major impact on poor people.

3. Increased coherence and quality in the international system for reporting progress against the MDGs.

4. Analytical methods to integrate poverty-environment issues into PRSPs and other development plans.

Rwanda

Tom Brake: To ask the Secretary of State for International Development what measures the Government can deploy in the case of a breach of the Memorandum of Understanding with Rwanda. [142513]

Hilary Benn: Our engagement with the Government of Rwanda is based upon the joint commitments set down in the UK/Rwanda Memorandum of Understanding. These commitments include:

> the promotion of peace and stability within the Great Lakes regional, including the promotion of transparency and legality of the exploitation of the region's natural resources;
>
> the promotion and protection of all human rights, including social and economic rights, for all Rwandans, including through the promotion and observance of relevant international agreements;
>
> the promotion of democratic institutions of governance;
>
> the pursuit of poverty reduction, by placing poverty reduction and social inclusion at the centre of policy-making and resource allocation;
>
> strengthening systems for budget execution, financial management and financial accountability, to ensure that funds are used for the intended purposes, are properly accounted for, and provide value for money.

Progress against these commitments is reviewed each year by a team of independent consultants. That review forms the basis of the annual UK/Rwanda Partnership Talks. Any concerns arising from the independent review or from the UK's routine assessment of Government policy and practice are discussed with the Government of Rwanda.

Should we believe that the Government of Rwanda are not honouring the commitments made in the Memorandum of Understanding, and where the consultation process provided for within the Memorandum of Understanding fails to satisfy our concern, then we reserve the right to amend or entirely suspend our engagement with the Government of Rwanda. Our aim in any re-configuration of our engagement will be to continue to make the greatest possible impact on poverty in Rwanda.

Tom Brake: To ask the Secretary of State for International Development what assessment of the fairness of elections in Rwanda his Department has undertaken. [142511]

Hilary Benn: The recent national elections—the first since 1994, when genocide claimed the lives of over 800,000 Rwandans—were an important step towards Rwandan democracy. They were well organised and peaceful, they helped establish an electoral process in a country with no democratic tradition, and they demonstrated a genuine public thirst for democracy. But we believe that they were also flawed. The European Union's Election Observation Mission highlighted a number of irregularities, although it stopped short of questioning the validity of the process or the result (Observation Missions from the Africa Union and South Africa reported far fewer irregularities). And we assess that in the run-up to the elections, Government moved to control the activities of opposition parties, civil society and the independent media.

We have urged the Government to take confidence from its new popular mandate, to open up space for legitimate political debate and to continue its work to establish a democratic and inclusive state.

Tom Brake: To ask the Secretary of State for International Development what assessment his Department has undertaken of the time scale over which democracy will be introduced in Rwanda with free elections. [142512]

Hilary Benn: DFID's 2003 Country Assistance Plan, a copy of which was recently placed in the House of Commons Library, presents our analysis of the process of democratisation in Rwanda.

We conclude that the Government of Rwanda is committed to establishing a democratic and inclusive state, at the pace that Rwanda's continuing social fragility dictates. We see evidence of this in the recent national elections, the first since the 1994 genocide and civil war. Although flawed, these elections were also well organised and peaceful, and helped establish a democratic process in Rwanda. The Government aims to build democracy from the bottom, by empowering local communities to engage with local government structures around policy development and resource allocation. It believes that democracy built in this way, with its emphasis on social participation and inclusion, will act as a counter-balance to political extremism including genocidal ideology. Local government structures are being established at a rapid rate, and significant resources are now being channelled to them.

We cannot determine a particular year by which "democracy" should be established. The pace of democratisation will be determined by the country's experience as it moves to establish local government, re-integrate ex-combatants returning from the Democratic Republic of Congo and individuals guilty of genocide and allows greater space for Parliament and the public to scrutinise the executive. But we have identified with Government a number of actions that should be taken over the next 12 months in certain key areas of political governance which are necessary to strengthen and demonstrate the move towards democratisation. These actions will be set out in the 2004 UK/Rwanda Memorandum of Understanding, which we will sign with the Government of Rwanda in January. The annual independent review of the Memorandum of Understanding provides the basis for our Partnership Talks with the Government of Rwanda.

Swazi Maize Farmers

John Barrett: To ask the Secretary of State for International Development what assessment he has made of the impact which food aid to Swaziland is having on the ability of Swazi maize farmers to sell their produce; and if he will make a statement. [142782]

Hilary Benn: Food aid always has the potential to disrupt incentives to local farmers. That is why DFID looks carefully at the specific food needs in each humanitarian operation and discusses food aid programmes with the major agencies, including the World Food Programme. We encourage WFP to source grains locally whenever this is possible and cost effective.

The National Agricultural Marketing Board of Swaziland suspended import permits for maize at the beginning of November this year. In the view of the Marketing Board, food aid imports are depressing local market prices, and DFID has therefore been discussing the position with the World Food Programme. WFP has informed us that tenders for food aid in Swaziland have been open to Swazi suppliers.

DFID's own support for WFP programmes in Swaziland has prioritised the use of corn soya blend for the most vulnerable of the food insecure, mostly vulnerable children and expectant mothers. Corn soya blend has no locally-produced substitute and will not disrupt incentives for local maize trade or maize planting.

Timber

Mr. Gardiner: To ask the Secretary of State for International Development by what means the Department's policy for purchasing timber and timber products ensures that they are obtained from legal and sustainable sources. [141336]

Hilary Benn: DFID ensures that its contractors and procurement agents purchasing goods on our behalf, are aware of Government policies and requires them to obtain proof from their suppliers that timber and timber products have been procured from legal and sustainable sources.

Turkmenistan

John Barrett: To ask the Secretary of State for International Development what assessment he has made of the impact which new laws on NGO registration in Turkmenistan will have on the ability of organisations to carry out humanitarian work; and if he will make a statement. [141373]

Mr. Rammell: I have been asked to reply.

I am very concerned that the new legislation on NGOs will criminalise legitimate NGO activity and give the Ministry of Justice powers to curb the work of NGOs in Turkmenistan.

Our Embassy in Ashgabat has raised these concerns with the Turkmen Ministry of Foreign Affairs, urging the Turkmen government not to use the legislation to penalise NGOs. Our concerns have also been raised with the Turkmen Ambassador to London.

With OSCE and other partners we have sent two Note Verbales asking for a meeting with the Turkmen Foreign Minister to discuss our concerns. We await a response and will continue to monitor this issue carefully.

UN Relief and Works Agency

Mr. Jenkins: To ask the Secretary of State for International Development what aid was donated by the British Government to the United Nations Relief and Works Agency in each of the last 10 years; and how much is pledged for 2004. [143216]

Hilary Benn: The UK's bilateral contributions to UNRWA for each financial year since 1994 are:

£ million

	Amount
1994–95	6.0
1995–96	6.6
1996–97	8.1
1997–98	10.0
1998–99	3.4
1999–2000	13.0
2000–01	18.8
2001–02	25.4
2002–03	18.8
2003–04	[1]18.1

[1] Spend to December 2003—the forecast for the financial year is £19 million.

Contributions since the start of the intifada in 2000 include extra funding allocated to UNRWA's emergency appeals for the West Bank and Gaza Strip. Our current bilateral framework for UNRWA for 2004–05 is £15 million.

The UK also contributes to UNRWA through its share of EC funding. EC contributions totalled €77 million in 2001, €65 million in 2002 and €82 million this year. The UK provides approximately 19 per cent. of funds to the EC's budget.

CONSTITUTIONAL AFFAIRS

Asylum and Immigration

Mrs. Curtis-Thomas: To ask the Parliamentary Under-Secretary of State for Constitutional Affairs what plans he has to ensure consistency in decision making at adjudicator level if the Immigration Appeals Tribunal is abolished. [143465]

Mr Lammy: The majority of appeals within the Asylum and Immigration Tribunal (AIT) will be heard and decided by single immigration judges. In reaching decisions judges must follow case law set by a panel of senior immigration judges and practice directions from the President.

In addition senior immigration judges will be responsible for ensuring consistent standards across the jurisdiction.

Mrs. Curtis-Thomas: To ask the Parliamentary Secretary, Department for Constitutional Affairs (1) if he will set out the hierarchy within the proposed new asylum and immigration appeals system; [143466]

(2) what the ratio of senior immigration judges to immigration judges will be in his proposed hierarchy for asylum and immigration appeals; [143468]

(3) what the criteria for selecting senior immigration judges will be; and in what respect their role will differ from that of immigration judges; [143469]

(4) if he will make a statement on the role of senior immigration judges. [143470]

Mr. Lammy: The Asylum and Immigration Tribunal will be headed by a President supported by one or more Deputy Presidents. The precise hierarchical structure of the Tribunal, including the selection criteria for senior immigration judges, is the subject of continuing discussions with the judiciary. The intention is to make the best use of the existing judicial complement who will transfer automatically to the new Tribunal. In broad terms, there will be a core body of senior immigration judges to support the work of immigration judges either by way of establishing case law, dealing with applications for review of Tribunal decisions or acting in supervisory positions.

Mrs. Curtis-Thomas: To ask the Parliamentary Under-Secretary of State for Constitutional Affairs whether his proposals for a new asylum and immigration appeals system will provide for *(a)* a review of and *(b)* an appeal from decisions that can be shown to be incorrect because of an administrative error by the Immigration Appeals Tribunal; and whether his proposals will provide an opportunity to challenge decisions if the conduct of the Immigration and Appeals Tribunal judge is questioned [143467]

Mr. Lammy: The Asylum and Immigration (Treatment of Claims, etc.) Bill will make provision for the tribunal to review its decision only if there has been a clear legal error which goes to the heart of the decision. A review will be conducted by reference to written submissions only.

Mr. Malins: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many *(a)* part-time and *(b)* full-time immigration adjudicators were in post on 1st October in each of the last four years. [143350]

Mr. Lammy: The numbers for fee-paid part-time, and for salaried immigration adjudicators are as follows:

Date	*Fee-paid*	*Salaried*
1 October 2000	143	15
1 October 2001	264	46
1 October 2002	394	80
1 October 2003	399	156

These figures do not include the following posts: 1 Chief Adjudicator, 1 Deputy Chief Adjudicator, 9 Regional Adjudicators and 7 Deputy Regional Adjudicators. In addition, a salaried Adjudicator with responsibility for training matters is in the process of being appointed.

Name Changes

Ms Stuart: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many cases of change of name by deed poll were recorded in each of the last five years. [143517]

Mr. Leslie: Figures are only available for the number of change of name deeds registered in the Central Office of the Supreme Court.

The figures are as follows:

	Change of name deeds enrolled
1998	227
1999	210
2000	254
2001	193
2002	184
Total	1,068

Judicial Oversight

Mrs. Curtis-Thomas: To ask the Parliamentary Under-Secretary of State for Constitutional Affairs whether the term judicial oversight in the context of the designated senior judge means *(a)* active oversight of substantive decisions and *(b)* purely administrative oversight [143471]

Mr. Lammy: The designated senior judge will have a managerial and an advice and mentoring role. The substantive decision will continue to be the responsibility of the judge conducting the tribunal hearing.

Art Acquisition

Norman Baker: To ask the Parliamentary Secretary, Department for Constitutional Affairs how much his Department or its predecessors has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 has been; how much it cost; and what the total revenue raised by his Department through sales of works of art has been since 1997. [142356]

Mr. Leslie: My Department has neither acquired nor sold any works of art in the period since 1997.

Big Conversation

Mr. Heald: To ask the Parliamentary Secretary, Department for Constitutional Affairs what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143161]

Mr. Leslie: I refer the hon. Member to the answer given to him by the Leader of the House of Commons on 9 December 2003, *Official Report,* column 355W.

House Sales

Mr. Sanders: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many house sales there were at more than *(a)* £20,001, *(b)* £50,001, *(c)* £75,001, *(d)* £100,001, *(e)* £150,001, *(f)* £200,001, *(g)* £250,001 and *(h)* £500,001 in Torbay in each of the last six years for which figures are available. [143593]

Mr. Lammy: The figures for each completed calendar year are as follows. Land Registry collects residential property price data by specified price bands and it is not possible to provide figures for sales specifically within the bands £75,001 and £250,001. Alternative ranges have therefore been provided.

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
More than £20,001	1,559	1,292	1,219	852	583	345
More than £50,001	1,388	1,519	1,759	1,759	1,541	1,022
More than £80,001	346	374	554	664	897	1,083
More than £100,001	261	284	485	647	954	1,393
More than £150,001	82	100	158	200	337	621
More than £200,001	39	62	77	112	149	313
More than £300,001	6	11	10	27	52	92
More than £500,001	12	0	5	7	6	6

FOREIGN AND COMMONWEALTH AFFAIRS

Chechnya

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment his Department has made of the human rights situation in Chechnya. [143931]

Mr. Rammell: We remain concerned over consistent reports of human rights abuses in Chechnya, especially reports of rising numbers of "disappearances". We regularly raise our concerns on human rights in Chechnya with the Russian authorities. We most recently did so following the Chechen Presidential elections, when I called for human rights to be upheld in Chechnya.

Big Conversation

Mr. Heald: To ask the Secretary of State for Foreign and Commonwealth Affairs what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143152]

Mr. Straw: I refer the hon. Member to the reply given to him by my right hon. Friend the Leader of the House on 9 December 2003, *Official Report*, column 355W.

Democratic Republic of Congo

Mr. Laxton: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the treatment of members of political parties in the Democratic Republic of Congo, with particular reference to the UDPS. [143662]

Mr. Mullin: Political parties, including the Union for Democracy and Social Progress, in the Democratic Republic of Congo (DRC) now enjoy a considerable degree of freedom of speech and of activity. New laws for registration and financing of political parties are on the agenda of the National Assembly of the DRC. Some political parties, newly formed from rebel movements in the east, do not want to register under the former Government's legislation until these laws are passed. With our support, the independent Electoral Commission and the High Media Authority (both civil society institutions) are monitoring closely.

Mr. Laxton: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on human rights in the Democratic Republic of Congo. [143691]

Mr. Mullin: The UN Special Rapporteuse on Human Rights in the Democratic Republic of Congo (DRC) reported to the Security Council in October 2003 on the current situation. We remain concerned about the high level of human rights violations across the country which she reported, particularly in the east.

Many violations committed during the war are also coming to light now that the fighting has reduced and the civilian population has more access to information, to the UN force (MONUC) and to NGOs. The new civil society institutions, particularly the Truth and Reconciliation Commission and the National Human Rights Observatoire, will need to work with the Transitional National Government to deal with past and current abuses. The international community, including the UK, is offering political, financial and technical support to these Commissions.

European Constitution

Mr. Cash: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 8 December 2003, *Official Report*, column 245W, on the draft European Constitution, how his statement that Article I-10 (1) should be interpreted accordingly applies to interpretation by the United Kingdom courts in respect of any future enactment of the United Kingdom Parliament which UK courts had determined was unambiguously inconsistent with European Union law. [143765]

Mr. MacShane: The ultimate guarantee of parliamentary sovereignty lies in the power of Parliament to repeal all or any of the Acts which give effect to the EU treaties in this country. It is within Parliament's power to legislate contrary to the UK's treaty obligations. This of course includes legislation that might impact on the effective implementation of Article I-10 (1). The result of so doing, however, would be to place the UK in breach of its treaty obligations.

Gibraltar

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the Government's position on the proposal for British/Spanish joint sovereignty for Gibraltar. [143555]

Mr. MacShane: I refer the hon. Member to the statement made by my right hon. Friend the Foreign Secretary on 12 July 2002, *Official Report*, columns 1165–80.

Hajj 2004

Mr. Cousins: To ask the Secretary of State for Foreign and Commonwealth Affairs what extra consular, medical and other support he proposes to offer to UK citizens attending the Hajj at Mecca in 2004. [144001]

Mr. Mullin: The delegation will include eight doctors, two counsellors and two members of staff from the Foreign and Commonwealth Office.

Identity Cards

Mr. Webb: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the implications of the introduction of compulsory identity cards for his Department. [142943]

Mr. Rammell: The Foreign and Commonwealth Office (FCO) has been involved from an early stage in detailed consultations with the Home Office and other Government Departments about the implications of an identity cards scheme. The FCO's initial concerns were addressed in the Home Office's paper "Identity Cards: The Next Steps" of November 2003. Issues such as the scheme's compatibility with EU legislation are being addressed in the drafting of the Bill. The FCO is represented on the interdepartmental programme board for ID cards which is taking into account the implications for foreign nationals and British nationals overseas, as well as our visa and consular services.

The Government have adopted an incremental approach to the introduction of ID cards which will ensure that successful roll-out in the first stage is a precondition for any move to compulsory cards.

Iraq

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what role the Government is playing in the process of awarding contracts for the provision of mobile telecommunications services in Iraq; how this process is being managed; and if he will make a statement. [142018]

Mr. Rammell: The process of awarding licences for the provision of mobile telecommunications services in Iraq is the responsibility of the Coalition Provisional Authority (CPA). The Iraqi Minister of Communications reviewed the outcome of the process and announced it.

The CPA put into place measures and safeguards in order to ensure the telecommunications licences were awarded in a transparent, fair and impartial manner, based upon full and open competition.

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the extent of the involvement of Mr. Nadhmi Auchi in the process for awarding contracts for the provision of mobile telecommunications services in Iraq. [142020]

Mr. Rammell: The process for awarding licences for the provision of mobile telecommunications services in Iraq was the responsibility of the Coalition Provisional Authority (CPA). The Iraqi Minister of Communications reviewed the outcome of the process and announced it. Mr. Nadhmi Auchi was not involved in the process of awarding licences.

Norman Lamb: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with *(a)* the Pentagon Inspector General and *(b)* other US authorities on investigations into the awarding of contracts for the provision of mobile telecommunications services in Iraq, with particular reference to the activities of Mr. David Leech and Mr. Jim Davis. [142208]

Mr. Rammell: My right hon. Friend the Foreign Secretary has had no discussions with the Pentagon Inspector General or other US authorities on investigations into the awarding of the licences for the provision of mobile telecommunications services in Iraq. The British Government have no knowledge of any investigation into or formal allegation against Mr. David Leech or Mr. Jim Davies, and no reason to doubt their integrity in any way.

The CPA put into place measures and safeguards in order to ensure the telecommunications licences were awarded in a transparent, fair and impartial manner, based upon full and open competition.

Mr. Menzies Campbell: To ask the Secretary of State for Foreign and Commonwealth Affairs what criteria will determine whether the results of investigations by *(a)* the Iraq Survey Group and *(b)* any other agency will be published; and if he will make a statement. [142637]

Mr. Straw: The Iraq Survey Group is a coalition body, not a UK Government body. The reports that they produce will be shared with the Governments of the coalition parties.

The criteria for the release of any information generated within the Government or received by the Government are laid down in the Code of Practice on Access to Government Information.

Middle East

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the action taken by his Department to address human rights violations in Middle Eastern states with particular reference to *(a)* Saudi Arabia, *(b)* Syria and *(c)* Iran. [143549]

Mr. Rammell: My right hon. Friend the Foreign Secretary and Foreign Office Ministers have discussed human rights concerns with their opposite numbers in these countries on many occasions. We also raise concerns through the EU.

On Saudi Arabia, we continue to have concerns about the failure to implement basic human rights norms. We have raised the use of capital punishment with the Saudi authorities, doing so most recently in conjunction with EU partners on 20 April 2003.

My hon. Friend the Minister of State at the Foreign and Commonwealth Office (Mr. Mike O'Brien) raised a range of civil society issues with Syrian President Bashar al-Assad during his visit to Damascus on 5 March 2003.

The Foreign Secretary most recently raised concerns about human rights in Iran, including restrictions on freedom of expression, with his Iranian counterpart in

September 2003. The UK co-sponsored a Canadian-tabled resolution on human rights in Iran at the United Nations General Assembly in November this year.

Simon Chapman

Mr. McNamara: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps have been taken to secure the release of Mr. Simon Chapman, arrested on 21 June 2003 in Thessaloniki, Greece; whether Her Majesty's representatives in Greece viewed the video evidence purporting to demonstrate Mr. Chapman's innocence of the charges made against him; how many days Mr. Chapman was on hunger strike; what the most recent assessment is of Mr. Chapman's medical condition; if he will make representations to the Greek authorities to lift the remaining barriers that prevent Mr. Chapman from returning to the UK; and what publicly-funded *(a)* legal advice and *(b)* financial support is available to Mr. Chapman to pursue a civil action against the Greek authorities. [143378]

Mr. Mullin: Simon Chapman was released on bail on 27 November 2003. Consular staff were in regular touch with him throughout his detention; and staff in the UK were in frequent touch with his family.

Neither the Foreign and Commonwealth Office (FCO) nor the British Embassy in Athens are in a position to comment on the video evidence put forward in Mr. Chapman's defence. It is for the courts to decide upon its relevance to his case.

Mr. Chapman started refusing food and liquids from 4 October 2003, although he did take honey and vitamin supplements. He started taking water from 25 October 2003. Since his release, Mr. Chapman has not contacted our staff but we remain in contact with his family, who have told us that Mr. Chapman is now eating certain foods and steadily regaining weight.

Mr. Chapman's lawyer has made an application to the Greek authorities to allow him to return to the UK pending his trial.

The FCO does not fund the legal costs of distressed British nationals but we have offered the use of a pro-bono lawyer from the FCO panel to assist Mr. Chapman's lawyer.

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs (1) if he will press the Government of Sudan to accept international monitoring of the situation in Darfur, Sudan; [143650]

(2) what discussions he has had with the Government of Chad with regard to the Sudanese peace talks. [143651]

Mr. Mullin: My right hon. Friend the Secretary of State for International Development spoke with the President of Sudan on 10 December during his visit to Sudan on 10 and 11 December, about the situation in Darfur. He expressed the British Government's concern at the deteriorating humanitarian situation there, and made clear that the parties needed to stop fighting and renew the ceasefire as a matter of urgency. We will ask the Government of Sudan to consider inviting international observers to monitor a renewed ceasefire.

Our Embassy in Khartoum has also had contact with the Chadian Embassy there with regard to the Abeche peace talks.

Terrorism

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of steps taken by Saudi Arabia to combat al-Qaeda operations. [143550]

Mr. Rammell: The Government of Saudi Arabia have taken significant steps to combat al-Qaeda-related terrorism in the aftermath of the 11 September 2001 attacks and in response to increased terrorist activity in Saudi Arabia. It has ratified six of the 12 International Conventions on terrorism; and has signed, but not yet ratified, the Convention on the financing of terrorism. It publicly condemned the 11 September attacks and has made clear repeatedly its condemnation of all terrorism.

Over the past year, the Saudi authorities have adopted wide-ranging measures against terrorism. They have publicly identified wanted terrorist suspects, made many arrests, seized significant caches of terrorist weapons and explosives, sought to counter the ideology underpinning the terrorists' activities, enhanced the security presence in public places, including around residential compounds, and taken measures to counter the flow of terrorist funding. We are co-operating closely with the Saudi authorities, as is the US and other international partners.

Nevertheless, the terrorist attacks of 12 May and 9 November highlight the very real threat of terrorism in Saudi Arabia. We continue to believe terrorists are planning further attacks in Saudi Arabia. Foreign and Commonwealth Office travel advice makes this assessment clear.

UK Visas

David Winnick: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Visa and Correspondence section of UK Visas will reply to the letter of 18 November from the hon. Member for Walsall, North concerning a constituent case, ref. 659979. [143959]

Mr. Mullin: A substantive reply was sent to my hon. Friend on 11 December.

NORTHERN IRELAND

Alternative Voting Methods

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of the impact of alternative voting methods in Northern Ireland. [143816]

Mr. Spellar: The Government are always ready to look at alternative voting methods if they lead to a more effective electoral system. However, before considering any alternative methods we would need to be sure that they would not compromise our anti-fraud measures.

Lady Hermon: To ask the Secretary of State for Northern Ireland, what plans he has to introduce pilot schemes for electronic counting of votes in future *(a)* local government, *(b)* Assembly, *(c)* Westminster and *(d)* European Parliament elections; and if he will make a statement. [144007]

Mr. Spellar: Following the recent Assembly elections we will be talking to interested parties to ascertain their views on ensuring that election counts are efficient and effective as possible.

Ballyvester Primary School

Lady Hermon: To ask the Secretary of State for Northern Ireland when he will make the necessary funding available to Ballyvester Primary School in North Down to facilitate the replacement of mobile classrooms. [143584]

Jane Kennedy: I understand from the Chief Executive of the South Eastern Education and Library Board that the long-term future of Ballyvester Primary School is being considered as part of the Board's five-year Capital Development Plan, which was published in October 2003 and is out for consultation until February 2004. The five-year plan indicates that a review of primary provision in the area will be carried out before the end of 2005.

In the meantime, the Board has carried out improvements to the heating in the main school and external repair to the existing mobiles. As a short-term measure, the Board also offered to replace some of the older mobile classrooms with newer mobiles but the school has declined this solution.

Closed Circuit Television

Lady Hermon: To ask the Secretary of State for Northern Ireland what funding he has made available for town centre CCTV schemes in Northern Ireland; and what assessment he has made of the contribution of CCTV to the reduction of crime in Northern Ireland's town centres. [142689]

Mr. Spellar: During the period 1999–2001, the Government, through the Police Authority for Northern Ireland, invested £2.3 million in CCTV systems in seventeen town centres across Northern Ireland. We hope that it will be possible to build on this original investment and plan to make a further statement shortly.

In terms of the impact of CCTV, we have received evaluations from nine of the systems installed during 1999–2001. My officials are currently considering these and will be seeking a further independent view of their overall impact on crime across Northern Ireland.

We remain of the view that CCTV, when used as part of a wider crime reduction strategy, can be an effective tool in tackling crime.

Diabetes Framework

Lady Hermon: To ask the Secretary of State for Northern Ireland what progress has been made in the implementation of the Diabetes Framework Strategy for Northern Ireland; and if he will make a statement. [143973]

Angela Smith: The Department will establish an Implementation Team, early in the new year, to produce an implementation plan for the Diabetes Service Framework. The Implementation Team will identify specific actions which can be taken forward within the additional resources which will be made available for diabetes services next year and produce a prioritised and costed list of further actions which can be taken forward as additional resources are secured.

Disability Discrimination Act

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to extend Part 3 of the Disability Discrimination Act 1995 to cover education and transport services in Northern Ireland; and if he will make a statement. [142693]

Mr. Spellar: It is proposed to issue a Northern Ireland consultation document on the proposal to remove the exemption for transport services in Part III of the Disability Discrimination Act 1995 early next year.

In relation to the coverage of education, the Act will effectively be extended to cover Northern Ireland by way of Special Educational Needs and Disability legislation which is currently in course of preparation and is expected to be made next year.

Farming (Subsidy Claims)

Mr. McGrady: To ask the Secretary of State for Northern Ireland how many appeals have been heard against decisions by the Department to penalise farmers for errors in subsidy claims; and what percentage of these appeals have been successful. [143948]

Mr. Pearson: A total of 48 cases have been heard by the Independent Appeals Panel. Of these, eight relate to errors in subsidy claims and one of these (12.5 per cent.) has been successful. In total, 23 per cent. of the cases heard by the Panel have been successful either in whole or in part.

Harland and Wolff

Mr. Hancock: To ask the Secretary of State for Northern Ireland what grant assistance has been given to Harland and Wolff in Belfast since 1 January 2000 in respect of equipment purchased which has since been sold on to Swan Hunter. [143310]

Mr. Pearson: No grant assistance has been provided since 1 January 2000 in respect of surplus equipment sold by Harland and Wolff, to Swan Hunter, as part of ongoing restructuring activity.

Local Community Fund

Mr. McNamara: To ask the Secretary of State for Northern Ireland what electoral wards will receive grants from the Local Community Fund; and what projects will be supported in each. [143451]

Mr. Spellar: For 2003–04 the Local Community Fund has been allocated to communities using the Noble measure of multiple deprivation overlaid by the results of a mapping exercise carried out by the Community Foundation of Northern Ireland. A full list of areas benefiting from the Fund is shown in the following table. Allocation of the Fund has been calculated on a proportionality basis, using estimated populations for the list of selected areas.

It is intended that key activities, which the Fund will support, will involve capacity building and the strengthening of leadership at a neighbourhood level. Deployment of the Fund is based on a bottom up approach with local communities developing community ideas and identifying appropriate activities to be supported as a solution to tackling their problems against the allocated sums. Each area is currently working up initiatives/actions for support through the Fund. Some examples of the type of activity likely to be supported are refurbishment of community houses, youth intervention programmes and environmental improvement projects and it is hoped that activities will get on the ground early in the new year.

Local Community Fund initial areas 2003–04—District council areas

Ward	*Area*
Ards	
Loughries	Bowtown Estate
Belfast	
St. Anne's	Lower Shankill
St. Anne's	Brown Square
Ballymacarrett	Pottinger (Inner East)
Ballymacarrett	Avoniel (Part of Inner East)
Ballymacarrett	The Mount (Part of Inner East)
Ballymacarrett	Willowfield (Part of Inner East)
Ballymacarrett	Ravenhill (Part of Inner East)
Clonard	Clonard
Clonard	Beechmount/Cavendish
Blackstaff	Village
Glencairn	Glencairn
Highfield	Highfield
Finaghy	Finaghy
Carrickfergus	
Northland	Sunnylands
Gortalee	Greenisland/Gortalee
Castlereagh	
Castlereagh	Tullycarnet
Coleraine	
Ballysally	Ballysally
Churchland	The Heights
Cookstown	
Stewartstown	Stewartstown
Craigavon	
Drumgask	Parkmore
Derry	
St. Peter's	Foylehill/Creggan
Victoria	Top of Hill/Gobnascale
Shantallow East	Shantallow
Glen	Glen Estate
Corrody	Curryneirin and Tullally
Caw	Clooney
Clondermot	Irish Street
Faughan	Lettershandoney
Creevagh and Springtown	Ballymagroarty /Hazel bank
Down	
Flying Horse	Model Farm Estate
Cathedral	Flying Horse Estate
Shimna	Newcastle
Dungannon	
Ballysaggart	Ballysaggart
Larne	
Central	Riverdale
Limavady	
Limavady	Glen Estate and Hospital Lane
Moyle Council	
Glentaisie	Ballycastle Town
Newry and Mourne	
Daisy Hill	Carnagat
Newtownhamilton	Newtownhamilton Village
Ballybot	Derrybeg
Newtownabbey	
Glengormley	Glenvarna and Queenspark
North Down	
Conlig	Rathgill
Harbour	Harbour Ward
Omagh	
Termon	Carrickmore
Fintona	Fintona
Strabane	
Glenderg	Glenderg Ward
Strabane West	Lisnafin
Strabane South	Ballycolman

Northern Ireland Assembly

David Burnside: To ask the Secretary of State for Northern Ireland what the expected monthly running cost is of the Northern Ireland Assembly *(a)* while suspended and *(b)* when fully operational, broken down by (i) MLA salaries and office cost allowance costs, (ii) executive costs when the Assembly is operational and (iii) general administration costs. [142773]

Mr. Paul Murphy: The expected monthly running costs of the Northern Ireland Assembly while suspension continues are £1.93 million, comprising £0.83 million for MLA salaries, office cost allowance, travel and subsistence expenses and party allowances and £1.1 million for general administration. The monthly costs when the Assembly was last fully operational were £2.64 million, comprising 0.97 million for MLA salaries, office cost allowance, travel and subsistence expenses and party allowances and £1.67 million for executive and general administration costs. It is not possible to separate the executive costs of running Assembly business from the general administration costs.

Paramilitary Activity (Exiles)

Mr. Barnes: To ask the Secretary of State for Northern Ireland (1) how many people have been exiled from Northern Ireland by *(a)* Loyalist and *(b)* Republican paramilitary groups in each of the last five years; [142747]

(2) what his latest estimate is of the total number of people who have been exiled from Northern Ireland by paramilitary groups since 1973. [142748]

Angela Smith: There are no official figures on the number of people exiled from Northern Ireland as a result of paramilitary intimidation as not all incidents are reported. The needs of exiles are examined in detail in the Legacy Report, an independent needs analysis of victims of the Troubles living in Great Britain. One of the major contributors to this research was Maranatha, a Christian community which has considerable experience in this area. Maranatha estimates that around four people per month are exiled from Northern Ireland to Great Britain.

Police Fund

Lady Hermon: To ask the Secretary of State for Northern Ireland what discussions he has had with the Chief Constable of the Police Service of Northern Ireland in relation to the arrest of two members of staff of the Police Fund on 5 December 2003; and if he will make a statement. [143945]

Jane Kennedy: As the Chairman of the Northern Ireland Police Fund stated on 5 December 2003, he was made aware on the previous day of serious allegations, including financial irregularities, in respect of the Fund. Two members of staff were questioned by the police, although they were subsequently released without charge. I welcome the commitment of the Fund's Directors to provide continuity of care and services to the Fund's clients, as far as possible.

As there is an on-going police investigation, it would not be appropriate to comment further.

Lady Hermon: To ask the Secretary of State for Northern Ireland what assessment he has made of possible breaches of confidentiality of the names and addresses of Royal Ulster Constabulary widows following the arrest of two members of staff of the Police Fund; and if he will make a statement. [143946]

Jane Kennedy: I refer the hon. Lady to the statements issued by the Fund Chairman on 5 December 2003. Copies of the statements have been placed in the Library.

Police Station (Belfast Airport)

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland on what basis the decision to close the police station at Belfast International Airport was made; and if he will make a statement. [141726]

Jane Kennedy: While some functions are to transfer from the Police Station to the new Airport Control Centre, such as monitoring CCTV and managing operational communications, the Police Station itself remains a vital part of the security infrastructure at the airport and will not be closed.

Post-primary Education

David Burnside: To ask the Secretary of State for Northern Ireland what progress has been made on reducing the number of disaffected pupils in post primary schools by 15 per cent. as set out in the Department of Education Business Plan 2003–04. [142210]

Jane Kennedy: The target is to achieve the reduction by 2006. At the end of the 2003–04 school year the baseline for persistent non-attendance and multiple suspensions will be determined and it is against this that progress will be measured. It will be November 2005 before the first report on progress is available.

School Enrolments

David Burnside: To ask the Secretary of State for Northern Ireland what the latest enrolment numbers available at schools and in pre-funded education are for 2002–03 in Northern Ireland. [142774]

Jane Kennedy: The information requested is as follows:

	Number
Children in Funded Places in Voluntary and Private Pre- school Education Centres	5,804
Nursery Schools	6,269
Nursery Classes in Primary Schools	7,823
Reception Pupils in Primary Schools	1,149
Reception Pupils in Preparatory Departments	31
Primary Schools (Year 1-Year 7)	165,179
Preparatory Departments (Year 1-Year 7)	2,620
Secondary Schools (Non Grammar)	92,645
Grammar Schools (Year 8-Year 14)	63,102
Special Schools	4,879
Hospital Schools	236
Independent Schools	948
All Schools and funded pre-school centres	350,685

Victims (Representation)

Mr. Barnes: To ask the Secretary of State for Northern Ireland how the interests of victims and survivors of the Northern Ireland Troubles from Great Britain are represented in the talks between the British and Irish Governments and the Northern Ireland political parties. [142750]

Angela Smith: The Joint Declaration of 6 May 2003 commits Government to work with the Irish Government, the political parties and victims and survivors to seek to establish what further practical steps can be taken to recognise and address the suffering of all victims, taking into account the state of readiness of the community as a whole to engage. The Government continues to work towards meeting these commitments and as part of this process I am currently engaged in a consultation process to develop the next generation of victims' policy. Included within this process are the findings of The Legacy Report, a recently completed needs analysis of victims of the Northern Ireland Troubles living in Great Britain. The report was commissioned by the Legacy Project, an initiative of the Tim Parry Jonathan Ball Trust which has been allocated Government funding of £250,000. The recommendations made in the report are now under consideration.

Victims Liaison Unit

Mr. Barnes: To ask the Secretary of State for Northern Ireland if he will ask the Victims Liaison Unit to organise a conference to examine how best practice and experiences from Northern Ireland can be used in meeting the needs of victims and survivors of the Northern Ireland Troubles from Great Britain. [142751]

Angela Smith: The Legacy Report, an independent needs analysis of victims of the Northern Ireland Troubles living in Great Britain, makes a number of recommendations for Government across a range of its Departments. One of the recommendations is that the Victims Liaison Unit in the Northern Ireland Office should organise a conference to share best practice and experiences from Northern Ireland. This and other recommendations are currently under consideration.

DEPUTY PRIME MINISTER

Building Regulations

Llew Smith: To ask the Deputy Prime Minister what representations he has received from the Association for Environment Conscious Building in respect of changes to the building regulations. [143509]

Mr. Raynsford: The Association is on the list of organisations consulted when changes are proposed to the Building Regulations in England and Wales, and most recently it has commented on the overall structure and aims of the current review of Part L of the Regulations, which deals with energy conservation.

Barker Report

Mr. Clifton-Brown: To ask the Deputy Prime Minister if he will make a statement on the Barker report. [R] [144197]

Keith Hill: The Office of the Deputy Prime Minister welcomes the report. Kate Barker and her team have done a thorough job in getting to grips with the issues of housing undersupply.

The Office of the Deputy Prime Minister believes the review complements the Communities Plan, by highlighting the need for additional housebuilding, and for a more responsive industry in high demand areas. The Barker report deepens our understanding of the constraints that must be overcome.

The report is right to emphasise that this is not just a matter of getting housing numbers up. We have to build sustainable communities, not just houses. For if we do not achieve this, we risk repeating the mistakes of the past, where residents are reluctant to see further development, and this reduces housebuilding further still.

The report says we need to deliver the socially optimal numbers, type and location of housing. That means carefully balancing different objectives and considerations—economic, social and environmental, which fits in well with the Office of the Deputy Prime Minister's overarching objectives.

The Office of the Deputy Prime Minister agrees that the planning system is not perfect. Reforms are currently before parliament in the Planning Bill. These, we believe will improve planning policy and process. We look forward to hearing what recommendations are produced in the final Barker report.

Finally, we welcome the analysis of the housebuilding industry, and agree that the industry seems to be in a low output equilibrium. We reinforce Kate Barker's conclusion that the industry could and should make better use of modern methods of construction.

Mr. Clifton-Brown: To ask the Deputy Prime Minister what measures he will introduce to increase house building as recommended in the Barker report. [R] [144198]

Keith Hill: The Office of the Deputy Prime Minister welcomes the research undertaken by the Barker Review, especially the figures for the additional housing required to fulfil particular aims. The review makes clear that it is not recommending a rate of housebuilding, however, and that it is up to Government to determine what the appropriate level is. It also makes clear that the country needs a housebuilding industry that is more responsive to prices.

The Planning Bill currently before Parliament already puts in place measures that the Office of the Deputy Prime Minister believes will deliver a more responsive industry and a higher level of housebuilding. The Office of the Deputy Prime Minister also looks forward to seeing the recommendations in Kate Barker's final report in which she will present her policies. Only then will we be in a position to respond fully to any requirement for a higher level of housebuilding.

Brighton and Hove Albion

Norman Baker: To ask the Deputy Prime Minister which directors of Brighton and Hove Albion football club *(a)* he has and *(b)* other Ministers in his Department have met since 1 January 2002; and if he will make a statement. [142431]

Yvette Cooper: Pursuant to my answer of 8 December 2003, *Official Report*, column 342W, my right hon. Friend the Deputy Prime Minister met Derek Chapman, Managing Director of Adenstar Construction Group, when he opened Adenstar's new offices in Portslade, Hove on 13 May 2003. My right hon. Friend the Deputy Prime Minister, was not made aware until last week that Mr. Chapman was a Director of Brighton and Hove Albion Football Club.

Civil Servants (Secondment)

Matthew Taylor: To ask the Deputy Prime Minister whether it is standard practice for civil servants from his Department who are seconded to other organisations to write a report to record their experiences and achievements during their secondment on their return from the secondment. [142389]

Yvette Cooper: The Office recognises the importance of setting objectives for each secondment and for evaluating the experiences and achievements of each secondee.

The standard terms and conditions covering outward secondments require the secondee to "provide a brief report on their work".

Reports are either verbal or written. Before secondees are posted within the Office on their return discussions are held to identify the skills and knowledge they have acquired during the secondment to ensure that the Office of the Deputy Prime Minister benefits from these.

Council Housing Lists

Mr. Steen: To ask the Deputy Prime Minister if he will take steps to allow parity of access to council housing lists between council officials and elected councillors. [143850]

Keith Hill: The Homelessness Act 2002 made changes to the legislation governing the allocation of accommodation by local authorities (Part 6 of the Housing Act 1996) which came into force on 31 January this year. As a result, local authorities can exclude persons the housing waiting list in only very limited circumstances: namely, if they are certain persons from abroad (who are ineligible for an allocation) or if the authority has determined that they have been guilty of unacceptable behaviour serious enough to make them unsuitable to be a tenant (who may be treated as ineligible).

Elected councillors are bound by the Local Authorities Model Code of Conduct (SI 2001 No. 3575). This does not restrict members' access to housing waiting lists, but does require them to register any interest that they have in land within the authority's area (including tenancies of council property). The Code also requires members to ensure that they do not use their position as a member improperly, to confer on or secure for themselves an advantage or disadvantage, or do anything that compromises the impartiality of those who work for the authority.

Council Tax

Mr. Frank Field: To ask the Deputy Prime Minister what powers, in addition to existing age specific means-tested concessions on council tax, local or billing authorities have to offer discretionary council tax concessions to those over the age of 75. [143992]

Mr. Raynsford: The Local Government Act 2003 provides a power for local billing authorities to offer a locally defined council tax discount if they wish on an individual basis, or for a class of council tax payer. This new power came into force on 18 November 2003. More generally local authorities may also be able to use their "well being" power under section 2 of the Local Government Act 2000. It is for local authorities to decide how they use such discretionary powers.

Mr. Ben Chapman: To ask the Deputy Prime Minister if he will make a statement on council tax bands for properties built after 1991. [143637]

Mr. Raynsford: For property built after 1991, council tax valuations are based on an estimate of the price the property would have fetched if it had existed and been sold on 1 April 1991.

Mr. Ben Chapman: To ask the Deputy Prime Minister what advice his Department gives to local councils on the banding for council tax purposes of homes built after 1991. [143638]

Mr. Raynsford: The Valuation Office Agency is responsible for the banding of homes for council tax purposes. The Office of the Deputy Prime Minister therefore gives no advice to local councils on this matter.

Decent Homes Standard

Mr. Crausby: To ask the Deputy Prime Minister (1) what impact he estimates the Inland Revenue's ruling of 24 October will have on the standard of housing in *(a)* South Norfolk and *(b)* Newton Abbot; [143744]

(2) how the Government will support the local authority in its bid to achieve the 2010 Decent Homes Standard if the Inland Revenue's ruling of 24 October is upheld and as a result South Norfolk's proposed transfer of houses to the South Norfolk Housing Partnership does not take place; [143745]

(3) how the Government will support the local authority in its bid to achieve the 2010 Decent Homes Standard if the Inland Revenue's ruling of 24 October is upheld and as a result Newton Abbot's proposed transfer of houses to the Teignbridge Housing Association does not take place; [143746]

(4) what impact he estimates the delay in the transfer of homes to the *(a)* South Norfolk Housing Partnership and *(b)* Teignbridge Housing Association will have on the local authority's short-to-medium term housing policy; [143747]

(5) what he estimates will be the delay to the transfer of housing stock to the *(a)* South Norfolk Housing Partnership and *(b)* Teignbridge Housing Association while the Inland Revenue's ruling of 24 October is considered. [143748]

Jim Dobbin: To ask the Deputy Prime Minister (1) what assessment he has made of the impact of the Inland Revenue's ruling of 24 October on the standard of housing in *(a)* Bromsgrove, *(b)* Skipton, *(c)* Letchworth, *(d)* Maidstone and *(e)* Hereford, with particular reference to funds available to spend on housing stock; [144162]

(2) how the Government will support *(a)* Skipton, *(b)* Hereford, *(c)* Letchworth and *(d)* Bury St. Edmunds in their bids to achieve the 2010 Decent Homes Standard, following the Inland Revenue's ruling of 24 October; [144163]

(3) what assessment he has made of the impact of the delay in the transfer of homes to the *(a)* Bromsgrove District Housing Trust and *(b)* Maidstone Housing Trust on the local authority's short to medium term housing policy; [144164]

(4) what assessment he has made of the effect of the Inland Revenue's ruling of 24 October on *(a)* Skipton's, *(b)* Letchworth's, *(c)* Bury St. Edmunds' and *(d)* Hereford's ability to achieve the 2010 Decent Homes Standard; [144168]

(5) what he estimates will be the delay to the transfer of housing stock to the *(a)* Bromsgrove District Housing Trust and *(b)* Maidstone Housing Trust while the Inland Revenue's ruling of 24 October is considered. [144194]

Keith Hill: It will be for each local authority and registered social landlord to consider the implications on their local circumstances and in particular on their decent home delivery plan of the Inland Revenue's preliminary opinion. While there might be slight delays in any particular transfer it is unlikely this will impact on either the standard of housing or an authority's short-to-medium term housing policy.

Departmental Costs

Mr. Stringer: To ask the Deputy Prime Minister what the cost has been so far of the information campaign, Elected Regional Assembly: Your Say; what the total budget is; and what the cost for each of the three regions in which referendums are to be held has been so far. [143914]

Mr. Raynsford: I refer my hon. Friend to the answer given to the hon. Member for Hexham (Mr. Atkinson) on 11 November 2003, *Official Report*, column 259W.

Departmental Spending

Norman Baker: To ask the Deputy Prime Minister how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 has been; how much it cost; and what the total revenue raised by his Department through sales of works of art has been since 1997. [142357]

Yvette Cooper: The Office of the Deputy Prime Minister was created 29 May 2002. The Office of the Deputy Prime Minister has not spent any money purchasing works of art, and has sold none. As with previous Administrations, Government Departments are supplied Art work by the Government Art Collection (GAC) on a loan basis.

Deprivation

Malcolm Bruce: To ask the Deputy Prime Minister what the level of deprivation was in each local authority in England in each year since 1997. [143001]

Yvette Cooper: Since 1997, the Office of the Deputy Prime Minister and it's predecessor Department have published two Indices of Deprivation—the Index of Local Deprivation in 1998 and the Indices of Deprivation 2000. Tables containing the rankings for each local authority district in England for both years are available in the Libraries of the House.

These two Indices are not directly comparable. The methodology for measuring deprivation was completely changed in 2000 and the range of indicators were extended in 2000 from 12 to 33.

Devonport Regeneration Company

Mr. Streeter: To ask the Deputy Prime Minister what complaints he has received against the Devonport Regeneration Company from Devonport community activists; what steps he intends to take to investigate matters; and if he will make a statement. [142701]

Yvette Cooper: The Government Office for the South West (GOSW) has received a number of complaints about Devonport Regeneration Company and is working with the Company and Plymouth city council, the Company's accountable body, to address the issues raised.

Mr. Streeter: To ask the Deputy Prime Minister what assessment he has made of *(a)* the performance of the Devonport Regeneration Company and *(b)* its compliance with Government guidelines in staff employment and the allocation of funds; and if he will make a statement. [142703]

Yvette Cooper: All New Deal for Communities (NDC) programmes are subject to regular performance assessment by the relevant Government Office for the Region and the Office of the Deputy Prime Minister, which includes compliance with guidelines. The accountable body for each NDC is also required to carry out regular audits. The Government Office for the South West is working with Devonport Regeneration Company NDC and Plymouth city council, as the accountable body, to ensure improvements in the NDC's performance in a number of areas.

Ethnicity

Ms Buck: To ask the Deputy Prime Minister what plans his Department has to include a measure of the effect of ethnicity in indices of deprivation; and what assessment he has made of relevant methodologies. [143575]

Yvette Cooper: There is no direct measure of black and minority ethnic concentrations proposed for inclusion in the revised Indices of Deprivation 2000 because not all BMEs are deprived.

However the indicators proposed for inclusion in the revised Index do recognise the problems encountered by black and minority ethnic communities. For example, proposed housing indicators on homelessness, overcrowding and social and private housing in poor condition are all important issues for deprived BME communities. In terms of the Education, Skills and Training domain, indicators on school performance at Key Stages 2, 3 and 4 will identify areas where there are large numbers of children suffering educational deprivation. Similarly the indicator adult educational deprivation will be picked up through the proposed indicator on adults with 'no' or 'low' qualifications.

Ms Buck: To ask the Deputy Prime Minister what assessment he has made of the effect of a person's ethnicity on their access to public services within the responsibilities of his Department. [143578]

Yvette Cooper: The Office of the Deputy Prime Minister published a Race Equality Scheme in May 2003. The scheme will monitor and assess policies and functions supporting public services, for which the Office of the Deputy Prime Minister is responsible. The Race Equality Scheme is published on our website, and is in the process of being updated. The revised published document will be available in the Library of the House in due course.

Fire Authorities

Mr. Drew: To ask the Deputy Prime Minister how much each fire authority is expected to contribute towards Audit Commission costs for its evaluation of the recent pay agreement. [143658]

Mr. Raynsford: The Audit Commission has estimated the cost of the first phase of its verification of the local delivery of the recent pay and modernisation agreement will be £1 million and the second phase £0.9 million. The Office of the Deputy Prime Minister and the Local Government Association (LGA) are discussing how best to meet this cost.

Mr. Drew: To ask the Deputy Prime Minister what assessment he has made on the implications for Tri-Service Emergency operations of a move towards regional fire authorities. [143659]

Mr. Raynsford: The Government keep emergency public safety cover arrangements under constant review and will continue to do so in the light of any future fire authority organisational changes.

Green Belt

Mr. Clifton-Brown: To ask the Deputy Prime Minister what plans there are to allow building on the green belt. [R] [144199]

Keith Hill: The Government's planning policies on Green Belts are set out in Planning Policy Guidance note 2 (PPG2). These policies include a general presumption against inappropriate development in the Green Belt. Most new building is inappropriate development in the Green Belt and should not be approved, except in very special circumstances. In preparing development plans for their area and determining planning applications, local planning authorities must have regard to the policies in PPG2 wherever green belt land would be affected. In its action programme, "Sustainable Communities: building for the future", published by the Office of theDeputy Prime Minister in February 2003, the Government included a target for each region to maintain or increase the area of land currently designated as Green Belt in local plans.

Homelessness

Mr. Barnes: To ask the Deputy Prime Minister if he will make it his policy that a housing applicant exiled from Northern Ireland because of intimidation should be accepted as homeless and entitled to an emergency payment. [142738]

Yvette Cooper: People fleeing violence or threat of violence in Northern Ireland and seeking homelessness assistance from a local housing authority in England would be treated on the same basis as any other applicant fleeing violence or a threat of violence likely to be carried out.

Under the homelessness legislation (Part 7 of the Housing Act 1996 as amended by the Homelessness Act 2002), local housing authorities must ensure that suitable accommodation is available for applicants who have become homeless through no fault of their own if they are eligible for assistance and fall within a priority need group (the main homelessness duty). Certain persons from abroad are ineligible for assistance. In deciding whether someone is homeless, authorities must consider whether it would be reasonable for someone to continue to occupy their current home. It would not be reasonable for someone to do so, if it was probable that continued occupation would lead to violence against the applicant, any member of his or her family or any other person who might reasonably be expected to live with the applicant.

The priority need groups include families with dependant children, households that include a pregnant woman; young people aged 16 and 17 (except those owed certain duties by social services); care leavers aged 18 to 20; people who are vulnerable as a result of fleeing their home because of violence; people who are vulnerable as a result of time spent in care, in custody or in the armed services and people who are vulnerable as a result of some other special reason.

Where an applicant is accepted as eligible for assistance, homeless through no fault of their own but not in priority need the housing authority must provide advice and assistance to help the applicant find accommodation for him or herself.

People coming from Northern Ireland would be able to apply to Jobcentre Plus for a Crisis Loan from the Social Fund. These loans are intended for applicants who are unable to meet their immediate short-term needs either in an emergency or as a consequence of a disaster.

The applicant does not have to be in receipt of any benefit, but the decision maker will generally take any income or capital that they have into account.

The need for help will generally be for a specific item or service or immediate living expenses for a short period, not normally exceeding 14 days.

Housing

Ms Oona King: To ask the Deputy Prime Minister how much money central government allocated to *(a)* London and *(b)* the London borough of Tower Hamlets to invest in social housing in each of the years from 1992 to 2005. [143851]

Mr. Raynsford: The following tables show the funds allocated to London and to the London borough of Tower Hamlets to invest in social housing in the years 1992–2005. In summary London has been allocated some £14.1 billion up until 2004–05 and London borough Tower Hamlets has received some £670 million up to 2004–05.

London	*Total allocation*
1991–92	661,268
1992–93	625,589
1993–94	669,081
1994–95	562.99
1995–96	1,059,565

London	*Total allocation*
1996–97	975,937
1997–98	782,239
1998–99	784,591
1999–2000	783,409
2000–01	1,094,458
2001–02	1,221.92
2002–03	1,288.101
2003–04	1,222,685
2004–05	1,039
HAT 92–04	515
Grand total	14,080,865

Note:

Please note that yearly breakdowns for HAT funding was not available from the relevant organisations within the specified time limit.

Tower Hamlets	*Total allocation*
1991–92	24.813
1992–93	20.674
1993–94	23.197
1994–95	17.946
1995–96	29.512
1996–97	36.656
1997–98	32.011
1998–99	27.811
1999–2000	36.507
2000–01	51.594
2001–02	50.781
2002–03	56.944
2003–04	79.19
2004–05	15.150
EA 92–04	44.4
HAT 92–04	123
Grand total	670.186

Note:

Please note that no figures were available for a full year-by-year breakdown for both EA and HAT within the specified time limits.

Legislation

Mr. Redwood: To ask the Deputy Prime Minister what percentage of *(a)* primary and *(b)* secondary legislation sponsored by the Department in 2002–03 was introduced to implement EU requirements. [141132]

Yvette Cooper: The Office of the Deputy Prime Minister did not sponsor any primary or secondary legislation during the 2002–03 session that implemented EU requirements.

Local Authority Management Organisations

Mr. Coleman: To ask the Deputy Prime Minister if he will list the local authorities which have sought to set up Arms Length Management Organisations in 2003–04. [143944]

Keith Hill: The local authorities that have or are due to set up Arms Length Management Organisations (ALMOs) in 2003–04 to improve the condition and management of their housing stock are those for which was announced conditional funding on 28 July. These are: Barnet, Camden, Easington, Gateshead, Harrow, High Peak, Islington, Newcastle, Poole, Sheffield, Solihull, South Lakeland and Warrington. Bids from local authorities seeking to set up ALMOs in 2004–05 are due by 31 December 2003.

Local Government Funding

Mr. Tyrie: To ask the Deputy Prime Minister (1) if he will list the *(a)* Inner London boroughs, *(b)* Outer London boroughs and *(c)* Metropolitan districts who will have no increase in the level of grant for local authority service components, as defined in the Local Government Finance 2004–05 Revenue Support Grant Settlement, excluding the settlement for education; [143860]

(2) if he will list the level of grant change for all local authority service components as defined in the Local Government Finance 2004–05 Revenue Support Grant Settlement, excluding education, for West Sussex county council. [143865]

Mr. Raynsford: Formula grant distributed through the Local Government Finance settlement is not ring fenced for any purpose.

Miss McIntosh: To ask the Deputy Prime Minister what his policy is on resolving shortfalls in income between the level of grant allocated to local authorities and the actual cost of the provision of services. [142038]

Mr. Raynsford: Grant support to local authorities covers on average some 75 per cent. of their costs. The balance is funded through council tax. The Office of the Deputy Prime Minister seeks to ensure that where new burdens are placed on councils by central government they are fully funded through the grant system.

Helen Jackson: To ask the Deputy Prime Minister (1) when he will finish his review of local government funding following the Audit Commission report; [143933]

(2) what options he is examining to address the fundamental flaws mentioned in the Audit Commission review of local government funding. [143972]

Mr. Raynsford: The Government's Balance of Funding Review, which I chair, is looking at how local government should be funded in future. It is taking evidence on a number of proposals for change identified in responses to the Review's public consultation. The Review is due to produce a final report of its work in summer 2004.

Projects (St. Helens)

Mr. Woodward: To ask the Deputy Prime Minister which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141270]

Yvette Cooper: Project support information is tabled as follows.

Project name	*Period*	*Government funding*	*Other funding*	*Source of other funding*	*Target group*	*Projected outcomes*
Single Regeneration Budget (SRB)[1] (round 1) St. Helen's Southern Corridor	1995–06 to 1999–2000	£4.5 million	Details not available	—	St. Helen's Town Centre	Comprehensive regeneration strategy building on: road links with M62, existing public private partnerships. Wide range of employment and other benefits to residents.
SRB (round 2) Newton 21 St. Helens	1996–07 to 2000–01	£14.08 million	Details not available	—	Newton-le-Willows	Intended to create a self sustaining community through a programme of economic, environmental, housing, training and education initiatives preparing residents for employment opportunities created by commercial development.
SRB (round 4) The Parr Partnership St. Helens	1998–09 to 2003–04	£5.25 million	£12.82 million	Other public funding and private sector leverage	Parr area of St. Helens	Addressing problems faced by Parr residents including health and living environments, the needs for skills and training, and improvements to social, transport and recreation facilities.
SRB[2] (round 5) St. Helens Count Me In	1999–2000 to 2003–04	£13.65 million	£52.5 million	Other public funding and private sector leverage	Former Coalfield Community of St. Helens	Major new centres of economic activity—stadium/leisure/conference centre; strategic site for employment; innovation centre to create new job opportunities. Environmental improvements. Capacity building, health initiatives and improved public transport links will address social inclusion.
Community Empowerment Fund	2001–02 to 2003–04	£390,000	n/a	n/a	St. Helens local authority area	To assist in establishing a Community Network to allow the community and voluntary sector to play a full and effective role in their Local Strategic Partnerships.
Community Chest	2001–02 to 003/4	£518,000	n/a	n/a	St. Helens local authority area	Provides grants to groups in Neighbourhood Renewal Fund areas for grass roots community activity.
Community Learning Chest	2002–03 to 2003–04	£104,000	n/a	n/a	St. Helens local authority area	Aims to increase the capacity, skills and knowledge of local residents to engage in Neighbourhood Renewal.
Neighbourhood Renewal Fund[3]	2001–02 to 2003–04	£8.71 million	n/a	n/a	St. Helens local authority area	Aims to enable the local authority in collaboration with the Local Strategic Partnership to improve services, narrowing the gap between deprived areas and the rest of England.

[1] SRB funded through the North West Development Agency from April 1998.

[2] Scheme ends 2005–06.

[3] Funding allocated to 2005–06.

Small Businesses

Brian Cotter: To ask the Deputy Prime Minister whether his Department uses a database of individual small businesses for consultation purposes. [142478]

Yvette Cooper: The Office of the Deputy Prime Minister regularly consults the Small Business Service.

Travellers

Mr. Paice: To ask the Deputy Prime Minister what measures are taken to ensure that members of the traveller community occupying unauthorised sites pay council tax. [143923]

Mr. Raynsford: Council tax liability is based upon the identification of a "chargeable dwelling". Unauthorised sites are generally too transient to establish that a dwelling exists for the purposes of council tax. If, however, a caravan remains on private land for a period of at least six months, the listing officer may include an entry in the valuation list for council tax purposes. Council tax will then be collected by billing authority, based on the band in the list, by using their normal recovery procedures.

West Sussex County Council

Mr. Tyrie: To ask the Deputy Prime Minister if he will give the percentage change in spending share for highways for West Sussex county council in 2003–04; and by how much this differs from the level of inflation. [143862]

Mr. Raynsford: In 2003–04, West Sussex County Council's Highway Maintenance Formula Spending Share (FSS) was £25,071,558. Formula Spending Shares were introduced in 2003–04 and are not directly comparable with Standard Spending Assessments. In order to provide a comparison, the Office of the Deputy Prime Minister published Formula Spending Share Comparators. These are based on a control total that includes the additional resource equalisation amounts (comparable to 2003–04) but based on the 2002–03 formulae. The 2002–03 Highway Maintenance Formula Spending Share Comparator for West Sussex county council was £26,837,923. The percentage decrease in Highway Maintenance FSS for West Sussex county council was therefore 6.6 per cent. The October 2003 value of Retail Price Index Excluding Mortgages (RPIX)was 1.7 per cent.

Formula Spending Shares are neither grant nor the Government's estimate of how much an authority should spend on a particular service. West Sussex county council received a formula grant increase of 4.0 per cent. in 2003–04. It is up to each individual authority to set their budgets taking into account their local circumstances.

Mr. Tyrie: To ask the Deputy Prime Minister what the percentage change in spending share for waste (EPCS) for West Sussex county council was in 2003–04; by how much this differs from the level of inflation; and if he will estimate what percentage of the change in spending share for waste (EPCS) would be spent on *(a)* implementing recycling targets and *(b)* increases in landfill taxes. [143863]

Mr. Raynsford: Waste disposal and waste collection are covered by the general Environmental, Protective and Cultural Services (EPCS) Formula Spending Share (FSS).

In 2003–04, West Sussex county council's EPCS FSS was £57,045,365. Formula Spending Shares were introduced in 2003–04 and are not directly comparable with Standard Spending Assessments. In order to provide a comparison, the Office of the Deputy Prime Minister published Formula Spending Share Comparators. These are based on a control total that includes the additional resource equalisation amounts (comparable to 2003–04) but based on the 2002–03 formulae. The 2002–03 EPCS Formula Spending Share Comparator for West Sussex county council was £56,119,688. The percentage increase in EPCS FSS for West Sussex county council was therefore 1.6 per cent. The October 2003 value of RPIX was 1.7 per cent.

Formula Spending Shares are neither grant nor the Government's estimate of how much an authority should spend on a particular service. West Sussex county council received a formula grant increase of 4.0 per cent. in 2003–04. It is up to each individual authority to set their budgets taking into account their local circumstances.

HEALTH

"Valuing People"

Mr. Blizzard: To ask the Secretary of State for Health when he expects the targets for service improvements for adults with learning disabilities set out in the White Paper, Valuing People, to be achieved. [143502]

Dr. Ladyman: The White Paper, "Valuing People: A New Strategy for Learning Disability for the 21st Century" (Cm 5086), published in March 2001, sets out our proposals for improving services for people with learning disabilities, their families and carers. The White Paper said that it would take a minimum of five years to make the changes it described.

We have made good progress since "Valuing People" was published, with the basic framework for achieving change now in place:

The Learning Disability Task Force

Learning Disability Partnership Boards at local council level

The National Forum of People with Learning Disabilities

The Valuing People Support Team, headed by the National Director for Valuing People

A range of guidance, and plans developed by partnership boards to deliver change locally in areas such as person-centred planning, employment, and housing and support.

The Learning Disability Task Force monitors the progress of "Valuing People" and reports to the Government on this.

Our annual report on learning disability, "Making Change Happen" (HC 514), published in April 2003, described the progress made in implementing the "Valuing People" proposals; a copy was sent to all English hon. and right hon. Members. Our next annual report will describe developments since April.

Ambulance Equipment

David Davis: To ask the Secretary of State for Health what the average life span of *(a)* ambulances and *(b)* defibrillator batteries is; and what measures ambulance trusts are required to put in place to ensure that there is an orderly process by which to replace obsolescent equipment. [143242]

Ms Rosie Winterton: The average life span of an ambulance is seven years for patient transport services and five years for accident and emergency ambulances.

Defibrillators are supplied with rechargeable batteries. Different battery technologies are used by different suppliers. The majority of suppliers suggest that the battery, if used and maintained correctly, will last between two to three years. This equates to an 'in use time' of in excess of 100 full power shocks (the full power rating differs between machines).

Community defibrillators—automatic external defibrillators (AEDs) which are currently in use in public places during this phase of the National Defibrillator Programme contain lithium batteries. The average life expectancy for this type of battery is five years, depending on the type of AED, the site it serves and the number of deployments.

It is for each national health service trust to maintain records and have systems in place that ensure this equipment is maintained and replaced at the appropriate times.

Ambulance Staff

Gregory Barker: To ask the Secretary of State for Health how many assaults have been recorded on ambulance staff in each of the last five years for which figures are available. [142399]

Mr. Hutton: Recording details of incidents of assaults on staff is the responsibility of each individual national health service employing body.

The figures presently available refer to reported violent incidents in ambulance trusts as opposed to actual assaults on staff and include incidents of verbal abuse. These figures are shown in the table.

	Violent incidents
1998–99	1,641
2000–2001	3,882
2001–02	4,778
2002–03	5,412

The Counter Fraud and Security Management Service (CFSMS) was launched in April 2003, with a remit encompassing policy and operational responsibility for the management of security in the NHS. The CFSMS has introduced a national reporting system for recording physical assaults on staff and professionals working in the NHS with the ability to track cases and give accurate information on the level of assaults.

Gregory Barker: To ask the Secretary of State for Health how many people have been convicted of assaulting ambulance staff in each of the last five years for which figures are available; and what action is being taken to tackle violent crime against paramedics and other ambulance staff. [142400]

Mr. Hutton: Information on the number of successful prosecutions of individuals who assault staff and professionals in the national health service, including ambulance staff, has not been routinely collected through any central mechanism.

The Counter Fraud and Security Management Service (CFSMS) was launched in April 2003, with a remit encompassing policy and operational responsibility for the management of security in the NHS.

The CFSMS has introduced a national reporting system for recording incidents of physical assault. The system uses a legally based definition of assault, with the ability to track cases from start to finish, thus allowing for intervention where appropriate and necessary, in order to ensure the best possible outcome for the person assaulted. This system will be able to produce hard and accurate data about physical assaults as well as number of prosecutions.

The CFSMS has set up a Legal Protection Unit (LPU) to work with the police and Crown Prosecution Service to increase the number of prosecutions of persons who assault staff and professionals. The LPU will be providing health bodies with cost-effective advice on a wide range of sanctions, both civil and criminal, that can be taken against offenders.

Gregory Barker: To ask the Secretary of State for Health what pay rises are planned for ambulance staff in the next 12 months. [142403]

Mr. Hutton: The proposed new pay system for all non-medical national health service employees, including ambulance staff, "Agenda for Change", has been negotiated over the past four years by NHS staff and employer representatives working in partnership. This includes a three-year pay deal that will give a 10 per cent., pay increase to all staff for the period 2003–04 to 2005–06.

From 1 April 2004, ambulance staff on national contracts will receive an uplift of 3.225 per cent., as part of this deal. From October 2004, when the new pay system is rolled out across the NHS, most ambulance staff are likely to receive further increases in pay on top of 3.225 per cent., but the impact on particular staff will vary depending on a range of factors, including the basic pay band to which their job matches and the amount of out-of-hours work they undertake.

Badgers (TB)

Mr. Paterson: To ask the Secretary of State for Health what assessment he has made of the health implications for *(a)* ramblers and *(b)* their children of frequenting country areas in which infective material has been deposited by TB-infected badgers. [141991]

Mr. Bradshaw: I have been asked to reply.

No specific assessments has been made for ramblers and their children.

The threat to public health from bovine TB is low and the disease is treatable. Of the 40 or so cases now seen each year in Britain the majority are in people over 55 years of age. These are thought to have been infected before the introduction of widespread pasteurisation of milk. This figure has remained stable despite the increasing incidence of TB in cattle. The geographical distribution of human cases does not reflect the spread of bovine TB in the cattle population. Arrangements are in place with the Department of Health to investigate the potential links to human health, and monitor human cases of *M. bovis*.

Big Conversation

Mr. Heald: To ask the Secretary of State for Health what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143153]

Ms Rosie Winterton: I refer the hon. Member to the reply given by my right hon. Friend the Leader of the House, on 9 December 2003, *Official Report*, column 355W.

Blood Transfusions

Mr. Lansley: To ask the Secretary of State for Health whether virally inactivated fresh frozen plasma is available to the NHS for transfusions in respect of babies and young children born since 1 January 1996. [143749]

Miss Melanie Johnson: The decision taken to import fresh frozen plasma (FFP) from the United States for young babies and children born after 1 January 1996 will provide additional protection to the most vulnerable group who will not have been exposed to BSE through the food chain. The National Blood Authority (NBA) is currently involved in negotiating for supplies of FFP for this group of patients. This FFP will be virally inactivated, and its planned availability will be in the New Year. In addition, the NBA also implemented viral inactivation for UK FFP for this patient group in August 2002. Viral inactivation is designed to remove certain viruses that may be transmitted by transfusion.

Body Mass Index

Mr. Burstow: To ask the Secretary of State for Health what percentage of the adult population had a body mass index greater than 25 in *(a)* England and *(b)* each region in each year since 1990. [141582]

Miss Melanie Johnson: Figures available from the Health Survey for England have been placed in the Library. For those adult respondents with a valid height and weight measurement from which the body mass index could be calculated, it gives, for England, the percentage with a body mass index (BMI) over 25 by sex for the period 1991 to 2001 and by Government Office Region and sex for the period 1998 to 2001. Figures are not available for 1990. Figures prior to 1998 are not available by Government Office Region.

Breastfeeding

Mrs. Brooke: To ask the Secretary of State for Health when he will publish guidelines for primary care trusts on collection of statistics on breastfeeding. [142298]

Miss Melanie Johnson *[holding answer 8 December 2003]:* Guidelines for primary care trusts on the collection of statistics on breastfeeding initiation were made available to national health service staff on 28 November 2003 via the Department of Health's data collection website.

Cancer Survey

Mr. Burstow: To ask the Secretary of State for Health if he will publish the statistical tables analysing the national patient cancer survey to inform future surveys, commissioned by his Department and made available to the Commission for Health Improvement. [141580]

Miss Melanie Johnson: The analysis of the national cancer patient survey is expected to be complete by spring 2004. A copy of the analysis will be placed in the Library.

Choice and Plurality Policies

Mr. Blizzard: To ask the Secretary of State for Health whether patients will be able to choose their general practitioner under the Choice and Plurality policies. [140624]

Mr. Hutton: Patients are already able to choose their general practitioner. "Building on the Best" (Cm 6079), published on 9 December 2003, commits us to extending the opportunities for patients to exercise this choice alongside the new general medical services contract which is now being implemented.

Mr. Blizzard: To ask the Secretary of State for Health if he will make a statement on the application of his Choice and Plurality policies to patients suffering from mental ill health. [140626]

Mr. Hutton: On 9 December 2003, the Government published "Building on the Best: Choice, Responsiveness and Equity in the NHS". This strategy document sets out areas for priority action and those for further exploration including recommendations made by the mental health task group. A copy of the document in available in the Library.

Civil Servants (Disablement)

Tim Loughton: To ask the Secretary of State for Health how many senior civil servants in his Department are disabled, expressed *(a)* in actual terms and *(b)* as a percentage of WTE staff. [143065]

Ms Rosie Winterton: All staff are asked to volunteer information in our equal opportunities monitoring but they are under no compulsion to reply.

Of those that have made a declaration in returned Equal Opportunities monitoring forms there are seven disabled staff in the senior civil service in the Department of Health—excluding its agencies and arms length bodies. This represents 2.33 per cent. of whole-time equivalent staff which currently stands at 300.5.

Closed GP Lists

Dr. Murrison: To ask the Secretary of State for Health what proportion of *(a)* general practitioners and *(b)* general practices in England have been operating closed lists each month since January 1990. [141060]

Mr. Hutton: The Department does not collect this information. However we know that closed lists are restricting the exercise of patient choice in some areas. The new general medical services contract addresses this problem by including arrangements for primary care trusts to offer support to those practices which face the possibility of needing to close their patient lists.

Commission for Healthcare Audit and Inspection

Mr. Lansley: To ask the Secretary of State for Health whether the appointment of Anna Walker as chief executive of the Commission for Healthcare Audit and Inspection was made by the NHS Appointments Commission. [141315]

Ms Rosie Winterton: No. The National Health Service Appointments Commission is not responsible for the appointment of executives. The appointment was made by the shadow Commission for Healthcare Audit and Inspection, in anticipation of paragraph 5(1) of Schedule 6 of the Health and Social Care (Community Health and Standards) Act 2003. As well as the shadow Chair and Commissioners, the selection panel included an independent panel member.

Community Hospitals

Dr. Murrison: To ask the Secretary of State for Health how many beds in community hospitals there were in each year since 1990. [141041]

Mr. Hutton: The Department does not hold this information. However, the Community Hospitals Association carried out a survey, which was reported in the British Journal of General Practice (February 2001). This identified 471 community hospitals in the United

Kingdom, containing 18,579 beds, and concluded there had not been a substantial reduction over the past 25 years.

Computer Games

Mr. Burstow: To ask the Secretary of State for Health how much his Department has spent on developing computer games in each year since 1997, broken down by game. [142243]

Ms Rosie Winterton: Computer games commissioned by the Department of Health's Communications Directorate since 1997 are shown in the table.

	Game	
	NHS Careers School Competition	*Mindnseek*
1997–98	—	—
1998–99	—	—
1999–2000	[1]—	—
2000–01	[1]—	—
2001–02	—	—
2002–03	—	[1]—
2003–04	—	—

[1] Costs for these games cannot be identified as they were produced as a single element within a broader project.

Consultant Neurologists

Mr. Edwards: To ask the Secretary of State for Health how many consultant neurologists are employed in the NHS. [142503]

Mr. Hutton: The number of consultant neurologists employed by the National Health Service was 407 as at June 2003.

Between September 1999 and June 2003, the number of consultant neurologists working in the NHS increased by 102, or 33 per cent.

Consultation with Businesses

Brian Cotter: To ask the Secretary of State for Health whether his Department uses a database of individual small businesses for consultation purposes. [142481]

Ms Rosie Winterton: The Department of Health does not use a central database of individual small businesses for consultation purposes. Individual client groups within the Department keep in touch with organisations operating within their policy responsibilities, as appropriate, but these bodies would rarely include small businesses. If a small business interest was identified, the Department would arrange for consultation through the small business service of the Department of Trade and Industry.

Brian Cotter: To ask the Secretary of State for Health what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142489]

Ms Rosie Winterton: There is not always a direct correlation between Government consultations and individual regulations. For example, there would not be a consultation prior to certain statutory instruments setting up a new primary care trust or transferring property between national health service trusts.

The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. In the period 1 January 2001 to 31 December 2002, the Department of Health has published 124 consultations covered by the Code, of which 18 were less than 12 weeks.

Delayed Discharges

Mrs. Roe: To ask the Secretary of State for Health if he will publish the Quarter 1 and Quarter 2 2003–04 delayed discharge statistics for England. [142066]

Dr. Ladyman: The latest figures on delayed discharge for Quarter 2, 2003–04 (September 2003) have been placed in the Library. The figures for Quarter 1 are available in the Library.

Mrs. Roe: To ask the Secretary of State for Health if he will publish statistics on the number of emergency readmissions to NHS hospitals of patients aged 75 and over in England, for each quarter since January, for which figures are available. [142067]

Dr. Ladyman: Monitoring information on readmissions within 28 days of discharge is collected for all ages only. Information is available at primary care trust and strategic health authority level. Information for Quarter 4, 2002–03 (January 2003 to March 2003), Quarter 1, 2003–04 (April 2003 to June 2003) and Quarter 2, 2003–04 (July 2003 to September 2003) has been placed in the Library.

Dentistry

Mr. Burstow: To ask the Secretary of State for Health what the average cost of dental treatment per *(a)* adult and *(b)* child registered patient was in the last year for which figures are available. [141754]

Ms Rosie Winterton: The average costs of a course of dental treatment in the general dental service for adult and children in England for the financial year 2002–03 are shown in the table.

These costs are for payment made to the dentist for dental treatment and include the patient charges where applicable. Dentists also receive additional payments, unrelated to treatment provided, in recognition of the continuing care responsibility for registered patients. These payments contribute approximately 23 per cent. of dentists' gross earnings. Other additional payments, unrelated to treatment, contribute a further 10 per cent. of dentists gross earnings.

Dentists receive a capitation payment for each child registered. The average cost of dental treatment for children excludes treatments covered by capitation payments.

General Dental Service: Average cost of dental treatment—2002–03

England	£
Children	36.6
Adult	37.3

Source:
Dental Practice Board

Departmental Employees

Tim Loughton: To ask the Secretary of State for Health (1) how many staff were employed in his Department in each of the last six years broken down by *(a)* headcount, *(b)* part-time and *(c)* whole-time equivalents; [143050]

(2) how many staff have *(a)* joined and *(b)* left his Department in each of the last six years, broken down by *(a)* headcount, *(b)* part-time and *(c)* whole-time equivalents. [143051]

Ms Rosie Winterton: The information requested is available in the annual publication Civil Service Statistics which is published by the Cabinet Office. Copies of Civil Service Statistics 2002, which was published on 24 July 2003, and copies of Civil Service Statistics for the previous five years are available in the Library and at www.civil-service.gov.uk/statistics

Departmental Expenditure Limit

Mr. Burstow: To ask the Secretary of State for Health what the reasons were for the transfer from the capital Departmental Expenditure Limit to the resource DEL of £318 million, as mentioned in the Winter Supplementary Estimates; and if he will make a statement. [142240]

Mr. Hutton: The transfer from capital is being used to support the Department's information management and technology programme, part of which will be accounted for as current expenditure and national health service spending by local primary care trusts and NHS trusts accounted for as current rather than capital expenditure.

Diabetes

Tim Loughton: To ask the Secretary of State for Health how much public funding will be allocated to treatment of diabetes in fiscal year 2004–05. [141155]

Ms Rosie Winterton: In his 2002 Budget announcement, my right hon. Friend, the Chancellor of the Exchequer, announced the largest sustained increase in funding of any five-year period in the history of the national health service. Over the years 2003–04 to 2007–08, these plans mean that expenditure on the NHS will increase on average by 7.4 per cent., a year over and above inflation. However in keeping with the philosophy of "Shifting the Balance of Power", primary care trusts are free to decide the allocation of resources locally.

Tim Loughton: To ask the Secretary of State for Health what investment is in place in diabetes management which will decrease the number of acute cases reaching hospital. [141156]

Ms Rosie Winterton: The diabetes national service framework standards, published in 2001, noted that the risk and severity of diabetic ketoacidosis can be reduced by the provision of guidance and advice to people with diabetes on how to manage changes in blood glucose control that occur during other illnesses and pointed out that episodes of hypoglycaemia can be managed in the community, either by the person with diabetes, a relative or carer, their general practitioner or by ambulance personnel.

"Improvement, Expansion and reform: the next three years", the planning and priorities framework for 2003–06, includes targets for diabetes services. One such target states the need for primary care trusts (PCTs) to update practice-based registers for people with diabetes by March 2006. This will help to ensure that they receive systematic treatment regimens and advice to help support them in managing their own condition, including acute episodes, more effectively.

In his 2002 Budget announcement, my right hon. Friend, the Chancellor of the Exchequer, announced the largest sustained increase in funding of any five-year period in the history of the national health service. Over the years 2003–04 to 2007–08, these plans mean that expenditure on the NHS will increase on average by 7.4 per cent., a year over and above inflation. However in keeping with the philosophy of "Shifting the Balance of Power", PCTs are free to decide the allocation of resources locally.

Doctor Recruitment

Mr. Baron: To ask the Secretary of State for Health what private agencies are used to recruit doctors from abroad; and what checks are put in place to ensure that these doctors meet the required standards. [140633]

Mr. Hutton: National health service trusts are responsible for their own recruitment. Trusts are strongly advised when recruiting internationally to use only those agencies that are compliant to the code of practice for NHS employers involved in the international recruitment of healthcare professionals, published in 2001. The list of compliant agencies can be found on the Department's website at www.doh.gov.uk/international.recruitment/agencylist-nhs-ref.htm.

In order to practise as a doctor in the United Kingdom, a doctor must be registered with the General Medical Council (GMC) and satisfy the GMC that they have the acquired necessary knowledge, skills and experience.

Mr. Baron: To ask the Secretary of State for Health if it has been determined whether health professionals from *(a)* Hungary, *(b)* Slovakia and *(c)* Poland have the necessary qualifications to practise in this country after these countries join the European Union; and if he will make a statement. [140634]

Mr. Hutton: All acceding states are committed to ensuring that the qualifications they award to doctors, dentists, pharmacists, midwives and nurses responsible for general care who begin their training on or after the date of accession meet specified minimum requirements. Only those who meet these requirements will then benefit from automatic recognition throughout the European Union.

Practitioners from these states who are already qualified or who are currently in training must show that they either meet these requirements in full or have recent and substantial practice experience.

Drug Prescribing

Tim Loughton: To ask the Secretary of State for Health if he will list the increases in funding for

National Institute for Clinical Excellence approved drug prescribing made to each mental health trust in the current year. [141070]

Ms Rosie Winterton: Funding to meet recommendations of the National Institute for Clinical Excellence has been included in the allocations notified to primary care trusts for the period 2003–04 to 2005–06. This funding is not separately identified.

Early Intervention Service

Mr. Burstow: To ask the Secretary of State for Health what the Department's definition of an Early Intervention Service is, as envisaged in the priorities and planning framework 2003–06. [141752]

Ms Rosie Winterton: The definition of an early intervention service, as envisaged in the priorities and planning framework 2003–06 is as follows:

Early intervention in psychosis services provide quick diagnosis of the first onset of a psychotic disorder and appropriate treatment including intensive support in the early years.

The service is for:

People aged between 14 and 35 with a first presentation of psychotic symptoms

People aged 14 to 35 during the first three years of psychotic illness

An early intervention service should be able to:

reduce the stigma associated with psychosis and improve professional and lay awareness of the symptoms of psychosis and the need for early assessment

reduce the length of time young people remain undiagnosed and untreated

develop meaningful engagement, provide evidence-based interventions and promote recovery during the early phase of illness.

East Sussex County Healthcare Trust

Gregory Barker: To ask the Secretary of State for Health if he will make a statement on the financial situation of the East Sussex County Healthcare Trust. [142393]

Ms Rosie Winterton: The Surrey and Sussex Strategic Health Authority is aware of the challenging financial position faced by the East Sussex County Healthcare National Health Service Trust. Financial recovery plans have been developed and are currently being implemented.

I understand that the chief executive of the strategic health authority is currently arranging to meet local hon. Members to discuss the issues.

Gregory Barker: To ask the Secretary of State for Health how much was spent by *(a)* East Sussex County Healthcare and *(b)* primary care trusts in England on (i) locum doctors and (ii) agency nursing in each of the last five years; and what these sums were as a percentage of total NHS staff costs. [142396]

Mr. Hutton: The figures shown in the table relate to all agency staff and other staff not directly employed by the national health service.

	Expenditure by East Sussex County Healthcare NHS Trust on non-NHS		*National PCT Expenditure on non-NHS*	
	Nurses	*Doctors*	*Nurses*	*Doctors*
2000–01 (£)	[1]—	[1]—	[2]885,867	[2]437,999
2000–01 (%)	—	—	[3]0.004	[3]0.002
2001–02 (£)	[1]—	[1]—	[2]24,422,282	[2]5,122,963
2001–02 (%)	—	—	[3]0.105	[3]0.022
2002–03 (£)	[2]1,306,311	[2]1,335,544	[2]73,685,708	[2]17,691,400
2002–03 (%)	[3]3.63	[3]3.71	[3]0.284	[3]0.068
2003–04 (£)	[2]923,000	[2]1,653,750	[5]—	[5]—
2003–04 (%)	[3]3.87	[3,4]6.93	—	—

[1] Trust not established

[2] Total Expenditure

[3] As a percentage of all staff expenditure

[4] For first seven months of year

[5] Figure not yet available

Electronic Recruitment

Mr. Austin Mitchell: To ask the Secretary of State for Health when his Department's electronic recruitment project will start to operate; what sums have been invested in the system; what savings are expected in the NHS recruitment advertising budget; what the reach of the system will be in numerical terms; and whether the NHS will continue to use the print media and other forms of advertising after the electronic system is introduced. [141205]

Mr. Hutton: The NHS Careers jobs board pilot (www.nhs.uk/jobs) was launched on 1 December. The cost of the service will be £6 million over a five-year contract. Savings in advertising costs are estimated to be around £24 million a year once national rollout has been achieved. This estimate is based upon a 75 per cent. take-up over three years. The service will be voluntary and all savings will be directed to local patient care. The National Health Service will continue to use a wide range of media in order to attract the best candidates.

EU-required Legislation

Mr. Redwood: To ask the Secretary of State for Health what percentage of *(a)* primary and *(b)* secondary legislation sponsored by his Department in 2002–03 was introduced to implement EU requirements. [141133]

Mr. Hutton: During 2002–03, the Department sponsored no primary legalisation to implement European Union measures and three per cent. of the 208 pieces of secondary legislation were of EU origin.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Health whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142805]

Ms Rosie Winterton: This Department's catering is supplied under contract. The contracting company's policy is to buy fair trade goods from its suppliers and has a commitment to support fair trade.

Foundation Hospitals/Trusts

Annabelle Ewing: To ask the Secretary of State for Health what written representations he has received from the British Medical Association (Scotland) on the subject of foundation hospitals. [142731]

Mr. Hutton: None.

Lynne Jones: To ask the Secretary of State for Health what impact Government amendments on the governance of foundation trusts to the Health and Social Care (Community Health and Standards) Act 2003 will have on the validity of the consultation currently in progress. [142984]

Mr. Hutton: None. Section 6(5) of the Health and Social Care (Community Health and Standards) Act 2003 sets out that the Independent Regulator may not authorise an applicant as a national health service foundation trust unless satisfied that the applicant has sought the views of specified persons. The Department of Health guidance, issued to first wave applicants in August, is consistent with the requirements in the Act. The Secretary of State will only support applications where there is evidence that consultation has taken place in line with this guidance.

Health Boards Composition

Tim Loughton: To ask the Secretary of State for Health what proportion of board members of *(a)* primary care trusts and *(b)* hospital trusts are from ethnic minorities. [141030]

Ms Rosie Winterton: As at 1 December 2003, 10.4 per cent. of chairs and non-executives on the boards of primary care trusts and 10.2. per cent. of chairs and non-executives on national health service trust boards were black or from ethnic minorities.

Health Funding

John Mann: To ask the Secretary of State for Health what guidance he gives to NHS trusts on the funding of treatments that will not be appraised by the National Institute for Clinical Excellence. [143680]

\Ms Rosie Winterton: In August 1999, the Department issued Health Service Circular 1999/176, which asks national health service bodies to continue with local arrangements for the managed introduction of new technologies where guidance from the National Institute for Clinical Excellence is not available at the time the technology first becomes available. These arrangements should involve an assessment of all the available evidence.

Health Visiting

Mr. Gardiner: To ask the Secretary of State for Health what his policy is on the role health visitor members will have on the Nursing and Midwifery Council if there is not *(a)* a statutory profession of health visiting and *(b)* a register of health visitors. [140629]

Mr. Hutton: Health visitors will be included in the third part of the Nursing and Midwifery Council register, which covers specialist community and public health nurses. The Nursing and Midwifery Order 2002, requires that each part of the register must have an equal number of registrant members on the Council. Their role will be to play a full part in the regulation of nurses and midwives, including health visitors.

Mr. Gardiner: To ask the Secretary of State for Health who will be able to use the title health visitor after April 2004. [140466]

Mr. Hutton: When the new register opens in April 2004, the designated titles of the parts of the new register will be the protected titles. The Nursing and Midwifery Council does not propose to have a part of the new register with the designated title of health visitor. However, public protection will be assured because anyone proposing to work in a health visiting role must be registered on the specialist community public health nurse part of the register.

Mr. Gardiner: To ask the Secretary of State for Health what risk assessment was undertaken by the Nursing and Midwifery Council with respect to public risk before removing statutory protection from the title registered health visitor. [140632]

Mr. Hutton: The Nursing and Midwifery Council (NMC) has undertaken a series of public consultations on its proposals made under the Nursing and Midwifery Order 2001, including the structure and titles of the parts of the new register.

The Order recognised the expanding role of specialists in community and public health nursing, which includes health visiting. The NMC is proposing protected titles and parts of the register which reflect that expanding role.

Healthy Eating Schemes

Mr. Chope: To ask the Secretary of State for Health what the basis is for the Government's policy that a potato is not a vegetable for the purposes of healthy eating schemes. [143093]

Miss Melanie Johnson *[holding answer 9 December 2003]:* Foods are classified according to the main nutrients they contribute to the diet. Potatoes provide mainly carbohydrate in the form of starch whereas foods classified as fruit and vegetables provide much less carbohydrate.

Heart Disease

Mr. Burstow: To ask the Secretary of State for Health whether his Department has met *(a)* milestones one to four for primary care management of heart failure and *(b)* milestones one to three for hospitals admitting patients for the management of heart failure in the national service framework for coronary heart disease. [142242]

Miss Melanie Johnson: The national health service has made good progress on the milestones for management of heart failure. We have made the improvement of care for patients with heart failure a major priority in the next phase of implementation of the coronary heart disease (CHD) national service framework (NSF). The importance of tackling service improvement in this area is reflected in the 2003–06 Priorities and Planning Framework targets for CHD:

> "Improve the management of patients with heart failure in line with the NICE Clinical Guideline due in 2003, and set local targets for the consequent reduction in patients admitted to hospital with a diagnosis of heart failure."

The National Institute for Clinical Excellence guideline was published in July this year and, combined with the new general medical services contract, will be a significant driver in improving services for heart failure patients and meeting the NSF standard.

HFEA

Jim Dobbin: To ask the Secretary of State for Health what selection process the Human Fertilisation and Embryology Authority follow when appointing new members to the Authority. [141560]

Miss Melanie Johnson: All members of the Human Fertilisation and Embryology Authority are appointed by the Secretary of State for Health, in consultation with the devolved administrations, in accordance with Schedule 1 (4) of the Human Fertilisation and Embryology Act 1990, and in line with the Code of Practice of the Office of the Commissioner for Public Appointments.

High Security Infectious Diseases Unit

Mr. Burstow: To ask the Secretary of State for Health what the *(a)* purpose and *(b)* cost is of the high security infectious diseases unit; and if he will make a statement. [142239]

Miss Melanie Johnson: There are two high security infectious disease units in the United Kingdom, one in London at Coppett's Wood Hospital and one in Newcastle at the Newcastle General Hospital. They provide the UK's specialist facilities to care for patients suffering from rare, highly infectious and dangerous diseases such as Ebola and Lassa Fevers.

The Department provides funding for the running costs of the high security infectious disease units. This is currently £454,000 plus £47,000 (Scottish Executive contribution) per annum.

These units exist as a contingency arrangement. Sufficient medical, nursing and laboratory staff, who are routinely involved in the treatment, care and diagnosis of patients with infectious diseases, are on call for the medium and high security infectious disease units. This ensures that they maintain equipment and participate in regular training exercises so that the units remain in a state of readiness to admit and care for patients securely, in the event of need.

Hospices

Mr. McNamara: To ask the Secretary of State for Health (1) how much money the NHS is spending in 2003–04 on hospice provision for *(a)* children and *(b)* adults; [141890]

(2) how many places in hospices are specifically designated for children. [141892]

Miss Melanie Johnson: Information on national health service expenditure on hospice provision is not held centrally.

Children's hospices are funded from general NHS funding. As with adult hospices, this is a matter for local discussion and agreement. In addition, a central budget of £50 million per annum has been set up to meet the commitment in the NHS Cancer Plan to increase NHS funding for specialist palliative care, including hospices, by £50 million by 2004. The central budget is for all specialist palliative care services, including voluntary hospices. The level of funding for hospices, both from local allocation from the additional £50 million and from local resources, is a matter for local discussion and agreement.

Children's hospices have also received support from within the New Opportunities Fund, which is funding over 130 projects in England, with £48 million over three years, in support of initiatives for children with life threatening illnesses.

Information on the number of places in hospices designated for children is not collected centrally.

Mr. McNamara: To ask the Secretary of State for Health what the total current bed capacity is in hospices. [141891]

Miss Melanie Johnson: There are approximately 2,043 specialist palliative care beds in the voluntary sector and 480 beds in the national health service in England (January 2003). This statistical information relating to the number of NHS/voluntary beds has been taken from Hospice Information, an independent organisation who are a resource for hospice and palliative care services.

Hospital Amalgamation

Mr. Frank Field: To ask the Secretary of State for Health what recent discussions he has had with senior executives of London health authorities concerning hospital amalgamation. [143315]

Mr. Hutton: My right hon. Friend, the Secretary of State for Health, has had no recent discussions with senior executives of London strategic health authorities concerning hospital amalgamation.

Identity Cards

Mr. Webb: To ask the Secretary of State for Health what assessment he has made of the implications for his Department of the introduction of compulsory identity cards. [142652]

Mr. Hutton: The introduction of such a scheme is a long-term undertaking and the Department will be involved in ongoing analysis of the benefits and costs. It is too early at present to assess fully the implications of the introduction of compulsory identity cards for the Department of Health.

Insulin

Tim Loughton: To ask the Secretary of State for Health for how long he estimates insulin manufacturers will continue to supply animal insulin for those who rely upon it. [142149]

Ms Rosie Winterton: There are two companies supplying animal insulin in the United Kingdom. The Department of Health is in regular contact with these companies and both have confirmed that they will continue to supply animal insulin for the foreseeable future.

Junior Doctors

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the costing implications for the NHS of the Jaeger decision on working hours for junior doctors in the United Kingdom. [141577]

Mr. Hutton: The costs of implementing the Working Time Directive (WTD) are an integral part of modernising and improving national health services and of NHS planning. The NHS has been aware of the implications of implementing the WTD for doctors in training since 2000 and planning for it forms part of overall NHS planning. Strategic health authorities are currently ensuring that plans will achieve compliance by 2004.

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on the impact of the Jaeger decision on working hours for doctors on the ability of his Department to meet the deadline for implementation of the Working Time Directive by 2012; and what action his Department is taking to meet this deadline. [141578]

Mr. Hutton: The Jaeger judgment introduced unexpected case-law on compensatory rest. We are seeking legal advice on this issue and will issue guidance to the service shortly.

Implementation of the Working Time Directive (WTD) is an integral element of the national health service modernisation agenda. We have taken vigorous action to equip the NHS to meet the WTD deadline. NHS funding is expected to increase by an average of 7.4 per cent. in England over each of the next five years. This significant increase includes provision for the impact of the WTD. In addition, £46 million has been allocated over a three year period on top of baseline funding to cover costs associated with the set-up of new ways of working. The WTD pilot sites are testing solutions such as extended roles for non-medical staff, multi-disciplinary teams, networking between sites and consultants working differently. Lessons from the pilots are being disseminated through the WTD bulletin, "Calling Time". Priority is being given to hospitals facing WTD challenges when considering the allocation of 1,500 additional locally funded specialist registrar training opportunities available this year.

Legislation

Mr. Redwood: To ask the Secretary of State for Health how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141170]

Mr. Hutton: The Department of Health sponsored two Bills during the 2002–03 session, which made a total of 214 pages once enacted.

In the case of secondary legislation, the Department was responsible for the making of 208 General Statutory Instruments, which would have been considered by either the Joint Committee on Statutory Instruments or the Select Committee on Statutory Instruments. These instruments made a total of 1,402 pages.

Manager Suspensions

Mr. Burstow: To ask the Secretary of State for Health what estimate he has made of the *(a)* number and *(b)* cost of suspensions of managers in the NHS in (i) England and (ii) each region in each of the last six years. [141107]

Mr. Hutton: No such data collection exercise is undertaken by the Department.

Maternity Services

Mr. Baron: To ask the Secretary of State for Health if he would make a statement on the role midwives play in public health. [143419]

Dr. Ladyman *[holding answer 11 December 2003]:* Midwives play a key role in public health, as part of the multidisciplinary team providing pregnancy care. They are often the main pregnancy care provider and are in an ideal position to provide information and support in areas such as parenting, breastfeeding, smoking cessation and early detection and referral for women experiencing domestic violence or post natal depression.

Mr. Baron: To ask the Secretary of State for Health what plans he has to increase the number of midwife-led maternity units. [143420]

Dr. Ladyman *[holding answer 11 December 2003]:* The national health service provides a variety of types of care for women during pregnancy and childbirth including care in midwife-led units for low risk births. The Government expects this variety to continue and does not support any one single model of maternity service provision in preference to all others. We advocate local decision making in designing appropriate, effective services within available resources. It is inevitable that the requirements of women will vary in different parts of the country and this is why it is so important that decisions about service provision are made at a local level and informed by the ethos of woman-centred care.

Mr. Baron: To ask the Secretary of State for Health what plans he has to expand the community-based role of midwives. [143421]

Dr. Ladyman *[holding answer 11 December 2003]:* Midwives currently provide an integrated service across primary and acute care sectors. Next year we shall be publishing the children's national service framework (NSF) which includes maternity services. The NSF will outline our plans for maternity services for the next 10 years and will examine the healthcare professionals needed to ensure that women's individual needs are met.

Sandra Gidley: To ask the Secretary of State for Health (1) how many midwives *(a)* took up and *(b)* resigned from posts in the NHS, in (i) England and (ii) each region in each year since 1997, broken down by strategic and area health authority; [142049]

(2) what proportion of midwife vacancies have remained vacant for more than three months in *(a)* England and *(b)* each region, in each year since 1997. [142051]

Mr. Hutton: Information on the number of midwives resigning from or taking up posts in the national health service is not collected centrally. The Department collects information on the number of midwives employed in the NHS as at 30 September each year. As at September 2002, there were 860 more midwives employed in the NHS than in 1997.

Information on the number of midwives employed in the NHS since 1997 and the rate of vacancies for midwives lasting three months or more since 1999, the first year the data were collected, by strategic health authority and Government Office for the Region has been placed in the Library.

Mr. Baron: To ask the Secretary of State for Health if he will list departmental targets relating to midwives and midwifery. [143799]

Mr. Hutton: There are no specific departmental targets relating to midwives or midwifery. Midwives are included in the NHS Plan, manifesto and "Delivering the NHS Plan" targets for increasing the number of nurses, midwives and health visitors employed in the national health service and the number of nurses and midwives entering training each year. The targets are for 20,000 more nurses, midwives and health visitors by 2004 over 1999 levels, 20,000 more by 2005 over 2000 levels, and 35,000 more by 2008 over 2001 levels respectively, and for 5,500 more nurses and midwives entering training each year by 2004 over 1999 levels.

My right hon. Friend the Member for Darlington, speaking at the Royal College of Midwives conference in May 2001, stated that we expect there to be an extra 2,000 midwives employed in the NHS by 2006 over 2000 levels. As at September 2002, there were 680 more midwives employed in the NHS than in 2000.

Men's Health

Tim Loughton: To ask the Secretary of State for Health what plans he has to introduce a chlamydia screening programme for men. [142065]

Miss Melanie Johnson: The chlamydia screening programme, which is being implemented nationally, actively promotes screening for both men and women. The programme is also targeting men that do not traditionally use health services by introducing screening at venues such as armed forces bases and male prisons. The Department of Health have also commissioned the Men's Health Forum to oversee the 'Men and Chlamydia Project'. This project will increase men's awareness of chlamydia, promote the adoption of safer sex practices and encourage men to seek screening and treatment where appropriate.

Mental Health

Mr. Burstow: To ask the Secretary of State for Health what the average waiting times were for child and adolescent mental health services in *(a)* England, *(b)* each region and *(c)* each strategic health authority in each of the last six years; and if he will make a statement. [141110]

Dr. Ladyman: The table shows the average waiting time for the first consultant out-patient appointment following general practitioner written referral to child and adolescent psychiatry.

The "Emerging Findings" of the children's national service framework (published April 2003) recognised the importance in a comprehensive child and adolescent mental health service of having agreed protocols in place to manage waiting lists and times according to need.

Average waiting times for 1st consultant out-patient appointment following GP written referral to child & adolescent psychiatry

England/Regional Office/Strategic Health Authority	*Median waiting time (weeks)*
Quarter 4 1997–98	
England	6.3
Northern & Yorkshire	3.6
Trent	6.7
West Midlands	7.2
North West	8.7
Eastern	7.3
London	7.3
South East	6.4
South West	5.7
Quarter 4 1998–99	
England	5.7
Northern & Yorkshire	3.8
Trent	7.3
West Midlands	5.4
North West	5.6
Eastern	9.4
London	3.4
South East	5.2
South West	6.9
Quarter 4 1999–2000	
England	6.3
Northern & Yorkshire	5.3
Trent	8.5
West Midlands	5.7
North West	7.8
Eastern	8.3
London	9.5
South East	4.2
South West	3.9
Quarter 4 2000–01	
England	4.2
Northern & Yorkshire	6.9
Trent	5.1
West Midlands	3.7
North West	7.7
Eastern	7.6
London	9.8
South East	5.6
South West	2.9
Quarter 4 2001–02	
England	4.2
Northern & Yorkshire	6.9
Trent	5.1
West Midlands	3.7
North West	7.7
Eastern	7.6
London	9.8
South East	5.6
South West	2.9
Quarter 4 2001–02	
England	6.8
Northern & Yorkshire	6.7
Trent	5.9
West Midlands	8.7
North West	6.3
Eastern	8.3
London	9.8
South East	6.0
South West	6.9
Quarter 4 2002–03	
England	6.5
Norfolk, Suffolk and Cambridgeshire HA	9.6
Bedfordshire and Hertfordshire HA	8.5
Essex HA	[1]—
North West London HA	[1]—
North Central London HA	3.9
North East London HA	[1]—
South East London HA	10.0

Average waiting times for 1st consultant out-patient appointment following GP written referral to child & adolescent psychiatry

England/Regional Office/Strategic Health Authority	*Median waiting time (weeks)*
South West London HA	3.1
Northumberland, Tyne and Wear	6.5
County Durham & Tees Valley	5.9
North and East Yorkshire and Northern Lincolnshire HA	6.3
West Yorkshire HA	26.0
Cumbria & Lancashire HA	6.1
Greater Manchester HA	5.4
Cheshire & Merseyside HA	8.5
Thames Valley HA	10.8
Hampshire and Isle of Wight HA	8.5
Kent and Medway HA	6.6
Surrey and Sussex HA	3.2
Avon, Gloucestershire & Wiltshire HA	7.1
South West Peninsula HA	3.4
Somerset & Dorset HA	3.7
South Yorkshire HA	4.5
Trent HA	8.8
Leicestershire. Northamptonshire and Rutland HA	8.2
Shropshire and Staffordshire HA	4.1
Birmingham and The Black Country HA	9.8
Coventry, Warwickshire, Herefordshire and Worcestershire HA	17.4
Quarter 2 2003–04	
England	5.3
Norfolk. Suffolk and Cambridgeshire HA	3.9
Bedfordshire and Hertfordshire HA	[1]—
Essex HA	19.5
North West London	[1]—
North Central London	8.5
North East London	16.9
South East London	26.0
South West London HA	2.3
Northumberland. Tyne and Wear	6.0
County Durham & Tees Valley	8.3
North and East Yorkshire and Northern Lincolnshire HA	7.9
West Yorkshire HA	3.5
Cumbria & Lancashire HA	6.6
Greater Manchester HA	5.6
Cheshire & Merseyside HA	6.3
Thames Valley HA	[1]—
Hampshire and Isle of Wight HA	2.4
Kent and Medway HA	5.1
Surrey and Sussex HA	2.6
Avon, Gloucestershire & Wiltshire HA	8.0
South West Peninsula HA	3.3
Somerset & Dorset HA	4.0
South Yorkshire HA	5.5
Trent HA	4.6
Leicestershire, Northamptonshire and Rutland HA	8.7
Shropshire and Staffordshire HA	7.2
Birmingham and The Black Country HA	11.7
Coventry, Warwickshire, Herefordshire and Worcestershire HA	6.6

[1] unable to calculate due to small numbers

Source:

Department of Health form QM08R

Mrs. Roe: To ask the Secretary of State for Health how many graduate primary care mental health workers were employed by the NHS on the latest date for which figures are available. [142068]

Ms Rosie Winterton: The NHS Plan set out that 1,000 new graduate primary care mental health workers trained in brief therapy techniques of proven effectiveness will be employed by December 2004 to help general practitioners manage and treat common mental health problems in all age groups, including children. Revenue allocations to support the appointment of 1,000 such staff were made this financial year (2003–04). Central information on the number appointed began to be captured in September by the Durham Mapping Database at www.dur.ac.uk/service.mapping. However, the information is not yet complete.

Helen Southworth: To ask the Secretary of State for Health what assessment he has made of the incidence of people who are diagnosed as having a mental illness who also have a drug or alcohol dependency. [142769]

Ms Rosie Winterton: There has been no national assessment of the incidence of people who are diagnosed as having a mental illness who also have a drug dependency.

The Office for National Statistics (ONS) is responsible for compiling, analysing and disseminating information relating to the United Kingdom's economic, social and demographic statistics. Their report "Psychiatric morbidity among adults living in private households, 2000" is available on the website at www.statistics.gov.uk. Along with others due for publication, the report contains valuable information about the prevalence of mental disorders including those with problems relating to substance misuse amongst adults over the age of 16 in private households.

The Government's latest assessment of the numbers of people who have a mental illness and who also suffer from alcohol dependence is contained in the Interim Analytical Report published by my right hon. Friend the Prime Minister's strategy unit on 19 September 2003.

Helen Southworth: To ask the Secretary of State for Health what steps he is taking to ensure that appropriate services are available locally for people who have been diagnosed as having a mental illness who also have a drug or alcohol dependency. [142771]

Ms Rosie Winterton: The Government guidance on "Dual Diagnosis Good Practice Guide" sets out policy and good practice in the provision of mental health services for people with severe mental health problems who are also experiencing difficulties with drug and alcohol problems. It is aimed at all those who commission and provide mental health and substance misuse services and sets out a clear framework within which staff should continue to develop services in partnership with patients and their carers and families.

Helen Southworth: To ask the Secretary of State for Health what steps he is taking to ensure that adequate information and support is available for carers of people who have been diagnosed as having a mental illness who also have a drug or alcohol dependency. [142772]

Ms Rosie Winterton: The Department of Health published guidance on "Developing services for carers and families of people with mental health illness" in November 2002. The guide is aimed at helping local mental health services develop support services for carers of people with mental health problems.

The Department also published "Dual Diagnosis Good Practice Guide" in May 2002. The guide sets out policy and good practice in the provision of mental health services for people with severe mental health problems who are also experiencing difficulties with any drug, including alcohol. It is aimed at all those who commission and provide mental health and substance misuse services and sets out a clear framework within which staff should continue to develop services in partnership with patients and their carers and families.

In addition, the Government's Alcohol Harm Reduction Strategy for England is due to be published in the new year and will be implemented from 2004 in accordance with the timetable set out in the NHS Plan. This strategy will set the future direction for the development of alcohol treatment, which will encompass and be of relevance to carers as well.

Tim Loughton: To ask the Secretary of State for Health to what he attributes the rise in the number of children aged 0–14, treated by mental health trusts in West Sussex between 1996–97 and 2001–02. [143064]

Ms Rosie Winterton: This is a matter for Western Sussex Primary Care Trust.

I understand that the rise in children aged 0–14 treated by mental health trusts can be attributed to the creation of an Assertive Outreach team in 2001 which is based in one of the West Sussex Health and Social Care National Health Service Trust's two in-patient units.

The team works with children coming in to and leaving hospital. As a result, the number of children and young people the trust sees has increased.

MRSA

Mr. Lansley: To ask the Secretary of State for Health if he will publish the statistics for England for quarter 1 and quarter 2 of the 2003–04 on MRSA collated in the mandatory MRSA bacteraemia surveillance scheme; and if he will make a statement. [140860]

Miss Melanie Johnson *[holding answer 3 December 2003]:* Results for the first quarter of 2003–04 (April to June 2003) of the mandatory surveillance scheme are available in the Communicable Disease Report Weekly of 18 September 2003, available at www.hpa.org.uk/cdr/PDFfiles/2003/cdr3803.pdf. A total of 1,823 reports were received.

Data for the second quarter (July to September 2003) will be published shortly.

Nappies

Mr. Swayne: To ask the Secretary of State for Health how many NHS hospital trusts have contractual arrangements with promoters of baby products which prevent them from making information about re-usable nappies available; and if he will make a statement. [143227]

Dr. Ladyman: I am not aware of any contractual arrangements preventing hospital trusts providing information about re-usable nappies. Parents are given two comprehensive manuals, "The Pregnancy Book" and "Birth to Five", also available at http://www.doh.gov.uk/birthtofive/. Both manuals give detailed information on disposable and reuseable nappies including information about nappy laundering services and contact details for voluntary groups which support the use of re-usable nappies. It is then up to parents or carers to choose which type of nappy to use.

National Patient Safety Agency

Mr. Lansley: To ask the Secretary of State for Health whether the appointment of Lord Hunt of Kings Heath as chairman of the National Patient Safety Agency was made by the NHS Appointments Commission. [141314]

Ms Rosie Winterton: Yes, the appointment was made by the National Health Service Appointments Commission. The noble Lord Hunt of Kings Heath was interviewed by a panel, including an independent member, in accordance with the Code of Practice issued by the Commissioner for Public Appointments.

National Service Framework for Renal Services

Mrs. Calton: To ask the Secretary of State for Health (1) what measures the forthcoming National Service Framework for Renal Services module on the effective delivery of dialysis will put in place to increase *(a)* the availability of and *(b)* equality of access to dialysis services; [143941]

(2) when he intends to publish the modules of the National Service Framework for Renal Services on the effective delivery of dialysis and transplantation; and what the timescale is for the development and publication of the modules on primary prevention and alternative models of care; [143942]

(3) how the forthcoming National Service Framework for Renal Services module on transplantation will incorporate the Transplant Framework for England, Saving Lives, Valuing Donors; [143979]

(4) what measures will be included in the the forthcoming National Service Framework for Renal Services specifically to increase care in the treatment and management of renal disease among ethnic minorities; [143980]

(5) whether he intends to publish an implementation plan alongside the National Service Framework for Renal Services, with specific timelines for implementation. [143981]

Ms Rosie Winterton: The national service framework (NSF) for renal services will be published shortly. It will set standards of care for people with renal failure to be achieved over the next 10 years. Details of how the standards can be implemented will be embraced in the document. The NSF will build upon other work, including the "National Service Framework for Diabetes and Saving Lives, Valuing Donors: a Transplant Framework for England". Work on the primary prevention and care towards the end of life modules is in development.

NHS Contractors

Mr. Oaten: To ask the Secretary of State for Health what estimate he has made of the revenue recovered by the NHS for charging contractors for receiving tender documents in each of the last three years. [R] [144192]

Mr. Hutton: Neither the Department of Health nor national health service bodies charge contractors for receiving tender documents.

NHS Costs

Mr. Spring: To ask the Secretary of State for Health what the cost of the national health service per head of population was in each year since 1996–97; and what the estimated cost is for each year from 2003–04 to 2005–06 in *(a)* each of the English regions and *(b)* Suffolk. [140701]

Mr. Hutton: Available information on the average amount of national health service spending per weighted head for the former English Regions and the Suffolk Health Authority area for 1996–97 to 2001–02 has been placed in the Library. This information is not available in the same format for 2002–03. Information on the average spending per weighted head for the strategic health authorities in 2002–03 has also been placed in the Library, although the Suffolk area cannot be separately identified after 2001–02, along with revenue allocations per weighted head for 2003–04 to 2005–06.

NHS Reservists

Tony Wright: To ask the Secretary of State for Health how many NHS staff are deployed as reservists in Iraq. [141419]

Mr. Hutton: The Department does not collect details centrally of the number of national health service staff deployed as reservists in Iraq. The number of NHS staff in Iraq with reservist commitments is dependent on operational circumstances.

NHS Secondees

Tim Loughton: To ask the Secretary of State for Health how many NHS employees in *(a)* medical and *(b)* non-medical posts are on secondment to developing countries. [141031]

Mr. Hutton: The Department does not collect data on numbers of national health service employees in medical and non-medical posts currently on secondment to developing countries.

NHS Staff

Mr. Norman: To ask the Secretary of State for Health how many NHS staff, employed within the central function, are employed in *(a)* personnel, *(b)* finance, *(c)* information technology, *(d)* legal services, *(e)* library services, *(f)* health education and *(g)* general management support services. [141917]

Mr. Hutton: The information requested is not collected centrally. As at 30 September 2002, 85,706 people were employed in the National Health Service in central functions within the NHS infrastructure support staff group.

Mr. Jenkins: To ask the Secretary of State for Health what the timescale is for the introduction of a national incident reporting system for recording physical assaults on NHS staff. [141812]

Mr. Hutton: The Counter Fraud and Security Management Service (CFSMS) was launched in April 2003 with a remit encompassing policy and operational responsibility for the management of security in the national health service. The CFSMS has developed a national reporting system for recording incidents of physical assault. The system uses a legally based definition with the ability to track cases from report to conclusion and is designed to give hard and accurate information on both the nature and scale of assaults.

Secretary of State Directions were issued to health bodies in November 2003 to ensure that a consistent approach is taken with regards to the recording of physical and non-physical assaults. The national recording system for physical assaults came into operation on 8 December 2003.

Organ Transplants

Mr. Woodward: To ask the Secretary of State for Health how many organ transplants took place in *(a)* St. Helens and *(b)* Merseyside in (i) 2001, (ii) 2002 and (iii) 2003. [142912]

Miss Melanie Johnson: The information requested is shown in the table.

Main operation; transplant operations—Liverpool, St. Helen's and Knowsley Health Authorities—treatment count of finished consultant episodes NHS hospitals, 2000–01 to 2002–03

	St. Helen's and Knowsley	*Liverpool*
2000–01	0	82
2001–02	0	80
2002–03	0	78

Notes:

1. Finished Consultant Episode (FCE):

An FCE is defined as a period of admitted patient care under one consultant within one healthcare provider. Please note that the figures do not represent the number of patients, as a person may have more than one episode of care within the year.

2. Grossing:

Figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02 and 2002–03 which are not yet adjusted for shortfalls.

3. Main operation:

The main operation is the first recorded operation in the HES data set, and is usually the most resource intensive procedure performed during the episode.

Source:

Hospital Episode Statistics (HES) Department of Health.

Osteoporosis

Mr. Key: To ask the Secretary of State for Health how many primary care trusts have developed policies for osteoporosis in their health improvement programmes for older people; and if he will make a statement. [142993]

Dr. Ladyman: The national service framework for older people sets clear milestones for the planning and development of integrated falls services and provides the basis for a service model that will deliver improvements in prevention, care, treatment and rehabilitation. The most recent reports we have from strategic health authorities indicate that all but a few of the primary care trust local delivery plans include actions to achieve the 2005 milestone. We have collected no systematic information on what local plans cover.

Overnight Hospital Stays

Mr. Burstow: To ask the Secretary of State for Health what the cost was to the NHS in *(a)* England

and *(b)* each strategic health authority of overnight stays for patient visitors in NHS beds in each year since 1997. [141579]

Mr. Hutton: The Department does not collect information relating to patient visitors.

Paediatricians

Tim Loughton: To ask the Secretary of State for Health (1) how many consultant paediatricians are currently employed in the NHS on a *(a)* part-time and *(b)* full-time basis; [143046]

(2) how many new consultant paediatricians have been appointed in each of the last six years; [143047]

(3) what the age profile is of consultant paediatricians currently working in the NHS. [143049]

Mr. Hutton: The Department does not collect data on the number of newly appointed consultant paediatricians. Workforce data are collected through the annual Department of Health medical workforce census. The census is a snapshot of data as at 30 September in the appropriate year. The information in table 1 shows the net increases in the number of paediatric consultants since 1997.

Table 1: Hospital, Public Health Medicine and Community Health Services (HCHS) Staff Consultants in the paediatric group of specialities—England

Number (headcount)

	1997	*1998*	*1999*	*2000*	*2001*	*2002*	*March 2003*	*June 2003*
Paediatrics Group	1,227	1,299	1,355	1,443	1,507	1,695	1,768	1,801
Of which:								
Paediatric cardiology	16	17	18	23	29	64	58	63
Paediatrics	1,211	1,282	1,337	1,420	1,478	1,631	1,710	1,738

Note:

All data as at 30 September except 2003 which is at 31 March and 30 June.

Source:

Department of Health Medical and Dental Workforce Census.

Between September 1997 and June 2003, there has been a 47 per cent. increase in the number of consultants in the paediatrics group.

Table 2 shows how many consultant paediatricians were employed in the national health service on *(a)* part-time and *(b)* whole-time basis as at 30 June 2003.

Table 2: Hospital, Public Health Medicine and Community Health Services (HCHS): Consultants within the paediatrics group of specialties by nature of contract

Number (headcount)

As at June 2003	*All contracts*	*Full-time*[1]	*Part-time*	*Honorary*
Paediatric Group	1,801	1,360	290	151
Of which:				
Paediatric cardiology	63	45	7	11
Paediatrics	1,738	1,315	283	140

[1] Consists of staff on whole time and maximum part time contracts

Note:

In these figures, honorary doctors are staff who provide clinical services to an NHS organisation whilst not having a paid substantive or locum contract with that organisation.

Source:

Department of Health medical and dental workforce census.

The age profiles of consultants in the paediatric group working in the NHS, as at June 2003, are shown in table 3.

Table 3: Hospital, Public Health Medicine and Community Health Services (HCHS) Staff Consultants in the paediatric group of specialities

Number (headcount)

		Of which:								
England at 30 June 2003	*All ages*	*30–34*	*35–39*	*40–44*	*45–49*	*50–54*	*55–59*	*60–64*	*65–69*	*70 and over*
Paediatrics Group	1,801	18	280	430	412	322	238	80	20	1
Of which:										
Paediatric cardiology	63	0	10	18	14	7	7	5	2	0
Paediatrics	1,738	18	270	412	398	315	231	75	18	1

Source:

Department of Health Medical and Dental Workforce Census

Pain Management Services

Mr. Sheerman: To ask the Secretary of State for Health (1) if he will take steps to ensure that regional variations in the provision of pain management services are tackled; [140676]

(2) what guidance is issued by strategic health authorities on the management of chronic pain in primary and secondary care; [140677]

(3) if he will ensure that the recommendations of the Clinical Standards Advisory Group report into pain services are fully implemented; [140679]

(4) if he will commission a review into provision of pain services, based upon the reforms undergone by the national health service since the Clinical Standards Advisory Group report in 2000; [140680]

(5) whether, in light of the Dr. Foster report, Adult Chronic Pain Management Services in the UK, he will reiterate the recommendations of the Clinical Services Advisory Group calling for closer links between local pain and primary care services; [140772]

(6) what action will be taken by his Department in the light of the Dr. Foster and Pain Society report, "Adult Chronic Pain Management Services in the UK". [140773]

Mr. Hutton: The Clinical Standards Advisory Group report showed that many national health service trusts had developed excellent services, but in some places more needed to be done to drive up standards. The report made recommendations to commissioners and trusts to review local provision of pain services, and how these might be improved. The Department welcomed the report, and expects commissioners and trusts to take these recommendations into account when they plan their service so that variations in provision is reduced and links with primary care trusts improved.

The Department encourages openness in the use of NHS performance information and welcomes independent scrutiny of this information, such as the Dr. Foster and Pain Society report on "Adult Chronic Pain Management Services in the UK". We are committed to making NHS performance information widely available to patients, carers and the public in an accessible and readily understandable format.

The Department has no plans to review the provision of pain services in the NHS or to reissue the Clinical Standards Advisory Group Report. The quality of the service should be monitored locally through the trust, primary care trust commissioners and strategic health authorities to ensure it is provided to meet the needs of the local population.

Patient Organisations

Lynne Jones: To ask the Secretary of State for Health if he will make a statement on the omission of *(a)* community health councils and *(b)* patient forums from the list of patient organisations who were sent the consultation document, "Choice, Responsiveness and Equity". [141936]

Mr. Hutton: The consultation document referred to was a resource pack developed specifically for strategic health authorities (SHAs) and voluntary organisations to support them in leading local consultations. It was not sent directly to community health councils (CHCs) as SHAs were responsible for involving CHCs in the local health community's contribution to the consultation. Patient and public involvement forums were not established until after the consultation period closed and therefore could not be consulted.

The resource document was openly available online or through the NHS Response Line.

Patients' Forums

Mr. Baron: To ask the Secretary of State for Health whether there was a fully contracted local network provider in place for each patients' forum on 2 December. [142440]

Ms Rosie Winterton *[holding answer 8 December 2003]:* Yes. On 2 December there was a fully contracted local network provider, now known as a forum support organisation, in place for each patients' forum.

Mr. Baron: To ask the Secretary of State for Health how many *(a)* full-time and *(b)* part-time staff in local network providers were working exclusively on behalf of patients' forums on 2 December. [142442]

Ms Rosie Winterton *[holding answer 8 December 2003]:* It is not possible to give an absolute staffing figure as some staff are employed exclusively to support the patients' forums while others perform additional functions within their organisation. Since the contracts were awarded in September to the forum support organisations, which were formerly known as local network providers, the organisations have been working to recruit staff and build their capacity, ensuring sufficient support for patients' forums was in place from 1 December. Organisations which have been drawn from the not for profit and voluntary sector will continue to build their resources and to respond effectively to demands as they arise from the patients' forums.

Mr. Baron: To ask the Secretary of State for Health what percentage of patients' forums were fully operational on 2 December; and if he will list those that were not. [142443]

Ms Rosie Winterton *[holding answer 8 December 2003]:* On 2 December, the Commission for Patient and Public Involvement in Health (CPPIH) had received over 5,000 applications from members of the public volunteering to become members of the 572 patients' forums. At that point 505 forums, over 88 per cent., had the required minimum number of members. However, the position is changing daily as CPPIH continues to process the huge numbers of applicants and make final appointments.

Since 1 September, CPPIH has had in place regional centres and forum support organisations to provide information and guidance to members of the public who may wish to get involved or who have concerns that need addressing locally.

Training of forum members is currently underway and forums will be fully operational shortly. In the meantime all forums are contactable through the forum support organisations.

Mr. Baron: To ask the Secretary of State for Health whether each patients' forum had the required minimum of members on 2 December; and if he will list those that did not. [142444]

Ms Rosie Winterton *[holding answer 8 December 2003]:* On 2 December, the Commission for Patient and Public Involvement in Health (CPPIH) had received over 5,000 applications from members of the public volunteering to become members of the 572 patients forums. At that point 505 forums had the required minimum number of members. However, the position is changing daily as CPPIH continues to process the huge numbers of applicants and make final appointments.

At 2 December, 100 per cent. targets had been reached in the East Midlands, the North East, North West and West Midlands. In the East of England the Commission required 44 appointments to fill specific forums; in Humberside 10 people; in the South East 61; London 17; and the South West 29.

Mr. Baron: To ask the Secretary of State for Health if he will list *(a)* the location of each patients' forum's associated local network provider and *(b)* those patients' forums for which no contracted local network provider was in place on 2 December. [142445]

Ms Rosie Winterton *[holding answer 8 December 2003]:* By 1 September, 140 contracts had been placed with 68 different local network providers (now known as forum support organisations), providing full national coverage of support for all forums as they come on stream from 1 December. Patients' forums have been set up for primary care trusts and national health service trusts and a list of these by forum support organisation is available from the Commission for Patient and Public Involvement in Health.

Radiation Workers

Mr. Hancock: To ask the Secretary of State for Health pursuant to the answer from the Secretary of State for Defence on 1 December 2003, *Official Report,* column 39W, if he will make it his policy to *(a)* offer annual medical examinations to retired or ex-radiation workers and *(b)* to amend the guidelines to medical professionals to encourage them to note the profession of radiation workers in the medical notes of their families. [143034]

Miss Melanie Johnson: The Ionising Radiation Regulations provides for an appointed doctor to undertake pre-employment health checks, reviews of health at least once a year while in work, and a review of health when the employment has ceased where this is necessary to protect the health of the individual.

Authoritative scientific and medical opinion is that health checks for all persons with past employment in the radiation industry would, in most cases, be both clinically inappropriate and a diversion of valuable clinical time away from patients with known needs; unless the person indicates symptoms of disease, or the general practitioner has been informed by the appointed doctor of the special circumstances leading to a possible need for continuing surveillance.

The content of patient records is essentially a matter for the clinical judgment of the practitioner, taking account of guidance from his or her professional body and all of the circumstances. However, in addition to a general obligation to render to patients all necessary and appropriate personal medical services—including offering to patients consultations and, where appropriate, physical examinations for the purposes of identifying, or reducing the risk of, disease or injury—general practitioners in the national health service are required to seek and record relevant information about patients' and patients' families medical history as well as social factors (including housing, employment, and family circumstances) that may affect patients' health.

Research Projects

Dr. Tonge: To ask the Secretary of State for Health what research projects will be conducted in response to the findings of the national consultation on how best to improve choice, responsiveness and equity in the national health service and social care; and if he will make a statement. [141694]

Mr. Hutton: On 9 December 2003 the Government published "Building on the Best: Choice, Responsiveness and Equity in the NHS". This strategy document sets out action on how we intend to expand choice for service users. A copy of the document in available in the Library. We are now considering with the national health service and partner organisations how further research might help inform future action.

Dr. Tonge: To ask the Secretary of State for Health when he will publish the findings of the national consultation on how best to improve choice, responsiveness and equity in the national health service and social care; and if he will make a statement. [141696]

Mr. Hutton: On 9 December 2003, the Government published a strategy paper "Building on the Best; Choice, Responsiveness and Equity in the NHS", which draws out and develops the main themes that emerged from the Choice, Responsiveness and Equity consultation. The document broadly sets out how we will make NHS services more responsive to patients, by offering more choice across the spectrum of healthcare. A copy is available in the Library.

Sexual Health

Mr. Burns: To ask the Secretary of State for Health what the reasons are for the exclusion of sexually transmitted infections from the new general practitioner contract; whether all GPs will *(a)* examine and *(b)* treat patients suffering from a sexually transmitted infection; and if he will make a statement. [140696]

Mr. Hutton: No disease is excluded under the new general medical services contract. All practices will provide essential services, which provide for the management and on-going treatment and care of patients who are ill, or believe themselves to be ill. Practices will continue to offer consultations and, where appropriate, physical examination for the purpose of identifying the need, if any, for treatment or further investigation.

Sperm Donors

Tim Loughton: To ask the Secretary of State for Health (1) what plans he has to change arrangements for anonymity of sperm donors; [142152]

(2) what plans he has to give a right to children produced as a result of donor insemination to know the identity of their parents. [142153]

Miss Melanie Johnson: This is a highly sensitive issue for the children born, their parents and their donors. Section 31 (5) of the Human Fertilisation and Embryology Act 1990 does not permit donors to be identified retrospectively. We are considering whether to ask Parliament to approve regulations to make identifying information about future donors available on request to donor-conceived people age 18 or older. The Government expect to make a decision on this shortly.

St. Helens Projects

Mr. Woodward: To ask the Secretary of State for Health if he will list the capital projects *(a)* built and *(b)* being built in connection with health care provision in St. Helens in each year since 1997. [141476]

Miss Melanie Johnson: The information is shown in the table.

SHA name	*Trust name*	*Scheme name*	*Outturn cost (£ million)*	*Funding*	*Start on site actual/target*	*Finish on site actual/target*
Cheshire and Merseyside Strategic HA	St. Helens and Knowsley Hospitals NHS Trust	St. Helens and Knowsley Health Community Strategic Redevelopment	284.0	PFI	February 2005	December 2010
Cheshire and Merseyside Strategic HA	St. Helens and Knowsley Hospitals NHS Trust	Re-provision of Knowsley House	2.77	Public	June 2000	August 2001
Cheshire and Merseyside Strategic HA	St. Helens and Knowsley Hospitals NHS Trust	Rehabilitation Wards (60 Beds)	5.2	Public (PC21)	January 2003	December 2004
Cheshire and Merseyside Strategic HA	St. Helens PCT	NHS LIFT—3rd Tranche	22.0	LIFT	—	March 2005
Cheshire and Merseyside Strategic HA	St. Helens PCT	Millennium Centre Phase 3	3.4	Public (PC21)	January 2003	December 2003

Source:
NHS Estates

Tamiflu

Mr. Lansley: To ask the Secretary of State for Health what criteria he is applying to the availability on prescription of Tamiflu as a treatment for influenza. [141313]

Miss Melanie Johnson: The National Institute for Clinical Excellence (NICE) recommends that Tamiflu should not be used for the treatment of influenza in children or adults unless they are considered to be 'at-risk'. Full details of the NICE guidance issued in February 2003 is available on the website www.nice.org.uk.

The Department is consulting on a proposal to enable other patients not considered to be 'at-risk' to receive Tamiflu from their doctor. The consultation is available at www.doh.gov.uk/tamifluconsultation.

Third Register Review

Mr. Gardiner: To ask the Secretary of State for Health (1) what the timetable is for the review of the third register; who will conduct the review; and when the report of the review will be published; [140627]

(2) if he will publish the terms of reference for the review of health visiting. [140628]

Mr. Hutton: The Nursing and Midwifery Council (NMC) has now completed its consultation on the third part of the NMC register, where it is proposed that health visitors will be separately registered.

A separate review of the nursing, midwifery and health visiting contribution to children at risk is being undertaken by the Chief Nursing Officer (England) (CNO) in the light of the recent Green Paper, "Every Child Matters". The scope and process of the review are set out on the CNO web site at www.doh.gov.uk/cno/cnoreview.htm.

Mr. Gardiner: To ask the Secretary of State for Health how many ministerial commitments to consult and respect the views of the profession were met during consideration on the review of the third register. [140630]

Mr. Hutton: The Nursing and Midwifery Council (NMC) is required by the Nursing and Midwifery Order 2001 to consult representatives of any group of persons it considered appropriate including, as it sees fit, representatives of registrants or class of registrant, employers of registrants, users of the services of registrants and persons providing assessing or funding education or training for registrants or prospective registrants.

In exercising its function, the NMC must have proper regard to the interests of all registrants and prospective registrants and to any differing considerations applying to the professions and to groups within them.

I am satisfied that the NMC has consulted both appropriately and sufficiently in regard to this review.

Mr. Gardiner: To ask the Secretary of State for Health when and by whom the health visiting profession was consulted regarding the third register; and what the outcome was of the consultation. [140631]

Mr. Hutton: The Nursing and Midwifery Council (NMC) is an independent statutory body and is required to consult representatives of any group of persons it considers appropriate. Further specific information in respect of this is a matter for the NMC.

Top-up Fees

Mr. Burstow: To ask the Secretary of State for Health what his policy is on meeting charges for university variable top-up fees for student *(a)* nurses and *(b)* doctors; and if he will make a statement. [142063]

Mr. Hutton: For the first four years of the standard undergraduate medical course, and for year one of the shorter (4 year) graduate entry course, the Department for Education and Skills' (DfES) means tested arrangements currently apply, whereby students are required to contribute up to £1,125 for fees, depending on parents' or spouses' income.

For years five and six of the traditional medical undergraduate course, and years two to four of the graduate entry course, the Department of Health/ national health service-funded arrangements apply, in which students make no contribution to tuition fees; their liability being met from the Department of Health's multi-professional education and training levy and paid direct to higher education institutions by the NHS Student Grants Unit.

While the proposals contained in the DfES' White Paper, "The Future of Higher Education", include allowing universities to increase tuition fees, there is as yet no clear indication from the higher education sector of the scope or scale of any increased charges.

I have already made it clear that we will if necessary take measures to ensure that any increase in the level of tuition fees will not have an adverse impact on the supply, retention, diversity or quality of students undertaking medical training.

I also refer the hon. Member to the response I gave him on 11 December 2003, *Official Report*, column 600W.

University of Birmingham Hospital Trust

Lynne Jones: To ask the Secretary of State for Health under what powers funds have been allocated to the University of Birmingham Hospital Trust to consult over its proposal to become an NHS Foundation Trust. [141559]

Mr. Hutton: Section 2 of the National Health Service Act 1977 gives the Secretary of State powers to do anything which is calculated to facilitate the discharge of his duty to continue the promotion of a comprehensive health service. Schedule 3, Paragraph 5 A of the National Health Service and Community Care Act 1990 gives the Secretary of State the power to make a payment to a national health service trust. The payments were made under these powers.

Unwanted Pregnancies

Mrs. Calton: To ask the Secretary of State for Health how many unwanted pregnancies were terminated in each year since 1986 per 100,000 population. [141998]

Miss Melanie Johnson: This information is contained in Table 1 of "Abortion Statistics, England and Wales, 2002" (ISBN 1 84182 782 7). Copies are available in the Library, or on the Department's website at www.doh.gov.uk/public/sb0323.htm.

Waiting Times

Mr. Wiggin: To ask the Secretary of State for Health how many people have waited over 18 months for their operation. [141168]

Mr. Hutton: As at 30 September 2003, there were nine patients waiting over 18 months for elective inpatient admission in England.

Mr. Woodward: To ask the Secretary of State for Health (1) what the average waiting time for patients admitted to accident and emergency departments in hospitals in the St. Helens area to be admitted to a ward was in each year since 1992; [141479]

(2) what the average waiting time for patients admitted to accident and emergency departments in hospitals in the St. Helens area to see a doctor was in each year since 1992. [141480]

Miss Melanie Johnson: The information requested is not collected.

Information on the total time patients spend in accident and emergency departments from arrival to admission, transfer or discharge is collected each quarter from national health service trusts and is routinely published on the Department's website at http://www.doh.gov.uk/hospitalactivity/. Printed copies of the information are also available in the Library.

Working Time Directive

Mr. Evans: To ask the Secretary of State for Health what assessment has been made of the cost to each NHS trust of the Working Time Directive. [141403]

Mr. Hutton: The Working Time Directive (WTD) is an integral part of modernising and improving services. The national health service has been aware of the implications of implementing the WTD for doctors in training since 2000, and planning for it forms part of overall NHS planning. Strategic health authorities are currently ensuring that plans will achieve compliance by 2004.

Mr. Evans: To ask the Secretary of State for Health what assessment has been made of the change in the number of *(a)* doctors and *(b)* nurses needed in each NHS trust as a result of the implementation of the Working Time Directive. [141405]

Mr. Hutton: The Department's guidance to the national health service, HSC 2003/001 'Protecting Staff, Delivering Services—Implementing the European Working Time Directive for Doctors in Training', states that while the number of doctors on an individual rota will generally have to increase, trusts should find ways to reduce the number of resident rotas. A number of methods of doing so are being explored in the 20 Working Time Directive (WTD) pilots and several "Hospital at Night" pilots. Thus, the total staffing requirement does not increase substantially as a result of the WTD.

The NHS is currently developing action plans to achieve compliance with the WTD. As part of this, additional training opportunities will be made available for trusts where the need for a post is agreed by their strategic health authority. This agreement is subject to funding and educational approval being obtained.

It is for local organisations to determine the level of staff needed to implement the WTD and to deliver a quality service. However, the Department is supporting a programme of work to develop new ways of working for nurses and other professional staff.

Mrs. Gillan: To ask the Secretary of State for Health (1) what assessment has been made of the cost to NHS trusts in *(a)* Chesham and Amersham and *(b)* Buckinghamshire of the Working Time Directive; [142523]

(2) what assessment has been made of the overtime needed in NHS trusts in *(a)* Chesham and Amersham and *(b)* Buckinghamshire arising from the implementation of the Working Time Directive. [142524]

Ms Rosie Winterton: The Working Time Directive is an integral part of modernising and improving services. The national health service has been aware of the implications of implementing the Working Time Directive for doctors in training since 2000, and planning for it forms part of overall NHS planning.

Strategic health authorities are currently ensuring that plans will achieve compliance by 2004.

Mrs. Gillan: To ask the Secretary of State for Health what assessment has been made of the change in the number of *(a)* doctors and *(b)* nurses needed in (i) Chesham and Amersham and (ii) Buckinghamshire as a result of the implementation of the Working Time Directive. [142525]

Ms Rosie Winterton: The Department's guidance to the national health service—Health Service Circular 2003/001 'Protecting Staff, Delivering Services—Implementing the European Working Time Directive for Doctors in Training' states that while the number of doctors on an individual rota will generally have to increase, trusts should find ways to reduce the number of resident rotas. A number of methods of doing so are being explored in the 20 Working Time Directive (WTD) pilots and several hospital at night pilots. Thus the total staffing requirement does not increase substantially as a result of the WTD.

Strategic health authorities are ensuring that trust plans will deliver compliance. Priority will be given to trusts facing WTD challenges in the allocation of an additional 1,500 locally funded specialist registrars training opportunities, subject to educational approval being obtained.

It is for local organisations to determine the level of staff needed to implement the WTD and to deliver a quality service. However, the Department is supporting a programme of work to develop new ways of working for nurses and other professional staff.

Written Answers to Questions

Tuesday 16 December 2003

TRANSPORT

Leominster Station

Mr. Wiggin: To ask the Secretary of State for Transport what plans there are to provide disabled access to Leominster station. [144101]

Mr. McNulty: The SRA is considering how best to prioritise a programme of works to ensure stations and train services meet the accessibility requirements of the Disability Discrimination Act. The SRA will consult widely on draft criteria next year. The implementation of works will be subject to the availability of funding.

Heathrow Airport

Dr. Tonge: To ask the Secretary of State for Transport what assessment he has made of whether the *(a)* M4 and the *(b)* M25 would need to expand to accommodate further traffic if a third runway was constructed at Heathrow airport. [144179]

Mr. McNulty: "The Future Development of Air Transport in the United Kingdom: South East" consultation document covered the impact of a third runway at Heathrow airport on the M4 and the M25. These roads were also considered in the Thames Valley and Orbit multi-modal studies. The Secretary of State's response to those studies was published in July 2003.

The Government's conclusions on UK airport capacity, including surface access issues, have been set out in the White Paper, published today.

Ministerial Visits

Keith Vaz: To ask the Secretary of State for Transport (1) what plans he has to visit the East Midlands to discuss the proposed expansion of East Midlands airport; [142927]

(2) when he next plans to visit Leicester. [142929]

Mr. McNulty: I visited East Midlands Airport in September and have discussed its future development with a number of interested parties. Our conclusions on the proposed development of the airport have been published today in the air transport White Paper. My right hon. Friend the Secretary of State has no plans to visit Leicester at present.

Parking Fines

John Mann: To ask the Secretary of State for Transport under what powers private operators of local authority car parks may pursue *(a)* civil action and *(b)* criminal action for unpaid fines levied on late and non-payers of car park charges. [143460]

Mr. Jamieson: Section 4(3) of the Road Traffic Offenders Act 1988 provides that the council of a county, district, London borough or the Common Council of the City of London may institute proceedings for offences under section 35A of the Road Traffic Regulation Act 1984 (contravention of an order as to the use of a parking place). It is an established legal principle that a power delegated to one body may not be further delegated in the absence of express provision or necessary implication. This does not, however, prevent a local authority lawfully exercising its prosecution functions under section 4(3) with the assistance of service providers. In any given case, it is for the local authority to ensure that any arrangements it makes with a service provider are lawful and in accordance with its statutory functions.

Rail Services

Mr. Greg Knight: To ask the Secretary of State for Transport what percentage of the total public investment in transport in England and Wales was spent on railways in the last year for which figures are available. [142617]

Dr. Howells *[holding answer 8 December 2003]:* The Department's provisional outturn expenditure for 2002–03 (as recorded in the Public Expenditure Outturn White Paper 2002–03, Cm5884) was £8.8 billion. Of this, £2.8 billion or 32 per cent. was spent on railways. DfT's expenditure was across the UK as a whole, with additional funding for transport provided by the Scottish Executive and Welsh Assembly Government. It is not possible to provide a detailed breakdown of the proportion of spending specifically in England and Wales.

US Ships (Decommissioning)

Norman Baker: To ask the Secretary of State for Transport what the earliest date is on which the Government expects the return to the United States of the US Navy ships moored in Hartlepool could safely begin, assuming normal weather conditions. [143763]

Mr. Jamieson *[holding answer 15 December 2003]:* A return passage would be permitted only when application is made; and detailed arrangements approved by the sending and receiving States.

FOREIGN AND COMMONWEALTH AFFAIRS

Zimbabwe

14. **Mr. Bellingham:** To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to enforce the sanctions regime in place against Zimbabwe. [144053]

Mr. Mullin: Her Majesty's Government continue to fully implement EU measures against Zimbabwe. These comprise an arms embargo, including for equipment that might be used for internal repression, and an assets freeze and travel ban on President Mugabe and 78 of his associates. The details are set out in the EU's Common Position 2002/145/CFSP, the EC Regulation 310/2002 and their subsequent amendments.

Mr. Jack: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the United Kingdom's future relationship with Zimbabwe following its departure from the Commonwealth. [144049]

Mr. Mullin: The UK maintains diplomatic relations with Zimbabwe. Following the Commonwealth decision to maintain Zimbabwe's suspension, some of Mugabe's supporters have called for the breaking of diplomatic relations with the UK and the expulsion of the British High Commission. This would only serve to damage further Zimbabwe's reputation and the Zimbabwean people.

Cameroon

18. **Mr. Chaytor**: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on human rights in Cameroon. [144058]

Mr. Mullin: We are concerned about Cameroon's record on human rights and regularly raise human rights issues with the Government of Cameroon. We are closely involved in the Commonwealth's work to assist the Government of Cameroon to meet the standards laid down in the Harare Declaration, and we provide bilateral assistance for relevant projects and initiatives.

Middle East

19. **Ms Munn:** To ask the Secretary of State for Foreign and Commonwealth Affairs what influence the United Kingdom is exerting on the United States to put pressure on the Israeli Government to stop the building of the wall. [144059]

Mr. Rammell: My right hon. Friend the Prime Minister discussed the Middle East Peace Process with President Bush during his recent visit to London. In a joint statement on 20 November, they called on all parties to fulfil their obligations under the roadmap, and to refrain from steps which would prevent or prejudge the terms of a final settlement.

Additionally, the Foreign Secretary, FCO officials and I regularly discuss key elements of the Middle East Peace Process with the US Administration.

The Government recognises Israel's legitimate security concerns, and deplores the terrorist suicide bombings of Israeli civilians. But, we consider Israel's building of a wall, or fence, on occupied land to be unlawful, and have urged the Israeli government to reconsider the route of the fence.

Mr. Lyons: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent representations he has made to the US Administration to encourage them to exert pressure on the Israeli Government in relation to the building of the wall. [143810]

Mr. Rammell: My right hon. Friend the Prime Minister discussed the middle east peace process with President Bush during the latter's recent visit -to London. In a joint statement on 20 November, they called on all parties to fulfil their obligations under the roadmap, and to refrain from steps which would prevent or prejudge the terms of a final settlement.

Additionally, my right hon. Friend the Foreign Secretary, my noble Friend the Baroness Symons of Vernham Dean and Foreign and Commonwealth Office officials regularly discuss key elements of the middle east peace process with the US Administration.

The Government recognise Israel's legitimate security concerns, and deplores the terrorist suicide bombings of Israeli civilians. But we consider Israel's building of a fence on occupied land to be unlawful, and have urged the Israeli government to reconsider the route of the fence.

Helen Jackson: To ask the Secretary of State for Foreign and Commonwealth Affairs what further consultation he has had with Palestinian and Israeli authorities on the impact of the security wall built by the Israelis. [144052]

Mr. Rammell: The Government continues to urge the Government of Israel to re-route the fence away from Palestinian areas. My right hon. Friends the Prime Minister and the Foreign Secretary have made clear our concerns to the Israeli Prime Minister and Foreign Minister on a number of occasions. I raised the matter with the Israeli Foreign Minister during my visit to Israel on 30 September, and have since then discussed with the Israeli Ambassador and Israeli Minister for National Infrastructure.

We are in regular contact with the Palestinian Authority and NGOs on the ground.

Guantanamo Bay

20. **Mr. Dalyell:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the use of the British Indian Ocean territory of Diego Garcia for the detention by the United States of terrorist suspects én route to Guantánamo Bay. [144060]

Mr. Rammell: Further to the written answer given on 11 September by my right hon. Friend the Foreign Secretary to the right hon. and learned Member for North-East Fife (Mr. Campbell), allegations that terror suspects are being, or have at any time been, detained in Diego Garcia are entirely without foundation.

Arctic Convoy Medal

Hugh Robertson: To ask the Secretary of State for Foreign and Commonwealth Affairs what progress has been made in the award of the Russian Arctic Convoy medal to UK nationals. [144010]

Mr. Rammell *[holding answer on 15 December 2003]*: Government rules governing the acceptance of foreign awards by British Nationals preclude the acceptance of medals for services more than five years before consideration. In addition, the Defence of the Soviet Arctic Region Medal (DSARM) is a campaign medal and it was agreed at the end of the Second World War, by the then allied countries, not to exchange campaign medals. (The Atlantic Star is the British medal awarded for service in Atlantic Convoys.)

However, officials have been examining the possibility of an exception to the present rules to permit veterans to accept the DSARM should the Russian

Government formally seek the Government's authority to award the medal to British Citizens. A decision on whether an exception can be made is expected shortly.

Bribery/Corruption

Hugh Bayley: To ask the Secretary of State for Foreign and Commonwealth Affairs how many reports of possible cases of bribery or corruption abroad by UK *(a)* nationals and *(b)* companies have been referred to him by his Department's posts overseas since November 2001. [144014]

Mr. MacShane: I refer my hon. Friend to the answer I gave to the hon. Member for Ceredigion (Mr. Thomas) on 28 October 2003, *Official Report*, column 181W.

The Anti-terrorism, Crime and Security Act was passed in November 2001 and entered into force in February 2002.

Burma

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what international action he will propose to bring about democracy and human rights in Burma. [144326]

Mr. Mike O'Brien: A number of countries including Burma, France, Germany and ASEAN members met on 15 December in Bangkok at the invitation of the Thai Government. We understand that Burma objected to Britain attending because we were strongly critical of the regime. The aim of the meeting was to see if there was a realistic prospect of a roadmap toward democracy and reconciliation.

We have regularly discussed Burma with our international partners, including what possible further measures we may take if the regime continues to thwart the democratic rights of the Burmese people. I hope to meet Thai Foreign Minister Surakiart Sathirathai on 18 December to discuss the 15 December meeting and how we can take matters forward. We will also continue to work with our EU partners through the UN, ILO and other international fora to put pressure on the Burmese regime to fully release Aung San Suu Kyi and her National League for Democracy colleagues and, together with the ethnic groups, begin a genuine dialogue leading to democratic change and national reconciliation.

Ethiopia/Eritrea

Mr. Borrow: To ask the Secretary of State for Foreign and Commonwealth Affairs what action he is taking to help resolve the dispute between Ethiopia and Eritrea. [144048]

Mr. Mullin: We take every opportunity to emphasise to both parties that the Boundary Commission's decision is final and binding; that both should avoid any return to war; and that dialogue is essential to address all the issues separating Ethiopia and Eritrea.

EU Constitution

Mr. Carmichael: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 8 December 2003, *Official Report*, column 245W, on the European Constitution, what assessment the Government have made of the impact of the territorial cohesion provisions in the draft EU Constitution Treaty on applications from peripheral and insular areas for regional European support and state aid; and what discussions his Department has held with local government representatives from Highland and Island councils on this subject. [143985]

Mr. MacShane: We do not expect the references to "territorial cohesion" to have any impact on existing arrangements for the structural funds and regional aid. The devolved administrations have throughout been closely associated with the development of government policy towards the IGC, and are also involved in the development of UK positions on structural funds and state aid.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects discussions on the European Constitution to reach a conclusion. [144332]

Mr. MacShane: In the light of the outcome of the meeting of the Intergovernmental Conference on 12–13 December, we expect discussions on the timetable of the negotiations to be taken forward by the future Irish presidency.

European Foreign Ministers (Combined Initiatives)

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs whether he is planning further combined initiatives with the Foreign Ministers of France and Germany. [144330]

Mr. MacShane: We have worked closely with the French and Germans on an informal basis on a range of issues of mutual interest (e.g. joint initiative on industrial competitiveness, consultations on European defence, co-ordinated foreign policy towards Iran) and will continue to do so as the need arises.

Mikhail Khodorkovsky

Tom Brake: To ask the Secretary of State for Foreign and Commonwealth Affairs whether his Department has had any representations relating to the detention of Mr.Mikhail Khodorkovsky; and whether this matter has been discussed with the *(a)* Russian Government and *(b)* the Russian Embassy. [143932]

Mr. Rammell: The Foreign and Commonwealth Office received one letter from a member of the House of Lords about the "Yukos affair", to which I have replied. Separately, I also discussed the issue with the Russian Ambassador last month, and the EU raised it with President Putin on 6 November during the recent EU-Russia summit.

Saudi Arabia

Mr. Lyons: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will investigate claims of torture made against Saudi Arabia by the recently released British prisoner. [143811]

Mr. Mullin: Throughout the detention of the British men in Saudi Arabia, we raised with the Saudi authorities, at the highest levels, our concerns about the case, including the men's treatment and conditions in detention. We are in touch with the men and their lawyers and are doing what we properly can to assist them.

Singapore

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs what representations he has made to the Government of Singapore regarding the trading by Singapore-based companies with the military leadership in Burma; and if he will make a statement. [143713]

Mr. Mike O'Brien: While we have not made any representations to the Government of Singapore on this issue. We regularly discuss the problems of Burma with Asian countries, including Singapore. The UK has a long standing policy of not supporting trade with Burma.

This is well known to the international community. The EU Common Position is designed to target regime leaders and, as far as is possible, to avoid hurting the people of Burma. We would welcome a similar approach from Burma's neighbours.

United Nations

Mr. Woodward: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on reforming UN structures; and if he will make a statement. [144322]

Mr. Rammell: The UK Government wish to see an efficient United Nations that can meet the challenges of the modern world and deliver the objectives established in the Millennium Declaration.

We want to see a stronger and revitalised general assembly. We strongly support the proposals of the GA President, Julian Hunte. We support the Secretary General's efforts to create a more effective secretariat with improved priority setting and financial management. We are encouraging efforts towards improving the wider UN system of Funds, Programmes and Specialised Agencies. We also look forward to the outcome of the high level panel set up by the Secretary General to review the way the UN deals with threats to international peace and security.

I also refer my hon. Friend to Command Paper CM5898, laid before the House in September, in which the UK's policy towards reform of the UN is described in more detail.

Visa Centres (India)

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he next plans to visit the new visa centres in India; and if he will make a statement on the operation of the new visa centres in India. [142936]

Mr. Mullin: I have no plans at present to make a visit to the new visa application centres in India. Full details of the service offered at the visa application centres can be found at UKvisas' website: www.ukvisas.gov.uk and the websites for our diplomatic posts in India.

WALES

Compulsory Identity Cards

Mr. Webb: To ask the Secretary of State for Wales what assessment he has made of the implications of the introduction of compulsory identity cards for his Department. [141414]

Mr. Hain: Since the Wales Office does not provide services directly to the public, the implications of such a scheme would be minimal.

IRA Terrorism

Mr. Barnes: To ask the Secretary of State for Wales on which dates terrorist incidents ascribed to the IRA have taken place in Wales since 1973. [142752]

Mr. Hain: I refer my hon. Friend to the answer given by the Home Secretary on 11 December 2003, *Official Report*, column 618.

Ministerial Meetings

Mr. Wiggin: To ask the Secretary of State for Wales how often he holds meetings with the First Minister of the National Assembly for Wales; what proportion of his working week is spent in the Wales Office; and if he will make a statement. [141189]

Mr. Hain: The First Minister and I meet virtually every Monday and routinely discuss by telephone matters of common interest. I begin my week at my office in Cardiff, travelling up later in the day to the Wales Office in Gwydyr House London to meet ministerial colleagues and Wales Office officials and others as necessary over the rest of the week.

TREASURY

Employment Statistics

Sandra Gidley: To ask the Chancellor of the Exchequer (1) how many people *(a)* under 50, *(b)* between 50 and state pension age and *(c)* over state pension age were in employment, broken down by (i) region and (ii) gender, for each year since 1997; [143939]

(2) what the employment rate was for people *(a)* under 50, *(b)* between 50 and state pension age and *(c)* over state pension age, broken down by (i) region and (ii) gender, for each year since 1997. [143940]

John Healey: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Ms Sandra Gidley dated 16 December 2003:

As National Statistician, I have been asked to reply to your Parliamentary Questions about employment levels and rates.

The tables which have been placed in the Library give the information requested for the twelve month period ending August of each year from 1998 to 2003. These estimates are from the Labour Force Survey (LFS). As with any sample survey, estimates from the LFS are subject to sampling error.

Corporation Tax

Mr. Flight: To ask the Chancellor of the Exchequer what the cost to the Exchequer was in tax receipts foregone of the 10 per cent. rate of corporation tax introduced in the 1999 Budget for the smallest companies, in each year since its introduction. [144655]

Dawn Primarolo: The 10 per cent. starting rate of corporation tax is estimated to have reduced the CT liability of small companies with accounting periods ending in 2000–01 and 2001–02 by £85 million and £140 million respectively. Estimates are not yet available of the impact of the starting rate on accounting periods ending in 2002–03.

Inland Revenue

Jim Dobbin: To ask the Chancellor of the Exchequer how he estimates the Inland Revenue's ruling of 24 October will affect the welfare of tenants occupying the housing stock of Craven Housing Limited. [144634]

Keith Hill: I refer my hon. Friend to the answer given on 15 December 2003.

Jim Dobbin: To ask the Chancellor of the Exchequer (1) if the Government will compensate Bury St. Edmunds for the loss of funds available to the Haverbury Housing Partnership following the Inland Revenue's ruling of 24 October 2003; [144165]

(2) if the Government will compensate Letchworth for the loss of funds available to North Hertfordshire Homes Ltd. following the Inland Revenue's ruling of 24 October 2003; [144166]

(3) if the Government will compensate Skipton for the loss of funds available to Craven Housing Ltd. following the Inland Revenue's ruling of 24 October 2003; [144167]

(4) if the Government will compensate Hereford for the loss of funds available to Herefordshire Housing Ltd. that will result from the Inland Revenue's ruling of 24 October 2003. [144169]

Dawn Primarolo: On 24 October 2003, the Inland Revenue gave its preliminary view on the tax implications of contracts developed by a major accountancy firm. Discussions are continuing.

Pay-as-you-earn Schemes

Mr. Flight: To ask the Chancellor of the Exchequer how many pay-as-you-earn schemes with one or two employees there were for companies, excluding unincorporated businesses, at April *(a)* 1997, *(b)* 1998 and *(c)* 1999. [144656]

Dawn Primarolo: The information requested is not available.

Pensions

Mr. Rosindell: To ask the Chancellor of the Exchequer what estimate he has made of the cost to the Government of increasing pensions in line with average wage increases. [143546]

Ruth Kelly: The costs of uprating retirement pension in line with earnings and these costs as a percentage of GDP are as follows:

	Gross Cost (£)	*Gross Cost as (percentage)*
2005–06	1.8	0.15
2010–11	6.3	0.54
2020–21	18.1	1.21
2030–31	38.1	1.99

As my right hon. friend the Chancellor said in his pre-Budget statement, UK public finances are sustainable in the long term. The UK is in a strong position relative to other countries to face the challenges ahead. To revert to the pre-1980 position, an earnings link with pensions would—by 2050—raise deficits by 3 per cent. a year just to cover this one item with the long-term sustainability of public finances undermined. The Government will proceed on a sustainable basis.

Notes

1. Figures are in 2003–04 price terms. Costs are in billions rounded to the nearest £100 million. Percentages are to the nearest two decimal places.

2. GDP figures are from HM Treasury Economic Assumptions provided 28 November 2003.

3. Gross costs are estimated by the Government Actuary's Department and are consistent with Budget 2003 assumptions.
4. The net costs take into account income related benefit offsets, which are calculated using the DWP policy simulation model.

Mr. Webb: To ask the Chancellor of the Exchequer if he will list the organisations which responded to the consultation document, "Simplifying the taxation of pensions: increasing choice and flexibility for all". [144663]

Ruth Kelly: The Government consulted widely on the proposals in last December's document "Simplifying the taxation of pensions: increasing choice and flexibility for all". The document elicited many responses, copies of which have been placed in the House of Commons Library. A summary of the responses can be found on the Inland Revenue website at www.inlandrevenue.gov.uk/pensionschemes.

Project ASPIRE

Mr. Gray: To ask the Chancellor of the Exchequer on what date board members of Inland Revenue first began planning for project ASPIRE or its antecedents; and who was responsible for project ASPIRE from that date up to 5 September 2002. [144692]

Dawn Primarolo: The planning for the ASPIRE project began in January 2001. John Yard, the Inland Revenue's Director of Business Services, took responsibility for this planning.

Mr. Gray: To ask the Chancellor of the Exchequer what the purpose was of the market making exercise run by Inland Revenue as part of Project ASPIRE; what objectives were set to judge its success; and whether these objectives were achieved. [144693]

Dawn Primarolo: Competitions are generally accepted as the best way to deliver value for money. The market-making exercise was designed to encourage the major IT industry players to enter the ASPIRE competition. This objective was achieved and the competition has been genuinely tough and fair. In a written statement to the House on 11 December 2003 (column 107WS) I announced that the result of the competition was that Cap Gemini Ernst and Young had been named as the Inland Revenue's preferred supplier for the ASPIRE contract replacing the incumbent suppliers EDS and Accenture.

Mr. Gray: To ask the Chancellor of the Exchequer whether the potential suppliers who engaged in the market making exercise in support of project ASPIRE were made aware by Inland Revenue at the outset of the exercise of the identities of the other potential suppliers; whether the methodology adopted by Inland Revenue for the market making exercise provided for discussions between Inland Revenue and each of the potential suppliers engaging in the market making exercise; and whether the potential suppliers who responded to the Official Journal of the European Communities Notice placed by Inland Revenue with regard to Project ASPIRE were required in their submissions to provide indicative pricing information. [144694]

Dawn Primarolo: I cannot comment on whether the potential suppliers who engaged in the market making exercise were aware of the identities of the other potential suppliers. However, there were ongoing discussions between the Department and potential suppliers, at their request, throughout the market-making exercise. In addition, as I stated in my reply of 18 September, an open meeting was held for all interested suppliers on 7 March 2002, which was attended by 42 potential suppliers. The potential suppliers were not required to provide indicative pricing information in their response to the Official Journal of the European Communities notice that was placed by the Inland Revenue.

Redundant Workers

Simon Hughes: To ask the Chancellor of the Exchequer how many redundant workers, found employment three months after their Labour Force Survey interview in each of the last six years in London, broken down by age group. [144171]

Ruth Kelly *[holding answer 15 December 2003]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Simon Hughes, dated 16 December 2003:

As National Statistician, I have been asked to reply to your Parliamentary Questions about unemployment in London boroughs. (143995)

The Office for National Statistics (ONS) compiles statistics of unemployment from the Labour Force Survey (LFS) following the internationally standard International Labour Organisation definition.

Table 1 gives estimates of unemployment levels and rates for each London borough for the twelve month period ending February of each year from 1997 to 2002. These estimates are from the LFS annual local area databases. As with any sample survey, estimates from the LFS are subject to sampling error. The LFS sample size is too small to give reliable estimates of youth unemployment and long term unemployment in nearly all of London boroughs.

ONS also compiles statistics of those claiming Jobseeker's Allowance (JSA) for local areas. Table 2 gives, for each year since 1998, the average number and proportion of the working age population claiming JSA benefits. The number of these claiming for over 12 months and the numbers for those aged 18–24 years old are given in Tables 3 and 4. The data are not seasonally adjusted.

Table 1: Unemployment in London boroughs

March to February, thousand and percentage

	1996–97		*1997–98*		*1998–99*		*1999–2000*	
	Levels	*Rates (%)*	*Levels*	*Rates (%)*	*Levels*	*Rates (%)*	*Levels*	*Rate (%)*
Greater London	394	11.1	326	9.1	283	7.9	269	7.3
Barking and Dagenham	10	12.9	7	9.6	7	10.2	[2]—	[2]—
Barnet	13	8.0	11	6.6	10	5.4	10	5.6
Bexley	11	8.9	6	5.4	8	7.0	8	7.3
Brent	16	13.1	16	12.6	15	11.2	10	7.5
Bromley	9	5.8	7	4.5	8	5.5	6	3.8

Table 1: Unemployment in London boroughs

March to February, thousand and percentage

	1996–97		*1997–98*		*1998–99*		*1999–2000*	
	Levels	*Rates (%)*	*Levels*	*Rates (%)*	*Levels*	*Rates (%)*	*Levels*	*Rate (%)*
Camden	12	12.4	[2]—	[2]—	7	7.9	6	6.5
City of London	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—
Croydon	14	8.0	11	6.1	10	5.8	12	6.8
Ealing	15	10.4	14	9.5	9	6.4	11	7.7
Enfield	11	8.3	7	4.9	10	7.2	10	7.5
Greenwich	16	16.2	13	13.4	11	10.6	8	7.4
Hackney	18	23.1	18	21.5	12	14.8	13	13.8
Hammersmith and Fulham	7	8.6	8	9.1	[2]—	[2]—	7	8.5
Haringey	14	13.6	14	13.6	12	12.2	11	9.8
Harrow	7	6.9	6	5.7	6	5.3	7	6.0
Havering	7	6.6	6	5.2	[2]—	[2]—	[2]—	[2]—
Hillingdon	8	5.9	7	5.1	[2]—	[2]—	8	5.4
Hounslow	13	13.0	7	6.7	[2]—	[2]—	[2]—	[2]—
Islington	14	17.0	12	14.0	10	12.0	11	11.8
Kensington and Chelsea	8	10.2	[2]—	[2]—	9	10.2	9	10.3
Kingston upon Thames	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—
Lambeth	30	19.3	21	14.8	11	7.6	13	9.1
Lewisham	21	16.3	14	11.6	10	8.3	13	10.7
Merton	6	6.7	6	6.6	7	7.1	[2]—	[2]—
Newham	17	17.9	15	15.3	17	16.7	14	14.3
Redbridge	9	7.7	12	10.5	10	8.6	6	5.0
Richmond upon Thames	[2]—	[2]—	6	6.5	[2]—	[2]—	[2]—	[2]—
Southwark	23	21.7	19	16.8	15	13.4	15	12.2
Sutton	6	6.5	[2]—	[2]—	[2]—	[2]—	[2]—	[2]—
Tower Hamlets	11	15.8	13	19.7	9	13.8	8	9.4
Waltham Forest	12	11.1	11	10.6	9	9.3	8	7.7
Wandsworth	16	10.6	10	7.2	7	5.0	7	4.8
Westminster	10	10.5	10	9.7	11	10.9	8	7.0

	2000–01		*2001–02*	
	Levels	*Rates (%)*	*Levels*	*Rates (%)*
Greater London	254	6.9	248	6.6
Barking and Dagenham	4	5.9	4	6.4
Barnet	11	5.9	9	4.9
Bexley	[2]—	[2]—	[2]—	[2]—
Brent	11	9.2	12	9.4
Bromley	6	3.7	6	3.9
Camden	6	6.4	9	8.2
City of London	[2]—	[2]—	[2]—	[2]—
Croydon	10	5.3	10	5.7
Ealing	11	7.3	10	6.3
Enfield	7	5.5	8	6.4
Greenwich	11	9.8	8	7.4
Hackney	14	16.4	11	12.2
Hammersmith and Fulham	[2]—	[2]—	6	6.4
Haringey	13	12.7	11	10.4
Harrow	6	5.0	[2]—	[2]—
Havering	[2]—	[2]—	[2]—	[2]—
Hillingdon	[2]—	[2]—	6	4.1
Hounslow	[2]—	[2]—	6	5.6
Islington	8	9.4	8	9.3
Kensington and Chelsea	8	7.5	7	6.1
Kingston upon Thames	4	4.4	4	4.8
Lambeth	14	9.6	10	7.0
Lewisham	9	6.9	12	10.3
Merton	6	6.1	[2]—	[2]—
Newham	12	13.5	11	11.7
Redbridge	8	7.4	8	6.8
Richmond upon Thames	[2]—	[2]—	[2]—	[2]—
Southwark	13	12.1	12	10.7
Sutton	[2]—	[2]—	5	5.1
Tower Hamlets	9	11.8	9	12.3
Waltham Forest	6	5.7	7	6.9
Wandsworth	9	5.7	10	6.3
Westminster	10	8.6	8	6.1

[1] Unemployed as a percentage of the economically active population.

[2] Sample size too small for reliable estimate.

Note:

These Labour Force Survey estimates have not been interim-adjusted to reflect the 2001 Census results.

Source:

ONS Annual Local Area Labour Force Survey.

Table 2: JSA Claimants in the London boroughs—not seasonally adjusted

	1998		*1999*		*2000*		*2001*	
Annual average	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]
Greater London	224,303	5.0	[2]—	4.4	173,445	3.8	153,666	3.2
Barking and Dagenham	3,791	4.0	3,485	3.6	3,156	3.2	2,873	2.9
Barnet	6,407	3.4	5,725	3.0	4,822	2.5	4,594	2.3
Bexley	4,073	3.1	3,455	2.6	2,859	2.1	2,453	1.8
Brent	10,352	6.2	9,015	5.4	7,614	4.4	6,798	3.7
Bromley	4,828	2.7	4,156	2.3	3,579	2.0	3,223	1.8
Camden	8,281	6.6	7,630	6.0	6,444	4.8	5,542	3.8

Table 2: JSA Claimants in the London boroughs—not seasonally adjusted

	1998		1999		2000		2001	
Annual average	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]
City of London	98	2.2	91	1.9	81	1.6	82	1.4
Croydon	8,247	4.0	7,483	3.6	6,473	3.1	5,972	2.8
Baling	7,679	4.0	6,927	3.5	5,801	2.9	5,262	2.5
Enfield	7,542	4.5	7,021	4.2	6,137	3.6	5,488	3.1
Greenwich	8,681	6.7	7,785	6.0	6,636	5.0	5,873	4.2
Hackney	12,995	10.7	11,288	9.0	9,367	7.2	7,717	5.6
Hammersmith and Fulham	6,285	5.9	5,480	4.9	4,688	4.1	4,225	3.5
Haringey	12,228	8.7	11,082	7.7	9,571	6.6	7,613	5.0
Harrow	3,580	2.8	3,318	2.6	2,771	2.1	2,395	1.8
Havering	3,414	2.5	3,313	2.4	2,819	2.1	2,308	1.7
Hillingdon	3,530	2.3	3,058	2.0	2,513	1.6	2,369	1.5
Hounslow	4,157	3.0	3,411	2.5	2,555	1.8	2,169	1.5
Islington	9,925	8.4	8,944	7.5	7,440	6.2	6,409	5.1
Kensington and Chelsea	4,377	4.6	3,805	3.9	3,290	3.2	2,827	2.5
Kingston-upon-Thames	1,904	2.1	1,641	1.7	1,359	1.4	1,180	1.2
Lambeth	13,790	7.8	12,456	6.9	11,230	6.1	10,239	5.3
Lewisham	11,052	7.0	9,882	6.1	8,557	5.2	7,901	4.6
Merton	3,604	3.1	3,183	2.7	2,522	2.1	2,360	1.9
Newham	10,885	7.7	9,958	6.9	8,715	5.8	7,367	4.6
Redbridge	5,377	3.6	4,881	3.3	4,336	2.9	3,725	2.4
Richmond-upon-Thames	2,264	2.1	2,036	1.8	1,572	1.4	1,432	1.2
Southwark	11,680	7.6	10,711	6.8	9,779	6.0	8,792	5.1
Sutton	2,382	2.2	2,128	1.9	1,653	1.5	1,500	1.3
Tower Hamlets	9,411	7.9	9,049	7.3	8,616	6.8	7,949	5.9
Waltham Forest	7,692	5.5	7,039	5.0	6,091	4.3	5,489	3.8
Wandsworth	7,862	4.4	6,494	3.6	5,510	3.0	5,182	2.7
Westminster, City of	5,930	5.1	5,739	4.8	4,889	3.9	4,358	3.2

	2002		2003[1]	
Annual average	*Levels*	*% of Pop*[2]	*Levels*	*% of Pop*[2]
Greater London	164,350	3.4	170,532	3.5
Barking and Dagenham	2,983	3.0	3,328	3.3
Barnet	5,290	2.6	5,769	2.8
Bexley	2,629	2.0	2,866	2.2
Brent	7,959	4.4	8,234	4.5
Bromley	3,597	2.0	3,842	2.1
Camden	5,956	4.1	5,909	4.1
City of London	93	1.7	100	1.8
Croydon	6,334	3.0	6,497	3.0
Baling	6,137	3.0	6,222	3.0
Enfield	5,441	3.1	5,847	3.3
Greenwich	5,955	4.3	5,934	4.3
Hackney	7,682	5.6	8,123	5.9
Hammersmith and Fulham	4,481	3.7	4,695	3.8
Haringey	7,603	5.0	7,722	5.1
Harrow	2,841	2.1	3,025	2.3
Havering	2,331	1.7	2,546	1.9
Hillingdon	2,961	1.9	3,530	2.3
Hounslow	2,908	2.0	3,298	2.3
Islington	6,343	5.0	6,398	5.1
Kensington and Chelsea	2,957	2.6	3,096	2.7
Kingston-upon-Thames	1,548	1.6	1,711	1.7
Lambeth	10,707	5.5	10,835	5.6
Lewisham	8,056	4.7	8,079	4.7
Merton	2,749	2.2	3,035	2.4
Newham	7,610	4.7	7,655	4.8
Redbridge	4,047	2.6	4,106	2.7
Richmond-upon-Thames	1,803	1.6	2,013	1.7
Southwark	9,363	5.5	9,689	5.6
Sutton	1,800	1.6	1,975	1.7
Tower Hamlets	8,136	6.0	8,335	6.2
Waltham Forest	5,857	4.0	6,035	4.1
Wandsworth	5,686	2.9	5,692	2.9
Westminster, City of	4,507	3.3	4,391	3.2

[1] Average of 10 months.

[2] Claimant count figures as a proportion of the resident working age population.

Source:

Jobcentre Plus Administrative system.

Table 3: JSA Claimants over 12 months in the London boroughs not seasonally adjusted—Computerised claims only

	Levels					
Annual average	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*[1]
Greater London	72,593	61,881	47,957	36,327	32,193	32,848
Barking and Dagenham	833	864	806	628	467	507
Barnet	1,963	1,585	1,081	886	923	986
Bexley	1,208	856	611	443	356	374
Brent	3,640	2,842	2,233	1,604	1,788	2,046
Bromley	1,383	1,120	912	714	615	558
Camden	3,016	2,727	1,962	1,486	1,373	1,342
City of London	27	28	26	24	22	28
Croydon	2,945	2,249	1,850	1,479	1,352	1,111
Baling	2,271	1,772	1,235	891	925	982
Enfield	2,642	2,286	1,738	1,329	984	885
Greenwich	3,218	2,539	1,930	1,435	1,172	1,027

Table 3: JSA Claimants over 12 months in the London boroughs not seasonally adjusted—Computerised claims only

	Levels					
Annual average	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*[1]
Hackney	4,483	3,888	2,462	1,753	1,339	1,491
Hammersmith and Fulham	2,466	1,940	1,492	1,067	940	996
Haringey	4,708	4,185	3,048	1,807	1,670	1,864
Harrow	988	864	657	455	414	464
Havering	670	801	704	481	318	307
Hillingdon	897	658	433	255	259	400
Hounslow	917	610	309	152	196	247
Islington	3,971	3,449	2,447	1,954	1,512	1,355
Kensington and Chelsea	1,682	1,355	1,044	761	667	701
Kingston-upon-Thames	474	369	253	171	193	292
Lambeth	4,797	3,905	3,525	2,864	2,548	2,361
Lewisham	4,322	3,532	2,703	2,261	1,910	1,703
Merton	1,055	779	506	403	401	474
Newham	2,657	2,814	2,292	1,611	1,354	1,366
Redbridge	1,260	1,168	1,085	886	581	534
Richmond-upon-Thames	637	522	346	207	207	292
Southwark	3,985	3,515	3,034	2,414	2,363	2,692
Sutton	613	465	328	241	284	377
Tower Hamlets	2,388	2,532	2,326	2,041	1,809	1,935
Waltham Forest	1,970	1,912	1,662	1,256	1,108	1,144
Wandsworth	2,503	1,821	1,390	1,173	1,134	1,103
Westminster, City of	2,004	1,929	1,527	1,195	1,009	904

[1] Average of 10 months.

Source:

Jobcentre Plus Administrative system.

Table 4: JSA Claimants for the age group 18–24 years old in the London boroughs not seasonally adjusted—Computerised claims only

	Levels					
Annual average	*1998*	*1999*	*2000*	*2001*	*2002*	*2003*[1]
Greater London	46,706	38,567	33,207	30,444	35,432	39,206
Barking and Dagenham	997	840	796	725	794	928
Barnet	1,173	977	842	841	1,057	1,253
Bexley	935	745	617	538	604	691
Brent	2,120	1,691	1,394	1,217	1,619	1,726
Bromley	924	710	621	611	702	786
Camden	1,424	1,223	1,024	903	1,072	1,163
City of London	29	21	17	18	24	24
Croydon	1,665	1,452	1,244	1,215	1,369	1,527
Eating	1,594	1,388	1,133	1,015	1,265	1,344
Enfield	1,589	1,331	1,209	1,066	1,230	1,516
Greenwich	2,169	1,780	1,510	1,402	1,513	1,601
Hackney	2,861	2,261	1,846	1,558	1,741	1,900
Hammersmith and Fulham	1,050	855	760	697	816	936
Haringey	2,430	1,993	1,742	1,548	1,722	1,819
Harrow	707	624	509	457	583	668
Havering	854	731	610	524	559	647
Hillingdon	791	661	561	569	731	922
Hounslow	977	765	606	511	685	840
Islington	1,913	1,600	1,296	1,133	1,241	1,406
Kensington and Chelsea	642	534	477	427	502	538
Kingston-upon-Thames	331	281	222	189	245	301
Lambeth	2,535	2,141	1,946	1,812	2,084	2,248
Lewisham	2,282	1,993	1,741	1,738	1,907	2,048
Merton	712	595	484	486	572	670
Newham	2,885	2,311	2,014	1,770	1,979	2,225
Redbridge	1,264	1,035	880	784	977	1,041
Richmond-upon-Thames	319	268	217	194	241	292
Southwark	2,478	2,051	1,885	1,779	2,081	2,204
Sutton	459	385	289	270	336	406
Tower Hamlets	2,393	1,958	1,825	1,723	1,934	2,030
Waltham Forest	1,770	1,412	1,173	1,128	1,332	1,460
Wandsworth	1,428	1,073	951	924	1,113	1,182
Westminster, City of	1,006	882	766	672	802	864

[1] Average of 10 months.

Source:

Jobcentre Plus Administrative system.

Tax Compliance

Mr. Gray: To ask the Chancellor of the Exchequer whether the Inland Revenue and Her Majesty's Customs and Excise inform other Government Departments when a potential supplier has poor compliance in tax affairs. [143885]

Dawn Primarolo: HM Customs and Excise and the Inland Revenue only inform other Government Departments when a potential supplier has poor compliance in tax affairs in very exceptional circumstances. Such disclosures will only be made where statute permits, or otherwise, is justifiable on public interest grounds and will be confined to a general description of the potential supplier's compliance status and will not contain any detail.

Tax Rates

David Winnick: To ask the Chancellor of the Exchequer what steps have been taken to ensure that high income earners pay the 40 per cent. income tax rate and not the standard one on the basis that a company is being run by them; and if he will make a statement. [144649]

Dawn Primarolo: I refer my hon. Friend to the statement made in this House on 10 December 2003 by the Chancellor of the Exchequer and to paragraph 5.91 of the Pre-Budget Report published the same day.

David Winnick: To ask the Chancellor of the Exchequer how many individuals in the last three tax years were informed by the Inland Revenue that, though claiming to be eligible to pay the standard income tax rate because of running a company, the amount they would have to pay was 40 per cent.; and if he will make a statement. [144651]

Dawn Primarolo: None. There is no direct correlation between the amount of income tax an individual would pay on profits if self employed and the amount of income tax payable on salary and dividends received from a limited company.

Unemployment (London)

Simon Hughes: To ask the Chancellor of the Exchequer what the rate of *(a)* unemployment, *(b)* long-term unemployment and *(c)* youth unemployment in each borough of London was in each of the last six years; and how many individuals this represented in each case. [143995]

Ruth Kelly *[holding answer 15 December 2003]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Simon Hughes, dated 16 December 2003:

As the National Statistician, I have been asked to reply to your Parliamentary Question about redundant workers. (144171)

The attached table gives estimates, from the Labour Force Survey, of the number of people resident in London who were made redundant in the three months prior to their LFS interview, and who were in employment again at the time of interview. These estimates are for the twelve month period ending August each year from 1998 to 2003. The LFS does not collect information about respondents' labour market status three months after their interview. As with any sample survey, estimates from the LFS are subject to sampling error.

People resident in Greater London who were made redundant in the three months prior to their LFS interview and who were in employment again at the time of interview, by age

Thousands

September to August	*Total*	*16–34*	*35 or over*
1997–98	29	14	15
1998–99	28	12	16
1999–2000	30	19	12
2000–01	34	19	14
2001–02	34	20	14
2002–3	23	14	—

— Sample size too small for reliable estimate

Note:

These LFS estimates have not been interim-adjusted to reflect the 2001 Census results

Source:

ONS Labour Force Survey

TRADE AND INDUSTRY

Departmental Staff

Michael Fabricant: To ask the Secretary of State for Trade and Industry (1) how many days were lost to illness by employees in her Department in each of the last five years; [143880]

(2) how many days' sick leave per staff year were recorded in her Department in each of the last five years. [143881]

Ms Hewitt: The following table sets out the number of days lost due to sick absence in DTI HQ and the Small Business Service between 1 April 1998 and 31 March 2003.

		Headcount		*FTE*	
Population:	*Sick absence*	*Staff-in-post*	*Average sick absence*	*Staff-in-post*	*Average sick absence*[1]
DTI HQ including SBS					
Year ending March 2003	37,107	5,412	6.9	5,254.54	7.1
Year ending March 2002	35,870	5,263	6.8	5,122.70	7.0
Year ending March 2001	32,920	4,998	6.6	4,867.03	6.8
Year ending 31 March 2000	32,717	4,934	6.6	4,820.63	6.8
Year ending 31 March 1999	34,715	4,892	7.1	4,788.22	7.3

[1] Full time equivalent

Correspondence

Mr. Salmond: To ask the Secretary of State for Trade and Industry when she will reply to the letter of 15 October from the hon. Member for Banff and Buchan regarding his constituent, Mr. A. Downie of Whitehills. [141743]

Mr. Mike O'Brien: The delay in replying to the letter has been caused by the need for several Government departments and agencies to be consulted on preparing a response. I hope to be able to reply shortly.

Electricity Supplies

Mr. Jenkins: To ask the Secretary of State for Trade and Industry what plans are in place to ensure that electricity supplies to homes and industry are maintained in the event of severe winter weather. [141854]

Mr. Timms: The market has responded to concerns about a possible shortfall by returning plant to service so that margins are at a similar level to the mid 1990s. However no system can be guaranteed and in the event of a possible power shortage there are a number of steps that NGT could take in order to maintain supplies and avoid rota cuts.

The Government has robust, and well rehearsed plans, for dealing with extreme circumstances that cannot be dealt with by NGT's normal operating arrangements.

Employment Regulations

Michael Fabricant: To ask the Secretary of State for Trade and Industry (1) what assessment she has made of the impact that the Employment Equality (Sexual Orientation) Regulations 2003 will have on businesses, with particular reference to the costs they will incur; and if she will make a statement; [143832]

(2) what assessment she has made of the impact that the Employment Equality (Religion or Belief) Regulations 2003 will have on businesses, with particular reference to the costs they will incur; and if she will make a statement. [143833]

Mr. Sutcliffe: We have set out the impact on business of the Employment Equality (sexual orientation or religion or belief regulations) regulations 2003 as part of the last consultation on our proposals in the document "Equality and Diversity: the way ahead". In the case of sexual orientation, quantifiable benefits outweigh the costs significantly throughout the period analysed. For religion or belief, the initial costs are outweighed by the future benefits. Copies of the consultation document have been placed in the Libraries of the House and are also available online at

dti.gsi.gov.uk/er/equality.

Equal Treatment at Work Directive

Mr. Bellingham: To ask the Secretary of State for Trade and Industry (1) which religions are to be protected under the Equal Treatment at Work Directive; [142842]

(2) if she will make a statement on which philosophical beliefs are to be protected by the Equal Treatment at Work Directive; and what guidance her Department has offered to companies on how to make an assessment of this. [142849]

Jacqui Smith: This aspect of the Employment Directive is implemented by the Employment Equality (Religion or Belief) Regulations 2003. The regulations define "religion or belief" as "any religion, religious belief, or similar philosophical belief". It will be for the courts and tribunals to determine, in accordance with the Directive's requirements, whether a religion or belief falls within this definition. However, guidance to help employers put the new legislation into effect is available from Acas, and on the website acas.org.uk. In addition the Acas national helpline (08457 47 47 47) is able to offer advice on employment related issues.

The reference to "religion" includes religions such as Christianity, Islam, Hinduism, Judaism, Buddhism, Sikhism, Rastafarianism, Baha'is, Zoroastrians and Jains. Branches or sects within a religion can be considered as a religion or religious belief, such as Catholics or Protestants within the Christian church.

The reference to "similar philosophical belief" includes philosophical belief which is similar to a religious belief in that it is a profound belief affecting a person's way of life, or perception of the world. The belief should occupy a place in the person's life parallel to that filled by the God or Gods of those holding a particular religious belief.

EU Funding (Yorkshire and Humber)

David Davis: To ask the Secretary of State for Trade and Industry how much EU regional funding has gone into the Yorkshire and Humber region in each of the last five years. [143304]

Jacqui Smith: The information is as follows:

Table of Expenditure in Yorkshire and the Humber

ERDF and ESF Spend by Year	*£ million*
1998	54.817
1999	92.188
2000	94.294
2001	135.953
2002	96.095
2003	116.665

Fusion Research Reactor

Mr. Chaytor: To ask the Secretary of State for Trade and Industry if she will make a statement on the decision to site the next International Thermonuclear Experimental Reactor fusion research reactor at Cadarache in France; and what financial commitment has been made by the United Kingdom in its support. [142450]

Ms Hewitt: I am pleased that it was possible to reach a unanimous decision on the European candidate site for ITER. The UK will not make a direct financial commitment to ITER; instead its financial participation will come from the EURATOM budget, which the UK contributes to through its annual payment into the EC budget.

Give as You Earn Scheme

John Barrett: To ask the Secretary of State for Trade and Industry how many and what percentage of staff in her Department contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff in her Department through the scheme; and what steps she is taking to encourage greater participation in the scheme by staff in her Department. [143904]

Ms Hewitt: In my Department 404 staff, 4.43 per cent. of the workforce, contribute £7,390.17 per month to charity through the Give As You Earn scheme. We regularly encourage greater participation by publicising the scheme to staff. We are planning the next awareness campaign for the new year.

Learning and Skills Councils

Mr. Hammond: To ask the Secretary of State for Trade and Industry pursuant to the answer of 4 December 2003, *Official Report*, column 168W, on Learning and Skills Councils, if she will discuss with the Deputy Prime Minister contacts which have taken place between officials of her Office and the North West Regional Development Agency concerning that RDA's aspirations to assume control of the responsibilities and funding of Learning and Skills Councils in that region. [143455]

Jacqui Smith: The North West Development Agency has assured the Learning and Skills Council that it is not looking to usurp its role, and my answer of 4 December makes the Government's position clear. The Deputy Prime Minister is aware of the situation.

Manufacturing Employment

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry by how much employment in manufacturing has changed in each of the last six years; and if she will make a statement. [140951]

Ms Hewitt: The following table shows changes in manufacturing employment in each of the last six years.

Manufacturing employee jobs (1997 to 2003)

June	*Employee jobs (000s)*	*Change on the previous year (per cent.)*
1997	4,191	1.3
1998	4,209	0.4
1999	4,060	-3.5
2000	3,960	-2.5
2001	3,808	-3.8
2002	3,628	-4.7
2003	3,502	-3.5

Source:
Office for National Statistics, Department of Trade and Industry

A trend of declining manufacturing employment has been a feature of advanced economies over the last 30 years. Overall the UK labour market is performing well, with total employment rising by nearly 1.7 million since Spring 1997, and unemployment falling in every region.

We published the Government's Manufacturing Strategy in May 2002—the first such strategy for 30 years—which we developed in partnership with industry, trade unions and other stakeholders, following a summit meeting on the challenges facing manufacturing held in December 2001. The Manufacturing Strategy aims to create a high value manufacturing sector in the UK with a highly skilled well paid workforce, moving away from competing on the basis of low skill and low wages.

Internet/E-mail Traffic

Mr. Roger Williams: To ask the Secretary of State for Trade and Industry whether the Government announcement that it is lawful, under EU Single Market regulations, for private sector internet and e-mail traffic to use public sector-installed IT infrastructure covered the use of wide band IT infrastructure installed in schools and libraries. [140574]

Mr. Timms: I am not certain which announcement the hon. Member is referring to. If he cares to write to me I will respond as soon as possible.

North West Regional Development Agency

Mr. Stringer: To ask the Secretary of State for Trade and Industry what the per capita expenditure by the North West Regional Development Agency was in each of its five sub-regions in each year since its inception. [143557]

Jacqui Smith *[holding answer 11 December 2003]:* The North West Development Agency does not allocate its funding by sub-region or on a per capita basis. Funding levels for the last three financial years were:

£ million

Financial Year	*Allocation*
2003–04	345
2002–03	306
2001–02	292

Nuclear Power

Llew Smith: To ask the Secretary of State for Trade and Industry for what reasons *(a)* THORP and *(b)* the Sellafield MOX plutonium fuels plant were excluded from consideration in the strategy review of BNFL on which she made her announcement on 11 December. [144573]

Mr. Timms: The 2001 Government White Paper "Managing the Nuclear Legacy—a strategy for action" stated that THORP and the Sellafield MOX plant at Sellafield would pass to the Nuclear Decommissioning Authority when it is established in April 2005. For this reason it was not appropriate for them to be considered as part of the review.

Post Office Closures

Mrs. Calton: To ask the Secretary of State for Trade and Industry what definition of deprivation is used for the half-mile rule applied to post office closures. [143036]

Mr. Timms: There is no such rule but, in England, post office branches in the 20 per cent. most deprived wards (as defined by the Indices of Multiple Deprivation 2000) and more than half a mile from the nearest alternative post office are, other than in exceptional circumstances, ring fenced from inclusion in closure proposals under the Urban Reinvention programme. In Scotland and Wales the relevant national indices are used.

Mrs. Calton: To ask the Secretary of State for Trade and Industry how many post offices in each constituency have remained open because of the half-mile rule. [143038]

Mr. Timms: There is no such rule, but, in deprived urban areas, post office branches which are more than half a mile from the nearest alternative post office are, except in exceptional circumstances, ring fenced from inclusion in closure proposals under the Urban Reinvention programme. Final decisions on any such closure proposals, after consideration of representations received during public consultation, are an operational matter for Post Office Ltd.

Mrs. Calton: To ask the Secretary of State for Trade and Industry how many post offices notified for closure under the Network Intervention Programme have *(a)* closed and *(b)* remained open after public consultation procedures, by constituency, in the last year. [143039]

Mr. Timms: Decisions on post office closure proposals under the urban reinvention programme following public consultation are an operational matter for Post Office Ltd. and I have asked the Chief Executive to reply direct to the hon. Member.

Mr. Laws: To ask the Secretary of State for Trade and Industry how many *(a)* consultations on post office closures have taken place as part of the urban reinvention programme and *(b)* post offices have remained open following such consultation in each region in the United Kingdom. [143109]

Mr. Timms *[holding answer 9 December 2003]*: Decisions on post office closure proposals under the urban reinvention programme following public consultation are an operational matter for Post Office Ltd. and I have asked the Chief Executive to reply direct to the hon. Member.

Postwatch

Mrs. Calton: To ask the Secretary of State for Trade and Industry what funding is made available to Postwatch from *(a)* Royal Mail and *(b)* her Department. [143040]

Mr. Timms: The Consumer Council of Postal Services (CCPS), also known as Postwatch is funded through grant in aid from the Department of Trade and Industry. A three-year budget envelope is agreed between Postwatch and the Department. The cost is recovered by the Exchequer from the licence fees paid by operators of postal services. Details of the Postwatch budget are set out in its Forward Work Programme; the 2004–05 Programme will be published shortly.

Renewable Energy (Greater London)

Michael Fabricant: To ask the Secretary of State for Trade and Industry how much was spent on renewable energy projects in Greater London in each of the last five years. [143834]

Mr. Timms: The Government are supporting a number of projects in London under photovoltaic (PV) domestic and large-scale field trials, the Major PV Demonstration Programme, and the Clear Skies scheme.

The Greater London Authority is leading the London partnership taking forward renewables planning facilitation and awareness raising work in London. DTI has allocated £233,000 funding for this work, total funding from all partners is £401,000, and spend so far is in the region of £85,000. The first phase of this work includes research into public and stakeholder attitudes. The GLA plans to publish a report on work so far, including proposals for encouraging renewable energy in London and ways of overcoming barriers, on 16 December.

The London partnership will take forward these recommendations in the next phase of its work, which will include a stakeholder consultation on a renewable energy target for London. This will inform the Mayor's energy strategy due to be published next year.

The Department does not gather information about investment by private companies in renewable energy projects.

Royal Mail

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much revenue has been lost by the Royal Mail Group Ltd. as a result of industrial action in each of the last five years. [142136]

Mr. Timms: The amount of revenue lost by Royal Mail as a result of industrial action is an operational matter that falls within the day-to-day responsibility of the Royal Mail Board. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Sex Discrimination (Private Clubs)

Ross Cranston: To ask the Secretary of State for Trade and Industry what policies she has towards sex discrimination against women in private clubs; what plans she has to change the law; and if she will make a statement. [143894]

Ms Hewitt: There can be no justification for treating women club members as second-class citizens. Sex discrimination in private clubs is contrary to this Government's principles of opportunity for all and we have supported attempts to legislate in this area in the past.

I cannot give any assurances about our future legislative plans, but we are keeping the matter of sex discrimination and private clubs under review.

Trading Standards

Mr. Soley: To ask the Secretary of State for Trade and Industry whether a local authority trading standards officer is permitted to inform members of the public that a complaint has been made against a company. [143450]

Mr. Sutcliffe: It would be for the individual Local Authority to decide whether they wish to pursue a policy of informing members of the public of businesses that have been the subject of a complaint.

Any such policy would be subject to the provisions of the Data Protection Act 1998 regarding the disclosure of personal information in relation to individuals.

US Steel Tariffs

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what action has been taken by her Department to prepare the UK steel industry for the lifting of US steel tariffs. [142854]

Ms Hewitt: My Department is in regular contact with the UK steel industry and its stakeholders, on this and other issues. We have used these contacts to keep them informed of developments in the EU's WTO case against the US.

Mr. Bellingham: To ask the Secretary of State for Trade and Industry what her Department's estimate is of the cost to the UK steel industry of the United States' tariffs on imported steel. [142855]

Ms Hewitt: UK steel exports to the US fell by 14 per cent. in 2002 compared with the figure for 2001. The negative consequences of the US decision for the UK steel industry were reduced by our success in securing exclusions for UK products from the US safeguard measure. At the point when the safeguard was lifted, 74 per cent. of UK steel exports to the US were free of safeguard tariffs. The Government also supported the EU steel safeguard, which prevented any surge into the EU of steel from third countries diverted from the US market.

CULTURE, MEDIA AND SPORT

Places of Worship

Ms Walley: To ask the Secretary of State for Culture, Media and Sport if she will list beneficiaries of the listed places of worship grant scheme. [143213]

Mr. Caborn: To date, 3,953 listed places of worship throughout the United Kingdom have received grant payments under the Listed Places of Worship Grant Scheme. A list of all recipients of payments could be produced only at disproportionate cost. This scheme returns in grant aid the difference between the amount of Value Added Tax paid on eligible repairs and maintenance and a lower 5 per cent. rate. Listed places of worship of all religions are eligible to claim under the scheme.

Pleasure Piers

Ms Walley: To ask the Secretary of State for Culture, Media and Sport what steps her Department takes to encourage non-departmental public bodies to take into account principles of sustainable development in allocating funding for pleasure piers; what guidance has been issued; and what reference it contains to timber. [144249]

Estelle Morris: Applications to allocate funding for pleasure piers would not be addressed to my Department directly. Should the application be addressed to one of the 15 bodies which distribute lottery funding, the policy directions DCMS issue to Lottery Distributors ask them to take into account 'the need to further the objective of sustainable development'. Guidance to non-departmental public bodies forms part of DCMS's sustainable development strategy, which will be published in January. The strategy also contains a specific reference to our commitment that all timber used in construction and repair work should come from fully certified sources.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Horse Transportation

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what recent discussions she has had with other EU Ministers about the international transportation of horses; and if she will make a statement. [141938]

Alun Michael: The international transportation of horses is being considered as a part of the European Commission's proposal to update and improve the current EU rules on the welfare of animals during transport. This review has the potential to improve significantly the way many horses are transported into and within the EU. We are also taking the opportunity of this review to consider the best way to protect British equines. This is a matter that we will raise with other EU Ministers in the course of normal business and in particular when the proposals are presented to the Agriculture Council.

Mr. Heald: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the organisations which she has consulted about the welfare of horses during transport. [143712]

Alun Michael: We consulted 50 animal welfare and trade organisations, and almost 800 transporters who hold specific authorisations to transport animals, on the European Commission's proposals to update and replace the current directive on the welfare of animals during transport. In addition, further discussions, on horse transport and related issues, are taking place with the British Horse Industry Confederation and representatives of the British Horse Society, the International League for the Protection of Horses, the National Equine Welfare Council, the Royal Society for the Prevention of Cruelty to Animals and the World Society for the Protection of Animals.

Art Acquisition

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by her Department since 1997 was; how much it cost; and what the total revenue raised by her Department through sales of its works of art has been since 1997. [142367]

Alun Michael: No works of art have been purchased by Defra (or MAFF) since 1997.

No works of art have been sold by Defra (or MAFF) since 1997.

Badgers

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of whether perturbation in badger populations can be eliminated or substantially reduced by improved badger culling programme design and execution. [141384]

Mr. Bradshaw: No such assessment has been made.

Bovine TB

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what proportion of TB lesions found in cows subject to post-mortem examination for TB were considered to be of a type which would have rendered the cattle in which they were found capable of transmitting bovine TB to another bovine animal in England in the past 10 years; [141089]

(2) where the main TB lesions have been found on those cows which have been subject to post-mortem examinations for TB by or on behalf of her Department, in England in the past 10 years; [141389]

(3) what inferences have been drawn from the sites of TB lesions found on those cows which have been subject to post-mortem examination for TB by or on behalf of her Department, in England, in the past 10 years, as to the routes of transmission. [141392]

Mr. Bradshaw: The vast majority of lesions found in reactors to the TB skin test and in cases disclosed in the slaughterhouse are found in the lymph nodes of the throat and lungs (i.e. retropharyngeal, bronchial and mediastinal nodes).

Any bovine animals infected with the causative agent for bovine tuberculosis (Mycobacterium bovis) becomes potentially infectious for other animals after a period of latency. By the time shedding begins, the animal may or may not have developed visible lesions.

The routes of transmission in field conditions are not fully understood but the distribution of the lesions strongly suggest that the respiratory and oro-pharyngeal routes are the most common.

Reactors to the tuberculin test and confirmed slaughterhouse cases are considered to be infected and infectious. The testing regime applied to the remainder of the herd after removal of the reactors takes account of this.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what the implications are for the UK beef and dairy industries should the UK lose its Organisation International des Epizooties TB-free status. [142000]

Mr. Bradshaw: The United Kingdom does not satisfy the requirements of the OIE or EU to be regarded as TB-free.

Article 2.3.3.11. of the OIE Terrestrial Code states that international trade in beef requires the:

> "presentation of an international veterinary certificate attesting that the entire consignment of meat comes from animals which have been subjected to ante-mortem and post-mortem inspections for bovine tuberculosis with favourable results".

Thus, beef can be traded provided the Meat Hygiene Service has passed the meat as fit for human consumption.

In the case of dairy products, the OIE does not provide recommendations for the international trade in milk to protect against TB.

Departmental Costs

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what the *(a)* running costs of and *(b)* number of staff in the Department and its predecessors were in (i) 1997 and (ii) 2002. [144176]

Alun Michael: The information requested can be found in the annual Departmental Reports. In particular, Annex 7 of the 2000 MAFF Report for 1997 running cost statistics (CM 4612), Table 6 of the 2003 Defra Report (CM 5919) for staff numbers in both years, and Table 5 of the 2003 Defra Report for administrative costs in 2002. Copies of these Reports are in the Library of the House.

Employment

Hugh Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs how many UK nationals were employed in *(a)* horticulture and *(b)* fruit farming in each year since 1997. [143920]

Mr. Bradshaw *[holding answer 15 December 2003]*: The following figures show the total labour force on holdings in England where horticulture is the predominant activity (this includes specialist horticulture, specialist glass and specialist fruit). The June Agricultural Census does not record nationality, only number of people working on holdings.

Total labour force

	(a) Total labour force on horticulture holdings (excludes specialist fruit)	*(b) Total labour force on specialist fruit holdings*
1997	35,237	8,084
1998	36,826	8,528
1999	38,262	7,740
2000	35,463	8,639
2001	35,993	9,120
2002	34,605	8,988

Notes:

1. Figures for the other UK countries fall under the jurisdiction of the devolved authorities.
2. Figures prior to 2000 show main holdings only. From 2000 onwards all holdings are included.
3. Due to a register improvement exercise in 2001 labour figures prior to this are not directly comparable with later results.

Source:

June Agricultural Census

Farmed Cod

Ann Winterton: To ask the Secretary of State for Environment, Food and Rural Affairs how much food, by weight, is required to produce one kilo of marketable farmed cod; how much raw marine resource, by weight, is required to make one kilo of food; where that food is sourced from; and what the content of that food is. [143013]

Mr. Bradshaw: This Department does not collect data on feed usage and composition from the limited number of enterprises engaged in cod farming in the UK. However, we estimate that between 1.2kg and 1.4kg of feed is needed to produce 1kg of farmed cod of a marketable size.

We do not have information on the weight of the raw marine resource used in feed for farmed cod. The quantity involved will vary depending on the proportion of fishmeal used in the different grades of dry fish feed produced for cod at various stages of growth. Cod, like other farmed piscivorous species are unlikely to consume more natural marine resources through feed than their wild counterparts would consume in the natural environment.

The fish used for aquaculture feed are generally small, bony pelagic species sourced from non food grade fisheries, usually off the coasts of Peru and Chile, and in the North Atlantic, North Sea and Baltic Sea.

We understand that feed for farmed cod includes protein and oils derived from marine sources, carbohydrate, starch, minerals and vitamins.

Fisheries

Mr. Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs whether active acoustic deterrents will be made compulsory in all static net fisheries; and if she will make a statement. [143539]

Mr. Bradshaw: The UK Small Cetacean Bycatch Strategy published in March 2003 recommended that it should be a legal requirement for pingers to be used in specific set net fisheries in the North Sea and the Channel to reduce bycatch of harbour porpoises. I will be making an announcement early in the New Year on the results of consultation on the UK strategy following discussion with the Devolved Administrations.

Since the publication of this strategy, the European Commission has produced proposals for the reduction of cetacean bycatch in EU waters. These proposals include the mandatory use of pingers in set net fisheries in the North Sea and the Channel. Discussions on this regulation are still at an early stage.

Mr. Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs if she will undertake to assist fishing businesses with the costs of purchasing and maintaining compulsory active acoustic deterrents on their gear; and if she will make a statement. [143581]

Mr. Bradshaw: The UK Small Cetacean Bycatch Strategy published in March 2003 referred to funding available under the EU FIFO structural programme to encourage fishermen to adopt more selective fishing methods. This could provide part of the costs required to alter fishing practices to reduce cetacean bycatch, such as the purchase of active acoustic deterrents. I will be making an announcement early in the New Year on the results of consultation on the UK strategy following discussion with the Devolved Administrations.

Hired Fishermen

Mr. Carmichael: To ask the Secretary of State for Environment, Food and Rural Affairs what compensation payments have been made to hired fishermen since the Fisheries Council in December 2002. [143949]

Mr. Bradshaw: Neither this Department nor the Scottish Executive Environment and Rural Affairs Department have made any payments to hired fishermen since last December's Council.

Integrated Administration and Control System

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what penalties apply to farmers who supply incorrect details on their application forms for the Integrated Administration and Control System. [143591]

Alun Michael: Penalties apply to farmers who have claimed a greater area or a larger number of animals than that determined. These penalties are graduated in severity depending on the level of discrepancy found. If the discrepancy is severe, this may lead to a loss of entitlement to aid for the current scheme year and once again in the following three years.

Regional Producers (Wiltshire) Ltd.

Mr. Gray: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list the public objectives of Regional Producers (Wiltshire) Ltd. as reported to the South West Regional Development Agency. [143598]

Alun Michael: The South West Regional Development Agency tell us they have not received any formal public objections to the support for Regional Producers (Wiltshire) Ltd. However, the Government Office for the South West has received representations from a number of shareholders in Regional Producers (Wiltshire) Ltd. that the organisation should not at present be considered for further public support. Copies of these also have been passed to the South West Regional Development Agency, Business Links for Berkshire and Wiltshire and to Defra.

Renewable Energy

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs whether UK companies met the Government's targets for the purchase of renewable energy in 2002. [142024]

Mr. Timms: I have been asked to reply.

Under the terms of the Renewables Obligation Order (2002), and the Renewables Obligation (Scotland) Order 2002, licensed electricity suppliers in Great Britain are required to supply specific proportions of their electricity sales from renewable sourced electricity—with the aim of reaching the target of 10.4 per cent. in the period 2010–11.

For the year to April 2003, the level of the Obligation was set at 3 per cent. (The current level is 4.3 per cent.) Suppliers demonstrate their compliance with the Obligation through presenting Renewables Obligation Certificates (ROCs) for all or part of this quota to Ofgem.

Taking all licensed electricity suppliers in Great Britain together, the proportion of the Renewables Obligation met by the actual supply of renewables in 2.002–03 was 58.9 per cent. 41 per cent. of suppliers met their obligation fully; 23 per cent. met their obligation in part, and 36 per cent. failed to meet any of their obligation target through the supply of renewables.

River Nene

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on trends in populations of invertebrates in the River Nene following the pollution incident earlier this year; what evidence is publicly available of population levels; what evidence she has collated on whether species that are restricted to the affected section of the river are now extinct; whether there has been a survey for the Red Data Book of the riffle beetle *Stenelimis canaliculata*; whether a survey is planned; and what plans the Environment Agency has to repair damage to biodiversity as a result of the incident. [143261]

Mr. Morley: The results of the routine biological monitoring of the River Nene in spring 2003 showed that biological water quality at Cogenhoe (NGR SP 831 615) (mid reaches of the River Nene) and sites as far downstream as Orton Staunch (NGR TL 167 973) were uncharacteristically poor. In particular, there was a general absence of water hog louse, mayflies and freshwater shrimp, normally commonly occurring freshwater invertebrate species in the River Nene. In contrast, the invertebrate community at Duston Mill (NGR SP 730 597), the routine monitoring site further upstream of Cogenhoe, suggested good water quality with these taxa found in abundance.

Results of a survey undertaken in September 2003 from sites along the River Nene show that biological water quality at Billing Road Bridge and Cogenhoe (mid reaches of the River Nene) is improving (although water hog louse and freshwater shrimp is still absent). In contrast, the invertebrate community at sites in the lower reaches of the River Nene has largely recovered, and these sites achieved their water quality target rating.

Recently an additional survey has been undertaken at the same sites. Although sample processing is not yet completed, initial observations suggest that mid reaches of the River Nene are still impacted by the pollution incident that occurred earlier in the year. Of particular concern is the continuing absence of water hog louse and freshwater shrimp.

The Environment Agency undertakes routine freshwater invertebrate surveys in spring and autumn seasons each year at specific sites along the River Nene. This information is available to members of the public upon application to the Environment Agency Customer Services Department in Lincoln (Tel. 01522 513100). Additional surveying of the River Nene and Hardingstone Dyke was undertaken to locate the source of the pollution. Data arising from these surveys is not currently available pending the outcome of the Environment Agency Special Enforcement team review of this case. Monitoring undertaken to record recovery of the River Nene and Hardingstone Dyke, is also available to members of the public, on application to the customer services department.

Surveys have been undertaken at three-monthly intervals at important sites along the River Nene using standard methods which sample the accessible margins of the watercourse using a pond net. Key species (water hog louse and freshwater shrimp) which were absent at sites along the mid reaches of the River Nene remain absent. The Red Data Book riffle beetle *Stenelimis canaliculata* was not found in any samples taken in 2003, although it has been recorded very infrequently in the lower reaches of the River Nene in the past. It is difficult to say whether its absence is related to the pollution incident, as it is a deep-water species and unlikely to be sampled using Environment Agency standard methodology.

The Environment Agency have not carried out a specific survey for the Red Data Book riffle beetle *Stenelimis canaliculata* and have no plans to conduct such a survey. To do so would disturb the habitat, which could be damaging to this and other deep water species.

It is not normal practice to restock invertebrate populations damaged by pollution incidents; invertebrate populations usually recover through natural colonisation from tributaries and unaffected sites upstream, or natural invertebrate re-distribution.

Fish were not affected directly by the pollution incident, so fish re-stocking is not necessary. However, the longer term health of fish populations in the mid reaches of the River Nene may be affected because their food source remains depleted.

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs what the impact of the pollution incident on the River Nene earlier in the year was on the invertebrate populations of Morton's Leam Special Area of Conservation; and whether the site has favourable conservation status. [143263]

Mr. Morley: Environment Agency monitoring of the Morton's Leam SAC shows no impact of this pollution incident on the Morton's Leam, which was surveyed in July 2003. The results showed a diverse and abundant invertebrate community and the biological data suggested excellent water quality. The key species impacted by the pollution on the River Nene, water hog louse (*Asellus aquaticus*) and freshwater shrimp (in this instance, *Crangonyx pseudogracilis*) were abundant in Morton's Leam. The results compare favourably with earlier surveys, which date back to 1985.

The Nene washes (of which Morton's Leam are a part), have unfavourable and unchanged conservation status.

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on invertebrate biodiversity in the Nene water system in the last 10 years. [143264]

Mr. Morley: The River Nene normally supports an invertebrate community consistent with that type of river. Reductions in invertebrate biodiversity occurred after the 2003 pollution incident at sites as far downstream as Orton Staunch, near Peterborough. Components of the invertebrate community remain absent at some impacted sites.

Shellfish Licensing Scheme

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs when a new shellfish licensing scheme will be introduced; and whether the scheme will take account of its impact on *(a)* small boat (under eight metres) fishermen and *(b)* future new entrants to the industry. [141113]

Mr. Bradshaw: A restrictive licensing scheme for shellfish (crabs and lobsters) will take effect from 1 January 2004 for vessels over 10 metres and from 1 April 2004 for vessels under 10 metres. Shellfish entitlements are being granted to existing fishing vessels which, with their current licences, have taken more than 200 kg of lobsters or 750 kg of crabs in any 12 month period between 1 January 1998 and 31 December 2002. The scheme will apply to vessels under eight metres which will account for more than 40 per cent. of the vessels qualifying under the scheme. Anyone wishing to take up shellfishing will need to acquire an appropriate fishing vessel licence carrying a shellfish entitlement from an existing vessel. Licensed fishing vessels without a shellfish entitlement will be permitted to land up to five lobsters and 25 crabs per day.

SOLICITOR-GENERAL

Law Officers

Miss McIntosh: To ask the Solicitor-General what recent *(a)* democratic and *(b)* human rights issues the Law Officers have considered. [144484]

The Solicitor-General: There is a longstanding convention that the fact that the Law Officers have been consulted is not publicly disclosed. This is consistent with paragraphs 2 and 4*(d)* of Part II of the Code of Practice on Access to Government Information.

INTERNATIONAL DEVELOPMENT

Afghanistan

Tom Brake: To ask the Secretary of State for International Development what the progress is of the UN programme for voter registration in Afghanistan. [143936]

Hilary Benn: On 1 December voter registration for the 2004 general election started in eight regional capitals (Kabul, Bamian, Jalalabad, Mazar-e-Sharif, Konduz, Kandahar, Heart and Gardez). Initial results indicated that the UN backed programme has proceeded smoothly with 21,370 voters, including 2,395 women registered to vote in the first week. The government, with the help of ISAF and the international coalition forces has taken measures to ensure security of the teams carrying out the registrations. Voter intimidation however, as well as the reluctance in rural areas to allow women to register, continues to be a major concern. The UN remains confident that they will meet their goal of registering 10 million Afghan voters.

Aid

Mr. Bercow: To ask the Secretary of State for International Development if he will list the expenditure allocated to each programme in middle income countries prior to his written statement to the House of 6 November 2003, *Official Report*, columns 41–43WS. [143268]

Hilary Benn: DFID's internal resource allocation process allocates funds to many middle income countries (MICs) on a regional basis only. Individual country expenditure plans within these regions are flexible and are managed collectively within the overall budget. The table shows indicative figures for the amount we were planning to spend on middle income country programmes within these regional budget lines and excludes any multi-country programmes.

Middle income country expenditure plans (£ million)

	2003–04	*2004–05*	*2005–06*
South Africa	35	35	35
China	38	60	55
Sri Lanka	15	20	8
EC Pre Accession (Romania, Bulgaria)	8.1	6.4	5.4
Balkans (Serbia and Montenegro, Bosnia, Kosovo, Former Yugoslav Republic of Macedonia, Albania)	19.6	18.8	18.2
Russia	19.7	17.6	12.4
Latin America (Brazil, Peru, Honduras, Bolivia)	17.7	16.2	15.2
Caribbean (Jamaica, Guyana, Belize, Windward Islands)	11.3	10.6	10.3
Overseas Territories (Turks and Caicos, Anguilla, Montserrat, St. Helena)	33.2	30.0	28.1
Palestinian Authority	15.5	11.5	11.5
Middle East Regional (Egypt, Jordan)	6.4	6.0	4.0
Iraq (prior to 14 October statement)	201.9	5.9	5.9

Mr. Rosindell: To ask the Secretary of State for International Development if he will list the aid programmes in middle income countries whose funding from the Department will be reduced as a result of the recent announcement on the diversion of aid. [144677]

Mr. Gareth Thomas: The Secretary of State outlined the middle income countries and regional programmes that will be affected in his statement to the House of 6 November 2003, *Official Report*, column 42WS. More detailed plans are now being made, in consultation with partner countries and other donors. They will be embodied in the annual revision of DFID's Aid Framework, which is expected to be completed over the next two months.

Annabelle Ewing: To ask the Secretary of State for International Development what representations he has received concerning the UK Government's performance in meeting the UN's international development aid target as a proportion of gross national product. [142725]

Hilary Benn: Representations have been received on this subject from a wide range of correspondents. Since 1997, the UK's level of official development assistance has increased in real terms by 93 per cent. It currently stands at 0.33 per cent. of Gross National Income for this financial year, and will rise to 0.4 per cent. in 2005–06, exceeding the EU target of 0.39 per cent. for member states, and more than double the current G7 average of 0.19 per cent. The UK remains committed to the UN target of 0.7 per cent. oda/GNI and to meeting the Millennium Development Goals.

Art Acquisition

Norman Baker: To ask the Secretary of State for International Development how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 was; how much it cost; and what the total revenue raised by his Department through sales of its works of art has been since 1997. [142369]

Hilary Benn: DFID has not spent any funds on the acquisition of works of art since 1997. All works of art in our UK offices are on loan from the Government Art Collection. Most DFID offices overseas have some low value works of art that have been purchased locally, but we have no central records, and the information could not be obtained without disproportionate cost.

Eritrea

Mr. Drew: To ask the Secretary of State for International Development what assistance his Department is giving to *(a)* the Government of Eritrea and *(b)* aid agencies operating within Eritrea. [144156]

Hilary Benn: We are not providing any direct assistance to the Government of Eritrea.

However, in 2003, we have provided the following assistance for Eritrea to address humanitarian needs:

	£
International Committee of the Red Cross (ICRC)	500,000
UNICEF	1,000,000
World Food Programme (WFP)	1,000,000
CAFOD	200,000
Dutch Interchurch Aid	550,000

We are considering what support we should provide to the 2004 Consolidated Annual Appeal for Eritrea that has recently been issued.

We also have a Small Grants Scheme, which is managed by our Embassy in Asmara and is for the funding of small development projects in Eritrea. Our total support for this scheme in the current financial year is £200,000.

Mr. Drew: To ask the Secretary of State for International Development what discussions he has had with the Government of Eritrea on development aid; and what plans he has to link aid to progress on human rights issues in that country. [144157]

Hilary Benn: We have written to the President of Eritrea indicating that we plan to provide our development assistance to Eritrea through the EU, IMF and World Bank. DFID provides funds to these organisations.

We also indicated that in order for Eritrea to make progress on eliminating poverty through support from partners, they needed to engage in developing a strong Poverty Reduction Strategy Paper. We also stressed the need for these development partnerships to be based on frank dialogue and the sharing of information.

During his recent visit to London, I explained to the Eritrean Foreign Minister that we do not have a bilateral programme with every country and referred to our support through the EU, World Bank and IMF. We also reminded him of the substantial humanitarian support that we have provided to Eritrea in 2003.

Iraq

Mr. Patrick Hall: To ask the Secretary of State for International Development (1) what assessment he has made of the role in the reconstruction of Iraq of the privatisation of state-owned enterprises being pursued by the Private Sector Development Department of the Iraqi Coalition Provisional Authority; [143302]

(2) if he will make a statement on the privatisation of Iraqi state-owned enterprises being pursued by the Private Sector Development Department of the Iraqi Coalition Provisional Authority; and if he will make a statement on compatibility of such action with Article 55 of Section III of the Annex to the Hague Convention (IV) 1907. [143303]

Hilary Benn: No decision has been made on the privatisation of Iraqi state-owned enterprises. As Paul Bremer, the US Administrator of the Coalition Provisional Authority, stated at the Madrid Conference,

> "Decisions on that matter [privatisation of Iraqi State Owned Enterprises] will be made in due course by Iraqi authorities".

Mr. Andrew Smith

Norman Lamb: To ask the Secretary of State for International Development what contracts his Department has entered into in the last 12 months with *(a)* Avient Air and *(b)* other companies in which Mr. Andrew Smith has an interest; what services have been provided to his Department under these contracts in (i) Sierra Leone and (ii) other countries; what the value of these contracts is; when these contracts were entered into; and if he will make a statement. [142188]

Hilary Benn: We have no contracts with Avient Air. As far as my Department is aware, we have none with any other companies in which Mr. Smith has an interest.

Zimbabwe

Tom Brake: To ask the Secretary of State for International Development what the nature is of *(a)* food and *(b)* HIV/AIDS programmes he is funding in Zimbabwe. [143991]

Hilary Benn: At least 5.5 million Zimbabweans will require food assistance in the run up to the next harvest in April 2004. This year DFID is providing support worth £21 million for emergency feeding programmes. This is being channelled both through the World Food Programme's Emergency Appeal and directly to international and Zimbabwean NGOs. This direct DFID support reached 1.2 million people in October 2003, 80 per cent. of whom are children.

HIV/AIDS remains a key challenge for Zimbabwe and kills over 2,500 people each week, while 25 per cent. of the adult population are infected. DFID has committed £27 million for longer term HIV/AIDS programming. This includes the supply of condoms through clinics and private sector outlets, promoting behavioural change and home-based care for the chronically sick.

Tom Brake: To ask the Secretary of State for International Development how many internally displaced persons there are in Zimbabwe; and how many Zimbabwean refugees there are abroad. [143990]

Hilary Benn: There is a significant population of Internally Displaced People (IDPs) in Zimbabwe, mainly due to growing food shortages and the continued farm seizures. This has resulted in the displacement of an estimated one hundred thousand people, predominantly farm workers. However, exact numbers are difficult to assess. The Government of Zimbabwe's reluctance to acknowledge the disastrous effects of the fast-track land reform programme has prevented the humanitarian community from carrying out a comprehensive assessment or establishing recognised IDP camps.

Numbers of documented Zimbabwean refugees are negligible—the vast majority of Zimbabweans fleeing the crisis are classed as migrants. Again, exact numbers of this transient population are difficult to assess, as many are illegal migrants in the sub-region. However, there are believed to be 2.35 million Zimbabwean migrants in the Southern Africa region. The vast majority of these, approximately two million, are in South Africa.

DFID is providing support to the International Organisation for Migration and also a Zimbabwean NGO working with former farm workers to prevent displacement and provide, humanitarian assistance for displaced people.

Tom Brake: To ask the Secretary of State for International Development whether food aid supplies in Zimbabwe have been secured beyond December. [143986]

Hilary Benn: The UN World Food Programme (WFP), who are the principal coordinators for general food distributions in Zimbabwe, have to date secured over 50 per cent. of the funding requested for this year's Emergency Operation (EMOP) in Zimbabwe. This follows recent pledges of US$8 million from the European Union, and £5 million from DFID. This means that food will be available for distribution until mid-February 2004, when there will be a shortage of cereals if further contributions are not forthcoming. A substantial additional pledge is anticipated shortly from the United States.

Despite this funding, the WFP have reduced monthly ration levels in order to accommodate the growing number of vulnerable people, above the level anticipated when the EMOP appeal was originally prepared. This increase in beneficiary numbers is partly due to increased urban vulnerability, as spiralling inflation (now over 500 per cent.) has affected food prices in shops. There is also emerging evidence of up to several hundred thousand people facing crisis in the former commercial farming areas, most of whom are former farm workers displaced by the Government's disastrous land reform programme. Additionally, the state-controlled Grain Marketing Board has proved erratic and unreliable in contributing to food supply and distribution in the country. Donors are monitoring the situation closely, in close consultation with the WFP.

EDUCATION AND SKILLS

Departmental Administrative Costs

Mr. Hoban: To ask the Secretary of State for Education and Skills what the administrative costs were for the Department in each financial year from 1996–97 *(a)* before adjustments for machinery of government changes and *(b)* after such adjustments. [143122]

Mr. Stephen Twigg *[holding answer 9 December 2003]:* The information requested is set out in the following table. the changes have been projected backwards to provide a consistent set of figures for the period requested.

Net administration costs

£ million

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04 (planned)*
Total Admin Costs before adjustment	269	244	232	245	254	270	258	252
Machinery of Government changes from 2001	-28	-25	-26	-26	-26	-33	-32	-32
Machinery of Government changes from 2003 (provisional)	0	0	5	5	5	5	5	6
Total Admin Costs after adjustment[1]	241	219	211	224	233	242	231	226

[1] Figures include Sure Start and the Children and Young People's Unit where appropriate.

Child Protection Investigations

Mr. Dawson: To ask the Secretary of State for Education and Skills which local authorities have instituted child protection investigations with regard to children held in custody or removal centres during 2003. [144024]

Margaret Hodge: The information requested is not held centrally.

Directorate Staff

Mr. Hoban: To ask the Secretary of State for Education and Skills how many civil servants were employed in the *(a)* Schools, *(b)* Lifelong Learning and *(c)* Youth Policy Directorates in each year since 1997. [141731]

Mr. Charles Clarke *[holding answer 3 December 2003]:* The numbers of civil servants employed in the Schools, Lifelong Learning and Youth Directorates as at 1 April for the years in question so far as the information is available are:

	Directorate		
	Schools[1]	*Lifelong Learning*[2]	*Youth*[3]
October 2003	969	906	0
April 2003	1,602	661	376
April 2002	1,385	681	336
April 2001	1,134	1,017	—
April 2000	1,017	—	—
April 1999	913	—	—
April 1998	800	—	—

[1] The rise in School Directorate figures over the period is largely a result of additional responsibilities, for example, the creation of Sure Start and Children and Young Peoples' Unit.

[2] Lifelong Learning Directorate was established in May 2000 drawing on staff from the previously existing Employment, Lifelong Learning and International, Further and Higher Education and Youth Training and Operations Directorates.

[3] Youth Directorate was set up in September 2001 with staff from Lifelong Learning and Employment, Equality and International Relations Directorates. In October 2003, Youth Directorate ceased to exist and its responsibilities were transferred to other Directorates within the Department.

Emergency Contraception

Mr. McNamara: To ask the Secretary of State for Education and Skills what measures are in place to ensure that girls aged under 16 are properly supervised when taking emergency contraception. [141893]

Margaret Hodge *[holding answer 15 December 2003]:* NHS provision of emergency contraception is always by a health professional under medical supervision. Health professionals can provide contraception to young people under 16 provided they are satisfied that the young person is competent to understand fully the implications of any treatment and to make a choice of the treatment involved. Health professionals work within an established legal framework which involves assessing the young person's competence to understand the choices they are making and encouraging them to talk to their parents. All professionals are bound by their professional code of confidentiality. A young person's request for confidentiality is respected unless there are serious child protection issues.

Providing emergency contraception through a range of community outlets aim to increase early access. All health professionals providing emergency contraception are trained to ensure that young women are informed about and encouraged to visit local services that provide regular forms of contraception and condoms to protect against sexually transmitted infections.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Education and Skills whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142817]

Mr. Stephen Twigg: Fair trade products are offered for sale in all Departments' head office buildings, restaurants and can also be supplied, on request, for meetings and receptions.

Fees (Repayment)

Chris Grayling: To ask the Secretary of State for Education and Skills what research the Learning and Skills Council is carrying out into *(a)* the level of and *(b)* repayment arrangements for fees in (i) post-16 education and (ii) further education colleges. [144650]

Alan Johnson: The research work carried out by the Learning and Skills Council is the Council's operational responsibility. Mark Haysom, the Council's Chief Executive, will write to the hon. Member providing the information requested and a copy of his reply will be placed in the Library.

Foundation Courses

Chris Grayling: To ask the Secretary of State for Education and Skills how many places for students taking foundation degrees the Government are planning to fund in 2004/05. [143657]

Alan Johnson: The Higher Education Funding Council for England is in the process of allocating up to 10,000 additional full-time equivalent foundation degree places for the academic year 2004/05. Bidding closed on 3 December and the outcome will be announced in February 2004.

These places will be additional to any already in the system and planned for by individual institutions. The Higher Education Students Early Statistics survey (2002) data for the academic year 2002/03 showed 12,417 students (headcount—a mix of full and part-time) studying for a foundation degree. Early data on the numbers studying for a foundation degree in the current academic year will not be available until January 2004.

Outside specific Additional Number Exercises such at the current one, the Higher Education Funding Council for England does not normally plan the detailed funding of places. The number and type of places offered are a matter for the funded institution to determine within the resources available to them.

Free School Travel

Mr. Goodman: To ask the Secretary of State for Education and Skills what the costs were of free school travel *(a)* to grammar schools, *(b)* to upper schools and *(c)* for children with disabilities in Buckinghamshire in (i) 2000, (ii) 2001 and (iii) 2003. [143536]

Mr. Charles Clarke *[holding answer 11 December 2003]:* This information is not held centrally.

Further Education

Mr. Mahmood: To ask the Secretary of State for Education and Skills what research his Department has carried out on the ability of *(a)* individuals and *(b)* employers to pay increased fees for further education courses. [143639]

Alan Johnson: We have little direct evidence about the impact of higher fees in further education (FE) on individuals' or employers' ability to pay. However, in a recent DfES study of adult learners in FE, 40 per cent. assessed themselves as "financially comfortable" and a further 38 per cent. as "not particularly struggling but don't have much to spare", 14 per cent. said they "found it quite hard to cope financially", and only 7 per cent. said they were "finding it very difficult to cope financially".

Dietary Advice

Mr. Willis: To ask the Secretary of State for Education and Skills what measures his Department has taken to promote healthy eating in schools; and if he will list the funding commitment for each measure. [141784]

Mr. Stephen Twigg: The National Healthy Schools programme, jointly sponsored by Department for Education and Skills (DfES) and the Department of Health (DoH), through funding of £5.7 million since 2000, promotes healthy eating and healthy lifestyles. The National Healthy School Standard (NHSS) promotes a whole school approach to health. Healthy eating is one of the eight themes of the NHSS. Schools demonstrate that the taught curriculum complements informed messages about healthy eating, for example, food on offer in vending machines and tuck shops. Schools will supply, promote and monitor healthier food at lunch and break times and in any breakfast clubs where they are provided. Over 14,000 schools are taking part in the healthy schools programme and over 8,000 schools are working 'intensively' to achieve the NHSS.

Additionally, we are: working with the Food Standards Agency and Ofsted to examine aspects of school meals and good practice in food and nutrition (DfES contribution—£330,000); working with Department for Environment, Food and Rural Affairs on promoting healthy lifestyles through greater engagement with growing and farming and local food procurement (in excess of £720,000 between March 2002—March 2004); providing a top up to the EU school milk subsidy scheme (£0.5 million annually from January 2001); on a range of other education, food and health interests on improving teaching and learning about healthy eating for pupils of all ages (exact figures not available, but in excess of £0.5 million).

Learning and Skills Council

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will list the areas where the Learning and Skills Council is reviewing the provision of post-16 education. [144066]

Alan Johnson: Local Learning and Skills Councils are conducting Strategic Area Reviews of post-16 LSC-funded provision in all areas of England. These started in April 2003. Nine local LSCs have been Identified as pathfinders: Nottinghamshire; Bedford and Luton; Northumberland; Cheshire and Warrington; Berkshire; Bournemouth Dorset and Poole; Birmingham and Solihull; North Yorkshire; and a pathfinder involving all five local LSCs in the London region. They will undergo early evaluation and lessons learnt will be shared with local LSCs across the country.

Pupil Absences

Mr. Hoban: To ask the Secretary of State for Education and Skills how many half days have been lost owing to unauthorised absence of pupils in each year since 1997 *(a)* in absolute terms and *(b)* as a proportion of the total number of half days. [141895]

Mr. Ivan Lewis: The data for unauthorised absence, as requested, is shown in the following table.

Yearly unauthorised absence between 1997/98 -2002/03

	Total possible sessions	*(a) Half days missed due to unauthorised absence*	*(b) Percentage of half days missed*
1997/98	2,074,028,975	15,355,180	0.74
1998/99	2,140,513,917	15,644,482	0.73
1999/2000	2,125,665,642	15,008,057	0.71
2000/01	2,124,473,604	15,423,004	0.73
2001/02	2,128,700,388	15,296,933	0.72
2002/03[1]	2,105,577,893	14,846,088	0.71

[1] Provisional

School Trips

Helen Jones: To ask the Secretary of State for Education and Skills what guidance he has issued to schools and local education authorities on making parents aware of assistance available *(a)* to cover the cost of school trips and *(b)* to help provide school uniforms; and if he will make a statement. [143488]

Mr. Charles Clarke *[holding answer 11 December 2003]:* Detailed guidance for LEAs and schools on charging for school trips is contained in Circular 2/89. The same information is reproduced in the School Governors' Guides to the Law, which are revised and re-issued annually. In March 2003 we sent out a letter to all Chief Education Officers and Directors of Education explaining how remission of charges for school trips would work once child tax credits were introduced. This letter is posted on The Parent Centre website.

All LEAs and schools must have a charging policy in place, which is readily available to parents. In addition, when schools make charges, or request money, they must explain whether parents are being asked to pay for a specific activity or make a general contribution to school funds. Schools must also be clear whether or not contributions are voluntary.

We do not provide guidance to LEAs on the assistance they may provide to parents on meeting the cost of school uniforms. LEAs may delegate this work to schools, but must ensure that all their schools adopt a consistent approach.

Student Loans

Chris Grayling: To ask the Secretary of State for Education and Skills (1) how much his Department spends each year on the cost of subsidising the student loan book; and what proportion of every pound loaned this represents; [143074]

(2) what the net present value including administration and the subsidy cost, of each pound loaned to students is as part of the student loan book. [143075]

Alan Johnson: The interest subsidy is calculated on the loans issued in year rather than the loans stock. Based on the loans issued during 2001–02, the cost per pound of the subsidy and administration costs was 42p. This is based on

> the increase in the interest subsidy provision (including the cost of unwinding the discount) which can vary from year to year according to a number of factors, e.g. the Retail Price Index, HM Treasury discount rate; and
>
> the cash Grant in Aid paid by DfES for administration costs to the Student Loan Company.

No figures have yet been published for 2002–03. Information for that year will be contained in the 2002–03 resource accounts which will be published within the next month. The outstanding student loan stock at 31 March 2002 was £7,203,199,000; the closing balance of the interest subsidy provision was £1,593,670,000 and the Grant in Aid to the Student Loans Company was £27,650,000.

Chris Grayling: To ask the Secretary of State for Education and Skills how much of the money loaned to students by the Student Loans Company has been written off in each of the past ten financial years. [143648]

Alan Johnson: The table shows the total value of student loans in the UK and in public ownership which have been written off or cancelled in each financial year.

£ million

Financial year	*Amount written off or cancelled*[1,2,3]
1993–94	0.2
1994–95	0.3
1995–96	0.5
1996–97	0.9
1997–98	1.0
1998–99 of which:	0.9
Income Contingent Loans	[4]—
1999–2000[5] of which:	1.2
Income Contingent Loans	[6]—
2000–01 of which:	1.1
Income Contingent Loans	0.2
2001–02 (provisional) of which:	1.4
Income Contingent Loans	0.4
2002–03 (provisional) of which:	2.6
Income Contingent Loans	0.7

[1] The table shows the value of loans cancelled or written off during each financial year.

[2] Two portfolios of student loans to the value of just over £2 billion have been sold to the private sector in March 1998 and March 1999. The figures in the table relate to the public debt only.

[3] A cancelled loan is one where the borrower no longer has any liability to repay as set out by legislation. A borrower's liability to repay a mortgage style loan shall be cancelled: on death of the borrower; after 25 years or when the borrower reaches the age of 50 (60 if the borrower was aged over 40 when he/she last borrowed), whichever is the earlier, provided the borrower is not in arrears of any loan agreement; and if the borrower is in receipt of a disability related benefit and permanently unfit for work. Income contingent loans are cancelled because of death or permanent disability in the same way, but are cancelled on the grounds of age when the borrower reaches the age of 65. A written off loan is one where the borrower remains liable to repay but recovery is deemed unlikely by the loan administrator or not possible by legal judgment.

[4] Not available.

[5] Amounts written off in 1999–2000 include some transactions which relate to the previous financial year.

[6] Nil/negligible.

The amount written off or cancelled may relate to loans advanced in any of the previous financial years. Therefore data cannot be expressed as a proportion of amount lent.

In addition to the amount shown in the table, £0.5 million was written off under the Repayment of Teacher Loans scheme in respect of accounts in public ownership in financial year 2002–03.

The introduction of the income contingent loan based system of student support from 1998–99 meant that the amount of student loans paid out each year has increased. The amount of loan advanced in 1993–94 was £292.3 million (all mortgage style); in 2002–03 it was £2,618.0 million (of which £2,599.2 million was income contingent loans). A consequence of this increase is a higher level of write-off or cancellation.

Teachers (Work Permits)

Mr. Willis: To ask the Secretary of State for Education and Skills if he will list the work permits granted since January 2003 by country for *(a)* primary teachers and *(b)* secondary teachers in each Government office region. [143191]

Beverley Hughes: I have been asked to reply.

The numbers of work permits granted to teachers, by country, from 1 January 2003 to 30 September 2003 (the latest date for which information is available) are as follows:

	Work permits granted
South Africa	1,284
Australia	986
New Zealand	539
United States of America	502
Canada	432
Jamaica	430
Zimbabwe	228
India	150
Ghana	102
Japan	61
Others	682
Total	5,396

Work Permits (UK) is unable to provide from its management information a breakdown of this data by type of school to which permits have been issued or by region.

Top-up Fees

Mr. Willis: To ask the Secretary of State for Education and Skills what level of top-up fees student teachers will be expected to pay on undergraduate teacher training courses at universities in the Russell Group; and if he will make a statement. [142648]

Alan Johnson: I refer the hon. Member to the answer that I gave to my hon. Friend the Member for Newcastle-under-Lyme (Paul Farrelly) on 20 November 2003, *Official Report*, columns 1497–1498W.

Mr. Willis: To ask the Secretary of State for Education and Skills if he will estimate the cost of servicing the debt outstanding on the income-contingent student loan scheme after the introduction of top-up fees; and if he will make a statement. [144383]

Alan Johnson: I refer the hon. Member to my reply to the hon. Member for Epsom and Ewell (Chris Grayling) on 15 December 2003, *Official Report*, column 671W.

Tuition Fees

Chris Grayling: To ask the Secretary of State for Education and Skills what liability for tuition fees those who choose to drop out of a degree course incur; and how this money is required to be repaid. [143646]

Alan Johnson: Where the student withdraws from their course and is assessed to make a private contribution towards their fees, it is for the student and the institution to determine the amount that should be paid. It is also for the institution to determine any repayment that may be due. Guidance is provided to institutions by Universities UK. There is no liability on the student to repay the tuition fee grant once it has been paid to the institution.

DEFENCE

A400M Project

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the A400M project. [143547]

Mr. Ingram: A contract for the development and production of the A400M aircraft was signed with Airbus Military on 27 May 2003 by the Organisation for Joint Armaments Co-operation on behalf of the participating nations (Germany, France, Turkey, Spain, Belgium, Luxembourg and United Kingdom). The UK will take 25 aircraft out of a total 180. The contract milestones are being achieved. I also refer the hon. Member to the answer I gave on 2 July 2003, *Official Report*, column 314W to the hon. Member for Cheltenham (Mr. Jones).

Aircraft Numbers

Mr. Jack: To ask the Secretary of State for Defence (1) how many aircraft, of each type, will be deployed over the time scale covered by the Defence White Paper; [144465]

(2) when he will complete his review of the future numbers of aircraft to be deployed by the RAF over the period referred to in his statement of 11 December 2003. [144464]

Mr. Hoon: As I said in my statement of 11 December 2003, *Official Report*, column 1211, the Ministry of Defence is currently undertaking work to develop the details of the individual systems and structures appropriate for the policy context as set out in the Defence White Paper, "Delivering Security in a Changing World." I shall make further announcements on the results of that work next year.

Defence Export Services Organisation

Llew Smith: To ask the Secretary of State for Defence how many staff are *(a)* employed in and *(b)* seconded to the Defence Export Services Organisation; and how many departmental staff are engaged in oversight of the licensing of military equipment and weapons for export. [142521]

Mr. Ingram: The Defence Export Services Organisation (DESO) employed 606 personnel as at 31 October 2003; three were on secondment from industry.

The Department of Trade and Industry is the licensing authority for the export of military equipment. Within the Ministry of Defence the equivalent of 65 full-time staff have specific responsibility for considering applications to licence the export of military equipment, or the policy associated with this activity. This number includes 34 employed full-time within DESO.

Defence Fire Service

Mr. Grogan: To ask the Secretary of State for Defence what activities, other than those directly related to the provision of fire cover to UK military forces, the Defence Fire Service has been involved in in Iraq since February. [143754]

Mr. Ingram: The Defence Fire Services deployed in Iraq assist in the provision of fire service support to coalition forces and provide advice on the production of fire safety orders and procedures to enhance safety.

They have also provided assistance to the host nation and the civil community. They continue to train the host nation civilian fire service and have attended a variety of emergency host nation incidents including oil pipeline fires, road traffic accidents, and rescue from buildings. They have also undertaken comprehensive fire inspections to enable the re-commissioning of electricity and water supplies and have assisted in the sanitation of warehouses for receipt of humanitarian aid.

Eurofighter

Mr. Jack: To ask the Secretary of State for Defence whether the Government remain committed to purchasing 232 Eurofighter Typhoons. [144463]

Mr. Ingram: The United Kingdom remains committed to the Typhoon programme. Under the four partner nation Memorandum of Understanding, the UK has undertaken to acquire 232 aircraft out of a total production of 620.

Mr. Jack: To ask the Secretary of State for Defence when he will order Tranche II of the Eurofighter Typhoon; and how many aircraft he will order. [144466]

Mr. Ingram: Work is under way involving our partner nations and industry to enable contracts for the second tranche of Eurofighter Typhoon aircraft to be placed as soon as possible over the coming months. The Tranche 2 contract comprises 236 aircraft of which 89 will be for the RAF.

Iraq

Mrs. Liddell: To ask the Secretary of State for Defence how many reservists are in Iraq; and what plans he has to change this number. [143733]

Mr. Ingram: As at 11 December 2003, there were 1,235 reservists serving in Iraq. As the Secretary of State for Defence announced on 27 November 2003, *Official Report*, columns 32–33WS, we intend shortly to conduct a roulement of forces in Iraq. At the end of the roulement the number of reservists in Iraq will remain broadly similar. We continue to keep our forces levels in theatre under review in the light of the operational situation.

Harry Cohen: To ask the Secretary of State for Defence how many hazardous sites the Coalition estimates there are in Iraq; how many of these relate to cluster bombs; what steps are being taken to make them safe; and if he will make a statement. [141183]

Mr. Ingram: I refer my hon. Friend to the answer I gave on 17 November 2003, *Official Report*, column 504W to the hon. Member for Moray (Angus Robertson).

Adam Price: To ask the Secretary of State for Defence what the circumstances were surrounding *(a)* the death of Radi Nu'ma in British custody in May, *(b)* the death of Baha Musa in British custody in September and *(c)* the fatal shooting of Ali Salim in May, in Iraq. [141677]

Mr. Ingram: The Special Investigations Branch is currently investigating the deaths of Radu Nu'ma, Baha Musa and Ah Salim (also known as Radhi Nama, Baha Nasheem Mohamed and Ali Salaam). It would, therefore, be inappropriate for me to comment.

Adam Price: To ask the Secretary of State for Defence (1) whether individuals have been charged in connection with Special Investigation Branch investigations into Iraqi civilian casualties allegedly involving British forces; [141689]

(2) what action has been taken as a result of the Special Investigation Branch investigations into Iraqi civilian casualties allegedly involving British forces. [141676]

Mr. Ingram: The Special Investigations Branch has completed two investigations into Iraqi civilian fatalities. The first found there was no case to answer. In the second the SIB has sent a report to the unit concerned but it would be inappropriate for me to comment further as it might be prejudicial should further action be taken. The other investigations have not yet been completed and I am, therefore, unable to comment.

Mrs. Liddell: To ask the Secretary of State for Defence which Scottish regiments are in Iraq. [143726]

Mr. Ingram: The only Scottish regiment currently deployed to Iraq is the 1st Battalion, The Royal Scots.

The 1st Battalion, the Argyll and Sutherland Highlanders will deploy in Iraq in January 2004.

Mr. Keetch: To ask the Secretary of State for Defence what guidance has been issued to *(a)* civilian staff, *(b)* military staff and *(c)* outside organisations regarding the transport of effects to service personnel in Iraq over Christmas; and if he will make a statement. [142449]

Mr. Ingram *[holding answer 10 December 2003]*: Family members of United Kingdom Forces personnel serving in Iraq are entitled to send an unlimited number of parcels up to 2kg in weight free of charge through the British Forces Post Office (BFPO).

The Ministry of Defence has made arrangements for the transport of traditional festive fare to British Forces personnel serving in Iraq. Organisations wishing to donate gifts have been encouraged to contact the MOD to discuss the nature of the gifts and to make arrangements for transport. Transport for such gifts has been provided where spare capacity MOD transport is available.

Joint Strike Fighter

Mr. Jack: To ask the Secretary of State for Defence if he will make a statement on his plans to follow up the findings of the RAND Europe report on the Joint Strike Fighter. [144462]

Mr. Ingram: The RAND report provided useful advice on the feasibility of establishing a Joint Strike Fighter Final Assembly and Check Out facility in the United Kingdom. Establishment of such a facility is one strand of our approach to the production and support phases of the Joint Strike Fighter Programme. Work is in hand with UK industry to develop initial ideas further.

Legal Expenses

Mr. McNamara: To ask the Secretary of State for Defence what the cost to date is of legal expenses incurred by his Department in *(a)* defending Guardsmen Fisher and Wright against the charge of murder and *(b)* appealing against conviction. [143687]

Mr. Ingram: The cost to date is approximately £165,000.

Merchant Ships

Mr. Carmichael: To ask the Secretary of State for Defence pursuant to his answer of 3 December 2003, *Official Report*, column 66W, on merchant ships, which flags were flown by the merchant ships that did not fly the red ensign; and what percentage of merchant ships chartered by his Department to support allied efforts in the 2003 Iraq war were over *(a)* 15-years-old, *(b)* 25-years-old and *(c)* 30-years-old. [143179]

Mr. Ingram: Ships chartered in support of the Iraq campaign which did not fly the Red Ensign were registered under the following national flags: Antigua, Bahamas, Canada, Cyprus, Denmark, Egypt, Greece, Italy, Liberia, Malta, Marshall Islands, Netherlands, Panama, Portugal, Spain, St.Vincent, Sweden and Turkey.

Of the vessels chartered, some 59 per cent. were over 15-years-old, some 9 per cent. were over 25-years-old, and approximately 1.5 per cent. were over 30- years-old.

The ships chartered by the Ministry of Defence fulfilled all their obligations.

Overseas Deployment

Mr. Paul Keetch: To ask the Secretary of State for Defence how many members of the three services he expects to be *(a)* serving abroad and *(b)* deployed on front-line duties between 24 December and 2 January 2004; what percentage of the trained strength of each force this represents; what provisions he has made to ensure family contact over that period; and if he will make a statement. [142578]

Mr. Ingram *[holding answer 11 December 2003]:* The number of Naval Service personnel expected to be stationed abroad between 24 December and 2 January 2004 is 2,209, representing 5.9 per cent. of the trained strength. Of this, 1,223 (3.3 per cent.) personnel will be deployed on front-line duties.

In the Army, 40,842 personnel are expected to be stationed abroad, representing 40 per cent. of the trained strength. Of this, approximately 19,500 (19 per cent.) are expected to be deployed on front-line duties.

The number of RAF personnel stationed abroad at 1 November 2003 was 4,895. This is not expected to change significantly by 24 December 2003. This figure represents 10 per cent. of the trained strength. Of this, the number of personnel expected to be deployed on operations is approximately 1,800 (3.7 per cent.).

Of those stationed overseas on operations, or otherwise, a proportion are likely to be away from their duty station on leave or individual courses.

An Operational Welfare Package (OWP) is available for those personnel on operations, exercises and deployments which are expected to last for two months or more. It includes many welfare enablers for the deployed Service person, including 20 minutes of publicly funded telephone calls per person per week, internet, e-bluey and postal access and was extended in April 2003 to provide public funds to improve communications between families and those deployed.

Over the period 22 December—2 January an additional 20 minutes of telephone calls has been authorised. This means that 40 minutes of publicly funded telephone calls will be available over the Christmas/new year period to families and friends to any destination in the world.

Individuals also have the opportunity to buy further telephone minutes as they require.

Permanent Secretary (Engagements)

Matthew Taylor: To ask the Secretary of State for Defence on what dates in July 2002 the Permanent Secretary held meetings with the Assistant Secretary, Bureau of Economic and Business Affairs of the United States State Department. [142410]

Mr. Ingram: Sir Kevin Tebbit, Permanent Under Secretary, met Mr. Anthony Wayne, Assistant Secretary, Bureau of Economic and Business Affairs of the US State Department on 19 July 2002 in Washington DC.

Project Isolus

Dr. Jack Cunningham: To ask the Secretary of State for Defence what terms of reference he gave to Lancaster University in connection with their contract to conduct public consultations for Project Isolus; what the basis was for giving three working days notice of the recent public meeting in Whitehaven; and if he will make a statement. [143422]

Mr. Ingram *[holding answer 15 December 2003]:* I am placing a copy of the terms of reference applicable to Lancaster University's Project Isolus public consultation work in the Library of the House. Lancaster University placed advertisements for the public meeting at Whitehaven in three local weekly newspapers during the week before the meeting, to reduce the risk of it being poorly attended. The first advertisement appeared in the North West Evening Mail on 24 November 2003, one week before the meeting on 1 December 2003. This strategy was also aimed at ensuring that the advertisements would appear at about the same time as any articles published in advance of the meeting, thereby setting the event in context. Information on public meetings, at Whitehaven and elsewhere in England and Scotland, was also published on the Lancaster University website around two to four weeks in advance of the confirmed date for the meetings.

Saudi Arabia

Norman Lamb: To ask the Secretary of State for Defence what the value was of the management fee received by the Ministry of Defence from the Saudi Arabian Government for its management of the Saudi Armed Forces Project in each year since 1997. [141988]

Mr. Ingram: Details of the fees received by the Ministry of Defence are confidential between the United Kingdom and Saudi Arabian Governments. I am therefore withholding that information under the provisions of Exemption 1 of Part II of the Code of Practice on access to Government Information.

Scottish Battalions

Mr. Carmichael: To ask the Secretary of State for Defence pursuant to his answer of 4 December 2003, *Official Report*, column 130W, on Northern Ireland, how many soldiers from Scottish Battalions are stationed in Northern Ireland. [143501]

Mr. Ingram: There are no Scottish Battalions currently stationed in Northern Ireland. There may be individual soldiers from Scottish Battalions serving on detachment in Northern Ireland, but this information is not held centrally and could be collated only at disproportionate cost.

Ship Construction (Govan)

Mr. Hancock: To ask the Secretary of State for Defence whether the time scale for construction of two landing ship dock (auxiliary) ships at Govan has changed; and if he will make a statement. [143446]

Mr. Ingram: The timescale for construction of two Landing Ship Dock (Auxiliary) (LSD(A)) by BAE Systems Marine at Govan will change following the recent announcement by the lead shipyard, Swan Hunter, of delays to its own build programme. We are is currently reviewing the impact this will have on the In-Service Dates of all four LSD(A)s.

Troop Deployment

Mr. Flight: To ask the Secretary of State for Defence what percentage of the Army is deployed. [143344]

Mr. Ingram: Approximately 20 per cent. of the trained Army are currently deployed on operations.

NORTHERN IRELAND

Ballybeen Women's Centre

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland when and where the Head of the Family Policy Unit of the Department of Health Social Services and Public Safety has agreed to meet representatives of Ballybeen Women's Centre. [144618]

Angela Smith: Representatives from Ballybeen Women's Centre have not, as yet, requested a meeting with the Head of the Family Policy Unit of the Department of Health, Social Services and Public Safety.

Bills

Lady Hermon: To ask the Secretary of State for Northern Ireland (1) what discussions he has had with the Department of Trade and Industry regarding the extension of the Employment Relations Bill to Northern Ireland; [142679]

(2) what discussions he has had with the Department for Transport regarding the extension of the Traffic Management Bill to Northern Ireland; [142680]

(3) what discussions he has had with the Office of the Deputy Prime Minister regarding the extension of the Fire and Rescue Services Bill to Northern Ireland; [142681]

(4) what discussions he has had with the Department for Education and Skills regarding the extension of the Children's Bill to Northern Ireland; [142682]

(5) what discussions he has had with the Department of Trade and Industry regarding the extension of the Civil Partnerships Bill to Northern Ireland; [142683]

(6) what discussions he has had with the Home Office regarding the extension of the Domestic Violence, Crime and Victims Bill to Northern Ireland; [142684]

(7) what discussions he has had with HM Treasury regarding the extension of the Child Trust Fund Bill to Northern Ireland; [142685]

(8) what discussions he has had with the Department for Education and Skills regarding the extension of the Higher Education Bill to Northern Ireland; [142690]

(9) what discussions he has had with the Home Office regarding the extension of the Civil Contingencies Bill to Northern Ireland. [142695]

Mr. Pearson: There has been close consultation with other Departments at both ministerial and official level on the development of the Government's overall legislative programme as set out in the Queen's Speech. Where appropriate, these consultations have included the territorial extent of proposed legislation. I envisage that some of the provisions mentioned may extend to Northern Ireland.

Eating Disorders Group

Lady Hermon: To ask the Secretary of State for Northern Ireland when the Eating Disorders Group was established; what its remit is; and what the *(a)* names and *(b)* positions of its members are. [144343]

Angela Smith: The Regional Eating Disorders Working Group was established in June 2003 to take forward the recommendations of the eating disorder services consultation exercise. The group aims to oversee the development of services at all levels (community, primary care, generic mental health services, secondary care services and specialist services). It has the following objectives:

Objective 1:

To commission research which includes issues around user and carer views, hidden need, services at community, primary and secondary care level, and gaps in services with the aim of informing service development.

Objective 2:

For eating disorders identify a range of models of good practice including prevention, early detection and provision of services across all levels and to take account of these models in developing costed proposals for local services.

Objective 3:

To improve communication between the voluntary sector, primary care, community and secondary care services promoting the use of service directories, self help manuals and identifying appropriate referral pathways.

Objective 4:

To identify and plan for the education and training needs, including raising awareness, of all stakeholders.

The group membership is as follows:

A Consultant Psychotherapist, South and East Belfast HSS Trust

A Consultant in Public Health Medicine, SHSSB

A GP, Queens University Student Health

The Assistant Director of Nursing, EHSSB

A GP in Portadown Health Centre

A representative from the Department of Education NI two representatives from the Eating Disorders Association

A representative from Eating Disorders West

A Clinical Nurse Specialist, South and East Belfast HSS Trust a volunteer with ADAPT Eating Distress Association

A Service Planner for Learning Disability and Mental Health, WHSSB

A project Worker, Craigavon and Banbridge HSS Trust

A Consultant in Public Health, NHSSB

A Child and Adolescent Consultant Psychiatrist, Homefirst HSS Trust

A Specialist Registrar, South and East Belfast HSS Trust seven representatives from DHSS and PS including professional advisors.

Elderly Patients

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland how many *(a)* residential places were available for the elderly and *(b)* beds were blocked by elderly patients on the latest date for which figures are available, broken down by parliamentary constituencies. [144262]

Angela Smith: Information is not available according to Parliamentary constituency on the number of residential places available for the elderly or the number of delayed discharges in respect of elderly patients. This information is collected centrally according to Health and Social Services Trust, and is shown in the table in respect of the position at 31 March 2003, the latest date for which both sets of data are available.

Number of Places in Residential Homes for the Elderly and elderly delayed discharges, 31 March 2003:

Health and Social Services Trust	*Places in Residential Homes for Elderly*	*Elderly Delayed Discharges*
Down Lisburn	541	19
North and West Belfast	316	45
South and East Belfast	846	43
Ulster	518	28
Causeway	403	42
Homefirst	917	86
Armagh and Dungannon	172	27
Craigavon and Banbridge	173	8
Newry and Mourne	229	16
Foyle	280	10
Sperrin Lakeland	311	5
Northern Ireland Total	4,706	329

Notes:

Places in residential homes for the elderly refer to the total number of available places in such homes, regardless of whether they were occupied or not. The information refers toresidential places in residential or dual registered homes only and excludes nursing places in nursing homes and dual registered homes. Delayed discharges refer to patients occupying acute hospital beds although they were medically fit for discharge. This information is shown according to patients' community Trust of residence, for those aged 65 and over.

Hare Population

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what evidence he has collated on the change in the Irish hare population since 1995 in Northern Ireland. [144619]

Angela Smith: Research carried out at the Queen's University of Belfast (QUB) reported in 1997 that the population of the Irish Hare was at low density in Northern Ireland.

This assessment was followed up by a research study, 'The Northern Ireland Irish Hare Lepus timidus hibernicus Survey 2002', commissioned by the Environment and Heritage Service (EHS) of the Department of the Environment and also carried out by QUB. It reported that Irish Hares were widespread but occurred at a low density of about 1 to 2 per square kilometre.

The Irish Hare Species Action Plan, published by EHS in 2000, has among its objectives a target to double the Irish Hare population, over as wide an area as possible, by 2010. There will be regular surveys of the Irish Hare population through to 2010. These will identify population trends and assess progress against the objectives in the Irish Hare Species Action Plan. The first of these surveys will be undertaken in Spring 2004.

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland if he will place in the Library, the scientific evidence he is using as the basis for his proposal for a temporary ban on hare hunting in Northern Ireland from 1 January 2004. [144620]

Angela Smith: I refer the hon. Lady to the answer I gave my hon. Friend, the Member for Vauxhall on 11 December 2003, *Official Report*, column 577W.

Mobile Telephones (Driving Offences)

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to ban the use of mobile telephones while driving in Northern Ireland; and if he will make a statement on the introduction of spot fines for the use of such telephones by drivers. [142660]

Mr. Spellar: Under the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 drivers are required by law to exercise proper control of their vehicle at all times. The Road Traffic (Northern Ireland) Order 1995 provides that a person who breaches these regulations commits an offence and is liable to a fine of up to level three on the standard scale (£1000). As such, drivers can already be prosecuted for driving with undue care and attention if they are using a mobile telephone while driving.

With effect from 1 February 2004,1 will be making it a specific offence to use a hand-held mobile phone when driving. The penalty will be a £30 fixed penalty—sometimes referred to as a "spot fine"—or a fine of up to £1,000 on conviction in court. It is also my intention to introduce by September 2005 legislation to increase the penalty by making it an endorsable offence attracting penalty points and a £60 fine.

Operating Theatres

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what action has been taken to address the issues raised on the use of operating theatres by the Audit Office in April. [144263]

Angela Smith: A wide range of action has been taken in response to the recommendations made by the Northern Ireland Audit Office report "The Use of Operating Theatres". The Report made 35 recommendations, of which 13 have been fully implemented. A further 11 recommendations have been partially implemented to date and plans are in place to implement all of the remaining recommendations by September 2004.

Public Liability Insurance

Rev. Martin Smyth: To ask the Secretary of State for Northern Ireland what plans he has to help small businesses in Northern Ireland cope with rises in public liability insurance. [143849]

Mr. Pearson: I appreciate fully the problems which the current hard market in insurance is creating for many businesses.

Invest NI and the Health and Safety Executive for NI are working with local companies to improve risk management and insurability. In addition I have been pressing the UK insurance market to facilitate more coverage for Northern Ireland businesses.

In relation specifically to Employers Liability Compulsory Insurance (ELCI), I will also be working alongside Ministerial colleagues throughout the UK to ensure the effective implementation of the recently published Second Stage Report of the Department of Works and Pensions led ELCI review.

Public Transport

Lady Hermon: To ask the Secretary of State for Northern Ireland when he expects to announce the results of the research undertaken into the proportion of disabled passengers carried on the Easibus network in Northern Ireland. [143585]

Mr. Spellar: The results of the survey are expected to be made available early in the new year.

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many licensed bus and coach operators there were in each of the last five years. [144223]

Angela Smith: The number of licensed bus and coach operators based in Northern Ireland in each of the last five years was:

	Total
98–99	141
99–00	114
00–01	109
01–02	149
02–03	135

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to introduce a public transport service to serve *(a)* isolated communities and *(b)* mobility impaired residents in rural areas. [144232]

Mr. Spellar: The Department for Regional Development continues to support 16 rural community transport partnerships, which offer a range of transport services for their members that complement conventional public transport networks and which in particular provide transport opportunities for people with reduced mobility in rural areas. These partnerships cover most of rural Northern Ireland and the Department is encouraging local interests to establish partnerships in areas currently not covered. The Department also provides revenue support to Translink to maintain a network of 44 rural routes across Northern Ireland, which would otherwise be uneconomic to run. Recently the Department introduced the Bus Challenge Scheme to support new stage carriage bus services in both rural and urban areas. This scheme is open to both Translink and private bus operators and is aimed at addressing gaps in the provision of bus services. So far the Department has agreed to support eight new routes which go through rural areas.

Road Haulage Industry

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many *(a)* nationally and *(b)* internationally licensed freight operators were based in Northern Ireland in each of the last five years. [144222]

Angela Smith: The number of nationally and internationally licensed freight operators based in Northern Ireland in each of the last five years was:

	National	*International*
98–99	453	1,605
99–00	422	1,541
00–01	398	1,671
01–02	343	1,944
02–03	545	1,725

CABINET OFFICE

Ministerial Cars

Mr. Oaten: To ask the Minister for the Cabinet Office (1) what the total running cost of vehicles used by Ministers in his Department was in 2002–03; and what the cost of *(a)* servicing vehicles and *(b)* employing chauffeurs was; [143960]

(2) how much was spent in 2002–03 on the cost of cleaning *(a)* the interior and *(b)* the exterior of cars for use by Ministers in his Department; [143961]

(3) what the cost of each new ministerial car purchased in 2002–03 was; and how often on average each car is replaced. [143962]

Mr. Alexander: The responsibility for the provision of ministerial cars and drivers has been delegated under the terms of the Framework Document to the Government Car Despatch Agency. I have asked its Chief Executive Mr. Nick Matheson to write to the hon. Member. Copies of his letter will be placed in the Libraries of the House.

DEPUTY PRIME MINISTER

Fire Services

Mr. Caton: To ask the Deputy Prime Minister if he will make a statement on the consultation process required by the Government when a fire service is drawing up a new integrated management document. [144587]

Mr. Raynsford: Guidance was published by the Office of the Deputy Prime Minister on 28 July 2003 that requires fire and rescue authorities to consult a wide range of stakeholders on their draft Integrated Risk Management Plans (IRMPs). This should take place over a period of not less than 12 weeks to meet Cabinet

Office guidelines for written consultations. Copies of the final guidance and a paper setting out the Office of the Deputy Prime Minister's response to the main comments received are available in the Libraries of both Houses.

Barker Report

Mr. Clifton-Brown: To ask the Deputy Prime Minister how the Government will increase the supply of affordable houses as recommended in the Barker Report. [144196]

Keith Hill: The Office of the Deputy Prime Minister welcomes the interim report by the Barker Review and look forward to seeing what policy recommendations emerge in the Kate Barker's final report.

The Office of the Deputy Prime Minister has already taken significant steps to tackle the shortage of affordable housing. In all around £5 billion is being allocated over the next two years—2004–05 and 2005–06 to support housing investment in the English regions.

In addition we have consulted on a proposed update to Planning Policy Guidance note 3: Housing. The aim of the update is to provide a framework that will secure more affordable housing without affecting the overall supply of housing, deliver a better mix of housing in new developments in terms of size, type and affordability, and ensure that the needs of the whole community are addressed, including for particular groups such as key workers. Affordable housing can be secured through planning obligations and we consulted on 6 November on our proposed new policy to improve negotiated planning obligations and legislation for an optional planning charge.

Building Inspectorate

Mr. Chaytor: To ask the Deputy Prime Minister what evaluation he has made of the adequacy of the resourcing levels of the Building Inspectorate to allow it to carry out all its statutory monitoring functions in respect of the current building regulations. [142451]

Phil Hope: District and unitary local authorities in England and Wales are responsible for administering and enforcing the Building Regulations. Persons carrying out building projects subject to control by these regulations must use one of two Building Control Services—that provided by the local authority in whose area the work is taking place or by an approved inspector, a private sector alternative. It is the responsibility of local authorities to resource their building control departments, as appropriate, in order to be in a position to carry out their duties under the Building Regulations when they are called upon to provide the Building Control Service.

The Building (Local Authority Charges) Regulations 1998 make local authorities responsible for fixing their own charges for those functions carried out under the Building Control Service, and require them to ensure that the revenue from charges fully recovers the costs of carrying out the functions. The Office of the Deputy Prime Minister in conjunction with the Welsh Assembly Government conducts an annual monitoring exercise with all local authorities in England and Wales to ascertain the degree to which revenue from their building control functions is fully recovering their costs.

Council Housing

Mr. Hepburn: To ask the Deputy Prime Minister how much the Government has invested in council housing in *(a)* South Tyneside and *(b)* England in each year since 1996. [142990]

Keith Hill: Work undertaken by local authorities to renovate and improve council housing is funded partly from their own resources and partly from resources provided by central government. Part of the central Government funding is provided as general support for housing investment and it is up to individual authorities to decide how much to spend on council housing. The following tables set out the total amounts (£ million) of capital investment in council housing and housing capital allocations made by central Government in the years since 1996–97.

South Tyneside

	Capital investment in council housing	Housing capital allocations			
		HIP allocation[1]	CRI[2]	MRA[3]	Total
1996–97	4.0	4.4	—	—	4.4
1997–98	5.5	3.2	0.9	—	4.1
1998–99	9.2	3.7	3.1	—	6.8
1999–2000	11.0	3.7	3.1	—	6.8
2000–01	11.7	10.8	—	—	10.8
2001–02	19.1	3.3	—	11.1	14.4
2002–03	18.4	3.7	—	11.0	14.7
2003–04	14.4	3.4	—	10.9	14.3

England

	Capital investment in council housing	Housing capital allocations		
		HIP/CRI allocation[1,2]	MRA/ALMO[3]	Total[2]
1996–97	1,510	1,301	—	1,301
1997–98	1,563	1,104	—	1,104
1998–99	1,660	1,369	—	1,369
1999–2000	1,569	1,411	—	1,411
2000–01	1,816	2,090	—	2,090
2001–02	2,142	997	1,587	2,584
2002–03	2,342	1,041	1,585	2,626
2003–04	2,789	899	1,814	2,713

[1] Housing Investment Programme (HIP) allocations cover mainstream support for housing capital expenditure by local authorities (housing annual capital guidelines(ACGs)) and the ring-fenced support for private sector renewal (which was combined with the mainstream funding from 1997–98) and for disabled facilities grants. The figures also include the funding made available through the Capital Receipts Initiative (1997–98 to 1999–2000), the Housing Partnership Fund (1996–97) and to support Cash Incentive Scheme (CIS) grants (1996–97 to 1999–2000)

[2] The housing ACGs up to and including 2002–03 include an element that is assumed to be funded from local authorities capital receipts—this amounts to around £200 million for England as a whole.

[3] Funding for investment in council housing to meet the on-going capital costs of maintaining the stock (Major Repairs Allowance) or to help bring authorities' housing stock up to a decent standard (Arms Length Management Organisation initiative).

Council Tenants

Mr. Hayes: To ask the Deputy Prime Minister (1) what arrangements he has put in place to ensure that local authorities identify tenants who lack basic budgeting skills; [144090]

(2) what arrangements he has put in place to ensure that local authorities supply those of their tenants who lack basic budgeting skills with the opportunity to develop those skills. [144091]

Mr. Raynsford: While the Office of the Deputy Prime Minister has no specific arrangements in place, guidance was issued in 1999, in the National Framework for Tenant Participation Compacts which advises local authorities on how to identify tenant training needs and provision. This is aimed primarily at helping tenants to develop their skills and capacity in relation to participating in and influencing decisions affecting them and their homes.

The Office of the Deputy Prime Minister's main interest here is to ensure that social landlords adopt good practice in their approach to tackling housing rent arrears to avoid unnecessary evictions for tenants. Glasgow university is currently carrying out a research project into policy and practice in relation to use of possession orders and eviction by social landlords and to identify good practice in this area: they are expected to complete the research by summer 2004.

The wider issue of over-indebtedness is being taken forward by a new cross- Government Group announced in the Consumer- Credit White paper published on 8 December by the Department for Trade and Industry. As part of its work, the Group may look at financial literacy. It expects to publish a strategy by spring 2004.

Mr. Hayes: To ask the Deputy Prime Minister what funds the Government has made available to organisations providing core literacy and numeracy skills schemes for social housing tenants in each of the last five years; and what funds will be made available in 2004–05. [144092]

Keith Hill: There are a number of organisations funded by central Government to provide core literacy and numeracy skills training for those in need. This client group may include social housing tenants but not exclusively.

Over the past two years the Adult Basic Skills Strategy Unit has provided in excess of £1.5 million to fund a financial literacy programme. Embedded into Government's "Skills for Life" programme, a national strategy for improving adult literacy and numeracy, the financial literacy programme is run on behalf of Government by the Basic Skills Agency (BSA). The aim of the programme is to help adults with poor literacy, language and numeracy to develop the skills they need to make effective decisions about the use and management of money.

In developing the programme the BSA have resources and pilots in several areas including Community Development Projects. These projects are testing effective ways of engaging people and delivering financial literacy in community settings.

High Hedges

Mr. Dawson: To ask the Deputy Prime Minister when legislation relating to high hedges will come into effect. [144022]

Yvette Cooper: The Office of the Deputy Prime Minister expects the legislation relating to high hedges to come into effect towards the end of 2004. The next step will be public consultation on regulations covering certain detailed procedural arrangements and on guidance for local authorities.

Housing

Mr. Hayes: To ask the Deputy Prime Minister what plans the Government have to encourage shared or part ownership arrangements to make housing more affordable; and if he will make a statement. [144097]

Keith Hill: The Office of the Deputy Prime Minister recognises the important contribution that shared ownership schemes can play in making home ownership affordable for people on modest incomes. The Home Ownership Task Force, which reported on 13 November, has proposed 45 recommendations to assist in the delivery of affordable housing, including improvements to the operation of the shared ownership scheme. We are considering the recommendations and will respond in the new year.

Government funding for shared ownership is provided by the Housing Corporation through grants to registered social landlords. Around 13 per cent. of the Corporation's Approved Development Programme in 2003–04 (total programme £1.2 billion) will be spent on home ownership initiatives, including shared ownership and the Homebuy equity loan scheme. In 2002–03 over 4,000 affordable homes were provided through the shared ownership and Homebuy schemes.

In addition the £250 million Starter Home Initiative is helping key workers into home ownership primarily through equity loan and shared ownership arrangements. Almost 6,000 key workers have so far benefited from the programme.

From April 2004, the new key worker housing programme will help key workers, both first-time buyers and those wishing to trade-up, in areas of high housing costs. The options available to key workers through the scheme will include equity loan and shared ownership arrangements. Full details of the operation of the scheme will be announced by the beginning of March.

Mr. Hayes: To ask the Deputy Prime Minister what powers local authorities have to ensure an appropriate social mix in housing development; what guidelines he has issued to local authorities on the exercise of these powers; and if he will take steps to give local authorities additional powers in this regard. [144098]

Keith Hill: Planning Policy Guidance note 3: "Housing" (March 2000) requires local planning authorities to provide wider housing opportunity and choice, and a better mix in the size and type of housing than is currently available.

The Office of the Deputy Prime Minister recently published for consultation proposed changes to the current policies on planning for housing mix set out in

PPG3. The consultation document "Influencing the size, type and affordability of housing" proposes that local planning authorities should ensure their policies for residential development, including for affordable housing, widen housing choice and encourage better social mix. It proposes new policy which would allow local planning authorities, where appropriate local plan policies are in place, to reject developments that conflict with the objective of widening housing choice.

Mr. Clifton-Brown: To ask the Deputy Prime Minister what the housing allocation was for each local authority in each of the last five years; and how many houses were built by each authority in each of those years. [144201]

Keith Hill: Details of annual housing capital allocations made to local authorities in England are available in the Library of the House. Information on new housebuilding carried out by local authorities can be found on the Office of the Deputy Prime Minister's website (under "housing/ housing statistics/publications") and, for years up to 2000–01, in "Local Housing Statistics".

Local Development Plans

Mr. Clifton-Brown: To ask the Deputy Prime Minister (1) how the Government will ensure that the number of houses provided in each local development plan is built; [144207]

(2) what proposals he has to accelerate existing planning permissions for residential dwellings. [R] [144265]

Keith Hill: Each local planning authority would be required, under the Planning and Compulsory Purchase Bill, to prepare an Annual Monitoring Report. Regulations would specify that the report has to be prepared by 31 December in each year to cover the period from 1 April to 31 March immediately preceding. The authority would need to report on their performance against the published local development scheme and on the impact of their policies on the ground. The authority and stakeholders would need to know what effect its policies and proposals were having in order to decide whether they are achieving the desired effect or whether changes are needed. Draft Regulation 48 requires authorities to include information on housing policy and performance.

If the annual report on the effect of the authority's policies or proposals demonstrates that they are not performing as desired this should trigger the authority to revise their local development scheme (and subsequently their local development documents) under clause 25 (revision of local development documents). If they fail to do so, my right hon. Friend the Deputy Prime Minister can direct the authority to do so.

Through the planning delivery grant, we are investing an extra £350 million in planning over the three years 2003–06. This will provide local authorities with the resources to deliver an improved, efficient and responsive planning system that takes good decisions in sensible timeframes and delivers the right development in the right places. Part of the grant is top-sliced for local authorities in areas of high housing demand. In 2004–05 we are giving serious consideration to an element of the grant being related to performance in the delivery of housing in these areas.

Through comprehensive performance assessment we make across the board judgments about the quality of the services delivered and management in authorities. We can use it to assess whether there are corporate reasons for any failure to deliver good housing and planning services. It informs us on the nature and scope of any support that might be needed for failing housing and planning services.

Local Government Finance

Mr. Tyrie: To ask the Deputy Prime Minister (1) if he will give the value of the local education authority grant floor and publish his calculations and the assumptions he has made in order to reach that figure; [143864]

(2) if he will publish his calculations and the assumptions he has made in order to reach the new levels he has set for grant floors and ceilings. [143868]

Mr. Raynsford: The following table shows the floor, the ceiling and the scaling factor applied to grant increases above the floor which we are proposing for 2004–05 for each local authority group.

	Floor (Percentage)	*Scaling factor applied to grant increase above the floor*	*Ceiling (Percentage)*
Authorities with education and social service responsibilities	4	0.9411240	7.5
Single-service police authorities, police part of GLA	3.25	0.0100295	25
Single-service fire authorities, fire part of GLA	3.5	0.9181902	5
Shire districts in two-tier shire areas (i.e. shire districts that do not have education and social service responsibilities)	3	0.2287428	50

For 2004–05 these floors will ensure that all authorities receive an increase in formula grant, when measured against 2003–04 on a like-for-like basis, which is above inflation. (Formula grant comprises Revenue Support Grant, redistributed non-domestic rates, and any Principal Formula Police Grant.) The scaling factor and the ceiling have been set so that, for each local authority group, the cost of supporting authorities below the floor is shared equitably between those authorities with grant increases above the floor.

The grant floor, the grant ceiling and the scaling factor applied to increases above the floor are inter-related. So for any group of authorities decisions on the floor, the scaling factor and the ceiling have to be taken together. The Office of the Deputy Prime Minister has published on the departmental website models which allow interested parties to explore the effect of other floor and ceiling values (http://www.local.odpm.gov.uk/finance/0405/fandc/index.htm).

Mr. Tyrie: To ask the Deputy Prime Minister what the amount of specific grant per head from the Local Government Finance Settlement of 2003–04 was for *(a)* West Sussex and *(b)* Hartlepool; and if he will give the amount of extra total grant that would be payable if West Sussex were to be funded at the same level of specific grant per head as Hartlepool. [143869]

Mr. Raynsford: The specific grant per head in West Sussex and Hartlepool is tabled as follows. The variations in funding per head reflect a number of factors including the level of relative deprivation in each local authority and the take up of grants, for example the number of local authority funded nursery education places. Distributing simply on the basis of population would not reflect the different needs of different areas.

	Specific grants[1] *(£)*	*Population*[2]	*Specific grants per head (£/head)*
West Sussex	68,200,000	754,253	90.42
Hartlepool	22,777,000	88,711	256.76

[1] This information is taken from local authority budget RA returns.

[2] The population is taken from the Office for National Statistics 2001 mid year population estimates.

Note:

If West Sussex received specific grant support at the same level per head as Hartlepool then they would receive £125,458,290 extra.

Mr. Tyrie: To ask the Deputy Prime Minister if he will give the amount of formula grant per head from the Local Government Finance Settlement of 2003–04 for *(a)* West Sussex, *(b)* inner London boroughs, *(c)* outer London boroughs and *(d)* the English average; and if he will give the amount of extra total grant that would be payable if West Sussex were to be funded at the same level of formula grant per head as (i) inner London boroughs, (ii) outer London boroughs and (iii) the English average. [143870]

Mr. Raynsford: Formula grant per head in 2003–04 is given in the following table:

Area	*Formula grant per head (£)*
West Sussex county council	503.33
Inner London boroughs (including City of London)	1,166.30
Outer London boroughs	809.90
England	892.49

The formula grant per head figures in the table are not directly comparable since the services provided by West Sussex county council are not the same as those provided by London boroughs. London boroughs also provide those services provided by the district council within the West Sussex area; while West Sussex county council received an allocation of grant to cover fire services in 2003–04, that are provided by the Greater London Authority in the London area. In addition the City of London also provides police services. The total England figure includes both district level and police services; neither of these services are provided by West Sussex county council.

The calculation of formula grant takes account of a range of factors other than the numbers of recipients. It includes top-ups for deprivation, pay costs, and other factors such as population sparsity that drive the costs of service delivery in different areas, as well as the relative ability of councils to raise council tax in their areas. Simple per capita comparisons will not therefore be meaningful comparisons of all the factors that drive grant distribution.

If West Sussex county council received £1,166.30 per head of formula grant then it would have received £879,685,274, an additional £500,043,641; at £809.90 per head of formula grant then it would have received £610,869,505, an additional £231,227,872; and at £892.49 then it would have received £673,163,260, an additional £293,521,627.

Peterborough Housing Corporation

Mrs. Helen Clark: To ask the Deputy Prime Minister what he estimates will be the delay to the transfer of housing stock to the Peterborough Housing Corporation whilst the Inland Revenue's ruling of 24 October is considered. [144205]

Keith Hill: I refer my hon. Friend to the answer given to my hon. Friends the Members for Bolton, North-East (Mr. Crausby) and for Heywood and Middleton (Jim Dobbin) on 15 December 2003.

Planning Grants

Mr. Clifton-Brown: To ask the Deputy Prime Minister which *(a)* local authorities and *(b)* regional assemblies (i) have received and (ii) will receive planning grants in 2003–04; what (A) methodology and (B) consultation is being used by his Department concerning its distribution; what funds will be allocated for planning in 2004–05; and for what reason this grant is not ring fenced. [144203]

Keith Hill: The recipients of planning delivery grant in 2003–04 were all district, unitary, metropolitan district and London borough councils, all national park authorities, all regional planning bodies, together with the common council of the City of London, the council of the Isles of Scilly, the Broads authority and the Greater London Authority. Their grant for 2003–04 has been paid in full.

The Office of the Deputy Prime Minister set out the methodology for the distribution of the grant in a letter sent on 10 February 2003 to hon. Members. I have sent a further copy of that letter to the hon. Member. Before the announcement of the allocations was made, we consulted key stakeholders about the method of distribution.

The amount of planning delivery grant to be allocated in 2004–05 is £130 million.

The planning delivery grant is not ring fenced in line with our general policy on grants to local government whereby local authorities are free to consider how best to deliver outcomes. In the case of the planning delivery grant, there is an incentive to spend the grant on planning services because further allocations will only be made if planning performance continues to improve.

HOME DEPARTMENT

Alcohol Harm Reduction Strategy

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department on what date he expects implementation of the alcohol harm reduction strategy for England to begin. [143462]

Ms Blears: The Government made a commitment in the NHS Plan to begin implementing an alcohol harm reduction strategy for England in 2004, and we are on course to achieve that target.

Antisocial Behaviour Orders

Mr. Goodman: To ask the Secretary of State for the Home Department how many Antisocial Behaviour Orders were served in the Wycombe constituency in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [143537]

Ms Blears: From 1 April 1999 up to 31 May 2000 information on the numbers of Antisocial Behaviour Orders (ASBOs) was collected by police force area (pfa) on the numbers issued only. From 1 June 2000 up to 30 June 2003, latest available, data was collected by magistrates courts committee (MCC) area on the number granted and refused and from copies of the orders we have been able to identify local government authority (lga) areas involved.

The number of notifications received by the Home Office of ASBOs issued within the Wycombe lga, in which the Wycombe constituency is situated, from 1 June 2000 up to 30 June 2003 is two. One order was issued in 2000 and one order was issued in 2001.

Asylum

Mr. Malins: To ask the Secretary of State for the Home Department (1) what the initial salary payable to initial decision makers in asylum applications is; and how long the period of training is; [142156]

(2) what plans he has to increase and improve the salaries and training of initial decision makers in asylum cases. [142157]

Beverley Hughes: The vast majority of initial decisions in asylum applications are made by Executive Officers. The initial salary of an executive officer is not less than £15,557 nationally. In London rates are higher and staff also receive a locational allowance. Pay levels are reviewed each year, and in addition, all fully effective and exceptionally effective staff receive a performance related progression increase. The Department has proposed increasing the initial salary to a minimum of £16,606 nationally with effect from 1 January 2004 and is also considering increases to locational allowances. All new initial decision makers in asylum applications receive intensive training, comprising an initial 11 day course on all aspects of asylum work, 13 days in a special mentoring unit, and a three day intensive interviewing course (which is followed up by a consolidation workshop after three months in post). All asylum decision makers receive continual support and mentoring from more experienced colleagues in a team working environment where the sharing and pooling of acquired expertise is actively encouraged. They also receive any additional training or mentoring necessitated by changes in legislation and procedures, and attend developmental presentations or seminars provided by organisations such as UNHCR and the Medical Foundation. The effectiveness of training is regularly evaluated to ensure it continues to match their induction and development needs.

Annabelle Ewing: To ask the Secretary of State for the Home Department what discussions he has had with Scottish ministers concerning the impact on the Scottish Legal Aid Board of his asylum policies. [142733]

Beverley Hughes: Legal aid is a devolved function and it is for Scottish Ministers to decide how to address Scotland's needs in line with the overall UK policy on asylum. There have been no formal discussions with Scottish Ministers on this matter, although officials keep in touch with developments on both sides of the border.

Annabelle Ewing: To ask the Secretary of State for the Home Department what representations he has received from established churches in Scotland concerning his policy in relation to the detention of families with children in removal centres. [142762]

Beverley Hughes: Over the last few months we have received representations from both the Catholic Church and the Church of Scotland about the detention of families with children in removal centres.

The Bishop of Paisley made written representations in March and April, and I met with representatives of the Church and Nation Committee of the Church of Scotland at the end of October.

Mrs. Lait: To ask the Secretary of State for the Home Department how many appeals from immigrants based on their being either a victim of crime or fear of being a victim of crime in their own country where the effective rule of law is uncertain are outstanding; and how many there were in the last 12 months. [142185]

Beverley Hughes: I regret that the information requested is unavailable and could only be obtained at disproportionate cost by examination of individual case files.

Information on the number of such appeals awaiting determination, relating to cases based on the appellant being either a victim of crime or their having fear of being a victim of crime in their own country where the effective rule of law is uncertain, is not compiled.

Statistics on the number of asylum appeals awaiting determination are published quarterly. The most recent publication covering the third quarter of 2003 is now available from the Library of the House or on the Home Office Research Development and Statistics Directorate website at http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Gerrard: To ask the Secretary of State for the Home Department how many asylum applicants in each of the last five years for which figures are available were accompanied by dependants under the age of 18. [142580]

Beverley Hughes *[holding answer 8 December 2003]*: The requested information could be obtained only at disproportionate cost by examination of individual case records. The latest published figures (Asylum Statistics 2001) show estimates of between 13 per cent. in 1998 and 14 per cent. in 2001 of principal applicants had one or more dependants.

Information on asylum applications is published quarterly. The next publication will be available at the end of February 2004 on the Home Office Research Development and Statistics Directorate website at: http://www.homeoffice.gov.uk/rds/immigration1.html.

Mr. Malins: To ask the Secretary of State for the Home Department whether children of failed asylum seekers are entitled to free education in the state system. [143214]

Beverley Hughes: It is a fundamental legal duty of local education authorities to ensure that education is available for all children of compulsory school age in their area appropriate to age, abilities and aptitudes and any special education needs they may have. This duty applies irrespective of a child's immigration status or rights of residence in a particular location. Children of failed asylum seekers are therefore entitled to attend school for as long as the family remain in the UK.

Community Safety Accreditation

Ms Buck: To ask the Secretary of State for the Home Department what use has been made by chief officers of police of accreditations under community safety accreditation schemes under section 41 of the Police Reform Act 2002. [143569]

Ms Blears: In total, six forces have used powers under section 41 of the Police Reform Act. Five forces have accredited 16 Vehicle Inspectors employed by the Vehicle Operator Services Agency (VOSA). The inspectors have been issued with the power to stop vehicles for the purpose of testing. This allows them to test vehicles without police assistance and so frees police officers to focus on other tasks. The five forces are Cambridgeshire, Greater Manchester, Northumbria, North Wales and Staffordshire.

In addition, Hampshire Police have accredited five employees of Southampton City Council, to enable them to be more effective in dealing with anti-social behaviour. Hampshire police received £20,000 central funding from the Home Office to help with the project costs of setting the scheme up.

The Home Office has allocated a total of £450,000 funding to 21 pathfinder forces (including Hampshire) in this financial year to assist them with setting up community safety accreditation schemes. The funded schemes will accredit those already conducting patrols in communities to enhance the reassurance that these staff provide and make them more effective in dealing with anti-social behaviour. Forces involved in the first tranche of schemes in this first phase of accreditation are mainly intending to accredit wardens employed in or by local authorities.

Community Support Officers

Ross Cranston: To ask the Secretary of State for the Home Department what guidance he gives to police forces about the insignia on policy community support officers' uniforms which describes their role; and if he will make a statement. [143891]

Ms Blears: The uniform and insignia worn by Community Support Officers is a matter for the Chief Officers of individual police forces. The Home Office's guidance document, available on the police reform web site, states that CSOs' uniforms should make them 'recognisable as such' so as not to confuse the public.

However, many police forces have employees who are designated as both CSOs and appointed as Traffic Wardens. In line with the Home Office circular 065/2002, forces have labelled these CSOs' uniforms with the word 'Traffic'.

Ross Cranston: To ask the Secretary of State for the Home Department what plans he has to increase funding to the West Midlands Police for the expansion of the police community support officers for *(a)* 2004–05, *(b)* 2005–06 and *(c)* 2006–07; and if he will make a statement. [143913]

Ms Blears: By the end of the 2003–04 financial year, the Home Office will be funding 2457 CSOs across 38 police forces. 40 of these are in the West Midlands Police area. These were provided for in the second CSO bidding round (2003–04). West Midlands Police did not put forward a bid in the first round (2002–03).

Across England and Wales, a further 454 CSOs have been funded from other sources, including 21 in the West Midlands.

In 2004–05 the West Midlands Police, along with other forces in England and Wales, will be invited to bid in a third CSO funding round. This round will provide 50 per cent of funding for salary and direct on costs.

Final decisions about funding for future years, beyond 2004–05, have yet to be taken.

Crimestoppers

Mr. Boris Johnson: To ask the Secretary of State for the Home Department if he will guarantee the grant for Crimestoppers for the next four years. [142531]

Ms Blears: The Government believes that Crimestoppers is a highly effective organisation that gathers vital intelligence for the Police and other law enforcement agencies. As laid out in the 1998 Compact on relations with the Voluntary and Community Sector, the Government recognises that continuity of funding is important to voluntary organisations and takes this into account where possible.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department (1) what additional payments have been made to Capita in respect of amendments and modifications to the Criminal Records Bureau computer system in each financial year since the project began; [142059]

(2) what the unit cost of a Criminal Records Bureau *(a)* standard and *(b)* enhanced disclosure is for each application route. [142060]

Ms Blears: Additional payments in respect of amendments to computer systems in each financial year are as follows:

£

	Amount
2001–02	10,590,581
2002–03	541,789
2003[1]	594,200

[1] To date.

Based on the projections in the Criminal Records Bureaus (CRB) Corporate and Business Plans 2003–04 the individual unit costs are estimated as follows:

£

	Amount
Standard paper	25
Standard telephone	20
Enhanced paper	31
Enhanced telephone	26

Standard and Enhanced Disclosures are issued free of charge to volunteers.

There have been no subsequent developments, which would suggest these costs are now materially different.

Mr. Drew: To ask the Secretary of State for the Home Department (1) for what reasons the Criminal Records Bureau has further increased its fees; [142261]

(2) what discussions he has had with the National Council for Voluntary Organisations on the implications of fee increases by the Criminal Records Bureau on voluntary, community and charitable organisations. [142262]

Ms Blears: We announced on 1 December that the fee charged by the Criminal Records Bureau (CRB) for a Standard Disclosure will rise from £24 to £28 and that for an Enhanced Disclosure from £29 to £33. These increases will take effect from 1 April 2004.

We have always made it clear that the CRB would be self-financed through the fees charged for providing the Disclosure service, and that the fee levels would be regularly reviewed. When the last fee increase was announced in June 2003, we re-affirmed the requirement that the CRB should be self-financing in the medium term—that is, from 2005–06 onwards. The CRB continues to make efficiency savings. However, as the CRB moves towards full cost recovery, it is necessary to reduce the substantial subsidy that the CRB currently receives from the general taxpayer and to make a compensating increase in the Disclosure fee.

Disclosures continue to be issued free to volunteers, saving the voluntary sector some £12 million in 2004–05. We have had no discussions with the National Council for Voluntary Organisations (NCVO) specifically on the latest fee increase. But we agreed earlier to meet representatives of the NCVO to discuss its concerns about the previous fee increase, amongst other issues. In addition, the NCVO is represented on the CRB Voluntary and Community Sector Working Group which provides a forum to raise any CRB-related issues affecting the sector.

Tim Loughton: To ask the Secretary of State for the Home Department what estimate he has made of the costs of Criminal Records Bureau checks for *(a)* care homes and *(b)* voluntary organisations. [143062]

Ms Blears: Criminal Records Bureau checks are free for volunteers, saving the voluntary sector some £10 million in 2003–04. In other cases, responsibility for paying the fee rests primarily with individual applicants, although it is open to the employer to reimburse the cost. Since 1 July 2003, the fees for an Enhanced and Standard Disclosure have been £29 and £24 respectively; I announced on 1 December 2003, *Official Report,* column 51–52WS the fees to apply from 1 April 2004. The total revenue from fees in 2003–04 is estimated to be £47 million. No detailed breakdown is available of the proportion of Disclosure applications, which come from each sector.

Emergency Services (Hoax Calls)

Mr. Crausby: To ask the Secretary of State for the Home Department how many hoax calls to *(a)* the emergency services and *(b)* the fire service there were in each of the last three years in (i) Bolton, (ii) the North West and (iii) the UK. [143247]

Mr. Raynsford: I have been asked to reply.

The following information is available in relation to the fire service:

	2000	[1]2001	[1]2002
Bolton	815	1,005	700
North West[2]	11,672	11,489	10,639
United Kingdom[2]	74,086	74,134	67,060

[1] Provisional

[2] Includes estimates for incidents not recorded in November 2002 during industrial action

Information about the number of hoax calls received by the police and ambulance services is not held centrally, and could be provided only at disproportionate cost.

Immigration

Mr. Lidington: To ask the Secretary of State for the Home Department when the Immigration and Nationality Directorate expects to reach a decision in the case of Mr. S. S. of Aylesbury (ref.S108 1532/8). [140970]

Beverley Hughes: A decision was made on 25 November to grant him leave to remain here.

Mr. Malins: To ask the Secretary of State for the Home Department what proportion of *(a)* lorries and *(b)* other vehicles passing through Calais and Coquelles en route to the UK were not checked for purposes of seeking to discover illegal immigrants over the last 12 months. [142168]

Beverley Hughes: The Calais port operator (Calais Chamber of Commerce) check 100 per cent of freight vehicles passing through Calais (approximately 2,500 per day) either by Passive Millimetric Wave Imagers (PMMWs), carbon dioxide or heartbeat detectors. Additional checks are also carried out by ferry operators and French customs. All other vehicles such as private cars and vans are systematically checked by the ferry operator before boarding.

We are unable to say what proportion of vehicles (approximately 2,000 per day) are checked by Eurotunnel at Coquelles prior to boarding. Immigration Service search teams exercising their powers under the Immigration Act currently carry out targeted and intelligence-led searches of UK bound freight and other vehicles within the British Control Zone at Coquelles.

Migrant Workers

Lynne Jones: To ask the Secretary of State for the Home Department whether the Government will ratify the UN Convention on the Rights of Migrant Workers and their Families. [142294]

Beverley Hughes: The Government has no plans to sign and ratify the UN Convention on the protection of rights of migrant workers and their families.

We believe that the United Kingdom has struck the right balance between the need for immigration control and the protection of the interests and rights of migrant workers and their families. The rights of migrant workers and their families are protected in UK legislation, including the Human Rights Act 1998, and the UK's existing commitments under international law.

National Policing Targets

Mr. Oaten: To ask the Secretary of State for the Home Department if he will make a statement on the ways in which the National Intelligence Model is used to inform the setting of national policing targets. [143272]

Ms Blears: The National Policing Plan sets out the Government's key priorities for the police service describes the National Intelligence Model as the principal operational tool available to deliver those priorities. The National Policing Plan requires all forces to implement the National Intelligence Model to commonly accepted minimum standards by April 2004. Forces are currently at different stages of implementation.

The National Criminal Intelligence Service (NCIS) UK Threat Assessment and the National Policing Plan establish national priorities for the Police Service. The National Intelligence Model is applied by police forces to operationalise those priorities at national, regional and local levels. As the Model becomes established in forces, strategic assessments at Basic Command Unit and force level can be expected to inform the assessments made at regional, and ultimately at national, level.

Police

Mr. Dorrell: To ask the Secretary of State for the Home Department how many uniformed officers were employed by the Leicestershire Police Service at 5 April in each year from 1997 to 2003. [143947]

Ms Blears: Police strength information does not differentiate between uniformed and plain clothed officers. The information requested (to the nearest available date) is set out in the table. On 31 August Leicestershire Constabulary had record strength of 2,159 officers, which is 210 more than in March 1997.

Leicestershire Constabulary

	Police officers[1]	*Police staff*[1]
31 March 1997	1,949	755
31 March 1998	1,983	774
31 March 1999	1,993	802
31 March 2000	1,993	805
31 March 2001	2,033	806
31 March 2002	2,100	816
31 March 2003	2,114	934
31 August 2003	2,159	n/a

[1] Data are for full-time equivalent strength

Mrs. Curtis-Thomas: To ask the Secretary of State for the Home Department on how many occasions Merseyside Police have *(a)* closed premises that are being used for drug dealing or use causing disorder or serious nuisance, *(b)* issued penalty notices for truancy, *(c)* designated an area with a history of anti-social behaviour, allowing them to disperse groups causing intimidation and take home children who are out on streets late at night, *(d)* used the new controls to tackle the misuse of air weapons and replica guns, *(e)* used their new powers for dealing with public assemblies and trespassers, *(f)* used their new power to move on trespassing encampments where a relevant site is available, *(g)* used their new powers to intervene in neighbourly disputes regarding high hedges, *(h)* issued penalty notices to 16 and 17 year olds for disorder and *(i)* used their extended stop and search powers where reasonable suspicion is held that articles made, adapted or intended for use in offences of criminal damage are being carried. [143463]

Ms Blears: These powers are contained within the Anti-social Behaviour Act 2003 and the Criminal Justice Act 2003 which both received Royal Assent on 20 November 2003. The powers are not yet available to the police—they will be commenced during 2004.

Phil Sawford: To ask the Secretary of State for the Home Department what the average cost is of recruiting and training a police officer. [144515]

Ms Blears: The recruitment of police officers is the responsibility of the Chief Officer of each force. No central records are kept of the average cost across the police service of recruiting and training a police officer in England and Wales.

When rates of payment to be made under the Crime Fighting Fund in 2000–01 were agreed with the Association of Chief Police Officers and the Association of Police Authorities, £1,000 was included for recruitment and £7,000 for the initial residential training for each new recruit. These payments have been uprated annually to £1,082 and £10,000 respectively per recruit in 2003–04.

Mr. Oaten: To ask the Secretary of State for the Home Department if he will list those police forces in which authorisations under section 44 of the Terrorism Act 2000 are in place; and which of these areas have been subject to rolling monthly authorisations during 2003. [143383]

Mr. Blunkett: There are currently 14 section 44 authorisations in place. However, the publicising of the use of the powers in any particular area is an operational decision for the force concerned. Any decision to publicise the fact that the powers are being used would be made in light of the operational objective, and mindful of the need to ensure that the information released cannot be exploited by those intent on committing acts of terrorism.

Each authorisation is given full consideration and confirmed only if I am satisfied that their use is expedient to prevent acts of terrorism as set against the background of the current threat level.

Ross Cranston: To ask the Secretary of State for the Home Department how many of the United Kingdom police officers that will be deployed in Iraq are from the West Midlands police force; and if he will make a statement. [143892]

Ms Blears: I understand that no officers from West Midlands Police are deployed in Iraq at present. West Midlands Police are contributing generously to international peacekeeping efforts elsewhere.

Mr. Oaten: To ask the Secretary of State for the Home Department if he will make a statement on the effectiveness of the 2002 police pay settlement in reducing rates of police overtime. [143409]

Ms Blears: The 2002 settlement included a provision to reduce expenditure on police overtime by 15 per cent. by March 2006. The provision came into effect on 1 April 2003. Forces will be providing information to Her Majesty's Inspectorate of (HMIC) Constabulary on expenditure on overtime as part of the arrangements for monitoring progress against the target and HMIC will report on an annual basis.

Mr. Ruffley: To ask the Secretary of State for the Home Department how many police officers have retired from *(a)* Suffolk Constabulary, *(b)* Norfolk Constabulary, *(c)* Essex Police Force and *(d)* Cambridgeshire Constabulary in each of the last five years; and what the national average age of retirement was in each year. [143533]

Ms Blears: The number of police officers who have retired in each of the last five years from each force is given in the table.

Police retirements: ordinary and medical

	1998–99	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Cambridgeshire	46	38	43	44	44
Essex	101	124	99	104	90
Norfolk	47	45	49	51	65
Suffolk	44	37	52	36	46

Information on the national average retirement age of police officers is not held centrally and not readily available locally. However the information for Suffolk is as follows.

Suffolk: average retirement age of police officers

	Average age
1998–99	47.06
1999–2000	49.85
2000–01	49.36
2001–02	48.51
2002–03	51.71

Paul Flynn: To ask the Secretary of State for the Home Department what resources have been made available to Gwent Police since 1997; how many police officers there were in the Gwent Force in each year since 1997; and what the expected number of police officers in the Gwent Force is in each of the next two years. [142820]

Ms Blears: The information requested is set out in the table. Gwent Police had record police strength at the end of August 2003. The balance between police officers and police staff and other resources, such as IT systems, in the Gwent Police is a matter for the Chief Constable. It is not therefore possible to estimate the number of police officers that Gwent Police will have Over the next two years. I understand that Gwent Police has forecast strength for 31 March 2004 at 1,357.

The provisional police funding settlement for 2004–05 will give Gwent Police Authority a Government funding allocation of £71.8 million, an increase of 3.25 per cent over 2003–04. It is for the Police Authority to set the budget.

Gwent Police: Funding, Police strength and police staff strength 1997 to 2003

Year (as at 31 March)	*Force budget £ million*	*Police officer strength*	*Police (support) staff strength*
1996–97	62.6	1,243	452
1997–98	64.6	1,233	477
1998–99	66.9	1,247	487
1999–2000	71.4	1,264	498
2000–01	76.1	1,274	537
2001–02	80.7	1,333	570
2002–03	84.4	1,341	607
2003–04	92.0	1,342[1]	Not available

[1] Police strength as at 31 August 2003

Mr. Goodman: To ask the Secretary of State for the Home Department how many pupils *(a)* applied to join and *(b)* were enlisted as members of Thames Valley Police Force in (i) 2000, (ii) 2001 and (iii) 2002. [143538]

Ms Blears *[holding answer 11 December 2003]:* Neither the Home Office nor Thames Valley Police Force record the number of applications received from pupils to join Thames Valley Police Force record the number of applications received form pupils to join Thames Valley Police Force.

Police recruits need to be of a minimum age of 18½ when they join a police force in England and Wales.

Security Industry Authority Pilot Scheme

Mr. Oaten: To ask the Secretary of State for the Home Department how many licensed door supervisors he expects to participate in the Security Industry Authority Pilot Scheme in Hampshire commencing in March 2004; and what target complement he has set. [143965]

Ms Blears: The Security Industry Authority (SIA) anticipates that some 2,500 door supervisors will apply to be licensed during the course of the pilot in Hampshire and the Isle of Wight, commencing in March 2004. This figure is necessarily a best estimate as not all local authorities in the pilot area have existing local registration schemes, and those that do, do not always include all door supervisors working in the local authority's area.

There are no overall complement levels set, as the demand for door supervisors is to a large extent market led. However, it is anticipated that some local authorities may set minimum complement levels for individual premises as a condition of their licence to operate under the Licensing Act 2003, and this will have an impact on the number of SIA licence applications.

Weapons

Mr. Paice: To ask the Secretary of State for the Home Department how many *(a)* handguns, *(b)* rifles, *(c)* shotguns and *(d)* air weapons which have been used in crime have been recovered in each of the last five years; and how many of each had been previously or were at the time legally owned. [143921]

Caroline Flint *[holding answer 15 December 2003]*: This information is not currently available in the form requested. The National Firearms Forensic Intelligence Database launched last month will provide a central database of seized weapons and help trace guns used in crimes and improve detection.

Mr. Paice: To ask the Secretary of State for the Home Department how many gas cartridge air weapons have been handed in under the Anti-Social Behaviour Act 2003; and how many applications have been made for firearm certificates by owners of such weapons under the provisions of the Act. [143922]

Ms Blears *[holding answer 15 December 2003]*: None. The legislation is not yet in force. We are aiming to commence the relevant provisions on 20 January when it will become an offence to manufacture, sell, purchase, acquire or transfer any air weapon using a self-contained gas cartridge system. Existing owners will have a further period of three months in which to apply for a firearms certificate or to dispose of the weapon.

WORK AND PENSIONS

Benefit Payment Books

Mr. Cousins: To ask the Secretary of State for Work and Pensions if he will estimate the number of benefit payment order books in use in each category of benefit at *(a)* 1 April 2002, *(b)* 1 April 2003 and *(c)* the most recent available date. [142420]

Mr. Pond: The information is not available in the format requested. Such information as is available is as follows:

Breakdown of claimants receiving their payment by means of benefit payment order book

Benefit	*Position as at June 2002*[1]	*Position as at March 2003*[2]	*Position as at 1 November 2003*[3]
State Pension (SP), Widows Benefit (WB) and Bereavement Benefit	4,811,063	4,616,964	4,280,487
Incapacity Benefit (Incap)	843,142	803,494	717,126
Severe Disablement Allowance	83,959	79,359	72,414
Income Support (IS)	1,740,655	1,698,052	1,516,248
Disability Living Allowance	1,143,393	1,144,202	1,065,636
Carers Allowance	310,684	309,750	298,089
Attendance Allowance	179,426	180,791	170,552
Industrial Injury, Death and Disability Benefit	302,798	315,046	284,360
Jobseeker's Allowance (JSA)	0	0	0
Minimum Income Guarantee (MiG)/Pension Credit (PC)	1,344,723	1,360,994	1,420,036

[1] 2002: Figures for State Pension (SP), Incapacity Benefit (IB), Severe Disablement Allowance (SDA), Widow's Benefit (WB), and Bereavement Benefit (BB) are up to 3 June 2002; Minimum Income Guarantee (MIG), Income Support (IS) and Jobseeker's Allowance (JSA) figures up to 15 June 2002, Industrial Injuries (II) up to 8 June 2002, Carers Allowance (CA) (previously Invalid Care Allowance), Attendance Allowance (AA) and Disability Living Allowance (DLA) figures up to 18

May 2002.

[2] 2003: Figures for State Pension (SP), Incapacity Benefit (IB), Severe Disablement Allowance (SDA), Widow's Benefit (WB), and Bereavement Benefit (BB) are up to 22 March 2003; Minimum Income Guarantee (MIG), Income Support (IS) and Jobseeker's Allowance (JSA) figures up to 21 March 2003, Industrial Injuries (II) up to 14 March 2003, Carers Allowance (CA) (previously Invalid Care Allowance), Attendance Allowance (AA) and Disability Living Allowance (DLA) figures up to 8 March 2003.

[3] Latest available: Figures for State Pension (SP), Incapacity Benefit (IB), Severe Disablement Allowance (SDA), Widow's Benefit (WB), and Bereavement Benefit (BB) are up to 25 October 2003; Minimum Income Guarantee (MIG), Income Support (IS) and Jobseeker's Allowance (JSA) figures up to 31 October 2003, Industrial Injuries (II) up to 24 October 2003, Carers Allowance (CA) (previously Invalid Care Allowance) up to 30 June 2003, Attendance Allowance (AA) and Disability Living Allowance (DLA) figures up to 18 October 2003.

Notes:

1. The above figures are payload not caseload figures therefore, a claimant may be counted more than once if they are on several benefits.
2. If a claimant is receiving one combined payment through the Income Support system for both PC and SP they will only be shown on MIG and not on SP.
3. Figures quoted are for GB only.

Source:

DWP Information Centre, Information and Analysis Directorate, 100 per cent. sample.

Child Support Payments (North-west)

Mr. Woodward: To ask the Secretary of State for Work and Pensions what the average sum paid *(a)* in child support payments and *(b)* in child benefit to families in (i) St. Helens, (ii) Merseyside and *(c)* the north west region was in each year since 1992. [141298]

Mr. Pond: The information is not available in the format requested. Such information as is available is in the tables.

Average sum paid in child support payments in St. Helens, Merseyside, and north west region as at end of February quarter

£

	Average amount per week		
Quarter ending	*St. Helens*	*Merseyside*	*North west*
29 Feb 2000	23.14	21.60	23.94
28 Feb 2001	26.11	24.19	24.68
28 Feb 2002	27.00	25.66	26.27
28 Feb2003	30.01	28.55	27.65

Notes:

1. Figures include full maintenance assessment cases only and exclude direct pay cases and zero assessments. Therefore, figures include only fully, partial and nil compliant cases.
2. Figures produced using 5 per cent. scan of Child Support Computer System (CSCS) and therefore may be subject to sampling variation.

Average sum paid in child benefit in St. Helens, Merseyside, and North West region as at 30 August

£

	Average amount per week		
	St. Helens	*Merseyside*	*North West*
1999	21.09	21.83	21.80
2000	21.97	22.62	22.63
2001	22.41	22.95	23.02
2002	22.55	23.09	23.18

Notes:

1. 100 per cent. sample
2. Caseload figures are rounded to the nearest five

Cold Weather Payments

Mr. Webb: To ask the Secretary of State for Work and Pensions how many cold weather payments have been made in each of the last six years, *(a)* in total and *(b)* broken down by region; and what the real terms expenditure on those payments was in each case. [144654]

Mr. Pond: The information is in the table. A breakdown by region would be available only at disproportionate cost.

	Number awarded	*Amount awarded Cash terms (£ million)*	*Amount awarded Real terms (£ million)*
1997–98	55,000	0.47	0.53
1998–99	26,000	0.22	0.24
1999–2000	114,000	0.97	1.04
2000–01	3,535,000	30.05	31.69
2001–02	1,804,000	15.33	15.77
2002–03	1,675,000	14.24	14.24

Notes:

1. Real terms expenditure has been calculated using the GDP deflator released on 11 December 2003 and is based on 2002–03 prices
2. The numbers awarded have been rounded to the nearest 1,000 and the amounts awarded to the nearest £0.01 million.

Correspondence

Mr. Chope: To ask the Secretary of State for Work and Pensions when the hon. Member for Christchurch will receive a reply to his inquiries on behalf of Mrs. Pitson about the Child Support Agency. [144543]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Christopher Chope, dated 16 December 2003:

In replying to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked when you will receive a reply to your inquiry on behalf of Mrs Pitson about the Child Support Agency.

Our records show that the last time you wrote to the Agency in respect of Mrs Pitson was the 10 October 2003, I subsequently replied on the 19 November 2003.

Industrial Injuries

Helen Jackson: To ask the Secretary of State for Work and Pensions when he expects the further research recommended by the Industrial Injuries Council into risk of upper limb disorders in specific occupations to be completed. [142599]

Mr. Browne: The Industrial Injuries Advisory Council (MAC) has monitored the scientific literature in relation to Work Related Upper Limb Disorders since its last report in 1992, and has decided that there is now sufficient new evidence that it should conduct a further review of the subject.

The review is still in its early stages. 11 AC plans to continue its research and consultation with experts during the spring and summer of 2004 and to complete its review in the first half of 2005.

Occupational Deafness

Mr. Mahmood: To ask the Secretary of State for Work and Pensions how many cases lodged before the Medical Appeals Tribunal in 2002–03 concerned occupational deafness; and how many were successful. [143458]

Maria Eagle: This is a matter for Christina Townsend Chief Executive of the Appeals Service. She will reply to the hon. Member.

Letter from Christina Townsend to Mr. Mahmood, dated 16 December 2003:

The Secretary of State has asked me to reply to your question regarding the number of cases lodged before Medical Appeal Tribunals in 2002–03 concerning occupational deafness.

Appeals tribunals succeeded Medical Appeal Tribunals in 1999. The attached table shows the number of appeals lodged, those cleared at hearing and the number found in favour of the appellant. I hope this reply is helpful.

Industrial Injuries Disablement Benefit (IIDB) appeals due to Occupational Deafness in the period 1 April 2002 to 31 March 2003

	Lodged	*Cleared at hearing*	*Found in favour of the appellant*
All Appeals	242,510	178,350	80,815
All IIDB appeals	18,355	15,860	6,140
IIDB occupational deafness appeals	395	355	70

Notes:

All figures are subject to change as more up to date data becomes available. Figures are rounded to the nearest five.

Source:

IAD Information Centre, 100 per cent. sample.

Parents with Care

Mr. Webb: To ask the Secretary of State for Work and Pensions if he will estimate the *(a)* monetary value and *(b)* percentage of maintenance that was paid to Child Support Agency parents with care in receipt of (i) income based jobseeker's allowance and income support and (ii) working families tax credit in each of the last six years. [141529]

Mr. Pond: The information is not available in the format requested. Such information as is available is in the table.

Child Maintenance paid to parents with care who are in receipt of Income Support/Jobseeker's Allowance (IB) and Working Families Tax Credit: 1 March 2000 to 28 February 2003

	Total maintenance paid	*Maintenance paid to IS/JSA(IB) PWCs*		*Maintenance paid to WFTC PWCs*	
	£ million	*£ million*	*Percentage*	*£ million*	*Percentage*
1 Mar 2000 to 28 February 2001	480.1	142.0	29.6	154.0	32.1
1 Mar 2001 to 28 February 2002	514.2	137.8	26.8	180.3	35.1
1 March 2002 to 28 February 2003	554.9	137.7	24.8	205.3	37.0

Notes:

1. Figures are for full maintenance assessments only.
2. Figures produced using 5 per cent. scan of Child Support Computer System (CSCS).
3. Figures are based on a 5 per cent. sample and therefore may be subject to sampling variation.
4. Maintenance paid is in millions and is rounded to the nearest hundred thousand.

Pension Credit

Mr. Webb: To ask the Secretary of State for Work and Pensions how many pensioners receiving housing and council tax benefit became entitled to pension credit in October; and of that number how many received an increase in their housing and council tax benefit entitlement to reflect the increased thresholds for these benefits. [144652]

Mr. Pond: The information is not available. However, we estimate that some 1.9 million pensioner households stand to get more help, or help for the first time, through housing benefit and council tax benefit as a result of the introduction of pension credit.

Steve Webb: To ask the Secretary of State for Work and Pensions whether pension credit counts as income when assessing housing and council tax benefit. [144653]

Mr. Pond: Whether pension credit is taken into account when assessing housing benefit and council tax benefit depends on which elements of pension credit are in payment.

A person in receipt of the guarantee element of pension credit, or both the guarantee and the savings credit elements of pension credit, has all of their income and capital disregarded for the purposes of housing benefit and council tax benefit. If a person is in receipt of the savings credit element only, then the amount of the savings credit is taken into account as income in the housing benefit or council tax benefit assessment.

However, in October 2003, the applicable amounts in housing benefit and council tax benefit, for people aged 65 and over (or who have partners aged 65 and over) were increased to reflect the maximum savings credit people could get. This ensures that, although the savings credit is taken into account as income, the resulting reduction in their housing benefit or council tax is less than their gains due to receipt of the savings credit.

Pension Payments

Mr. Drew: To ask the Secretary of State for Work and Pensions how many pensioners have decided not to change over to payment of their pensions into bank accounts or Post Office card accounts. [144288]

Mr. Pond: As at 14 November 2003, over 1.3 million Pension Service customers have been invited to convert to direct payment. Of these, only 2.98 per cent. (39,016) have actively indicated that, at this stage, payment into a bank, building society or Post Office card account is not their preferred option.

Key figures on the progress of conversion to direct payment are available in the Library updated every four weeks.

State Pension

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions how his Department intends to help lower earners build up their entitlement to the state pension. [143927]

Malcolm Wicks: There are already a number of measures in place to help lower earners build up their entitlement to state pension.

Employees who earn above the lower earnings limit (LEL) but less than the lower earnings threshold (LET) are treated as having earnings at the LET. Certain carers and people who are disabled or long-term ill who earn less than the LET, including those with no earnings at all, are also treated as having earnings at the LET. Because the LET is set at a higher amount than the LEL, some employees do not have to pay national insurance contributions (NICs) but are treated as if they have paid them. This means that they continue to build up entitlement to contributory benefits such as state pension and incapacity benefit even though they are not paying NICs.

In addition, people with earnings below the level at which they are treated as paying NICs or no earnings can have their state pension entitlement protected by home responsibilities protection (HRP). HRP helps to protect the basic state pension position of people whose opportunities to work are limited because of caring responsibilities at home. It is available to eligible people for complete tax years and reduces the number of qualifying years they would otherwise need for a basic state pension.

Also, recipients of working tax credit whose earnings are below the level at which they are treated as paying NICs can be credited with contributions for state pension purposes.

Further, the state second pension focuses help on those with low to moderate earnings and on qualifying carers and long term-disabled people who have broken work records. 20 million people have started to benefit from the reform of state earnings-related pension scheme (SERPS) through the state second pension, introduced in April 2002. Low earners will get at least double what they would have got from SERPS, while carers and disabled people with broken work records will be entitled to an additional state pension for the first time.

HEALTH

Smoking

Mr. Blunt: To ask the Secretary of State for Health how many deaths were related to smoking in *(a)* 2000, *(b)* 2001 and *(c)* 2002. [143842]

Miss Melanie Johnson: Information is not available in the form requested. The Health Education Authority 1998 report, "The UK Smoking Epidemic: Deaths in 1995", estimated that in the United Kingdom in 1995, smoking caused more than 120,000 deaths of people aged 35 years or more. A copy of this report is available in the Library.

"Valuing People"

Mr. Blizzard: To ask the Secretary of State for Health whether he will fund the service improvements for adults with learning disabilities set out in the White Paper, Valuing People. [143503]

Dr. Ladyman: "Valuing People: A New Strategy for Learning Disability for the 21st Century" (Cm 5086), announced the creation of two new funds to support its priorities, the Implementation Support Fund from April 2001 and the Learning Disability Development Fund from April 2002. Our annual report on learning disability, Making Change Happen (HC 514), published in April 2003, announced that the Support Fund would continue until March 2006; the Development Fund will also continue until March 2006.

In addition, over £3 billion a year is spent on health and social care provision for people with learning disabilities. People with learning disabilities also use mainstream health and social care services and benefit from increased expenditure on those services.

Agenda for Change

Linda Gilroy: To ask the Secretary of State for Health what recent meetings he has had with the Business Services Association to discuss Agenda for Change; and if he will make a statement. [143523]

Mr. Hutton: Officials have met the Business Services Association to discuss issues arising from the new national health service pay system. Pay, terms and conditions for staff in contracted-out services will depend on the nature of transfer agreements and any subsequent agreements reached between the organisations concerned and their employees, but the Department welcomes the opportunity to share views on workforce issues with the independent sector.

Assisted Conception Units

Dr. Gibson: To ask the Secretary of State for Health how many children have been conceived in licensed assisted conception units using donated gametes; how many children have been unable to receive information on their genetic origins since July when donor anonymity was to have been lifted; how many children were made the subject of an adoption order and a Section 30 parental order since July; and when the Government will announce its conclusions on donor anonymity. [143358]

Miss Melanie Johnson: Nearly 25,000 children have been conceived in licensed assisted conception units as a result of treatment using donated gametes and embryos since August 1991, when the Human Fertilisation and Embryology Authority's register of such births began. After a public consultation exercise in 2002, we announced in January 2003 that we would carry out a further programme of work on the possibility of providing of identifying information about future sperm, egg and embryo donors, and make a further announcement after that. We expect to make a decision on this shortly.

In the region of 800 children have been born as a result of licensed infertility treatment using donated gametes or embryos since 1 July 2003. Over that period, the Registrar General has received 2,336 adoption orders and 27 parental orders under section 30 of the Human Fertilisation and Embryology Act 1990.

Brachytherapy Treatment

Mr. Chope: To ask the Secretary of State for Health (1) if he will make it his policy that every patient recommended by an NHS consultant for brachytherapy treatment has the treatment funded by a primary care trust; [144545]

(2) what the Government's policy on the funding of brachytherapy treatment by the national health service is. [144546]

Miss Melanie Johnson: The National Institute of Clinical Excellence (NICE) published guidance on the organisation and delivery of services for people with urological cancers, including prostate cancer, in September 2002. The guidance states that the option of brachytherapy should be discussed with men with early prostate cancer.

However, the NICE guidance also acknowledges that, the place of brachytherapy in the treatment of prostate cancer is uncertain and notes the importance of research to evaluate the effectiveness of brachytherapy for prostate cancer. The guidance refers to a randomised intergroup trial comparing brachytherapy with radical surgery that is being organised by the National Cancer Institute of Canada and the American College of Surgeons Oncology Group, and strongly encourages UK participation in this study. As a result, the Department of Health has made available £900,000 through the National Cancer Research Network (NCRN) to enable national health service patients to enter this trial. The National Cancer Research Institute (NCRI) prostate cancer clinical studies group and the NCRN are working closely together to take this trial forward in the NHS.

As more evidence on the effectiveness and cost effectiveness of brachytherapy becomes available, the Department will consider whether this treatment is a suitable topic for referral to NICE as a technology appraisal. The Government are devolving power from the centre to enable primary care trusts to use the extra resources for the NHS to deliver on both national and local priorities for their communities, accounting publicly for how they have used them.

Breast Cancer

Mr. Baron: To ask the Secretary of State for Health what assessment has been made of the reasons why the UK has lower survival rates for breast cancer than other EU countries. [141878]

Miss Melanie Johnson *[holding answer 4 December 2003]:* Comparable statistics on cancer survival in the United Kingdom and most other European Union countries have been produced in three studies funded by the European Commission (the EUROCARE studies). Cancer registries in the UK, including staff from the National Registry at the Office for National Statistics, have been involved in these studies since they began in 1989.

The recently published findings of the EUROCARE 3 study, covering patients diagnosed in 1990–94, showed that cancer survival rates in England, in general, lag behind those in Europe. However, the study also shows that the gap in survival rates between England and other comparable countries is now beginning to diminish. For patients diagnosed with breast cancer in the early 1990s, differences in the stage at diagnosis were a key explanation for the differences in survival between Western European countries.

It is important to note that these studies predate the introduction of the NHS Cancer Plan by more than five years. The improvements in waiting times, treatment and the introduction of specialist teams for breast cancer patients now being delivered by the NHS Cancer Plan will help to ensure survival rates for breast cancer patients continue to improve. Indeed, Cancer Research UK have noted that in the past decade British women have had the worlds biggest decrease in deaths from breast cancer thanks to better diagnosis and treatment. Indeed, deaths from breast cancer among the under 70s have decreased more sharply in Britain than anywhere in the world, by 30 per cent., in the last 10 years.

Cancer Care

Mr. Ben Chapman: To ask the Secretary of State for Health how he proposes to tackle the shortfall in trained *(a)* oncologists, *(b)* radiographers and *(c)* physicists. [140544]

Mr. Hutton: Since 1997, there has been a 28 per cent. increase in the number of consultants in clinical oncology and a 98 per cent. increase in the number of consultants in medical oncology.

In 2003–04, central funding has been provided to support the implementation of six centrally funded training places in clinical oncology and six in medical oncology. Trusts have also been given the opportunity to create up to 14 additional locally funded training places in clinical oncology and 11 in medical oncology.

The table shows the number of clinical and medical oncologists working in the national health service between September 1997-June 2003.

The Department is committed to increasing the number of training places for radiographers and medical physicists; between 1996–97 and 2002–03, the number of training commissions for radiography have increased by 107 per cent. to 1,223. Separate information on the number of training places for medical physicists has only been collected sine 2002–03; latest plans show that work force development confederations (WDCs) expect to increase the number of training places by around 16 per cent. There is a range of recruitment, retention and returner initiatives in place to further increase the national health service work force, including radiographers and medical physicists.

The cancer care group work force team, which is a multi-disciplinary body, supports the delivery of improvements in patient services through innovative, integrated, care-centred work force development. It is an expert advisory body with representation from WDCs, the Modernisation Agency, health and social care professionals, education and training organisations, and patients and service users.

Its task is to recommend practical ways of providing the workforce needed to deliver improved services, in the right numbers, with the right skills and in the right place, taking into particular account recent and future policy initiatives.

Hospital, Public Health Medicine and Community Health Services (HCHS): Hospital medical staff in clinical and medical oncology—England[1]

Number (headcount)

	Clinical oncology	*Medical oncology*
1997		
All	647	271
Consultants	287	89
1998		
All	676	327
Consultants	299	102
1999		
All	698	375
Consultants	305	110
2000		
All	711	404
Consultants	307	133
2001		
All	776	435
Consultants	333	147
2002		
All	785	504
Consultants	315	185
June 2003		
All	[2]—	[2]—
Consultants	367	176

[1] Data as at 30 September each year, except for 2003, where data as at 30 June.

[2] Not available. Data for June 2003 is taken from the mini census which collected consultants only.

Source:

Department of Health medical and dental workforce census.

Mr. Ben Chapman: To ask the Secretary of State for Health (1) what plans he has to ensure the replacement of radiotherapy equipment over 10 years old; [140549]

(2) if he will make a statement on investment in *(a)* staff and *(b)* machines for radiotherapy delivery. [140550]

Miss Melanie Johnson: The NHS Cancer Plan committed the national health service to maintaining a modern stock of linear accelerators for radiotherapy treatment of no older than 11 years. The NHS Plan and NHS Cancer Plan made a commitment for 20 replacement and 25 additional new linear accelerators as well as for 50 additional computed tomography (CT) scanners and 50 additional magnetic resonance imaging (MRI) scanners to be installed in the NHS by 2004. Funding for the linear accelerators was announced in July 2002. On 22 May 2003, my right hon. Friend the Member for Darlington, (Mr. Milburn) announced the location of the majority of the CT and MRI scanners, and a further programme of replacement CT, MRI and linear accelerators over the next three years. This will mean that by the end of 2006, no CT or MRI scanner will be older than 10 years and no linear accelerator will be older than 11 years.

Alongside the investment in equipment we are also increasing the numbers of staff working in radiotherapy departments and making better use of existing staff through role re-design and improved skill mix.

Cancer Services

Mr. Norman: To ask the Secretary of State for Health if he will publish the two-month wait target from GP referral to first definitive treatment for *(a)* lung, *(b)* gynaecological, *(c)* colorectal and *(d)* urological cancers for each month over the last three years that were previously published on his Department's website. [141401]

Miss Melanie Johnson: A two month waiting time target from urgent general practitioner referral to first treatment for lung, gynaecological, colorectal and urological cancers will be in place from 2005 and data will be published after the target is implemented. The cancer waiting times data referred to was published by the cancer service collaborative (CSC) on its own website as part of its monitoring of local cancer projects achievements and focused on 30 per cent. of cancer patients in services identified locally as those most in need of improvement. The CSC is currently developing a new more meaningful reporting system which will enable local teams to monitor their progress on delivering improvements to cancer patients using validated cancer waiting times data.

Care Homes

Mr. Ruffley: To ask the Secretary of State for Health how many council-owned care home places have been transferred out of council ownership in *(a)* Suffolk, *(b)* Norfolk, *(c)* Essex, *(d)* Cambridgeshire and *(e)* England in each year since 2000. [143531]

Dr. Ladyman: This information is not held by the Department. Information provided by the relevant councils on the numbers of council-owned care home places that have transferred out of council ownership in each year since 2000 is shown in the table.

Council	*2000-01*	*2001-02*	*2002-03*	*2003-04 (number of transfers in progress)*
Suffolk	0	0	280	89
Norfolk	0	0	0	0
Essex	480	200	0	0
Cambridgeshire	140	300	0	0

Christmas Celebrations

Mr. Burstow: To ask the Secretary of State for Health how many children were in hospital over the Christmas period in each year since 1997; and what guidance is issued to the NHS on celebrating Christmas in hospitals. [143704]

Dr. Ladyman: The number of children in hospital at Christmas in each year since 1997 is shown in the table. Only children discharged within the same year have been counted. Those who are still in hospital on 1 April after Christmas are not included.

Children in hospital at Christmas, age on admission 0–17 years. Date of admission on or before 25 December, date of discharge on or after 25 December

Count of in year discharges NHS hospitals, England 1997–98 to 2002–03	*Discharges*
1997–98	10,069
1998–99	10,991
1999–2000	10,491
2000–01	10,026
2001–02	10,202
2002–03	10,439

Notes:

1. Discharges: A discharge episode is the last episode during a spell, where the patient is discharged from the hospital (this includes transfer to another hospital).

2. Grossing: Figures are grossed for both coverage and missing/invalid clinical data, except for 2001–02 and 2002–03 which are not yet adjusted for shortfalls.

Source:

Hospital Episode Statistics (HES), Department of Health.

Guidance on the treatment of children in hospital was issued in April in the form of the national service framework (NSF) for children on hospital standards. This is available at: http://www.doh.gov.uk/nsf/children/hospitalstandard.pdf. The NSF follows on from earlier guidance issued in 1991 on 'The Welfare of Children and Young People in Hospital'.

In general, the cardinal principles underlying this guidance provide that:

> children are admitted to hospital only where the health care they require cannot be provided in their own home and community;
>
> when it is necessary to admit children to hospital, they are admitted for the shortest time possible, commensurate with the time necessary for treatment and recovery prior to discharge;
>
> the hospital environment is child friendly and hospital services take full account of childrens' needs for emotional support and recreation. These needs are of great importance in childhood, particularly at times like Christmas.

Coronary Care

Mr. Moss: To ask the Secretary of State for Health (1) what assessment he has made of external counter pulsation and enhanced external counter pulsation treatments for heart disease, with particular reference to angina pectoris; [143812]

(2) what research work he has *(a)* commissioned and *(b)* evaluated on external counter pulsation; and what conclusions about its efficacy were drawn. [143813]

Miss Melanie Johnson: External counter pulsation (ECP) is not routinely offered to patients with angina pectoris by the national health service. There is insufficient evidence currently available about its benefits to warrant its widespread use.

The available literature on this procedure has been reviewed and it has been decided not to commission any research from the Department of Health.

Although there is currently insufficient evidence to draw conclusions about the benefits of ECP, the evidence base is being monitored. Should improvements in the effectiveness of ECP be demonstrated, the position will be reviewed.

Mr. Pickles: To ask the Secretary of State for Health what advice is given to health professionals about signs and symptoms consistent with underlying cardiac conditions that could cause unexpected death. [143974]

Miss Melanie Johnson: Relatives of people who have died of sudden cardiac death, or who are diagnosed with one of the underlying conditions, should be screened because there is a genetic component in many of these cases.

The National Institute for Clinical Excellence is currently reviewing guidance, issued in September 2000 to the National Health Service in England and Wales, on the use of implantable cardioverter defribrillators (ICDs). Current guidance already suggests that ICDs should be used, where clinically indicated, for patients with a familial cardiac condition with a high risk of sudden death, such as Long-QT syndrome and hypertrophic cardiomyopathy.

Mr. Pickles: To ask the Secretary of State for Health what *(a)* emotional and *(b)* practical support is provided to (i) patients who are diagnosed with a potentially fatal cardiac condition and (ii) their carers. [143975]

Miss Melanie Johnson: Following a diagnosis of potentially fatal conditions, people can access a range of psychological therapies, which are available in every strategic health authority catchment area. The responsibility of referring patients to such services lies with the clinicians involved in their care.

All trusts provide support for patients, relatives and staff through the chaplaincy service and associated community faith representatives. In November 2003, the Department published guidance material for managers and those involved in the provision of chaplaincy-spiritual care, "Meeting the Religious and Spiritual Needs of Patients and Staff".

The new guidance sets out the contribution chaplaincy-spiritual care providers can make in directly supporting patients within the modern national health service. Meeting the varied emotional needs of such patients and of their carers is fundamental to the care provided by the NHS.

Practical support available for those diagnosed with cardiac-related illness is also widely available. Where appropriate, patients are offered surgery, and no one currently waits more than nine months for heart surgery. Those diagnosed with heart failure are offered treatments to control their symptoms, improve their quality of life and slow disease progression. Patients may also be offered advice on how to make lifestyle changes, for example, smoking cessation or dietary advice, which will improve their quality of life and reduce the risks of their condition deteriorating.

Mr. Pickles: To ask the Secretary of State for Health what advice is given to primary health care trusts to prevent those at risk from *(a)* sudden adult death syndrome and *(b)* arrhythmia death from being prescribed medications that may prove lethal to people whose hearts are sensitive to those substances and could cause them to die unexpectedly. [143976]

Miss Melanie Johnson: The British National Formulary (BNF) provides United Kingdom healthcare professionals with authoritative and practical information on the selection and clinical use of medicines in a clear, concise and accessible manner.

The BNF makes specific mention of drugs which have associated risk with arrhythmia death.

Mr. Pickles: To ask the Secretary of State for Health if he will make a statement on the British Heart Foundation study published 27 March, Urgent Call for Greater Research into So-Called Adult 'Cot Death'. [143977]

Miss Melanie Johnson: The British Heart Foundation (BHF) study suggested that sudden cardiac death should be classed as a separate condition.

We do not believe that sudden cardiac death should be classified as a syndrome in its own right. This is because it has many possible causes—neurological, metabolic or cardiac problems, or an underlying infection.

The UK National Screening Committee has advised there is insufficient evidence to warrant a national screening programme for sudden cardiac death. This recommendation is based on a report produced in 1999 by Dr. Stuart Logan of the Institute for Child Health. Dr. Logan has now updated his report in the light of recent research and, after consideration of the report by the Child Health sub-committee, the position remains the same.

The evidence base is due to be reviewed in March 2004.

Correspondence

John Barrett: To ask the Secretary of State for Health when the Minister of State, the right hon. Member for Barrow-in-Furness (Mr. Hutton), will reply to the letter of the hon. Member for Edinburgh, West of 3 September 2003; and what the reasons are for the delay in replying. [143721]

Mr. Hutton: A reply was sent to the hon. Member on 14 October 2003.

Delayed Discharges

Miss McIntosh: To ask the Secretary of State for Health if he will make a statement on delayed discharges in the Vale of York. [144482]

Miss Melanie Johnson: Information available in the Library shows that, in quarter two of 2003–04, there were 47 patients in the Selby and York Primary Care Trust (PCT) area whose transfer of care had been delayed.

Joint working has been put in place at every level in the Selby and York PCT area to address the issue of delayed transfers of care. A number of joint schemes have been put in place to prevent inappropriate admission, support early discharge and to prevent unacceptable delays.

The local authority in York has developed eight transitional care beds in the last year and Selby and York PCT is about to start a 24-hour district nursing service. By July 2004, there will be a new intermediate care facility in York providing a further 28 more appropriate placements for patients.

Diabetes

Nick Harvey: To ask the Secretary of State for Health how much money has been spent on healthcare professional education with regard to diabetes over the past three years; and if he will make a statement. [143738]

Mr. Hutton: The Department does not collect data at a level that allows the identification of the money that has been spent on healthcare professional education with regard to diabetes.

Nick Harvey: To ask the Secretary of State for Health what provisions are being put in place to improve the overall competency of diabetes education of primary care and generalist staff; and if he will make a statement. [143739]

Mr. Hutton: The long-term conditions care group workforce team (LTCCGWT) was established two years ago. Part of its remit is to identify the workforce requirements for diabetes services. To help support this activity, the LTCCGWT in the summer of 2002, commissioned Skills for Health to develop competence frameworks for diabetes. The frameworks are intended to describe the quality of service a person with diabetes needs, whether that service is provided by a diabetes specialist nurse, a practice nurse, a general practitioner, a dietician, or any of the other professionals who provide diabetes care. They cover the key activities of:

reviewing and investigating the health of adults with diabetes

agreeing, implementing and supporting care plans

In addition, Skills for Health is also developing national occupational standards for diabetes retinopathy screening. Work to develop the competence frameworks will be concluded in spring 2004 with the development of draft national occupational standards for diabetes retinopathy screening being achieved during summer 2004.

Disease Screening

Mr. Steen: To ask the Secretary of State for Health if he will make it his policy that no doctor or nurse will be employed in the NHS without first being screened for *(a)* hepatitis B, *(b)* hepatitis C, *(c)* tuberculosis and *(d)* HIV/AIDS; and if he will ensure that checks are made on existing medical and nursing staff in the NHS. [144005]

Miss Melanie Johnson *[holding answer 15 December 2003]:* Earlier this year, the Department published draft guidance to the national health service for consultation on health clearance for serious communicable diseases for new healthcare workers. This guidance proposes strengthening existing checks for tuberculosis and hepatitis B and introducing new checks for HIV and hepatitis C for new healthcare workers who will perform exposure prone procedures—where injury to the healthcare worker could expose a patient to the risk of infection from the healthcare worker's blood. Such procedures occur mainly in surgery, obstetrics and gynaecology, dentistry and midwifery.

"Health Clearance for Serious Communicable Diseases: New Health Care Workers—Draft guidance for consultation" is available on the Department's website at http://www.doh.gov.uk/healthclear/guidance.htm

Healthcare workers have a professional responsibility (as set out in guidance from their regulatory bodies and the Department) to promptly seek and follow confidential advice on whether they should be tested if they have any reason to believe they may have been exposed to infection with a serious communicable disease.

Domiciliary Care

Mr. Burstow: To ask the Secretary of State for Health what estimates *(a)* the Department and *(b)* the National Care Standards Commission has made of the number of domiciliary care providers operating in England that would be required to register with the Commission. [140641]

Dr. Ladyman: Before the introduction of regulation for domiciliary care agencies, the Department estimated that over 3,600 agencies operating in England would be required to register with the National Care Standards Commission. In fact, 4,322 registration applications have been received.

Fertility Experiments

Jim Dobbin: To ask the Secretary of State for Health (1) what plans he has to prevent the sale of female eggs for fertility experiments; [143174]

(2) what his policy is on pharmaceutical companies offering financial inducements to women to donate eggs for use in fertility experiments; and if he will make a statement. [143445]

Miss Melanie Johnson: Infertility research involving the use of human eggs requires a licence from the Human Fertilisation and Embryology Authority (HFEA) if those eggs are mature and are placed in storage at the research centre and/or are to be fertilised with human sperm to create a zygote or embryo. Women donating eggs to such projects can be paid a maximum of £15.00 per donation plus expenses.

The sale of human material that is not regulated by the Human Fertilisation and Embryology Act 1990, including immature eggs, will be made a criminal offence by the Human Tissue Bill, which was introduced on 3 December 2003.

All research projects involving the use of human gametes, including those that do not require a licence from the HFEA, must have the approval of the research centre's local research ethics committee before the project can go ahead.

Flu Vaccination

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the effectiveness of the currently available influenza vaccination in offering protection against Fujian flu. [142966]

Miss Melanie Johnson *[holding answer 9 December 2003]:* The Chief Medical Officer asked the Joint Committee on Vaccination and Immunisation (JCVI) to review current flu policy and effectiveness of the vaccine. At its meeting on 10 November 2003, the JCVI agreed that the current vaccine is expected to offer some cross protection against the Fujian-like strain and should give good protection against the virus strains in the vaccine.

Foundation Hospitals

Mr. Burstow: To ask the Secretary of State for Health what representations he has received from *(a)* foundation trust applicants and *(b)* other hospital staff concerning the impact of the new financial flows system on their stability. [143702]

Mr. Hutton: The Department published a Payments By Results consultation on 7 August 2003. The consultation closed on 31 October 2003. Responses to the consultation, including those from foundation trust applicants and other hospital staff, are currently being analysed and a response will be made available when this analysis is completed.

Genetic Information

Mrs. Roe: To ask the Secretary of State for Health what the time scale is for *(a)* developing policy options involving stakeholders and *(b)* consulting the public before the moratorium on the use of genetic information by insurance companies comes to an end in 2006. [142218]

Miss Melanie Johnson: The Government have made clear its position on the use of genetic test results for underwriting life and health insurance in the October 2001 Government response to the report from the House of Commons Science and Technology Committee: Genetics and Insurance.

The Genetics and Insurance Committee (GAIC) is responsible for the evaluation of specific genetic tests and their relevance to particular types of insurance. GAIC also provides independent scrutiny of compliance with the terms of the moratorium on the use of genetic test results by insurance companies, which runs until November 2006. If there is evidence of non-compliance with the moratorium by the insurance industry, then the Government is prepared to enforce it through legislation, if necessary.

The Human Genetics Commission (HGC) has been asked to work closely with GAIC to provide Government with further advice in developing a longer-term policy on the use of genetic information by insurance companies. GAIC and HGC will also monitor the effectiveness of the Association of British Insurers (ABI) Code of practice on Genetics which is mandatory for all ABI members.

HGC and GAIC held a well-received joint public meeting in September 2003. A number of interested groups, members of the public, attended this meeting, including representatives from organisations concerned with genetic disorders, as well as from insurance and re-insurance companies, and non-Governmental organisations with an interest in this area. HGC and GAIC are planning a further such meeting in 2004.

Research is also under way to consider the use of genetic information in insurance underwriting. This research will be completed by 2005.

Health Care (Stoke-on-Trent)

Mr. Stevenson: To ask the Secretary of State for Health how many patients were treated at the North Staffordshire Hospital in each year since 1997. [143873]

Dr. Ladyman: The table shows the number of finished in-year admissions at University Hospital of North Staffordshire National Health Service Trust (formerly North Staffordshire Hospital NHS Trust) each year from 1997–98 to 2002–03.

	Admissions
1997–98	101,642
1998–99	106,355
1999–2000	122,241
2000–01	121,978
2001–02	113,621
2002–03	135,665

Notes:

Admissions

Admissions are defined as the first period of in-patient care under one consultant within one healthcare provider. Please note that admissions do not represent the number of in-patients, as a person may have more than one admission within the year.

Grossing

Figures have not (yet) been adjusted for shortfalls in data (i.e. the data are ungrossed).

Source:

Hospital Episode Statistics (HES), Department of Health.

Mr. Stevenson: To ask the Secretary of State for Health what the average waiting time for a first consultant appointment was in Stoke-on-Trent for each year since 1997. [143874]

Dr. Ladyman: The table shows the average (median) waiting times for first consultant out-patient appointment following general practitioner/general dental practitioner referral for University Hospital of North Staffordshire National Health Service Trust (formerly North Staffordshire Hospital NHS Trust) and North Staffordshire Combined Healthcare NHS Trust.

	Median waiting time (weeks)
1995–96	9.22
1996–97	8.60
1997–98	9.05
1998–99	9.16
1999–2000	9.20
2000–01	8.94
2001–02	10.14
2002–03	8.81

Source:

Department of Health form QM08

Mr. Stevenson: To ask the Secretary of State for Health if he will list the clinical areas where the NHS in Stoke-on-Trent has longer *(a)* waiting lists and *(b)* waiting times than the English average. [143875]

Dr. Ladyman: The table shows the number of patients, per 10,000 head of population, waiting for elective in-patient admission.

Specialty	*England*	*North Stoke PCT and South Stoke PCT*
Trauma and orthopaedics	51.25	63.58
Anaesthetics	0.96	1.37
Medical oncology	0.04	0.04
Mental illness	0.02	0.93

Note:

Position at 30 September 2003.

Source:

Department of Health form QF01.

The table shows the average (median) waiting times (in months) for elective in-patient admission.

Specialty	*England*	*North Stoke PCT and South Stoke PCT*
General surgery	2.56	4.02
Trauma and orthopaedics	3.52	4.16
Ophthalmology	2.87	3.06
Anaesthetics	2.25	3.19
Cardiology	2.47	2.83
Mental illness	1.64	1.71
All specialties	2.71	3.15

Note:

Position at 30 September 2003.

Source:

Department of Health form QF01.

Health Start Programme

Chris Grayling: To ask the Secretary of State for Health (1) what the projected budget for the Healthy Start Programme is for each of the next three years; [144560]

(2) how much he has spent on the Welfare Foods scheme in each of the past three years. [144566]

Miss Melanie Johnson: Total expenditure on the Welfare Food Scheme in England in the last three financial years is shown in the table.

	£ million
2000–01	120
2001–02	118
2002–03	114

The budget is demand-led, but expenditure should continue at a similar level when the current scheme is replaced by Healthy Start at around the end of 2004.

Herbal Medicines

Chris Grayling: To ask the Secretary of State for Health what estimate he has made of the number of products currently on the market that will require a full marketing authorisation under the Traditional Herbal Medicinal Products Directive. [143660]

Miss Melanie Johnson: One of the main reasons why we have supported the development of the proposed Directive on Traditional Herbal Medicinal Products is the difficulty companies sometimes experience at present in providing evidence that their products fully satisfy all the criteria for a marketing authorisation, and in particular the requirements relating to efficacy.

The current text of the proposed Directive provides that, where the competent authorities judge that a traditional herbal medicinal product fulfils the criteria for a marketing authorisation, the product will not be eligible for a traditional use registration. Our view is that it is likely that only a very small proportion of unlicensed herbal remedies currently on the United Kingdom market would be affected by this provision in a situation where an applicant was seeking a traditional use registration. However, it is not practicable for the Medicines and Healthcare Products Regulatory Agency to give a more specific estimate in advance of the launch of the proposed traditional use registration scheme or to conduct a detailed survey that would be burdensome to the industry.

Human Genetics Commission

Mrs. Roe: To ask the Secretary of State for Health (1) whether the Human Genetics Commission has been charged with *(a)* involving stakeholders, *(b)* conducting a public consultation and *(c)* developing a national policy on the use of genetic information by insurance companies; [142217]

(2) what plans his Department has for a public consultation to address the issue of genetics and insurance in preparation for the end of the current moratorium. [142206]

Miss Melanie Johnson: The Human Genetics Commission (HGC) has been asked to work closely with the Genetics and Insurance Committee (GAIC), and with stakeholders, to provide Government with further advice in developing a longer-term policy on the use of genetic information by insurance companies.

HGC is committed to involving the public in all of its activities. It holds its main meetings in public and has held a public fact-finding meeting on genetics and insurance following its survey of public attitudes to the uses of genetic information.

HGC and GAIC held a well-received joint public meeting in September 2003. A number of interested groups, and members of the public, attended this meeting, including representatives from organisations concerned with genetic disorders, as well as from insurance and re-insurance companies, and non-Governmental organisations with an interest in this area. HGC and GAIC are planning a further such meeting in 2004.

There are no plans for the Department of Health to carry out a public consultation on this issue.

Influenza

Mr. Burstow: To ask the Secretary of State for Health what steps have been taken to ensure that at-risk groups of people aged under 65 are receiving influenza vaccinations this winter, with particular reference to children over six months in at-risk groups. [142957]

Miss Melanie Johnson: We launched a campaign on 1 October incorporating a number of strategies aimed at encouraging younger people in at-risk groups to receive their flu immunisation. The campaign incorporated:

National television advertising.

Advertising in national and regional newspapers and magazines, including ethnic media.

Advertising in buses, on pharmacy bags and on-line.

Work with commercial partners such as Gala Bingo and voluntary organisations, such as Heart UK and the National Asthma Campaign.

The Chief Medical Officer wrote to all general practitioners with details of this year's influenza programme in his letter of 6 August 2003.

Mr. Burstow: To ask the Secretary of State for Health how many children are in the at-risk group for influenza; and how many of these have received an influenza vaccination this year. [142958]

Miss Melanie Johnson: The number of children registered as at-risk is not held centrally. This year, for the first time, general practitioners have been asked to set up disease registers for all at-risk patients in order to maximise uptake in these most vulnerable patients.

Vaccine uptake for at-risk patients is not available.

Mental Health Care

Mr. Gale: To ask the Secretary of State for Health if he will list the *(a)* organisations and *(b)* expert professionals who have been consulted during his Department's review of specialised mental health care. [143852]

Ms Rosie Winterton: The national director is leading a group of senior clinicians and managers who are considering the advice needed to support future commissioning and provision of specialised mental health services. In each instance they will consult acknowledged expert professionals and leading voluntary organisations. The review has considered three topics so far—eating disorders, perinatal psychiatry and Aspergers syndrome. The Eating Disorders Association gave evidence to the first topic and AsCUSE gave evidence to the session on Aspergers. There was no voluntary sector organisation available for the session on perinatal psychiatry.

Midwifery Units

Mr. Baron: To ask the Secretary of State for Health how many midwifery-led units have been closed since 1997; how many were transferred to hospitals to become consultant-led units; how many consultant-led units were closed; and how many have become midwifery-led units since 1997. [144662]

Dr. Ladyman: This information is not collected centrally.

MMR

Virginia Bottomley: To ask the Secretary of State for Health what percentage of the two-year-old cohort received the MMR vaccine in *(a)* the last 12 months, *(b)* 1997 and *(c)* 1990. [143601]

Miss Melanie Johnson: Information about the uptake of MMR immunisations and other childhood immunisations is published annually. The latest information is in DH Statistical Bulletin, NHS Immunisation Statistics, England: 2002–03, available on the Department's website at www.doh.gov.uk/public/sb0316.htm.

The uptake levels for MMR by the second birthday by financial year (April to March) from 1989–90 to date are shown below in the table.

Completed primary courses: percentage of children immunised by their second birthday, 1989–90 to 2002–03

	Percentage uptake
1989–90	84.0
1990–91	87.1
1991–92	89.9
1992–93	91.6
1993–94	90.8
1994–95	91.0
1995–96	91.9
1996–97	91.5
1997–98	90.8
1998–99	88.3
1999–2000	87.6
2000–01	87.4
2001–02	84.1
2002–03	81.8

Nappies

Mr. Swayne: To ask the Secretary of State for Health what recent discussions have taken place between his Department and the Department for Environment, Food and Rural Affairs regarding the Government's target to reduce disposable nappy waste; and if he will make a statement. [143226]

Miss Melanie Johnson: In July 2003, I met my hon. Friend, the Minister of State at the Department for Environment, Food and Rural Affairs (Elliott Morley), along with representatives from the Women's Environmental Network to discuss disposable nappy waste.

The Department of Health supports the target on waste prevention and reduction. We believe women and their families should be given information on the use of both re-useable and disposable nappies to make an informed choice. "The Pregnancy Book" and "Birth to Five" are two comprehensive information booklets produced by the Department of Health and given free to all first time mothers. Both these publications give detailed information on both reusable and disposable nappies.

Neonatal Intensive Care

John Mann: To ask the Secretary of State for Health when he will publish his response to the Report of the Neonatal Intensive Care Services Review Group; and if he will make a statement. [143678]

Dr. Ladyman: I expect to do so shortly.

NHS Dentistry

Mr. Crausby: To ask the Secretary of State for Health what plans he has to increase the provision of NHS dentistry in Bolton. [143248]

Miss Melanie Johnson: Bolton Primary Care Trust is in discussion with the recently launched Bolton Oral Health Advisory Group to address the provision of national health service dentists within the area.

Organ Transplants

Mr. Woodward: To ask the Secretary of State for Health how many *(a)* adults and *(b)* children are currently registered for an organ transplant in (i) St. Helens and (ii) Merseyside. [142904]

Miss Melanie Johnson: The information requested in shown in the following tables.

Patients over 18 resident in St. Helen's and Merseyside registered (active and suspended) on the national organ transplant list, as at 10 December 2003

Organ	*St. Helen's*	*Merseyside*
Kidney	25	80
Pancreas	1	4
Kidney/pancreas	1	5
Lung	2	5
Heart/lung	—	1
Total	29	98

Patients under 18 resident in St. Helen's and Merseyside registered (active and suspended) on the national organ transplant list, as at 10 December 2003

Organ	*St. Helen's*	*Merseyside*
Kidney	—	3
Pancreas	—	—
Kidney/pancreas	—	—
Lung	—	—
Heart/lung	—	—
Total	—	3

Notes:

1. St. Helen's is taken as the former St. Helens and Knowsley Health Authority.
2. Merseyside is taken as all other postcode with prefix 'L'.

Source:

UK Transplant.

Palliative Treatment

Mr. Laurence Robertson: To ask the Secretary of State for Health how much money has been spent on palliative care in each of the last 10 years for which figures are available; and if he will make a statement. [141946]

Miss Melanie Johnson: Information about how much has been spent on palliative care in each of the last 10 years is not held centrally.

The Government recognised in the NHS Cancer Plan (2000) that national health service support for specialist palliative care services needed to increase. We pledged to increase NHS investment in specialist palliative care by £50 million per annum by 2004. Ministers also made available an additional £10 million from central budgets in 2002–03.

We have now set up a £50 million per annum central budget for specialist palliative care to ensure that our pledge in the NHS Cancer Plan is met. This extra £50 million over and above what is already being invested, is to help tackle inequalities in access to specialist palliative care and to enable the NHS to increase their contribution to the cost hospices incur in providing agreed levels of services. All 34 cancer networks have submitted investment plans for the use of their allocation to the National Partnership Group (NPG) for palliative care (a joint NHS/voluntary sector group). The NPG has assessed the investment plans. Plans have been approved and allocations have been made to local cancer networks which will result in an additional 71 whole time equivalent consultants, an additional 162 whole time equivalent cancer nurse specialists and an extra 86 specialist palliative care in-patient beds. The £50 million represents a significant increase of nearly 40 per cent. in NHS funding for specialist palliative care over 2000 levels.

Pedometers

Chris Grayling: To ask the Secretary of State for Health how much he has spent distributing pedometers to primary care trusts in areas of high deprivation. [144569]

Miss Melanie Johnson: The Department of Health is contributing £27,000 out of a total budget of £85,000 for this initiative which will distribute 10,000 Step-O-Meters to general practitioner practices in areas of high deprivation and where there is a high rate of coronary heart disease. Other funding partners are The Countryside Agency and The British Heart Foundation.

Pregnancy Care

Mr. Baron: To ask the Secretary of State for Health what proportion of pregnant women have had as their first point of contact *(a)* a general practitioner and *(b)* a midwife in each of the last six years. [144659]

Dr. Ladyman: This information is not collected centrally.

Mr. Baron: To ask the Secretary of State for Health what assessment he has made of the reasons for the varying rates of caesarean section in England. [144660]

Dr. Ladyman: In order to establish the reasons for the varying rates of caesarean section rates, the Department commissioned the Royal College of Obstetrics and Gynaecologists (RCOG) to carry out the first ever and biggest National Sentinel Audit. The findings of the audit were published by the RCOG in October 2001 and these have been referred to National Institute for Clinical Excellence (NICE) to issue clinical guidelines. The guidelines are expected in January 2004.

Prevenar

Keith Vaz: To ask the Secretary of State for Health how many studies he has commissioned into the vaccine Prevenar. [142931]

Miss Melanie Johnson: The Department has three studies on pneumococcal conjugate vaccine in the United Kingdom that are addressing a number of issues.

the optimal schedule of this vaccine in the infants;

the need for booster doses;

the optimal schedule for catch-up for older children; and

to assess the impact that introducing the pneumococcal vaccine to the routine immunisation schedule has on the level of protection given by the other childhood vaccines.

These studies are part of an ongoing programme of research.

Respiratory Syncytial Virus

John Mann: To ask the Secretary of State for Health (1) what preventive measures are being taken by NHS trusts to prevent respiratory syncytial virus; [143683]

(2) how many paediatric wards have been closed due to respiratory syncytial virus infection in the last 12 months, broken down by NHS trust; [143684]

(3) how many babies contracted respiratory syncytial virus while in each NHS hospital trust in the last 12 months; [143685]

(4) how many cases of respiratory syncytial virus have been admitted to each NHS trust in 2003. [143686]

Dr. Ladyman: Palivizumab, a monoclonal antibody, is indicated for the prevention of serious lower respiratory tract infection caused by respiratory syncytial virus (RSV) requiring hospitalisation in children born at 35 weeks gestation or less, and who are less than six months old at the onset of the RSV season, or in children less than two years old who have received treatment for bronchopulmonary dysplasia within the last six months. The use of Palivizumab is a matter for clinical judgment.

Information on the number of wards closed to new admissions owing to RSV, and RSV infections contracted while in each national health service (NHS) hospital trust, is not collected centrally. Information on the number of cases of RSV admitted to each national health service trust in 2003 has been placed in the Library.

School Fruit Scheme

Andrew George: To ask the Secretary of State for Health what the cost was *(a)* in total, *(b)* per school and *(c)* per pupil of implementing the Government's National School Fruit Scheme for each year of its operation. [143613]

Miss Melanie Johnson: The National School Fruit Scheme has been progressively scaled up over the last four years, with schools joining during the course of each year. It is impossible to state the exact cost per school as this will vary, but the table shows the total cost of the National School Fruit Scheme in each year, with the number of schools and pupils taking part at the end of each year.

The full-year cost per pupil has fallen as schools in each region have joined the scheme. The total annual cost per pupil in schools joining in spring 2002 was £26; for schools due to join in spring 2004 it is £19.

	Cost (£ million)	*Schools*	*Pupils*
2000–01	0.5	33	6,000
2001–02	1.0	500	80,000
2002–03	42 (over 3 years[1])	6,400	616,200
2003–04		8,680	1,097,000

[1] met by the lottery-funded New Opportunities Fund.

Andrew George: To ask the Secretary of State for Health how many and what proportion of eligible *(a)* schools and *(b)* local education authorities have taken part in the Government's National School Fruit scheme since it began. [143614]

Miss Melanie Johnson: Eligibility for joining the National School Fruit Scheme pilots has been extended region-by-region. At present, 7,586 schools in 87 local education authorities (LEAs) are taking part out of 7,938 invited to join, which is over 95 per cent. of schools and 100 per cent. of LEAs.

Sexual Health

Mrs. Calton: To ask the Secretary of State for Health how many *(a)* 20 to 29-year-olds and *(b)* 30 to 39-year-olds were diagnosed with (i) HIV, (ii) chlamydia, (iii) gonorrhoea and (iv) syphilis per 100,000 population in each year since 1986. [141997]

Miss Melanie Johnson: Information on the number of new diagnoses per 100,000 population for chlamydia, gonorrhoea and syphilis in England, in each year since 1991 (the first year for which data is available), have been placed in the Library. Data are not collected for the specific age ranges requested, but are shown for the age ranges 20 to 24 years and 25 to 34 years. The number of new HIV diagnoses in England, per 100,000 population, for the age ranges requested, since 1986 have been placed in the Library. Total numbers of new HIV diagnoses are also included.

Sexually transmitted infection (STI) data is collected from genito-urinary medicine clinics. STIs diagnosed and treated by general practitioners or by health professionals in other settings do not form part of this data set.

St. Helens Hospitals

Mr. Woodward: To ask the Secretary of State for Health how many *(a)* doctors and *(b)* nurses there were in (i) St. Helens and Knowsley Health Authority, (ii) Merseyside and (iii) the North West Region in each year since 1992. [141482]

Miss Melanie Johnson: The information requested has been placed in the Library.

Stroke Units

Mr. Jim Cunningham: To ask the Secretary of State for Health (1) what the definition of a stroke unit is under the National Service Framework for Older People's target for every hospital to have a stroke unit by April 2004; [143929]

(2) what specialist *(a)* equipment and *(b)* staff are needed in a stroke ward to change its designation to a specialist stroke unit. [143930]

Dr. Ladyman: The formal definition of a stroke unit is still being developed. We would expect, however, that there would be a consultant physician with specialist knowledge of stroke formally recognised as having principal responsibility for stroke services. This consultant would be supported by a multidisciplinary team who are specialists in stroke care. The key elements of a good stroke service are:

vision, drive and leadership;

interagency and interdisciplinary strategic view;

the right workforce;

establishing care pathways;

the right contribution from primary care;

involving users and carers;

having the right long-term social and psychological support;

good use of information technology;

the right clinical governance; and

effective management of change.

Tees, East and North Yorkshire Ambulance Service NHS Trust

David Davis: To ask the Secretary of State for Health how much was spent on consultancy fees by Tees, East and North Yorkshire Ambulance Service NHS Trust in each of the past three years; if he will list each consultant employed by the Trust; and on what matters they were requested to advise. [143236]

Miss Melanie Johnson: The information requested is not held centrally.

David Davis: To ask the Secretary of State for Health how much has been claimed in expenses by the chief executive of Tees, East and North Yorkshire Ambulance Service NHS Trust since her appointment; and what her salary was in the past six months, including bonuses, where payable. [143237]

Miss Melanie Johnson: The chief executive of Tees, East and North Yorkshire Ambulance Service National Health Service Trust took up appointment on 1 June 2003. She receives an annual salary of £85,000 and has received £471 in expenses.

Source:

Tees, East and North Yorkshire Ambulance Service NHS Trust.

David Davis: To ask the Secretary of State for Health how much was spent on wages for *(a)* management and *(b)* paramedics by Tees, East and North Yorkshire Ambulance Service NHS Trust in each of the past three years. [143238]

Miss Melanie Johnson: The information requested is shown in the following table.

£000

	Expenditure on total senior managers and managers	*Expenditure on ambulance staff*
2000–01	1,797	13,283
2001–02	1,807	15,399
2002–03	1,827	17,121

Source:

Tees, East and North Yorkshire Ambulance Service NHS Trust.

Figures for expenditure on paramedics are not available separately from expenditure on all ambulance staff.

David Davis: To ask the Secretary of State for Health what steps are being taken to improve the performance of the Tees, East and North Yorkshire Ambulance Service NHS Trust. [143240]

Miss Melanie Johnson: This is a matter for the North and East Yorkshire and North Lincolnshire Strategic Health Authority. I understand that Tees, East and North Yorkshire Ambulance Service (TENYAS) National Health Service Trust has agreed an improvement plan with the North and East Yorkshire and Northern Lincolnshire Strategic Health Authority. This recognises the issues which TENYAS faces and identifies appropriate actions to move the trust forward in 2003–04.

Whooping Cough (Vaccination)

Mr. Burstow: To ask the Secretary of State for Health what assessment he has made of the arrangements for offering adults vaccination against whooping cough; how many adults have been vaccinated in each of the last five years; how many cases of whooping cough in adults have been reported in the last five years; and how many deaths have been recorded. [141845]

Miss Melanie Johnson: Pertussis disease (whooping cough) has been at the lowest levels ever observed in the past five years. Since the introduction of a pre-school booster dose in October 2001 pertussis levels have fallen further. We are continuing to monitor levels of pertussis to fully evaluate the impact of the booster dose. However, because pertussis has periodic cycles over several years, it may be several more years before the impact can be assessed accurately.

The need for a booster dose for young people and adults will be assessed when the evidence becomes available. There is therefore no information on the number of adults immunised with the pertussis vaccine at present as it is not recommended.

Information on notifications of pertussis disease are collected through the NOIDS system (Notification of Infectious Diseases). Information on deaths is collected by the Office of National Statistics (ONS). Information on the number of notifications of pertussis in adults in the last five years is shown in the table. There have been no deaths attributed to pertussis in adults in the last five years.

Number of notifications of pertussis in adults (England and Wales) in the last five years

Age group	*1998*	*1999*	*2000*	*2001*	*2002*
15 to 24 year old	24	23	20	21	20
25 to 44 year old	75	69	32	35	63
45 to 64 year old	21	14	19	18	28
65+ years	9	4	4	3	6

Source:
Health Protection Agency.

Workplace Issues Group

Mr. Hancock: To ask the Secretary of State for Health when the group looking at workplace issues will report; what the membership of the group is; what its terms of reference are; and if he will make a statement. [142173]

Dr. Ladyman: The long term conditions care group work force team (LTCCGWT) is responsible for increasing the capacity of the work force supporting the delivery of neurology, diabetes, renal and dermatology services. The LTCCGWT is a multi-disciplinary advisory body working in support of the National Workforce Development Board and the Workforce Numbers Advisory Board in drawing up national workforce strategies. It takes a national view of the health and social care workforce pressures and priorities for the long-term conditions client group. Each year the LTCCGWT produces a report setting out its recommendations on work force issues, such as the need for increased numbers of staff and also new ways of working, including skill mix, role extensions and multi-disciplinary working, based around patient needs. This report, along with those from the other six CGWTs forms the overall report to the June meeting of the Workforce Numbers Advisory Board. The 2003 reports from the CGWTs will be published shortly for distribution to strategic health authorities and workforce development confederations. The reports will also be available on the CGWT website, together with details of the group's membership and terms of reference. The website address is: http://www.doh.gov.uk/cgwt/.

Written Answers to Questions

Wednesday 17 December 2003

CABINET OFFICE

Civil Service

Mr. Stringer: To ask the Minister for the Cabinet Office if he will provide figures for 2002 for civil service numbers, in the format of box 2.6 of the White Paper, "Your Region Your Choice", column 5511. [143766]

Mr. Alexander: The following table shows the number of permanent civil servants at 1 April 2002 in the format of box 2.6 of the White Paper, "Your Region Your Choice".

Location of permanent civil service staff in the English regions—2002

	Number
London	86,790
South East	57,330
South West	48,240
East of England	28,770
East Midlands	20,600
West Midlands	31,910
Yorkshire and the Humber	35,050
North West	57,440
North East	29,940
England total	396,070

Note:
Figures given include non-industrial and industrial staff and are full-time equivalents.
Source:
Cabinet Office, Civil Service Statistics 2002.

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Nuclear Fuel and Radioactive Waste

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what evaluation she has made of the European Commission proposal for a Council Directive (Euratom) on the management of spent nuclear fuel and radioactive waste (COM(2003)32). [142371]

Mr. Morley: The Government's views on the European Commission's proposed Directive were set out in Explanatory Memorandum 8990/03, a copy of which is in the Library. We remain opposed to the draft Directive and, jointly with Sweden and Finland, we have tabled an alternative text for a non-legally binding measure on spent nuclear fuel and radioactive waste management.

Big Conversation

Mr. Heald: To ask the Secretary of State for Environment, Food and Rural Affairs what visits *(a)* she and *(b)* Ministers in her Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if she will make a statement. [143164]

Margaret Beckett: I refer the hon. Member to the answer given by my right hon. Friend the Leader of the House on 9 December 2003, *Official Report*, column 355W.

Chlorofluorocarbons

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how many tonnes of chlorofluorocarbons had been converted into inert substances as of 1 October. [142596]

Mr. Morley: Since the implementation of EC Regulation 2037/2000, the total quantity of CFCs converted into inert substances are:

	Tonnes
2000 (from October)	38
2001	197
2002	386
2003 (to October)	352

Total amount converted into inert substances since the implementation of the Regulation is 973 tonnes.

Committee on Industry, External Trade, Research and Energy

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what evaluation she has made of the report 0022/2003(CNS) for the European Parliament's Committee on Industry, External Trade, Research and Energy, dated 24 September, by Alejo Vidal-Quadras Roca MEP; and if she will make a statement on the recent recommendations of that committee on the proposals in so far as they affect United Kingdom policy. [142452]

Mr. Morley *[holding answer 16 December 2003]:* The report referred to by my hon. Friend is an early draft of the European Parliament's Opinion on a proposed Directive on the management of spent nuclear fuel and radioactive waste. The final version was issued on 1 December 2003, reference A5–0442/2003.

The Government shares the European Parliament's opposition to the draft Directive. Our views are set out in Explanatory Memorandum 8990/03, a copy of which is in the Library. Proposals for developing a policy for the long-term management of solid radioactive waste in the UK were consulted on in 2001. The Committee on Radioactive Waste Management has now been established to assess all of the options and to make recommendations to Government.

Emissions Trading

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on schemes for emissions trading which are compliant with EU legislation on emissions trading, with particular reference to the *(a)* energy and *(b)* aviation sectors. [143060]

Mr. Morley: The EU Emissions Trading Scheme is due to start in 2005 and will cover carbon dioxide emissions from certain industrial activities throughout the EU, including from the power generation sector. The UK is on course to meet the deadline of the end of the year to introduce the Regulations that will implement this scheme in the UK.

The first phase of the scheme runs from 2005 to 2007. The scheme can be expanded in future phases to include other gases and industrial sectors. The European Commission is required to report to the European Parliament and Council by June 2006 on, inter alia, how and whether the scheme should be expanded to other sectors, including transport.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what studies the Government has made of *(a)* nitrogen oxides and *(b)* sulphur oxides trading schemes in those countries where such a scheme is operating. [143280]

Mr. Morley: The Government are aware of a number of emissions trading schemes around the world, including those covering nitrogen oxides and sulphur oxides such as the US Acid Rain Programme and the RECLAIM programme for nitrogen oxides and sulphur dioxide emissions in the Los Angeles basin. The consultants that worked on the UK's National Allocation Plan for the EU Emissions Trading Scheme had previously studied these programmes in the US.

Defra is currently drafting the implementing regulations for the EU ETS and while doing so officials have assessed emissions trading schemes in other countries, including those mentioned above, to find examples of best practice in other schemes.

Fisheries

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs how many speeches have been made by each Minister in her Department since 1 January on fisheries, excluding fresh water fishing, and what percentage this represents of the total number of ministerial speeches made by her Department's ministers in that time. [142727]

Margaret Beckett: Since 1 January, three formal speeches on fisheries issues have been given by Defra Ministers, and represent just under 3 per cent. of the total number of Ministerial speeches made on the Departments areas of responsibility, which also include: sustainable development; the environment (i.e. all water issues, air quality, local environment including noise, waste, climate change, biodiversity, energy efficiency and fuel poverty); all agriculture, including GM; food and rural affairs.

Flood Defences

David Davis: To ask the Secretary of State for Environment, Food and Rural Affairs how much money was invested in flood defence schemes in the Yorkshire and Humber region in each of the past five years. [143306]

Mr. Morley: Defra provides grant aid to the flood and coastal defence operating authorities to support their capital schemes to reduce flood risk. These projects must meet specified criteria and an appropriate priority score to attract Defra funding but decisions regarding which projects to promote and their timing rest with these authorities. The principal operating authority for flood risk is the Environment Agency (EA) but local authorities (LAs) and, in areas with special drainage needs, internal drainage boards (IDBs) also carry out works on a much smaller scale overall.

Investment in flood defence schemes in Yorkshire and Humber was as set out in the table. For the Agency, this represents their total capital expenditure; for LAs and IDBs the figures represent grant payments from Defra which form a proportion of the total grant eligible cost (25 per cent. (45 per cent. for tidal or sea defence schemes) up to April 2001 and 45 per cent. thereafter). Local authorities are eligible for further support for their balance of grant costs from the Office of the Deputy Prime Minister through its local authority funding mechanism.

£000s

Year	*EA*	*LAs and IDBs*
1998–99	8,368	125
1999–2000	8,320	196
2000–01	9,108	74
2001–02	15,482	733
2002–03	23,733	577

Note:

Maintenance and running costs for existing defences are incurred in addition to the above sums

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance has been given to local authorities in receipt of DEFRA funding for coastal and inland flood protection projects on the use of timber from legal and sustainable sources; and if she will make a statement. [142229]

Mr. Morley: On 28 July 2000 the then Environment Minister, the right hon. Michael Meacher, announced the Government's policy that central departments and their agencies will actively seek to procure timber and timber products from sources independently validated as legal and sustainably managed. Mr. Meacher also wrote to all English Local Authorities in 2002 exhorting them to adopt responsible timber procurement policies.

Concern over the use of tropical hardwoods was identified in the mid 1990s. In 1994 the Chief Engineer of the former Ministry of Agriculture, Fisheries and Food, a predecessor of this Department, wrote to Maritime District Councils to encourage them to consider the use of alternative materials and to procure timber from well-managed and sustainable sources.

The Department's Flood Management Division also organises an annual conference that is well attended by local government representatives. One of the papers in this year's conference was 'Responsible Use of Timber in Coastal and Fluvial Engineering' which covered the selection and procurement of timber and made the government position clear.

Food Smuggling

Mrs. Betty Williams: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to introduce spot fines at all ports of entry against people who smuggle illegal food products into the country. [144585]

John Healey: I have been asked to reply.

The Government has no current plans to introduce spot fines for people caught bringing illegal food products into the UK.

GM Crops

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs how much genetically-modified maize has been imported to the United Kingdom to be used for *(a)* livestock feed, *(b)* poultry feed and *(c)* other purposes in each of the past five years for which records are available. [143211]

Mr. Morley: The Department does not keep records of this information.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) what advice her Department has *(a)* given and *(b)* received from the Food Standards Agency on a decision regarding the application for use of Bt 11 GM maize in food considered at the EC Standing Committee on Food Chain and Animal Health meeting on 8 December; [143476]

(2) what discussions her Department has had with the Food Standards Agency regarding the application for use of Bt 11 GM maize in food considered by the EC Standing Committee for Food Chain and Animal Health meeting on 8 December. [143477]

Mr. Morley: The application for approval to market Bt11 GM maize as food is subject to collective EU decision-making under EU Regulation 258/97 on novel foods and novel foods ingredients. The Food Standards Agency is the UK competent authority for this legislation and carried out an independent assessment. A UK position with respect to the authorisation of Bt11 maize in foods was agreed by relevant Government Departments, and the Agency represented the UK in the EC Standing Committee on 8 December.

Mill Lodges

Mr. Chaytor: To ask the Secretary of State for Environment, Food and Rural Affairs what guidance she has issued to local authorities in respect of *(a)* the circumstances in which permission may be given to and *(b)* the procedures to be followed by landowners wishing to drain mill lodges; and if she will make a statement. [141212]

Mr. Morley *[holding answer 10 December 2003]:* In the absence of specific details about the area(s) of concern, it is not possible to say what if any guidance has been given to local authorities.

In terms of drainage, under the Water Resources Act 1991 and the Land Drainage Act 1991, the consent of the relevant operating authority—the Environment Agency in relation to a "main River" or otherwise the local authority or Internal Drainage Board—must be obtained before any work is undertaken which is likely to affect the flow of a watercourse or impede any drainage work.

Under the Water Resources Act it is an offence to remove deposits in watercourses which have accumulated behind a weir, dam or sluice and allow that deposit to be carried away in suspension without consent from the Agency. An example would be lifting a sluice and letting all the silt flow downstream, which might adversely affect the fauna.

Other consents or licences that landowners might need include:

A waste regulation licence, if they intend to backfill the pond;

A need for a fish rescue consent to transfer fish from the pond;

An abstraction licence;

Under some circumstances an Environmental Impact Assessment may also be required.

All these would depend on the circumstances. Landowners should therefore consult the relevant operating authority.

Ozone Layer

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs how much it had cost to comply with the Ozone Depleting Substances Regulation as of 1 October. [142595]

Mr. Morley: When the Regulatory Impact Assessment was carried out in 1998 it was estimated that the total cost of compliance would be in the region of £370 million. However the actual costs are not known as most of the compliance is being achieved through industry self-regulation.

The Government have provided around £46 million to local authorities to assist them to comply with the waste part of the EC Regulation on ozone depleting substances.

Mr. Wiggin: To ask the Secretary of State for Environment, Food and Rural Affairs what environmental benefits have been achieved through complying with the Ozone Depleting Substances Regulation. [142597]

Mr. Morley: Through the continued efforts of the member states under EC Regulation 2037/2000 and other Parties to the Montreal Protocol on substances that deplete the ozone layer, there has been a decline in the amount of chlorine in the upper and lower atmosphere. This is a good indicator of when the stratospheric ozone layer will recover. At the present rate the ozone layer is expected to start recovering by the middle of the century.

If action had not been taken under EC Regulation 2037/2000 and the Montreal Protocol the ozone layer would have continued to be destroyed, resulting in more ultra violet radiation reaching the ground, which would have had a detrimental affect on plant and animal life.

In the UK, the increase in ultra violet radiation could result in increases in skin cancer and eye cataracts as well a damage to marine life, which also form part of the food chain.

Primates (Imports from Israel)

Mr. Banks: To ask the Secretary of State for Environment, Food and Rural Affairs how many primates, broken down by species, were imported from Israel into the UK in *(a)* 2002 and *(b)* 2003 to date; and if she will make a statement. [143915]

Mr. Morley *[holding answer given 15 December 2003]*: 130 primates were imported from Israel in 2002 and 115 in 2003 to date. All the specimens in question were Crab-eating macaques (Macaca fascicularis).

Primates may be imported only by a zoological or scientific institution under strict conditions. These are that the specimens are kept or bred exclusively for the purposes of educational display, conservation of the species or scientific research.

The specimens referred to have been imported solely for the purpose of scientific research.

Radioactive waste

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs what research has been *(a)* commissioned and *(b)* assessed by her Department into the role of the synthesis of the biologically active genome of bacteriophage phi X174 in the reduction in the toxic impact of radioactive waste. [142922]

Mr. Morley: No research has been commissioned or assessed by the Department for Environment, Food and Rural Affairs into the role of the synthesis of the biologically active genome bacteriophage phi X174 in the reduction of the toxic impact of radioactive waste.

Rights of Way

Andrew Bennett: To ask the Secretary of State for Environment, Food and Rural Affairs if she will set out the timetable for the implementation of regulations under Part I of the Countryside and Rights of Way Act 2000. [142945]

Alun Michael: The following table records the progress we have already made towards bringing the regulations into force as well as our timetable for completing the process. Since my Answer of 15 September, regulations relating to the exclusions or restriction of access have come into force, on 17 November. We have given priority of time and effort to completing these regulations, and now to working on associated guidance which needs to be in place in order for the exclusions and restrictions system to open for business. As a result of this, the timetable for the remaining regulations has been delayed, but we are firmly committed to ensuring the necessary regulations are made in time to allow the new right of public access under the Act to be rolled out as planned.

Regulation	*Section*	*Consultation commenced (not later than)*	*Date regulations in force (not later than)*
Regulations regarding mapping of access land and consultation on draft maps	Section 11	March 2001 [ended June 2001]	1 November 2001
Regulations regarding issue of provisional maps, appeals, and issue of conclusive maps	Section 11	November 2001 [ended 8 Feb 2002]	29 July 2002
Regulations regarding the establishment of Local Access Forums and the appointment of members	Section 94 (Part V)	July 2001 [ended October 2001]	7 August 2002
Regulations on correcting minor errors and omissions in provisional and conclusive maps	Section 11(2)(1)	October 2002 [ended 7 November 2002]	21 July 2003
Regulations regarding dedication of land for access	Section 16	January 2002 [ended 15 April 2002]	1 September 2003
Regulations relating to exclusion or restriction of access under Chapter II, including appeals (but not emergencies)	Section 32	December 2001 [ended 22 March 2002]	17 November 2003
Regulations on removal or relaxation of restrictions on access land	Paragraph 7, Schedule 2	July 2003 [ended October 2003]	February 2004
Regulations to exclude access in emergencies	Section 31	February 2004	August 2004
Regulations on appeals relating to notices	Section 38	February 2004	August 2004
Regulations on references to public places in existing enactments	Section 42	February 2004	August 2004
Regulations regarding review of conclusive maps	Section 11	April 2004	October 2004

River Nene

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs whether the pollutant which caused the pollution incident on the River Nene earlier this year has been identified; what levels of the pollutant are still present; how much of the pollutant was discharged; whether the polluter has been identified; and what action is being taken. [143260]

Mr. Morley: The Environment Agency (the Agency) has not identified the pollutant that caused this incident. Unusually in this case no immediate impact, such as fish mortality, was observed and the effects of the pollutant were identified following routine monitoring of the River Nene by the Agency in May of this year. This makes it likely that considerable time elapsed between the pollutant being discharged to the river and the environmental impact being observed. Under these circumstances, it is difficult to determine how much pollutant was discharged and to establish a link between a pollutant source and the incident.

The Agency await a report from its Special Enforcement team on whether it is possible to link evidence obtained from a possible source with the incident. However this may not be possible due to the probable time lapse between the incident and detection.

Mrs. Helen Clark: To ask the Secretary of State for Environment, Food and Rural Affairs what mechanism there is to pass on to the polluter the cost of work to establish the *(a)* extent of pollution and *(b)* effect on biodiversity of the recent pollution incident on the River Nene. [143262]

Mr. Morley: The Environment Agency vigorously follows the polluter pays principle. However, in this case the polluter has not yet been identified. It has not therefore been possible to initiate action to recover costs.

Sheep Identification

Gareth Thomas: To ask the Secretary of State for Environment, Food and Rural Affairs, what her policy is on the European Commission's proposals on sheep identification. [139848]

Mr. Bradshaw: The Government support the Commission's objective to improve sheep and goat identification but are very concerned that they have failed to take full account of the particular needs and requirements of the UK's stratified and extensive sheep industry.

We are currently undertaking negotiations in the Council of Ministers and are pressing hard for a satisfactory outcome for the UK industry.

Tidal and Fluvial Flooding Plan

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs when she will publish the plan for Tidal and Fluvial Flooding in England. [141451]

Mr. Morley: It is intended that the Lead Department Plan for Tidal and Fluvial Flooding in England will be made publicly available in the near future on the Department's website.

Tropical Plywood

Mr. Wyatt: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department is taking to reduce the amount of tropical plywood used in the United Kingdom. [143221]

Mr. Morley: The Government are committed to sustainable forest management and is playing a leading role in international negotiations on forests in a number of fora, including the Convention on Biological Diversity, and the United Nations Forum on Forests (UNFF). The Government are also playing a major role internationally to combat illegal logging and its associated trade, in addition to seeking to ensure that the import of endangered timber species is in compliance with CITES, the Convention on International Trade in Endangered Species.

Under EU law, a ban on the import of illegally logged timber can only be imposed at EU level. We are therefore playing an active role within the European Forest Law Enforcement, Governance and Trade (FLEGT) process. On 13 October the EU Council of Ministers adopted Council Conclusions providing a broad endorsement of the FLEGT Action Plan, which addresses development co-operation, trade in timber, public procurement, private sector initiatives, financing and investment safeguards, money laundering and conflict timber

The Government are also keen to discourage consumers from purchasing illegally logged timber. For over three years UK central departments and their executive agencies have been required to actively seek to purchase their timber and timber related products from legal and sustainable sources. We believe the UK to be the first country to implement such a policy. The challenge is considerable and implementation has not been without difficulty, but already the effect is being felt in the UK and abroad. The UK Devolved Administrations and many local authorities in England have indicated that they have adopted similar policies or are considering doing so. Additionally, the UK Timber Trade Federation is developing a sustainable timber procurement policy for its members to consider adopting.

Waste Management

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list breaches of conditions of waste management licences relating to the Hartlepool Seaton Meadows Landfill (Licences CLE 223 and CLE 403) recorded by the Environment Agency since 1997; what the nature of each breach was; and if she will place copies of the relevant site inspection reports in the Library. [142437]

Mr. Morley *[holding answer 8 December 2003]*: The relevant Regional Office of the Environment Agency is compiling the information, and I will write to the hon. Member shortly.

Water Leakage

Mr. Meacher: To ask the Secretary of State for Environment, Food and Rural Affairs what the leakage rates of each of the water sewerage companies were in each of the last 10 years. [142301]

Mr. Morley *[holding answer 8 December 2003]*: Water company leakage data are published annually by the Director General of Water Services in the annual "Security of supply, leakage and the efficient use of water" reports, which are available from the Library of the House. The reported leakage figures for the period 1993–94 to 2002–03 in Megalitres per day were as follows:

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
Water and sewerage companies										
Anglian	215	237	242	242	240	206	190	194	224	192
Dwr Cymru	387	390	413	357	329	306	288	260	245	234
Northumbrian North	182	187	190	192	184	171	168	164	161	153
Northumbrian South	95	98	90	85	82	76	73	72	73	67
Severn Trent	614	665	632	479	399	344	340	340	340	550
South West	152	145	142	129	101	92	84	84	83	84
Southern	141	133	120	113	99	95	93	92	92	92
Thames	930	1,078	1,109	1,080	906	770	662	688	865	925

	1993–94	*1994–95*	*1995–96*	*1996–97*	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*
United Utilities	897	874	789	666	579	510	487	463	452	465
Wessex	137	140	133	129	110	100	88	84	79	75
Yorkshire	525	546	495	430	377	342	317	304	297	296
Water only companies										
Bournemouth and West Hants	27	28	28	29	26	26	23	23	22	22
Bristol	52	59	66	65	59	56	54	55	55	53
Cambridge	16	15	16	16	14	13	13	13	14	14
Dee Valley	13	14	15	13	12	12	13	12	11	11
Folkestone and Dover	13	12	13	12	9	9	8	9	8	8
Mid Kent	43	40	40	38	36	30	29	29	29	28
Portsmouth	33	33	30	31	32	30	30	30	30	30
South East Water	102	105	94	99	108	98	97	85	75	72
South Staffordshire	89	95	93	90	82	77	76	72	71	71
Sutton and East Surrey	31	27	26	27	26	25	24	24	24	24
Tendring Hundred	6	6	6	6	6	5	5	6	5	5
Three Valleys	190	187	200	199	172	158	145	140	157	152

Paddy Tipping: To ask the Secretary of State for Environment, Food and Rural Affairs if she will list by water company the water leakage figure on the latest date for which information is available. [142448]

Mr. Morley *[holding answer 9 December 2003]:* Water company leakage data are published annually by the Director General of Water Services in the annual "Security of supply, leakage and the efficient use of water" reports, copies of which are available in the Library of the House. The reported total leakage figure in 2002–03 in Megalitres per day were as follows:

	Megalitres
Water and sewerage companies	
Anglian	192
Dwr Cymru	234
Northumbrian	
North	153
South	67
Severn Trent	550
South West	84
Southern	92
Thames	925
United Utilities	465
Wessex	75
Yorkshire	296
Water only companies	
Bournemouth and West Hants	22
Bristol	53
Cambridge	14
Dee Valley	11
Folkestone and Dover	8
Mid Kent	28
Portsmouth	30
South East	72
South Staffordshire	71
Sutton and East Surrey	24
Tendring Hundred	5
Three Valleys	152

TREASURY

Federal Republic of Yugoslavia (Census)

Nick Harvey: To ask the Chancellor of the Exchequer whether the UK Government treats the 1991 Census of Federal Republic of Yugoslavia as a reliable source of statistical information; and if he will make a statement. [144477]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Nick Harvey dated 17 December 2003:

As National Statistician I have been asked to reply to your recent Parliamentary Question concerning the 1991 Census of the Federal Republic of Yugoslavia.

ONS has not used the 1991 Yugoslavia Census of Population, and therefore does not have a view on its reliability. For any information you might wish to contact the United Nations Economic Commission for Europe at: www.unece.org.

GDP

Mr. Stephen O'Brien: To ask the Chancellor of the Exchequer (1) what percentage of GDP was comprised of *(a)* manufacturing sector and *(b)* service sector gross capital formation in each of the last six years; [143434]

(2) what percentage of GDP was comprised of gross capital formation in each of the last six years; [143435]

(3) what percentage of GDP was comprised of *(a)* public sector and *(b)* private sector gross capital formation in each of the last six years. [143436]

Ruth Kelly *[holding answer 11 December 2003]:* The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Stephen O'Brien, dated 15 December 2003:

The National Statistician has been asked to reply to your recent Parliamentary Questions about economic statistics. I am replying in his absence. (143429,143431,143432,143434, 143435,143436)

The information to derive the estimates that you have requested for the six years 1997 to 2002 is available from published sources accessed by the House of Commons Library. I have assumed that as the first three questions relate to net investment that the following three questions are concerned with gross fixed capital formation, excluding changes in inventories and acquisitions less disposals of valuables. This is consistent with the definition of investment used for the ONS Business Investment publication.

GDP estimates are available in table 1.1 (both current prices and chained volume measures) of the ONS publication "Blue Book 2003". Estimates for capital consumption are also available for the whole economy in table 1.1, with information on gross fixed capital formation in table 1.2 (at current prices) and 1.3 (at chained volume measures).

Estimates for gross fixed capital formation by sector are available in table 9.2 (at current prices) and 9.4 (at chained volume measures). Estimates for capital consumption by sector and industry, at current prices and at chained volume measures, are available in tables 3.1.1 to 3.2.2 of the ONS publication "Capital Stocks, Capital Consumption and Non-Financial Balance Sheets", available on the National Statistics website.

Estimates for gross fixed capital formation for the manufacturing and service sectors are available for the period 1999 to 2002 in tables 1.11 (at chained volume measures) and 1.12 (at current prices) of the most recent ONS publication "Monthly Digest of Statistics". Earlier data for these series can be accessed using the 4 letter identifier (CDID) on PUBL, the ONS published electronic series also accessed by the House of Commons Library. The relevant CDID for each series is shown in the Monthly Digest publication.

Barnett Formula

Mr. Laws: To ask the Chancellor of the Exchequer what the contribution of Barnett formula consequences as explained in Appendix C to the Statement of Funding Policy to the allocations for *(a)* Scotland, *(b)* Wales and *(c)* the Northern Ireland Assembly were in each year from 2001–02 to 2003–04 reconciling the provided figures to the entries in Table 2.6 of PESA 2003–04 (Cm 5901) for each of the Devolved Administrations. [144377]

Mr. Boateng: Increases in the Departmental Expenditure Limits for 2001–02 to 2003–04 for the Devolved Administrations were announced in the 2000 Spending Review (CM 4807). The basis for the allocation was explained in the Statement of Funding Policy, published in July 2000.

Mr. Laws: To ask the Chancellor of the Exchequer if he will publish the levels of expenditure in *(a)* Northern Ireland, *(b)* Scotland and *(c)* Wales that is both within the assigned budget and within the scope of the Barnett formula for each year from 1998–99 to 2005–06, in the form provided in the analysis of 2002–03 provision in Annex C of the Third edition of "Funding the Scottish Parliament, National Assembly for Wales and the Northern Ireland Assembly: A Statement of Funding Policy". [144378]

Mr. Boateng: The Departmental Expenditure Limits for Northern Ireland, Scotland and Wales for 2002–03 to 2005–06 were published in Table B15 of the 2003 Pre-Budget Report (CM 6042). Figures for earlier years were published in the 2003 Public Expenditure Statistical Analyses (CM 5901). Changes in the DELs are determined in accordance with the Statement of Funding Policy.

Gross Domestic Product

Mr. Laws: To ask the Chancellor of the Exchequer what the Government's estimates were for aggregate revenues in each year from 1996–97 to 2001–02 expressed as *(a)* totals and *(b)* percentages of gross domestic product, attributable to (i) Scotland, (ii) Wales, (iii) Northern Ireland, (iv) England and (v) the Government Office Regions of England. [144380]

Mr. Boateng: Government estimates for aggregate revenues by country and region of the UK are not readily available and could be obtained only at disproportionate cost. However, the Scottish Executive publishes its own estimates in Government Expenditure and Revenue in Scotland.

Mr. Laws: To ask the Chancellor of the Exchequer what the Government's estimates were for net fiscal balance in each year from 1996–97 to 2001–02 expressed as *(a)* amounts and *(b)* percentages of gross domestic product, in (i) Scotland, (ii) Wales, (iii) Northern Ireland and (iv) each of the Government Office Regions of England. [144381]

Mr. Boateng: Government estimates of the net fiscal balance of regions and countries of the UK are not readily available and could be obtained only at disproportionate cost. However, the Scottish Executive publishes its own estimates in Government Expenditure and Revenue in Scotland.

International Financing Facility

Mr. Lazarowicz: To ask the Chancellor of the Exchequer if he will make a statement on the progress being made in the establishment of an international financing facility. [144696]

John Healey: The proposal to double global aid levels by providing an additional US$50 billion a year through an International Finance Facility is being taken forward in partnership with the international community. The Government continue to push for further international agreement to the initiative. The International Finance Facility will be most effective if all major donor countries are involved.

The Facility received wide support from other countries at the Annual Meetings of the World Bank and IMF in September 2003. The Bank and Fund have been mandated to do further work on financing for development options, including the International Finance Facility, reporting back at the Spring and Annual Meetings in 2004.

The Annual Meetings also agreed that developing and emerging market countries should be consulted. This process will include a ministerial conference on Financing for Development in spring 2004, chaired by the French Government.

The UK Government continue to build the support in civil society necessary to make the initiative a reality. In February, the Treasury will be hosting a conference bringing together the President of the World Bank with representatives from faith groups, media, business, Government and non-governmental organisations from across the UK.

Productivity Growth

Richard Ottaway: To ask the Chancellor of the Exchequer if he will list the productivity growth in the United Kingdom economy for each of the last 10 years. [144590]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Richard Ottaway, dated 17 December 2003:

The National Statistician has been asked to reply to your recent question on productivity growth in the United Kingdom economy for each of the last 10 years. I have been asked to reply in his absence. (144590)

The table below shows growth of output per job and output per hour for the UK whole economy from 1993 to 2002.

Annual growth rate (per cent.)

Year	*Output per job*	*Output per hour*
1993	3.5	—
1994	3.9	2.9
1995	1.8	1.5
1996	1.6	1.9
1997	1.5	1.4
1998	2.1	2.8
1999	1.1	1.7
2000	2.4	3.7
2001	1.1	0.9
2002	1.4	1.6

Public Expenditure

Mr. Laws: To ask the Chancellor of the Exchequer what the Government's estimates were for *(a)* identifiable public expenditure and *(b)* aggregate public expenditure in each year from 1996–97 to 2001–02 expressed as (i) totals and (ii) percentages of gross domestic product, in (A) Scotland, (B) Wales, (C) Northern Ireland, (D) England and (E) the Government Office Regions of England. [144379]

Mr. Boateng: Estimates of identifiable public spending on services by country and region were published in the Corrigendum to Chapter 8 of Public Expenditure Statistical Analyses (CM 5901). Estimates of aggregate public expenditure including non-identifiable spending by region and country are not readily available. Estimates of Gross Value Added by country and region were published by the Office for National Statistics in August 2003.

Public Services (Ethnicity)

Ms Buck: To ask the Chancellor of the Exchequer what assessment he has made of the effect of a person's ethnicity on their access to public services. [143570]

Ruth Kelly: I refer the hon. Member to the answer given by hon. Friend the Minister for Race Equality, Community Policy and Civil Renewal gave to her on 15 December 2003, *Official Report*, column 633W.

Savings Ratio

Mr. Clappison: To ask the Chancellor of the Exchequer what the savings ratio was in each year since 1979. [144032]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr Clappison dated 17 December 2003:

The National Statistician has been asked to reply to your Parliamentary Question on the saving ratio. I am replying in his absence.

The information requested is shown in the table below. The data are presented as annual values for 1979 to 2002.

Household saving ratio

Year	*Percentage*
1979	10.9
1980	12.4
1981	12.1
1982	10.9
1983	9.0
1984	10.3
1985	9.8
1986	8.2
1987	6.4
1988	4.9
1989	6.7
1990	8.0
1991	10.2
1992	11.6
1993	10.8
1994	9.3
1995	10.0
1996	9.3
1997	9.6
1998	6.4
1999	5.3
2000	5.5
2001	6.7
2002	5.3

The households' series used for these data are for the combined household and non-profit institutions serving households (NPISH) sectors. The accounts for the household and NPISH sectors are currently combined: separate estimates are not available. The above ratio represents households saving as a percentage of total resources.

Textile Jobs

Keith Vaz: To ask the Chancellor of the Exchequer how many textile jobs there were in *(a)* 2001 and *(b)* 2002. [144234]

Ruth Kelly: The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Len Cook to Keith Vaz dated 17 December 2003:

As National Statistician I have been asked to reply to your recent Parliamentary Question about jobs in the textile industry.

The latest available data from the Annual Business Inquiry is for December 2002. At that time, there were 148,000 jobs in industries whose primary activity was the manufacture, wholesale or retail of textiles. The figure for December 2001 was 158,000. I have delayed the answer to your question to allow the inclusion of the above estimate for December 2002, which was released on 17 December 2003.

INTERNATIONAL DEVELOPMENT

Asbestos

7. **Mr. Clapham:** To ask the Secretary of State, Department for International Development, what plans he has to ban the use of *(a)* asbestos and *(b)* materials containing it in projects supported by his Department. [144412]

Mr. Gareth Thomas: Information as follows.

1. My Department have had in place a policy for non-use of asbestos in the UK for over four years.

2. We have undertaken major refurbishment of both our UK offices during this period and the contracts have explicitly banned the use of any asbestos materials. During the refurbishment works we were able to remove (under controlled conditions) all materials containing asbestos and we are now confident that our UK offices are asbestos free.

3. Where DFID directly engages in building activities overseas, strict measures are taken in dealing with existing materials containing asbestos; and no new construction contains asbestos products.

HIV/AIDS

8. **Mr. Gordon Marsden:** To ask the Secretary of State, Department for International Development what assistance his Department are giving to programmes to combat HIV/AIDS in the developing world. [144413]

Hilary Benn: The UK is the second largest bilateral donor of HIV/AIDS assistance to developing countries. Our bilateral funding has increased seven-fold, from £38 million in 1997–98 to more than £270 million in 2002–03. The UK was instrumental in setting up the Global Fund to Fight AIDS, TB and Malaria and has committed US$ 280 million over seven years to ensure it has long term stability of funding. The Government published its Call for Action on HIV/AIDS on World AIDS Day, which emphasises the UK's commitment to AIDS and highlights the need for stronger political direction; better funding; better donor coordination and better HIV/AIDS programmes.

15. **James Purnell:** To ask the Secretary of State, Department for International Development what action his Department are taking to prevent the spread of HIV/AIDS in Asia. [144420]

Hilary Benn: HIV/AIDS in Asia is a critical development issue. With 7.4 million Asians already infected, we are now seeing the epidemic spreading into previously unaffected areas and countries. If current rates of growth continue, there may be as many as 25 million people infected in India and 15 million in China, by 2010. Infections on this scale are of grave concern. If they continue at current rates and meaningful action is not taken, it is likely that by 2020 Asia will overtake Africa as the centre of the epidemic.

DFID's strategy in Asia is to focus efforts on preventing the further spread of the epidemic. In most countries the epidemic is still concentrated in vulnerable groups, principally sex workers and their clients, injecting drug users, and men who have sex with men. The challenge is to prevent spread into the general population. We have seen some success in Thailand and Cambodia from which it will be important to learn.

In addition to support through mechanisms such as the Global Fund for AIDS, TB and Malaria, and to e.g. vaccine research, DFID supports major HIV/AIDS control initiatives in eight countries in Asia. Current commitments are in excess of £260 million. Our focus at country level is on support to the development and implementation of effective national AIDS strategies and plans, in partnership with governments, civil society, the private sector, and other donors DFID also funds regional cross-border initiatives with vulnerable populations in SE Asia, and advocacy work by the Asia Pacific Leadership Forum on HIV/AIDS.

Land Ownership Rights

9. **Mr. Gardiner:** To ask the Secretary of State, Department for International Development what discussions he has had with British companies about the support they could offer his Department in assisting developing countries to reduce the impediments to formalising land ownership rights for poor people in these countries. [144414]

Mr. Gareth Thomas: DFID has had contact with a range of British companies and other sources of expertise such as government-owned agencies, research organisations, universities and non-government organisations in the context of its work in Ghana, Guyana, Kenya, Malawi, Mozambique, Rwanda and Southern Africa (South Africa and Lesotho). Our contacts range from simple exchange of information to more detailed discussions about implementation of projects. We fully appreciate the skills and expertise that British companies bring to these programmes. We also endeavour to bring in developing country and international experience where appropriate.

Palestinian Human Rights

10. **Huw Irranca-Davies:** To ask the Secretary of State, Department for International Development what recent assessment he has made of the impact of the security fence on the humanitarian situation of Palestinians. [144415]

Hilary Benn: The livelihoods of thousands of Palestinians have been drastically affected by the separation of villages from their agricultural land and water resources. The fence fragments communities and isolates people from vital social support networks. Residents are being cut off from schools, universities and medical care. According to the latest Israeli Government projections approximately 210,000 acres, or 14.5 per cent. of West Bank land, excluding East Jerusalem, will lie between the fence and the Green Line. This land is some of the most fertile in the West Bank and is home to 274,000 people. Of those, some 70,000 do not have Israeli residency permits and, as a consequence, may feel it necessary to move east of the fence in order to retain access to basic services.

International Finance Facility

11. **Mr. David Stewart:** To ask the Secretary of State, Department for International Development what discussions he has had with developing country Ministers about the International Finance Facility. [144416]

Hilary Benn: Discussions with Developing country Ministers on the IFF began in January this year when my predecessor Clare Short and the Chancellor wrote jointly to Developing Country Finance Ministers about the IFF proposals. Discussions have continued throughout the year with groups such as NEPAD, African Finance Ministers, and HIPC Finance Ministers.

Iraq

12. **Syd Rapson:** To ask the Secretary of State, Department for International Development what role his Department have in establishing a civilian government in Iraq by the Iraqi people. [144417]

Hilary Benn: The Department are playing an important role, in support of the Coalition Provisional Authority, in preparing for the planned transfer of sovereignty to Iraq's Transitional Authority in July 2004.

DFID has seconded over 40 advisers to the Coalition Provisional Authority in Basra and Baghdad to support civilian government during the occupation of Iraq. We intend to commit substantial further resources from early 2004 towards strengthening the capacity of Iraqi central government Ministries to manage the country effectively Work to train members of the judiciary will also begin in 2004.

We will also be prepared to consider support for the conduct of democratic elections in Iraq, and have agreed in principle to support civic education, and other initiatives to ensure that as many Iraqis as possible are equipped to participate in the process of political transition to a democratically elected civilian government.

Mozambique

13. **Mr. McWalter:** To ask the Secretary of State, Department for International Development what estimate he has made of the monetary value of the support given by British engineers working on behalf of the Department in Mozambique since the 2001 floods; and if he will make a statement. [144418]

Hilary Benn: Several British engineering companies are active in Mozambique including for example Roughtons, Scott Wilson, and WSP.

DFID has assisted the Mozambique Government both through support to the general budget and to specific flood-recovery projects. An example of the latter is a £7.4 million project to repair the main national road crossing the Limpopo valley which was washed away in the floods. Engineering consultants are contracted for post-flood recovery work by the Government of Mozambique under international tenders, and British companies have taken up many of these contracts.

British companies have also been involved in post-flood recovery projects funded by the EC, to which the UK Government makes a significant financial contribution.

India

14. **Dr. Francis:** To ask the Secretary of State, Department for International Development if he will make a statement on his Department's work towards poverty reduction in India. [144419]

Hilary Benn: DFID provided £161 million of bilateral development assistance to India in 2002–3. In the New Delhi Declaration of January 2002 the Prime Minister looked forward to expenditure of over £300 million.

Our programme helps Government deliver pro-poor policies and services. We are working closely with four focus states committed to poverty reduction, including on their programmes of fiscal and public sector reform, increasing access to basic health, education, and urban services for the poor and empowerment of the marginalised We also support the efforts of the Union Government and civil society in these areas nationwide.

Gender Advisers

Mr. Gummer: To ask the Secretary of State for International Development to which countries other than Iraq his Department has assigned gender advisers since 1997. [141825]

Hilary Benn: Gender equality and the empowerment of women are very important for the elimination of poverty. A large percentage of the poor in developing countries are women.

All DFID staff have a responsibility to ensure that gender issues are addressed in development programmes. However, social development advisers work as part of teams in all DFID country offices and have special expertise in gender issues. They do this as part of their overall role which covers social issues as they relate to all poor people.

Rainforest

Mr. Wyatt: To ask the Secretary of State for International Development, what changes the Government have made since 1997 to its programme aimed at preserving the rainforests in terms of *(a)* funding and *(b)* number of projects; and what the reasons are for such changes. [143220]

Hilary Benn: DFID accounts for expenditure on forestry but does not distinguish between different types of forests. The following figures apply to forests in general and not specifically to rainforests. They relate to bilateral expenditure and are exclusive of spending on research under the Forestry Research Programme, which has averaged about £2.5 million per annum since 1997.

In financial year 1997–98 expenditure was £22.1 million, on 199 projects. In financial year 2002–03 expenditure was £20.6 million, on 99 projects. Expenditure was fairly constant during this six-year period but there was a steady decline in the number of projects. This is a consequence of a focus on a smaller number of larger projects, more directly in support of poverty reduction. In addition, the last six years has seen the closure of a number of smaller programmes, particularly in Latin America.

£ millions

	Total gross public (bilateral) expenditure (exclusive of research)	*Number of projects*
1997–98	22.1	199
1998–99	19.7	173
1999–2000	23.1	129
2000–01	20.4	112
2001–02	17.9	99
2002–03	20.6	99

Research Strategy

Tony Baldry: To ask the Secretary of State for International Development what research is being undertaken on policies to help prevent failing states. [142646]

Hilary Benn: DFID's Policy Division has established a team on 'Poverty Reduction in Difficult Environments'. This team is developing innovative policy options for working more effectively in places where the state is unable or unwilling to take an active role in delivering poverty reduction. This includes states seen as 'weak and failing' as well as most conflict-affected states.

Through a series of seminars, studies and workshops we are seeking to improve our understanding of the internal and external causes of states that do not focus their policies on poverty reduction. This includes whether it is possible to identify in advance potential problem states, and then use preventative measures.

This issue is a high priority for the Department for International Development. We are also working closely with the Prime Minister's Strategy Unit to develop cross- Government policy on 'weak and failing' states. The Strategy Unit project seeks to work towards better coordination between different Whitehall Departments, and achieve improved policy coherence across Whitehall when dealing with weak and failing states.

World Bank (Fast Track Initiative)

Ms Drown: To ask the Secretary of State for International Development for what reasons the UK has made no contribution to the World bank's Fast Track Initiative for countries with serious education needs and strong education plans. [144697]

Hilary Benn: The UK Government are committed to playing their full part in helping countries to achieve the Education for All goals. DFID is the fourth largest bilateral donor supporting basic education and the Department's investment is set to increase further over the next five years—to more than £1 billion—including substantial additional funding for FTI countries such as Ethiopia and India.

At the Fast Track Initiative meeting held in Oslo on 20–21 November 2003 it was agreed that FTI funding will now be extended to all low-income countries that are working towards the EFA goals, and that most additional funding will be secured at country level rather than through a global funding mechanism.

Accordingly, DFID will continue to channel our growing support to education through our bilateral country programmes in the form of long term, flexible and predictable funding in support of the Government's own development plans. We believe this is the best way to provide flexible financing, improve harmonisation and reduce transaction costs. We will continue to press for closer donor collaboration to improve the efficiency and effectiveness of all external education assistance. The FTI has an important role to play in this. DFID will continue to play an active role in the development of the FTI, and will take over chair of the initiative in 2004.

TRANSPORT

Gatwick Airport

Lady Hermon: To ask the Secretary of State for Transport for what reasons passengers disembarking flights at Gatwick airport are having their photograph taken; what flights are involved; and how long he expects this measure to last. [140808]

Beverley Hughes: I have been asked to reply.

Following the attack on the World Trade Centre on 11 September 2001 and consequential heightened security measures the Department for Transport instructed the British Airports Authority (BAA) to bring forward arrangements for the full segregation of arriving and departing passengers at the south terminal, Gatwick airport and other airports where this was not already in place.

In order to prevent the circumvention of the immigration control under the new arrangements (by passengers arriving on international flights and leaving the airport via the domestic channel without passing through immigration control) the BAA agreed to adopt an IT system whereby barcoded photo-images of all arriving domestic passengers captured on leaving the aircraft were reconciled at the domestic arrivals channel.

This system has been in operation by Gatwick Airport Limited (GAL) since 1 November 2001. There are no plans to change this system while arriving and departing passengers have access to the same secure areas within the airport.

Hindhead Tunnel

Virginia Bottomley: To ask the Secretary of State for Transport when work will begin on the Hindhead Tunnel; and what the time scale for the project is. [143602]

Dr. Howells: Subject to the satisfactory completion of the Statutory Procedures and the availability of funds the A3 Hindhead scheme should be in a position to start construction in 2005 and the new road open to traffic in 2009.

Pay-as-you-drive

Mr. Battle: To ask the Secretary of State for Transport what assessment he has made of the effects of encouraging pay-as-you-drive car insurance. [144612]

Mr. Jamieson: Some companies in the insurance industry are currently studying options for pay-as-you-drive car insurance schemes. At least one insurer plans to launch a trial scheme by spring 2004 and we look forward to hearing about any lessons learnt from their trial.

Speed Cameras

Mrs. Brooke: To ask the Secretary of State for Transport how much the Treasury expects to receive from each English police authority from safety camera fines in the next financial year. [142533]

Mr. Jamieson *[holding answer 8 December 2003]:* The safety camera partnerships are in the process of compiling their operational cases for inclusion in the

2004–05 programme. The deadline for submitting their operational cases is 31 December 2003. The national safety camera programme board will consider the cases early in 2004. The information requested is therefore not yet available.

Mrs. Brooke: To ask the Secretary of State for Transport how much the Treasury has received from each English police authority from fines from speed safety cameras in the last 12 months. [142534]

Mr. Jamieson *[holding answer 8 December 2003]:* Six partnerships trialed the netting off scheme in England between April 2000 and March 2002. A further six areas joined the scheme in October 2001. The surplus amounts passed from these 12 areas to the Treasury are given in the following table.

	Treasury Surplus
2000–01	
Cleveland	127,059
Essex	[1]3,000
Lincolnshire	114,279
Nottingham	[1]66,011
Northants	465,436
Thames Valley	413,481
2001–02	
Cleveland	368,589
Essex	520,357
Lincolnshire	542,862
Nottingham	34,104
Northants	719,802
Thames Valley	2,055,849
Cambridgeshire	21,660
Derbyshire	198,341
Lancashire	436,163
Norfolk	[1]272,960
Staffordshire	2,014
Warwickshire	[1]150,768

[1] Shortfall recovered during following year.

Mr. Damian Green: To ask the Secretary of State for Transport how many fixed speed cameras there are on the *(a)* A537 between Macclesfield and Buxton, *(b)* A534 between Farndon and Nantwich, *(c)* the A682 between Barrowford and Long Preston, *(d)* the A54 between Congleton and Buxton and *(e)* A631 between Gainsborough and Glentham. [142918]

Mr. Jamieson: The information is as follows:

(a) None

(b) One

(c) None

(d) One

(e) None

These roads are some of those listed in the Euro RAP 2003 British Roads Results Survey as being "Britain's persistently high risk roads". They are single carriageway roads; some are remote Peak District areas. Where accidents and casualties are spread along lengths of rural roads, fixed location cameras will be of less value than mobile cameras or other traffic engineering and enforcement measures appropriate to the problem.

Mr. Damian Green: To ask the Secretary of State for Transport how many fixed speed cameras there are on the *(a)* A134 between Thetford and the A10, *(b)* M73 between junctions 1 and 3, *(c)* A682 between the A56 and the A646 Burnley, *(d)* A45 between Ryton on Dunsmore and Stonebridge and *(e)* A6 between Leicester and Derby. [142919]

Mr. Jamieson: This information is as follows:

(a) None

(b) None

(c) One

(d) Five

(e) Two

These roads are some of those listed in the Euro RAP 2003 British Roads Results Survey as being "Britain's most improved roads". They are a mixture of urban and rural roads, single and dual carriageway and one short motorway. Cameras will have been an appropriate casualty reduction technique in some of the cases, combined with other traffic engineering and enforcement measures appropriate to the problem.

Mr. Drew: To ask the Secretary of State for Transport (1) what revenue has been received from all safety camera partnerships in each year since the first partnership was set up, net of the funds awarded to those partnerships in each of those years; [142207]

(2) what funds were awarded to each local Safety Camera Partnership in each year since they were set up. [142264]

Mr. Jamieson: Seven partnerships trialed the netting off scheme in England and Wales between April 2000 and March 2002. A further seven areas joined the scheme in October 2001. The amounts passed to these 14 areas and the surplus passed to the Treasury are given in the tables.

2000–01

	Costs passed to partnerships (£)	*Surplus passed to Treasury*
Cleveland	771,901	127,059
Essex	1,846,480	[1]3,000
Lincolnshire	512,721	114,279
Nottingham	622,371	[1]66,011
Northants	1,702,404	465,436
South Wales	1,330,277	236,723
Thames Valley	1,825,639	413,481
Total	8,611,793	1,287,967

[1] Shortfall recovered during following year.

2001–02

	Costs passed to partnerships (£)	*Surplus passed to Treasury*
Cleveland	486,891	368,589
Essex	3,003,763	520,357
Lincolnshire	516,818	542,862
Nottingham	778,536	34,104
Northants	2,247,838	719,802
South Wales	1,749,573	126,667
Thames Valley	2,617,031	2,055,849
Cambridgeshire	113,760	21,660
Derbyshire	455,659	198,341
Lancashire	761,017	436,163
Norfolk	433,100	[1]272,960
North Wales	904,022	[1]255,242
Staffordshire	629,246	2,014
Warwickshire	355,068	[1]150,768
Total	15,052,322	4,347,438

[1] Shortfall recovered during following year.

Mr. Drew: To ask the Secretary of State for Transport how many fixed speed cameras are operating outside Safety Camera Partnerships; and where they are located. [142237]

Mr. Jamieson: There are currently five police force areas out of a maximum 51 in Great Britain who are not yet participating in the safety camera netting off scheme. These areas do not recover their camera-related costs from fine income and therefore there is no obligation on them to inform central Government about camera activity or number of cameras in operation in their areas. We expect all but Durham to be part of the netting off programme by July 2004.

Mr. Drew: To ask the Secretary of State for Transport how many people were *(a)* killed, *(b)* seriously injured and *(c)* slightly injured in the location of each fixed speed camera within a Safety Camera Partnership in (i) the year prior to its installation and (ii) each subsequent year. [142265]

Mr. Jamieson: The Government published information on 11 February 2003 about the performance of the eight areas that trialed the netting off scheme in the report "A cost recovery system for speed and red-light cameras—two year evaluation report." This showed that there had been a 35 per cent. reduction in those killed or seriously injured at camera sites. Partnership performance for 2003 will be detailed in the next report on the netting off programme which is expected to be published in March 2004.

Mr. Drew: To ask the Secretary of State for Transport what the average speed of vehicles was at each fixed speed camera within each Safety Camera Partnership in the year *(a)* prior to installation and *(b)* subsequent to installation. [142267]

Mr. Jamieson: The Government published information on 11 February 2003 about the performance of the eight areas that trialed the netting off scheme in the report "A cost recovery system for speed and red-light cameras—two year evaluation report." This showed speeds were affected in the seven areas where fixed site cameras were used in the following way:

	Change in average speed		*Change in 85th percentile speed*			
	Mph	*Percentage*	*Mph*	*Percentage*	*Percentage change in vehicles exceeding the speed limit*	*Percentage change in vehicles exceeding the spend limit by more than 15 mph*
Lincolnshire	-2.7	-6.5	-9.6	-18	-73	-94
Nottingham	-8.0	-17.4	-4.0	-18	—	—
Northamptonshire	-7.5	-22.2	-7.6	-18	-81	-98
Essex	-5.7	-16.3	-7.0	-17	-78	-92
Thames Valley	n/a	n/a	-5.7	-16	-65	-98
South Wales	-7.9	-22.7	-7.1	-20	-56	-97
Strathclyde	-3.3	-10.1	-2.3	-6	-61	-61
Average	-4.5	-12.2	-6.8	-17	-67	-96

Partnership performance for 2003 will be detailed in the next report on the netting off programme to be published in March 2004.

Mr. Chope: To ask the Secretary of State for Transport if he will list for each safety camera partnership the number of those *(a)* killed and *(b)* seriously injured in the partnership area (i) in the year to July 2003 and (ii) in the year to July 2002. [142498]

Mr. Jamieson *[holding answer 8 December 2003]:* The data is not available in the periods requested. The data shown in the table is for the numbers of killed and seriously injured road accident casualties (KSIs) for the latest available calendar year in the eight safety camera partnership areas that were fully operational. For comparison the KSI averages are provided for the three years prior to the start of the netting off trial in March 2000.

Safety camera partnership area	*1997–99 average*		*2002*	
	Killed	*Serious*	*Killed*	*Serious*
Cleveland	20	239	19	234
Essex	90	1,164	92	1,210
Lincolnshire	88	680	91	645
Northamptonshire	64	680	62	478
Nottinghamshire[1]	78	978	80	833
South Wales	60	344	41	408
Strathclyde	114	1,780	92	1,316
Thames Valley	151	1,143	157	1,379
Total	665	7,008	634	6,503

[1] Nottinghamshire county joined late in 2002, data includes City of Nottingham.

Mr. Chope: To ask the Secretary of State for Transport what the policy of the Government is in relation to the reinvestment by safety camera partnerships of revenue from fines in *(a)* road safety education and *(b)* highway engineering improvements to improve road safety. [142499]

Mr. Jamieson *[holding answer 8 December 2003]:* The rules for netting off allow fine revenue to be used only to fund safety camera activity which includes education about how effective speed management can improve road safety. Other aspects of road safety education and highway engineering improvement are funded separately in the usual way. The rules for netting off were designed to ensure there would be no benefit to the partnership for installing cameras at places where there were no casualty savings.

Mr. Damian Green: To ask the Secretary of State for Transport if he will *(a)* publish and *(b)* place in the Library the business plans of each camera safety partnership; and if he will make a statement. [142917]

Mr. Jamieson: Each safety camera partnership makes available locally for public scrutiny information about its operational case having taken regard to sensitive operational matters such as the speeds at which cameras are triggered to enforce the limit. Operational cases for 2004–05 are to be produced in common format to allow publication without compromising operational sensitivities.

Teenage Cycling Safety

Mr. Chope: To ask the Secretary of State for Transport how much his Department has spent on the teenage cycling safety campaign in 2003; how much was spent on preparing a television advertisement campaign on cycle helmets; and what plans he has to promote the wearing of cycle helmets by teenagers in 2004. [144544]

Mr. Jamieson *[holding answer 16 December 2003]:* Expenditure on the teenage cycle safety campaign in 2003 was £123,000. Expenditure in financial year 2003–04 will be £173,000 in total once a TV public information film promoting cycle safety is completed.

The Department has no plans to make a TV advertisement on cycle helmets separate to the public information film. We are however running advertisements in 40 secondary school homework diaries to promote cycle safety, which will appear until June 2004.

In 2004, provisional plans include liaison with TV stations to show the public information film when they have a suitable gap between programmes; distribution of posters that promote cycle helmet wearing and the website cyclesense.net to road safety officers in local councils and maintaining the website cyclesense.net.

CULTURE, MEDIA AND SPORT

Analogue Broadcasting

Mr. Carmichael: To ask the Secretary of State for Culture, Media and Sport how many households are unable to receive analogue television reception in *(a)* England, *(b)* Wales, *(c)* Scotland and *(d)* Northern Ireland. [144897]

Estelle Morris: According to figures given by the ITC, the percentage of households unable to receive BBC1, BBC2, ITV and Channel 4 or S4C via analogue reception are *(a)* England, 0.4 per cent., *(b)* Wales, 2.4 per cent., *(c)* Scotland, 1.9 per cent. and *(d)* Northern Ireland, 1.5 per cent. Analogue coverage for Five is not available on a per country basis, however, 20 per cent. of UK households do not currently have access to Five.

Children's Broadcasting

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what action she is taking to encourage growth of children's broadcasting on radio. [144479]

Estelle Morris: I refer the hon. Member to the reply I gave the hon. Member for Bath (Mr. Foster) on 4 December 2003, *Official Report*, column 163W.

Give As You Earn Scheme

John Barrett: To ask the Secretary of State for Culture, Media and Sport how many and what percentage of staff in her Department contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff in her Department through the scheme; and what steps she is taking to encourage greater participation in the scheme by staff in her Department. [143907]

Mr. Caborn: The number of staff contributing to charities through the Give as You Earn scheme is 20 which represents 4 per cent. of staff in DCMS. The current contribution is £181.99 per month.

We are promoting the Give as You Earn scheme through our intranet and will be featuring the scheme in our staff newsletter in order to encourage greater participation.

National Lottery

Ms Walley: To ask the Secretary of State for Culture, Media and Sport what sustainable development objectives are taken into account when lottery distributors consider applications for grants for lottery-funded projects in relation to pleasure piers; and if she will make a statement. [144248]

Estelle Morris: The Heritage Lottery Fund (HLF) is the main distributor for lottery-funded projects relating to pleasure piers. HLF does not have separate criteria for assessing pier applications, but has a policy which states that:

"in order to maximise its contribution to sustainable development, the environmental, social and economic sustainability of a project will be as central a criterion in the assessment procedure as value for money. To fulfil this, applicants will be encouraged to give full and proper consideration to the contribution of their projects to sustainable development". (November 1998).

SCOTLAND

Civil Service

Annabelle Ewing: To ask the Secretary of State for Scotland on what dates he has had discussions with the Chancellor of the Exchequer on civil service job dispersal to Scotland since he became Secretary of State for Scotland. [142723]

Mrs. McGuire: My right hon. Friend is in regular contact with the Chancellor of the Exchequer on a wide range of issues, including civil service job dispersal.

Foundation Hospitals

Annabelle Ewing: To ask the Secretary of State for Scotland what written representations he has received from the British Medical Association (Scotland) on the subject of foundation hospitals. [142732]

Mrs. McGuire: In common with all Members from Scottish constituencies, my right hon. Friend and I received representations from the BMA (Scotland) addressed to us as constituency MPs.

Job Losses

Mr. Lazarowicz: To ask the Secretary of State for Scotland what steps he is taking in response to the loss of jobs in Scotland as a result of out-sourcing to other countries. [142710]

Mrs. McGuire: The Government consider that the best response to low cost overseas competition is to encourage the development of higher quality, added value services. Our economic policies are creating an environment where this transition can occur.

The labour market in Scotland is healthier than it has been for decades. Employment is close to a record high and unemployment is around its lowest level since the 1970s. The prospects for the Scottish economy are good.

TRADE AND INDUSTRY

Supermarkets

Mr. Drew: To ask the Secretary of State for Trade and Industry what progress has been made on the Supermarket Code of Practice. [143653]

Mr. Sutcliffe: The Office of Fair Trading (OFT) is currently reviewing the Code of Practice governing supermarkets' relations with their suppliers. They have taken views from supermarkets, individual suppliers and trades associations representing suppliers. Once the OFT have delivered the results of the review to my right hon. Friend the Secretary of State for Trade and Industry, she will take whatever action is appropriate.

Accountancy (Tax Avoidance Schemes)

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry what information her Department has supplied to the US authorities in connection with investigations into accountancy firms' tax avoidance schemes in the past 12 months. [144184]

Jacqui Smith: The Government have not had any requests from the US authorities to supply them with information in connection with investigations into accountancy firms' tax avoidance schemes in the past 12 months.

Age Discrimination

Mr. Jim Cunningham: To ask the Secretary of State for Trade and Industry how her Department is working with the *(a)* EU and *(b)* Foreign and Commonwealth Office to ensure that all EU member states implement the law against discrimination in employment on the grounds of age. [143928]

Jacqui Smith *[holding answer 16 December 2003]:* The European Employment Directive provides a general framework for combating discrimination in employment and vocational training, and lays down minimum requirements for outlawing discrimination on grounds of age, among other matters. It is for individual member states to decide how to implement the requirements in their own state.

The Government are committed to introducing legislation to outlaw age discrimination that is clear and workable in the UK. In order to achieve this, we are working with all appropriate stakeholders across Whitehall and wider.

Fibrecycle Waste Processing Method

Mr. Keetch: To ask the Secretary of State for Trade and Industry (1) what her Department's policy is on the Fibrecycle waste processing method; [144368]

(2) what discussions her Department has had with Estech Europe Limited on the Fibrecycle waste processing method. [144369]

Mr. Timms: I am not aware of any discussions between the Department and Estech Europe Limited. The Department does not have specific policies relating to the Fibrecycle waste processing method.

Free-fall Height Regulations

Sir Teddy Taylor: To ask the Secretary of State for Trade and Industry (1) what the purpose is of the free-fall height regulations proposed by the EU; whether they are being considered by majority vote; and what assessment she has made of their impact on manufacturers of *(a)* rocking horses, *(b)* trampolines and *(c)* climbing frames; [143846]

(2) whether the free-fall height regulations to reduce the falling length for indoor activity toys will apply to *(a)* items located in domestic premises and *(b)* new sales of products. [143853]

Mr. Sutcliffe *[holding answer 15 December 2003]:* The safety of toys is covered by the Toys (Safety) Regulations 1995 which are supported by European harmonised standards. A new part eight to the BSEN 71 series of toy standards, which introduced a maximum saddle height of 600mm for carousels and rocking activity toys, was recently agreed by the European technical committee which develops the standards. The primary intention of this measurement is to identify which toys need to undergo stability testing and it was not intended as a restriction on the maximum height of rocking horses. It has been accepted that an unintentional oversight has occurred and steps are being taken to rectify the matter. In the meantime, the DTI and LACORS (the Local Authorities Co-ordinators of Regulatory Services) have issued advice to local authority enforcement departments and testing laboratories on the current legal situation, emphasising that rocking horses with a saddle height greater than 600mm have not 'become' unsafe as a result of the new standard nor are any already on the market now unsafe for use.

Although trampolines are not covered by the standard, it does specify safety requirements for toys incorporating crossbars eg climbing frames and swings.

The BSEN 71 series of standards are a means of meeting the essential safety requirements of the toys safety Regulations. Those Regulations apply to all toys supplied on the UK market for use in play by children under 14 years of age.

Gross Domestic Product

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry (1) what percentage of GDP was comprised of net *(a)* private and *(b)* public investment in each of the last six years; [143429]

(2) what percentage of GDP was comprised of *(a)* manufacturing sector and *(b)* service sector net investment in each of the last six years; [143431]

(3) what percentage of GDP was comprised of net investment in each of the last six years. [143432]

Ruth Kelly *[holding answer 11 December 2003]*: I have been asked to reply.

The information requested falls within the responsibility of the National Statistician, who has been asked to reply.

Letter from Colin Mowl to Mr. Stephen O'Brien, dated 15 December 2003:

The National Statistician has been asked to reply to your recent Parliamentary Questions about economic statistics. I am replying in his absence. (143429,143431,143432,143434, 143435,143436)

The information to derive the estimates that you have requested for the six years 1997 to 2002 is available from published sources accessed by the House of Commons Library. I have assumed that as the first three questions relate to net investment that the following three questions are concerned with gross fixed capital formation, excluding changes in inventories and acquisitions less disposals of valuables. This is consistent with the definition of investment used for the ONS Business Investment publication.

GDP estimates are available in table 1.1 (both current prices and chained volume measures) of the ONS publication "Blue Book 2003". Estimates for capital consumption are also available for the whole economy in table 1.1, with information on gross fixed capital formation in table 1.2 (at current prices) and 1.3 (at chained volume measures).

Estimates for gross fixed capital formation by sector are available in table 9.2 (at current prices) and 9.4 (at chained volume measures). Estimates for capital consumption by sector and industry, at current prices and at chained volume measures, are available in tables 3.1.1 to 3.2.2 of the ONS publication "Capital Stocks, Capital Consumption and Non-Financial Balance Sheets", available on the National Statistics website.

Estimates for gross fixed capital formation for the manufacturing and service sectors are available for the period 1999 to 2002 in tables 1.11 (at chained volume measures) and 1.12 (at current prices) of the most recent ONS publication "Monthly Digest of Statistics". Earlier data for these series can be accessed using the 4 letter identifier (CDID) on PUBL, the ONS published electronic series also accessed by the House of Commons Library. The relevant CDID for each series is shown in the Monthly Digest publication.

Industrial Tribunals

Michael Fabricant: To ask the Secretary of State for Trade and Industry how many cases concerned with *(a)* disability, *(b)* sex and *(c)* race discrimination have been heard by an industrial tribunal in each of the last five years. [143830]

Mr. Sutcliffe: The following table shows the number of cases concerning disability, sex and race discrimination which were disposed of at hearing by employment tribunals in each of the last five financial years.

	Disability	*Sex*	*Race*
1998–99	415	1,320	1,140
1999–2000	456	1,110	771
2000–01	772	1,258	1,112
2001–02	618	1,136	829
2002–03	678	1,121	725

Notes:

1. The statistical information quoted for the past three years was published in the Employment Tribunals Service Annual Report and Accounts for those years.

2. The data supplied relate to employment tribunal cases in England, Wales and Scotland (Northern Ireland has its own tribunals).

Source:

Employment Tribunals Service

Norwich Union

Dr. Gibson: To ask the Secretary of State for Trade and Industry what assessment she has made of the redundancies declared by the Norwich Union Aviva Group. [142504]

Mr. Sutcliffe: Although the Government very much share the concerns of those immediately affected by plans to offshore services work, the question of redundancies is a commercial matter for the Norwich Union Aviva Group. Earlier this month, Aviva said that it hopes that the bulk of job cuts will come through natural staff turnover or voluntary redundancies. However, we do nevertheless need to understand better what is happening, and to this end we have launched a consultation document and will hold a round-table seminar in the New Year, to help inform the debate on the impacts of offshoring.

Photovoltaic Panels

Norman Baker: To ask the Secretary of State for Trade and Industry what targets were set for the installation of photovoltaic panels in *(a)* domestic and *(b)* commercial properties in 2002–03; and how many installations occurred. [143755]

Mr. Timms: Under the DTI's £20 million First Phase of the Major Photovoltaic Demonstration Programme, the target for Stream 1 (small-scale individual systems 0.5–5kWp) in 2002–03 was 300 approvals. This was later revised downwards to 200 approvals to reflect expected demand. This was confirmed by the fact that only 210 applications were actually received, of which 190 were approved. There is no annual target for Stream 2 (group housing and medium/large-scale non-residential buildings 5–100kWp), but the target for the three-year first phase is 140 projects, of which 45 were approved in the first year. 71 of the 190 approvals under Stream 1 were installed during 2002–03, but installation tends to lag three to six months behind approval. For Stream 2, no installations were completed in the first year as the time lag here tends to be six to twelve months from approval.

Post Office Closures

Richard Burden: To ask the Secretary of State for Trade and Industry what assurances have been received from Post Office Ltd. that there will be consultation with local communities on the strategic issues associated with area plans produced under the Network Reinvention programme as well as on individual closure proposals. [140723]

Mr. Timms *[holding answer 3 December 2003]*: Proposals for closures of sub-post offices under the urban network reinvention programme are put out to public consultation in accordance with the code of practice agreed between Post Office Ltd. and Postwatch. In preparing closure proposals, Post Office Ltd. collect a range of information relevant to the provision of post office services in an area. This includes local authority plans, environmental and transport information, local shopping habits and other local developments and features. Post Office Ltd. is committed to taking full account of this information in preparing an area plan. With the move to area plans, the public consultation period has been extended from four to six weeks during which comments and representations, including new or additional information, can be submitted for consideration by Post Office Ltd. before they reach a final decision.

Llew Smith: To ask the Secretary of State for Trade and Industry what assessment her Department has made of the impact of closing local post offices on the Government's programme to reduce social exclusion and poverty. [143507]

Mr. Timms: The Department have made no such study. But the Government regards it as most important that people have good access to postal and Government services and is committed to doing all we can to ensure a viable Post Office network for the future. For the rural network the Post Office has made a firm commitment to maintain the network and prevent avoidable closures. The Government have underpinned that with £450 million of funding. We have also made available an additional £2 million fund to support community post office initiatives.

The urban reinvention programme is necessary to ensure the long-term viability of that part of the network. In return for Government investment in this programme, the Post Office has guaranteed that at the end of the programme 95 per cent. of people living in urban areas will be within a mile of a post office, and the majority within half a mile. Offices in deprived urban areas can only be closed in exceptional circumstances. In addition special arrangements have been put in place to help post offices in the most deprived wards and where there is no other post office within half a mile. The scheme in England provides grant for capital improvements of up to £50,000. Similar schemes have been set up in Scotland and Wales.

Royal Mail

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how many items of mail *(a)* missed their delivery targets and *(b)* missed their delivery targets as a result of industrial action in each of the last five years. [142137]

Mr. Timms: The number of mail items that missed their delivery targets is an operational matter than falls within the day-to-day responsibility of the Royal Mail Board. I have therefore asked the Chief Executive to reply direct to the hon. Member.

Research and Development

Mr. Cousins: To ask the Secretary of State for Trade and Industry what the total expenditure and share of GDP on *(a)* civil and *(b)* defence research and development was in (i) 2000–01, (ii) 2001–02 and (iii) 2002–03; and what the Government share of expenditure was in each year. [144004]

Jacqui Smith *[holding answer 15 December 2003]:* The latest data available for Gross Domestic Expenditure on R&D (GERD) are 2001. Data for 2002 will be available in March 2004.

	Expenditure (£ million cash terms)	*Proportion of GDP*	*Percentage performed in the Government sector*[1]	*Percentage funded by the Government sector*[1]
Civil R&D				
2000	15,018	1.56	9	24
2001[2]	16,125	1.61	9	24
Defence R&D				
2000	2,526	0.26	31	58
2001[2]	2,690	0.27	16	64

[1] Government includes the research councils and higher education funding councils.

[2] Revised data for 2001 will be made available in March 2004.

Source:

ONS.

Transtec

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry when the Transtec inspectors were appointed; when they submitted their report; when the report was published; what it cost; and what the remuneration was of each inspector. [144186]

Jacqui Smith: Hugh Aldous FCA and Roger Kaye QC were appointed by the Secretary of State for Trade and Industry on 20 January 2000 under the provisions of section 432(2) of the Companies Act 1985. They submitted an interim report to the Secretary of State on 22 January 2001, which was published on 22 February 2001 and submitted their final report on 15 January 2003, which was published on 24 October 2003.

Costs of the inspection (net of VAT) have been as follows:

	£
Hugh Aldous FCA including support at RSM Robson Rhodes and disbursements	2,555,873
Roger Kaye QC including support in Chambers and disbursements	1,025,183
Total cost	3,581,056

Windscale (Decommissioning)

Llew Smith: To ask the Secretary of State for Trade and Industry if she will make a statement on *(a)* difficulties encountered and *(b)* strategies adopted in the decommissioning of the Windscale pile number one at Sellafield; and what the cost of this exercise has been so far. [144506]

Mr. Timms: The Pile One reactor is considered by international experts to be one of the most challenging decommissioning tasks in the nuclear industry. The key challenges include:

Limited knowledge of the extent of damage to the fire-affected core;

Difficult access to some areas of the core;

Ensuring a fire-free environment throughout the work; and

Employing suitable remote-controlled machinery to remove hazardous material.

Strategies have been adopted for two phases of the decommissioning. Phase One of the project, that of clearing up and sealing the air and water ducts, was successfully completed in 1999. This work ensured that the reactor continues to be maintained in a condition acceptable to the nuclear regulator.

Phase Two, the current phase, involves removal of the hazardous materials and the treatment and packaging of the resulting waste. Problems with the initial design concept led to a rigorous technical review of the options for dismantling. This review is ongoing.

Safety is UKAEA's highest priority and any decommissioning strategy must be shown to have addressed all known hazards.

Phase One decommissioning costs were £14 million. Phase Two costs to date are approximately £30 million.

Working Time Directive

Michael Fabricant: To ask the Secretary of State for Trade and Industry what discussions she has had with the Advisory, Conciliation and Arbitration Service on the working time directive's opt-out clause; and if she will make a statement. [143829]

Mr. Sutcliffe: The Advisory, Conciliation and Arbitration Service (ACAS) is the first point of contact for all public enquiries relating to employment law. The Department and ACAS are, therefore, in constant contact on all aspects of employment law.

The European Commission are reviewing the opt out arrangements and intend to issue a preliminary Communication, without formal legislative proposals, shortly. We hope that the Communication will present a range of options on the opt out which can be discussed with UK social partners.

HOME DEPARTMENT

Anti-social Behaviour (Vale of York)

Miss McIntosh: To ask the Secretary of State for the Home Department what recent representations he has received on anti-social behaviour in the Vale of York. [144483]

Ms Blears: Neither myself, nor officials in the Anti-Social Behaviour Unit, have received any recent representations about anti-social behaviour in the Vale of York.

Following the launch of "together. Tackling Anti-Social Behaviour" the Government's Action Plan on the 14 October, the together Academy and together ActionLine will both be available in early 2004, to offer advice and information on all anti-social behaviour related matters. In addition, every CDRP will receive additional funding to tackle anti-social behaviour in 2004–05 and 2005–06. Taken together, existing powers and new powers introduced in the Anti-Social Behaviour Act and the Action Plan aim to make a real and lasting difference to the lives of people who are victims of anti-social behaviour.

Asylum

Lynne Jones: To ask the Secretary of State for the Home Department whether Palestinian people were specifically excluded from his Department's recent one-off exercise to grant indefinite leave to remain to up to 15,000 families who sought asylum, and had children in the United Kingdom, before 2 October 2000; and whether a decision on all Palestinian asylum cases is due to be made. [140512]

Beverley Hughes: There are no nationalities excluded from the recently announced one-off exercise for families.

Decisions on Palestinian cases were put on hold pending a Court of Appeal judgment received in August 2002. Most of those cases have now been decided and all but a handful should be decided by the end of January 2004.

Lynne Jones: To ask the Secretary of State for the Home Department what additional budgetary resources have been redirected and allocated to cover operating costs relating to section 55 of the Nationality, Immigration and Asylum Act 2002 since 8 January. [141791]

Beverley Hughes: The Immigration and Nationality Directorate's (IND) resources cover a wide range of activities including the cost of administering work related to section 55 of the Nationality, Immigration and Asylum Act 2002. This cost is not separately identifiable within the total IND budget.

Criminal Records Bureau

Mr. Burstow: To ask the Secretary of State for the Home Department what penalty payments Capita have made since 31 January under the terms of their Criminal Records Bureau contract. [142043]

Ms Blears: The Criminal Records Bureau (CRB) contract contains provisions for Capita to pay service credits or liquidated damages for delay or poor performance, with service credits of £1,992,700 calculated as payable by Capita under the terms of the CRB contract from 1 February 2003 onwards.

Departmental Website

Mr. Oaten: To ask the Secretary of State for the Home Department if he will list the computer games on *(a)* his Department's website and *(b)* websites of bodies sponsored by his Department; on what date each was placed on the relevant website; how many times each has been played; and what the cost of producing each game was. [143400]

Fiona Mactaggart: The Home Office has used games to promote three of its websites.

Backchat and Chatroom Chaos were both used as part of the Child Protection on the Internet campaign to encourage young people to visit www.thinkuknow.co.uk to learn about using the internet safely.

Backchat was launched February 2002 at a cost of £15,000 and has been played 128,853 times. Chatroom Chaos was launched in April 2002 at a cost of £12,000 and has been played 77,905 times.

Kebabathon and Bargain Boost were both used to promote the website www.good2bsecure to students to encourage them to think about home and personal security. The kebabathon was launched in January 2003 in a mailout to 700,000 NUS members and has been played 40,000 times. The cost was £12,000. Bargain Boost was launched on 7 November 2003. It has been mailed to 5,000 students and played 8,000 times to date. A further mailout to 40,000 students is under way.

A game was also used on the vehicle crime reduction website, www.secureyourmotor.gov.uk. Car Secured was launched in February 2002 at cost £5,000. It has been played 12,000 times since October 2002 (Statistics for February to September 2002 are not available because problems with the web analytics software used mean the data are not reliable).

Online games are a cost-effective means to promote websites to hard to reach audiences who would not naturally think of seeking information from Government websites.

Experience Corps

Mr. Hancock: To ask the Secretary of State for the Home Department (1) which organisations were involved in the consultations on *(a)* licensing street collections and *(b)* the setting up of the Experience Corps; what criteria were used to select the consultees; and if he will make a statement; [143369]

(2) if he will invite Volunteers in Action to take part in consultations on *(a)* licensing charity street collections and *(b)* in setting up of the Experience Corps; and if he will make a statement. [143449]

Fiona Mactaggart: The consultation on public charitable collections was a public one which ended on 2 December 2003. To publicise it a series of events was held around the country to which representatives of charities, professional fundraisers, licensing authorities, police and chambers of commerce were invited. The consultation in hard copy was distributed to all those who requested it. It was posted on the Home Office website and sign posted on other relevant websites.

The National Experience Corps Experts Group reported in February 2001. Although the organisations which make up Volunteers in Action were not members of the Experts Group, the list of people and organisations consulted by the Experts Group included Norman Proctor of Rotary International Great Britain and Ireland, who are members of Volunteers in Action.

Haslar Removal Centre

Mr. Viggers: To ask the Secretary of State for the Home Department when indicative plans for the extension of Haslar Removal Centre were first prepared; on whose authority; and at what cost. [141247]

Beverley Hughes: The indicative plans for Haslar Removal Centre were first prepared in July 2003 at the request of the senior responsible officer within the Department. The cost of drawing up these plans was £20,000.

This was part of an exercise to examine the feasibility of increasing the capacity of existing removal centres. As a result of this exercise, there are no plans to increase the capacity at Haslar.

Justice and Home Affairs Council

Mr. Jim Marshall: To ask the Secretary of State for the Home Department what the outcome of the Justice and Home Affairs Council held on 27 to 28 November was; what the Government's stance was on the issues discussed, including its voting record; and if he will make a statement. [142007]

Caroline Flint: My noble Friends (Baroness Scotland) and (Lord Filkin) represented the United Kingdom at the Justice and Home Affairs Council in Brussels on 27–28 November.

A list of 'A' points approved (with the exception of item 34) at the Council has been placed in the Library (Documents PTS A 63 15256/03 and ADD 1).

The Presidency concluded a general approach on the draft Framework Decision on drug trafficking but noted four Parliamentary Reserves and that the European Parliament will be re-consulted.

The Presidency also concluded a general approach on the draft Mutual Legal Assistance agreement between the EU and Norway and Iceland and noted two outstanding Parliamentary Reserves. It hoped that the Council Decision authorising the Presidency to sign the Agreement would be adopted on 8 December.

Similarly the proposal for a regulation creating a European Enforcement Order for uncontested civil claims was the subject of a general approach. Lord Filkin noted the UK's Parliamentary Reservation on Article 2. Two other member states had other reservations and the Presidency therefore suggested the remaining difficulties should be discussed at a technical meeting. They hoped to be able to adopt a common position by the end of the year to allow consideration by the European Parliament and adoption of the Regulation in this legislature.

The Presidency noted the conclusions of the last meeting of the Police Chiefs' Task Force and the willingness to make more effective use of liaison officers.

Draft Council conclusions on strengthening community co-operation in the field of civil protection assistance were adopted and the Commission indicated that in early 2004 it planned to present a Communication building on these.

Under Any Other Business four member states, including the UK, confirmed they had passed their domestic legislation implementing the European Arrest Warrant. Six member states indicated that they planned to do so by 31 December 2003 deadline but five member states envisaged some slippage.

Separately, the Presidency proposed the adoption of a charter on the importance of inter-faith dialogue. Following a meeting in the margins of the council the text of a non-binding statement was agreed but will only be adopted when two member states have lifted their reservations.

The Presidency noted the progress made on the Asylum Procedures Directive: they had inherited a measure with 239 reservations on the text but only 37 now remained. Nonetheless given that these related to contentious issues (safe third countries, safe countries of origin, and appeals), the Presidency concluded that discussion should continue under the Irish Presidency, with a view to concluding by the deadline in the Amsterdam Treaty (1 May 2004).

The Commission (Vitorino) reported its work on the proposed minimum common list of safe country of origin to be adopted with the Directive. Work would be taken forward to identify which of the 22 countries that member states had proposed could be included in the list.

One member state was not yet in a position to agree the draft Directive on Minimum Standards for the Qualification and Status of Third-Country Nationals and Stateless Persons as Refugees and so the Presidency noted that discussion would continue under the Irish Presidency, which would aim to agree the Directive before 1 May 2004.

The Presidency reported on the outcome of the seminar, "Towards more orderly and managed entry in the EU of persons in need of international protection" which had focused on the merits of an EU resettlement programme and EU-level protected entry procedures. The Presidency's document aimed to guide the work of the Commission in preparing its report to the June 2004 European Council on legal means of entry for refugees to the EU and improvements to the protection capacity of refugees' regions of origin.

Given member states differing views on the Council Directive on the conditions of entry and residence of third-country nationals for the purpose of paid and self-employment the Presidency would consider future handling. (The UK has not opted in to this proposal).

The Mixed Committee reached a general approach on draft Council Conclusions on the European External Borders Agency, and these were subsequently adopted in the Council itself.

Baroness Scotland stressed our desire to participate as fully as possible in the work of the Agency and the benefits this would bring to all. Two other member states supported. Commissioner Vitorino stressed his desire for the UK and Ireland to participate within the framework of the agency. He stressed that, although there might be institutional consequences, these should not be allowed to undermine the work of the Agency. He also urged member states to reach political agreement on what they wanted from the Agency, stating that only then could the participants' legal positions be addressed.

A general approach was reached on the Sea Borders Agency Work Programme (which was subsequently adopted by the Council) after one member state withdrew its reservations.

The Mixed Committee and the Council agreed a general approach on the Regulations laying down a uniform format for visas and residence permits, and adopted the associated Council Conclusions, which dealt with the need for an additional legal instrument to deal with the storage of biometric visa data.

In the margins of the Council on 28 November Baroness Scotland represented the UK at a meeting with Ministers from the countries of the Western Balkans: Albania, Bosnia and Herzegovina, Croatia, the Former Yugoslav Republic of Macedonia, Serbia and Montenegro.

The UK welcomed the action they are taking or planning to meet their commitments, made at the London Conference and Thessaloniki summit, to fight organised crime and improve border management. Baroness Scotland underlined the need for implementation of these plans and continued co-operation with the EU, with the International Criminal Tribunal for Yugoslavia (ICTY) in the Hague and within the region.

The directors of Europol and Eurojust briefly outlined the work they are doing in the region, although in the latter's case this was at an early stage.

In relation to borders the Commission welcomed some of the specific action plans that countries in the region had developed but stressed that these were just a beginning that they would need to be improved.

The joint conclusions were adopted and the Netherlands noted they would organise a follow-up ministerial conference during their Presidency to assess progress against commitments made today.

Legislation

Mr. Redwood: To ask the Secretary of State for the Home Department how many pages of *(a)* primary and *(b)* secondary legislation his Department put through Parliament in 2002–03. [141120]

Mr. Blunkett: The Home Office sponsored five Bills during the 2002–03 Session, which made a total of approximately 868 once enacted (printed versions of some of the Bills are not yet available).

These Bills included measures to give the police new powers to deal with anti-social behaviour, deliver end to end reform of the criminal justice system in the most significant overhaul in a generation, modernise and streamline extradition to and from the UK, enable faster and more effective co-operation against terrorism and other serious crime and deliver the most radical overhaul of sex offences legislation in 50 years.

In the case of secondary legislation, the Home Office was responsible for 131 Statutory Instruments which equates to 438 pages of legislation which give effect to measures introduced in previous sessions.

Full copies of all the legislation, together with page numbers are available in the Library.

Non-emergency Telephone Line

Lynne Jones: To ask the Secretary of State for the Home Department if he will make a statement on progress on setting up a dedicated non-emergency telephone line; and if he will assess 888 as a possibility for the numerical sequence. [142982]

Ms Blears: In our consultation paper, "Policing: Building Safer Communities Together", which was published on 4 November, the Home Office sought views on the introduction of a single, three-digit, non-emergency number for accessing local services. This built upon a previous proposal to introduce a single non-emergency number for the police. The closing date for contributions to the consultation is 27 January 2004. Work has begun to look at the possible scope of such a system. There are a number of models worldwide, including the American 311 system. We shall develop the proposal following the consultation feedback and the scoping work.

Ofcom (Oftel until 29 December 2003), which administers the UK's National Numbering Scheme, has advised us that it may be possible to allocate a three digit number for this service. That will be subject to a public consultation, run by Ofcom, to establish whether the service, which it is intended should be available through all networks and service providers, is objectively justifiable and whether the change required is proportionate to the benefit. That consultation will commence once we are clearer about the scope of the service.

Due to the availability of local dialling within a code area, Ofcom has also advised that the allocation of "888" is not possible without re-numbering all subscribers whose telephone number, minus area code, begins with "8" or "88". It is likely that the three digit number allocated for use in non-emergency cases will begin with the digit "1". We have yet to make a decision about the three digit number.

Regulations (Consultation)

Brian Cotter: To ask the Secretary of State for the Home Department what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142488]

Fiona Mactaggart: There is no direct correlation between Government consultations and individual regulations. For example, there has not been nor would there be written consultation prior to a statutory instrument being made designating territories under Part 1 of the Extradition Act 2003.

The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. In the period 1 January 2001 to 31 December 2002 the Home Office has published 49 consultations covered by the Code, of which 27 were less than 12 weeks.

Stowaways (Ferries)

Mr. Carmichael: To ask the Secretary of State for the Home Department what plans the Government have to introduce penalties for ferry companies who transport stowaways. [140671]

Beverley Hughes: The Government have no plans to introduce further legislation since ferry companies are already liable to charges in respect of stowaways.

Under section 40 of the Immigration and Asylum Act 1999 (as amended), where a person arrives in the United Kingdom and fails to produce a valid immigration document satisfactorily establishing his identity and his nationality or citizenship and where, required, a valid visa, the owner of the ship (or aircraft), in which he arrives is liable to a charge of (currently) £2,000 per person. Existing published guidance on carriers' liability charging procedures says that charges in respect of stowaways will be waived where the carrier had done everything possible to ensure that no unauthorised person used the service.

On 6 October 2003 the Government published a consultation document entitled "Carriers' Liability: Charging Procedures: A Guide for Carriers" setting out proposed amendments to that published guidance. In particular, the document proposes changes to the circumstances in which charges will be waived in respect of stowaways and explains in greater detail what is expected of carriers. Copies of the consultation document can be found in the Library and on the Home Office website www.ind.homeoffice.gov.uk/default.asp?pageid=4156.

Unregistered Ships

Mr. Carmichael: To ask the Secretary of State for the Home Department what assessment his Department has made of the number of people trying to gain illegal entry into the United Kingdom on unregistered ships; and what steps are being taken to tackle this. [140673]

Beverley Hughes: There is no official estimate of the number of people trying to enter the United Kingdom illegally but the threat from people trying to gain entry illegally on unregistered shipping is currently regarded as low. However the situation is continually monitored and reviewed.

The Immigration Service works in close co-operation with the coastguard, HM Customs and Excise and the police to monitor the movements of small boats. This has included two joint operations this year involving the interception of suspect vessels.

DEFENCE

Army Attitude Survey

Angus Robertson: To ask the Secretary of State for Defence what the average satisfaction levels of respondents to the last assessed Army Continuous Attitude Survey were with regard to *(a)* question 26b, *(b)* question 28, *(c)* question 29e, *(d)* question 37a, *(e)* question 37c, *(f)* question 37f, *(g)* question 18aa, *(h)* question 18ab and *(i)* question 18ac; what this number represents as a percentage of total responses received; and how many respondents were in the (A) top and (B) bottom categories of satisfaction. [143616]

Mr. Caplin: From the latest Army Serving Personnel Continuous Attitude Survey, undertaken in December 2002, only the response options to question 28 were expressed in terms of category of satisfaction. The responses are set out in the following table:

Question 28. How do you feel your pay compares to that of your civilian counterparts?	*Officers*		*Soldiers*	
	Numbers	*Percentage*	*Numbers*	*Percentage*
1. Mine is much better	13	4.0	82	6.0
2. Mine is better	45	13.5	254	20.0
3. About the same	92	28.0	362	28.5
4. Mine is worse	151	45.5	392	31.0
5. Mine is much worse	30	9.0	184	14.5

Army Personnel

Mr. Gibb: To ask the Secretary of State for Defence what the total cost was of Army personnel removals between garrison towns in the UK in each year since 1990; and how many such removals took place in each year since 1990. [143837]

Mr. Caplin: The information requested is not held centrally and could be provided only at disproportionate cost.

Mr. Dodds: To ask the Secretary of State for Defence what the percentage of *(a)* female and *(b)* male soldiers is in (i) the regular army, (ii) the Territorial Army, (iii) the full-time Royal Irish Regiment and (iv) the part-time Royal Irish Regiment. [144019]

Mr. Caplin: The percentages of female and male soldiers in the Regular Army, TA, Full Time Royal Irish Regiment and Part-time Royal Irish Regiments are as follows.

	Percentage	
	Male	*Female*
Regular Army	93.0	7.0
Territorial Army	83.0	17.0
Full-time Royal Irish Regiment	91.0	9.0
Part-time Royal Irish Regiment	91.1	8.9

Notes:

Data for the Regular Army and the Territorial Army are as at 1 October 2003 Data for the Royal Irish Regiments are as at 18 October 2003 Data for Royal Irish Regiment are for trained personnel only.

Defence Fire Service

Angus Robertson: To ask the Secretary of State for Defence how many RAF Trade Group 8 firefighters *(a)* are based in Scotland and *(b)* there are in total; what the annual personnel costs were for (i) firefighters based in Scotland and (ii) all RAF fire-fighters in each year since 1997; and if he will make a statement. [143565]

Mr. Caplin: I will write to the hon. Member and a copy of my letter will be placed in the Library of the House.

Defence Spending

Mr. Rosindell: To ask the Secretary of State for Defence what assessment he has made of how proposed defence spending changes will affect the ability of the United Kingdom to act unilaterally in any future military action. [144691]

Mr. Hoon: The Defence White Paper, Delivering Security in a Changing World, set out our requirement for flexible Armed Forces that are structured and equipped to deliver precise and rapid military effect. The changes the White Paper demands will enhance the UK's ability to conduct limited national operations and to pursue our security objectives when acting alongside allies and coalition partners. As I said in my statement of 11 December (*Official Report*, 11 December 2003, column 1211), work is currently underway to develop the details of the individual systems and structures appropriate for the policy context set out in the White Paper, and I shall make further announcements on the results of that work next year.

Depleted Uranium

Ms Walley: To ask the Secretary of State for Defence (1) what recent assessment he has made of the possible effects of depleted uranium exposure on service men and women; and if he will make a statement; [144107]

(2) what his policy is on testing of *(a)* current and *(b)* former service men and women for side effects associated with depleted uranium; and if he will make a statement. [144106]

Mr. Caplin: The scientific literature suggests there are no side effects uniquely associated with exposure to Depleted Uranium.

The Ministry of Defence's Biological Monitoring Policy (www.mod.uk/issues/depleted_uranium/du_biomonitoring.htm) is to offer a urine test for uranium to all UK service and civilian personnel on current and future operations where DU has been used. This includes an isotope test (which tests for the presence of DU) for those who may have had high exposures. Other tests will be carried out if clinically indicated.

Former service personnel are being offered a voluntary DU test under the auspices of the independent Depleted Uranium Oversight Board (DUOB). The first tests should begin in early 2004. If DUOB tests reveal detectable DU in the urine, follow-on epidemiological studies will be carried out. Depending on the outcome of these studies, further research may be commissioned.

Iraq

Mr. Soames: To ask the Secretary of State for Defence how many British personnel *(a)* serving and *(b)* having served in Iraq in 2003 have contracted Leishmaniasis. [144129]

Mr. Caplin: At present, there has been one confirmed case, and twelve suspected cases, of Leishmaniasis among Service personnel who have served in Iraq in 2003.

Mr. Keetch: To ask the Secretary of State for Defence what the menu is for soldiers serving in Iraq on Christmas Day; and if he will make a statement. [144469]

Mr. Ingram: United Kingdom Armed Forces personnel serving in Iraq will, wherever possible, be offered a turkey dinner or a vegetarian option.

Military Personnel (Psychiatric Treatment)

Tim Loughton: To ask the Secretary of State for Defence how many military personnel have been treated for mental health problems at the Duchess of Kent Hospital at Catterick in each of the last six years. [144153]

Mr. Caplin: The following table represents the total number of Service personnel, both in-patients and out-patients, treated for mental health problems at the Duchess of Kent Psychiatric Hospital (DKPH) January 1997-March 2003.

Year (January-December except where noted)	*Number of military personnel treated at DKPH*
1997 (January-February)	91
1997-98 (April to March)	581
1998 (April-December)	351
1999	458
2000	439
2001	451
2002	450
2003 (January to March figures only available)	101

Figures are not available for March 1997.

Network-centric Capabilities

Mr. Rosindell: To ask the Secretary of State for Defence what effect he estimates the proposed change of emphasis from frontline platform strength to network-centric capabilities will have on the number of employees within the United Kingdom armed forces. [144689]

Mr. Hoon: As I said in my statement of 11 December (*Official Report*, 11 December 2003, column 1211), the Ministry of Defence is currently undertaking work to develop the details of the individual systems and structures appropriate for the policy context as set out in the Defence White Paper, Delivering Security in a Changing World. I shall make further announcements on the results of that work next year.

Nuclear Weapons

Llew Smith: To ask the Secretary of State for Defence whether the United States Administration has provided the United Kingdom with information, with particular reference to information on experiments, on the development of low-yield earth-penetrating nuclear weapons under the provisions of the 1959 Amendment to the 1958 United States-United Kingdom Mutual Defence Agreement on atomic energy matters. [143508]

Mr. Hoon: No.

Priory Group

Mr. Soames: To ask the Secretary of State for Defence whether service personnel will be working at the Priory Group's facilities for the treatment of service personnel; and what special provision will be made for military casualties. [144133]

Mr. Caplin: The majority of psychiatric referrals will be dealt with by the 16 Defence Community Mental Health (DCMH) teams that are located across the UK. The small number of patients requiring in-patient care will be dealt with by The Priory Group's staff. Each DCMH will make special provisions for Service personnel at the Priory by supplying a trained psychiatric nurse to act as a Service Liaison Officer who will work with The Priory Group on a daily basis and will be on hand to deal with any problems military personnel may encounter. It is anticipated that military casualties will be treated within this system.

Mr. Soames: To ask the Secretary of State for Defence which companies bid for the contract to run in-patient psychiatric services for his Department; and for what reasons the contract was awarded to the Priory Group. [144134]

Mr. Caplin: I refer the hon. Member to the answer I gave on 11 December 2003, *Official Report*, column 571W, to the hon. Member for Mid-Norfolk (Mr. Simpson).

Reserve (Scotland)

Angus Robertson: To ask the Secretary of State for Defence if he will list *(a)* the reserve units based in Scotland, *(b)* their headquarters' location and *(c)* current strength; what the (i) date and (ii) location of their last deployment was; and if he will make a statement. [144000]

Mr. Caplin *[holding answer 15 December 2003]:* Since the reorganisation of the Reserve Forces under the Strategic Defence Review no Scottish based reserve units have been deployed on operations. However, sub-units, composite units and individual reservists from units based in Scotland have been deployed to support operations in the Balkans, Afghanistan and Iraq. The location and strength of Scottish reserve units is set out in the following table:

Unit	*Strength*	*HQ address*
Royal Navy Reserve (RNR)		
HMS Scotia	227	Director Naval Reserves, South Terrace, Portsmouth Naval Base, PO1 3LS
HMS Dalriada	137	Director Naval Reserves, South Terrace, Portsmouth Naval Base, PO1 3LS
Royal Marine Reserve (RMR)		
RMR Scotland	153	Director Royal Marines Reserves, Whale Island, Portsmouth, PO2 8DX
Territorial Army (TA)		
Royal Artillery (RA)		
105 Regt RA (V)	415	Artillery House, 301 Colinton Road, Colinton, Edinburgh, EH13 OLA
Royal Engineers (RE)		
71 Engr Regt RE (V)	383	RAF Leuchars, St. Andrews, Fife, KY16 OLX
Royal Signals (R SIGS)		
2 Sig Sqn (V)	63	TAC Newman House, Mid Craigie Road, Dundee, DD4 7RH
32 Sig Regt (V)	356	21 Jardine Street, Glasgow, G20 6JT
Infantry (INF)		
51 Highland Regt	591	Queens Barracks, 131 Dunkeld Road, Perth, PH1 5BT
52 Lowland Regt	442	Walcheren Barracks, 122 Hotspur Street, Glasgow, G20 8LQ
Royal Logistic Corps (RLC)		
Scottish Tpt Regt RLC (V)	546	Bothwell House, Elgin Street, Dunfirmline, Fife, KY12 7SB
Army Medical Services (AMS)		
225 Fd Amb (V)	131	Block 5, Oliver Barracks, Dalkeith Road, Dundee, DD4 7DL
205 Fd Hosp (V)	256	Graham House, 130 Whitefield Road, Glasgow, G51 2YE
Adjutant Generals Corp (Royal Military Police) (AGC(RMP))		
243 Pro Coy (V)	52	TAC Beveridge Square, Livingston, EH54 6QF
Intelligence Corps (INT)		
23 MI Coy (V)	51	TAC, 124 McDonald Road, Edinburgh, Lothian, EH174NQ
University Officer Training Corps (UOTC)		
Aberdeen	178	Roy Strathdee Building, 152 Don Street, Old Aberdeen, AB2 1XQ
Edinburgh	268	Duke of Edinburgh House, 301 Colinton Road, Edinburgh, EH 13 OLA
Glasgow and Strathclyde	198	95 University Place, Glasgow, G12 8SU
Tayforth	264	TAC, 16 Park Wynd, Dundee, DD1 5HG

Unit	*Strength*	*HQ address*
Royal Auxiliary Air Force (RAuxAF)		
RAuxAF		
No 603 (City of Edinburgh) Sqn	118	25 Learmonth Terrace, Edinburgh, EH4 1NZ
No 612 (County of Aberdeen) Sqn	56	RAF Leuchars, St. Andrews, Fife, KY16 OJX
RAuxAF Regt		
No 2622 (Highland) Sqn	118	RAF Lossiemouth, Elgin, Morayshire, IV31 6SD

School Places

Mr. Foulkes: To ask the Secretary of State for Defence pursuant to his Answer of 3 December 2003, *Official Report*, column 68W, on school places, in what format his Department holds information on the proportion of funding spent by his Department on school places for service personnel which was spent on the independent sector in each year since 1996; and if he will publish that information. [143871]

Mr. Caplin: Expenditure data on Service Education Allowances is only accessible for named individuals. While it is possible to identify what has been spent on any named individual it is not possible to capture cumulative data totals electronically. Manual capture of this data could be provided only at disproportionate cost. Even if this total data were produced it would not identify the proportion spent in the independent sector schools as the same allowance rates are paid irrespective of the type of school and hence independent sector spend could not be isolated.

Service Medals

Hugh Robertson: To ask the Secretary of State for Defence what progress has been made with the award of a medal for service in Iraq. [144009]

Mr. Caplin *[holding answer 15 December 2003]*: I refer the hon. Member to the answer I gave on 6 November 2003, *Official Report*, columns 768–69W, to the hon. Member for Taunton (Mr. Flook). The case for the award of a campaign medal to recognise service in Iraq is currently with the Committee on the Grant of Honours, Decorations and Medals for their deliberation. I expect to make a further announcement in the new year.

Hugh Robertson: To ask the Secretary of State for Defence what the eligibility criteria are for the award of a medal for service in Afghanistan; and what medal that is. [144011]

Mr. Caplin *[holding answer 15 December 2003]*: I refer the hon. Member to the answer I gave on 6 November 2003, (*Official Report*, columns 768–9W) to the hon. Member for Taunton (Mr Flook). I expect to make a further announcement in the New Year.

Hugh Robertson: To ask the Secretary of State for Defence if he will take steps to introduce a medal for service during the Cold War. [144013]

Mr. Caplin *[holding answer 15 December 2003]*: There are no plans to institute any additional medals for service between the end of the Second World War and the break up of the Soviet Empire in the early 1990s, a period generally referred to as the Cold War.

Territorial Army

Angus Robertson: To ask the Secretary of State for Defence if he will list the monthly recruitment numbers for each of the Territorial Army's recruitment posts in *(a)* Scotland, *(b)* Wales and *(c)* England since 1997; and if he will make a statement. [143999]

Mr. Caplin *[holding answer 15 December 2003]*: There are no dedicated Territorial Army (TA) recruitment posts. Recruitment into the TA is conducted by individual units, locally for independent units and nationally in the case of specialist units.

The Army does not differentiate the recruitment of British nationals. The Recruitment figures for the TA as a whole, by month, since 1997 are as follows:

Date	*Recruitment*
1997	
April	990
May	680
June	720
July	580
August	500
September	1,400
October	2,000
November	420
December	490
1998	
January	1,190
February	810
March	1,020
April	980
May	780
June	660
July	600
August	650
September	720
October	1,910
November	680
December	490
1999	
January	460
February	500
March	460
April	560
May	500
June	440
July	360
August	400
September	490
October	1,730
November	620
December	400
2000	
January	530
February	520
March	460
April	610
May	720
June	470

Date	*Recruitment*
July	440
August	460
September	420
October	1,990
November	740
December	480
2001	
January	480
February	470
March	460
April	720
May	780
June	580
July	500
August	320
September	480
October	1,820
November	680
December	460
2002	
January	440
February	590
March	520
April	560
May	510
June	580
July	550
August	490
September	430
October	1,570
November	1,340
December	510
2003	
January	420
February	110
March	490
April	580
May	50
June	610
July	480
August	470
September	470
October	1,310

DEPUTY PRIME MINISTER

Barker Report

Mr. Clifton-Brown: To ask the Deputy Prime Minister how he intends to tackle the rise in planning refusals for residential dwellings identified by the Barker Report.[R] [144200]

Keith Hill: The Barker Report suggests that the recent increase in refusals may have resulted from a failure on the part of some housebuilders to respond to the changed policy environment, following recent policy changes, including those set out in Planning Policy Guidance Note 3 (Housing) 2000. It is expected that the rate of refusals will decrease over time, as the policy changes are more widely understood and adopted.

The Barker Report does not identify members' actions to overturn officer recommendations as a key reason for the rise in refusals of housing applications. However, where planning permission for housing is refused by a local planning authority, applicants have a right of appeal to my right hon. Friend the Deputy Prime Minister.

Council House Sales

Jon Trickett: To ask the Deputy Prime Minister how much was generated in capital receipts by council house sales for Wakefield Metropolitan District Council in each financial year since 1997; how much of this finance was available to the council to spend in each year; how much was spent on *(a)* council housing and *(b)* items unrelated to council housing by the council in each year; and how much remains unspent. [144128]

Keith Hill: The amount of capital receipts received by Wakefield MDC for sales of its council houses since 1997 is tabled as follows:

Capital receipts (council house sales)

	£000
1997–98	7,437
1998–99	7,033
1999–2000	10,923
2000–01	[1]—
2001–02	15,525
2002–03	23,948

[1] This information was not collected on the Housing Investment Programme return for 2000–01. However, the ODPMs' PIA return collects similar information on housing capital expenditure and receipts. In this return, Wakefield reported that £11,248 (thousand) was the amount of capital receipts received from council house sales in 2000–01.

Sources:

ODPM's Housing Investment Programme returns.

Under capital finance regulations, 25 per cent. of net capital receipts arising from council house sales (excluding the value of any related local authority mortgages) are classified as usable. Information on how much of this amount was spent on council housing, items unrelated to council housing, and the amount unspent is not collected centrally, and could be provided only at disproportionate cost.

Developers

Mr. Steen: To ask the Deputy Prime Minister what plans he has to introduce incentives to encourage developers to build on *(a)* hardcore brownfield sites and *(b)* polluted sites; and what assessment he has made of the contribution such development could make to increasing housing stock. [144539]

Keith Hill: Budget 2001 introduced a 150 per cent. accelerated payable tax credit for owners and investors for the costs they incur in cleaning-up contaminated sites. This year's pre-Budget report announced that the Government are examining the possibility of extending this relief to include remediation of land that is long-term derelict.

English Partnerships, the Government's expert adviser on brownfield land is currently working to develop a housing gap funding scheme for use by themselves, the regional development agencies and the local authorities. The final guidance on the scheme will be available in the New Year. They have also been invited to develop a Land Remediation Scheme which will enable themselves, regional development agencies and the local authorities to give grants to encourage owners of derelict, contaminated and polluted sites to bring them back into productive use. Both of these measures will help to contribute to the delivery of housing.

The Government's planning policies expects new housing to be secured in the most sustainable way, by expecting priority to be given to the re-use of urban brownfield land in preference to greenfield development, although these policies do not rule out greenfield development where it is needed.

Housing

Mr. Steen: To ask the Deputy Prime Minister how many houses have been built outside local plan boundaries in each of the last five years; and how many of these have been built by housing associations. [144540]

Keith Hill: Planning Policy Guidance note 3: Housing advises that local plans and Unitary Development Plans should identify sufficient sites on the plan's proposals map to accommodate at least the first five years (or the first two phases) of housing development proposed in the plan. Local planning authorities should be monitoring closely the uptake of plan allocations and windfall provision, and the type of that provision in terms of size, type and affordability, but this information is not collected centrally, and could only be provided at disproportionate cost.

Local Authority Funding

Mr. Tyrie: To ask the Deputy Prime Minister what the average revised level of revenue support grant per head is for *(a)* West Sussex, *(b)* inner London boroughs, *(c)* outer London boroughs, *(d)* Tyne and Wear and *(e)* England; and what he estimates extra total grant payable would be if West Sussex were to be funded at the same level of revenue support grant per head as (i) inner London boroughs, (ii) outer London boroughs, (iii) Tyne and Wear and (iv) the average for England. [144632]

Mr. Raynsford: Provisional revenue support grant (RSG) per head in 2004–05 is tabled as follows:

Area	*Revenue support grant per head (£)*
West Sussex county council	262.12
Inner London boroughs (including City of London)	913.52
Outer London Boroughs	560.79
Average metropolitan district in the Tyne and Wear area	625.10
England	543.78

The RSG per head figures in the table are not directly comparable since the services provided by West Sussex county council are not the same as those provided by London boroughs or metropolitan districts. London boroughs and metropolitan districts also provide those services provided by the district council within the West Sussex area; while West Sussex county council received an allocation of grant to cover fire services in 2003–04, that are provided by the Greater London Authority in the London area and by Tyne and Wear Fire and Civil Defence Authority in the Tyne and Wear area. In addition the City of London also provides police services. The total England figure includes both district level and police services; neither of these services are provided by West Sussex county council.

The calculation of RSG takes account of a range of factors other than the numbers of service recipients. It includes top-ups for deprivation, pay costs, and other factors such as population sparsity that drive the costs of service delivery in different areas, as well as the relative ability of councils to raise council tax in their areas. Simple per capita comparisons will not therefore be meaningful comparisons of all the factors that drive grant distribution.

If West Sussex county council received £913.52 per head of RSG then it would have received £690,488,660, an additional £492,366,039; at £560.79 per head of RSG then it would have received £423,875.925, an additional £225,753,304; at £625.10 per head of RSG then it would have received £472,484,961, an £411,018,832,163,260, an additional £212,896,211.

Local Government Finance

Miss McIntosh: To ask the Deputy Prime Minister why information on the 2004–05 Local Government Finance Settlement was released after local authorities had agreed their budgets; and how he expects councils to take account of the settlement. [145008]

Mr. Raynsford: The provisional local government finance settlement for 2004–05 was announced on 19 November 2003, and we expect the final settlement to be debated at around the end of January or the beginning of February 2004, in line with the normal settlement timetable.

The statutory deadlines by which local authorities must set their budgets fall some time after the expected approval of the final settlement. The deadlines are; for levying bodies, 15 February; for major preceptors, 1 March; and for billing authorities, 11 March.

Miss McIntosh: To ask the Deputy Prime Minister how he expects local councils in North Yorkshire to make up the shortfall they are facing following the 2004–05 local government finance settlement; and if he will make a statement. [145009]

Mr. Raynsford: The provisional local government finance settlement for 2004–05 gives all local authorities in North Yorkshire an above inflation increase in formula grant. Councils in the Yorkshire and the Humber region receive an average grant increase of 5.0 per cent.

Ministerial Visit

Mr. Drew: To ask the Deputy Prime Minister what discussions he has held with the Minister without Portfolio regarding that Minister's visit to the tri-Service Emergency Centre in Gloucester earlier in 2003. [144927]

Mr. Raynsford: The Minister without Portfolio and I discussed his visit to the tri-Service Emergency Centre on 5 December 2003.

Planning

Mr. Clifton-Brown: To ask the Deputy Prime Minister what the estimated cost is of setting up the new tariff system in the Planning and Compulsory Purchase Bill as the alternative to the section 106 (Town and Country Planning Act 1990); and whether the section 106 procedure will change under the Bill. [144204]

Keith Hill: The issue of the cost of establishing and operating the optional planning charge system is addressed in the partial Regulatory Impact Assessment which accompanies the Government's consultation document "Contributing Sustainable Communities—a new approach to planning obligations", published on 6 November 2003.

Nothing in the Bill precludes the negotiated route being the same in character as the way s106 operates now. The Government's consultation document proposes some improvements to the way in which planning obligations are negotiated, mainly by promoting good practice, where the developer opts for the negotiated route rather than pay the optional planning charge. We will await the results of the consultation before deciding whether any changes to the negotiated procedure are appropriate.

West Sussex County Council

Mr. Tyrie: To ask the Deputy Prime Minister (1) if he will estimate what the level of grant increase to West Sussex County Council in 2004–05 would be if calculated on the basis of increase in population; [143861]

(2) what the level of grant increase would be to West Sussex County Council in 2004–05 if calculated on the basis of increase in population; and by how much this would differ from the revised level of settlement following the announcement in the Pre-Budget Report. [144631]

Mr. Raynsford: The increase in formula grant (i.e. Revenue Support Grant plus Redistributed Business Rates plus Police Grant) for West Sussex County Council would be £7,581,434.

This has been calculated as follows:

(a) Total grant for England in 2004–05 minus total grant in 2003–04 on a like for like basis i.e. £46,116,848,766—£43,705,512,675—£2,411,336,091;

(b) Mid-2002 population estimate minus mid-2001 population estimate for West Sussex County Council i.e. 755,855—754,254 = 1,602;

(c) The result of (b) multiplied by the Share of Assumed National Council Tax given in Annex B of the draft Local Government Finance Report (England) 2004–05 i.e. 1,602 * 0.740845 = 1,186.833690

(d) The result of (c) is then divided by the sum of (c) for all authorities i.e. 1,186.833690 / 377,482.000000 0.003144

(e) The result of (d) multiplied by the result of (a) i.e. 0.003144 * 2,411,336,091 = 7,581,434

Please note that the mid-2001 population estimate used was that published by the Office for National Statistics on 10 October 2002, since these were the population estimates used in the calculation of the 2003–04 Formula Spending Shares. Following the approval by Parliament of the 2003–04 Local Government Finance Settlement, the mid-2001 population estimates were revised. An Amending Report for 2003–04 to reflect the revised mid-year estimates will be submitted to the House for approval in due course.

Since in all areas of England council services are supplied by more than one type of authority the change in population in an area has to be divided between the authorities supplying services in an area. For the purpose of the above calculation we have used the share of assumed national council tax given in Annex B of the draft Local Government Finance Report (England) 2004–05 to split the change in population between types of authority.

The proposed increase in grant for West Sussex in 2004–05 is £17,132,188, this is an increase of 4.5per cent. on the 2003–04 formula grant on a like-for-like basis.

EDUCATION AND SKILLS

Enterprise Advisers

Mr. Blizzard: To ask the Secretary of State for Education and Skills how many enterprise advisers for schools will be publicly funded in *(a)* England and *(b)* the Eastern Region. [143504]

Mr. Ivan Lewis: This is a matter for the Learning and Skills Council. Mark Haysom, the Council's Chief Executive, will write to my hon. Friend with this information and a copy of his reply will be placed in the Library.

Academies

Mr. Chaytor: To ask the Secretary of State for Education and Skills if he will make a statement on the required admissions policies of Academies; and which academies do not comply with the requirements. [142740]

Mr. Miliband: All Academies are required, by their funding agreements with the Secretary of State, to comply with the Admissions Code of Practice and with the law on admissions as it applies to maintained schools. I am not aware of any Academy which has admission arrangements that do not meet this requirement.

Big Conversation

Mr. Heald: To ask the Secretary of State for Education and Skills what visits *(a)* he and *(b)* Ministers in his Department (i) have made and (ii) plan to make using public funds in connection with the Big Conversation; how many civil servants accompanied each Minister in respect of such visits; what the cost to public funds was of visits by (A) each Minister and (B) civil servants in connection with the Big Conversation; and if he will make a statement. [143165]

Mr. Stephen Twigg: I refer the hon. Member to the reply given by the Leader of the House on 9 December 2003, *Official Report*, column 355W.

Boys' Literacy

Mr. Gibb: To ask the Secretary of State for Education and Skills what assessment he has made of the decrease in the percentage of boys achieving level two and above in writing tests at Key Stage 1 between 2002 and 2003, referred to in the Ofsted report on National Literacy and Numeracy Strategy. [144376]

Mr. Stephen Twigg: The following table shows the percentage of pupils achieving level 2 or above in the Key Stage 1 attainment tests since 1998, (split into girls, boys and all pupils):

	1998	*1999*	*2000*	*2001*	*2002*	*2003*
All						
Reading	80	82	83	84	84	84
Writing	81	83	84	86	86	81
Spelling	66	71	72	75	78	—
Maths	84	87	90	91	90	90
Boys						
Reading	75	78	79	80	81	80
Writing	76	78	80	82	82	76
Spelling	60	66	67	70	73	—
Maths	83	85	89	90	89	89
Girls						
Reading	85	86	88	88	88	88
Writing	86	88	89	90	90	87
Spelling	72	77	77	80	83	—
Maths	86	88	91	92	92	91

In 2003 significant changes were introduced to the assessment of writing at KS1. For the first time marks for spelling contributed to the pupils' overall writing level instead of separate level for spelling being reported. In addition there were changes to the format of the writing test and a new mark scheme was introduced. These new testing arrangements have produced a different distribution of marks and it is difficult to draw conclusions through comparisons with previous years' results. For example a larger proportion of pupils secured the higher levels in writing than in previous years. The percentage of all pupils achieving Level 2B or above in writing rose from 60 per cent. in 2002 to 62 per cent. in 2003; the percentage of boys achieving that level rose from 52 per cent. to 54 per cent. The percentage of all pupils at Level 3 rose from 9 per cent. in 2002 to 16 per cent. in 2003; the percentage of boys achieving that level rose from 7 per cent. to 11 per cent.

It remains a point of concern that boys' achievement in writing at KS1, as at all Key Stages, lags behind that of girls, and the Primary Strategy will continue to support teachers in raising standards further. In spring 2004 new support materials will be offered on improving boys' writing. We will also be piloting the development and delivery of a specialist support package for early years practitioners so that they can begin to tackle the challenges faced by disadvantaged children as soon as they enter the Foundation Stage. A particular focus for the specialists will be to improve the speaking, listening and communication skills of these children.

Class Sizes

Helen Jones: To ask the Secretary of State for Education and Skills how many children aged between five and seven in Warrington North *(a)* were taught in classes of more than 30 in 1997 and *(b)* are currently in classes of more than 30. [143457]

Mr. Stephen Twigg: The requested information is given in the table.

Maintained primary schools[1]: Key Stage 1 classes taught by one teacher

	Warrington North[2] Key Stage 1 Classes[3,4]	
Position in January each year 1997 and 2003	*1997*	*20[illegible]*
Average class size	27.5	[illegible].7
Number of pupils	4,239	[illegible]728
Number of pupils in classes with over 30 pupils	1,445	0
Percentage of pupils in classes with over 30 pupils	34.1	0.0
Number of classes	154	151
Number of classes with over 30 pupils	44	0
Percentage of classes with over 30 pupils	28.6	0.0

[1] Includes middle deemed schools.

[2] The boundaries for each area are for the year in question. Figures have not been adjusted to take into account of any boundary changes.

[3] Classes as taught by one teacher.

[4] Classes as taught during one selected period in each school on the day of the Census in January.

[5] Includes Reception classes to produce a coverage as close as possible to previous years.

Source:

Annual Schools' Census

English Ability

Ms Buck: To ask the Secretary of State for Education and Skills how many pupils in London lacked fluency in English on their entry to *(a)* primary and *(b)* secondary schooling in the last year for which figures are available, broken down by (i) constituency and (ii) local education authority. [143579]

Mr. Stephen Twigg: The available information collected centrally relates to pupils whose first language is known or believed to be other than English. This information has been placed in the House of Commons library.

"First Language" is the language to which the child was initially exposed during early development. If the child was exposed to more than one language and these include English, then English has been taken to be their first language. If a child acquires English subsequent to early development, then English has not been recorded as their first language no matter how proficient in it they have become.

Information on first language is not necessarily a robust indicator of fluency.

Enterprise Advisers (Schools)

Mr. Blizzard: To ask the Secretary of State for Education and Skills by what date all schools in *(a)* England and *(b)* the Eastern Region will have access to an enterprise adviser. [143505]

Mr. Ivan Lewis: This is a matter for the Learning and Skills Council. Mark Haysom, the Council's Chief Executive, will write to my hon. Friend with this information and a copy of his reply will be placed in the Library.

Environmental Awareness

Dr. Pugh: To ask the Secretary of State for Education and Skills what steps he has taken to encourage awareness of environmental issues in schools. [144212]

Mr. Charles Clarke: Education for Sustainable Development (ESD), which includes environmental awareness, is a statutory part of the programmes of study for Science, Geography, Design and Technology and Citizenship within the National Curriculum. The Department and the Qualifications and Curriculum Authority (QCA) also encourage schools to consider sustainable development issues within the teaching of all subjects. Since 2001, the Department has funded QCA to provide on-line guidance for teachers.

In September, the Secretary of State issued the "Sustainable Development Action Plan for Education and Skills", which is organised around four key objectives:

1. education for sustainable development;
2. the environmental impact of the Department and its partner bodies;
3. the environmental impact of the education estate; and
4. local and global partnership activity.

Further Education

Mr. Mahmood: To ask the Secretary of State for Education and Skills what research his Department has *(a)* conducted and *(b)* is planning to conduct regarding the proportion of students from (i) further education colleges and (ii) schools who receive offers from research-intensive universities; and if he will make a statement. [143641]

Alan Johnson: The Government are considering the need for such a study.

Higher Education

Chris Grayling: To ask the Secretary of State for Education and Skills if he will list *(a)* current and *(b)* proposed government grants available to universities for improving and widening social access to higher education. [143073]

Alan Johnson: Excluding student support, the relevant schemes and initiatives are as follows:

Aimhigher (previously called Excellence Challenge) provides grants mainly to schools and colleges to raise the aspirations and attainment levels of young people. The Higher Education Funding Council for England's (HEFCE) Partnerships for Progression provides funds to universities for outreach. The White Paper "The future of higher education" announced that these two initiatives would be merged to form a new Aimhigher programme. Expenditure on these initiatives to 2005–06 is given in the tables.

In addition, HEFCE uses part of its teaching grant to provide a widening participation premium to universities to assist them with the additional costs of recruiting and retaining students from non-traditional backgrounds. The amount for this is £255 million in 2003–04, which includes £10 million from the Department's Aimhigher/Excellence challenge budget. HEFCE's disability allocation (£10 million in 2003–04) provides additional funding to universities to support recruitment and retention of disabled students. Plans for expenditure after 2005–06 will be determined during the next spending review.

£ million

Expenditure	*2003–04*	*2004–05 plans*	*2005–06 plans*
Excellence Challenge/Aimhigher	100	—	—
Partnerships for Progression	20	—	—
The new Aimhigher		126	128
Total non-student support	120	126	128

Helen Jones: To ask the Secretary of State for Education and Skills which higher education institutions in the North West operate Knowledge Transfer Partnerships; and what steps he is taking to encourage other institutions to participate in this scheme. [143454]

Alan Johnson: A total of nine higher education institutions in the North West received funding for knowledge transfer activities during the first round of the Higher Education Innovation Fund (HEIF). The increase in HEIF funding from £60 million in 2003–2004 to £100 million by 2005–06 will broaden the reach of knowledge transfer activities, including partnerships, through support for less research intensive groups and departments.

Language Study

Mr. Gibb: To ask the Secretary of State for Education and Skills how many pupils took *(a)* Japanese and *(b)* Latin at (i) GCSE and (ii) A level in each year since 1995; and if he will make a statement. [144489]

Mr. Miliband: The information requested is as follows:

(i) The number of schools who took Japanese and Latin at GCSE level is:

Academic year	*Japanese*	*Latin*
1995	129	814
1996	141	812
1997	145	771
1998	149	740
1999	162	728
2000	174	732
2001	165	707
2002	165	682
2003[1]	202	700

[1] Figures are provisional

(ii) The number of schools who took Japanese and Latin at A/AS level is:

Academic year	*Japanese*	*Latin*
1995	147	429
1996	149	429
1997	143	425
1998	155	401
1999	154	369
2000	161	364

Academic year	*Japanese*	*Latin*
2001	165	416
2002	178	415
2003[1]	201	416

[1] Figures are provisional

Learning and Skills Council

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on the status of the Learning and Skills Council reorganisation plans in *(a)* Carlisle and *(b)* Haringey. [144065]

Alan Johnson *[holding answer 15 December 2003]*: Section 113A of the Learning and Skills Act 2000 gives the Learning and Skills Council powers to propose establishing, closing or altering school sixth-form provision. Regulations require local Learning and Skills Councils to consult on preliminary proposals before deciding whether to publish formal proposals, which are decided by my right hon. Friend the Secretary of State.

Cumbria Learning and Skills Council is currently consulting on preliminary proposals to close school sixth forms in the Carlisle area and replace them with a sixth-form college. The consultation is due to end in January 2004.

London North Learning and Skills Council has consulted on preliminary proposals to close school sixth forms in Haringey and replace them with either a 16–19 school or a sixth-form college. The LSC is now considering responses to consultation before deciding whether to proceed with formal proposals.

Mr. Willis: To ask the Secretary of State for Education and Skills (1) how many staff have been made redundant at the Learning and Skills Council since its inception in 2001; [144622]

(2) what the proposed target for workforce reduction is at the Learning and Skills Council; and what criteria are used to formulate the redundancy programme. [144623]

Alan Johnson: These are matters for the Learning and Skills Council. Mark Haysom, the Council's Chief Executive, will write to the hon. Member with this information and a copy of his reply will be placed in the Library.

Legislation

Mr. Redwood: To ask the Secretary of State for Education and Skills what percentage of *(a)* primary and *(b)* secondary legislation sponsored by his Department in 2002–03 was introduced to implement EU requirements. [141134]

Alan Johnson: In 2002 and to date in 2003, the percentage of *(a)* primary and *(b)* secondary legislation sponsored by the Department for Education and Skills introduced to implement EU requirements is as follows:

(a) 0 per cent. Primary legislation

(b) 1.2 per cent. Secondary legislation.

Literacy and Numeracy

Mr. Gibb: To ask the Secretary of State for Education and Skills what his assessment is of the likely effects of the teaching methods recommended by the recent Ofsted report National Literacy and Numeracy Strategies and the Primary Curriculum which encourage collaborative rather than passive learning on the disparity in achievement between boys and girls in the Key Stage Two literacy tests. [144578]

Mr. Stephen Twigg: Ofsted's report confirms that the National Literacy and Numeracy Strategies have brought about an overall improvement in the quality of teaching of literacy and mathematics, and have successfully introduced teachers to a broader range of teaching approaches designed to motivate and engage pupils. Our new Primary Strategy will continue to support teachers in ensuring that their teaching reflects an appropriate balance of approaches, including both direct teaching and opportunities for collaborative learning, and is appropriate to the needs of their individual pupils. For example, all primary schools have recently received new guidance on strategies for improving pupils' speaking and listening skills, which was a need highlighted by Ofsted's report, and we will be making available in spring 2004 new support on improving boys' writing.

National Healthy School Scheme

Chris Grayling: To ask the Secretary of State for Education and Skills what the total cost to public funds of the National Healthy School scheme has been. [144563]

Mr. Stephen Twigg: The table shows the level of direct financial support for the National Healthy Schools Standard (NHSS) from central Government sources since its launch in 1999–2000. Information on any additional support from the local NHSS or from local education authorities is not held centrally.

£ million

Year (allocations)	*From the Department of Health*	*From the Department for Education and Skills*	*Total*
1999–2000	2	2	4
2000–01	6	2	8
2001–02	5.8	2	7.8
2002–03	5.5	2	7.5
2003–04	5.5	2	7.5

National Literacy Strategy

Mr. Gibb: To ask the Secretary of State for Education and Skills what revisions to the National Literacy Strategy he is undertaking to ensure primary schools meet the Government's targets for reading; and if he will make a statement on the prevalence of synthetic phonics teaching in schools. [144490]

Mr. Stephen Twigg: The National Literacy Strategy (NLS) has dramatically increased the Key Stage 2 reading results. Since 1998 there has been a 10 percentage point increase in the percentage of pupils achieving the expected level for their age in the Key Stage 2 English tests, with an increase of 10 percentage points in reading. There have also been increases in reading results at Key Stage 1, with a 7 percentage point increase in the percentage of pupils achieving level 2B or above in the Key Stage 1 Reading tests since 1998. The work of the NLS is now being taken forward within the wider context of our Primary Strategy, as set out in "Excellence and Enjoyment".

The emphasis that the Primary Strategy places on phonics in teaching children to read has had a direct impact on the reading results at both Key Stage 1 and Key Stage 2. The Primary Strategy adopts the 'Searchlights' model of reading, which advocates that children should be taught to read using synthetic and analytic phonics as well as other strategies such as knowledge of grammar and context. We will continue to support the teaching of phonics, and will be producing a supplement to "Progression in Phonics" next spring through the Primary Strategy.

Parliamentary Questions

Mr. Luff: To ask the Secretary of State for Education and Skills pursuant to his answer of 4 December 2003, *Official Report*, column 185W, if he will provide the information requested in questions 141460, 141424 and 141425 in the form used to answer 141426. [143373]

Mr. Charles Clarke: Please see attached tables, as per request.

Number of schools and total funding for financial year 2003-04 by EAZ

LEA No.	*Zone*	*Number of schools within the zone*	*Funding for 2003-04*
330	Aston & Nechells	19	826,000.00
330	Kitts Green and Shard End	15	810,843.07
846	East Brighton	8	683,459.66
881	East Basildon	28	888,500.00
381	Halifax	28	724,000.00
810	Kingston upon Hull	18	676,791.67
892	Nottingham	9	591,500.00
879	Plymouth	21	731,633.00
373	North East Sheffield	21	655,000.00
391	South Tyneside	16	732,266.00
210	Southwark	16	657,000.00
926	Thetford	10	650,492.00
359	Leigh	26	742,200.00
820	Bedford	20	896,000.00
830	North East Derbyshire Coalfields	19	967,532.00
882	Southend	20	876,000.00
204	Hackney	16	862,000.00
928	Challenge for Corby	28	837,366.00
209	Downham and Bellingham	24	950,000.00
203	Greenwich (Time to Succeed)	15	817,000.00
206	North Islington (Widening Horizons)	19	1,317,000.00
929	Ashington	20	969,157.00
909	Barrow (Community Learning Group)	18	912,000.00
341	Dingle, Granby and Toxteth	17	1,195,066.00
840	Peterlee (Partners in Learning)	15	1,009,266.00
875	Ellesmere Port—Epicentre LEAP	23	956,000.00
807	East Cleveland	18	671,000.00
350	Bolton (Breightmet and Tonge)	19	893,000.00
840	Easington and Seaham	20	1,097,000.00
352	East Manchester	17	804,633.00
341	Speke Garston	16	1,121,240.00
352	Wythenshawe	18	1,024,000.00
931	Hamilton Oxford (Schools Partnership)	14	909,000.00
845	Hastings and St. Leonards	26	855,250.00
886	Kent Somerset (Virtual Education Improvement Zone)	29	966,000.00
933	Kent Somerset (Virtual Education Improvement Zone)	6	See above
850	Leigh Park (Education Action Zone)	15	906,000.00
887	Gillingham	16	930,479.00
871	Heart of Slough	22	1,015,000.00
881	South East England Virtual	7	796,000.00
305	South East England Virtual	7	See above
933	Bridgwater	16	910,008.00
801	Bristol	16	902,896.00
908	Camborne, Pool and Redruth (Success Zone)	30	945,633.00
332	Dudley (Partnership for Achievement)	20	856,000.00
893	North West Shropshire (Meeting the Rural Challenge)	20	784,000.00
333	Wednesbury	17	630,495.00
336	Wolverhampton	16	884,805.00
380	South Bradford (Community Learning Partnership)	19	850,000.00
373	South East Sheffield	21	1,067,216.00
384	Wakefield (Community Learning Partnership)	16	1,048,062.00
811	Withernsea and Southern Holderness (Rural Achievement)	13	891,658.67
808	North Stockton	19	750,000.00
394	Sunderland	19	764,848.00
916	Gloucester	23	848,000.00
331	Coventry	18	857,633.00

Number of schools and total funding for financial year 2003-04 by EAZ

LEA No.	*Zone*	*Number of schools within the zone*	*Funding for 2003-04*
881	Clacton and Harwich	23	863,000.00
861	Stoke on Trent (Rainbow)	17	896,216.00
926	Greater Yarmouth	25	899,000.00
213	Westminster	33	525,000.00
894	Telford and Wrekin	32	1,104,000.00
831	Derby	25	1,071,000.00

Number of schools and total funding for financial year 2003-04 by Cluster

LEA No.	*Cluster*	*Number of schools within the Cluster*	*Funding for 2003-04*
306	Croydon	10	950,500.00
382	Dewsbury and Batley	17	1,172,000.00
888	East Lancashire	13	919,500.00
886	Shepway	6	920,500.00
851	Portsmouth	20	1,130,500.00
335	Walsall	20	1,538,500.00
909	West Cumbria	18	771,000.00
331	Coventry	14	1,040,000.00
382	Huddersfield	18	1,121,000.00
888	West Lancashire	11	676,500.00
357	Tameside	19	917,000.00
883	Tilbury and Chadwell	14	825,560.00
302	Barnet	22	1,528,500.00
840	Bishop Auckland	12	660,000.00
875	Crewe	24	914,500.00
831	Derby	16	1,214,000.00
825	High Wycombe	11	678,000.00
312	Hillingdon	25	1,484,000.00
888	Lancaster	10	660,000.00
826	Milton Keynes	17	1,144,000.00
926	Norwich	13	660,000.00
874	Peterborough	15	696,250.00
356	Stockport	13	979,500.00
359	Wigan	15	776,500.00
886	Ashford	15	581,478.00
303	Bexley	17	840,549.00
925	Boston	14	454,733.00
830	Chesterfield	24	542,991.00
925	Grantham	15	384,999.00
886	Gravesham	13	536,650.00
881	Harlow	16	458,814.00
311	Havering	15	582,318.00
886	Maidstone	14	519,100.00
928	Northampton	34	969,441.00
813	Scunthorpe	19	579,097.00
334	Solihull	20	864,700.00
925	Spalding	14	385,000.00
866	Swindon	9	563,838.00
870	Reading	10	165,001.00

Post-16 Education

Mr. Hoban: To ask the Secretary of State for Education and Skills what representations he has received concerning the reorganisation of post-16 education in *(a)* Haringey and *(b)* Carlisle. [144062]

Alan Johnson *[holding answer 15 December 2003]:* My hon. Friend the Parliamentary Under-Secretary for Schools has met with Haringey councillors, headteachers and representatives of London North Learning and Skills Council to hear their views on proposals to reorganise sixth form provision in Haringey.

Ministers have received a number of letters and e-mails about Cumbria Learning and Skills Council's proposals to reorganise sixth form provision in Carlisle. (David Hart, National Association of Headteachers and John Dunford, Secondary Heads Association, and Eric Martlew, constituency MP for Carlisle, have been invited to meet Alan Johnson and Ivan Lewis at separate meetings to be arranged for the New Year.)

Mr. Hoban: To ask the Secretary of State for Education and Skills what criteria are used when the Learning and Skills Council formulate post-16 education reorganisation plans. [144063]

Alan Johnson *[holding answer 15 December 2003]:* In its strategic area reviews of all post-16 provision the LSC's criteria include that the pattern of provision should:

meet learner, employment and community needs;

improve choice of provision, ways of delivery and learner experience including, where appropriate, developing more distinct provision for 16 to 19-year-olds;

raise standards and participation;

enhance responsiveness of the infrastructure and employers' involvement; and

strengthen collaboration and progression in the 14-19 phase, the post-19 phase and with HE including supporting the development of foundation degrees.

Where such proposals require reorganisation, there is a national framework of criteria for all reorganisation proposals requiring them to extend participation, improve achievement and standards and be affordable. Proposals also have to show that adequate consultation has taken place and that proper consideration has been given to alternatives.

When considering proposals for 16-19 reorganisation the LSC will also have regard to the five key principles that should underpin the organisation of 16-19 provision agreed by Ministers in September. These are:

underpinning all consideration of 16-19 provision should be a requirement that all provision for all learners should be high quality, whatever their chosen pathway;

distinct 16-19 provision to meet the particular pastoral, management and learning needs for this age group will be the norm, wherever they learn. All young people should be attached to a 16-19 base, including those in work-based training when attending college. Popular and successful sixth-form provision—whether in schools, sixth-form colleges or new distinct sixth-form centres in FE colleges—will be an important part of the pattern of provision and should be encouraged, particularly where there is little or no such provision;

there should be diversity to ensure curriculum breadth. Together, providers need to support a wide curriculum offer for all 16-19 learners in an area. Well-managed collaboration can

> enable popular and successful small providers, including sixth forms, to remain viable and to share and build on their particular areas of expertise;
>
> the pattern for 16–19 provision should respect learner choice. Learning provision for 16 to 19-year-olds will normally be in one or more of the following settings: school sixth forms, sixth-form colleges, distinct sixth-form centres in FE colleges, private or voluntary sector training providers and work-based learning providers;
>
> plans should offer value for money. Any net costs should be commensurate to the expected improvement in learning opportunities.

The LSC has published detailed guidance on these matters and I have asked the LSC to forward to you copies of the relevant circulars, 02/09: Provider Reorganisations, 03/06: Strategic Area Reviews and 03/07: School Sixth Form Reviews. I am also arranging to send you a copy of the Department's document on the key principles for 16–19 organisation.

Mr. Hoban: To ask the Secretary of State for Education and Skills what guidance has been given to the Learning and Skills Council concerning the maintenance of post-16 education in voluntary-aided schools. [144064]

Alan Johnson *[holding answer 15 December 2003]:* The Department's statutory guidance makes clear that local Learning and Skills councils should fully involve local diocesan authorities in proposals for the reorganisation of post-16 provision.

In addition Ministers published in September five key principles that should underpin the organisation of all 16–19 provision. The principles are:

> underpinning all consideration of 16–19 provision should be a requirement that all provision for all learners should be high quality, whatever their chosen pathway;
>
> distinct 16–19 provision to meet the particular pastoral, management and learning needs for this age group will be the norm, wherever they learn. All young people should be attached to a 16–19 base including those in work based training, when attending college. Popular and successful sixth form provision—whether in schools, sixth form colleges or new distinct sixth form centres in FE colleges—will be an important part of the pattern of provision and should be encouraged, particularly where there is little or no such provision;
>
> there should be diversity to ensure curriculum breadth. Together, providers need to support a wide curriculum offer for all 16–19 learners in an area. Well-managed collaboration can enable popular and successful small providers, including sixth forms, to remain viable and to share and build on their particular areas of expertise;
>
> the pattern for 16–19 provision should respect learner choice. Learning provision for 16–19 year olds will normally be in one or more of the following settings: school sixth forms, sixth form colleges, distinct sixth form centres in FE colleges, private or voluntary sector training providers and work based learning providers;
>
> plans should offer value for money. Any net costs should be commensurate to the expected improvement in learning opportunities.

Strategic Area Reviews by the Learning and Skills Council will be based on the principles, which will also provide a benchmark against which my right hon. Friend the Secretary of State will assess reorganisation proposals that come to him.

Programme for International Student Assessment

Mr. Gibb: To ask the Secretary of State for Education and Skills what assessment he has made of the *(a)* intrinsic value and *(b)* relative value of the Programme for International Student Assessment 2000 education survey compared to other recent studies. [143982]

Alan Johnson: International comparisons of pupil attainment such as the OECD Programme for International Student Assessment (PISA) offer insights into how the outcomes of our education system compare with those of other countries. PISA, which in 2000 focused on "reading literacy" of 15-year-olds, allows us to compare pupils at the end of compulsory schooling. Together with PISA, other international comparisons studies, such as the IEA's Progress in International Literacy Study (PIRLS) and Trends in International Mathematics and Science Study (TIMSS), with their different age cohorts and subject content, help give us an objective picture of performance across the primary and secondary sectors in relation to our world partners and competitors, complementing the data coming out of our own national assessments. It seems clear that we are not alone in finding these studies valuable, given the large number of countries routinely taking part in them.

Regulations (Consultation)

Brian Cotter: To ask the Secretary of State for Education and Skills what proportion of regulations introduced by the Department have been subject to a consultation period of less than 12 weeks since the introduction of the Code of Practice on Consultations. [142487]

Mr. Stephen Twigg: The Cabinet Office Code of Practice on Written Consultation came into effect on 1 January 2001. In the period 1 January 2001 to 31 December 2002, the Department for Education and Skills has published 110 consultations covered by the Code, of which 24 were less than 12 weeks.

There is not always a direct correlation between Government consultations and individual regulations. For example, there would not be a public consultation prior to the making of statutory instruments designating bodies as eligible to be funded by the Teacher Training Agency.

School Placement Appeals

Mr. Hoban: To ask the Secretary of State for Education and Skills what proportion of parents appealed against decisions concerning which school their child should attend for *(a)* primary schools and *(b)* secondary schools in each local education authority in the last year for which figures are available; and what proportion of these appeals was successful. [144351]

Mr. Miliband: The information requested has been placed in the House of Commons Library.

SATs

Mr. Willis: To ask the Secretary of State for Education and Skills what the cost, including setting of examinations, printing, postage, marking and publishing SATs at Key Stage 2 was in the last year for which figures are available; and if he will make a statement. [144625]

Mr. Miliband: The costs of setting the exam, printing, postage, marking and publishing of the Key Stage 2 tests are as follows:

£ million

Key Stage 2	*Amount*
Test development, pre-testing and level setting	1.25
Test printing	0.65
Test distribution	0.55
Marking	10.43
National data collection	0.85
Results publication	0.9
Total	14.63

Note:

The costs relate to the 2003 Key Stage 2 tests with the exception of results publication which are for the 2002 tests. Publication figures for 2003 will not be available until the cycle has finished. The figures relate to the test cycle and not a financial year.

Schools White Paper

Mr. Gibb: To ask the Secretary of State for Education and Skills what plans he has to produce a White Paper following the publication of the Green Paper, Schools: Building on Success in 2001. [144493]

Mr. Stephen Twigg: The White Paper "Schools: Achieving Success" was published on 5 September 2001.

Scientific Innovation

Mr. Sheerman: To ask the Secretary of State for Education and Skills what steps he has taken to inform *(a)* schools, *(b)* colleges and *(c)* universities of the Altran Foundation for Innovation's award for 2004 on the theme of Discovery, Understanding and Enjoying Science through innovation. [144501]

Alan Johnson: My Department has not been involved directly with the Altran Foundation for Innovation's award. I have asked my officials to explore the potential for schools, colleges and universities to participate in this initiative in future years.

Specialist Colleges

Mr. Gibb: To ask the Secretary of State for Education and Skills in how many specialist *(a)* technology, *(b)* sports, *(c)* arts and *(d)* languages colleges the proportion of selective admissions exceeds 10 per cent. of their pupil intake. [141795]

Mr. Miliband: The information requested is set out in the following table:

Specialism	*Grammar schools*	*Selection exceeds 10 per cent. (Non-Grammar)*	*Total*
(a) Arts	5	1	6
(b) Language	24	—	24
(c) Sports	6	—	6
(d) Technology	18	5	23
Total	53	6	59

Our figures suggest that 40 specialist schools selected by aptitude in 2001. Most of these specialist schools which select by aptitude were selecting by aptitude prior to the 1998 Act, therefore some schools select more than 10 per cent. of their pupils on this basis.

Specialist Schools

Ms Drown: To ask the Secretary of State for Education and Skills how many specialist schools have been in special measures during their time as specialist schools. [144605]

Mr. Miliband: The answer is as follows: 16 specialist schools have been in special measures during their time as specialist schools.

Ms Drown: To ask the Secretary of State for Education and Skills what percentage of students in specialist schools were entitled to free school meals in each of the last three years. [144606]

Mr. Miliband: The answer is in the following table.

Percentage of pupils eligible to receive a free school meal (FSM) in specialist schools[1]

	2001	*2002*	*2003*
FSM percentage for specialist schools	15.2	14.9	14.1
Number of specialist schools	528	676	982
National average FSM percentage (covers all maintained secondary schools in England)	15.8	14.9	14.5

[1] *Source:* Annual Schools Census as at January 2001, 2002, 2003.

Notes:

1. Figures cover specialist schools which were operational at the time of data collection.
2. Figures exclude special specialist schools.

Student Grant

John Mann: To ask the Secretary of State for Education and Skills what the value was of the full student grant in today's prices in *(a)* 1973, *(b)* 1980, *(c)* 1990 and *(d)* 2003. [143670]

Alan Johnson *[holding answer 11 December 2003]:* The available information is shown in the table.

Rates of standard maintenance grant payable under a mandatory award[1] *for the academic years shown, uprated to 2003/04 prices*[2]

	Academic year			
Rate of grant	*1975/76*[3]	*1980/81*	*1990/91*[4]	*2003/04*[5,6]
Parental home rate	2,840	2,950	2,610	1,670
London rate	4,040	4,450	4,130	2,510
Elsewhere rate[7]	3,690	3,750	3,290	2,040
Board and lodging[8]	1,570	1,560	[9] —	[9] —

[1] The rate of maintenance grant, before income assessment, applicable to students normally domiciled in England and Wales and studying in the UK.

[2] In 2003/04 prices based on the September Retail Price Index (RPI), excluding mortgage interest payments, at the beginning of the academic year. Data rounded to nearest £10.

[3] The convention, when showing current values, is to apply the relevant factor of the RPI (excluding mortgage interest payments) to the year in question; however, this factor is not available prior to 1975/76 and so the table shows this as the earliest academic year. The cash values for academic year 1973/74 were £390, £520 and £485 for the parental home, London and elsewhere rates respectively. Those in 1975/76 were £570, £810 and £740 respectively.

[4] Student loans were introduced in academic year 1990/91 to provide extra resources. The 'elsewhere' rate of loan in that year was £420 (£610 in current values).

[5] The rate of grant in academic year 2003/04 applicable to mandatory award holders only i.e. mostly those who entered higher education prior to 1998/99. Those who entered from 1998/99 under the new arrangements receive support solely through

loans; grants/allowances are available only for students in particular circumstances e.g. students with disabilities, students with dependents and single parent students.

[6] The values shown relate to maintenance grants only; student loans are also available to mandatory award holders at the (full year) parental home, London and elsewhere rates of £1,500, £2,420, £1,960, giving total support of £3,165, £4,930 and £4,000 respectively.

[7] The 'elsewhere' rate of grant is applicable to students living away from home and studying outside London.

[8] Special grant arrangements applied to students provided with free board and lodging by their college.

[9] — not applicable

Source:

Department for Education and Skills, Office of National Statistics

Student Loans

Mr. Alan Williams: To ask the Secretary of State for Education and Skills what the threshold for commencement of repayment of a student loan *(a)* was at the time of introduction of student loans and *(b)* is now; and what the threshold would be now if it had risen in line with the retail price index. [143177]

Alan Johnson: The threshold for repayment of a student loan was £10,000 on the introduction of the income contingent student loan scheme. The threshold is still £10,000. The first point at which borrowers could be required to repay income contingent loans was April 2000. The Retail Price Index figures used to maintain the value of student loans in real terms were 2.6 per cent., 2.3 per cent. and 1.3 per cent. for academic years 2000–01, 2001–02 and 2002–03 respectively. Had the threshold been raised in the same way it would now be £10,630.

Chris Grayling: To ask the Secretary of State for Education and Skills (1) what estimate he has made of the annual cost to the Government of the increase in the income threshold for student loan borrowers after 2005; [144570]

(2) what additional annual provision he plans to make to cover the cost of the income threshold for repaying income-contingent student loans after 2005. [144571]

Alan Johnson: We plan to publish a Regulatory Impact Assessment early in the new year which will set out the impact of this change alongside the financial implications of the other policies announced in the Higher Education White Paper.

Mr. Willis: To ask the Secretary of State for Education and Skills what the interest rate on student loans has been in each year since they were introduced; for what reasons the rates have fluctuated; and if he will make a statement. [144624]

Alan Johnson: The interest rate on student loans in each year since their introduction is set out in the following table:

Interest rates applied to student loans—September 1990 to August 2004

Academic year	*Percentage*	*Academic year*	*Percentage*
1990/91	9.80	1997/98	2.60
1991/92	5.80	1998/99	3.50
1992/93	3.90	1999/2000	2.10
1993/94	1.20	2000/01	2.60
1994/95	2.30	2001/02	2.30
1995/96	3.50	2002/03	1.30
1996/97	2.70	2003/04	3.10

Interest applied to student loans is set at the Retail Price Index (RPI) for the financial year ending in the previous March. As an annual measure of inflation, reflecting the change to prices of goods and services in the economy, this ensures that borrowers repay in real terms the value of the loan they take out.

Teacher Vacancies

Mr. Hancock: To ask the Secretary of State for Education and Skills pursuant to his Answer of 4 December 2003, *Official Report*, column 191W, on teacher vacancies, what recent assessment he has made of the number of secondary school teachers in Portsmouth; what steps he is taking to increase numbers; and if he will make a statement. [143963]

Mr. Miliband: The number of full-time equivalent regular teachers in maintained secondary schools in Portsmouth local education authority in January of each year was as follows:

	Number
2000	600
2001	650
2002	640
2003	620

Source:

DfES annual 618G survey.

A number of incentives have been introduced aimed at encouraging teacher supply and retention. Students on Postgraduate Certificate in Education courses, for example, receive a £6,000 training bursary as well as having their tuition fees paid by the Government. Those who qualify in priority subjects also receive a £4,000 Golden Hello after induction. The Government will continue to take such measures as it believes appropriate to ensure that teacher supply meets demand.

Teachers

Chris Grayling: To ask the Secretary of State for Education and Skills what proportion of teachers working in English schools and colleges were trained in the United Kingdom. [144282]

Mr. Miliband: The information is not available in the form requested. In January 2003, there were 408,400 full-time equivalent regular teachers in the maintained schools sector in England with qualified teacher status (QTS).

Qualified Teacher Status is normally obtained either by successfully completing an accredited course of initial teacher training in England, or under mutual recognition of qualifications arrangements with other countries.

Chris Grayling: To ask the Secretary of State for Education and Skills how many teacher training places have been provided in *(a)* higher education and *(b)* further education institutions in each of the past five years; and what estimate he has made of the number in each of the next five years. [144283]

Alan Johnson: The table shows the number of places on courses of initial teacher training allocated by the Teacher Training Agency to higher and further education institutions in England in each of the last five years. The data do not include places allocated to other sorts of training providers, or places on employment-based training routes.

Allocated places

	1999/2000	*2000/01*	*2001/02*	*2002/03*	*2003/04*
Higher education institutions	25,955	27,353	28,275	30,183	33,259
Further education institutions	222	231	233	233	313

Source:

Teacher Training Agency

We expect the final numbers of places for 2004/05 and indicative numbers of places in 2005/06 and 2006/07 to be announced later this month.

Chris Grayling: To ask the Secretary of State for Education and Skills what estimate he has made of the number of teachers who have been recruited by schools from further education colleges in the past three years. [144285]

Mr. Miliband: The following table shows the number of regular teachers in full or part-time[1] service in the maintained school sector in England in March of each year shown, who were in full-time service in further education in England in the preceding March.

Year moved to schools sector	*Number moving*
2000	210
2001	300
2002	540

Source:

Database of teacher records.

[1] Around 10 to 20 per cent. of part-timers may not be included.

University Students

John Mann: To ask the Secretary of State for Education and Skills (1) how many university students there were in the UK in *(a)* 1973, *(b)* 1980 and *(c)* 1990; and how many there are currently; [143696]

(2) how many students from the Bassetlaw constituency entered university in *(a)* 1973, *(b)* 1980, *(c)* 1990 and *(d)* 2003. [143694]

Alan Johnson *[holding answer 11 December 2003]:* Figures for the number of students who enter higher education are not collated centrally by constituency. The total number of students in HE for these years is shown in the table.

Higher education students[1] in the UK

Academic year	*Students (thousands)*
1973/74	682
1980/81	827
1990/91	1,175
2001/02	2,163

[1] Covers all students from the UK and overseas on postgraduate or undergraduate courses.

Voluntary Aided Schools

Mr. Hoban: To ask the Secretary of State for Education and Skills what discussions he has had with the bodies representing voluntary aided schools about their contribution to capital expenditure arising from departmental initiatives. [144067]

Mr. Miliband: Officials in my Department have regular discussions with the Church of England Board of Education and the Catholic Education Service in connection with the funding of work at Voluntary Aided schools.

Mr. Hoban: To ask the Secretary of State for Education and Skills if he will make a statement on the contribution that the sponsors of Voluntary Aided Schools have to make to capital projects when *(a)* the project is initiated by the school and *(b)* the project is initiated by the Department. [144073]

Mr. Miliband: Voluntary Aided Schools must usually contribute at least 10 per cent. towards the cost of capital work at their schools and for which they receive grant support for the remaining 90 per cent. from my Department. Legislation allows grant to be paid at a rate of up to 100 per cent. in exceptional circumstances, although those circumstances are not defined in the relevant legislation. Our published guidance indicates that such an example might be where Ministers have initiated a specific policy programme which also applies to Voluntary Aided Schools.

West Sussex County Council

Mr. Tyrie: To ask the Secretary of State for Education and Skills (1) how much of the schools damping grant allocated to West Sussex county council for 2003–04 is as a direct result of the education funding changes in 2003–04; [143866]

(2) if he will list the local education authorities that have had an increase in *(a)* schools damping grant and *(b)* local education authority damping grant for 2003–04; [143867]

(3) for how many years he will continue to provide schools damping for West Sussex county council at the 2003–04 rate. [143872]

Mr. Miliband: The Government introduced a new funding system for local authorities in 2003–04, replacing Standard Spending Assessments with Formula Spending Shares. In order to phase in the distributional changes implied by the Education Formula Spending Shares, the Government introduced floors and ceilings arrangements for both the school and LEA funding blocks. All of the "damping" amounts within the school and LEA Formula Spending Shares are therefore attributable to the education funding changes in 2003–04. 2003–04 was the first year of this system within the Schools and LEA Formula Spending Shares and it is not therefore possible to calculate an increase in damping amount for 2003–04 over previous years.

These arrangements will continue for as long as necessary. The actual amount allocated will be determined year-on-year and announced at the provisional local government finance settlement.

Work-related Stress

Dr. Cable: To ask the Secretary of State for Education and Skills what progress has been made towards the creation of a central register for cases of work-related stress in the Department. [141691]

Mr. Charles Clarke: My Department is committed to protect the physical and mental health of its employees by providing a safe and healthy working environment. This includes providing occupational health and employee assistance services that offer professional advice to individuals, and to line managers, to help identify and address stress related issues.

My Department is currently developing a written strategy to help reduce stress-related illnesses and absences building on the guidance in the HSE publication "Real Solutions, Real People: A Managers' Guide to Tackling Work Related Stress" My Department has no plans to create a central register for cases of work-related stress.

FOREIGN AND COMMONWEALTH AFFAIRS

Biological Weapons Convention

Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list those countries he deems in contravention of the Biological Weapons Convention. [143493]

Mr. MacShane *[holding answer 15 December 2003]:* The UK routinely monitors the compliance of all States Parties to the Biological and Toxin Weapons Convention (BTWC).

The UK is a Depositary Government of the BTWC, which entered into force in 1975, and currently numbers 151 countries.

We continue to view the issue of compliance with the Convention as being of central importance and made specific reference to this point in our statement to the BTWC Review Conference in November 2002.

However, it is not our policy to list or name those individual countries we judge to be in contravention with their obligations.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him dated 6 November from the right hon. Member for Manchester, Gorton with regard to A. K. Akhand and Nuzmol Mahmud. [144333]

Mr. Mullin: I apologise to my right hon. Friend for an administrative error which led to his letter being mistakenly sent to UK visas for advice rather than to the Consular Directorate at the Foreign and Commonwealth Office. Staff in the Consular Directorate are now making enquiries in connection with the case and that my right hon. Friend the Foreign Secretary will write to him on completion of these inquiries.

Ethiopia/Eritrea

Mr. Chidgey: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has held with his counterparts in the *(a)* United Nations, *(b)* European Union and *(c)* United States Administration with regard to the resolution of the border conflict within Ethiopia and Eritrea. [142639]

Mr. Mullin *[holding answer 16 December 2003]:* We are in regular contact with the United Nations, the European Union and the US Administration and are working closely with all three on resolving the border issue.

Mr. Chidgey: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the action that has to be taken with regard to the resolution of the dispute between Ethiopia and Eritrea over their border. [142640]

Mr. Mullin *[holding answer 16 December 2003]:* The UK and other members of the international community will continue to take every opportunity to emphasise to both parties that the Boundary Commission's decision is final and binding and that dialogue is essential for the normalisation of relations between Ethiopia and Eritrea. I hope to visit Ethiopia and Eritrea in January to continue to press this message.

Mr. Chidgey: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of whether the UN Border Commission in The Hague was acting within its remit in granting the border town of Badme to the Eritrean Government. [142641]

Mr. Mullin *[holding answer 16 December 2003]:* We are not aware of any evidence suggesting that the Boundary Commission exceeded its remit.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what recent assessment he has made of relations between Ethiopia and Eritrea. [144328]

Mr. Mullin: There has been only very limited contact between the Governments of Ethiopia and Eritrea since 1998. We believe that dialogue between the two is essential. We are actively encouraging this, to supplement the final and binding decisions of the Boundary Commission which was established as part of the Algiers Agreement in December 2000.

Guantanamo Bay

Llew Smith: To ask the Secretary of State for Foreign and Commonwealth Affairs what meetings have been *(a)* planned, *(b)* held and *(c)* cancelled with Mr. Azmat Begg in respect of the detention by the United States authorities of Mr. Moazzam Begg at Guantanamo Bay; and if he will provide the reasons for cancellation in each case. [143510]

Mr. Mullin: No meetings arranged between the Foreign and Commonwealth Office (FCO) and Mr. Begg have been cancelled by the FCO. A postponed meeting between my noble Friend the Baroness Symons of Vernham Dean and the Muslim Parliament, with a delegation including Mr. Begg, was held on 16 December. This follows an earlier meeting with the Muslim Parliament and relatives of some of the British nationals detained at Guantanamo on 14 October, though Mr. Begg was not among those who attended.

Liberia

Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs whether it is the policy of Her Majesty's Government to support the continuation of UN sanctions on Liberia, including timber; and if he will make a statement. [143494]

Mr. Mullin *[holding answer 16 December 2003]:* Measured and targeted sanctions remain on Liberia, as the security situation is a threat to the stability of the sub-region. Like other members of the UN Security Council, we believe that sanctions should remain until Liberia has put in place a diamond certification scheme, and reformed the timber sector to ensure that these natural resources cannot be used to further conflict. The arms embargo and travel ban should remain until the security situation is no longer a threat to the region.

Tony Lloyd: To ask the Secretary of State for Foreign and Commonwealth Affairs if it is his policy that the reform of the forest sector in Liberia should be a precondition to the lifting of UN sanctions on timber from Liberia. [143495]

Mr. Mullin: We believe that timber sanctions should remain until Liberia has reformed the timber sector to ensure that this natural resource cannot be used to further conflict.

The Liberian Government must establish authority and control over timber producing areas; oversight mechanisms enabling responsible and environmentally sustainable business practices, and transparent accounting and auditing mechanisms. This should ensure that timber industry revenues are used for legitimate social, humanitarian and development purposes for the benefit of the Liberian people.

Sudan

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what plans he has to discuss with the Sudanese authorities acts of flogging under their penal code, with particular reference to the case of Intisar Bakri Abdulgadir. [144155]

Mr. Mullin *[holding answer 16 December 2003]:* The promotion of human rights is one of the British Government's priorities in Sudan and we raise human rights issues on a regular basis, both bilaterally and as part of the EU-Sudan Dialogue. I discussed the implementation of the penal code in Sudan with the Sudanese ambassador on 2 December. More recently, my right hon. Friend the Secretary of State for International Development (Hilary Benn), discussed the human rights situation in Sudan in general with the President of Sudan in Khartoum on 10 December.

Our embassy in Khartoum has already raised the case of Intisar Bakri Abdulgadir with the Government of Sudan and will be discussing it further with them. The embassy continues to monitor the human rights situation and to lobby the Government of Sudan.

Uganda

Mr. Drew: To ask the Secretary of State for Foreign and Commonwealth Affairs what assessment he has made of the situation in Northern Uganda. [143649]

Mr. Mullin: We are seriously concerned about the situation in northern Uganda and the activities of the Lord's Resistance Army. Attempts by the Government of Uganda to defeat the rebels militarily have been unsuccessful. There is a growing humanitarian crisis, with 1.3 million living in refugee camps.

The UK is working with other donors to try and resolve the situation. We are urging the Ugandan Government to pursue a negotiated settlement. At the same time we are providing help to the population in the affected region.

Zimbabwe

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs what further discussions he plans to have with African Commonwealth countries about the future of Zimbabwe. [144329]

Mr. Mullin: I met with a number of African Commonwealth leaders at CHOGM several of whom shared our view of the need to maintain Zimbabwe's suspension from the Commonwealth. I intend to remain in close touch with African Commonwealth countries over Zimbabwe.

CONSTITUTIONAL AFFAIRS

Asylum Appeals

Mr. Michael Jabez Foster: To ask the Parliamentary Secretary, Department for Constitutional Affairs what the average time taken is for delivery of decisions by an adjudicator in asylum appeals; what the maximum time that may be taken is; and how many decisions have been reserved for more than three months in the past year. [144559]

Mr. Lammy: The average time taken for delivery of asylum appeal decisions by an adjudicator, in asylum cases promulgated between 1 October 2002 and 30 September 2003, was 17 working days. There are no statutory limits for the service set on asylum appeal decisions, other than for those cases heard in accordance with the Immigration and Asylum Appeals (Fast Track Procedure) Rules 2003, where a time limit of one working day applies. Information relating to the number of decisions which have been reserved for more than three months in the past year is not available without incurring disproportionate costs.

Lord Chancellor

Mr. Heath: To ask the Parliamentary Secretary, Department for Constitutional Affairs when the Lord Chancellor will transfer his powers in relation to the Children and Family Court Advisory and Support Service to the Minister for Children. [143023]

Mr. Leslie: The Privy Council considered and made the draft Transfer of Functions (Children, Young People and Families) Order 2003 at their meeting on 10 December. The Order includes the Lord Chancellor's powers in respect of CAFCASS. The Order will be implemented early in 2004.

WORK AND PENSIONS

Access to Work Scheme

Malcolm Bruce: To ask the Secretary of State for Work and Pensions what training in deaf-blind awareness staff assessing deaf-blind applicants for the Access to Work scheme have had; and if he will publish the guidelines under which Access to Work advisers work. [140514]

Maria Eagle: Access to Work staff can commission the services of specialist assessors, who have the necessary qualifications and proven experience to provide a thorough assessment of applicants needs.

We will shortly be consulting organisations of and for the deaf-blind, about developing open learning material for Jobcentre Plus staff on the employment of deaf-blind people.

In common with other Jobcentre Plus guidance for staff, Access to Work guidance is produced in electronic form for staff to access and read on-line through the Department's intranet. Leaflets describing the Access to Work programme are available for individuals and employers. Relevant extracts from the guidance can be made available to individuals or organisations in response to specific inquiries.

Art Acquisition

Norman Baker: To ask the Secretary of State for Work and Pensions how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 has been; how much it cost; and what the total revenue raised by his Department through sales of works of art has been since 1997. [142359]

Maria Eagle: The Department for Work and Pensions has not acquired any works of art since 1997 or raised any revenue through sales of works of art in the same period.

Benefit Payment Arrangements

Mr. Drew: To ask the Secretary of State for Work and Pensions if he will make a statement on the evidence he used to derive the statement that the Post Office Card Account costs public funds at least 30 times more than direct payments into a bank account for clients of Job Centre Plus; and if he will publish the evidence. [144395]

Mr. Pond: I refer my hon. Friend to the written answer I gave my hon. Friend the Member for Peterborough (Mrs. Clark) on 15 December 2003, *Official Report*, column 685–86W.

The actual costs remain Commercial in Confidence. Information that is held on a commercial in confidence basis is withheld in line with the Code of Practice on Access to Government Information, part 2, paragraph 13.

Mr. Drew: To ask the Secretary of State for Work and Pensions (1) what discussions he has had with *(a)* the Department for Trade and Industry and *(b)* the Royal Mail on the advice that he is offering to Job Centre Plus clients about moving to direct payments; [144396]

(2) what the basis is for the Department's advice to Job Centre Plus clients that the Post Office Card Account is not the best option for direct payment; [144397]

(3) if he will publish the targets and benchmarks for the Department regarding the number of Job Centre Plus clients whom they wish to move to direct payment, broken down by *(a)* current accounts, *(b)* basic bank accounts and *(c)* Post Office Card Accounts. [144398]

Mr. Pond: All Department for Work and Pensions information on Direct Payment account options is based on the Government policy in this area which was set out by my hon. Friend the former Minister of State for the Department for Trade and Industry on 17 December 2001, *Official Report*, column 119–120W.

Jobcentre Plus staff have recently been reminded of the need to ensure that new customers are paid by Direct Payment (including the Post office card account) from the outset of their claim. This advice was intended to equip staff with the factual information they need to provide to customers in order for customers themselves to choose the account which best meets their needs and circumstances. The Post Office card account will not be the best option for them as it cannot receive payments of wages. Post Office Ltd. have also had the opportunity to comment on DWP information material for our customers, including leaflets.

Customers are being provided with all the information they need on all of their account options, including those accounts, which can be used at Post Office branches. It will be up to the customers themselves to decide which type of account they wish to have their money paid into.

The Department has a published Public Service Agreement (PSA) target that, by 2005, 85 per cent. of customers will have their benefits paid by Direct Payment. There are no targets for the number of customers paid directly into a standard current account, basic bank account and Post Office card account.

John Barrett: To ask the Secretary of State for Work and Pensions who is eligible for the direct payment exceptions service. [142837]

Mr. Pond: We have always recognised that there will be a small number of people who we cannot pay directly into an account. Our plan is to design an exceptions method of payment to properly meet the needs of customers in these circumstances. It is anticipated that it will be a cheque-based solution. Payment outlets will include Post Office branches. We are in the process of discussing the design of the exceptions method of payment with the representative bodies most directly affected.

Correspondence

Mr. Chope: To ask the Secretary of State for Work and Pensions when the hon. Member for Christchurch will receive a response to his letter of 31 October relating to the disability living allowance claim of Mr. Harvey. [145000]

Maria Eagle: I regret we have no record of having received the hon. Member's letter. If he would forward a copy I will arrange for it to be considered urgently.

Council Tax

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions what research his Department has collated about the impact of council tax on older peoples' incomes. [142231]

Mr. Pond: The Department holds information about the impact of council tax on older peoples' incomes from a variety of sources.

The Family Resources Survey is a large-scale annual survey of private households run by the department which collects detailed information about income and about certain expenses, including council tax.

Regularly published information from this survey includes estimates of pensioners1 net incomes after the deduction of taxes, including council tax payments. The Pensioners' Income Series 2001–02 shows that between 1996–97 and 2001–02 the average net income of pensioners before the deduction of housing costs increased by 17 per cent. in real terms, while after housing costs it increased by 23 per cent.

Data from administrative sources shows the number of pensioners receiving council tax benefit. In 2002, 2.4 million families over 60 received council tax benefit.

The Department also publishes estimates of the level of take-up of council tax benefit, in the annual publication income related benefits: Estimates of take-up.

The Department further estimates that with the introduction of pension credit almost 1.9 million pensioner households will be eligible for more help, or help for the first time, with council tax or rent payments.

The Department also carries out calculations to establish the level of income at which pensioners are eligible for help with their council tax. From October 2003, a single person over 65 with no entitlement to disability benefits and an income of £116 could be eligible for maximum council tax benefit.

The Department also regularly receives research from other organisations.

Departmental Staff

Mr. Nicholas Brown: To ask the Secretary of State for Work and Pensions what progress has been made in reducing sickness and absence in his Department; what the principal causes of sickness and absence are in his Department; and what remedial work his Department has under way or is proposing. [140649]

Maria Eagle: The Department for Work and Pensions has targets set by Cabinet Office to help contribute to a reduction in public sector sickness absence. These involve an average working days lost figure of eight days by March 2006, and an interim target of 10 days by March 2004. The cumulative average working days lost figure for the period April to October 2003 was 12.3.

Ministers and senior managers in the Department fully recognise the importance of good attendance. The Department's Executive Team, chaired by the Permanent Secretary, reviews sickness absence on a monthly basis.

The remedial work we have in place includes the following:

A new Departmental attendance management policy was implemented in February 2003. This aims to encourage good attendance and provide support to enable people to return to work as quickly as possible following an illness. Formal unsatisfactory attendance action can be considered when an absence reaches eight days in a rolling 12 month period. To measure the effectiveness of the policy, an evaluation exercise will start shortly.

Each of the businesses within the Department has initiatives in place aimed at getting sickness absence levels down. Jobcentre Plus has an 'Improving Attendance' task force in operation. Its emphasis is on reducing long-term absences (i.e. those over 28 days duration), by either facilitating a return to work, or effecting a termination of an individual's contract. The Department is also participating in the 'Well-being at work' pilots that are being run by the Health and Safety Executive. This initiative is intended to combat workplace stress. In addition, the Department is committed to discharging its responsibilities to disabled people by making reasonable adjustments to the workplace to facilitate an individual's return to work, or to avoid people going off in the first place. A pilot will also commence in January that will involve the early intervention of occupational health nurses in addressing, quickly, those absences that have the potential to become long-term.

Jobcentre Plus Premises

Mr. Cousins: To ask the Secretary of State for Work and Pensions (1) if he will list the *(a)* number, *(b)* location and *(c)* size of Jobcentre Plus premises due to be disposed of; and what (i) costs and (ii) savings he expects from the disposal over the life of the disposal contract; [141198]

(2) if he will place the terms of reference of the external benchmarking exercise carried out on the disposal of Jobcentre Plus premises in the Library. [142183]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to my hon. Friend.

Letter from David Anderson to Mr. Jim Cousins, dated 15 December 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply to your question about the disposal of Jobcentre Plus premises. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

Rollout of the Jobcentre Plus service across the country is a four year programme, planned for completion in March 2006. We are not yet halfway through the implementation of the Jobcentre Plus service and detailed information on disposals for the whole programme is not yet available. However from the information currently available I can tell you that so far we have disposed of 48 sites, totalling 30,548 square metres and a saving to Jobcentre Plus of £6,249,418 per annum. Those sites are listed in the table:

Region	*District*	*Address*	*Metres^2*	*Total saving per annum (£)*
East of England	Hertford	Hitchin Crown House	175	22,581
East of England	Suffolk	Sudbury PCO The Old bakery King St	81	57,205
East of England	Suffolk	Bury St Edmonds The Cornhill	647	171,007
East of England	Suffolk	Ipswich Jobshop Museum Street	86	12,892
East Midlands	Greater Nottingham	Carlton Rd Jobshop	744	0
East Midlands	Leicestershire	Leicester 90 Highcross Street	851	27,079
London	Brent	Burnt Oak 93–95 Burnt Oak Broadway	325	62,968
London	Brent	Cricklewood Broadway	1634	356,217
London	Central London	Holbom JC Celco House 289/293 High Holborn	503	116,344
London	NE London	Stoke Newington	919	311,036
London	NE London	Leyton Grosvenor Park	723	64,617
North East	Newcastle	Roxborough House Whitley Bay PCO	76	36,564
North West	East Lancs	Barnoldswick PCO	62	26,775
North West	Salford & Traff	Washington House Salford	204	41,228
Scotland	Dumfries	Annan High Street	107	6,470
Scotland	Fife	St Andrews CSP 43 South Street	88	44,586
Scotland	Lanarkshire	Larkhall 27 Union Street	118	15,485
South East	Hampshire	Havant 33 East Street	790	125,703
South East	Hampshire	Romsey 3–4 Duke Mill Centre	118	21,264
South East	Hampshire	Eastlight 42/50 High Street	250	32,138
South West	Cornwall	Isles of Scilly Caller Off Buzza St	41	14,980
South West	Devon	Barnstable 4 Maxham Court	90	6,155
South West	Dorset	Bournemouth Garage 9	14	3,284
South West	Gloucestershire	Coleford JC Lords Hill	134	7,401
South West	Somerset	Frome North Parade PCO	264	56,746
South West	Somerset	Street The Cross	423	23,369
South West	West of Eng	Bristol Hartcliff Symes Avenue	56	5,493
Wales	Nth West Wales	Pwllheli Penlan Street	26	24,555
Wales	Nth West Wales	Swansea Ystradgnynlais PCO	41	16,373
Wales	Swansea Bay	Pontardawe 25 High Street PCO	17	11,028
Wales	West Wales	Neyland 36 High Street	30	2,679
Wales	Wrexham & NW	Mold St Davids Lane	65	2,401
Wales	Wrexham & NW	Llandudno Chapel Street	53	1,988
Wales	Wrexham & NW	Brecon Canal Bank	80	3,944
Wales	Wrexham & NW	Denbigh PCO	61	30,776
Wales	Wrexham & NW	Shotton PCO	76	25,804
Wales	Wrexham & NW	Holywell PCO	63	31,283
Wales	Wrexham & NW	Llangollen PCO	15	6,831
West Midlands	Coventry	Kenilworth 7 Abbey Court	135	23,763
West Midlands	Coventry	Coventry Park Court	1455	188,343
West Midlands	Shropshire	Ludlow Jobcentre	168	8,920
Yorkshire & the Humber	Sheffield	Sheffield Rockingham Court	2221	480,470
Yorkshire & the Humber	Sheffield	Sheffield Peel House 1 West Bar	1461	245,442
North West	Liverpool	58 Brackfield Road South, Liverpool 6	2559	486,725
North West	Lancashire West	Maxford House Blackpool	3271	1,041,420
North East	Tees Valley	Tees Building	3142	561,777
West Midlands	Birmingham & Solihull	2140 Coventry Road, Sheldon, Birmingham B26 3JQ	3041	684,273
East of England	Norfolk	Baltic House, Mountergate, Norwich	3045	701,037

Strategic, high-level planning has been undertaken for the remaining two years of the programme, 2004–2006, but I am not yet able to provide firm details of premises disposals or surrenders due for that period. Similarly, information on costs and savings from future disposals is unavailable.

We have not carried out an external benchmarking exercise on the disposal of Jobcentre Plus premises. Because of the diversity of the districts, service delivery planning for Jobcentre Plus is a locally-driven activity. In undertaking such exercises local managers have to take account of a wide range of factors relevant to the local community before any changes are made to the premises available to them.

I hope this is helpful.

Jobseeker's Allowance Appeals

Lynne Jones: To ask the Secretary of State for Work and Pensions what plans he has to centralise *(a)* jobseeker's allowance and *(b)* labour market appeals; and what the implications of the plans are for (i) appellants and (ii) staff. [142983]

Mr. Browne: The administration of Jobcentre Plus is a matter for the Chief Executive of Jobcentre Plus, David Anderson. He will write to the hon. Member.

Letter from David Anderson to Dr. Jones, dated 17 December 2003:

As Jobcentre Plus is an Executive Agency, the Secretary of State has asked me to reply direct to your question on what plans he has to centralise *(a)* Jobseekers Allowance and *(b)* Labour Market Appeals; and what the implications of the plans are for (i) appellants and (ii) staff. This is something that falls within the responsibilities delegated to me as Chief Executive of the Agency.

Jobcentre Plus was formed in 2002 from the Working Age elements of the former Benefits Agency and the Employment Service. Since that time, the organisation has undergone an unprecedented rollout programme, bringing together both parts of the formerly separate operations.

An internal review recommended that appeals would be delivered more efficiently through teams of appeals staff covering all Jobcentre Plus benefits, and also for appeals teams to be organised on a district basis and accountable to the District Manager. This work is now underway and is being led by the Deputy field Director of East of England, supported by district, regional and national tiers throughout Jobcentre Plus.

Improvements to Jobcentre Plus decision making and appeals processes are to be further supplemented following recommendations from the recent National Audit Office report "Getting It Right, Putting It Right—Improving Decision Making and Appeals In Social Security Benefits". It was their view that the centralisation of appeals work, reconsiderations and complex decision making, would achieve financial savings for the organisation and lead to improved standards, better communications and better customer service.

Pressures on staff to achieve demanding targets will be relieved as more resource is freed when these plans are implemented. Centralisation and a more defined management, training apd communications structure will also lead to improved skills of and support to those staff employed to process complex decisions, handle reconsiderations and write appeals. This will provide a better service for Jobcentre Plus customers.

I hope this is helpful.

Pension Credit

Mr. Webb: To ask the Secretary of State for Work and Pensions what his latest estimate is of the number of pensioners who are not receiving pension credit but are receiving housing benefit and council tax benefit. [144701]

Mr. Pond: Our latest estimate for the number of pensioner households who are not receiving Pension Credit but are receiving Housing Benefit and/or Council Tax Benefit is around £900,000.

Households claiming Housing Benefit or Council Tax Benefit may be a single person, a couple or a family. More than one benefit household can live in one property, for example two or more adults in a flat or house share arrangement.

Mr. Webb: To ask the Secretary of State for Work and Pensions pursuant to his answer to the hon. Member for West Derbyshire (Mr. McLoughlin) of 9 December 2003, *Official Report*, columns 416–17W, on Pension Credit, how many pensioner households in each Government Office region he estimates are eligible for Pension Credit. [144702]

Malcolm Wicks: The number of pensioner households eligible for Pension Credit at the end of November 2003 by region is set out in the following table.

Government office region	*Estimated number of households eligible for Pension Credit*
North East	250,000
North West and Merseyside	500,000
Yorkshire and Humber	350,000
East Midlands	300,000
West Midlands	350,000
Eastern	300,000
London	450,000
South East	350,000
South West	300,000
Wales	250,000
Scotland	400,000
Total (GB)	3,800,000

Notes:

1. Estimates are done on a benefit unit basis (single pensioner or pensioner couple).
2. Figures do not include care home cases.
3. Figures are rounded to the nearest 50,000.

Source:

Policy simulation model 2003–04, based on data from the Family Resources Survey 2000–01.

Post Offices

Mr. Jenkins: To ask the Secretary of State for Work and Pensions what arrangements he will put in place to pay benefits in urban areas where the Royal Mail has closed post office outlets and no services are available within two miles of claimants' homes. [144175]

Mr. Pond: The Government are committed to doing all they can to ensure a viable Post Office network for the future. We are investing very substantial sums in supporting the transformation of the network—some £2 billion in total over the next five years. The Post Office in turn has guaranteed that, even after the urban reinvention programme, 95 per cent. of people living in urban areas will be within a mile of a Post Office, the majority within half a mile.

Direct Payment and the introduction of universal banking services has provided customers with a choice of options as to how they can access their money including, cash machines, via the cashback facilities offered by some retailers, over the counter at banks and building societies and through Post Office branches.

Small Businesses

Brian Cotter: To ask the Secretary of State for Work and Pensions whether his Department uses a database of individual small businesses for consultation purposes. [142474]

Mr. Browne: When conducting public consultation exercises governed by the Cabinet Office Code of Practice, the Department for Work and Pensions draws on a variety of sources to ensure consultations are targeted as effectively as possible including small businesses as appropriate. The Department has access to the Small Business Service to help identify appropriate small businesses.

Remploy

Adam Price: To ask the Secretary of State for Work and Pensions how many Remploy employees have subsequently taken up jobs in the open labour market in each of the last 10 years. [143228]

Maria Eagle: Each year Remploy helps disabled people, where appropriate, to progress to unsupported employment with a mainstream employer. Since the implementation of the company's modernisation strategy this has become a key element in its programme to support disabled people.

	Progressions to open employment
1994–95	118
1995–96	177
1996–97	182
1997–98	225
1998–99	347
1999–2000	536
2000–01	537
2001–02	1,243
2002–03	1,610
2003–04	1,650 (target)

Note:

Figures for 1994–98 include people moving from Remploy Factories to supported employment with a mainstream employer. From 1998–99 onwards, figures relate only to the number of people working in the open labour market.

Source:

Remploy Audited Accounts

Adam Price: To ask the Secretary of State for Work and Pensions if he will make a statement on the investment by Remploy in maintaining and upgrading exisiting sites, as specified in the Remploy 21 agreement. [143229]

Maria Eagle: Remploy 21 is the company's modernisation strategy to establish itself in businesses that mirror growth sectors of the economy. Since 2000, Remploy has moved from 36 disparate businesses mainly in traditional manufacturing to 10 competitive national businesses with an increasing focus on the service sector. To support this programme it has invested £4 million in the maintenance and upgrading of existing sites.

Remploy is in the process of surveying all sites as part of this activity; the expectation is that at least £1 million annually will be allocated to further site improvements.

Adam Price: To ask the Secretary of State for Work and Pensions if he will make a statement on the strategic decision by Remploy management to close owned factories and to move to leased units. [143230]

Maria Eagle: Remploy owns a significant majority of its factory sites and this will continue to be the case following the modernisation plans the Company currently considers necessary over the next few years. In the long-term, if Remploy were to carry out all potential relocation plans, they would have a total of 50 sites owned and 31 leased. In every case Remploy will consider upgrading the existing site, purchasing or building at a new site or leasing a site. Remploy has only entered into agreements to lease factory sites where it has made business sense.

Leased premises tend to be acquired for a minimum of 15 years and occasionally for longer periods. This is normal commercial practice and recognises that, because business requirements evolve over time, there must therefore be a corresponding ability to evolve the estates strategy to ensure that the facilities match business and learning objectives.

The Company's approach to providing better and more modern facilities in Remploy locations is primarily to improve business opportunities that will in turn lead to more opportunities for growth in employment levels.

Since 2000, Remploy has invested in new or improved sites in Acton, Barnsley, Bradford, Gateshead, Lanarkshire, and North Staffordshire. There are also plans, some of which are already under way to replace existing facilities in Abertillery, Bristol, Holloway, Preston and St. Helens. All these sites are leased.

The above sites produced proceeds of sale of £5.7 million. At the same time, the Company invested £5.9 million on fitting out the replacement sites; consequently that has been a net outflow of investment. The majority of the sales proceeds arose from the sales of Acton and Bristol (£3.5 million of the £5.7 million) where there were opportunities to take advantage of site development potential. In other cases, the proceeds were very modest, reflecting the individual constraints of the existing site.

The Company's growth and investment plans are discussed with the Government on a regular basis. It should be noted that Remploy cannot sell a factory without securing the Government's approval. The Government will only agree to the sale where a case is presented which demonstrates the business sense of the proposal.

Standard Housing Allowance

Mr. Coleman: To ask the Secretary of State for Work and Pensions what representations he has received regarding the introduction of a standard housing allowance; and if he will make a statement. [143835]

Mr. Pond: We consulted both formally and informally on the Government's proposals for a Local Housing Allowance.

The formal consultation exercise was conducted through the Social Security Advisory Committee. The Committee received 73 responses from both individuals and organisations with an interest in the Local Housing Allowance reforms. Our response is set out on the Command Paper 5955 which was presented to Parliament on 24 September 2003; a copy is in the Library.

HEALTH

Bed Blocking

Mr. Jim Cunningham: To ask the Secretary of State for Health what assistance his Department has given to social services departments to prepare for the commencement of fines for bed blocking. [144384]

Dr. Ladyman: In 2003–04 the Delayed Discharges Grant of £50.8 million means that social service departments will retain a proportion of the grant provided they improve the performance compared to levels of delay in March 2003. Additionally the Department has provided guidance, a dedicated website (www.doh.gov.uk/reimbursement) and an implementation team to support social services and national health service partners in preparing for charging for delayed discharges.

Care Homes

Mr. Andrew Turner: To ask the Secretary of State for Health if he will list those areas in which *(a)* there is a shortage of places in care homes at the price the local council wants to pay and *(b)* there are so many spare places available that a council can buy all the places it needs at a rate lower than the rate at which many providers wish to trade. [142968]

Dr. Ladyman *[holding answer 9 December 2003]*: I made this general statement based upon conversations my officials have had with some councils and independent providers. However, I would not be surprised if every council felt there was a shortage of places at the price they wanted to pay. And I would not be surprised if in every council area there are some providers who feel they are faced with a price that is below the level at which they wish to trade. Our aim must be to create a market place that is felt to be fair by commissioners and providers of services alike.

Mr. Burstow: To ask the Secretary of State for Health how many self-funding residents were in *(a)* residential care homes and *(b)* nursing homes on the last date for which figures are available. [144292]

Dr. Ladyman: There were 42,000 self-funders receiving national health service-funded nursing care in nursing homes in England in December 2002. Further details can be found on the Department's website at: www.doh.gov.uk/jointunit/nhsfundednursingcare Information regarding the number of self-funders in residential care homes is not kept centrally.

Mr. Burstow: To ask the Secretary of State for Health what the average weekly cost to self-funding residents in residential care and nursing homes was in the last period for which figures are available. [144293]

Dr. Ladyman: Information regarding the average weekly cost to self-funding residents in residential and nursing homes is not kept centrally. Fees levels for self-funders are a matter negotiated between the care home and the individual requiring care, or their representive.

Chemotherapy-induced Anaemia

Mr. Havard: To ask the Secretary of State for Health (1) whether the National Institute for Clinical Excellence has drawn up a list of stakeholders for the technology appraisal of erythropoietin in chemotherapy-induced anaemia; and if he will publish this list; [144472]

(2) what the scope of the National Institute for Clinical Excellence technology appraisal of erythropoietin for chemotherapy-induced anaemia will be; and when consultation will begin; [144473]

(3) if he will ensure that NHS trusts and primary care trusts do not limit funding for erythropoietin as a treatment for chemotherapy-induced anaemia during the National Institute for Clinical Excellence technology appraisal into its greater use. [144474]

Miss Melanie Johnson: The use of erythropoetin (EPO) for treating chemotherapy-induced anaemia has been referred to the National Institute for Clinical Excellence (NICE) as part of its "ninth wave" work programme. The ninth wave was referred to NICE in October 2003.

All information relating to the NICE appraisal of EPO will be on its website at: www.nice.org.uk on 23 December 2003. This information will include a planned date for when the final scope and list of stakeholders for the appraisal will be published. Detailed questions about the process and timetable for technology appraisal are matters for the chief executive of NICE.

Health Service Circular 1999/176 asks national health service bodies to continue with local arrangements for the managed introduction of new technologies where guidance from NICE is not available. These arrangements should involve an assessment of all the available evidence. Funding for such treatments should not be withheld simply because of an absence of guidance from NICE.

Choice and Plurality Policies

Mr. Blizzard: To ask the Secretary of State for Health what information will be provided to enable patients to choose health care providers under the Choice and Plurality policies. [140619]

Mr. Hutton: Patients will require information on waiting times, convenience, patient experience and clinical quality to support their choice of hospital for elective surgery. nhs.uk already provides information on waiting times and star ratings. We will develop this site to provide a wider range of information to support choice. Primary care trusts will be asked to ensure that appropriate information is also made available in hard copies and in forms which are accessible by individuals with sensory impairments.

Mr. Blizzard: To ask the Secretary of State for Health what assessment he has made of the possible impact of institutional resistance on the implementation of the Choice and Plurality policies. [140621]

Mr. Hutton: Increasing patient choice will require a change in culture for national health service staff and indeed, for patients. Staff and patients are broadly supportive of the principle of extending patient choice. However, we need to work closely with staff and patients on the detailed implementation of our patient choice policies to ensure that we retain that support. The new financial framework, Payment by Results, will provide new incentives to providers to attract patients. Our plurality policies will help secure the capacity needed to deliver the improved waiting times patients expect, and will allow a greater range of choices for patients. The biggest safeguard against any institutional resistance, however, is likely to be the attitude of the patients themselves. The experience from London and other choice pilots is that once offered choice over where and when their treatment is provided, many patients exercise these new opportunities.

Mr. Blizzard: To ask the Secretary of State for Health what measures will be put in place to extend choice of health care provider to patients who live in isolated rural communities. [140623]

Mr. Hutton: We recognise that patients in isolated rural communities may find it more difficult to access the same range of choices as others. We are exploring options for primary care trusts to provide greater support for patients living in more isolated rural communities. These could include peripatetic patient care advisers, the use of mobile service, for example, the mobile cataract surgery service being introduced in many areas from the spring of 2004. We will be including rural representatives of patients, patient groups and local authorities in these discussions, so that they are able to influence the Department's final policy guidance on choice at referral.

Mr. Blizzard: To ask the Secretary of State for Health what estimate he has made of the percentage occupancy rate of in-patient care which would need to be maintained to provide the capacity to enable patients to choose a health care provider. [140625]

Mr. Hutton: We are investing in substantial and sustainable increases in national health service capacity to improve quality and allow us to deliver the shorter waiting times patients expect. Choice of hospital for patients requiring elective surgery will be introduced alongside this additional capacity. By December 2005, patients will choose at the point of general practitioner referral, so patient choice will not be directly dependent on the inpatient occupancy rate.

Community Health Councils

Rob Marris: To ask the Secretary of State for Health how many staff were made redundant as a result of the closure of community health councils. [144448]

Ms Rosie Winterton: An estimated 470 staff were made redundant as a result of the closure of community health councils. The final numbers will be confirmed in January.

Coronary Care

Mr. Pickles: To ask the Secretary of State for Health what steps he proposes to take to prevent people of all ages from dying from fatal cardiac arhythmias. [143978]

Miss Melanie Johnson: The focus of this work is on early diagnosis for this group of patients. The Department is investing in diagnosis, investigation and treatment of cardiac related problems. In November 2001, the Department announced £65 million from the New Opportunities Fund (NOF) and £60 million from the Department of Health to enable the rapid expansion of facilities for angiography, to fund 89 new or replacement catheterisation laboratories. 24 sets of equipment have already been delivered.

Correspondence

Mr. Kaufman: To ask the Secretary of State for Health when he will reply to the letter to him dated 4 November 2003 from the right hon. Member for Manchester, Gorton with regard to Mr. Alan Ryan, forwarded to him by the Department for Work and Pensions. [144641]

Dr. John Reid: A reply was sent to the right hon. Member on 16 December 2003.

Departmental Downsizing

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on his plans for downsizing his Department. [141208]

Ms Rosie Winterton: By October 2004, the size of the core Department will be reduced by 1,400—from over 3,600 to 2,245—a 38 per cent. reduction. Half the posts will be transferred to other national bodies, which are themselves being renewed and the remaining reduction will be achieved through changing the way we work as a Department.

Mr. Burstow: To ask the Secretary of State for Health if he will set out the rationale underlying the proposed reduction in size of his Department. [143706]

Ms Rosie Winterton: The Department is changing to reflect the environment in which it works, particularly:

> The reform of the national health service and local government to meet the public's expectations for better health and social care services.
>
> The government's drive to shift the balance of power from Whitehall to staff in frontline hospitals, general practitioner surgeries, care homes, social services and the community.
>
> The creation of new independent bodies.

The Department will work closely with a number of important partners to deliver better health and social care services. It will employ a much lighter touch on performance management, enabling the 28 strategic health authorities to operate as the local headquarters for the NHS. The Department will also work with the Commission for Healthcare Audit and Inspection and the Commission for Social Care Inspection, which will independently inspect NHS and social care services.

The Department's Change Programme will help shift the balance of power to the frontline and reduce bureaucracy at the centre.

Tim Loughton: To ask the Secretary of State for Health what reduction in staff numbers in his Department he expects to have been achieved by the end of 2004. [143056]

Ms Rosie Winterton: The change programme currently under way in the Department will reduce its size by 1,400 posts. This is a 38 per cent. reduction in posts and will be achieved by October 2004. Some of the posts will be transferred to other national bodies, which are themselves being reviewed and efficiency savings will achieve the remaining reductions.

Diabetes

Nick Harvey: To ask the Secretary of State for Health (1) what provisions are in place to provide healthcare professionals with extensive and accurate information about diabetes; and if he will make a statement; [143737]

(2) what provisions there are for education on mild diabetes; and if he will make a statement. [143740]

Ms Rosie Winterton: The diabetes national service framework (NSF) states that 'the NHS will need to ensure that all health professionals involved in the diagnosis and care of people with diabetes receive continuing training to ensure that they are appropriately skilled in the diagnosis and management of diabetes' (page 29 of the "Diabetes National Service Framework for Diabetes: Standards document"). Curriculum content for pre-registration education and training programmes for healthcare professionals is determined by individual higher education institutions (HEIs) in the light of recommendations from the relevant regulatory bodies. Post registration training needs for all national health service healthcare staff is determined locally through skills auditing of teams against priority local needs and through the appraisal process. In addition there are a number of central initiatives to increase healthcare professionals' access to knowledge, such as the development of the National Electronic Library for Health's specialist 'branch' library for diabetes and 'Diabetes NSF Zone' and the Department of Health's commitment to establishing a National Knowledge Service.

Structured patient education is an integral part of the diabetes NSF and its provision is a key intervention for Standard 3 of the NSF that is concerned with patient empowerment. All people with diabetes will receive a service that encourages partnership in decision-making and supports them in managing their diabetes. This is reflected in the "Planning and Priorities Framework for the NHS 2003–06", that includes targets for the diabetes NSF. One such target states the need for primary care trusts to update practice-based registers for people with diabetes by March 2006. This will help to ensure that they receive systematic treatment regimens and advice, including the provision of information, education and psychological support, to help them in managing their own condition.

Early Retirement Packages

Tim Loughton: To ask the Secretary of State for Health what early retirement packages are available for staff in his Department and what additions to those packages have been made available in the last year. [143052]

Ms Rosie Winterton: The early retirement packages available to staff in the Department are those under the terms of the Principal Civil Service Pension Scheme. The Department has not made available any additions to these packages in the last year.

Tim Loughton: To ask the Secretary of State for Health how many members of staff in his Department have taken early retirement packages in each of the last six years. [143053]

Ms Rosie Winterton: The information requested is shown in the table.

The number of staff who have taken early retirement for the financial years 1997 to 2002

	Number of staff
1997–98	[1]27
1998–99	[1]17
1999–2000	15
2000–01	17
2001–02	13
2002–03	[2]77

[1] For the financial years 1997–98 and 1998–99, figures are not available for any members of staff who retired within two years of pension age.

[2] Includes 66 staff based in the Department's former regional offices, which were closed as a direct result of the "Shifting the Balance of Power" programme.

Electronic Magnifiers

Mr. Oaten: To ask the Secretary of State for Health when he expects electronic magnifiers to be made available on the NHS.[R] [144189]

Ms Rosie Winterton *[holding answer 15 December 2003]:* Electronic magnifiers are considered to be aids to daily living and as such, their provision is the responsibility of social services departments as they are considered to be aids to daily living. They can be given if it is felt that their provision is warranted. However, hand-held, stand and spectacle-mounted magnifiers are generally considered to be easier to use, more widely available, more accessible and more cost effective.

The Hospital Eye Service is responsible for providing optical devices and loans low vision aids, such as high-powered reading lenses, hand-held and stand magnifiers and telescopes to people with visual impairment. In addition, some primary care trusts have local arrangements for the provision of low vision aids through community based opticians.

Epilepsy

Mr. Baron: To ask the Secretary of State for Health (1) what provisions in the National Service Framework for long-term conditions will address the needs of long-term epilepsy sufferers; [144703]

(2) what progress he has made in addressing the concerns raised in the National Sentinel Clinical Audit of Epilepsy-related Death, published in May 2002. [144704]

Dr. Ladyman: In February 2003, we published an action plan for epilepsy services which addresses the key recommendations in the National Clinical Audit of Epilepsy Related Deaths audit and the Chief Medical Officer's 2001 Annual Report on epilepsy. This will be complemented by two key initiatives, which are planned for publication next year. The National Institute for Clinical Excellence (NICE) is developing a clinical guideline for the diagnosis, management and treatment of epilepsy, which it plans to publish next July. It is also looking at the clinical and cost effectiveness of new anti-epilepsy drugs in children and adults and plans to publish an appraisal in the new year. These will help address any variations in clinical practice and contribute to the improvement of services. We are developing the national service framework (NSF) for long-term conditions, which will focus on improving the standard of general neurology care across England for people with conditions such as epilepsy. The NSF will address a range of key issues, for example: the need for equitable access to a range of services; good quality information and support, for patients and carers; the ability to see a specialist and get the right investigations and diagnosis as quickly as possible; and, maintaining independence and quality of life. We currently plan to publish the NSF late next year for implementation over 10 years from 2005.

Mr. Baron: To ask the Secretary of State for Health what plans he has to change the level of funding available for services for long-term epilepsy sufferers at the Queen Elizabeth Hospital, Birmingham. [144705]

Dr. Ladyman: Primary care trusts (PCTs) in partnership with strategic health authorities (SHAs) and other local stakeholders determine how best to use their funds to meet national and local priorities for improving health, tackling health inequalities and modernising services.

The pan-Birmingham epilepsy group, including representatives from the acute national health service trusts and PCTs within Birmingham is currently reviewing the provision of epilepsy services across the city.

Over the three years from 2002–03 to the end of 2005–06 the total allocation to PCTs will increase in cash terms by £12.7 billion or 30.8 per cent. That is a significant level of investment and should deliver real benefits and results. The allocation includes resources to finance the cost of pay reform, new drugs and treatments and additional capacity.

Mr. Baron: To ask the Secretary of State for Health what *(a)* in-patient, *(b)* out-patient and *(c)* long-term provision is available for epilepsy sufferers in Birmingham. [144706]

Dr. Ladyman: All of the acute hospitals in Birmingham provide some degree of epilepsy services as part of their neurology services.

University Hospital Birmingham National Health Service Trust has 32 dedicated in-patient neurology beds which are used by epilepsy patients. There are currently no in-patient beds within Birmingham specifically designated for epilepsy. Patients requiring such beds are referred to the National Society for Epilepsy in London.

Out-patient services are provided for the whole of the West Midlands region at the Queen Elizabeth Psychiatric Hospital for around 1,500 patients a year. Around 40 per cent. of patients are referred from Birmingham. There is an active electro encephalography department, with overnight monitoring for people with difficult-to-control epilepsy or in cases of diagnostic difficulty.

The Birmingham Women's Hospital also provides a clinic for pregnant women with epilepsy.

Generic Drugs

Mr. Burstow: To ask the Secretary of State for Health what steps he is taking to ensure that general practitioner prescribing computer systems do not prevent pharmacists dispensing generic brands of the same drug with a different formulation; and if he will make a statement. [142062]

Ms Rosie Winterton: There are a number of commercially available computer systems that general practitioners may decide on their own initiative to use in assisting their choice of what medicine to prescribe for a patient. Any system used by a GP must meet a core set of Requirements for Accreditation (RFA). RFA was introduced in April 1993 to ensure general medical practice computer systems provided an agreed level of core functionality and conformed to national standards.

All generic medicines licensed for national health service use must meet the strict requirements of the Medicines and Healthcare products Regulatory Agency (MHRA) and must be equivalent to, and have the same therapeutic effect as, the branded formulation. Some manufacturers of generic medicines may choose to market their product by using a brand name. In other instances, for example in the case of modified release generic medicines, the MHRA may require that these medicines are prescribed by a brand name so as to avoid any problems concerning bio-availability. However these products must also be licensed by the MHRA.

On receiving a script from a patient, a pharmacist is obliged to dispense the branded product if one has been specified by a GP. If, however, a GP has prescribed a generic medicine then a pharmacist is free to chose from amongst a range of licensed generic medicines.

When officials recently became aware that a major pharmaceutical company ad sought to change GP databases to default to their formulation of a medicine, action was taken to ensure that GPs were aware and prepared to over-ride their systems to select their preferred medicine.

These arrangements should be sufficient to prevent a pharmacist from dispensing any NHS generic medicine that has a different formulation from that prescribed by a GP—whether or not a GP used a computer system in making that decision. The forthcoming renegotiations of the 1999 Pharmaceutical Price Regulation Scheme will be used to consider the need for even stronger controls in this area.

Genetically Modified Food

Joan Ruddock: To ask the Secretary of State for Health if he will place in the Library a copy of the full dossier submitted in relation to the Bt11 sweetcorn application. [144699]

Miss Melanie Johnson: The application for authorisation of Bt11 sweet maize as a novel food was made to the Netherlands in 1999, under Regulation (EC) No. 258/97. A further European Commission Regulation, Commission Regulation 1852/2001, lays down detailed rules on the making of information relating to such applications available to the public. These rules are concerned with striking the right balance as between the protection of information submitted by applicants and the public interest in the disclosure of that information. They provide for the Commission to publish a summary of the dossier on Bt11 sweet maize and the initial assessment of that dossier by the member state to which the application was made. It is not, therefore, for the United Kingdom authority to publish such information.

Joan Ruddock: To ask the Secretary of State for Health whether the requirements for a post approval safety monitoring plan specified in the new food and feed regulations for GM foods will be applied to Bt11 sweetcorn. [144700]

Miss Melanie Johnson: Regulation 1829/2003 on genetically modified food and feed comes into effect on 18 April 2004. This regulation does not impose a requirement for the post marketing monitoring of all genetically modified foods, although monitoring may be required in specific cases based on the outcome of the risk assessment. The authorisation of Bt11 sweetcorn is currently being considered under the novel food legislation (regulation 258/97) and does not include a requirement for post-market monitoring.

Head Lice

Mr. Drew: To ask the Secretary of State for Health if he will put in place a strategy for tackling head lice similar to the one in place in Scotland. [143031]

Dr. Ladyman: No. Primary care trusts are best placed to develop strategies for dealing with head louse infestation within their area. This will take into account local circumstances.

Our policy, which is shared by the Department for Education and Skills, is to encourage a "whole school approach" to the detection and treatment of head lice. This entails encouraging parents to check their children and other family members for head lice as need arises, and arranging treatment—either through a combing regime or insecticides—where necessary with such advice and support from the local primary health care team (general practitioner, health visitor, school nurse or local pharmacist) as they may require. If this exercise is successfully undertaken at the same time by all parents of children within a school, then the spread of head lice will be arrested.

Healthcare Cartels

Mr. Blizzard: To ask the Secretary of State for Health what measures he will put in place to avoid the risk of health care providers forming cartels under the policy of giving more choice to patients. [140618]

Mr. Hutton: By December 2005, primary care trusts (PCTs) will offer, at the point of general practitioner referral, a menu of four to five choices for patients who may require elective surgery. To do this, PCTs will commission services from an appropriate range of providers to secure real choices for their local populations; avoiding any potential for 'cartels' being formed. The new national tariff will strengthen PCTs' position, making it easier for them to move activity and funding between providers.

Hip Braces

Mr. Gale: To ask the Secretary of State for Health what the cost to the National Health Service was of hip braces imported from the United States of America in each of the last five years. [143805]

Ms Rosie Winterton *[holding answer 16 December 2003]:* This information is not held centrally.

Mr. Gale: To ask the Secretary of State for Health for what reasons hip braces are not purchased from United Kingdom manufacturers. [143806]

Dr. Ladyman *[holding answer 16 December 2003]:* The NHS Purchasing and Supply Agency has a national framework agreement for the supply of orthoses, which includes hip braces. This agreement is available to all national health service trusts and health authorities in England, although it is not mandatory. There are 59 suppliers on the agreement, all of which are based in the United Kingdom.

Mental Health Services

Mr. Burstow: To ask the Secretary of State for Health whether his Department has met its most recent target to deliver assertive outreach for severe mental illness; and if he will make a statement. [143708]

Ms Rosie Winterton: The Department has met the NHS Plan target to establish a total of 220 assertive outreach teams for patients with severe mental illness and complex problems who regularly disengage from services. We are encouraged by the progress made so far and we will be reviewing the level of need for assertive outreach services by the end of the financial year.

Mr. Burstow: To ask the Secretary of State for Health how many child and adolescent mental health services in-patient beds were provided in each year since 1997 *(a)* in total, *(b)* in England and *(c)* in each local authority; how many are planned to be provided in the next two years; and if he will make a statement. [143709]

Dr. Ladyman: The information is not collected in the form requested. The table shows the average daily number of beds available in the national health service classified as 'Mental Illness: Children'.

In the three years to March 2006, we will be investing an additional £250 million in child and adolescent mental health services provided by the national health service and local authorities for them to further develop their services.

Average daily number of available beds by ward classification, England, 1997–98 to 2002–03

	Department of Health form KH03	
	Mental illness: Children	*Learning disabilities: Children*
1997–98	522	380
1 998–99	538	363
1999–00	482	376
2000–01	531	376
2001–02	484	274
2002–03	504	409

Notes:

1999–2000 and 2001–02 incomplete data.

There is not a separate ward classification in the data collection for adolescent beds. NHS Trusts providing services specifically for adolescents may record the beds as "Children's" or as "Other ages"—the latter includes all the adult provision.

Source:

Department of Health form KH03

Mr. Burstow: To ask the Secretary of State for Health *(a)* how much and *(b)* what proportion of mental health expenditure has been spent on child and adolescent services in each of the last five years. [143710]

Dr. Ladyman: This information is not available centrally. However our estimate for likely mental health expenditure in 2002–03 and the proportion spent on child and adolescent services is shown in the table.

We recognise that much still needs to be done to improve child and adolescent mental health. The work of the child and adolescent mental health module of the children's national service framework will do much to inform future plans.

Estimated mental health expenditure 2002–03

	Child and adolescent mental health services	*Adult mental health*	*Elderly*	*Total*
Hospital community health service (millions)	331	3,476	248	4,055
Percentage	8	86	6	100
Personal social services (millions)	281	739	418	1,438
Percentage	20	51	29	100
Total (millions)	612	4,216	666	5,494
Percentage	11	77	12	100

Notes:

1. The table above is based on estimated projections of expenditure, not actual expenditure. HCHS figures, for instance, are only available up to 2000–01 and PSS figures are only available up to 2001–02. Relevant figures are taken from this year's Departmental Report (Chapter 6) and have been used to update the projections given previously. The actual figures for 2000–01 HCHS spend on mental health were higher than had been previously projected.

2. CAMHS costs are based on estimates from 2002 projected forward in line with increases in overall expenditure. They may underestimate CAMHS expenditure, as they do not account for any new policy developments.

3. HCHS costs exclude the cost of drugs. PSS costs include children's social services where relevant

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on the findings in the Wanless Report of April 2002 relating to the spending increases required to implement the National Service Framework for mental health by 2010–11. [143716]

Ms Rosie Winterton: Following the Wanless final report, my right hon. Friend, the Chancellor of the Exchequer, in his 2002 Budget, announced the biggest ever-sustained real terms growth in history of national health service, to create a world-class health system. Health spending is to grow on average by 7.2 per cent. per annum in the United Kingdom in real terms over next five years—from £68.1 billion to £109.4 billion in 2007–08.

In line with "Shifting the Balance of Power", primary care trusts have not been given allocations specifically for mental health but have received a block allocation with which to provide the services as set out in the NHS Plan , the national service frameworks and to meet local need. A proportion of the increases for total health spend will relate to mental health service and the Department will be monitoring the increase through annual financial mapping exercises.

Memory Clinics

Mr. Burstow: To ask the Secretary of State for Health what definition the Department uses of a memory clinic; and how many memory clinics have been set up *(a)* in total in England and Wales and *(b)* in each strategic health authority. [142959]

Dr. Ladyman: There is considerable variation in the way in which memory clinics are run, in order to meet the needs of different localities. However, in general they are used to help diagnose whether a person has dementia and to help people with dementia access the treatment, care and support they need.

Information on the number of memory clinics is not collected centrally.

Midwifery Units

Mr. John Baron: To ask the Secretary of State for Health (1) how many closures of midwifery-led units since 1997 were due to a shortage of staff; and what the other reasons for closure were; [144658]

(2) whether consultant-led midwifery units have had higher vacancy rates than midwife-led maternity units in each of the last six years; and what the average difference was for each year. [144661]

Mr. Hutton *[holding answers 16 December 2003]:* The information requested is not collected centrally.

Northwick Park Hospital

Keith Vaz: To ask the Secretary of State for Health how many complaints he has received concerning Northwick Park Hospital. [142930]

Mr. Hutton: Figures for the number of complaints received about individual hospitals are not collected centrally. Figures for the number of complaints relating to North West London Hospitals National Health Service Trust are available at http://www.doh.gov.uk/hospitalactivity/.

Operations (Cancellations)

Simon Hughes: To ask the Secretary of State for Health how many operations were cancelled at London hospitals in each of the last 16 quarters for which figures are available; what percentage of the cancelled operations were consequently carried out within four weeks; and if he will make a statement. [143997]

Mr. Hutton *[holding answer 15 December 2003]:* Information is not available for cancellations at individual hospital sites. Information on the number of operations cancelled at the last minute and the number not treated within 28 days of a last minute cancellation for each national health service trust is published at: http://www.doh.gov.uk/hospitalactivity/ Copies of the published information are available in the Library.

Orthopists

Mr. Oaten: To ask the Secretary of State for Health if he will make a statement on the implementation of the pathfinder project in orthotic services. [R] [144191]

Mr. Hutton *[holding answer 15 December]:* The report of the orthotics pathfinder project will be published in January 2004 after which any policy implications will be considered.

Pneumococcal Conjugate Vaccine

Nick Harvey: To ask the Secretary of State for Health what estimate he has made of the cost to the NHS of providing the pneumococcal conjugate vaccine to *(a)* all children between two months and two years of age and *(b)* only those children at risk between two months and two years of age; and if he will make a statement. [144108]

Miss Melanie Johnson: The cost of providing pneumococcal conjugate vaccine to all children under two years of age will depend on the negotiated price of the vaccine.

The number of children at risk is not known and therefore the cost cannot be estimated. The recommendation to immunise at-risk children under two years is consistent with United Kingdom policy for those aged over two years.

Nick Harvey: To ask the Secretary of State for Health how many at-risk children are entitled to pneumococcal conjugate vaccine; what proportion of those children have been given the vaccine; and if he will make a statement. [144109]

Miss Melanie Johnson: This information is not held centrally.

Premature Babies

John Mann: To ask the Secretary of State for Health how many premature babies were born in each region of the UK for each of the last five years. [143679]

Dr. Ladyman: The information requested is not collected centrally.

Prisoners

Julie Morgan: To ask the Secretary of State for Health what action the Government are taking to promote effective inter-agency arrangements for dealing with mentally disordered offenders. [144072]

Ms Rosie Winterton: The Government are committed both to providing better services for people with mental health problems and to protecting the public from crime and the fear of crime. A number of initiatives to support these aims are underway, involving a number of Government departments to tackle the issues raised by mentally disordered offenders.

The Department of Health, the Home Office and the Prison Service are developing new assessment and treatment facilities for dangerous people with severe personality disorder. This will result in 300 new places becoming available in high secure care with the development of an infrastructure at lower levels of security to allow a safe transition for those whose risk is reduced.

Multi-agency public protection arrangements exist in every part of the country and bring together health, police, probation and other agencies to plan the management of people who pose a risk in the community, many of whom are mentally disordered offenders.

Closer working between social services departments and mental health trusts, often leading to single management, has benefited all mental health services, including mentally disordered offenders by removing the traditional boundaries between health and social care.

Court liaison and diversion schemes are widespread and act to ensure that mentally ill people who come into contact with the Criminal Justice System receive mental health care whenever possible.

A number of strands of work are underway with the National Probation Service to ensure that they are supported by mental health services while managing people with mental health problems in hostels and the community.

Julie Morgan: To ask the Secretary of State for Health what steps are taken to ensure that the use of medication for women in prison complies with the best practice guidance of the NHS. [144520]

Dr. Ladyman: All prison establishments are expected, in conjunction with their local primary care trust, to be covered by a drugs and therapeutic committee or its equivalent. Drawing on specialist advice, this committee should be responsible for the development of an evidence-based local formulary, disease management guidelines and medicine-related policies and procedures. All establishments are expected to take account of relevant guidelines issued by the National Institute for Clinical Excellence.

Rheumatoid Arthritis

Andy King: To ask the Secretary of State for Health how many primary care trust, collaborative commissioning groups are providing funding for the treatment of rheumatoid arthritis. [144548]

Dr. Ladyman: The information requested is not collected centrally. Only the small amount of rheumatoid arthritis services that are specialised would be commissioned by a group of primary care trusts acting in a collaborative commissioning group. We do not know how many of these groups separately identify and fund rheumatoid arthritis services.

Targets

Ms Munn: To ask the Secretary of State for Health if he will make a statement on the outcome of the consultation exercise on clinical exceptions to the four hour emergency care target. [144888]

Ms Rosie Winterton: The target for accident and emergency departments is that, by December 2004, all patients should be discharged, admitted or transferred within four hours of arrival. However, front line emergency care staff have told us that in a small proportion of cases it may not be clinically appropriate to move patients within that time frame—for example when they are undergoing active resuscitation.

Responses to the consultation exercise that we announced in September confirmed that. We have listened to the advice we received and have now reached a consensus with the British Association for Accident and Emergency Medicine, the Faculty of Accident and Emergency Medicine and the Royal College of Nursing Emergency Care Association on the type of cases that can be regarded as clinical exceptions to the target. The agreement is available on the Department of Health website at: http://www.doh.gov.uk/emergencycare/clinical-exceptions.htm

Other than in these exceptional cases the target remains in place, and National Health Service trusts must still do everything they can to avoid any breaches of the target that are not clinically necessary.

Temporomandibular Joint Dysfunction

Bob Russell: To ask the Secretary of State for Health what his policy is on the funding of treatment for temporomandibular joint dysfunction; and if he will make a statement. [144275]

Ms Rosie Winterton: Cases of temporomandibular joint dysfunction, which are suitable for treatment by a general dental practitioner, can be funded through the general dental services. More complex cases, for example requiring surgery, will be referred to hospital and funded as with other hospital services.

Top-up Fees

Dr. Murrison: To ask the Secretary of State for Health if he will list the bodies that have made representations on the impact of top-up fees on NHS professionals. [144393]

Mr. Hutton: A wide range of bodies have made formal written representations on variable fees in the consultation exercise on the White Paper "The Future of Higher Education" (column 5735), which was co-ordinated by the Department for Education and Skills. Department of Health Ministers and officials are of course in regular contact with the full range of stakeholders involved in the training of the future health professional workforce.

University of Leicester Hospital Trust

Keith Vaz: To ask the Secretary of State for Health when he next plans to visit the University of Leicester Hospital Trust. [142933]

Ms Rosie Winterton: There are no current plans in my right hon. Friend's official diary to undertake a visit to the University of Leicester Hospital Trust. Should a request to do so be received in the Department, it will be given full consideration.

Waiting Lists/Times

Ms Walley: To ask the Secretary of State for Health what the average waiting time is for an MRI scan for a patient in *(a)* England and *(b)* North Staffordshire; and if he will make a statement. [144104]

Miss Melanie Johnson: Data are not collected centrally on waiting times for a magnetic resonance imaging (MRI) scan. The length of time that a patient may have to wait for any scan is dependent on their clinical condition. Emergency cases need to be seen immediately. Other cases will be carried out as quickly as possible, dependent on the clinical priority of all patients waiting to be scanned.

Where a MRI scan forms part of the diagnostic process for a patient urgently referred with suspected cancer, this will be covered by the target of a maximum two month wait from urgent referral to first treatment, which is currently in place for breast cancer patients, and will be in place for all cancers by the end of 2005.

To increase capacity of diagnostic services, funding has been made available for the provision of new and replacement scanners. To date, new and replacement equipment provided through central programmes includes, as of 15 December 2003, 51 new MRI scanners, 69 linear accelerators, 148 computed tomography scanners and over 600 items of breast screening equipment, all delivered since April 2000.

Written Answers to Questions

Thursday 18 December 2003

INTERNATIONAL DEVELOPMENT

Afghanistan

Mr. Jim Cunningham: To ask the Secretary of State for International Development what steps are being taken to encourage *(a)* the use of alternative crops and *(b)* non-farming livelihoods in the Afghan provinces. [144859]

Mr. Gareth Thomas: We are providing more than £20 million over three years to our livelihoods programme in Afghanistan. This includes funding a Research in Alternative Livelihoods Project, (£3 million over three years) designed to help the rural poor in Afghanistan build new ways of making a living. Research grants will be given to organisations, which put forward innovative ideas for the development and promotion of new farming and non-farming opportunities in Afghanistan.

Workshops will be held to share lessons learnt and information gathered by the projects being funded with other rural development projects across Afghanistan. We are also building the capacity of key Ministries to enable the Afghan Government to support the new livelihoods opportunities and engage with the local communities through newly established development councils.

Global Fund

Mr. David Stewart: To ask the Secretary of State for International Development what proportion of the UK target figure for the Global Fund his Department has pledged for 2004–05. [141501]

Hilary Benn: For the financial year 2004–05 we will provide £30 million and have extended our current commitment through to 2008 bringing our total planned contribution to the Global Fund to fight AIDS TB and Malaria (GFATM) to US$280 million.

At the 6th Board meeting of the Global Fund held in October, members of the Board of the Global Fund voted to move to a periodic replenishment model on a voluntary basis for all public donors, complemented by additional ad hoc donations. This is now the agreed system for contributions to the Global Fund and should put the Fund on a firmer financial footing.

Future UK funding will be subject to the GFATM reflecting a clear poverty focus, achieving a better financing system, integrating the Fund's activities more effectively with national programmes and meeting agreed benchmarks to monitor its effectiveness. We have been working closely with the Fund on all of these issues and made some good progress at the recent Board meeting held in October—particularly on improving the financing system by moving to a more reliable system of replenishment based on commonly agreed performance measures. Good results will encourage increased contributions to the Global Fund—both from the UK and, importantly, from the wider international community and this will help to ensure its future as an effective instrument to tackle these terrible diseases.

Our contribution to the GFATM reflects only part of the UK's significant contribution to the fight against HIV/AIDS, TB and Malaria. At country level, DFID has committed over £1.5 billion since 1997 to strengthening health systems so that better care and drugs can be delivered. Our commitment to HIV/AIDS is demonstrated by the increase in bilateral spending from £38 million in 1997–98 to over £270 million in 2003–04. We are now intensifying our efforts to tackle the HIV/AIDS epidemic. In the recently published "Call for Action", we state that we will make HIV/AIDS a priority for the extra £320 million the UK will be devoting to development in Africa by 2006. We will also double our core funding of UNAIDS.

We also contribute to other global partnerships, which work on different aspects of these diseases. For example DFID has contributed £48 million over four years (1999–2003) to Roll Back Malaria, a global partnership which aims to halve the world's malaria burden by 2010. This financial year we are providing some £1.2 million in support for public private partnerships to develop a new generation of affordable drugs required for malaria control. DFID plays a major role in supporting TB control and the adoption of good practice in countries such as India, Russia, Zambia, Nepal, Bolivia and South Africa. The UK is also a member of the coordinating Board of the global Stop TB partnership and in 2002–03 we provided £0.75 million to the partnership.

Identity Cards

Mr. Webb: To ask the Secretary of State for International Development what assessment he has made of the implications of the introduction of compulsory identity cards for his Department. [142950]

Mr. Gareth Thomas: There has been no assessment made.

Iraq (Medicines)

Tom Brake: To ask the Secretary of State for International Development if he will make a statement on shortages of *(a)* antisera (anti-snake venom) and *(b)* anti-cancer medicines in Iraq. [143935]

Hilary Benn: Assessments by the World Health Organisation (WHO) and the Iraqi Ministry of Health earlier in the autumn indicated that there are no major shortages of essential medical supplies in Iraq. There are however still reported shortages of some very specialised supplies including antisera (ie anti snake venom) and some anti-cancer medicines.

A great deal has already been achieved to re-establish drug systems in Iraq. The initial focus was, rightly, on securing adequate supplies of the most essential and most used medicines and vaccines. On 27 October, the Iraqi Ministry of Health estimated that 15,000 tons of pharmaceuticals and medical supplies had been delivered in 150 days. However, new supply systems are not yet fully operational. Until these are in place, including comprehensive accounting and reporting processes to ensure that needs are identified before shortages arise, some problems will continue to occur.

Work is currently underway in the Iraqi Ministry of Health to develop a national drug formulary. This will enable improved sourcing of drugs and a new purchasing structure which will facilitate the arrival of some drugs which were almost non-existent under the old regime, including top-tier cancer drugs and other advanced pharmaceuticals. Work is also being done by the Ministry of Health, CPA and WHO to develop a complete overview of missing drugs and supplies. This is scheduled to finish in three months.

TREASURY

Private Health Care

6. **Mr. Borrow:** To ask the Chancellor of the Exchequer what recent discussions he has had on financial incentives for private healthcare. [144721]

Mr. Gordon Brown: I have met BUPA and others. We estimate the cost of financial incentives for private medical insurance, including tax relief on private medical insurance and vouchers for private healthcare, at £2 billion.

Council Tax

19. **Mr. McWalter:** To ask the Chancellor of the Exchequer what mechanisms are available to him to ensure that the resources he makes available to the Office of the Deputy Prime Minister for the 2004–05 settlement for local authorities will generate council tax rises in that year no higher than the rate of inflation. [144734]

Mr. Boateng: The extra resources for local authorities announced in November and in the pre-Budget report amount to an additional £760 million for local government on top of previously planned increases in grant. Following the provision of these substantial extra resources provided, excessive increases should not be necessary, but the Government have capping powers and are prepared to use them to protect local taxpayers from excessive council tax rises imposed by local authorities.

Information Technology

20. **Mr. Bacon:** To ask the Chancellor of the Exchequer until what date and for how much money his Department has given financial commitments in relation to the funding of the National Programme for information technology in the health service. [144735]

Mr. Boateng: Although programmes of this scale do need Treasury approval, the Treasury does not commit funding to individual projects. It is for the Department of Health to ensure that the national programme for information technology is affordable within its budget, without pre-empting the results of future spending reviews.

North-East

21. **Mr. Hepburn:** To ask the Chancellor of the Exchequer what action his Department is taking to promote wealth creation in the North East. [144736]

John Healey: All areas of the UK are benefiting from a stable macroeconomic framework, and the measures to promote entrepreneurship and set out in the pre-Budget report.

Regulatory and VAT reforms could benefit 15,700 businesses in the North East:

> Better access to advice and finance could assist up to 33,000 SMEs in the North East;
>
> 72,000 people have been helped into work in the North East by the New Deal.

There has also been an indicative allocation rise, from £227 million in this year to £240 million in 2005–06, for the North East regional development agency to promote wealth creation in the North East.

Child Trust Funds

22. **Mr. Leigh:** To ask the Chancellor of the Exchequer what recent discussions he has had with officials from the Inland Revenue regarding the introduction of Child Trust Funds. [144737]

Ruth Kelly: I am the Minister with specific responsibility for the Child Trust Fund and I have regular discussions with both the Chancellor and officials of the Inland Revenue on a wide range of issues in connection with the Child Trust Fund and its introduction.

Equitable Life

23. **Sandra Gidley:** To ask the Chancellor of the Exchequer if he will make a statement on Equitable Life. [144738]

Ruth Kelly: Equitable Life's most recent interim accounts, which reflected its position as at 30 June 2003, confirmed that it remained solvent. However, the interim accounts also refer to the fact that it continues to face fundamental uncertainties over its mis-selling liabilities and, like all market participants, has had to operate in difficult economic conditions.

Health Care Funding

24. **Mr. David:** To ask the Chancellor of the Exchequer what representations he has received about the funding of healthcare through *(a)* charges and *(b)* private medical insurance. [144739]

Mr. Boateng: We have met BUPA and others to hear representations on private medical insurance. The Government believe that the best way to fund healthcare is through general taxation and that delivery of healthcare should be on the basis of clinical need not ability to pay.

International Finance Facility

David Taylor: To ask the Chancellor of the Exchequer if he will make a statement on the proposed conditionalities to be applied to the proposed International Finance Facility. [144740]

John Healey: The International Finance Facility would not impose new conditions on recipient countries.

Child Benefit (Scotland)

John Barrett: To ask the Chancellor of the Exchequer how many people receive Child Benefit in Scotland, broken down by *(a)* parliamentary constituency and *(b)* local authority area. [144528]

Ruth Kelly: The latest available figures, for November 2002, are shown in a table which is being placed in the Library. Recent annual changes in the number of families in Scotland with Child Benefit awards have been very small.

Foreign Debt

Malcolm Bruce: To ask the Chancellor of the Exchequer what plans he has to set up a realisation fund for outstanding Export Credits Guarantee Department debt. [144835]

Mr. Boateng: The Secretary of State for Trade and Industry informed the House of progress towards establishing the Export Credits Guarantee Department as a Trading Fund on 22 July 2002. Details of the structure of the Trading Fund will be set out in a public consultation document ahead of the move to Trading Fund status.

Progressive Governance Conference

Sue Doughty: To ask the Chancellor of the Exchequer what the total cost to public funds was of the Progressive Governance Conference hosted by the United Kingdom in July. [140566]

Mr. MacShane: I have been asked to reply.

The Progressive Governance Conference from 11 to 13 July was organised and paid for by the think-tank Policy Network.

The Foreign and Commonwealth Office (FCO) organised the subsequent Summit on 13 and 14 July for the heads of state or government of 14 countries. The final cost of organising the Summit was £251,929. This was met by the FCO. This excludes costs for policing.

TRANSPORT

Airlines (Disciplinary Action)

Mr. Beggs: To ask the Secretary of State for Transport on how many occasions disciplinary action has been taken against airlines for *(a)* breach of aircraft noise arrival and departure regulations and *(b)* failure to follow preferred routes into and from Belfast City Airport in each of the last three years. [144601]

Mr. McNulty: Noise and track-keeping procedures applicable at Belfast City Airport are a matter for local control by the Airport. The Department for Transport does not hold the information requested, which should be available direct from Belfast City Airport.

Biofuels

Dr. Kumar: To ask the Secretary of State for Transport what progress has been made against the EU target for biofuels to reach two per cent. of the petrol and diesel market by December 2005. [144771]

Mr. Jamieson: The EU Biofuels Directive (2003/30/EC) requires member states to set indicative targets for sales of biofuels for 2005 and 2010, and provides reference values of 2 per cent. and 5.75 per cent. respectively. Member states must report to the Commission by 1 July 2004, indicating the level of their national indicative targets for 2005.

Current sales of biofuels in the UK are around two million litres a month, which is approximately 0.05 per cent. of the transport fuels market. This represents a dramatic increase since the position prior to July 2002, when the 20 pence per litre fuel duty incentive for biodiesel came into effect.

The Department for Transport will be consulting in early 2004 on its plans for implementing the Directive.

British Transport Police

Miss McIntosh: To ask the Secretary of State for Transport what additional money has been given to the British Transport Police in this financial year for their duties under the Terrorism Act 2000. [145133]

Mr. McNulty: I refer the hon. Member to the answer given today [144178].

Miss McIntosh: To ask the Secretary of State for Transport what additional resources have been made available to the British Transport Police to take on anti-terrorist responsibilities since 2001. [144178]

Mr. McNulty: The resources available to the British Transport Police (BTP) are a matter for the BTP Committee, which overseas the Force and sets its budget. The rail industry is responsible for providing the necessary funding for the Force. In addition to this funding Government has agreed to provide the BTP in 2003–04 with an additional £1.5 million for anti-terrorist response vehicles in London.

Speed Cameras (East Anglia)

Mr. Spring: To ask the Secretary of State for Transport how many speed cameras there were in *(a)* Suffolk, *(b)* Cambridgeshire, *(c)* Norfolk and *(d)* Essex, in each year since 1997; and what amount of revenue was raised in each of those counties. [143348]

Mr. Jamieson: Before the safety camera netting off trial began in April 2000 local authorities were not obliged to inform central government about their camera activity. Essex have netted off since 2000 and Cambridgeshire and Norfolk since 2001. The number of camera sites (both fixed and mobile) for each is:

	2000–01	*2001–2002*	*2002–2003*
Essex	200	356	342
Cambridgeshire	—	15	40
Norfolk	—	44	60

Suffolk joined the scheme in April 2003. During the 2003–2004 financial year Suffolk's plans are to install 5 new fixed site camera housings in addition to their existing 3 and will be enforcing 41 sites with mobile camera units.

Receipts from conditional offer fixed penalty fines for the latest audited years were:

	2000–01	*2001–02*
Essex	1,843,480	3,524,120
Cambridgeshire	—	135,420
Norfolk	—	160,140
Suffolk	—	—

A21

Mr. Norman: To ask the Secretary of State for Transport if he will make an announcement on the route for the A21 South of Pembury to Flimwell before Parliament rises on 18 December 2003. [144449]

Mr. Jamieson: An announcement will be made following full consideration. The Highways Agency is developing proposals for the section of the A21 between Kippings Cross and Lamberhurst. This area is particularly sensitive in environmental terms and it is important to achieve a balance between the impact on the environment and the impact on those living beside the existing route. I hope to make an announcement early in the New Year following further discussions with colleagues in the Department for Environment Food and Rural Affairs.

The Highways Agency has not yet started looking at the Lamberhurst to Flimwell section of the A21 and the Lamberhurst bypass is currently under construction.

A421

Alistair Burt: To ask the Secretary of State for Transport what financial support is available from Government to assist returning the stretch of the A421, proposed to be de-trunked around Great Barford, Bedfordshire, following the construction of a by-pass, to its rural character. [144820]

Mr. Jamieson: Once de-trunking of the stretch of the A421 at Great Barford, Bedfordshire, has taken place, management becomes the responsibility of Bedfordshire County Council. They will be able to apply through the Local Transport Plan process for funding of any works they feel necessary to reflect the changed character of the road.

A43

Mr. Boswell: To ask the Secretary of State for Transport what further developments are planned to improve the safety and capacity of junctions on the stretch of the A43 between junction 15A of the M1 and junction 10 of the M40. [144480]

Mr. Jamieson: I have asked the Chief Executive of Highways Agency, Mr. Archie Robertson, to write to the hon. Member.

Letter from Archie Robertson to Mr. Tim Boswell, dated 18 December 2003:

I have been asked by the Transport Minister, David Jamieson to reply to your recent Parliamentary Question about what further developments are planned to improve safety and the capacity of junctions on the A43 between Junction 15A of the M1 and Junction 10 of the M40.

There were 3 improvement schemes on the A43: A43 M40—B4031 dualling; A43 Whitfield Turn—Brackley Hatch Improvement and the A43 Silverstone Bypass scheme which were all opened to traffic in September 2002. These schemes have already relieved many of the safety and capacity issues on the A43.

Further developments include:

> A Route Management Strategy (RMS) is currently being developed for the complete length of the A43 trunk road between M1 J15A and M40 J10 as part of an RMS studying the length of the A43 and A45 route between the M40 and A14.
>
> An accident analysis study is currently in progress at the A43/M40 J10. This study is due to report in the spring of 2004. A broader ranging study to examine congestion factors at A43/M40 J10 is planned for 2004–05.
>
> A study into the short term and long-term options to relieve congestion at A43/A5 Tove junction is due to report in 2004.
>
> Investigation of improved traffic signing and road markings at A43 Blisworth/Tiffield junctions.

If you would like to discuss any of these issues in more detail, you are welcome to contact the Highways Agency's Route Manager, Steve Davy, 49/53 Goldington Road, Bedford, MK40 3LL or via e-mail at steve.davy@highways.gsi.gov.uk

BAe 146 Aircraft

Mr. Tyler: To ask the Secretary of State for Transport if he still expects the Air Accident Investigation Branch to publish in December its report of the investigation of a series of cabin air quality incidents involving BAe 146 aircraft and other similar incidents; and if he will make a statement. [144970]

Mr. McNulty: The Air Accidents Investigation Branch report following the investigation of a series of cabin air quality incidents involving BAe 146 aircraft and similar incidents to other aircraft is now complete, following extensive industry consultation. The report is to be processed for printing and publication in February 2004. Five safety recommendations were made during the course of the investigation.

Departmental Spending

Norman Baker: To ask the Secretary of State for Transport how much his Department has spent on the acquisition of works of art in each year since 1997, broken down by amounts spent on *(a)* paintings and *(b)* sculpture; what the single most expensive piece of art purchased by his Department since 1997 has been; how much it cost; and what the total revenue raised by his Department through sales of works of art has been since 1997. [142360]

Mr. McNulty: The Department for Transport was formed in May 2002 and since then no works of art have either been purchased or sold. All works of art within the Department have been provided on loan from the Government Art Collection.

Drink Driving

Peter Bottomley: To ask the Secretary of State for Transport what percentage of drivers killed in traffic accidents were over the legal blood alcohol limit, in the last five years for which data are available. [144552]

Mr. Jamieson: The following table shows the percentage of drivers or riders killed in traffic accidents over the legal blood alcohol limit over the last five years.

Percentage of Drivers and riders killed in road accidents over the legal blood alcohol limit

	Percentage over limit
1998	11
1999	9
2000	10
2001	10
2002[1]	11

[1] Provisional data

Peter Bottomley: To ask the Secretary of State for Transport what the key characteristics of drink drive casualties are, broken down by *(a)* age, *(b)* gender, *(c)* time of day, *(d)* month of year and *(e)* mode of travel; and if he will list the measures he has put in place to combat drinking and driving. [144554]

Mr. Jamieson: The most recent road casualty statistics are contained in "Road Casualties Great Britain 2002: Annual Report", a copy of which is in the House Library.

These show that:

(a) About one third of all drink-drive casualties are aged 16–24;

(b) Around one third of drink-drive casualties are female;

(c) Nearly half of all failed breath tests occur between 10pm and 4am, and around half the drivers killed between those times had a blood alcohol level above the limit;

(d) There are more drink-drive accidents and casualties during the summer and autumn months than during winter and spring;

(e) The large majority of casualties in drink-drive accidents are car occupants, with only a small percentage among pedestrians and cyclists.

As regards anti-drink-driving measures, the law has been changed to make drivers who cause death by careless driving while under the influence of drink or drugs take an extended driving test and the maximum penalty for this offence will shortly be increased from 10 to 14 years' imprisonment. Blood samples may now be taken from unconscious, hospitalised drivers suspected of committing drink-drive offences in order to make it easier to prosecute them. The option of referring drink-drive offenders to rehabilitation courses has been extended to courts throughout Great Britain as a means of reducing re-offending. The Government's drink-driving publicity campaigns are being extended to run at different times and in a variety of media throughout the year, rather than just at Christmas and in the summer.

In addition, the Government have announced its intention to strengthen police powers to carry out evidential breathtesting at the roadside. We are also planning to introduce mandatory retesting as a penalty for repeat drink-drive offenders and are assessing the potential effectiveness of breath alcohol ignition interlock devices as a further form of intervention to deal with drink-drive offenders.

Give as You Earn Scheme

John Barrett: To ask the Secretary of State for Transport how many and what percentage of staff in his Department contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff in his Department through the scheme; and what steps he is taking to encourage greater participation in the scheme by staff in his Department. [143911]

Mr. McNulty: DfT have only had a separate payroll from ODPM for the last two months, October and November. We can therefore only provide useful data for this period.

October 2003: 107 staff donated to "Give As You Earn" (GAVE) out of a total headcount of 2049 staff. Percentage of staff = 5.22 per cent. Total charitable donation was £2471.90.

November 2003: 107 staff donated to GAYE out of a headcount of 2,078 staff. Percentage of staff = 5.15 per cent. Total charitable donation was £2456.90.

Rail Services

Mr. Greg Knight: To ask the Secretary of State for Transport what percentage of all journeys was made by rail in England and Wales in the last month for which figures are available. [142616]

Dr. Howells *[holding answer 8 December 2003]:* Data from the National Travel Survey on main mode of trip show that, over the period 1999–2001, 2.7 per cent. of all trips (excluding walking) by people in England and Wales were by rail (1.7 per cent. by surface rail and 1.0 per cent. by London Underground). Monthly figures are not available.

Speed Cameras

Mr. Whittingdale: To ask the Secretary of State for Transport how many fixed speed cameras there were in Essex in each of the last 10 years; how much revenue was raised from them in each year; and how many speeding convictions resulted from them in each year. [142044]

Mr. Jamieson: The numbers of fixed speed cameras placed in total in Essex are shown in the following table.

Year	*New Camera Sites*
1994	0
1995	9
1996	9
1997	0
1998	2
1999	8
2000	0
2001	28
2002	9
2003	17
Total	82

It is not possible to separately identify Conditional Offer Fixed Penalty Notices issued as a result of motorists detected speeding solely by fixed cameras. The amount of conditional offer fixed penalty receipts raised by fixed and mobile cameras in Essex during the first two years of the netting off safety camera scheme is shown in the following table:

Year	*Penalty Receipts*
2000	1,843,480
2001	3,524,120

Taxis

Mr. Rosindell: To ask the Secretary of State for Transport what the estimated average cost is of establishing a taxi rank in an urban area *(a)* at a major transport interchange and *(b)* at a main road. [144883]

Mr. McNulty: Taxi ranks in England and Wales are normally appointed by the relevant Licensing Authority. We do not collate information about the cost of appointing taxi ranks.

Transport Funding

Mr. Gardiner: To ask the Secretary of State for Transport (1) if he will make a statement on how funding for transport in London will take account of the projected increase in London's population between 2001 and 2016; [144034]

(2) what assessment he has made of the *(a)* infrastructure and *(b)* revenue investment in London transport required to meet London's projected population increase over the next 15 years. [144035]

Mr. McNulty: The Government's latest spending plans for London were set out in the Ten Year Plan for Transport, and its subsequent progress report "Delivering Better Transport". Spending plans and priorities are regularly reviewed. We will consider the case for additional resources put forward by TfL in their latest business plan in the run-up to next year's spending review, as well as the Mayor's emerging London Plan, which sets out his vision of the development of London over the next 15–20 years.

Mr. Gardiner: To ask the Secretary of State for Transport what assessment he has made of the case put forward for extra funding for Transport for London in the next spending review. [144247]

Mr. McNulty: We will consider the case for additional resources put forward by TfL in their latest business plan. The Spending Review is expected to conclude in Summer 2004.

U-turns

Mr. Rosindell: To ask the Secretary of State for Transport if he will list *(a)* the total mileage of roads in the Greater London area and *(b)* the total mileage of roads in the Greater London area where u-turns were forbidden for the last five years for which figures are available. [144884]

Mr. McNulty: The total mileage of roads in the Greater London area is 8,959 miles (14,415 kilometres). Information on the total mileage of roads in the Greater London area where u-turns were forbidden is not held centrally and could be obtained only at disproportionate cost.

CABINET OFFICE

Civil Service

Mr. Gray: To ask the Minister for the Cabinet Office whether members of the Senior Civil Service are required to report an invitation to take up an external appointment in industry and commerce received whilst serving, and to whom; what restrictions they are subject to; and what obligations there are with regard to appointments in industry and commerce taken up once they have retired from their civil service posts. [143688]

Mr. Alexander: All civil servants are subject to rules on the acceptance of outside appointments. These rules are set out in Section 4.3 annexes A & B of the Civil Service Management Code, a copy of which is in the Library of the House.

Mr. Flight: To ask the Minister for the Cabinet Office how many new recruits there were to the civil service in each year since 1997. [144657]

Mr. Alexander: The number of new recruits to the civil service between 1996–97 and 2001–02 are shown in the following table. The figures shown are on a headcount basis and apply to non-industrial civil servants only. The figures cover information on 98 per cent. of civil servants, based on data collected on individuals and held in a central database. Information on the remainder is only collected in aggregate form.

More detailed information on entrants to the civil service is published annually in 'Civil Service Statistics', copies of which are laid in the Libraries of both Houses. The last edition, based on April 2002 data, was published in July 2003.

Entrants to the civil service 1996–97 to 2001–02
Non-industrials

		Of which	
	Total recruits	*New recruitment*	*Re-instatement to the civil service*
1996–97	29,000	27,910	1,090
1997–98	26,640	25,970	670
1998–99	29,770	29,230	540
1999–2000	38,700	37,900	800
2000–01	31,530	30,450	1,080
2001–02	38,800	38,290	510

Notes:
Figures are on a headcount basis and apply to non-industrials only.
Source:
Civil Service Statistics

ENVIRONMENT, FOOD AND RURAL AFFAIRS

Landfill

Valerie Davey: To ask the Secretary of State for Environment, Food and Rural Affairs whether, following the reform of the Landfill Tax Credit Scheme, the resulting funds are to be made available to the community waste and recycling sector. [143987]

Mr. Morley: A sustainable waste delivery public spending programme, administered by Defra, has been established following the reform of the Landfill Tax Credit Scheme (LTCS) in April 2003, to ensure that sustainable alternatives to landfill disposal are widely available. The funds are being administered by the Waste Implementation Programme.

Plans for expenditure under the Programme are at various stages of development and execution. So far, for example, a review has been commissioned to identify any former LTCS projects which, if continued with Defra funding, would support the Programme's objectives. Similarly, the Programme will fund relevant waste research and community groups will be able to bid for those funds.

Warm Front Initiative

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what the average length of time taken to supply equipment to households under the Warm Front initiative has been; and if she will make a statement. [141941]

Mr. Bradshaw: The Department has contracts with two scheme managers, Eaga Partnership and Powergen Warm Front Ltd. for the delivery of Warm Front. Heating materials are provided under separate contracts with two suppliers who have sub-contracts with a number of manufacturers.

Following survey of a property, the average time taken to install measures ranges between 4 to 6 months for heating and 2 to 3 months for insulation.

30-month Scheme

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has to lift the market restrictions on beef from cattle over 30 months old. [143610]

Mr. Bradshaw: Ministers are still considering the FSA advice on replacing the OTM Rule and the OTM Scheme with testing. Defra has commissioned a study co-ordinated by the MLC (involving all sectors of the meat chain) to investigate the impact on the beef market of any changes to the OTM rule and OTMS exit. The Government are also investigating with the EU Commission the possibility of introducing an underpinning temporary market support measure to insure against any disruption to the market.

Abandoned Cars

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of abandoned cars were set alight in the UK in the last 12 months for which figures are available. [143843]

Mr. Raynsford: I have been asked to reply.

In England, the Department for Environment, Food and Rural Affairs (Defra) conducted a Municipal Waste Management Survey in 2001–02 which estimated that 292,900 abandoned vehicles were removed and destroyed by local authorities. No data are available for Scotland, Wales or Northern Ireland for that year.

An analysis of national fire statistics shows that in 2001–02 an estimated 22,700 fires occurred in vehicles that had previously been abandoned. This estimate represents 8 per cent. of all abandoned vehicles removed and destroyed, as recorded by the Defra survey.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs how many vehicles she expects to be abandoned in each year before the End of Life Vehicles Directive is fully enforced. [143957]

Mr. Morley: It is not possible to estimate how many vehicles will be abandoned in the period leading up to January 2007, from which time producers will be required to take back end of life vehicles at no cost to the owner.

Vehicle abandonment rates will be dependent on a number of factors, including the price of scrap metal.

The Government have introduced a range of measures, including the advent of continuous registration in January 2004, which will enable local authorities to tackle abandoned vehicles effectively and make it much harder for last owners to evade responsibility for their vehicles.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what the total average cost per car was of disposal of end of life vehicles in the last 12 months for which figures are available [143955]

Mr. Morley: Based on estimated disposal costs of between £30 and £50 per vehicle, the total cost of disposal for end of life vehicles in the financial year 2001–02 was between £8.79 million and £14.65 million.

Air Quality

Mr. Randall: To ask the Secretary of State for Environment, Food and Rural Affairs what action her Department is undertaking to reduce levels of nitrogen dioxide around Heathrow airport. [143793]

Mr. Bradshaw: The Air Quality Strategy sets out the Government's policies and measures to reduce levels of nitrogen dioxide and other key air pollution throughout the UK in general. Various emissions sources may contribute to levels of nitrogen dioxide in the Heathrow area. The Department is working with other departments, local authorities and other organisations concerned to secure improvements.

Emissions arising in mainland Europe can contribute significantly to concentrations in London and the South East. Reductions agreed under the National Emission Ceiling Directive in UK and in other member states will cut emissions of oxide of nitrogen and other air pollutants at source.

Measures to cut emissions from transport include tighter vehicle emission and fuel standards, fuel duty differentials and schemes to promote the wider use of greener fuels and vehicles. The 10-year transport plan sets out measures to improve public transport, to cut congestion and to reduce air pollution. The UK is working through the International Civil Aviation Organisation to reduce emissions from aviation. Under a condition in the planning permission for the Fifth Terminal at Heathrow BAA plc are required to produce and review an action plan to minimise emissions—their Air Quality Strategy and Action Plan was published in April 2002 and is currently being reviewed.

Under their statutory duties for air quality, the three local authorities adjacent to Heathrow have declared Air Quality Management Areas in the vicinity of the airport and are now developing action plans in order to improve local air quality.

Mr. Randall: To ask the Secretary of State for Environment, Food and Rural Affairs what targets her Department has set to reduce the levels of nitrogen dioxide by *(a)* 2005 and *(b)* 2010. [143823]

Mr. Bradshaw: The national Air Quality Strategy, published in 2000, sets a one hour mean air quality objective for nitrogen dioxide of 200 micrograms per cubic metre not be exceeded more than 18 times per year and an annual mean of 40 micrograms per cubic metre, both to be achieved by 31 December 2005. These objectives, together with objectives for six other air pollutants, are prescribed in the Air Quality (England) Regulations 2000. Local authorities are required to review and assess the objectives and, where these are unlikely to be met, to work towards the achievement. European Council Directive 99/30/EC sets similar limit values for nitrogen dioxide which members states are required to achieve by 2010. The limit values have been implemented by the Air Quality Limit Values Regulations 2003.

American Ships (Decommissioning)

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs whether the polychlorinated biphenyls in the US ships intended for decommissioning by Able UK have been analysed to determine whether the waste meets the necessary standards for *(a)* incineration and *(b)* landfill. [143442]

Mr. Morley: Not yet. Dismantling work on the ships is currently prevented while matters concerning their future are addressed.

Mr. Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs if she will take steps to prevent further US vessels crossing the Atlantic for dismantling in Hartlepool. [143663]

Mr. Morley *[holding answer 11 December 2003]*: The remaining nine vessels in the contract, will remain in the US pending the resolution of US legal action which prevents them leaving the US before April 2004.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs whether planning permission for the construction of the dry dock at Able UK was within its period of validity when the American ghost ships were given permission to come to the UK. [143808]

Mr. Morley: Whether a grant of planning permission is effective for the development concerned is a matter in the first place for the relevant local planning authority and ultimately the courts.

Animal Welfare

Mr. Laurence Robertson: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received asking her to ban the slaughter of animals without pre-stunning; and if she will make a statement. [141953]

Mr. Bradshaw *[holding answer 4 December 2003]*: Following the recommendation in the Farm Animal Welfare Council report on the welfare of red meat animals at slaughter, a number of organisations concerned with animal welfare, and individuals, have called for a ban on slaughter of animals without prior stunning in this country.

Jewish and Muslim groups have suggested that the practice be maintained. We hope to issue our response for consultation early next year.

Mr. Gwyn Prosser: To ask the Secretary of State for Environment, Food and Rural Affairs whether the UK Government's representatives are pursuing the policy of an eight-hour journey limit for slaughter animals in EU Council working group meetings; and if she will make a statement. [143844]

Mr. Bradshaw: The Government is seeking a finite journey limit for the transport of animals destined for slaughter and further fattening, in accordance with our policy of replacing the long distance transport of animals for slaughter with a trade in meat. Journey limits cannot be considered in isolation and must be part of an overall package of agreed measures that provide a significant improvement in animal welfare throughout the EU and beyond.

Cattle Testing

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what plans she has for pre-movement testing of cattle for exposure to m.bovis. [144438]

Mr. Bradshaw: All farmers have been sent a leaflet "Golden rules for a healthy herd", which advises purchasers to check the disease status of cattle prior to purchase.

In February 2003, the Secretary of State for Environment, Food and Rural Affairs announced a review of our bovine tuberculosis strategy. Early in the new year we will be publishing a consultation document which will represent the outcome of the first stage of that review. The consultation document will include proposals for short-term measures for reducing the risk of geographic spread of bovine TB from high to low incidence areas, including consideration of proposals for the pre and/or post movement of cattle.

Cod By-catches

Sir Archy Kirkwood: To ask the Secretary of State for Environment, Food and Rural Affairs what recent research she has commissioned into cod by-catches in nephrops fisheries; and if she will make a statement. [143719]

Mr. Bradshaw: Defra and the other Fisheries Departments in the UK have sufficient data on the catches of vessels which take both nephrops and cod to be able to demonstrate that curtailing nephrops catches brings minimal benefit to cod stocks. We shall continue to draw to the attention of the European Commission the evidence we have on this.

Common Agricultural Policy

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what representations she has received concerning the Common Agricultural Policy reform options of *(a)* individual historic payments and *(b)* regional average payments. [143609]

Mr. Bradshaw: We received over 800 responses to our consultation letter on CAP reform implementation. Most respondents presented arguments in favour of the individual historic, flat rate or hybrid models of allocating entitlements under the new Single Payment Scheme. We will follow our standing practice for public consultations in placing a list of the respondents in the House Library; making copies of individual responses available in the main Defra library (other than those where the respondent has specifically requested the letter or email be withheld); and providing a summary of views on the Department's website. Ministerial colleagues and officials have also had meetings with a range of stakeholders on this issue.

Crop Areas

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs whether compensation will be paid by her Department to farmers affected by the over-estimation of the wheat area for this year's harvest; and if she will issue a formal apology to farmers. [143587]

Mr. Bradshaw: I regret that the error was made. Defra figures are only one of a number of sources of information available to the market and individual buyers and sellers have to use their own commercial judgment. Although there was an initial increase of approximately £5 per tonne immediately following publication of corrected figures, this had reduced by about half within a few days with the price back on trend. This reflects the UK's position as a price taker rather than a price maker in an international commodity market. UK production is only about 13 per cent. of EU production, and EU production is just over 20 per cent. of world production. On average, however, wheat prices this year are now some £50 per tonne higher than at the same period last year. They have risen steadily throughout the marketing season in response to serious reductions in supply elsewhere in Europe as a result of heat and drought in the summer. This has also coincided with a tighter global market which has seen world wheat prices at their highest levels in recent years. There was no discernable effect on prices when the provisional agricultural census results were published in the middle of September.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are being taken by the Department to ensure that the estimation of crop areas is accurate; and what assessment has been made of the causes of the error in estimation this year. [143588]

Mr. Bradshaw: The error in the estimation of crop areas this year was caused by unintentional double counting of holdings during the process of combining IACS crop areas with June Census returns. The computer program that extracts the necessary data from the IACS returns has now been rewritten to ensure that this error will not be repeated. In addition, the existing procedures for checking results will be strengthened and a risk assessment process will be instituted to ensure that potential problems are identified. Figures derived from surveys are always subject to some uncertainty, particularly when provisional results are issued, but every attempt is made to minimise this.

Mr. Paterson: To ask the Secretary of State for Environment, Food and Rural Affairs what measures are in place to ensure that errors in estimation of the wheat area harvest are detected. [143589]

Mr. Bradshaw: The error in the estimation of crop areas this year was caused by unintentional double counting of holdings during the process of combining IACS crop areas with June Census returns. The computer program that extracts the necessary data from the IACS returns has now been rewritten to ensure that this error will not be repeated. In addition, the existing procedures for checking results will be strengthened and a risk assessment process will be instituted to ensure that potential problems are identified. Figures derived from surveys are always subject to some uncertainty, particularly when provisional results are issued, but every attempt is made to minimise this.

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what steps her Department takes to ensure the correct estimate of each year's wheat harvest is made. [143668]

Mr. Bradshaw *[holding answer 11 December 2003]*: Estimating the size of the annual wheat harvest depends on information from a number of different sources gathered over time. A provisional estimate of planted area is normally published in September based on a combination of census and IACS data. Provisional yield information in the form of a production estimate is normally published in October. Updated figures are normally published in November and January respectively.

A number of checks are in place to verify the information coming in from farmers, the processes and the credibility of the aggregate results. Unfortunately, the internal error in the calculation of this year's planted area figures was only discovered by Defra statisticians after the area results had been published, and a corrected Statistical Notice was therefore published on 1 December.

Dairy Industry

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the help available to dairy farmers to increase innovation. [143654]

Mr. Bradshaw: Product innovation is, of course, for individual businesses to consider in line with the demands of the market. Nevertheless, Government can play a role in promoting innovation.

Under the auspices of the Dairy Supply Chain Forum, chaired by my Noble Friend Lord Whitty, the Milk Development Council has been working with other members to establish a Market Development and Innovation sub-group. The objective of this group is to stimulate and co-ordinate innovation for the development of British dairy products by creating a forum for the exchange of market information and ideas that anticipate consumer needs. The group will also consider how barriers to innovation might be addressed.

Furthermore, the Agriculture Development Scheme (ADS) offers grants for the various activities associated with the marketing of produce, including dairy products, and welcomes innovative applications. Support is also available under the England Rural Development Programme, which encourages the development of new products and markets through the Rural Enterprise Scheme and the Processing and Marketing Grant.

Mr. Drew: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions she has had with the Office of Fair Trading to seek clarification of competition rules regarding the production, processing and retailing of milk. [143655]

Mr. Bradshaw: The application of competition rules in the milk sector was discussed between Ministers and officials in Defra, the Department of Trade and Industry and the Office of Fair Trading during 2002. These discussions were prompted by comments on the impact of competition rules on collaborative ventures made in the report of the Policy Commission on the Future of Farming and Food. The outcome of the discussions is reflected in the Government's Strategy for Sustainable Farming and Food and in its Response to the Report of the Policy Commission on the Future of Farming and Food, both of which can be found on Defra's website at: http://defraweb/farm/sustain/newstrategy/index.htm

Endangered Species

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many import permits her Department *(a)* granted and *(b)* refused for species listed on (i) Appendix I and (ii) Appendix II of the Convention on International Trade in Endangered Species in each year from 1997, broken down by species. [143756]

Mr. Morley: This Department issues over 5,000 import permits each year for a wide range of CITES controlled species. We do not keep precise statistics of the numbers refused but we believe that approximately 1 per cent. are refused on scientific grounds with a further 2 per cent. to 3 per cent. refused on administrative grounds (e.g. failure to supply outstanding information or refusal to pay the fee).

The breakdown between Appendix I and Appendix II species is not readily obtainable either. However, Annex A and Annex B of the relevant EC Regulation (338/97) broadly equate to CITES Appendices I and II. In recent years 11 per cent. of the permits issued have been for Annex A species and 89 per cent. for Annex B species.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how much her Department charges for a permit to import species listed on *(a)* Appendix I and *(b)* Appendix II of the Convention on International Trade in Endangered Species. [143757]

Mr. Morley: The charges are as follows:

	Fee
Plants and Corals	
Application for fewer than five genera where the import, export or re-export is for commercial purposes	£7 per genus
Application in respect of five or more genera where the import, export and re-export is for commercial purposes	£5 per genus
Application in respect of any number of genera where the import, export or re-export is not for commercial purposes	£5 per genus
Mammals, Birds, Reptiles and Others	
Application for fewer than five genera where the import, export or re-export is for commercial purposes	£10 per species
Application in respect of five or more genera where the import, export and re-export is for commercial purposes	£8 per species
Application in respect of any number of genera where the import, export or re-export is not for commercial purposes	£5 per species

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs how many Article 10 certificates her Department granted for the sale of species listed on *(a)* Appendix I and *(b)* Appendix II of the Convention on International Trade in Endangered Species in each year from 1997. [143758]

Mr. Morley: Article 10 certificates are issued under EC Regulation 338/97, which lists all CITES species in Annexes which broadly equate to the CITES Appendices. Annex A is therefore broadly equivalent to CITES Appendix I and Annex B to Appendix II. The Regulation requires the issue of Article 10 certificates only for Annex A species. The numbers of certificates produced for the years in question have been:

	Number
1997	5,738
1998	16,838
1999	14,498
2000	14,308
2001	18,754
2002	16,230
2003	[1]16,150

[1] To date.

The 1997 figure is significantly lower than the others because the Regulation did not come into effect until 1 June in that year.

Energy Consumption

Mr. Bellingham: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the development of new technologies to help reduce the demand for energy consumption. [142848]

Mr. Bradshaw: The Energy White Paper recognised the need to promote innovation to find new ways to save energy in the future. We agreed with the Chief Scientific Adviser's Energy Research Report that energy efficiency should be a priority area for investment in research and development and an inter-departmental high-level group, on which the Energy Saving Trust and The Carbon Trust are also represented, is co-ordinating work in this field.

The Carbon Trust has established the Low Carbon Innovation Programme, launched in 2002, which aims to accelerate the development of new and emerging low carbon and energy efficient technologies in the UK and provides funding across the low carbon innovation process—research, demonstration and development—by investing in projects and leveraging in further funding.

Environmental Regulations

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the cost and enforcement of EU environmental regulations in *(a)* the UK, *(b)* other EU countries and *(c)* applicant states. [143809]

Mr. Morley: In 1998, this Government announced that no proposal for legislation, which has a potential to impact on business, the voluntary sector or charities, should be considered by Ministers without a Regulatory Impact Assessment (RIA). Departments are required to undertake RIAs for all proposed regulations and policies, including environmental regulations, that impose a burden or realise a benefit to business, charities and the voluntary sector whether initiated by the UK or EU. The RIA includes an analysis of the costs of implementation and enforcement. It is an ex-ante appraisal and it is an explicit requirement that consideration is given to monitoring and review at the appraisal stage.

The RIA process will be strengthened further by the National Audit Office (NAO) taking on a new role as an independent evaluator of selected RIAs. The NAO will focus on the quality of analysis in the RIAs and the thoroughness with which the RIAs have been undertaken. The findings and recommendations of best practice will be fed back to Departments.

All RIAs published by Government Departments since January 2001 can be accessed via the Cabinet Office Regulatory Impact Unit website (http://www.cabinet-office.gov.uk/regulation/index.htm).

The responsibility for assessing the cost and enforcement of EU environmental regulations in other member states rests with individual member states.

In June 2002 the European Commission adopted an Action Plan for Better Regulation, in which it committed itself to the introduction of a two-stage impact assessment process, covering the economic, social and environmental impacts of policy proposals, the phased implementation of which started earlier in 2003. Impact assessment is to be applied to all proposals listed in the Annual Policy Strategy or Work Programme. All proposals will be subject to preliminary assessment, with some proposals being selected for extended assessment.

The European Commission produces an annual survey on the implementation and enforcement of environmental Community law within existing member states. The 4th edition, which covers 2002, is now available and can be accessed through the Europa server (http://europa.eu.int). Comparable data on the implementation and enforcement of EU legislation in the Accession States will also be compiled once they join the EU.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Environment, Food and Rural Affairs whether it is the policy of her Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142815]

Alun Michael: Yes. As explained by the Chief Secretary to the Treasury on 9 December 2002, *Official Report*, column 92W, the Government are committed to supporting ethical trading wherever possible within the boundaries set by Government's value for money policy and the EC procurement rules.

Defra's policy is to work with the department's catering service providers so that fair trade tea and coffee is available to staff as customers and can be served at official meetings and conferences when appropriate.

To date, Defra and its caterers have arranged for fair trade products to be available at nine of its 11 staff restaurants, including Defra's HQ and a number of regional offices in Guildford, York and Crewe. At each of these sites the teas and coffees served as official hospitality are fair trade products. Efforts to identify potential for serving more fair trade food products are continuing.

Farm Animal Welfare

Mr. David Stewart: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the Government's plans to regulate farm animal welfare through Codes of Practice that have been recommended by the Farm Animal Welfare Council. [144533]

Mr. Bradshaw: Defra takes account of advice from the Farm Animal Welfare Council when formulating and revising Codes of Practice relating to farm animal welfare. We are in the process of revising Codes of Practice for the welfare of red meat and white meat animals at slaughter and killing. They will be published next year. We also hope to publish revised Codes of Recommendations for the welfare of ducks, goats and turkeys by next summer.

Farmer Subsidies

Mr. Cawsey: To ask the Secretary of State for Environment, Food and Rural Affairs what the average subsidy to eligible farmers in *(a)* England and Wales, *(b)* Yorkshire and The Humber, *(c)* the East Riding of Yorkshire and *(d)* North Lincolnshire is in 2003–04. [142778]

Mr. Bradshaw: The table shows direct payments to farmers under the Common Agricultural Policy in the European Agriculture Guidance and Guarantee Fund 2003 year (16 October 2002 to 15 October 2003). Some farmers may also have received market support payments, though these are available to traders as well. In addition, farmers benefited from the effect of the market regimes and import tariffs, which kept the price of many commodities in the EU higher than elsewhere. Questions regarding payment of direct grants and subsidies in Wales should be directed to the devolved authorities in Wales.

Area	*Number of farmers receiving subsidy*	*Total subsidy (£)*	*Average subsidy per farmer (£)*
(a) England	88,978	1,539,639,160	17,304
(b) Yorkshire and The Humber	10,506	191,985,666	18,274
(c) East Riding of Yorkshire	1,650	40,551,373	24,577
(d) North Lincolnshire	518	14,482,414	27,958

Fisheries

Annabelle Ewing: To ask the Secretary of State for Environment, Food and Rural Affairs who will lead the UK delegation at the December Fisheries Council. [142726]

Mr. Bradshaw: I will lead the UK delegation at the discussions on fisheries at the December Agriculture and Fisheries Council together with Ross Finnie, Minister for Environment and Rural Development in the Scottish Executive and Ian Pearson, Minister for Agriculture and Rural Development in Northern Ireland.

Mr. Sanders: To ask the Secretary of State for Environment, Food and Rural Affairs (1) if she will make a statement on the progress of trials of active acoustic deterrents; when the trials will be completed; and when she expects to make an assessment of their effectiveness; [143540]

(2) what type of fisheries will be covered by active acoustic deterrents deployment trials; over what timescale the trials will be conducted; and if she will make a statement. [143541]

Mr. Bradshaw: Defra is grant aiding a trial by the Sea Fish Industry Authority to assess the technical viability of using pingers on gill nets to prevent porpoise bycatch. The first phase has just been completed and the next phase with pingers modified to improve performance and to assess longer term durability is likely to start in February 2004. The timescale for this trial has not yet been fixed. The results will be presented in a Seafish Technical Report.

The findings to date of these trials have been reviewed at a meeting of interested parties, including pinger manufacturers, under the auspices of a Biodiversity Action Plan for the protection of small cetaceans. This review has helped to inform the next stage of the trials. The trials will also be useful in determining the next steps of the UK Small Cetacean Bycatch Response Strategy on which I hope to make an announcement early in the New Year, in consultation with the Devolved Administrations.

Flame Retardants

Tony Lloyd: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on the review of Deca-BDE; and what advice she has received on potential alternatives. [144388]

Alun Michael: We have concluded the environmental risk assessment of deca-BDE carried out under the Existing Substances Regulation (EC) 793/93 and forwarded it to other Member States. Initial discussion has agreed that for the standard risk assessment, no further information nor risk management measures are needed. However, further data, not mandated by the Regulation, is available and this cannot be ignored. This information is of concern but it is not possible at this stage to conclude that there is a clear and unambiguous risk. It was therefore further agreed that the UK should recommend a monitoring programme, which will provide information as to the changing levels of deca-BDE in the environment. We are expecting levels to go down as industry controls its emissions more effectively. The environmental risk assessment is still being discussed within the European process and the final conclusion will ultimately be for the Community.

The examination of alternatives (looking at both efficacy and cost) is a standard part of the next step of this process when looking to see if any risk reduction measures are appropriate. In the case of deca-BDE, some of this work has already been carried out on a precautionary basis—at present a ready, safer alternative has not been identified.

Game Birds

Mr. David Stewart: To ask the Secretary of State for Environment, Food and Rural Affairs (1) whether she plans to introduce provisions on the use of bits and specs for game birds in the Animal Welfare Bill; [144529]

(2) what estimate she has made of the number of companies which use bits on game birds; [144531]

(3) if she will make a statement on the *(a)* costs and *(b)* benefits of employing specs on game birds to minimise bird-on-bird aggression and egg-eating. [144532]

Mr. Bradshaw: One of the opportunities provided by the proposed Animal Welfare Bill would be the possibility of introducing codes of practice, including a code on the rearing of gamebirds, which would be subject to parliamentary scrutiny. The codes would support a statutory duty to promote the welfare of animals kept by man. The code on gamebirds would better regulate the methods, including bits and specs, used in rearing. It is not known how many companies currently use bits and what the costs and benefits of employing specs are.

Mr. David Stewart: To ask the Secretary of State for Environment, Food and Rural Affairs what plans the Government have to address mistreatment of game birds. [144530]

Mr. Bradshaw: Gamebirds are afforded protection under the Game (Scotland) Act 1772, the Game Act 1831, the Protection of Animals Act 1911, Protection of Animals Act (Scotland) 1912 and the Wildlife and Countryside Act 1981. The proposed Animal Welfare Bill provides an opportunity to modernise the law as far as gamebird rearing in England and Wales is concerned.

Legislation

Mr. Redwood: To ask the Secretary of State for Environment, Food and Rural Affairs what percentage of *(a)* primary and *(b)* secondary legislation sponsored by her Department in 2002–03 was introduced to implement EU requirements. [141135]

Mr. Bradshaw: The information is as follows:

(a) In 2002–03, 50 per cent. of primary legislation sponsored by the Department was introduced to implement EU requirements.

(b) During the same period, in the case of secondary legislation my Department was responsible for the making of 120 Statutory Instruments, of which, 57 per cent. were introduced to implement EU requirements.

Nitrogen Dioxide (Heathrow)

Dr. Tonge: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate her Department has made of the number of people who are exposed to nitrogen dioxide in the Heathrow area; and how many people she estimates will be exposed in *(a)* 2005 and *(b)* 2010. [144099]

Mr. Bradshaw: Defra has not carried out an assessment of the number of people exposed to nitrogen dioxide in the Heathrow area. Assessments have been carried out on the current and future concentrations of pollutants.

Assessments of air quality impacts in the vicinity of Heathrow have been undertaken by the local authorities and by BAA plc. Having declared Air Quality Management Areas in the Heathrow area, the local authorities are developing action plans to reduce emissions. Some work has been undertaken on future predictions, for example by the London Borough of Hillingdon in relation to 2005. These assessments focus upon pollutant concentrations relative to limit values rather than exposed population.

In the context of air quality work supporting decisions to be announced in the forthcoming Aviation White Paper, the Department for Transport has run air quality emissions scenarios out as far as 2020. I understand this work will be made public following the publication the Aviation White Paper.

Organophosphates

Mr. Tyler: To ask the Secretary of State for Environment, Food and Rural Affairs when she expects the database of government-funded projects examining ill health and organophosphates prepared by the Central Science Laboratory in York to be publicly available; and if she will make a statement on research progress relating to organophosphates. [141211]

Mr. Bradshaw *[holding answer 4 December 2003]*: The database being prepared by the Central Science Laboratory (CSL) covers the whole range research into OPs, both Government sponsored and privately funded. This database can be accessed via the CSL website (www.csl.gov.uk/ops).

Up-to-date information on the Government sponsored research into possible health effects of exposure to OP, including the findings so far, is available on the Veterinary Medicines Directorate's website (www.vmd.gov.uk). Some of this research was delayed in starting by practical problems arising from the FMD outbreak. The full results of this research are now not expected until 2006/07. These will all be peer-reviewed as a quality check before publication.

The Veterinary Products Committee, the independent, expert advisory committee on the safety of veterinary medicines, has considered all of the results available to date and has concluded that none of these justify any additional regulatory action on the current authorisations for organophosphate sheep dips.

Over Thirty Month Scheme

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the options for the lifting of the Over Thirty Month scheme with regard to *(a)* biodiversity, *(b)* prime meat market prices, *(c)* the viability of the beef market, *(d)* the viability of British meat and meat products and *(e)* British meat exports and *(f)* Government finances. [142275]

Mr. Bradshaw: Ministers are still considering the FSA advice on replacing the OTM Rule with testing. No direct assessment has been made on the impact of possible changes to the OTM Scheme on biodiversity although it is recognised that the marketing of slower maturing native breeds suited to environmental management would be facilitated by any changes to the Scheme.

Defra has commissioned a study co-ordinated by the MLC (involving all sectors of the meat chain) to investigate the impact on the beef market of any changes to the OTM rule and OTMS exit. It is expected that the impact of a re-introduction of OTM beef would be reduced by import substitution and that the effect on prime beef prices would be minimal once the market adjusted. However the Government are investigating with the EU Commission the possibility of introducing an underpinning temporary market support measure to insure against any disruption to the market. British meat and meat products would be expected to benefit from the increased availability of competitively priced good quality lean beef, domestically produced.

EFSA is currently considering whether export controls on UK beef from cattle born after August 1996 could be reduced.

Packaging

Llew Smith: To ask the Secretary of State for Environment, Food and Rural Affairs what initiatives her Department is promoting to minimise unnecessary packaging and use of wrapping paper during the Christmas period. [143514]

Mr. Morley: Minimisation of packaging needs tackling throughout the year not just at Christmas. The Advisory Committee on packaging has recently set up a new Task Force to look at the potential for further reductions in the amount of packaging used by businesses. The Committee will report its findings to Ministers early next year.

We would encourage people to recycle wrapping paper where possible.

Printer Cartridges

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs if she will make a statement on whether printer cartridges are included in the Waste Electrical and Electronic Equipment Directive. [143954]

Mr. Morley *[holding answer 15 December 2003]:* The WEEE Directive applies to whole products placed onto the market and not to individual components, sub-assemblies or consumables, for example, computer memory chips and graphics cards. The Government believes that printer cartridges fall into this cadre of items and are not separately covered. The eco-design provisions of the WEEE Directive would therefore not apply to them. However, these kinds of item would be included when retained within whole products, like a printer, when these become waste and are separately collected for recovery and recycling.

Recycling (Christmas)

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what estimate she has made of the number of *(a)* Christmas cards and *(b)* Christmas trees that were recycled in 2003; what support she provides to local authorities with regard to the recycling of Christmas cards; and if she will make a statement. [144119]

Mr. Morley *[holding answer 15 December 2003]:* The Department does not collect separate data on either of these two recyclates.

Defra does support and take part in a Christmas Card Recycling Scheme run by the Woodland Trust that recycled 40 million Christmas cards (800 tonnes) in 2003. The charity Environ estimate that 750,000 Christmas trees were recycled during 2003 (approximately 12.5 per cent. of the total sold).

Defra also provides a range of support for local authorities to help improve their recycling rates for all types of household waste.

Set Aside

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs what assessment she has made of the likely impact of the EC proposal to recommend that set aside rates be reduced. [143611]

Mr. Bradshaw: The European Commission has proposed that the rate of compulsory arable set-aside be reduced from 10 per cent. to 5 per cent. for the 2004–05 EU marketing year. The proposal has been made in order to try to restore a more normal balance of supply in response to serious reductions in this year's cereals harvest as a result of prolonged hot weather and drought in Central and Southern Europe in the summer.

The Commission estimates that the measure will increase the supply of cereals by around 7 million tonnes. It is not clear what the impact will be in the UK. There is normally around 400,000 hectares of land in compulsory set-aside each year, with a further and more variable area being set aside voluntarily. In theory, up to 200,000 hectares of additional land could be cropped in 2004 increasing UK cereal production by 1.4 million tonnes based on average yields. In practice, however, the additional output is likely to be significantly lower than this as the proposal has been made after many farmers have finalised their cropping plans for next season.

Reducing the rate of compulsory set-aside may also have some impact on the environmental benefits which can be derived from uncultivated land, though it is difficult to assess this without knowing what land may be put back into cropping.

Single Farm Payment Scheme

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs if she will implement the Single Farm Payment Scheme; and if she will make a statement. [143562]

Mr. Bradshaw: We have already announced our intention to implement the new Single Payment Scheme in 2005, which is the earliest possible date provided for in the June CAP reform agreement. We are currently considering responses to a consultation exercise on how entitlements to payments under the scheme should be allocated.

Snowfall

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what historical data *(a)* her Department and *(b)* other publicly-funded bodies collate on snowfall; and what the predicted future annual number of days when there is snowfall are for (i) London and (ii) Edinburgh in (A) 2010, (B) 2020, (C) 2030 and (D) 2050. [144120]

Mr. Morley *[holding answer 15 December 2003]:* The Department does not collate historical data on snowfall. However, the Met Office, which is an agency of the Ministry of Defence, records daily snowfall frequency and amount at 80 stations in the UK. Most of these records go back to 1971.

In April 2002, the Department published new "Climate Change Scenarios for the UK". These scenarios include information on total winter snowfall amounts, but not number of snowfall days. The scenarios show that snowfall in the London and Edinburgh areas could be reduced by between 55 per cent. and 90 per cent. by the 2080s (compared to the 1961–1990 baseline), depending on the degree of future climate change. Scaling these figures back to the years in question gives the following estimates of the reduction in snowfall amount at both locations, depending on whether there is a low or high degree of climate change:

	Percentage reduction
2010	17–30
2020	22–38
2030	27–47
2050	37–65

These figures represent general trends, not predictions of the amount of snowfall in specific years, which will be greatly influenced by natural year-to-year variability, particularly in the first few decades of the century. Further information is available in the full report in the Libraries of both Houses.

Norman Baker: To ask the Secretary of State for Environment, Food and Rural Affairs what recent assessment she has made of the predicted changes in the frequency of the number of days when there is snowfall in the United Kingdom under future scenarios of climate change; and what regional variations were identified in that assessment. [144121]

Mr. Morley *[holding answer 15 December 2003]:* In April 2002, the Department published new "Climate Change Scenarios for the UK". The scenarios do not contain an analysis of the changes in the number of snowfall days, but show that climate change will cause the amount of snowfall to decline significantly throughout the UK in the future. By the 2080s, large areas of the UK are likely to experience quite long sequences of snowless winters. Coastal areas and the English lowlands are likely to show the largest percentage reductions (up to 90 per cent. or more by the 2080s compared to 1961–1990 baseline), while the Scottish Highlands and parts of Northern Ireland may experience smaller percentage reductions (50 per cent. or less).

In addition, in July 2003 the Met Office published climate change scenarios for small islands within the British-Irish Council region. These include the Channel Islands, Isle of Man, Western Isles, Orkney Islands, and Shetland Isles.

Both reports are in the Libraries of both Houses.

Sustainable Development Summit

Miss McIntosh: To ask the Secretary of State for Environment, Food and Rural Affairs what follow-up action has been taken since the Sustainable Development summit in Johannesburg; and if she will make a statement. [142041]

Mr. Morley: I refer the hon. Member to the answer given to the hon. Member for Portsmouth, South (Mr. Hancock) on 1 September 2003, *Official Report*, column 845W, which noted that the Government would be presenting an overview of progress against commitments made at the Johannesburg World Summit on Sustainable Development (WSSD). That progress report, which covers actions across Government, has now been published and is available at http://www.sustainable-development.gov.uk/eac-wssd/progress.htm

Turkey Farms

Andrew George: To ask the Secretary of State for Environment, Food and Rural Affairs (1) whether any cases of the liver disease blackhead have been detected in commercial turkey farms in the UK this year; [143612]

(2) what measures her Department has taken to protect commercial turkey farmers from the liver disease blackhead. [143665]

Mr. Bradshaw *[holding answer 11 December 2003]:* Blackhead is not a notifiable disease so it is not possible to provide an accurate figure for the number of cases. Of the cases diagnosed by the Veterinary Laboratories Agency in 2003 most have been in back-yard turkey flocks of under 100 birds, with a very small number of turkey flocks of under 2,000 birds also affected. We are not aware of disease in any larger turkey flocks.

Following the recent withdrawal of the only remaining authorised medication for the treatment of birds infected with Blackhead, the UK is pressing the EU Commission to keep the disease situation under review with a view to adopting remedial measures if the disease risk increases significantly.

Good biosecurity is a key measure in the prevention of a number of poultry diseases including Blackhead. To reinforce this message, Defra has placed on its website guidance for poultry producers to minimise the risk of Blackhead. In addition VLA Regional Laboratories have circulated an update on blackhead including advice on control to veterinary practices.

Waste Management

Sue Doughty: To ask the Secretary of State for Environment, Food and Rural Affairs how she plans to reduce spending pressures on local government in respect of waste next year, as announced in the statement by the right hon. Member for Greenwich and Woolwich (Mr. Raynsford), *Official Report*, 19 November 2003, column 786. [143316]

Mr. Morley *[holding answer 10 December 2003]:* We have announced that we are putting back the start date of the Landfill Allowance Trading Scheme to 2005. This is consistent with the views expressed by local authorities in the recent consultation on the implementation of the scheme. It will reduce spending pressures by around £10m overall.

The Department is looking urgently at the options for meeting the remainder of its commitment to relieve spending pressures, and will be making an announcement shortly.

Alistair Burt: To ask the Secretary of State for Environment, Food and Rural Affairs what advice her Department gave his constituent, Mr. Ross Donovan, in relation to his company's compliance with Directive 2000/76/EC on the Incineration of Waste when he first contacted her Department; when this advice changed; and what advice her Department is currently able to give. [143854]

Mr. Morley: The Department's first contact with Mr. Donovan, (who is the hon. Member's constituent and not the Secretary of State's) and his company was on 19 September 2003. Mr. Donovan had previously had discussions with the Environment Agency and attended a meeting at the Agency's Huntingdon office on 24 July 2003. During that meeting, Mr. Donovan was advised that there was a possibility that his plant would be subject to the Waste Incineration Directive and the Pollution Prevention and Control (England and Wales) Regulations 2000 (the PPC Regulations). Following the meeting, this advice was confirmed in a letter to Mr. Donovan of 13 August 2003. The letter also stated that the plant may fall within the regulatory remit of the appropriate local authority in England and Wales or the Scottish Environmental Protection Agency (SEPA), depending on where the plant would be located.

Prior to transposition of the Waste Incineration Directive at the end of 2002 it was difficult for the Environment Agency to be able to provide firm advice to every operator on whether they would be subject to it However, my Department consulted on draft Regulations and Directions during the summer of 2002. The transposition of the Waste Incineration Directive and the publication by my Department of draft "Guidance on the Directive 2000/76/EC on the Incineration of Waste" was publicised through articles in the trade press and at a ministerial press conference in January 2003.

A group of my officials visited Mr. Donovan on 12 November 2003 to consider his case, at which time he was again advised that it was possible that his plant would be subject to the Waste Incineration Directive and the PPC Regulations. Following the visit and further consideration of Mr. Donovan's plant by my officials working with the Environment Agency, I will write to the hon. Member shortly with the outcome.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what measures she is taking to ensure that the polluter pays principle applies to the *(a)* collection of and *(b)* management of municipal waste. [143281]

Mr. Morley: The Waste Framework Directive (75/442/EEC as amended by 91/156/EEC) sets out a range of measures on the management of waste—including its collection and disposal. These measures include Article 8 which requires that "any holder of waste has it handled by a private or public waste collector"; and Article 15 which provides that "In accordance with the 'polluter pays' principle, the cost of disposing of waste must be borne by the holder who has it handled by a waste collector."

The Government have put a range of measures in place under Part II of the Environmental Protection Act 1990, the Controlled Waste Regulations 1992 and the Waste Management Licensing Regulations 1994 to comply with the Directive's requirements. These measures include the arrangements for the collection and disposal of household waste by waste collection and disposal authorities. The cost of collection and disposal under these arrangements is met through taxation and charges. Most commercial and industrial waste is collected and disposed of by the private sector under arrangements which comply with the Directive. The cost of collection and disposal under these arrangement is met through charges.

Municipal waste includes household waste and any other wastes collected by a waste collection authority or its agents under Part II of the 1990 Act (Waste Strategy 2000 page 198 (Cm 4693–2)).

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs which 10 local authorities had the *(a)* highest and *(b)* lowest recycling rates in the last year for which figures are available. [143282]

Mr. Morley: The percentage of household waste recycled and composted by the 10 highest and lowest performing local authorities, for which the most recent data available are 2001–02, is presented in the following table.

Local authority	*Percentage of household waste recycled and composted in 2001–02*
Daventry District Council	43.7
Lichfield District Council	32.8
Eastleigh Borough Council	29.5
Forest Heath District Council	29.2
St. Edmundsbury Borough Council	29.1
Dorset County Council	27.2
Chiltern District Council	26.8
Melton Borough Council	26.1
Bath and North East Somerset Council	24.9
New Forest District Council	23.6
Trafford Metropolitan Borough Council	2.2
Liverpool City Council Metropolitan Borough Council	2.1
Rochdale Metropolitan Borough Council	2.0
Bolsover District Council	1.9
North Cornwall District Council	1.8
Redcar and Cleveland Borough Council	1.6
Cannock Chase Council	1.6
Sunderland City Council	1.3
Hackney London Borough	1.2
London Corporation	0.1

[1] Municipal Waste Management Survey 2001–02.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what high temperature incineration capacity she estimates the UK will require when provisions of the Landfill Directive relating to hazardous waste are implemented in the UK. [143283]

Mr. Morley: Current high temperature incineration capacity (HTI) in the UK is approximately 110,000 tonnes per annum. Work undertaken for the Hazardous Waste Forum suggests that the demand for HTI is likely to increase, but that the level of any increase is dependent on a number of factors, not least future arisings of hazardous waste. The Forum continues to keep these issues under review, in particular through the treatment and capacity task force.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what additional *(a)* recycling, *(b)* composting, *(c)* energy recovery and *(d)* hazardous waste treatment capacity will be required in England to achieve compliance with the Landfill Directive in *(a)* 2009, *(b)* 2013 and *(c)* 2020. [143284]

Mr. Morley: Waste Strategy 2000 provided five estimates of waste management options over the period 2000 to 2020. A 'base case' was modelled so that the additional cost of meeting the landfill targets for biodegradable waste and the waste strategy goals could be calculated. The other four models provided different mixes of recycling, composting and incineration and the additional capacity required for those facilities under each option.

Cases 3 and 4 (increasing levels of recycling and composting with some incineration with energy recovery) were designed to meet the waste strategy targets, as well as the requirements of the Landfill Directive.

The actual figures for additional capacity can be seen in annex C in Part Two of Waste Strategy 2000 (table C8 on page 194). A copy of the strategy is in the House of Common's Library and can also be accessed through the Defra website at: www.defra.gov.uk/environment/waste/strategy/cm4693/index.htm.

Future hazardous waste treatment capacity required under the Landfill Directive depends in part on future arisings of hazardous waste. Currently some 5 million tonnes of hazardous waste is consigned each year in England and Wales. Analysis in support of the Hazardous Waste Forum shows that future arisings of hazardous waste will be affected, among other matters, by future levels of waste minimisation balanced against changes to the hazardous waste list. Nevertheless, the Landfill Directive requires all hazardous waste to be treated prior to landfill or to be dealt with in an alternative treatment option altogether, such as high temperature incineration or co-incineration. It is clear that new treatment plants for hazardous waste will be required, for example to solidify waste, and to enable hazardous waste to meet the landfill waste acceptance criteria under the Directive. The Hazardous Waste Forum is considering these issues and requirements in detail through its treatment and capacity task force.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs how many tonnes of *(a)* glass, *(b)* paper, *(c)* wood, *(d)* plastic and *(e)* metal containers were recycled by community organisations in (i) 2000, (ii) 2001 and (iii) 2002; what the average cost per tonne was; and if she will make a statement on how their performance was audited. [143286]

Mr. Morley: As part of Defra's Municipal Waste Management Survey, local authorities are asked to submit any data on recycling carried out by community organisations in their area, that they are aware of. The responses for 2000–01 and 2001–02 are shown in the table. The data are not believed to be comprehensive.

	Voluntary/private collections	
Material recycled in thousand tonnes	*2000–01*	*2001–02*
Paper and card	24	13
Glass	1	1
Compost	1	1
Scrap metal and white goods	0	0
Textiles	4	1
Cans	0	0
Plastics	0	0
Co-mingled	2	4
Other (inc. oils, batteries, aluminium foil, books and shoes)	4	14
Total	35	34

The Community Recycling Network, a national umbrella organisation for community and not-for-profit waste management groups claims that their members account for approximately 7 per cent. of the total material collected from households for recycling in the UK.

This Department does not collect the requested cost data nor does it audit the performance of community waste organisations.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what discussions her Department has had with representatives of the waste management sector on incorporating combined heat and power in new developments. [143287]

Mr. Bradshaw: The Department recognises that CHP has a part to play in effective waste management, as demonstrated in the recent changes to the criteria applied to waste PFI projects. These were in direct response to the views of the market and the waste management sector will be invited to contribute to a wider review of the criteria which is now in train.

We also provide direct support to energy from waste projects through our Community Energy programme, delivering community heating mainly through the use of CHP. Meetings with the waste management sector have resulted in five energy from waste schemes receiving more than £2.5m or over 10 per cent. of the funding awarded.

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs how much public money has been spent on collecting and managing municipal waste in the United Kingdom in each year since 1997, and how much on average it cost to collect and manage one tonne of municipal waste in the UK in each year since 1997. [143291]

Mr. Morley: Annual net current expenditure by English waste authorities for providing the services of collection and disposal of municipal waste are taken from annual ODPM Local Authority Revenue Outturn Returns. Annual municipal waste arisings are taken from the Defra Municipal Waste Management Survey.

The data are listed as follows are for the financial years 1997–98 to 2001–02 and are for English local authorities. An average net cost of managing one tonne of municipal waste has been estimated based on this data. Financial data exclude any capital charges.

Financial year	*(a) Municipal waste arisings (thousand tonnes)*	*(b) Net current expenditure (£000)*	*(b/a) Cost to manage one tonne of municipal waste (£)*
1997–98	25,711	1,198,880	46.63
1998–99	26,337	1,281,919	48.67
1999–2000	27,480	1,423,278	51.79
2000–01	28,057	1,521,338	54.22
2001–02	28,823	1,653,856	57.38

Alan Simpson: To ask the Secretary of State for Environment, Food and Rural Affairs in what circumstances solid polychlorinated biphenyls can be *(a)* landfilled and *(b)* incinerated. [143506]

Mr. Morley: Wastes contaminated with polychlorinated biphenyls (RGBs) can only be landfilled where the authorisation allows it. Limit values apply to all deposits of PCB contaminated waste and are given in Government guidance (Waste Management Paper No 6—"Polychlorinated Biphenyls"). Additionally, implementation of the Landfill Directive will subject any solid PCB contaminated waste to the pre-treatment requirements and waste acceptance criteria.

Similarly, PCBs can be incinerated in hazardous waste incinerators which have been authorised to burn such wastes. These incinerators are required to meet the stringent emission limits specified in the Hazardous Waste Incineration Directive (94/67/EC).

Mrs. Spelman: To ask the Secretary of State for Environment, Food and Rural Affairs what the rate of landfill tax is in other member states of the European Union where such a tax is levied. [143290]

Mr. Morley: The Strategy Unit Report 'Waste not, Want not' published in November 2002 contained the following table:

European Union state	*Tax rates (£/tonne)*
Austria	18–54
Belgium	3–14
Denmark	28
Finland	9
France	4
Germany	None
Greece	None
Ireland	None
Italy	0.6–16
Luxembourg	None
Netherlands	8–40
Portugal	None
Spain	None
Sweden	17
UK	2–13

Note:

Figures are approximate due to rounding. Figures represent the latest years available and may not be consistent between countries.

Sources:

OECD, ENDS and Austrian Federal Environment Agency, 2002

Water Bills

Mr. Edward Davey: To ask the Secretary of State for Environment, Food and Rural Affairs what the average household water bill was in *(a)* England and *(b)* each English region in each financial year since 1996–97. [142272]

Mr. Morley: Water bills and sewerage bills are set separately by each water and sewerage company and water company in England and Wales. The boundaries of these companies do not conform to the boundaries between England and Wales nor to the boundaries between English regions. It is therefore not possible to provide the information on exactly the basis sought.

The average household water and sewerage bills in England and Wales in each financial year since 1996–97 are set out as follows.

£

	Average household water bill	*Average household sewerage bill*
1996–97	101	117
1997–98	106	123
1998–99	112	131
1999–2000	112	134
2000–01	103	116
2001–02	105	119
2002–03	110	121
2003–04	111	125

The following tables set out average water bills and average sewerage bills for each company in England and Wales for the same period.

Average household water bill

£

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Water and sewerage companies								
Anglian	128	126	124	116	107	110	113	116
Hartlepool	88	91	96	95	—	—	—	—
Dwr Cymru	128	135	136	134	126	123	124	122
North West	93	99	101	103	103	107	109	118
Northumbrian	96	98	102	100	88	88	88	90
Essex and Suffolk	116	120	127	129	107	112	111	113
Severn Trent	88	97	105	113	106	108	108	112
South West	127	129	125	119	109	110	115	121
Southern	94	101	105	111	91	91	90	91
Thames	88	93	99	102	95	99	104	106
Wessex	114	118	124	124	107	112	113	119
Yorkshire	104	105	108	111	100	103	104	110
York	87	89	93	96	87	90	90	94
Water only companies								
Bournemouth and W. Hampshire	94	97	103	102	99	98	101	102
Bristol	100	104	108	111	101	105	106	107
Cambridge	103	106	106	98	86	87	90	94
Cholderton	126	130	151	136	130	141	153	143
Dee Valley	—	—	—	120	107	106	104	106
Chester	106	108	108	—	—	—	—	—
Wrexham	130	129	129	—	—	—	—	—
Folkestone and Dover	114	118	116	117	118	125	125	135
Mid Kent	131	135	141	146	117	123	127	128
Portsmouth	72	72	73	74	74	75	75	76
South East	—	—	—	—	118	114	121	126
South East	156	155	158	159	—	—	—	—
Mid Southern	114	115	116	120	—	—	—	—

Average household water bill

£

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
South Staffs	75	78	81	85	84	86	86	89
Sutton and East Surrey	136	135	139	134	112	120	121	126
Tendring Hundred	149	150	152	151	137	142	146	153
Three Valleys	107	112	117	124	106	111	112	116
North Surrey	108	112	123	126	109	111	103	110

Average household sewerage bill

£

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*
Anglian	154	158	164	156	144	151	157	163
Dwr Cymru	136	146	158	166	140	147	152	155
North West	109	122	133	143	119	122	113	116
Northumbrian	113	118	126	141	110	112	96	101
Severn Trent	106	112	117	115	92	95	211	221
South West	202	213	229	237	205	203	152	159
Southern	131	141	152	162	148	153	93	95
Thames	93	98	102	104	92	95	122	127
Wessex	129	135	142	144	124	133	133	142
Yorkshire	113	115	118	123	109	112	112	117

The above companies also provide sewerage services to water only companies.

HOUSE OF COMMONS COMMISSION

Give as You Earn Scheme

John Barrett: To ask the hon. Member for Roxburgh and Berwickshire, representing the House of Commons Commission how many and what percentage of House of Commons staff contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff through the scheme; and what steps the Commission is taking to encourage greater participation in the scheme by staff. [143909]

Sir Archy Kirkwood: 59 members of staff currently contribute to charity under the Give as You Earn scheme. This represents 3.6 per cent. of permanent staff on the payroll. The amount contributed in November was £1,467.13. The Board of Management encourages charitable giving, and details of how to contribute through GAYE are set out in the staff handbook. The last significant promotional activity was in 1999–2000 when the Charities Aid Foundation visited staff to encourage them to take up GAYE.

MINISTER FOR WOMEN

Equal Pay

John Barrett: To ask the Minister for Women what action she has taken to support women to challenge pay discrimination in the workplace; and if she will make a statement. [142610]

Ms Hewitt: The Government is taking action to make it easier for women who have been discriminated against to take up equal pay cases with their employers. This includes the introduction of a questionnaire procedure that will help resolve matters in the workplace and measures to simplify and speed up equal pay tribunal procedures. The equal pay questionnaire came into effect on 6 April 2003 and enables individuals to request key information from their employers right at the start when they are deciding whether to bring a case. The frequent lack of transparency on pay has helped perpetuate the gender pay gap. The questionnaire will help individuals, often women, to establish whether they actually are being paid less than their comparators and, if so, why. Establishing the key facts quickly could encourage the issues to be settled without resort to tribunal, benefiting both employers and employees. We are looking at further ways to speed up and simplify complex equal value cases and will be consulting on proposals shortly. The Government also believes that carrying out an equal pay review should be good business practice for every employer and has developed a number of initiatives to help them, including funding the Equal Opportunities Commission to develop equal pay tool kits.

John Barrett: To ask the Minister for Women what discussions she has had with trade unions regarding the formulation of a development plan to tackle gender pay discrimination in the workplace. [142611]

Ms Hewitt: As a Government, we are committed to working in partnership with the trade union movement and others to tackle the barriers facing women in the workplace and reduce the gender pay gap. We provided additional funding of £151,867 (on top of an initial £145,000) to trade unions, for training representatives in equal pay issues in the workplace. The trade unions were fully consulted on the pay reviews of Civil Service Departments and supported the comprehensive guidance issued by the Cabinet Office. The Cabinet Office continues to have an open dialogue with the trades unions on progress across the Civil Service. We have a target that the Government will work with businesses and trade unions, the Equal Opportunities Commission and Opportunity Now towards ensuring that 35 per cent of large organisations have done pay reviews by 2006. We have provided the EOC with funds to take a sectoral approach to promoting equal pay reviews. We are also promoting pay reviews through the

Castle Awards, now incorporated in the 100 Best Companies To Work For, to recognise steps taken by employers of all sizes and in all sectors to promote equality of opportunity between men and women and to address the issues of pay inequality.

TRADE AND INDUSTRY

Business Investment

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry to what she attributes the percentage change in business investment during 2002. [143426]

Ms Hewitt: Business investment fell by 3.5 per cent. in 2002, following a combined 32 per cent. rise between 1997 and 2001. A number of investments planned for 2002 were deferred. The unexpected severity of the global economic slowdown in 2001 and added uncertainty in 2002 impacted on investment and business confidence across industrialised countries.

Business investment is forecast to have grown by ¾ per cent. in 2003, with growth accelerating to be at least 3 per cent. in 2004 and 5½ per cent. in 2005.

Call Centres

Colin Burgon: To ask the Secretary of State for Trade and Industry how many call centre jobs have been lost in the UK in the last six months. [143372]

Ms Hewitt: I refer to the answer to my hon. Friend the Member for Chorley (Mr. Hoyle) on 20 November, *Official Report*, column 1438W. The Government does not have statistics on the numbers of jobs outsourced abroad. Importantly, estimates such jobs take no account of the inflows of jobs created through the UK's success in international markets.

Companies (Annual Earnings)

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry (1) how many companies were required to restate their annual earnings in *(a)* 2002 and *(b)* 2003; [144183]

(2) what her Department's policy is on companies with a trading presence in the UK who restate their earnings in the US. [144185]

Jacqui Smith: The Financial Reporting Review Panel (FRRP) considers whether the annual accounts of UK public companies and large private companies comply with the requirements of the Companies Act 1985. To date it has acted in response to complaints or other concerns and has always been able to resolve issues without the need to use its formal powers, which are to apply to the courts for an order requiring a company to restate its accounts.

The FRRP would consider in the usual way any complaint made to it about a UK company which had restated its earnings in the US. The FRRP is also introducing a pro-active element into its work—that is it will select a number of accounts for review on the basis of a risk assessment. It would be a matter for the FRRP to consider whether to look at the accounts of any UK company which restates its earnings in the US.

Crown Estate

Mr. Carmichael: To ask the Secretary of State for Trade and Industry how the Energy Bill will change the role of the Crown Estate with regard to *(a)* seabed control, *(b)* taxation of marine renewables and *(c)* planning control of marine renewables. [144898]

Mr. Timms: The Energy Bill when enacted will enable The Crown Estate to licence areas of the seabed in the Renewable Energy Zone for the purpose of exploring and exploiting the UK's wind, wave and tidal resources for the production of energy. The Renewable Energy Zone will be established around the UK, adjacent to the territorial sea, in accordance with the provisions of the 1982 United Nations Convention on the Law of the Sea.

Any financial consideration which The Crown Estate may charge for the use of the seabed is a matter for that organisation, in accordance with the Crown Estate Act 1961.

Planning control of marine renewables is a matter for Government Departments.

Departmental Staff

Michael Fabricant: To ask the Secretary of State for Trade and Industry if she will make a statement on the levels of sick leave in her Department as reported in 'Analysis of Sickness Absence in the Civil Service 2002'. [143989]

Ms Hewitt: I welcome my Department's reduction in sick absence shown in the report. Reduction of sick absence continues to be a priority in the delivery of the DTI's Business Plan.

Entrepreneurs

Malcolm Bruce: To ask the Secretary of State for Trade and Industry how many people *(a)* entered self-employment and *(b)* were considering going into business on the latest month for which figures are available, broken down by (i) region and (ii) local authority area. [143133]

Nigel Griffiths: The Office for National Statistics' Labour Force Survey estimates the stock of self-employed people in the UK, and in Summer 2003, there were 3.4 million self-employed people in the UK. Regional estimates are also available (see Table 1).

New VAT registrations are the best guide to new business activity (start-ups) in the UK and are available for regions and local/unitary authorities are set out in Table 3 which I have placed in the Libraries of the House.

In 2001, 12 per cent. of working age adults in England were considering going into business (or becoming self-employed). Data for the nine regions in England are shown in Table 2.

Table 1: Self-employed people in the UK and regions, summer 2003

Region and country	*Total self-employed persons*
North East	89,000
North West	321,000
Yorkshire and the Humber	228,000
East Midlands	224,000
West Midlands	244,000
East	361,000
London	535,000
South East	554,000
South West	343,000
Wales	171,000
Scotland	232,000
Northern Ireland	93,000
United Kingdom total	3,398,000

Source:

ONS Labour Force Survey, Summer 2003. Due to slight methodological differences between the way the national and regional LFS estimates have been interim adjusted for the 2001 Census, there may be slight differences between the UK total and the sum of the regional components

Table 2: Would-be entrepreneurs by region, England, 2001

Region	*Percentage of 16 to 64-year-olds*
East Midlands	10
Eastern	9
London	15
North East	8
North West	11
South East	13
South West	11
West Midlands	12
Yorkshire and the Humber	10
England	12

Source:

SBS Household Survey of Entrepreneurship, 2001

Environmental Liability Directive

Brian Cotter: To ask the Secretary of State for Trade and Industry if she will make a statement on the impact that the proposed environmental liability directive will have on small businesses in the UK. [144208]

Nigel Griffiths: The proposed environmental liability Directive is still subject to the outcome of EU negotiations.

The UK is working together with other Member States to ensure that the final version of the Directive does not stipulate compulsory financial security as this measure would be extremely costly and place a disproportionate burden on small businesses.

European Legislation

Dr. Iddon: To ask the Secretary of State for Trade and Industry what grant assistance is available to trade associations to help them meet the costs of consultation and representation associated with European legislation; and if she will make a statement. [144872]

Jacqui Smith: DTI values the important input that trade associations make to the development of robust policy in the UK and in Europe. Trade associations in sectors covered by DTI work closely with DTI sector units, which will, from time to time, co-sponsor joint projects.

Flexible Working

Sandra Gidley: To ask the Secretary of State for Trade and Industry what assessment the Government have made of the demand for flexible working practices. [144513]

Mr. Sutcliffe: Evidence demonstrates that the demand for flexible working by employees is high.

The Spring 2003 Labour Force Survey indicates that 22 per cent. of employees (5.5 million) presently work some form of flexible working arrangement. The preliminary findings of the 2003 DTI Work-Life Balance survey of employees shows that there is substantial demand for flexible working patterns amongst those who do not work in each of these ways; 49 per cent. wanting to work flexitime, 34 per cent. a compressed working week, 32 per cent. work term time only and 29 per cent. expressing a desire to regularly work from home. The full report is to be published early in 2004.

This is supported by the findings of the CIPD/Lovells October 2003 research into the impact of the new flexible working law, which indicates that over a quarter (28 per cent.) of employers have seen an increase in the total number of requests for flexible working since the law was introduced in April 2003. The Government's Work-Life Balance Campaign continues to support demand by encouraging employers to follow best practice and providing flexible working opportunities across the workplace that meet the needs of the business.

Sandra Gidley: To ask the Secretary of State for Trade and Industry what information she has collected on *(a)* the number of requests which have been received by businesses for flexible working and *(b)* the number of such requests which have been granted. [144514]

Mr. Sutcliffe: The DTI is collecting evidence from a number of sources to build up a clear picture of the demand for, and uptake of, flexible working:

The second Work-Life Balance study of employers (fieldwork Dec 02-Apr 03) showed that:

> In the previous year, less than a fifth (17 per cent.) of employers had received a request, from an employee, to change their working pattern for a sustained period of time;
>
> Of those employees who made a request, over three-quarters (77 per cent.) said their request had been agreed.

To provide a direct comparison over time, it is planned that the WLB survey will be repeated in 2005.

A recent survey by the Chartered Institute of Personnel Development and Lovells (fieldwork Sept 2003) on the use of the new right to request flexible working in the first six months showed that:

> Over a quarter of employers (28 per cent.) have seen an increase in the total number of requests for flexible working since April 2003;
>
> Of those organisations that have received statutory requests since the right was introduced in April, nearly two thirds (62 per cent.) have approved at least half of all such requests, either in the form submitted by the employee or in modified form.

The Department have also commissioned questions on flexible working which currently appear in the Office of National Statistics Omnibus survey. The results of these will be available in Spring 2004.

We continue to work with key intermediaries, such as Working Families and Maternity Alliance, who are collating data through member/supporter surveys.

Industrial Tribunals

Michael Fabricant: To ask the Secretary of State for Trade and Industry what the total cost to UK businesses was of industrial tribunal cases concerned with *(a)* disability, *(b)* sex and *(c)* race discrimination in each of the last five years. [143831]

Mr. Sutcliffe: The Department does not hold statistics on the costs to employers of having an Employment Tribunal claim made against them under the main jurisdictions of disability, sex and race discrimination in each of the last five years.

However, the estimated average cost per Employment Tribunal application to employers for all jurisdictions, including legal fees, management time and other staff time, is about £2,000. Not all applications registered will lead to a Tribunal hearing. The table below shows the number of claims each year by the main jurisdictions of disability, sex and race discrimination, each multiplied by £2,000 to give the estimated costs to employers, rounded to two significant figures.

£ million

	1998-99	*1999-2000*	*2000-01*	*2001-02*	*2002-03*
Disability discrimination	2.9	3.5	4.2	5.2	5.4
Sex discrimination	12	9.9	34	20	16
Race discrimination	5.5	6.5	6.9	6.4	6.1

These estimates will be on the low side since discrimination applications tend to be more complicated and hence require more staff time and higher legal fees than the average application.

Iraq

Mr. Bellingham: To ask the Secretary of State for Trade and Industry if she will make a statement on her assessment of the likely role of UK small businesses in rebuilding Iraq. [142845]

Ms Hewitt: Although most of the main reconstruction work in Iraq will be done by large contractors, there will be opportunities for small businesses in the supply chain, sub-contracting, and in the provision of equipment and specialist services. My Department is helping UK firms make the necessary contacts in Iraq through networking events in neighbouring countries and the provision of project information.

MG Rover

Mr. Bellingham: To ask the Secretary of State for Trade and Industry how much public assistance has been given to MG Rover since it was sold to the Phoenix venture capital group. [140519]

Jacqui Smith: MG Rover Group was sold in May 2000 to Techtronic (2000) Ltd. This company was later acquired by Phoenix Venture Holdings Ltd. Since May 2000, MG Rover has been offered public assistance of up to £9 million towards the cost of employee training and development. As of 1 December 2003, MG Rover had drawn down £3,512,211 which represents 39.7 per cent. of the total sum spent by the company under this programme.

MG Rover has received one offer of grant for £62,500 under the Foresight Vehicle LINK programme, to fund collaborative research.

Note:

A consortium led by MG Rover has been successful in the Low Carbon Car Challenge, offered by my right hon. Friend the Secretary of State for Transport. No funding has yet been given under this programme. The final amount that will be payable is the subject of some discussion between the company and officials from the Department for Transport.

Miners' Compensation

Jeff Ennis: To ask the Secretary of State for Trade and Industry how many full and final settlements have been made to former miners suffering from *(a)* chronic bronchitis emphysema and *(b)* vibration white finger which total less than £2,143. [142194]

Nigel Griffiths: The number of claims settled by payment of less than 2,143 are:

	Number of claims settled by full and final payment of less than £2,143 as of 7 December 2003
Respiratory disease	40,538
Vibration White Finger	4,617
Total	45,155

John Mann: To ask the Secretary of State for Trade and Industry if her Department will examine the cases of chronic obstructive pulmonary disease and vibration white finger claimants who entered into conditional fee agreements with solicitors prior to the April 2000 law change and have recently been charged success fees that reflect 25 per cent. of their awards; and what steps she is taking to ensure that solicitors do not double-charge by claiming success fees from both the defendant and the claimant. [143628]

Nigel Griffiths: Officials from the DTI met with officials from the Department for Constitutional Affairs and the Law Society on 11 December to discuss what action should be taken to address the concerns raised regarding agreements signed by claimants under the coal health compensation schemes. The Law Society have agreed to refer the matter to the next meeting of the their Compliance Board on 13 January. In the meantime I have written to all the solicitors and claims handlers who are processing claims under the health schemes asking them to re-pay any money taken from claimants' compensation on top of the costs paid by the DTI.

John Mann: To ask the Secretary of State for Trade and Industry what steps her Department is taking in relation to *(a)* solicitors who additionally charge their clients for undertaking their chronic obstructive pulmonary disease and vibration white finger claims and *(b)* the recovery of money paid by such claimants to their solicitors. [143807]

Nigel Griffiths: I believe that 100 per cent. of compensation should go to the claimants and I am writing all the solicitors and claims handlers who are processing claims under the health schemes asking them to re-pay any money taken from claimants' compensation on top of the costs paid by the DTI.

Miners Pensions

John Mann: To ask the Secretary of State for Trade and Industry what investments have been made using the Miners' Pension Fund surplus; and if she will make a statement. [143677]

Mr. Timms: Under the terms of the Government's Guarantee arrangements for the Mineworkers' Pension Scheme and the British Coal Staff Superannuation Scheme, 50 per cent. of past investment surpluses were available for the Trustees to distribute to members as improved benefits. This has meant members now receive bonuses totalling around 30 per cent. on top of their guaranteed benefits.

The remaining 50 per cent. went to the Guarantor's fund within the schemes and is payable to the Consolidated Fund in instalments over 10 year periods.

Ministerial Visits

Keith Vaz: To ask the Secretary of State for Trade and Industry what plans she has to visit India. [144266]

Ms Hewitt: I have no plans to visit India in the near future. My hon. Friend the Minister of State for Trade, Investment and Foreign Affairs, is planning to visit India in the new year.

National Environment Research Council

Julie Morgan: To ask the Secretary of State for Trade and Industry what criteria the Natural Environment Research Council uses to allocate funding to universities. [142998]

Ms Hewitt: NERC allocates research funding after assessment of individual project proposals received from institutions eligible for funding. Their three-stage review process consists of: an Initial Review by the Peer Review College; an External Review by independent peer reviewers; and a final review and grading by a Moderating Panel.

At each stage, project proposals are assessed for Excellence; Fit to NERC Priorities; balance of Risk-Reward; and Cost Effectiveness. Details of the review process, assessment criteria and how they are applied to various categories of research proposals are set out on NERC's website at http://www.nerc.ac.uk/funding/preaward/criteria.shtml. Allocations are not made on a simple university basis.

NERC determines the allocation of postgraduate studentships given to a department on the basis of NERC grant income and fellowships received by that department, provided the RAE rating of the department is not lower than 3b.

MSc studentship allocations are reviewed every five years to assess the quality of the course, how it fits with NERC priorities and the overall balance within the NERC portfolio, and the relevance and/or benefits to end-users.

Fellowships are awarded after assessment against criteria which consider primarily the excellence of the science and the track record and potential of the individual. The assessors also consider the availability of required facilities at the proposed department of tenure.

Network Reinvention Programme (North Yorkshire)

Miss McIntosh: To ask the Secretary of State for Trade and Industry what assessment she has made of the impact of the Network Reinvention Programme on the Post Office network in North Yorkshire. [144607]

Mr. Timms: The aim of the programme is a viable network of urban sub post offices, able to thrive commercially and to meet the needs of all parts of our communities.

Post Office Ltd. (POL) is committed to ensuring that at the end of the programme nationally 95 per cent. of the urban population will still live within a mile of their nearest post office and the majority within half a mile.

Oil-fired Appliances

Jane Griffiths: To ask the Secretary of State for Trade and Industry how many companies in *(a)* England, *(b)* Scotland, *(c)* Wales and *(d)* Northern Ireland which undertake (i) installation and (ii) maintenance of oil-fired domestic central heating systems are registered with the Oil Firing Technical Association. [143070]

Ms Hewitt: There are many companies within the UK which undertake installation and maintenance of oil-fired central heating systems registered with the Oil Firing Technical Association (OFTEC) and I would refer my colleague to OFTECs own website—http://www.oftec.org/—which gives access to a comprehensive list of these companies.

Personnel Administration

Mrs. Gillan: To ask the Secretary of State for Trade and Industry when she will provide the information referred to in her answer to the hon. Member for Chesham and Amersham of 18 September, *Official Report*, column 880W, on personnel administration. [144159]

Ms Hewitt *[holding answer 16 December 2003]:* I have nothing to add to the letter which my hon. Friend the Parliamentary Under Secretary for Small Business and Enterprise sent the hon. Member on 30 September.

Post Offices

Michael Fabricant: To ask the Secretary of State for Trade and Industry if she will make a statement on the proposed closure of the post office at 69–71 City Way, Rochester, Kent. [143561]

Mr. Timms *[holding answer 17 December 2003]:* Decisions on post office closures and relocations are an operational matter for Post Office Ltd. In accordance with the Code of Practice on Post Office Closures and Relocations—agreed between Post Office Ltd. and Postwatch, the consumer watchdog for postal services—the company enters into consultation on all proposed closures.

Postwatch are consulted on every post office closure proposal before a decision is made and there is every opportunity for those affected by a proposal, and the local MP, to make representations to the company or to Postwatch.

Pre-Budget Report

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what measures are contained in the pre-Budget report to encourage investment in the *(a)* manufacturing and *(b)* service sector. [143424]

Ms Hewitt: The pre-Budget report contained a number of measures and announcements that will encourage investment across the manufacturing and service sectors :

Doubling the amount of investment qualifying for the 40 per cent. plant and machinery first year allowances and a £400 million cash flow boost to smaller businesses over the next three years. Resulting from the increase in Company Law thresholds for small and medium-sized businesses in line with the new EU maxima;

A new, clearer and more accessible R&D tax credit definition and extension of the scope of qualifying costs, to further promote the development of science and innovation;

Reform of the way public sector engages with suppliers to provide greater clarity and certainty. Alan Wood of Siemens will be reviewing how we can improve the ability of UK firms to compete for public procurement contracts in the EU;

Reforms to reduce the regulatory burden on enterprise;

An extension of Employer Training Pilots for a third year to cover over a third of England;

Measures to support fast growing innovative firms by reducing barriers to raising finance for small business, including a pathfinder round of Enterprise Capital Funds and proposed enhancements to Venture Capital Trusts and the Enterprise Investment Scheme;

Launching an independent review of the Small Firms Loan Guarantee Scheme, to ensure its effectiveness;

Measures to support regional growth, including details of the Local Authority Business Growth Incentives scheme, which will boost the role of local authorities in business growth, and, in Enterprise Areas, a Business Premises Renovation Allowance;

Measures to promote a step change in the UK's enterprise culture, including supporting a national campaign by Enterprise Insight;

Improvements to the VAT flat-rate scheme, including new lower rates, to ensure more businesses can benefit fully from compliance savings.

Mr. Stephen O'Brien: To ask the Secretary of State for Trade and Industry what measures are contained in the pre-Budget report to encourage private sector investment. [143437]

Ms Hewitt *[holding answer 11 December 2003]:* The pre-Budget report contained a number of measures that will encourage private sector investment including:

Reforms to reduce the regulatory burden on enterprise;

Measures to overcome barriers to raising finance for small business, including a pathfinder round of Enterprise Capital Funds and proposed enhancements to Venture Capital Trusts and the Enterprise Investment Scheme;

A new, clearer and more accessible R&D tax credit definition and extension of the scope of qualifying costs, to further promote the development of science and innovation;

An extension of Employer Training Pilots for a third year to cover over a third of England.

In addition pre-Budget report announced:

Launching an independent review of the Small Firms Loan Guarantee, to ensure its effectiveness;

Consulting on the most appropriate structure for a tax transparent property investment trust, as recommended in the interim report of the Barker Review.

Regional Development Agencies

Mr. Peter Ainsworth: To ask the Secretary of State for Trade and Industry what funding allocations have been made by each of the regional development agencies for the promotion of *(a)* tourism and *(b)* the arts in (i) 2003–04 and (ii) 2004–05; and if she will make a statement. [144671]

Jacqui Smith: I am advised that the following sums have been allocated by England's Regional Development Agencies from their single programme budgets to the promotion of tourism and the arts in the specified years. However, the figures should be treated as estimates because there is no generally accepted definition of the arts and because they will not include projects funded by the RDAs, such as regeneration activity, where tourism or arts are fundamental to the project but are not the main consideration. Furthermore, as the RDAs do not have a specific responsibility to promote the arts, some RDAs do not record spend against a dedicated budget heading. Proposals for RDA funding to promote tourism and the arts are considered against the priorities set out in the region's Regional Economic Strategy.

Estimate of funds allocated to the promotion of tourism
(£ million)

	2003–04	*2004–05*
AWM	5.80	6.33
EEDA	2.50	3.29
EMDA	[1]1.55	[1]2.43
LDA	[2]19.44	[3]20.65
NWDA	2.00	2.00
ONE	8.42	13.17
SEEDA	1.20	1.20
SWRDA	14.00	14.00
YF	4.02	1.32

[1] EMDA spend on the promotion of tourism and the arts is recorded against a single budget heading.

[2] LDA Single Programme and £15 million allocated to London's Tourism Recovery Plan and £1.85 million of DCMS grant from the GLA.

[3] LDA Single Programme plus £1.85 million of DCMS grant from the GLA.

Estimate of funds allocated to the promotion of the arts
(£ million)

	2003–04	*2004–05*
AWM	0.73	0.54
EEDA	1.40	0.82
EMDA	Not available[1]	Not available[1]
LDA	10.20	[2]10.00
NWDA	Not available[3]	Not available[3]
ONE	3.89	4.59
SEEDA	[4]10.00	Not yet available
SWRDA	2.60	3.00
YF	[5]1.19	[5]1.04

[1] EMDA spend on the promotion of tourism and the arts is recorded as a single budget heading.

[2] Provisional figure from the Mayor's budget proposal.

[3] NWDA does not have a specific budget for the promotion of the arts.

[4] SEEDA does not have a specific budget for the promotion of the arts and the figure covers support to the whole of the cultural sector.

[5] In line with the principles of the Single Pot, YF does not have specific budgets for the promotion of tourism and the arts. The figures provided relate to some of the notable projects supported.

Second Charge Life Mortgages

Mr. Gardiner: To ask the Secretary of State for Trade and Industry (1) what discussions she has had with consumer groups about whether second charge life mortgages should continue to be regulated via the Consumer Credit Act 1974; [144337]

(2) what plans she has to regulate the sale of second charge life mortgages over £25,000. [144338]

Mr. Sutcliffe: The Department have had no discussions with consumer groups about whether second charge life mortgages should continue to be regulated via the Consumer Credit Act 1974.

However, my Department have had a number of discussions with key stakeholders—business, consumer groups and enforcement agencies, regarding the removal of the £25,000 financial limit for consumer borrowing. This will ensure that in the case of second charge mortgages, all consumer borrowing will be captured by the Consumer Credit Act.

Small Businesses

Simon Hughes: To ask the Secretary of State for Trade and Industry what the start up rate was for small businesses in *(a)* each London borough, *(b)* London and *(c)* England in each year since 1997. [144172]

Nigel Griffiths *[holding answer 15 December 2003]:* Value added tax (VAT) registrations and de-registrations are the best official guide to the pattern of start-ups and closures. These cover businesses of all sizes.

The rates of businesses registering for VAT in each calendar year from 1997 to 2002 in each London borough, London, and England, are set out as follows.

However, changes since 1997 have given the UK the highest VAT threshold in the EU and removed up to 700,000 businesses from the requirement to register for VAT.

Number of VAT registrations per 10,000 resident adults[1]

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
England	43	43	41	42	39	39
London	68	71	68	67	59	57
Barking and Dagenham	25	25	30	31	29	26
Barnet	94	91	76	76	60	59
Bexley	39	35	34	35	36	31
Brent	61	61	59	59	[illegible]	47
Bromley	45	48	39	41	41	40
Camden	159	158	150	142	112	110
City of London	2,212	2,228	2,200	2,345	1,653	1,428
Croydon	41	42	39	39	37	38
Ealing	56	56	52	53	49	48
Enfield	40	42	40	42	37	39
Greenwich	35	35	33	33	30	29
Hackney	72	83	78	81	65	63
Hammersmith and Fulham	77	96	84	94	85	75
Haringey	57	59	59	58	51	46
Harrow	58	64	55	57	54	55
Havering	40	41	36	36	36	34
Hillingdon	48	49	44	46	39	43
Hounslow	50	52	50	49	51	47
Islington	118	126	109	97	84	82
Kensington and Chelsea	98	102	106	105	74	78
Kingston upon Thames	60	63	55	53	48	46
Lambeth	43	45	44	43	40	42
Lewisham	34	36	34	33	32	28
Merton	52	56	50	52	44	39
Newham	33	37	35	34	31	29
Redbridge	45	50	46	46	40	38
Richmond upon Thames	72	75	70	72	65	71
Southwark	57	59	55	59	55	48
Sutton	43	44	39	36	36	36
Tower Hamlets	73	79	78	75	65	-62
Waltham Forest	39	42	41	39	36	37
Wandsworth	57	60	61	56	53	52
Westminster	329	364	390	360	304	288

[1] Mid-year resident adult (16 and over) population estimates.

Note:

For further information on the VAT statistics please see www.sbs.gov.uk/statistics/vatstats.php

Source:

Business Start-ups and Closures: VAT Registrations and De-registrations 1994–2002 from the Small Business Service; population data from The Office for National Statistics.

The Accident Group

Mr. Austin Mitchell: To ask the Secretary of State for Trade and Industry if she will appoint independent investigators to examine fees charged by receivers at the Accident Group. [144187]

Mr. Sutcliffe: The Accident Group is in administration. The Secretary of State has no power to intervene in the fees charged by the administrators, which have been determined in this case by the creditors' committee.

HOME DEPARTMENT

Anti-Social Behaviour Orders

Chris Ruane: To ask the Secretary of State for the Home Department how many refusals to grant Anti-Social Behaviour Orders there have been in each magistrate area, listed in descending order of number of refusals. [144831]

Ms Blears: A total of 35 notifications have been received by the Home Office, up to 30 June 2003 (latest available), of applications for Anti-Social Behaviour Orders (ASBOs) which have been refused. This represents a total of 3 per cent. of the total number of applications made to magistrates acting in their civil capacity.

Information is given in the table, by Magistrates Courts Committee (MCC) area.

In descending order, the number of notifications as reported to the Home Office, of applications for Anti-Social Behaviour Orders (ASBOs) which have been refused, from 1 April 1999 to 30 June 2003—England and Wales

Magistrates Courts Committee (MCC) area	*Total number refused*
GLMCA/Metropolitan Police (3)	7
Merseyside	5
Greater Manchester	4
Kent	4
Wiltshire	4
Hampshire	3
Cleveland	1
Cumbria	1
Norfolk	1
Suffolk	1
Sussex	1
Thames Valley	1
West Midlands	1
West Yorkshire	1
England	35
Wales	0
Total England and Wales	35

Community Support Officers

Mr. Oaten: To ask the Secretary of State for the Home Department how many Community Support Officers there were on the latest available date; and if he will provide a breakdown of their location by *(a)* police force area and *(b)* local authority area. [144582]

Ms Blears: There were 2,861 Community Support Officers (CSOs) in 38 police forces on 1 December 2003. The table provides a breakdown by police force area. Information on deployment of CSOs by local authority area is not held centrally.The deployment of CSOs within a police force area is a matter for the chief officer of the force concerned.

Numbers of CSOs recruited by police forces as of 1 December 2003

Force	*Community Support Officers*
Avon and Somerset	46
Bedfordshire	8
Cambridgeshire	59
Cheshire	30
Cleveland	80
Devon and Cornwall	55
Dorset	7
Durham	27
Dyfed-Powys	5
Essex	77
Gloucestershire	50
Greater Manchester	160
Gwent	50
Hertfordshire	30
Kent	62
Lancashire	103
Leicestershire	44
Lincolnshire	44
Merseyside	64
Metropolitan Police	1,044
Norfolk	34
Northamptonshire	12
North Wales	7
North Yorkshire	37
Northumbria	40
Nottinghamshire	43
South Wales	40
South Yorkshire	42
Staffordshire	10
Suffolk	12
Surrey	64
Sussex	72
Thames Valley	6
Warwickshire	28
West Mercia	10
West Midlands	59
West Yorkshire	96
Wiltshire	24
Total	2,681

Correspondence

Sir Paul Beresford: To ask the Secretary of State for the Home Department when he will write to the hon. Member for Mole Valley with a substantive answer to his question, reference 138047. [142036]

Paul Goggins: I wrote to the hon. Member for Mole Valley (Sir Paul Beresford) on 11 December.

Drug Action Team (Portsmouth)

Mr. Hancock: To ask the Secretary of State for the Home Department how many people have been in drug rehabilitation schemes in the area covered by the Portsmouth Drug Action Team, in each year since 2001–02. [144499]

Ms Rosie Winterton: I have been asked to reply.

The information requested is not collected centrally. The most recent statistics from the National Drug Treatment Monitoring System estimated that there were 140,900 drug misuses in treatment during 2002–03, an increase of 10 per cent. on the previous year of 2001–02.

Drug Arrests

Mr. Hancock: To ask the Secretary of State for the Home Department how many drug arrests have been made in the Hampshire police force area in each year since 2000–01. [144500]

Ms Blears: Available data on the number of persons arrested for drug offences within the Hampshire police force area are given in the table.

Number of persons arrested for drug offences in Hampshire police force area, 2000–01 to 2002–03

	Arrests
2000–01	3,059
2001–02	3,121
2002–03	3,089

Miss Eulisa De Freitas

Mr. Steen: To ask the Secretary of State for the Home Department if he will meet the hon. Member for Totnes to discuss the application for the renewal of the United Kingdom passport of Miss Eulisa De Freitas. [142868]

Beverley Hughes *[holding answer 11 December 2003]*: I wrote to the hon. Member on 26 November 2003 and will place a copy of my letter in the Library. I hope he will agree that a meeting would serve no useful purpose as there is nothing more I can add to that letter which sets out fully the issues in this case and the reasons why I have no power to issue a UK passport for Miss Freitas.

Special Constables

Mr. Hancock: To ask the Secretary of State for the Home Department how many special constables have been in post, in each half year, since September 2001. [144498]

Ms Blears: Home Office figures on police strength moved to an annual cycle from March 2002 and are available in the House Library, as are previous publications. The number of Special Constables in post in England and Wales for each half year available since September 2001 are set out as follows:

	Number
September 2001	12,068
March 2002	11,598
March 2003	11,037

We are working with stakeholders to increase the size and effectiveness of the Special Constabulary. In particular, we are rolling out Home Office/Association of Chief Police Officers 'Good Practice Guidance'; we are also holding a 2nd National Specials Weekend on 28–29 February 2004 to help raise the profile of Specials and the invaluable work they do; and we have recently announced grants of up to £70,000 to assist forces to boost their capacity to recruit and manage Specials effectively.

EDUCATION AND SKILLS

Children's Centres

Dr. Tonge: To ask the Secretary of State for Education and Skills how many children's centres there are; what the locations are of *(a)* existing and *(b)* planned children's centres; and how many of each are in deprived areas. [144707]

Margaret Hodge: There are now 61 children's centres in England, all of which are based in disadvantaged areas (see following table for details). We are currently considering proposals from local authorities for the wider roll out of this programme, and will announce locations from early 2004 as new centres are designated. All children's centres will be based in the 20 per cent. most disadvantaged wards in England, or in pockets of disadvantage outside of these wards.

Early designated children's centres as at December 2003

Local authority	*Children's centre*
Bath and NE Somerset	First Step Nursery
Bedfordshire	The Lawns Early Excellence Centre
Blackburn with Darwen	Sudell and Central Darwen Sure Start
Blackpool	Sure Start Grange Park
Blackpool	Sure Start Mereside and Clifton
Bolton	Harvey Early Excellence Centre
Bristol	Hartcliffe Early Excellence Centre
Bristol	Redcliffe Early Excellence Centre
Camden	Thomas Coram Early Excellence Centre
Cornwall	Sure Start Lescudjack Centre
Coventry	Sure Start Coventry South East
Doncaster	Denaby Main and Coinsborough Sure Start
Dudley	Sure Start Brierley Hill
Durham	Sure Start Peterlee
Ealing	South Acton Early Excellence Centre
Ealing	Grove House Nursery School
Gateshead	Sure Start Blaydon Winlaton
Greenwich	Robert Owen Early Years Centre
Hackney	Mapledene Early Years Centre
Hampshire	Sure Start Warren Park
Hertfordshire	Birchwood Nursery School
Hertfordshire	Oughton School
Hertfordshire	St. Alban's Children Centre
Hertfordshire	Westfield School
Hillingdon	Hayes Neighbourhood Nursery and Early Years Centre
Islington	Fortune Park Early Years Centre
Islington	New River Green Early Excellence Centre
Knowsley	Overdale Educare Centre
Lambeth	Ethelred Nursery School
Lancashire	Walton Lane Nursery School
Leeds	East Leeds Children Centre
Leeds	Parklands Children Centre
Leeds	Seacroft Children's Centre
Liverpool	Everton Children and Family Centre
Manchester	Benchill Children's Centre
Manchester	Clayton Children's Centre
Manchester	Hattersley Sure Start
Manchester	Martenscroft Early Excellence Centre
Manchester	Lightbowne Children's Centre
Manchester	Old Moat Children's Centre
Manchester	Rusholme Children's Centre
North East Lincolnshire	Nunsthorpe and Bradley Early Excellence Centre
Northamptonshire	Pen Green Early Excellence Centre
Norfolk	Sure Start Thorpe Hamlet
Northumberland	Sure Start Bedlington and Scotland Gate
North Tyneside	Howdon Children's Centre
North Tyneside	Sure Start Shiremoor and Killingworth
Nottingham City	Sure Start North West
Oxfordshire	ACE Centre EEC
Oxfordshire	Sure Start Rose Hill Littlemore
Rotherham	Aughton Early Years Centre
Rotherham	Rawmarsh Children's Centre
Staffordshire	Cannock Early Years and Sure Start Centre
Southwark	Bishops Early Years Centre
Southwark	The Arc Neighbourhood Nursery

Early designated children's centres as at December 2003

Local authority	*Children's centre*
Sunderland	Sure Start North Washington
Shropshire	Oswestry Children's Centre
Telford and Wrekin	Newdale Children's Centre
Tower Hamlets	Bromley by Bow Centre
Thurrock	Sure Start Tilbury Flagship Centre
Worcestershire	The W.A.N.D.S Project

Children's Commissioner

Tim Loughton: To ask the Secretary of State for Education and Skills what the *(a)* role and *(b)* powers of the proposed Children's Commissioner will be. [142151]

Margaret Hodge: The Children's Commissioner as proposed in the Green Paper will be an independent children's champion who will be a voice for children and young people, especially the disadvantaged and vulnerable. The Commissioner will play a crucial role in raising the profile of the issues that affect children, working with a wide range of bodies, such as local and national government, service providers, business, media and the voluntary sector, to ensure that children and young people are involved in the policy making process.

The Green Paper proposes that the Commissioner should work at a strategic level and would not investigate individual cases—except where they have wider implications for all children as directed by the Secretary of State. Nor will the Commissioner have a complaints or specific advocacy function—this will remain the responsibility of others. The Commissioner would work with the relevant Ombudsmen and statutory bodies to promote good practice and ensure that complaints procedures work and are quick and easy for children to access and follow.

The Commissioner would have a duty to report annually to Parliament on progress against the key outcomes set out in 'Every Child Matters', reflecting what children and young people have been saying.

Further details on the role and powers of the Commissioner are being developed in the light of the consultation which ended on 1 December, and legislation will be introduced to Parliament at the earliest opportunity.

Higher and Further Education

Chris Grayling: To ask the Secretary of State for Education and Skills if he will list the *(a)* higher education and *(b)* further education courses for which fee costs are paid by public sector employers. [144281]

Alan Johnson: For higher education courses, the Department for Education and Skills pays the fee costs of students attending post graduate initial teacher training courses. Information for other Departments and public sector bodies are not held centrally.

For further education courses, we expect all adults, or their employers, in further education to contribute towards the cost of their learning. Those on low incomes or on basic skills courses do not pay tuition fees. There is no general provision of learning or special fee arrangements specifically for public sector employers. Individual colleges or other post-16 providers may have locally organised arrangements with individual employers. No information is held centrally about such arrangements.

Higher Education

Mr. Willis: To ask the Secretary of State for Education and Skills what expenditure his Department proposes to allocate to *(a)* advertising campaigns and *(b)* publicity campaigns relating to higher education in each year from 2002–03 to the end of the current expenditure plan. [143277]

Alan Johnson *[holding answer 10 December 2003]*: The Department has run a number of campaigns in relation to higher education. These include:

> The 'Aimhigher' campaign, which has been running for three years, aims to raise the aspirations of young people and their parents by promoting the benefits of higher education;
>
> A campaign to raise awareness of foundation degrees among employers and potential students;
>
> An information campaign, run annually, aimed at potential higher education students and their parents informing them of the financial support available and how to apply for it;

Following the publication of the Higher Education White Paper in January 2003, the Department ran a campaign informing potential and existing higher education students and their parents that changes were being proposed and signposting them to sources of further information.

In 2002–03 the Department spent £8 million on higher education publicity campaigns of which £3.2 million was spent on advertising. In 2003–04 we expect to spend £13.8 million of which £6.08 million would be spent on advertising. Plans and budgets for the Department's communications activity for 2004–05, including campaigns relating to higher education, have not yet been developed so it is not possible to give the information requested.

All costs exclude VAT.

Mr. Willis: To ask the Secretary of State for Education and Skills what advertising campaigns his Department is introducing on the proposed changes to higher education funding; and what the level of funding allocated to each campaign is. [142651]

Tim Loughton: To ask the Secretary of State for Education and Skills how much has been spent in 2003 on advertising campaigns regarding student tuition fees; and what media have been used. [144146]

Alan Johnson: The Department regularly runs advertising campaigns to explain to potential students and their parents what financial support is available to those undertaking higher education courses. The current 2003 campaign, (for those applying for September 2004 and which runs to the end of February 2004) is closely linked to the Government's wider Aimhigher campaign, designed to encourage young people from non-traditional backgrounds to apply for university. The total cost of advertising is £682,000 which covers radio and poster advertising, and paid editorials.

In addition, following the publication of the Higher Education White Paper in January 2003, the Department ran a further information campaign to explain what was being proposed and to signpost further information. The total cost of advertising was £605,000. All costs are exclusive of VAT.

Mental Health

Mr. Gardiner: To ask the Secretary of State for Education and Skills how many referrals there have been to the Child and Family Mental Health Services of families with children up to the age of five years in England and Wales in each year since 1997; and who initiated the referrals. [144135]

Dr. Ladyman: I have been asked to reply.

Information is not available in the form requested. The following table shows the number of referrals to child and adolescent psychiatry in England from general practitioners and others.

Number of adolescent referrals to child and psychiatry: England

	Referral type	
	GP	*Other*
1997–98	41,834	28,007
1998–99	37,356	27,965
1999–2000	36,263	26,892
2000–01	34,231	24,004
2001–02	31,506	24,875
2002–03	26,346	20,228

Note:

Others includes referals from A&E, consultants in other specialities etc.

Source:

Department of Health form QM08.

Pre-school Sector

Mr. Swire: To ask the Secretary of State for Education and Skills (1) what funds he will make available to the boards of pre-schools to meet possible staff redundancies; [142509]

(2) what additional financial resources he will provide to the pre-school sector to enable staff better to comply with Ofsted inspections; [142506]

(3) what plans his Department has fully to fund *(a)* pre-schools and *(b)* the Appletree pre-school in Sidmouth. [142510]

Margaret Hodge: Funding for pre-school settings is rightly a matter for local determination in the light of local needs and circumstances. From April 2003, we have increased local flexibility and autonomy by consolidating the resources to enable local authorities to meet their statutory responsibilities to provide free nursery education for three and four year olds through the under-fives sub-block of their Education Formula Spending Share (EFSS)—the main source of funding for education. In the current financial year, Devon's overall under fives sub-block is worth nearly £30 million. We calculate that more than £6 million of additional ring-fenced funding is available to providers in Devon through a variety of Sure Start funding streams administered by the local authority.

Royal National Institute of the Blind

Mr. Collins: To ask the Secretary of State for Education and Skills what the minimum level of funding was for trainees on the residential training for disabled adults course at the Royal National Institute of the Blind's Loughborough College in each year since 1995. [142960]

Maria Eagle: I have been asked to reply.

The Residential Training Unit contracts with 14 national training providers, including Royal National Institute for the Blind's (RNIB) Loughborough College, to deliver specialist residential training for people with disabilities who are unable to train in their home area because local providers cannot offer the specialist help they need.

Each provider is contracted with separately, and fees vary for each provider. Each trainee is funded separately depending on their own unique set of circumstances. Providers are paid a one-off fee for each trainee that starts a course; these start at £1,000 per trainee, rising to £2,000 when the provider passes a pre-set threshold. Weekly fees are also paid for each trainee.

Additionally, providers are paid outcome payments; these are on a sliding scale ranging from £4,000 for a job outcome within 40 weeks of starting training to £1,000 for a job outcome after 12 months of finishing a training programme. Additional fees are also payable for specific support such as child care, tools, equipment, interpreters, readers, travel and special support for those with mental health problems.

The standard weekly fees paid for trainees at RNIB's Loughborough College are in the table.

Weekly fees for trainees at RNIB's Loughborough College

£

Year	*Residential fee*	*Day fee*
1995–96	391	315
1996–97	391/362	315
1997–98	362	315
1998–99	338	299
1999–00	345	299
2000–01	380	299
2001–02	392	300
2002–03	404	300
2003–04	414	308

Note: The fees changed in 1996/97 due to a renegotiation of the contract.

Source:

Residential Training Unit

Public Services (Ethnicity)

Ms Buck: To ask the Secretary of State for Education and Skills what assessment he has made of the effect of a person's ethnicity on their access to public services within the responsibilities of his Department. [143572]

Mr. Charles Clarke: The Department's Race Equality Scheme, first published in 2002 and revised in August 2003, incorporates our action plan for equality, which assesses the impact of all the Department's policies on ethnic minorities. The Race Equality Scheme can be found on our internet site and is available in hard copy.

Standard Attainment Tests

Mr. Gibb: To ask the Secretary of State for Education and Skills when he will publish the findings of the Qualifications and Curriculum Authority investigation into the standard attainment tests at age seven, 11 and 14. [141797]

Mr. Miliband: The Qualifications and Curriculum Authority published a report yesterday entitled "Comparability of National Tests overtime: Key Stage Test Standards between 1996 and 2001". A copy of the report is available on the Qualifications and Curriculum Authority website at: www.qca.org.uk

Sure Start

Dr. Tonge: To ask the Secretary of State for Education and Skills if he will make a statement on Sure Start funding mechanisms. [144715]

Margaret Hodge: Grants are allocated to local authorities to support Sure Start initiatives. The Sure Start Unit is continually simplifying funding arrangements. Six separate funding streams for early years and child care have already been brought together in one simplified grant for 2003–04 and the number of ring-fenced funds has been halved. Strategic Guidance issued to local authorities in July 2003 has confirmed that they will have greater flexibility in setting local priorities and use of funding. A new performance management system with a set of streamlined targets will be introduced from April 2004.

Funding for Sure Start local programmes is paid to the organisation nominated by the local partnership as the 'accountable body'. Annual revenue funding is approved by the Sure Start Unit, based on the programme's delivery plan. Capital funding is approved by the Sure Start Unit from submission of capital project plans. Payments for both capital and revenue funding are made on submission of quarterly funding claims.

Sustainable Development

Mr. Willis: To ask the Secretary of State for Education and Skills if he will make a statement on how the national curriculum promotes awareness of sustainable development. [144710]

Mr. Miliband: Education for Sustainable Development (ESD) is a statutory part of the programmes of study for Science, Geography, Design and Technology and Citizenship within the National Curriculum. The Department and the Qualifications and Curriculum Authority (QCA) also encourage schools to consider sustainable development issues within the teaching of all subjects. Since 2001, the Department has funded QCA to provide on-line guidance for teachers.

Top-up Fees

Mr. David Cameron: To ask the Secretary of State for Education and Skills, how much money has been spent in the last six months on advertisements to promote and explain top-up fees; how many advertisements have been broadcast; and what the total planned spending is on this campaign. (142642)

Alan Johnson *[pursuant to his reply, 9 December 2003, c. 359–60W]:* Advertising about the student finance package will in fact cost a total of £682,000 (excluding VAT).

The Department has not spent any money on advertisements to promote top-up fees. We are, however, running advertising to inform those considering applying now for a higher education course in September 2004 about the student support package available to them and how to apply.

Tuition Fees

Michael Fabricant: To ask the Secretary of State for Education and Skills how much has been budgeted for the advertising campaign on university tuition fees; which media are being used; and when the campaign will finish. [144033]

Alan Johnson: The Department has no budget for an advertising campaign on proposed university tuition fees.

The Department regularly runs advertising campaigns to explain to potential students and their parents what financial support is available to those undertaking higher education courses. The current 2003 campaign, (for those applying for September 2004 and which runs to the end of February 2004) is closely linked to the Government's wider Aimhigher campaign, designed to encourage young people from non traditional backgrounds to apply for university. The total cost of advertising is £682,000 which covers radio and poster advertising, and paid editorials.

In addition, following the publication of the Higher Education White Paper in January 2003, the Department ran a further information campaign to explain what was being proposed and to signpost further information. The total cost of advertising was 605,000. All costs are exclusive of VAT.

University Bursaries

Mr. Cousins: To ask the Secretary of State for Education and Skills what estimate he has made of the proportion of the proposed top-up fee income which will be required to be applied for in bursaries. [144852]

Mr. Willis: To ask the Secretary of State for Education and Skills what estimate he has made of the cost to universities of administering the proposed bursaries; and if he will make a statement. [144711]

Alan Johnson: We are considering and discussing the contents of access agreements and the duties of the Office for Fair Access, and will make a statement in due course.

DEFENCE

Armed Forces (Christmas Post)

Lady Hermon: To ask the Secretary of State for Defence what measures have been put in place by his Department to cope with the increased demand on postal services for troops serving in the Gulf this Christmas; and if he will make a statement on the effectiveness of the current arrangements for the sending of parcels to troops serving in the Gulf over the Christmas period. [143819]

Mr. Ingram: A full airmail service for letters and packets up to 2 kg is in place, and no charge is made for these items addressed to named personnel in the Gulf. In anticipation of increased volumes of mail for personnel in the Gulf over the Christmas period, arrangements have been made for appropriate space to be allocated on RAF flights to the region. The current arrangements are very effective, and a high quality of service is being achieved.

Armed Forces Recruitment

Mr. Hoyle: To ask the Secretary of State for Defence what measures are being taken to increase the numbers joining the armed forces; and what measures he is taking to increase recruitment into the armed forces from Commonwealth countries. [144797]

Mr. Caplin: All three Services undertake numerous and varied initiatives, both at national and local level, aimed at increasing the level of recruitment to the armed forces. Included amongst the many current initiatives are:

The use of multi-media advertising campaigns.

Services' Recruiting Teams' attendance at schools, careers fairs and Graduate Recruitment Seminars, road shows, exhibitions, youth clubs and organisations.

Work experience placements within Service Establishments.

Personal Development Courses and Look at Life Courses for young people who express an interest in the armed forces.

Taster Day visits to HM Ships and Service Establishments. A dedicated careers website for each of the Services.

An Army 'on-line' recruiting office, with plans for this to be replicated by the other Services.

Specialist Ethnic Minority Recruiting and Diversity Action Teams aimed at promoting Armed Forces careers amongst the United Kingdom's ethnic minority and faith communities.

A Partnership with the 'Jobcentre Plus', making use of its network (totalling in excess of 1,100) of local outlets.

Although Commonwealth citizens are entitled, on nationality eligibility grounds, to serve in the UK Armed Forces, the Services do not actively market armed forces careers in Commonwealth countries. Selection and recruitment team visits to Commonwealth countries are limited to those locations where numbers of expected applicants justify the effort and where an invitation to conduct visits has been received from the respective Government. Nevertheless, the Services do process applications from Commonwealth citizens who have travelled to the UK at their own volition for such a purpose.

Armed Forces Staffing Levels

Mr. Hancock: To ask the Secretary of State for Defence pursuant to his Answer of 8 December 2003, *Official Report*, column 271W, on Armed Forces Staffing Levels, when he expects to announce the final conclusions of the End to End review. [143953]

Mr. Ingram: Following my announcement on the 10 September 2003, *Official Report*, columns 26–27WS, I placed a summary of the conclusions from the End to End (E2E) Review in the Library of the House. The review was wide-ranging and work is now being undertaken to determine how best to achieve the E2E objectives. This includes a Demonstration Phase designed to test the conclusions of the Review. It is too early to predict what the final outcome of this work will be. I shall keep the House informed of progress as this work continues.

Arms Exports

Mr. Cousins: To ask the Secretary of State for Defence on how many occasions he has raised *(a)* the waiver for United Kingdom companies from the United States International Traffic in Arms Regulations and *(b)* the fast track for United Kingdom defence export permits with the US Administration; and when he expects these issues to be resolved. [144853]

Mr. Hoon: I, and other members of the Government have raised the issue of improved defence trade cooperation with the US Administration on several occasions this year. The Government are seeking a United Kingdom waiver from the United States International Traffic in Arms Regulations, which will better meet the needs of UK industry than an agreement about processing times for the licensing of US items for export to the UK. The joint statement the Prime Minister issued with President Bush on 20 November affirmed that they both consider it a high priority to implement a licensing exemption that will facilitate defence trade between our countries.

We hope that the waiver will come into effect next year, subject to congressional and parliamentary approval, and after the necessary implementing regulations and administrative procedures have been put in place.

Army (Merging Regiments)

Mr. Hoyle: To ask the Secretary of State for Defence if he will make a statement on plans to merge regiments in the Army. [144799]

Mr. Caplin: There are currently no plans to merge Army regiments. The Defence White Paper, published last week, sets out the context for shaping the structure of the Armed Forces for many years ahead. Work is still to be done with regard to the details of individual systems and units within that overall structure, but at present no decisions have been taken.

Attitude Surveys

Angus Robertson: To ask the Secretary of State for Defence if he will list the 10 most cited reasons for leaving or considering leaving the Royal Navy/Royal

Marines given by respondents to the last assessed Royal Navy/Royal Marine Continuous Attitude Survey; and if he will make a statement. [143627]

Mr. Caplin: The information requested is drawn from the May 2003 edition of the Continuous Attitude Survey.

Main reasons for leaving Naval Service:
Royal Navy

Ability to plan your own life—long term
Your pay in relation to the hours worked
Ability to plan your own life—short term
The level of job satisfaction you expect in the future
Your enjoyment of Service life
The degree of recognition and reward (other than pay) for long working hours
Amount of separation from family and friends
The amount of 'fun' in the Service
The desire to live at home
Your pay in general

Royal Marines

Ability to plan your own life—long term
Your pay in general
Ability to plan your own life—short term
The extent to which you are doing the job for which you are trained
Opportunities for promotion/advancement
Pay in relation to hours worked
Pay in relation to the responsibilities of your job
Opportunities for educational activities of your choice for personal/professional development
Amount of separation from family and friends
The desire to live at home

Angus Robertson: To ask the Secretary of State for Defence for what reason Royal Navy and Royal Marines personnel are not asked about nationality in the current edition of the Continuous Attitude Survey; whether nationality was listed as a question in previous editions; and if he will make a statement. [143631]

Mr. Caplin: There has been no requirement to collect information about nationality through the current or previous editions of the Continuous Attitude Survey.

Angus Robertson: To ask the Secretary of State for Defence when the Royal Navy/Royal Marine Continuous Attitude Survey last included questions on *(a)* overstretch and *(b)* privatisation and contractualisation; for what reason those questions are not included in the latest edition of the Royal Navy/Royal Marine Continuous Attitude Survey; and if he will make a statement. [143636]

Mr. Caplin: No requirement has been identified to collect information about *(a)* overstretch or *(b)* privatisation and contractualisation through the Continuous Attitude Survey. The impact on personnel of the high level of operational commitment by the Royal Navy and Royal Marines will be addressed in the future.

Battle of Trafalgar

Mr. Hancock: To ask the Secretary of State for Defence what plans his Department has to commemorate the 200th anniversary of the Battle of Trafalgar. [143366]

Mr. Caplin: While no final decisions have yet been made, it is anticipated that there will be a series of national and international events 'the Trafalgar Festival' co-ordinated by the Official Nelson Commemoration Committee which will include an International Fleet Review in the Solent.

Further announcements will be made to the House in due course.

Lady Hermon: To ask the Secretary of State for Defence how much funding has been allocated by his Department for celebrations to mark the bicentenary of the Battle of Trafalgar in 2005; what form he expects the celebrations to take; which countries have been invited to take part; and if he will make a statement. [143567]

Mr. Caplin: Funding to mark the Bicentenary of the Battle of Trafalgar in 2005 is still under discussion and no final decisions have been made.

Defence Science and Technology Laboratory

Mr. Hancock: To ask the Secretary of State for Defence how many formal grievances have been raised by the staff of the Defence Science and Technology Laboratory since its formation; and how many relate to staff who are on secondment to, or have returned from, secondment to his Department. [143701]

Mr. Caplin: Records indicate that a total of 12 formal grievances have been raised by staff since the formation of Dstl. Of these, two were raised by staff that had been on secondment to main Ministry of Defence posts.

Iraq

Mr. Keetch: To ask the Secretary of State for Defence how many Christmas trees his Department has *(a)* shipped to Iraq and *(b)* procured in Iraq for the purpose of celebrations among personnel; and if he will make a statement. [144470]

Mr. Caplin *[holding answer 17 December 2003]*: Fifty Christmas trees were being sent to Iraq by the Expeditionary Forces Institute to be purchased locally by units deployed there. In addition, a number of units have made their own arrangements to import trees.

Joint Strike Fighter

Mr. Rosindell: To ask the Secretary of State for Defence if he will make a statement on the Joint Strike Fighter. [143548]

Mr. Ingram: I refer the hon. Member to the answer I gave on 16 May 2003, *Official Report*, column 453W.

Michael Morgan

Mr. Benton: To ask the Secretary of State for Defence if he will re-open the investigation into the death of Michael Morgan, an employee of the Ministry of Defence in the sovereign base areas of Cyprus on 17 May 2001. [144461]

Mr. Caplin: No new information has come to light to cast doubt on the Coroner's original verdict. We therefore have no plans to re-open the investigation into Mr. Morgan's death.

Procurement (Risk Assessment)

Mr. Keetch: To ask the Secretary of State for Defence what criteria are used in evaluating the cost of risk assessed as attaching to bids to supply goods and services to the MoD; and whether bidders are informed of *(a)* such criteria and *(b)* their effect on their bids. [142613]

Mr. Ingram: In evaluating bids for the supply of goods and services the Ministry of Defence will assess risk in terms of likely Performance against the requirement; Timeliness of delivery and Cost. MOD employs various tools for bid evaluation including risk questionnaires and Three-Point Estimating.

In line with the Codes of Best Practice agreed between MOD and the Defence Industry it is now standard practice for the MOD to make available to bidders the criteria and weightings used in the tender evaluation process.

Secondments

Mr. Hancock: To ask the Secretary of State for Defence what procedures are in place to monitor secondments from his Department to other governments; and if he will make a statement. [143443]

Mr. Caplin: It is a management function of the sponsoring unit within MOD to monitor the effectiveness of individual secondments against the objectives for which they were established. There is no central control or monitoring of these management activities, and this information could therefore be provided only at disproportionate cost.

Warships

Mr. Hancock: To ask the Secretary of State for Defence (1) what changes have been agreed since Main Gate approval to *(a)* specifications, *(b)* build quality and *(c)* delivery dates of the Landing Ship Dock (Auxiliary) vessels being constructed by Swan Hunter; [143311]

(2) what cost overruns have been notified to his Department on the construction of Landing Ship Dock (Auxiliary) vessels by Swan Hunter; [143312]

(3) what the expected commissioning date is of Landing Ship Dock (Auxiliary) vessels being built by *(a)* Swan Hunter and *(b)* BAE Systems Marine. [143313]

(4) what claims for compensation from Swan Hunter have been made by BAE Systems Marine in respect of delays in the construction of two Landing Ship Dock (Auxiliary) vessels at Govan. [143314]

Mr. Ingram: Since Main Gate approval, a small number of enhancements have been made to the Landing Ship Dock (Auxiliary (LSD(A)) programme to ensure that each vessel complies with the latest statutory safety requirements. There have been no changes to the build quality of the vessels.

Swan Hunter has recently announced delays to its build programme. We are currently reviewing the impact this will have on the In-Service Dates of all four LSD(A)s. Provisional dates supplied by both companies suggest that the First of Class LSD(A) will now enter service in autumn 2005 with the final vessel entering service in summer 2006.

The Department has a Firm Price contract with Swan Hunter and any contractual discussions that arise are commercially sensitive. I am, therefore, withholding this information under Exemption 7a of the Code of Practice on Access to Government Information, which relates to the effective management and operations of the public service.

BAE SYSTEMS Marine's LSD(A) contract is not with Swan Hunter but with the Ministry of Defence. Claims for compensation have been made by BAE SYSTEMS Marine as a consequence of delays to its build programme at Govan. These too are commercially sensitive, and I am also withholding this information in accordance with Exemption 7a of the Code of Practice on Access to Government Information.

CULTURE, MEDIA AND SPORT

Disabled Civil Servants

Tim Loughton: To ask the Secretary of State for Culture, Media and Sport how many senior civil servants in her Department are disabled, expressed in *(a)* numbers and *(b)* as a percentage of whole-time equivalents. [144983]

Mr. Caborn: The Department collects data on disability on a voluntary self-declaration basis. There are currently no members of the Department's senior civil service who have declared a disability.

Funding for Children's Play

Paddy Tipping: To ask the Secretary of State for Culture, Media and Sport when she intends to publish the report commissioned by the right hon. Member for Holborn and St. Pancras on funding from the New Opportunities Fund for children's play. [144668]

Estelle Morris: I expect the report commissioned from the right hon. Member for Holborn and St. Pancras to be published early in the New Year.

Identity Cards

Mr. Webb: To ask the Secretary of State for Culture, Media and Sport what assessment she has made of the implications of the introduction of compulsory identity cards for her Department. [144342]

Mr. Caborn: The Home Office has lead responsibility for developing the national identity cards scheme, which was announced by my right hon. Friend the Home Secretary on 11 November 2003. My Department stands ready to take part in any on-going discussions, as appropriate.

Intellectual Property (Performers)

Mr. Boswell: To ask the Secretary of State for Culture, Media and Sport what further action she plans to implement the provisions of the World Intellectual Property Organisation Performances and Phonograms Treaty in respect of the rights of performers. [144478]

Ms Hewitt: I have been asked to reply.

UK law does not at present grant performers the moral rights required by the WIPO Performances and Phonograms Treaty, and we are planning to introduce these rights during the course of next year.

Lottery Grants

Chris Ruane: To ask the Secretary of State for Culture, Media and Sport what the total amount of Lottery grants given to *(a)* the richest 100 wards in the UK and *(b)* the poorest 100 wards in the UK was (i) from the inception of the Lottery to 1 May 1997 and (ii) from 2 May 1997 to date. [144837]

Estelle Morris: The information requested is being placed in the Libraries of both Houses.

The information cannot be provided in the exact format requested. Changes to ward boundaries in some of these wards make such comparisons impossible. Where boundaries have remained constant, the information requested is shown in the tables which are produced from data provided by the Lottery distributors. The tables are based on the Index of Multiple Deprivation for England only—no UK wide measure is available.

Tourism (North-East)

Mr. Peter Ainsworth: To ask the Secretary of State for Culture, Media and Sport what recent discussions she has had with representatives of One North East regarding *(a)* the tourism industry and *(b)* the Northumbria Tourist Board. [144962]

Mr. Caborn: Neither I nor my right hon. Friend the Secretary of State have had recent discussions with representatives of One North East regarding *(a)* the tourism industry and *(b)* the Northumbria Tourist Board. However, officials from my Department's Tourism Division and from the Government Office for the North East have been in regular contact with One North East as they have taken on their strategic responsibility for tourism in the region and have had discussions with representatives of the Northumbria Tourist Board. I have asked One North East and the other English Regional Development Agencies to work with their tourist boards and the industry to decide upon the best support structure for the tourism industry in their particular region. I understand that One North East is working towards the introduction of a new structure for the delivery of tourism in the North East. My officials continue to work with the RDAs to help ensure a planned and smooth transition to any new arrangements.

DEPUTY PRIME MINISTER

Fair Trade Products

Mr. Bercow: To ask the Deputy Prime Minister whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142813]

Yvette Cooper: The purchasing policy of the Office of the Deputy Prime Minister reflects the Government's value for money policy and the EC procurement rules, which require the procurement of goods and services to be based on value for money and acquired by competition unless there are convincing reasons to the contrary, and the objectives of the Office.

Fair trade products are widely available in our offices. The restaurants sell fair trade products including coffee, tea and chocolate bars. The catering menus include options that allow for fair trade tea and coffee to be provided, on request, for official meetings and conferences.

Landfill Directive

Sue Doughty: To ask the Deputy Prime Minister pursuant to his answer of 8 December 2003, *Official Report*, column 343W, if he will make a statement on the outcome of discussions within Government and with industry on the implications of the implementation of the Landfill Directive for regeneration of brownfield sites, including *(a)* potential obstacles identified and *(b)* agreed action. [144959]

Keith Hill: Discussions are continuing but have not yet reached the stage where we are able to report on outcomes. A further meeting of Government and industry representatives is to take place in January 2004.

Local Authority Funding

Mr. Woodward: To ask the Deputy Prime Minister what level of grant from all Government sources St. Helens borough council has received in each year since 1996. [144325]

Mr. Raynsford: Tabled are details of revenue grants received by St. Helen's metropolitan borough council as part of gross Aggregate External Finance (AEF) between 1996–97 to 2004–05.

£000

	1996–97	*1997–98*	*1998–99*	*1999–2000*	*2000–01*	*2001–02*	*2002–03*	*2003–04*	*2004–05*
Revenue Support Grant	69,460	65,703	72,305	75,574	74,395	78,789	74,672	91,122	102,243
National Non- Domestic Rates	42,108	39,269	40,857	44,154	49,674	48,615	53,162	51,772	49,369
Specific Grants within AEF[1]	5,774	4,548	6,457	6,988	12,834	18,546	21,523	24,891	[2]—

[1] Information on specific grants up until 2002–03 is taken from local authority outturn returns. From 2003–04, where outturn information is not yet available this is based on local authority budget returns.

[2] Data not available until spring 2004 when they will be reported by local authorities on their RA and RA(SG) returns.

Note:

The grants are on an unadjusted basis and may not be comparable between years, because transfers of function may have taken place.

Councillors

Mr. Wiggin: To ask the Deputy Prime Minister what his policy is on golden goodbyes for long-serving councillors; and how the scheme is financed. [144100]

Mr. Raynsford: There is no provision for long-serving councillors in England to be provided with any form of severance payment. The Office of the Deputy Prime Minister has no plans to change this position.

Pupil Mobility

Ms Buck: To ask the Deputy Prime Minister what plans his Department has to take into account levels of pupil mobility between schools when measuring education, skills and training deprivation in revised indices of deprivation. [143571]

Yvette Cooper: During the initial phase of work to update the Indices of Deprivation 2000 (ID 2000), the Office of the Deputy Prime Minister considered the issue of pupil mobility and investigated various avenues for constructing such an indicator. This investigation showed that, at present, there is no centrally held database on pupil mobility. As one of the criteria for inclusion of an indicator in the ID 2000 is that it must be nationally available at a small area level, we were unable to pursue this issue in the current update.

Regional Assemblies

Mr. Stringer: To ask the Deputy Prime Minister (1) what target has been set for the turnout in the referendums on regional assemblies; [144874]

(2) what budget has been agreed within the three Government Offices for the Regions to increase turnout in referendums on regional assemblies; and what organisational changes are planned in the three Government offices to help increase the turnout in the referenda on regional assemblies; [144875]

(3) what guidance he has given to Government Offices for the Regions on increasing the turnout in the referendums on elected regional assemblies. [144876]

Mr. Raynsford: None—there is no turnout target.

However, the Regional Assemblies (Preparations) Act 2003 (Chapter 10) gives the Electoral Commission the power to

> "do anything they think necessary or expedient for the purpose of encouraging voting"

at these referendums.

Tenancy Deposit Scheme

Ms Oona King: To ask the Deputy Prime Minister what assessment he has made of whether the number of disputes requiring adjudication under a tenancy deposit scheme would differ from the current rate of alleged unreasonable withholding of deposits; and if he will make a statement. [144858]

Keith Hill: No reliable assessment has been made of the number of disputes requiring adjudication under a tenancy deposit scheme. But it is expected that the number of disputes will fall as and when well thought out arrangements for tenancy deposit protection are introduced. The Government are currently exploring with the key stakeholders how best that might be achieved.

Mr. Hancock: To ask the Deputy Prime Minister when the outcome of the Government's consultation on a possible tenancy deposit scheme will be announced; and if he will make a statement. [145272]

Keith Hill: Following a consultation the Government will in the new year be considering options for legislative proposals for the safeguarding of tenancy deposits. We will then announce the outcome of our consultations and our legislative proposals.

PRIME MINISTER

22 July Briefing

Richard Ottaway: To ask the Prime Minister (1) whether copies of the transcript prepared by Radio Technical Services of the briefing given by him en route to Hong Kong on 22 July 2003 have been made available to the Press; [145062]

(2) if he will publish the transcript prepared by Radio Technical Services of the briefing given by him en route to Hong Kong on 22 July 2003. [145063]

The Prime Minister: Any comments I made en route to Hong Kong on 22 July 2003 were made on the record and were fully reported by the media at the time in the same way as any briefings I make on visits like this.

Canada

Mr. Gordon Prentice: To ask the Prime Minister when he expects to meet the new Prime Minister of Canada; and if he will discuss with him parliamentary reform in Canada, with particular reference to the greater use of free votes. [145200]

The Prime Minister: I have spoken and written to the new Prime Minister of Canada, Paul Martin, to congratulate him on his appointment. I have no current plans to meet him, but look forward to doing so in the future.

Honours

Mr. Gordon Prentice: To ask the Prime Minister pursuant to his answer of 15 December 2003, *Official Report*, column 657W, on honours, how many honours have been returned since 1 January 1997, broken down by type. [145058]

The Prime Minister: I have nothing further to add to my previous answer.

Mr. Gordon Prentice: To ask the Prime Minister pursuant to his answer of 15 December 2003, *Official Report*, column 657W, on honours, how many people returning honours gave a reason for returning the honour. [145059]

The Prime Minister: I have nothing further to add to my previous answer.

Mr. Gordon Prentice: To ask the Prime Minister if he will bring forward proposals for changing the system for awarding honours. [145066]

The Prime Minister: The honours system is kept under continuous review.

Mr. Gordon Prentice: To ask the Prime Minister what the procedure is for returning an honour; and if he will make a statement. [145072]

The Prime Minister: There is no formal procedure for the returning of honours. Those wishing to do so would normally write to my office or the Central Chancery of the Orders of Knighthood.

Mr. Gordon Prentice: To ask the Prime Minister how many people in each year since 1997 refused an honour, broken down by type of honour. [145073]

The Prime Minister: I refer my hon. Friend to the answer I gave him on 15 December 2003, *Official Report*, column 657W.

Imad Hage

Adam Price: To ask the Prime Minister what meetings his officials have held during 2003 with Mr. Imad Hage. [145214]

The Prime Minister: Officials have meetings with a wide range of organisations and individuals. As with previous Administrations, it is not the Government's practice to provide details of all such meetings under Exemptions 2, 7 and 12 of the Code of Practice on Access to Government Information.

Adam Price: To ask the Prime Minister what representations he has received during the last 12 months from Mr. Imad Hage. [145216]

The Prime Minister: As far as I am aware, I have not received any representations from Mr. Imad Hage.

Iraq

Mr. Gordon Prentice: To ask the Prime Minister whether the work of the Iraq Survey group will be suspended pending the receipt of information from Saddam Hussein on the location of weapons of mass destruction; and if he will make a statement. [145199]

The Prime Minister: No. The work of the Iraq Survey Group will continue.

Kyoto Protocol

Norman Baker: To ask the Prime Minister if he will place in the Library copies of his letters to President Putin, referred to in his answer of 10 November 2003, *Official Report*, column 3W; and if he will make a statement on when he expects the Kyoto Protocol to come into force. [145195]

The Prime Minister: The Kyoto Protocol must be ratified by a minimum of 55 countries, including developed countries representing 55 per cent. of developed countries' carbon dioxide emissions in 1990 before it enters into force. We understand that the Russian Federation is currently completing its assessment of the Protocol. We look forward to an early decision so that the Protocol can enter into force as soon as possible.

The Government believe that the Kyoto Protocol is the only existing international framework for tackling climate change and takes every opportunity to urge all countries that have not yet ratified it to do so as soon as possible.

It is not the normal practice to release letters from the Prime Minister to another Head of Government under Exemption 1*(b)* of the Code of Practice on Access to Government Information.

People's Peers

Mr. Gordon Prentice: To ask the Prime Minister when he will invite the House of Lords Appointments Commission to submit its recommendations for the second round of people's peers. [145196]

The Prime Minister: I hope to do so shortly.

NORTHERN IRELAND

Airports

Mr. Beggs: To ask the Secretary of State for Northern Ireland (1) if he will make a statement on the proposed runway extension at City of Derry Airport; [144215]

(2) if he will conduct a full public consultation before a decision is made on the proposed runway extension at City of Derry Airport. [144401]

Mr. Spellar: Derry City Council have made a funding application to both the Northern Ireland and Republic of Ireland authorities in relation to its proposal to further develop the City of Derry Airport. Details of the proposed phasing and cost estimates for the project are expected shortly. A decision on the council's application will depend on the outcome of technical and economic appraisals and on policy and budgetary considerations. I will be happy to receive and consider any representations from persons interested in these matters.

It will be necessary for the council to apply separately to the Planning Service of the Department of the Environment for planning permission for the proposed runway extension. As part of that process, the application will be advertised and a period of four weeks will be allowed for receipt of comments on the planning issues.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will assess the feasibility of constructing *(a)* a rail link to Belfast International Airport and *(b)* a new railway station at Belfast City Airport. [144278]

Mr. Spellar: Previous studies have shown that to construct a rail link to Belfast International Airport and a new railway station at Belfast City Airport would both involve considerable costs which could not be justified by the anticipated level of passenger demand.

Antisocial Behaviour

Mr. Beggs: To ask the Secretary of State for Northern Ireland what measures he is taking to address anti-social behaviour on public transport in Northern Ireland. [144229]

Mr. Spellar: Translink has advised that it has a dedicated internal working group to improve security on buses and trains. Translink operates a widely promoted scheme under which it offers rewards of up to £1,000 for information on attacks which lead to prosecutions. Translink staff liase closely with community representatives and the PSNI in an attempt to reduce attacks and general anti-social behaviour on public transport.

Translink has also advised that security features within the Translink bus fleet include CCTV, driver protection screens, specially strengthened windows in the driver's cab area and double glazing over the rest of the vehicle. Communication systems also enable bus and train drivers to liase with Central Control staff regarding potential and actual incidents. Driver and passenger security have also been taken into account in the design of the new trains currently being built for NIR.

Arrhythmia

Lady Hermon: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland are diagnosed with arrhythmia; what steps he is taking to raise awareness of this condition in Northern Ireland; and if he will make a statement. [145070]

Angela Smith: Figures are collected only on the number of patients admitted to hospital for the treatment of arrhythmia, not the total number diagnosed with the condition. There were 190 people admitted with cardiac arrhythmia conditions from April 2002 to March 2003.

Following a Review of Cardiology Services undertaken by the Department, an action plan containing a number of recommendations to improve these services was issued in April 2003. I have asked my Department to monitor progress closely.

Cannabis Reclassification

Lady Hermon: To ask the Secretary of State for Northern Ireland when the cannabis reclassification awareness raising campaign will begin; how long it will last; what format it will take; and if he will make a statement. [143568]

Mr. Spellar: The reclassification of cannabis will take effect in Northern Ireland from 29 January 2004 in line with other parts of the UK. The Government are conscious of the need to ensure the public have appropriate and accurate information so that everyone is aware about what this change means and not least to remind the public that the possession and consumption of cannabis will remain illegal and that the drug itself is harmful. To that end, my officials have been in contact with the Home Office to ensure that the campaign in Northern Ireland is in line with and will be as effective as, that planned elsewhere, while having a distinct local emphasis.

I will make a public statement giving details of the campaign in Northern Ireland closer to the 29 January.

Childhood Obesity

Mr. Beggs: To ask the Secretary of State for Northern Ireland what measures are in place to tackle the rise in childhood obesity. [145307]

Angela Smith: We have strategies for food and nutrition and physical activity in place together with initiatives such as "Fresh Fruit in Schools" and the "Health Promoting Schools" project which promote healthy eating and physical activity. In addition the Health Promotion Agency has developed a community based nutrition programme entitled "Cook it", a new nutrition information booklet for parents called "Getting a good start—healthy eating from one to five", and launched a pilot scheme to encourage short physical activity sessions in primary schools.

Cycling

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to improve facilities for cyclists; and what measures he is taking to encourage greater usage of Northern Ireland's cycling network. [144230]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Gentleman in response to this question. A copy of the letter will be placed in the Library.

Fishing Industry

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what plans he has to complete the Strategic Review of the Fishing Industry. [144616]

Mr. Pearson: Following publication of the report of the Prime Minister's Strategy Unit on the medium to long-term prospects for the UK fishing industry, I intend to recommence the Strategic Review of the Northern Ireland fishing industry.

Further Education

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will list the *(a)* financial and *(b)* operating (i) deficits and (ii) surpluses for each Northern Ireland further education college in each of the last five years. [144217]

Jane Kennedy: Northern Ireland Further Education Colleges became incorporated bodies on the 1 April 1998. The 2002–03 figures are the fifth set of accounts for colleges as incorporated bodies and cover a 12 month period from 1 August 2002–31 July 2003

The annual accounts are prepared in accordance with the statement of recommended practice (SORP): Accounting for Further and Higher Education. The form and content of the annual college accounts are set out in the Accounts Direction for the Governing Bodies of Further Education Colleges in August 1998 and updated subsequently in August 2002.

The operating surplus/(deficit) and historic surplus/(deficit) results for each individual further education college over the last five years has been placed in the Library.

Mr. Beggs: To ask the Secretary of State for Northern Ireland if he will make a statement on the financial recovery plans of Northern Ireland's further education colleges. [144218]

Jane Kennedy: Since Incorporation on 1 April 1998, six further education colleges have developed financial recovery plans:

Castlereagh College of Further and Higher Education
East Antrim Institute of Further and Higher Education
Limavady College of Further and Higher Education
Lisburn Institute of Further and Higher Education
North West Institute of Further and Higher Education
Omagh College of Further and Higher Education.

North East Institute of Further and Higher Education is currently developing a financial recovery plan.

The position of these colleges for the 2002–03 financial year is as follows:

£000

Colleges	*Total income*	*Total expenditure*	*Operating Surplus (deficit)*	*Historic cost surplus (deficit)*	*General reserve*
Castlereagh	8,064	7,277	787	[illegible]	324
East Antrim	10,267	10,302	(35)	192	[illegible]
Limavady	5,800	5,266	534	580	1,732
Lisburn	8,532	8,391	141	395	188
North East	14,432	15,004	(572)	(151)	(980)
North West	25,438	24,730	708	971	(745)
Omagh	6,582	6,220	362	523	1,302

In April 2003 the Department for Employment and Learning issued a document entitled "Guidance on Colleges in Recovery" to the FE sector. This document, which is based on best practice, sets out comprehensive guidance about the operation of the financial recovery process.

Mr. Beggs: To ask the Secretary of State for Northern Ireland when the review of Northern Ireland's further education colleges will be published; and if he will make a statement. [144219]

Jane Kennedy: The review by the Department for Employment and Learning of its strategy for statutory further education in Northern Ireland is nearing completion. It is intended that the review will be published for consultation early in 2004.

Give as You Earn Scheme

John Barrett: To ask the Secretary of State for Northern Ireland how many and what percentage of staff in his Department contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff in his Department through the scheme; and what steps he is taking to encourage greater participation in the scheme by staff in his Department. [143899]

Mr. Pearson: Current figures show that 4,407 (14.8 per cent.) members of staff in the Northern Ireland Civil Service, and the Northern Ireland Office, contribute to charity through the Give As You Earn scheme, although this is unlikely to fully reflect the charitable activity of employees.

The current monthly amount, in total, paid over through the scheme, via payroll, is £34,814.

Since 2000, a promotion company, "Sharing The Caring", has had the operational responsibility for promoting the Give As You Earn scheme within the Northern Ireland Civil Service and Northern Ireland Office. Through Sharing The Caring, staff can contribute to any charity they choose, provided it is a registered charity. Sharing The Caring representatives follow an on-going programme of visits to civil service buildings/locations during which they engage with staff to encourage them to sign up to the scheme. Since 2000, 308 such visits have been carried out.

Northern Ireland Civil Service

Lady Hermon: To ask the Secretary of State for Northern Ireland if he will make a statement on the strike action undertaken by the Northern Ireland Civil Service. [144672]

Mr. Pearson: Best available estimates indicate that just over 11,000 staff were absent without authority on 11 December 2003, equivalent to around 40 per cent. of the total non-industrial workforce. There was some disruption to a number of services including, for example, social security, child support, and driver and vehicle licensing and testing. On the whole, however, departments' contingency plans served to minimise inconvenience to the public.

Palliative Care

Mrs. Iris Robinson: To ask the Secretary of State for Northern Ireland what action he is taking to increase the number of palliative care beds in Northern Ireland; and if he will make a statement. [144451]

Angela Smith: In March 2003 the Department asked Health and Social Services Boards to undertake an assessment of need for additional capacity in inpatient palliative care. This work is expected to be completed by autumn 2004. In addition, the Regional Cancer Services Framework Steering Group, chaired by the Chief Medical Officer, will be considering, among other things, the future development of palliative care, including the level of inpatient palliative care.

Ports

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the total tonnage of cargo brought into *(a)* Larne and *(b)* Belfast ports was, including both bulk and unit loads, in each of the last five years. [144237]

Mr. Pearson: The information sought is set out in the following table.

Tonnage of goods through Larne and Belfast Ports 1998–2002
Inward traffic

Thousand tonnes

	Larne	*Belfast*
1998	2,902	9,168
1999	3,074	9,740
2000	2,236	9,736
2001	1,832	9,804
2002[1]	2,212	9,197

[1] The most recent year for which figures are available

A new EC Maritime Statistics Directive (Council Directive 95/64/EC on statistical returns in respect of the carriage of goods and passengers by sea) has recently been implemented in the UK (1 January 2000). This required a complete overhaul of data collection methods. It should be noted that the different collection system for freight traffic has resulted in some discontinuities in data series between 2000, 2001, 2002 and previous years.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the weight of cargo leaving *(a)* Larne and *(b)* Belfast ports was in each of the last five years; and what the percentage change was in each year. [144238]

Mr. Pearson: The information sought is set out in the following table.

Tonnage of goods through Larne and Belfast ports 1998—2002: Outward traffic

Thousand tonnes

	Larne	*Belfast*	*Larne % change*	*Belfast % change*
1998	2,296	3,066		
1999	2,504	3,122	9.1	1.8
2000	2,271	2,748	-9.3	-12.0
2001	1,668	3,598	-26.6	30.9
2002[1]	2,083	3,628	24.9	0.8

[1] The most recent year for which information is available)

A new EC Maritime Statistics Directive (Council Directive 95/64/EC on statistical returns in respect of the carriage of goods and passengers by sea) has recently been implemented in the UK (1 January 2000). This required a complete overhaul of data collection methods. It should be noted that the different collection system for freight traffic has resulted in some discontinuities in data series between 2000, 2001, 2002 and previous years.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what percentage of *(a)* inward and *(b)* outward traffic at Northern Ireland's ports comprised foreign unit load cargo in each of the last five years. [144239]

Mr. Pearson: The information sought is set out in the following table.

Percentage of inward and outward traffic at Northern Ireland's ports comprised of Foreign unit load cargo 1998–02

Inward traffic	
1998	2.9
1999	2.9
2000	3.3
2001	3.4
2002[1]	4.0
Outward traffic	
1998	3.7
1999	3.8
2000	3.9
2001	4.0
2002[1]	4.0

[1] The most recent year for which information is available

A new EC Maritime Statistics Directive (Council Directive 95/64/EC on statistical returns in respect of the carriage of goods and passengers by sea) has recently been implemented in the UK (1 January 2000). This required a complete overhaul of data collection methods. It should be noted that the different collection system for freight traffic has resulted in some discontinuities in data series between 2000, 2001, 2002 and previous years.

Public Transport

Mr. Beggs: To ask the Secretary of State for Northern Ireland what the average age is of *(a)* Ulsterbus and *(b)* Citybus vehicle stock. [144225]

Mr. Spellar: Translink has advised that at 15 December 2003 the average age of the Ulsterbus fleet was 11.95 years and the average age of the Citybus fleet was 8.46 years.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to *(a)* improve access to public transport and *(b)* encourage the use of public transport by older people. [144231]

Mr. Spellar: The Department for Regional Development is funding the purchase by Northern Ireland Railways of 23 new trains which will comply with the requirements of the Rail Vehicles Accessibility Regulations (Northern Ireland) 2001. The Department is also providing grant aid to assist Translink to purchase 190 new buses which meet the requirements of the Public Service Vehicles Accessibility Regulations (Northern Ireland) 2003. All new developments at bus and railway stations include any necessary work to improve access for people with disabilities. Older people are encouraged to use public transport by the provision of Senior Smartpasses, which enable those over 65 to travel free.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what measures are in place to support the provision of park and ride facilities outside Greater Belfast; what plans he has to develop secure interchange sites at Trooperslane and Corrs Corner; and if he will make a statement. [144276]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Gentleman in response to this question. A copy of the letter will be placed in the Library.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to develop bus lanes and quality bus corridors outside Greater Belfast. [144277]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Gentleman in response to this question. A copy of the letter will be placed in the Library.

Mr. Beggs: To ask the Secretary of State for Northern Ireland what plans he has to promote the development of park and ride facilities; and if he will make a statement. [144402]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Gentleman in response to this question. A copy of the letter will be placed in the Library.

Rail Freight

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many tonnes of rail freight were carried from Northern Ireland to *(a)* Great Britain, *(b)* the Republic of Ireland and *(c)* other European destinations in each of the last five years. [144216]

Mr. Spellar: Translink has advised that all rail freight carried from Northern Ireland in the last five years went to the Republic of Ireland. The quantities carried in each of the last five years were as follows:

	Tonnes
1998	52,300
1999	72,200
2000	48,700
2001	43,900
2002	26,500

Remicade

Lady Hermon: To ask the Secretary of State for Northern Ireland how many people in Northern Ireland are waiting for treatment with Remicade; and how many of these people have been waiting *(a)* less than six months, *(b)* between six and 12 months, *(c)* between 12 and 18 months, *(d)* between 18 and 24 months and *(e)* longer than 24 months. [144387]

Angela Smith: Remicade is one of the specialist medicines, known as biologic therapies, used for the treatment of severe rheumatoid arthritis. Information in relation to the number of people waiting for all biologic therapy treatment and the length of time they have been waiting is as follows:

Rheumatoid Arthritis	*Number*
Less than six months	89
Between six and 12 months	91
Between 12 and 18 months	77
Between 18 and 24 months	79
Longer than 24 months	53

The decision as to whether to prescribe Remicade or another medicine for the treatment of an individual patient is a matter for clinical judgment and is the individual responsibility of the prescriber at the time when treatment is to commence.

Road Accidents

Lady Hermon: To ask the Secretary of State for Northern Ireland how many *(a)* fatal and *(b)* non-fatal road accidents there were on the A2 Bangor to Belfast road in each of the past five years; and what steps he is taking to reduce such accidents. [143586]

Mr. Spellar: I have asked the Chief Executive of Roads Service to write to the hon. Lady in response to this question. A copy of the letter will be placed in the Library.

Road Congestion

Lady Hermon: To ask the Secretary of State for Northern Ireland what plans he has to introduce tolls on roads in Northern Ireland; and if he will make a statement on the steps he is taking to tackle road congestion in Northern Ireland. [143818]

Mr. Spellar: The Regional Transportation Strategy (RTS) for NI 2002–2012, whose strategic direction and underlying principles were endorsed by the Assembly in July 2002, contains no proposals to introduce tolling in NI. It does, however, contain a commitment to monitor the impacts of fiscal demand management measures, such as road user charging.

In the meantime, the issue of road congestion is being addressed as part of the wider transportation picture set out in the RTS. The RTS proposes that congestion be tackled through selected highway improvements and measures designed to encourage greater use of public transport, walking and cycling facilities. Overall it envisages £427 million in strategic highway improvements, £250 million on rail services, £98 million on bus services and "park and ride" in Belfast and almost £40 million on making it easier to walk or cycle. The actual level of resources invested in transportation will, however, depend on the normal budgetary processes, satisfactory economic appraisals and satisfactory progress through statutory processes (where relevant).

The RTS will be progressed through three Transport Plans—the Regional Strategic Transport Network Transport Plan, the Belfast Metropolitan Transport Plan and the Sub-Regional Transport Plan. The first two plans have reached an advanced stage with 'Emerging Plans' being subject to separate working conferences earlier this year. Both plans are expected to be published in the first half of 2004.

Road Haulage Industry

Mr. Beggs: To ask the Secretary of State for Northern Ireland how many tonnes of freight were transported by road within Northern Ireland by goods vehicles over 3.5 tonnes in each of the last five years. [144221]

Mr. Spellar: Figures for the Continuing Survey of Road Goods Transport are as follows:

Year	*Tonnes*
1998	4,1232
1999	4,5519
2000	4,5692
2001	3,5089
2002	4,8116

WORK AND PENSIONS

Housing Benefit

Mr. Hayes: To ask the Secretary of State for Work and Pensions what discussions he has had with private landlords regarding proposals to pay housing benefit directly to tenants; and what the outcome of those discussions was. [145297]

Mr. Pond: The Department consulted both formally and informally on the Government's proposals for a Local Housing Allowance (LHA), which is now in operation or about to go-live in 9 "Pathfinder" local authorities.

The formal consultation exercise was, as is customary, conducted through the Social Security Advisory Committee (SSAC). The Committee received 73 responses from both individuals and organisations with an interest in the LHA reforms, including representative bodies of landlords. SSAC made a number of recommendations, to which the Government responded. The relevant Command Paper, 5955 was presented to Parliament on 24 September 2003 and is available in the Library.

Additionally, Ministers and officials have received numerous informal representations about the Allowance. Many have been from landlords who have concerns about our decision to remove routine direct payments to them. We welcome this feedback and we are now encouraging it routinely in newsletters that the Department issues to landlords and welfare groups in the Pathfinder areas. We remain committed to the idea of making payment of Benefit to the tenant where possible in order to encourage them to take more personal responsibility for managing their affairs.

Discussions are ongoing and the views and experiences of landlords will form an important part of the Department's evaluation of the Local Housing Allowance.

Interest Rates

Mr. Stunell: To ask the Secretary of State for Work and Pensions what plans he has to bring calculations of claimants' notional rates of interest on savings into line with current average building society and bank deposit account interest rates. [142297]

Mr. Pond: The tariff income rules, whereby money is deducted from benefit in respect of capital, are not intended to represent any rate of return that could be obtained from investing that capital.

The capital rules within the income related benefits exist to ensure that help is targeted on those with least resources while not completely denying help for those who have moderate amounts of capital. Where customers have substantial capital, current rules ensure that some of those funds are used for their maintenance before their needs can be met from public funds. The tariff income rules are designed to avoid a "cliff edge" effect which would occur if there was a simple capital limit beyond which benefit is completely withdrawn.

We have made it clear that we will keep the treatment of capital in the income related benefits under review so that they strike a reasonable balance between providing targeted support for those who need it and not penalising those who have acted responsibly by saving.

Pensioner Poverty

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what time-frame he has set for ending pensioner poverty. [145110]

Malcolm Wicks: One of the Government's key priorities is to tackle pensioner poverty. We want all pensioners to have a secure income in retirement and to share in the rising prosperity of the country.

Our strategy is already working. Compared with the 1997 system, as a result of Government measures, from April 2004, on average pensioner households will be £1,250 a year better off in real terms. Our target is, that by 2006, Pension Credit should be in payment to at least 3 million pensioner households.

In addition, we also recognise the need for long-term solutions. Our proposals in Action on Occupational Pensions—Working and Saving for Retirement contain measures for reform to address the issues faced by an ageing population.

Age Discrimination

Sandra Gidley: To ask the Secretary of State for Work and Pensions (1) how many employers have adopted the voluntary Code of Practice on Age Diversity in Employment; [143855]

(2) what estimate he has made of the number of companies which have had a recruitment policy which is disposed against the employment of older workers, in each year since 1997. [143882]

Malcolm Wicks: The information requested is not available. However, research shows that in the 18 months after the introduction of the code in June 1999 that awareness of the code rose from 14 per cent. to 37 per cent. of employers, and the proportion of employers who reported that age was considered as a selection criterion when recruiting fell from 27 per cent. to 13 per cent. We will be commissioning further research with employers in the coming year.

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what steps his Department is taking to persuade employers of the economic benefits of having an age-diverse workforce. [145108]

Sandra Gidley: To ask the Secretary of State for Work and Pensions what steps the Government are taking to promote the Age Positive campaign among *(a)* employers and *(b)* older people. [143937]

Malcolm Wicks: The Government are committed to extending opportunities for older workers and to introducing age discrimination legislation in 2006. Under the legislation, compulsory retirement ages are likely to be unlawful unless employers can show that they are objectively justified.

In the meantime, our Age Positive campaign is encouraging employers to adopt non-ageist employment practises. Through Age Positive, we are promoting the business benefits of an age diverse workforce by encouraging employers to adopt the voluntary Code of Practice, "Age Diversity at Work, A Practical Guide For Business". Over 750,000 copies of the Age Positive Code have been issued to employers and individuals and it is available on the Age Positive website, which has 75,000 visits per month.

The Age Positive campaign is widely promoted to employers and individuals through advertising, the website and press features in national, local and specialist publications and at exhibitions and workshops for employers. Age Positive awards help to further publicise the achievements of businesses and individuals who conquer age prejudice.

Age Positive also works closely with organisations such the Federation of Small Businesses, Employers Forum on Age, Institute of Directors, TUC, CBI and Age Concern.

Bank and Post Office Card Accounts

Mr. Drew: To ask the Secretary of State for Work and Pensions what advice he has offered to those using Jobcentres in the use of bank accounts and Post Office Card Accounts for their payments. [144289]

Mr. Pond: The purpose of the information campaign supporting the move to Direct Payment is to ensure that customers choose the account option that best meets their needs and circumstances.

In the case of Jobseekers, we believe they will be better prepared for employment if they already have a current or basic bank account into which their employer can pay their wages, which the Post Office card account does not allow.

Benefit and Pensions Payment

Mr. Webb: To ask the Secretary of State for Work and Pensions whether those customers invited to transfer to direct payment who *(a)* do not reply and *(b)* reply and decline a direct payment option will be automatically transferred to the exceptions service; and if he will make a statement. [143087]

Mr. Pond: We will be further contacting customers who continue to be paid by order book. Any customers who cannot open or operate a bank account, or fail to respond to our mailing will continue to be paid by their current method of payment.

Our plan is to design an exceptions method of payment to properly meet the needs of those customers who are unable to operate an account. Detailed arrangements for this method of payment are not finalised yet, but it is anticipated that it will be a cheque-based solution. Payment outlets will include Post Office branches. We are in the process of discussing the design of the exceptions method of payment with the representative bodies most directly affected.

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions what priorities he has set in relation to increasing direct payment of benefits and pensions. [143208]

Mr. Pond: The Department has a published Public Service Agreement target that by 2005, 85 per cent. of customers will have their benefits paid by Direct Payment.

The move to Direct Payment is progressing well. Key figures on the progress of conversion to Direct Payment are available in the Library updated every four weeks.

Benefit Claims

Annabelle Ewing: To ask the Secretary of State for Work and Pensions what plans he has to improve the operation of procedures for claiming *(a)* incapacity benefit and *(b)* disability living allowance. [142276]

Maria Eagle: We keep all of our procedures for claiming benefits under review and make changes where appropriate to existing processes and claim forms to ensure that all our customers receive the best possible service.

The Disability and Carers Service has embarked upon a major programme of process simplification and re-engineering, including substantially modernised information technology, which aims to produce a much improved service to its customers over the next three years. It is presently trialling an improved claim form for disability living allowance customers and expects to introduce an internet based claim form in 2004.

Benefit Payments

Mr. Hoyle: To ask the Secretary of State for Work and Pensions whether individuals are permitted to cash giros at post offices after 2 pm. [144971]

Mr. Pond: Individuals are permitted to cash a valid, uncrossed Girocheque at any time when a post office is open for business.

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions (1) what evaluation he has made of the social benefits to *(a)* individuals and *(b)* local communities of direct payment of benefits and pensions through (i) Post Office accounts and (ii) bank accounts; [143203]

(2) what assessment he has made of the relative *(a)* availability and *(b)* accessibility of (i) banks and (ii) post offices in relation to the payment of benefits and pensions; [143204]

(3) what assessment he has made of the effect on *(a)* urban and *(b)* rural regeneration of the policy on direct payment of benefits and pensions. [143205]

Mr. Pond: The move to Direct Payment and the introduction of universal banking services has resulted in a number of benefits for individuals and the communities in which they live, particularly in terms of increasing customer choice, helping to address financial exclusion and improving access to banking for all.

The new arrangements ensure a more modern, efficient and reliable service that increases customer choice, provides better value for the taxpayer, cuts fraud, and boosts financial inclusion. More customers are now paid into an account than by order book or girocheque.

Customers have more choice about where and when they collect their money and there are a range of accounts that people can access at Post Office branches. There are a number of advantages to having a bank or building society account and over 85 per cent. of DWP customers already have access to a suitable account with the figure rising to 90 per cent. for pensioners. But this currently leaves around 3.5 million adults in the UK without access to a bank account and not able to take advantage of, for example, the savings to utility bills that come through making payments by Direct Debit from an account. Direct Payment will help spread financial inclusion by increasing the number of people who have bank accounts and giving them opportunities to benefit—this includes the new easy to operate basic bank accounts.

New banking services, including the introduction of the Post Office card account, are central to the Post Office management's strategy for the network. For example, 20 million bank customers can now access their current accounts electronically in Post Office branches. Banking at Post Offices has enabled banking to return to many rural areas where the last bank branch was closed many years ago. It has also introduced banking services into many deprived urban areas for the first time.

The Government are providing significant investment for the Post Office network—some £2 billion in total during the five year period from April 2003, including £450 million to support the rural network until 2006. In addition the Government have instructed the Post Office to prevent avoidable closures in the rural Post Office network.

Bereavement Benefit

Julie Morgan: To ask the Secretary of State for Work and Pensions how many people were refused bereavement benefit in *(a)* 2000–01, *(b)* 2001–02 and *(c)* 2002–03; and what the reasons given were for refusal, broken down by (i) numbers and (ii) percentages. [145225]

Mr. Pond: The information is not available.

Child Support

Vera Baird: To ask the Secretary of State for Work and Pensions (1) when the new system for calculating child maintenance will be implemented with regard to existing cases; [144849]

(2) what steps he is taking to remove differences in treatment of child support assessments between existing and new cases. [144857]

Mr. Pond: We will make a decision on the transfer of old scheme cases once we are sure that the new scheme is working well.

Vera Baird: To ask the Secretary of State for Work and Pensions in what order the process of moving Child Support Agency maintenance cases onto the new system of assessment will be introduced in the regions. [144850]

Mr. Pond: I refer the hon. Member to the Written Answer I gave the hon. Member for Wycombe (Paul Goodman) on 3 December 2003, *Official Report*, column 83W.

Mr. Goodman: To ask the Secretary of State for Work and Pensions (1) what estimate he has made of the number of people paying child support under the new scheme who will be overpaying for *(a)* a year, *(b)* two years, *(c)* three years, *(d)* four years and *(e)* five years as a result of phasing in; [143519]

(2) what estimate he has made of the average amount per year which people paying child support under the new scheme will be overpaying as a result of phasing in. [143522]

Mr. Pond: No one will overpay as a result of phasing. The phasing provisions are set in legislation. They give parents who have existing child support assessments time to adjust to the new amounts.

Mr. Goodman: To ask the Secretary of State for Work and Pensions (1) what estimate he has made of the loss incurred by each parent each month whose Child Support Agency case is not transferred from the old to the new scheme; [143520]

(2) whether parents who are incurring losses as a result of Child Support Agency cases not being transferred to the new scheme are entitled to compensation; and if he will make a statement. [143521]

Mr. Pond: Until the new scheme legislation is commenced for the bulk of the old scheme caseload, old scheme cases remain subject to the old rules, and so the question of loss does not arise.

Child Support Agency

Mr. Goodman: To ask the Secretary of State for Work and Pensions, (1) if he will make a statement on the work involved in transferring old Child Support Agency cases to the new scheme; [140878]

(2) what plans he has to change the rules which detect anomalies, inaccuracies and incomplete data in the Child Support Agency's new scheme; and if he will make a statement; [140900]

(3) what percentage of the Child Support Agency cases waiting to be transferred from the old to the new scheme contain anomalies, inaccuracies and incomplete data; [140880]

(4) how many anomalies, inaccuracies and pieces of incomplete data are contained in the Child Support Agency records of the cases waiting to be transferred from the old to the new scheme; [140882]

(5) how long he expects the work needed to bring records of Child Support Agency cases up to a standard acceptable for transfer to the new scheme to take; and if he will make a statement; [140899]

(6) what proportion of the anomalies, inaccuracies and incomplete data contained in the Child Support Agency records of the cases waiting to be transferred from the old to the new scheme require human intervention; and if he will make a statement. [140879]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member.

Letter from Doug Smith to Mr Paul Goodman, dated 18 December 2003:

In replying to your recent Parliamentary questions about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked about the work involved in transferring old Child Support Agency cases to the new scheme. You also asked a number of related questions as follows:

> What proportion of the anomalies, inaccuracies or incomplete data contained in the Child Support Agency records of cases waiting to be transferred from the old to the new scheme require human intervention.
>
> What percentage of the Child Support Agency cases waiting to be transferred from the old to the new scheme contain anomalies, inaccuracies or incomplete data.
>
> How many anomalies, inaccuracies or incomplete data are contained in the Child Support Agency records of the cases waiting to be transferred from the old to the new scheme.
>
> How long will it take to do the work needed to bring records of Child Support Agency cases up to a standard acceptable for transfer to the new scheme.

and

What plans the Secretary of State has to change the rules which detect anomalies, inaccuracies or incomplete data in the Child Support Agency's new scheme; and if he will make a statement.

The existing computer system contains little validation around data entry and we have been progressively working through certain fields to ensure that apparent anomalies, inaccuracies or incomplete data are corrected. In designing and developing computer support for the new Child Support arrangements we created a series of 'business rules' designed to ensure the accuracy of data flowing from one system to the other. We have not yet finalised our data migration strategy or the timetable for that work. In doing so we will need to establish what business rules are applied at the point of migration and what data cleanse activity might sensibly be deferred until later in the process. In making this judgement our prime aim will be to ensure that clients gain the most accurate possible calculation and have a clear and responsive channel open to them to challenge and/or correct any errors. It is not possible to provide the further detail you require in advance of finalising our migration plans.

Mr. Chope: To ask the Secretary of State for Work and Pensions whether it is the policy of his Department that officials of the Child Support Agency should seek to discourage their dissatisfied customers from seeking redress through their hon. Member; and if he will make a statement. [141516]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. Christopher Chope:

In replying to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked whether it is the policy of the Department for Work and Pensions that officials of the Child Support Agency seek to discourage their dissatisfied customers from seeking redress through their honourable Member.

The Child Support Agency certainly does not have a policy of seeking to discourage their dissatisfied customers from seeking redress through their Member of Parliament. Instead it has a policy of providing customers with the necessary information to enable them to make a complaint effectively. To this end the Agency has published a leaflet "How to complain about the Child Support Agency" advising customers of their rights and procedure to follow if they have a complaint about the service it provides. This leaflet is freely available from any local office of the Department or by contacting the National Enquiry Line; it is also available via the Agency's web site on the Internet.

The leaflet includes guidance about contacting Members of Parliament for advice. It also describes the circumstances under which the Agency would consider making a special payment and signposts the customer to the "Financial Redress for Maladministration" booklet published by the Department.

Mr. Webb: To ask the Secretary of State for Work and Pensions what plans he has to transfer the old CSA caseload to the new system; and if a new application will be required. [143089]

Mr. Pond: We will make a decision on the transfer of old scheme cases once we are sure that the new scheme is working well. A new application will not be required.

Mr. John Taylor: To ask the Secretary of State for Work and Pensions if he will make a statement about the performance of the Child Support Agency; and if he will cause replies to be made to Mrs. Samantha Mucklow of Solihull. [143491]

Mr. Pond: The administration of the Child Support Agency is a matter for the Chief Executive, Mr. Doug Smith. He will write to the hon. Member with the information requested.

Letter from Doug Smith to Mr. John Taylor:

In replying to your recent Parliamentary question about the Child Support Agency the Secretary of State promised a substantive reply from the Chief Executive.

You asked the Secretary of State for Work and Pensions, if he will make a statement about the performance of the Child Support Agency; and if he will cause replies to be made to Mrs Samantha Mucklow of Solihull.

A report on the performance of the Child Support Agency was placed in the Library on the 18th November 2003.

As individual cases are confidential I will write to you privately concerning Mrs Mucklow, when I reply to your letter of 28th November 2003.

Bob Spink: To ask the Secretary of State for Work and Pensions when he estimates that Child Support Agency cases existing prior to 3 March will be transferred to the new scheme. [145159]

Mr. Pond: We will make a decision on the transfer of old scheme cases once we are sure that the new scheme is working well.

Child Trust Fund

Mr. George Osborne: To ask the Secretary of State for Work and Pensions whether the beneficiary of a Child Trust Fund will have the savings in the fund taken into consideration when an assessment is made for Jobseeker's Allowance. [141705]

Mr. Pond: I refer the hon. Member to the reply given to the hon. Member for Newcastle upon Tyne, Central (Mr. Cousins) on 15 December 2003, *Official Report*, columns 686–87W.

Correspondence

Mr. George Osborne: To ask the Secretary of State for Work and Pensions when he expects to reply to the letters from the honourable Member for Tatton to the Minister for Pensions of 12 March and 25 April. [145132]

Malcolm Wicks: I regret we have no record of having received the hon. Member's letters. If he would forward copies I will arrange for them to be considered urgently.

Council Tax Benefit

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions how many pensioners in Blackpool received council tax benefit in the last year for which figures are available. [141340]

Mr. Pond: The number of households where the recipient and/or their partner was aged 60 or over, and was in receipt of council tax benefit from Blackpool Borough Council at August 2003, is 7,700.

Notes:

1. The data refer to households claiming housing benefit, which may be a single person, a couple or a family.
2. The figure is rounded to the nearest hundred.
3. Figures exclude any Second Adult Rebate cases.

Source:

Housing Benefit and Council Tax Benefit Management Information System Quarterly 100 per cent. caseload stock-counts.

Mr. Gordon Marsden: To ask the Secretary of State for Work and Pensions what recent discussions his Department has had with *(a)* other Government Departments, *(b)* voluntary sector organisations and *(c)* local authorities on measures to improve take-up of council tax benefit among pensioners. [141363]

Mr. Pond: There have been a number of discussions between officials of this Department, the Office of the Deputy Prime Minister and representatives of the Local Authority Associations. In addition, Ministers have met with the Local Government Association and with Help the Aged, following their report on "The impact of council tax on older people's income".

On Monday 15 December 2003, we announced a campaign to further support local authorities in their statutory duty to promote take-up of council tax benefit. On the same day, departmental officials wrote about the campaign to the National Assembly for Wales and the Wales Office; the Scottish Executive and the Scotland Office; voluntary sector organisations and other advisory groups with an interest in take-up such as Help the Aged, Age Concern and Shelter; and Local Authority Associations.

Mr. Coleman: To ask the Secretary of State for Work and Pensions what representations he has received regarding council tax benefit restrictions; and if he will make a statement. [143859]

Mr. Pond: We have received several representations from local government and voluntary agencies, such as Help the Aged, regarding the council tax benefit restriction.

As we announced on 15 December 2003, *Official Report*, columns 125–26WS, we have decided to abolish the council tax benefit restriction from April 2004.

Departmental Hospitality

Mr. Webb: To ask the Secretary of State for Work and Pensions what his Department's hospitality budget was for *(a)* 2003–04 and *(b)* each of the last six years; and if he will provide a breakdown of the expenditure by main budget heading. [141524]

Mr. Browne: Information is not available in the format requested. Such information as is available is set out in the following table.

All expenditure on official hospitality is made in accordance with published departmental guidance on financial procedures and propriety, based on the principles set out in Government Accounting. It is typically incurred by the various DWP Businesses to mark the launch of significant initiatives—for example: the introduction of New Deal 50+; the national introduction of New Deal for Partners; launching call centres for jobseekers; implementation of Employment Zones; and launch of ONE pilots in conjunction with local authorities and the private and voluntary sectors.

The Department does not allocate specific budgets for official hospitality and it is not possible to provide expenditure information back to 1997–98 for the Department for Work and Pensions, which has existed only since 1 April 2001. The figures for 2001–02 and 2002–03 therefore are the only expenditure figures relating to the Department for Work and Pensions.

In order to provide figures which are reasonably comparable, information for the earlier years has been provided by combining expenditure on "official hospitality" by the former Department of Social Security (DSS), and on "official entertainment" by the former Employment Service (ES) which, together with relatively small numbers of staff from the Employment Policy Divisions of the former Department for Education and Employment (DFEE), combined to form the new Department for Work and Pensions. However, the expenditure incurred by the Employment Policy Divisions of DFEE is not separately identifiable.

Estimated expenditure[1] on official hospitality on this basis is as follows:

[1] Figures rounded to the nearest £000.

	£	
1997–98	46,000	DSS + ES
1998–99	86,000	DSS + ES
1999–2000	327,000	DSS + ES
2000–01	127,000	DSS + ES
2001–02	155,000	DWP
2002–03	250,000	DWP

Note:

Outturn figures for 2003–04 will be available in spring 2004.

Disability Living Allowance Fraud

Mr. Donohoe: To ask the Secretary of State for Work and Pensions what checks the Government have in place continually to assess a person's eligibility for the disability living allowance in order to protect the system against fraudulent claims. [141960]

Mr. Pond: The DLA Periodic Enquiry has introduced checks of Disability Living Allowance awards to ensure that those entitled to the benefit receive, and continue to receive, their correct entitlement, although it is not regarded primarily as an anti fraud measure.

The process involves gathering up-to-date evidence about the customer's care and mobility needs, and making adjustments to the award of the benefit where appropriate. Changes in awards may be appropriate for example where the customer's condition improves or worsens, or where they adapt to their disability and therefore have fewer needs. Since the inception of Periodic Enquiry, 70 per cent. of the cases examined have resulted in no change to entitlement. Of the 30 per cent. of cases where the level of entitlement changed, two thirds resulted in entitlement to a higher level of award and in the remaining one third of cases entitlement either reduced or was extinguished altogether.

E-mail

Linda Gilroy: To ask the Secretary of State for Work and Pensions how many inquiries his Department have received from pensioners by e-mail in each of the last three years. [143525]

Malcolm Wicks: From December 2002 to November 2003 a total of 21,806 emails were received from pensioners through our website. This figure does not include emails sent directly to The Pension Service Chief Executive's office, Ministers'offices, or other departmental email addresses that pensioners may have obtained through sources other than our website. Figures fore-mail correspondence are unavailable before December 2002.

Employment Retention and Advancement Project

Mr. George Osborne: To ask the Secretary of State for Work and Pensions what the *(a)* status of and *(b)* timescale for completion of the Employment Retention and Advancement Project is. [145117]

Mr. Browne: The Employment Retention and Advancement Project went live on 27 October 2003 in the following Jobcentre Plus districts:

South East Wales;
North East London;
Renfrewshire, Inverclyde, Argyll and Bute;
Gateshead and South Tyneside;
Derbyshire.

Manchester will begin delivering the programme on 5 January 2004.

The Employment Retention and Advancement Scheme will recruit customers for one year and the programme will run for three years. The programme will end in July 2007 except in Manchester where it will end in September 2007.

Exceptions Service

Lembit Öpik: To ask the Secretary of State for Work and Pensions whether claimants who have failed to respond to the Government's Direct Payment invitation letter before 2005 will be automatically transferred to the exceptions service; and what criteria will need to be met to qualify for the exceptions service. [144113]

Mr. Pond: We will be further contacting customers who continue to be paid by orderbook.

We have always recognised that there will be a small number of people who we cannot pay directly into an account. Our plan is to design an exceptions method of payment to properly meet the needs of customers in these circumstances. It is anticipated that it will be a cheque-based solution. Payment outlets will include Post Office branches. We are in the process of discussing the design of the exceptions method of payment with the representative bodies most directly affected.

Fair Trade Products

Mr. Bercow: To ask the Secretary of State for Work and Pensions whether it is the policy of his Department to use fair trade products, as a matter of course, in *(a)* sales on Departmental premises and *(b)* receptions and meetings involving staff and visitors. [142801]

Maria Eagle: The Government are committed to supporting the Fairtrade Foundation's efforts in promoting the supply and marketing of Fairtrade products. Where practicable, the Department aims to purchase sustainable goods for sale on departmental premises and for receptions and meetings.

We are currently discussing with our estates partner, LandSecurities Trillium, the feasibility of introducing a target to increase the supply of Fairtrade goods. However, in offices that do not have catering facilities, this is wholly dependent on the availability of Fairtrade goods through small local suppliers.

Financial Services Industry

John Barrett: To ask the Secretary of State for Work and Pensions what discussions he has had with representatives of the UK financial services industry regarding the transfer of jobs abroad; and if he will make a statement. [142838]

Ms Hewitt: I have been asked to reply.

I am in regular contact with the financial services industry, as with many other sectors. In relation to the transfer of jobs abroad, we need to understand better what is happening, and to this end we have launched a consultation document inviting views from businesses—including those from the financial services industry, employees and their unions, and consumer groups. We will also be holding a round-table seminar in the New Year, to help inform the debate on the impacts of offshoring. The Government are also an observer on the Scottish Financial Services Strategy Group, recently set up by the Scottish Executive, which has a remit to boost financial services in Scotland and is also considering the impacts of outsourcing.

Guaranteed Minimum Pension

Mr. Woodward: To ask the Secretary of State for Work and Pensions what plans the Government have to re-instate the full guaranteed minimum pension for members of final salary schemes where the assets of the scheme are insufficient to buy the full amount of guaranteed minimum pension when the scheme is wound-up. [144076]

Malcolm Wicks: Members of contracted-out occupational pension schemes can already, in certain circumstances, have some or all of their state scheme rights restored for the period they were contracted-out.

Deemed buyback—the mechanism for restoring members' guaranteed minimum pensions—was introduced as part of the Pensions Act 1995. Deemed buyback can be applied when the date the scheme started to wind up is on or after 6 April 1997. It is dependant on the scheme meeting certain conditions.

Where deemed buyback applies, the Inland Revenue can accept a lower amount from underfunded schemes than it would normally cost to restore the individual's rights in the state scheme. The actual transfer value held for each scheme member for whom deemed buyback applies is paid to the Inland Revenue, with the result of either the remainder being "deemed", or the member's rights being partially instead of fully restored, thereby extinguishing the scheme's liability to provide the member with contracted-out benefits.

The final decision to buyback into the state scheme will be taken by the individual scheme member.

Mr. Woodward: To ask the Secretary of State for Work and Pensions (1) what estimate the Government have made of the *(a)* proportion and *(b)* number of people who are entitled to a guaranteed minimum pension from their contracted-out final salary pension schemes who will not receive their full entitlement due to the winding up of their employer's final salary pension scheme; [144077]

(2) what estimate the Government have made of the number of people who are entitled to a guaranteed minimum pension from final salary pension schemes that *(a)* have been wound up and *(b)* are being wound up by (i) solvent and (ii) insolvent employers. [144081]

Malcolm Wicks: It is not possible to provide accurate estimates of the number of people entitled to a guaranteed minimum pension or those who might not receive their full entitlement in these circumstances. In order to produce such estimates, data on individual schemes' funding positions would be required. However, detailed information on this area is not available from existing data sources. Funding position information is particularly hard to obtain, given that it is highly sensitive to investment decisions and conditions in financial markets.

The Pensions Schemes Registry (PSR), administered by the Occupational Pension Schemes Regulatory Authority (OPRA), holds information on the number of final salary schemes which are currently in the winding-up process and the number of schemes which have entered and completed winding-up. The registry database is, however, limited in a number of ways as described in the following footnote. Consequently, it does not provide a continuous record of the status of schemes, though it nevertheless remains the most comprehensive source of information available on the aggregate number of pension schemes in the UK.

Note:

The Pension Schemes Registry (PSR) is not designed or intended to provide a comprehensive or continuous statistical record of the status of schemes. The PSR registers schemes for tracing purposes and collects the levy from pension schemes, including those in the process of winding-up. New scheme data are being reported to the PSR on a continuous basis. Therefore, the figures are subject to continuous revision. When a scheme has changed status, the previous status of the scheme is not recorded on the registry. Schemes have up to 12 months to notify OPRA of any status change.

Incapacity Benefit

Mr. George Osborne: To ask the Secretary of State for Work and Pensions [pursuant to his answer to the right hon. Member for Newcastle upon Tyne East and Wallsend, of 1 December, *Official Report*, column 14W], what plans he has to invite *(a)* private companies and *(b)* voluntary organisations to pilot incapacity benefit programmes. [144602]

Maria Eagle: Plans for the Incapacity Benefit Reforms pilots have already been put in place and the first three began operations on 27 October; planning for the next four pilot areas is well-advanced and operations will commence in April 2004. The pilots are managed and run by Jobcentre Plus. From January 2004 one key element of the reforms, the condition management programmes, will be delivered in collaboration with NHS Primary Care Trusts (local health boards, in Wales). In some pilot areas the NHS may decide to contract with local providers from the private/voluntary sector in order to meet service demands.

The New Deal for Disabled People continues to support people on incapacity benefits into employment with a national network of Job Brokers. Organisations offering Job Broker services come from the public, private and voluntary sectors.

National Employment Panel

Mr. Boswell: To ask the Secretary of State for Work and Pensions if he will publish the recommendations of the National Employment Panel for helping those on inactivity benefits back to work. [144934]

Mr. Browne: The National Employment Panel published their recommendations for increasing the numbers of lone parent who get, stay and progress in work in April this year in the report "Work Works". A copy has been placed in the Library.

New Deal

Mr. George Osborne: To ask the Secretary of State for Work and Pensions for how long participants of the New Deal programme are tracked following completion of the programmes; and what independent assessment of the effectiveness of the timescale for tracking participants has been undertaken. [144596]

Mr. Browne: The tracking period for recording information on the destinations of leavers from New Deal programmes is 13 weeks. An independent assessment of the effectiveness of this tracking period has not been conducted, although research on the New Deal programme has been conducted by independent organisations, including that undertaken by the Policy Studies Institute and British Market Research Bureau (ESR67, March 2001), which is available in the Library.

On the 16 December 2003, we announced the launch of the Work and Pensions Longitudinal Study which will link benefit and programme information held by this Department with employment records from the Inland Revenue. This work will improve our understanding of what happens in the longer term to people who leave our programmes, including the New Deal. We are also conducting a study to provide further information on New Deal unknown destinations and expect to publish the report on this survey next year.

Mr. George Osborne: To ask the Secretary of State for Work and Pensions what the average cost per place was in the last 12 months of participants on *(a)* the New Deal for Young People, *(b)* the New Deal for Lone Parents and *(c)* the New Deal for Disabled People. [144597]

Mr. Browne: The New Deals are designed to ensure that individuals get the help they need by offering a tailored package of provision. There is, therefore, no such thing as an average participant, thus data is not collected on the average cost per place.

However, as part of our evaluation of the New Deal programmes, average cost per additional job figures are available for New Deal for Young People participants; in 2000, we estimated that the average cost of a young person moving into work through the New Deal for Young People was around £4,000 per additional job.

In addition, cost benefit analysis published in June 2003 found that running the New Deal for Lone Parents in 2000–01 resulted in a net exchequer saving of £1,600 for each Lone Parent moving into work.

Equivalent estimates of cost per job are not available for the other New Deal programmes.

Mr. Jim Cunningham: To ask the Secretary of State for Work and Pensions what assessment he has made of the merits of reducing the time a person must be unemployed before being given New Deal 50 plus support. [145107]

Miss McIntosh: To ask the Secretary of State for Work and Pensions if he will make the help and advice offered by New Deal 50 plus available immediately rather than after a period of six months unemployment. [145126]

Mr. Browne: Currently around 75 per cent. of people claiming Jobseeker's Allowance aged 50 and over leave the benefit within the first six months. Therefore, New Deal 50 plus eligibility is set at six months to target help on those people who are in need of extra support to move into work.

Sandra Gidley: To ask the Secretary of State for Work and Pensions how many people have *(a)* applied for and *(b)* received the £1,500 in-work training grant offered by the New Deal 50 Plus. [143938]

Mr. Browne: Between April 2000 and March 2003 5,520 people applied for and received the in-work training grant offered by the New Deal 50 plus. Jobcentre plus Personal Advisers discuss and agree training plans with eligible clients before the training is undertaken, therefore all those making an application will receive a grant.

Mr. Gibb: To ask the Secretary of State for Work and Pensions pursuant to his answer of 8 December 2003, *Official Report*, column 325W, on New Deal for Young People, how many New Deal for Young People leavers moved into employment in each month between January 1998 and January 2003; and what his assessment is of the trend in the percentage of New Deal leavers moving into employment during that period. [144008]

Mr. Browne: The information has been placed in the Library.

New Deal for Young People has been successful in helping more than 460,000 young people into work. It has helped reduce youth unemployment to around its lowest level since the mid 1970s, and, together with our other welfare to work policies, has been instrumental in virtually eradicating long-term youth unemployment.

The percentage of people leaving New Deal for Young People for sustained employment may be distorted by the trend in leavers to unknown destinations, which has been steadily increasing since 1998. However, research undertaken on the destination of people leaving New Deal suggests that leavers to unknown destinations are just as likely to move into jobs as people leaving to known destinations i.e. 57 per cent.

On 16 December, we announced the launch of the Work and Pensions Longitudinal Study which will link benefit and programme information held by this Department with employment records from the Inland Revenue. This work will improve our understanding of what happens in the longer term to people who leave our programmes, including the New Deal. We are also conducting a study to provide further information on New Deal unknown destinations and expect to publish the report on this survey next year.

Payment Modernisation Project

Kate Hoey: To ask the Secretary of State for Work and Pensions (1) if he will place in the Library a copy of the document, Payment Modernisation Project, sent to field directors on 7 October by Mr. Alan Linton of Jobcentre Plus; [141420]

(2) what advice has been given to field directors on encouraging more Jobcentre Plus customers to move to direct payment. [141421]

Mr. Pond: The document has already been widely circulated to hon. Members-it is now placed in the Library as requested.

The Department has a published PSA target that by 2005 85 per cent. of customers will have their benefits paid by Direct Payment.

The primary purpose of this document was to act as a reminder to staff of the need to ensure that new Jobcentre Plus customers are paid by Direct Payment from the outset of their claim. The document was designed to equip staff with the factual information they need to provide to customers, in order for customers themselves to choose the account which best meets their needs and circumstances.

Pension Credit

Sir Robert Smith: To ask the Secretary of State for Work and Pensions how many of those in receipt of pension credit were not formerly receiving pensioners minimum income guarantee. [143361]

Malcolm Wicks: As at 30 November 2003 there were 302,000 Pension Credit households in Great Britain who were not formerly receiving the Minimum Income Guarantee.

Notes:

1. This figure was produced using data from the Generalised Matching Service (CMS), extracted at the week ending 14 November 2003 and up-rated to give an estimated figure at the end of November. Using end of November CMS data does not change the figure when rounding to the nearest thousand.

Source:

100 per cent. Generalised Matching Service (CMS) data.

Mr. Laws: To ask the Secretary of State for Work and Pensions what recent estimate he has made of the number of individuals who are eligible for pension credit; how many individuals receive pension credit in each region; and if he will make a statement. [143377]

Malcolm Wicks: The information is not available in the format requested. Information available as at the end of November, 2003 is set out in the following table.

Numbers eligible and receipt of pension credit by region

Government Office Region	*Estimated number of households eligible for pension credit*	*Pension credit recipients*
North East	250,000	125,000
North West	500,000	281,000
Yorkshire and the Humber	350,000	200,000
East Midlands	300,000	141,000
West Midlands	350,000	213,000
East	300,000	149,000
London	450,000	231,000
South East	350,000	205,000
South West	300,000	174,000
Wales	250,000	120,000
Scotland	400,000	217,000

Notes:

1. Figures have been rounded to the nearest thousand.

2. Figures are based on Generalised Matching Service (CMS) data.

3. Figures extracted weekend of 14/11/03 but rated up to give an estimated figure at end-November. Using end-November GMS data does not change the figures when rounding to the nearest thousand.

4. Figures are for geographic Government Office Region (GOR) which is consistent with the Family Resource Survey, i.e. recipients have been assigned to a GOR according to where they live.

5. Regional figures released in the December Progress Report published on 10 December are based on operational GORs.

Source:

IAD Information Centre, 100 per cent. sample

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions what estimate he has made of how much *(a)* single pensioners aged between 60 and 64, *(b)* single pensioners aged over 65, *(c)* pensioner couples aged between 60 and 65 and *(d)* pensioner couples aged over 65 will (i) receive and (ii) gain on average each week under the pension credit in each (A) constituency and (B) local authority area in Scotland. [143717]

Malcolm Wicks: The information has been placed in the Library.

Paul Flynn: To ask the Secretary of State for Work and Pensions what change there will be in the number of pensioner households and individuals who will qualify for pension credit in April 2004 as a result of the minimum income guarantee being increased in line with earnings while the savings threshold rises in line with prices. [144778]

Malcolm Wicks: We estimate that around 50,000 households will become newly entitled to pension credit in April 2004 following the increase in the pension credit guarantee credit and savings credit threshold.

Notes:

1. The figure is based on the Department's Policy Simulation Model, which makes use of 2001/2 Family Resources Survey data, projected forward to reflect changes in incomes, taxes and benefit rates to 2003/4, to estimate the extent of entitlement to pension credit for each benefit unit on the survey.

2. The estimate is subject to a significant margin of error and given the likely inaccuracy it has been rounded up to the nearest 50,000.

Mr. Stevenson: To ask the Secretary of State for Work and Pensions what he estimates *(a)* single pensioners and *(b)* pensioner couples will on average receive each week from pension credit in Stoke-on-Trent in 2003-04. [143878]

Malcolm Wicks: The information requested is not available in the format requested. Such information as is available is in the table.

Weekly average amount of pension credit in payment at the end of November 2003

£

Local Authority	*All Pension credit households*	*Pension credit households*	*Pension credit individuals*
Stoke-on-Trent	41.28	48.9	39.45

Notes:

1. Figures are based on 100 per cent. Generalised Matching Service (CMS) data.

Data at 14 November 2003 has been rated up to give month end estimates.

2. Local Authorities are assigned by matching postcodes against the relevant ONS postcode directory.

Source:

IAD Information Centre, 100 per cent. sample

Pension Rights (Business Transfer)

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions if he will include in the forthcoming Bill on company pensions proposals to assist employees whose pensions are affected by company take-over. [144969]

Malcolm Wicks: The Pensions Bill will include proposals to protect employees' on-going pension rights when affected by business transfer.

TUPE Regulations do not currently provide any protection for employees' on-going occupational pension rights when businesses transfer. However, proposed legislation will require transferee employers to provide transferred employees, who were in an occupational pension scheme with the transferor employer, with either a defined benefit, defined contribution or stakeholder pension scheme. In addition, if the transferee employer sets up a defined contribution or stakeholder scheme, they must match employees' contributions up to 6 per cent. with more from either party at their discretion.

The proposed debt on the employer regulations, published on 11 June 2003, will improve protection of employees' accrued rights if their scheme is wound up when their company is solvent. Legislation currently provides that, when a defined-benefit occupational pension scheme winds up, a deficiency in the pension fund becomes a debt on the employer. The proposed regulations will strengthen this protection by requiring that debt be calculated on the basis that a scheme wound up when the sponsoring employer is solvent should be able to meet the full costs of the rights accrued by scheme members.

Progress2Work

John Mann: To ask the Secretary of State for Work and Pensions how much Progress2Work has cost to date. [143751]

Mr. Browne *[holding answer 15 December 2003]*: Progress2work is one of a number of initiatives we are introducing to provide more help to those who face the greatest barriers to employment. The programme is being implemented in three stages from April 2002: the third and final stage of awarding contracts will be completed by March 2004.

To the end of November 2003, £9 million had been spent on contracted provision for Progress2work. This figure excludes departmental administrative costs, which are not separately identified from other departmental running costs.

Rent Service (Correspondence)

Sir Archy Kirkwood: To ask the Secretary of State for Work and Pensions if he will place in the Library *(a)* copies of his Department's correspondence since November 2001 with the Chief Executive of the Rent Service and *(b)* copies of the Chief Executive of the Rent Service's correspondence with the Rent Service's area manager for London. [143723]

Mr. Pond: Correspondence between the Department for Work and Pensions and the Rent Service is exempt from disclosure under the code of Practice on Access to Government Information. Correspondence is largely of a confidential nature, under Part 2 paragraph 2 of the Code of Practice on Access to Government Information, and to identify that correspondence which is not confidential would incur disproportionate cost.

Correspondence between the Chief Executive of the Rent Service's and the Rent Service's area manager for London is a matter for my right hon. Friend the Deputy Prime Minister as the Rent Service is an executive agency of his Department.

Retirement

Miss McIntosh: To ask the Secretary of State for Work and Pensions what plans he has to implement flexible retirement ages. [145127]

Malcolm Wicks: We are committed to extending opportunities for older workers. Our Green Paper 'Simplicity, Security and Choice: Working and Saving for Retirement', December 2002, outlined a number of incentives to help implement flexible retirement ages.

From 2005, we propose changing the tax rules to allow people to continue working for the sponsoring employer while drawing their occupational pension . We intend to introduce more generous increases for deferral of state pensions including the option of a lump sum payment.

From October 2006, we will implement age legislation covering employment and vocational training. This will include making compulsory retirement ages unlawful except in those cases where employers can show they are objectively justified. We will work with employers and representative groups to develop best practice and ensure that occupational pension rules do not discourage flexible working.

In addition to this our Age Positive Campaign will continue to work closely with employers promoting and building on the known business benefits of recruiting and retaining older workers as part of an age diverse workforce.

This is all part of our aim to encourage a flexible approach to retirement and reverse the 'cliff edge' by providing choice and opportunity for people to stay in work longer.

Miss McIntosh: To ask the Secretary of State for Work and Pensions what representations he has received on *(a)* a flexible retirement age, *(b)* full employment for over 65s who wish to remain in work and *(c)* the operation of New Deal 50 plus to make support available immediately rather than after six months. [145130]

Malcolm Wicks: Our Green Paper 'Simplicity security and choice: Working and saving for retirement', in December 2002 set out our proposals for supporting flexible retirement and greater choice and opportunity for people to work up to and beyond state pension age where they wish.

In response there was widespread support for flexible approaches to retirement, where that is based on individual choice and enables employers to retain experience and skills. Over 90 per cent. of respondents agreed with the proposal for individuals to be able to draw their occupational pension and continue working for the sponsor employer, with support coming from employers, individuals and representative organisations.

Through our Age Positive campaign employers are increasingly expressing their support for removing compulsory retirement ages. However, some employers feel that retirement ages should be retained; the Department for Trade and Industry has been consulting on proposals for age legislation covering employment and are currently assessing the responses to inform a further consultation in 2004 on draft regulations.

We have received a number of representations from organisations about the eligibility period for New Deal 50 plus. Currently, around 75 per cent. of people claiming Jobseeker's Allowance aged 50 or over leave the benefit within the first six months; New Deal 50 plus eligibility is set at six months to specifically help those people who are in need of extra support to move into work.

Social Fund

Mr. Love: To ask the Secretary of State for Work and Pensions what assistance the Government is providing to lone parents who are living below benefit levels as a result of loan repayments to the Social Fund. [144486]

Mr. Pond: The Social Fund is a vital source of support for people on low incomes, including lone parents.

The Budgeting Loan scheme provides interest-free loans, available to those receiving income support or income-based jobseeker's allowance for at least 26 weeks and who satisfy the qualifying conditions. In addition, Crisis Loans are made to people who are suffering an emergency or disaster where there is no other means of preventing a serious risk to the health of the applicant or a member of their family.

Repayment rates are set after taking account of deductions from benefit and all other debt repayment; where people find difficulty in meeting their loan repayments, they can apply to have their repayment terms reconsidered.

Mr. Love: To ask the Secretary of State for Work and Pensions what plans the Government has to replace the system of Social Fund loans with a grant system. [144487]

Mr. Pond: We are considering the case for further reform of the Social Fund. However, interest-free loans allow efficient use of available resources to help large numbers of people, and have proven to be an effective way of enabling those on low incomes to cope with budgeting needs or short-term emergencies.

In certain circumstances, non-repayable grants are available from the Social Fund. Community Care Grants are available for vulnerable people in a variety of circumstances. In addition the Social Fund provides grants to assist people with the costs associated with life events such as childbirth and bereavement.

Student Incomes

Mr. Cousins: To ask the Secretary of State for Work and Pensions if he will estimate the number of full-time students in households where *(a)* Income Support and *(b)* disability benefits are paid; and in how many cases in each year since 1997–98 the attribution of the value of loans, grants and bursaries has occurred. [142326]

Mr. Pond: No information is available for disability benefits. However, Disability Living Allowance is not an income related benefit, and is therefore payable to anyone who meets the criteria, including students.

The figures for numbers of students on income support are not available. The available information for students in receipt of a student loan and income support is in the table.

Great Britain, Income Support benefit units with income recorded from a student loan at May each year from 2000–03

	Number of benefit units
2000	500
2001	1,000
2002	1,000
2003	1,400

Notes:

1. Figures have been rounded to the nearest hundred.
2. Based on 5 per cent. sample and therefore subject to sampling variation.
3. Benefit units refers to cases with either the claimants and/or partner (if they have one) receiving income from a student loan.
4. Information is not available prior to 2000.

Source:

IAD Information Centre, 5 per cent sample.

Mr. Cousins: To ask the Secretary of State for Work and Pensions what changes he proposes to make to the social security rules compelling full-time students in households reliant on benefits to take out or be deducted the full value of grants, loans and bursaries, in the light of the Government's proposals for higher education funding. [142331]

Mr. Pond: The benefit rules are regularly updated in order to take account of changes to the student support system. We will continue to ensure that any payments in respect of fees and course-related expenses are disregarded in assessing benefits while ensuring that the benefits and student support systems do not duplicate each other in providing for maintenance costs.

Triplex Peterborough

Mrs. Helen Clark: To ask the Secretary of State for Work and Pensions what assessment he has made of the pension fund prospects for employees at Triplex Peterborough. [144968]

Malcolm Wicks: The Government is aware of the situation of the employees at Triplex Peterborough, but has not made an assessment of the pension fund prospects in question. However, we have great sympathy for the uncertainties they, and other workers in similar circumstances, are facing in regard to their pensions.

Winter Fuel Payment

Annabelle Ewing: To ask the Secretary of State for Work and Pensions how many winter fuel payment claim forms have been issued in 2003 in each constituency in Scotland other than Perth; and how many such forms have been submitted. [142655]

Malcolm Wicks: The information is not readily available in the format requested but will be provided to the hon. Member and placed in the Library when it becomes available. However for all the constituencies in Scotland, excluding Perth, 3,337 claim forms have been issued so far for this winter and of those 2,504 have been returned.

We are publicising the availability of Winter Fuel Payments and how to obtain a claim form. Those who need to claim for this winter have until 30 March 2004 to do so.

Notes:

Information to identify those likely to be entitled was extracted from the Departmental Central Index based on post codes.

Mr. Webb: To ask the Secretary of State for Work and Pensions how many winter fuel payment claim forms have been issued in 2003; and how many claim forms were submitted before 19 September 2003 in order for people to receive their payment before Christmas, broken down by *(a)* region and *(b)* constituency. [143081]

Malcolm Wicks: The information is not readily available in the format requested but will be provided to the hon. Member and placed in the Library when it becomes available. However, the number of claim forms issued so far to people in Great Britain likely to become entitled for the first time to a Winter Fuel Payment is 302,353 and 171,547 claim forms were returned before 19 September 2003.

We are publicising the availability of Winter Fuel Payments and how to obtain a claim form. Those who need to claim for this winter have until 30 March 2004 to do so.

Notes:

Information to identify those likely to be entitled was extracted from the Departmental Central Index based on post codes.

Work and Pensions Projects (St. Helens)

Mr. Woodward: To ask the Secretary of State for Work and Pensions which projects have been *(a)* wholly and *(b)* partly funded by his Department in St. Helens since 1997; when each project was announced; when it started or was expected to start; what funding was provided by (i) Government and (ii) a third party; what third party provided funding; what the target group of the project was; what the projected outcome of the project was; and what the name of the project was. [141274]

Mr. Browne: Action Teams for Jobs, which were announced in May 2000, aim to help jobless people in the most employment deprived areas of the country find and remain in work. The St. Helens Action Team for Jobs was started in October 2000; it is wholly funded by the Department for Work and Pensions, receiving an annual budget of £400,000.

St. Helens Action Team for Jobs is targeted at people in the following wards: Blackbrook; Sutton and Bold; Broad Oak; West Sutton; Parr and Hardshaw; and Queen's Park. The projected outcome was that the Action Team would find jobs for 280 people from the target group every year; so far the project has exceeded this target in each year. In the first nine months of 2003–04, the Action Team has helped 315 people into jobs.

The Department also spends money on many other regional and national projects which also benefit those living in St. Helens.

FOREIGN AND COMMONWEALTH AFFAIRS

Correspondence

Mr. Kaufman: To ask the Secretary of State for Foreign and Commonwealth Affairs when he will reply to the letter to him dated 10 November 2003 from the right hon. Member for Manchester, Gorton with regard to Mrs. M. Sam. [144639]

Mr. Mullin: My right hon. Friend the Foreign Secretary replied to my right hon. friend's letter of 10 November 2003 on 16 December 2003.

European Constitution

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met the hon. Member for Birmingham, Edgbaston (Ms Stuart) to discuss the European consititution. [144226]

Mr. MacShane: During the period of the Convention on the Future of Europe, my right hon. Friend the Foreign Secretary had several meetings with my hon. Friend the Member for Birmingham, Edgbaston (Gisela Stuart). Since the start of the Intergovernmental Conference, however, there have been no official meetings. I have had several conversations on Europe with my hon. Friend the Member for Birmingham, Edgbaston.

Mr. Rosindell: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Estonian Government concerning prospects for a referendum in Estonia on the European Constitution; and if he will make a statement. [144676]

Mr. MacShane: My right hon. Friend the Foreign Secretary has not discussed formally with the Estonian Government prospects for a referendum on the draft EU Constitutional Treaty. Our Embassy in Tallinn follows Estonian Government policy on this and other issues. The Estonian Government have said that it has no plans for a referendum.

Food Supplements Directive

Dr. Iddon: To ask the Secretary of State for Foreign and Commonwealth Affairs what information has been given to the British embassies in each of the Member and Candidate States of the European Union about the practical implications for the UK health food sector of the provisions of the Food Supplements Directive; what action each embassy has been instructed to undertake to support the achievement of UK policy objectives in relation to the setting of maximum permitted levels for nutrients in food supplements; and if he will make a statement. [144873]

Mr. MacShane: The Food Supplements Directive 2002 lays out a framework for the future setting of the maximum permitted levels of vitamins and minerals in food supplements. Following this, the European Commission has to make a proposal listing EU maximum permitted levels for vitamins and minerals in food supplements. It has not yet done so and we do not expect it to do so for another 2–3 years.

The UK continues to press its view—with the Commission and our EU partners—that maximum levels should be set on a safety basis. Our overseas posts have been kept informed of the follow-up to the Directive and have been asked to echo our general line with their own contacts.

Give as You Earn Scheme

John Barrett: To ask the Secretary of State for Foreign and Commonwealth Affairs how many and what percentage of staff in his Department contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff in his Department through the scheme; and what steps he is taking to encourage greater participation in the scheme by staff in his Department. [143902]

Mr. Mike O'Brien: The answer is as follows:

225 (3.8 per cent.) Foreign and Commonwealth Office staff contribute to a charity through the Give as You Earn scheme. The average total contribution is about £6,710 a month. In addition, many staff overseas give their time and money generously to local charities. We encourage staff to support their chosen charities through this scheme and have recently taken a number of steps to give it a greater profile, including information on the FCO intranet, a mail shot to all posts and dissemination of publicity posters.

Guantanamo Bay

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what discussions he has had with the Attorney-General on sending Crown Prosecutors to Guantanamo Bay to consider what charges might be brought against the British detainees. [144838]

Mr. Mullin: None. Any prosecution of the detainees in the UK would be a matter for the police and the Crown Prosecution Service.

Mr. Streeter: To ask the Secretary of State for Foreign and Commonwealth Affairs what contingency arrangements have been made for the transport of British detainees in Guantanamo Bay to the United Kingdom to stand trial. [144839]

Mr. Mullin: None. Discussions between the Government and the US Administration on the position of all the British nationals detained at Guantanamo Bay continue. We have discussed, and are discussing, a range of options with the US, including the possibility of repatriation. The question of whether there will be a prosecution in the UK is a matter for the police and Crown Prosecution Service.

Mr. Best: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on progress in the cases of the British prisoners held in Guantanamo Bay. [144331]

Mr. Mullin: Discussions between the Government and the US administration on the position of all the British nationals detained at Guantanamo Bay continue. As my right hon. Friend the Prime Minister said during Prime Minister's questions on 22 October (*Official Report*, Columns 632–633), " . . . there are two alternatives: either sufficient undertakings will be given about the form of trial that the detainees will have under a military commission, or they will be returned to the United Kingdom". We hope to resolve the situation soon.

Iraq

Michael Fabricant: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Iraq Survey Group is expected to make its *(a)* next report and *(b)* final report. [144031]

Mr. MacShane: There is no set timetable for reporting by the Iraq Survey Group.

Mrs. Heather Saunders

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs when he last met Mrs. Heather Saunders. [144227]

Mr. Mullin: My right hon. Friend the Foreign Secretary last met Mrs. Heather Saunders on 10 November 2003.

Northern Cyprus

[illegible]. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the outcome of the elections for the Turkish Republic of Northern Cyprus Parliament on 14 December. [144878]

Mr. MacShane: My right hon. Friend the Foreign Secretary issued a press statement the day after the elections in northern Cyprus. A copy of the statement is available on the Foreign and Commonwealth Office website: www.fco.gov.uk/policy/news/foreign-secretary.

We remain committed to seeking a comprehensive, just and lasting settlement in Cyprus on the basis of the UN plan. We urge all concerned to seize the opportunity presented by this election outcome. What is now required is a clear demonstration of political willingness to build on this result and to resume substantive settlement negotiations on the basis of the UN Secretary General's proposals as soon as possible.

Olympic Games

Mr. Dismore: To ask the Secretary of State for Foreign and Commonwealth Affairs what his policy is on the proposals by Greece for an Olympic Truce during the Olympic games in the summer of 2004; and if he will make a statement. [144877]

Mr. Mullin: The UK supports the idea of the Olympic Truce. It was pleased to co-sponsor the United Nations General Assembly resolution presented by Greece this year on 'Building a peaceful and better world through sport and the Olympic ideal', which included the concept of the Olympic Truce. Additionally, as a member of the European council, the UK agreed the presidency conclusions in Brussels on 12 December 2003, that "The European Council supports the idea of an Olympic Truce".

Pitcairn Island

Mr. Beith: To ask the Secretary of State for Foreign and Commonwealth Affairs when the Pitcairn Island criminal cases which are to be tried in New Zealand are expected to be heard; what discussions his Department have held with the Pitcairn *(a)* Chief Justice and *(b)* Supreme Court on this matter; and if he will list those who occupy the positions of (i) Lord Chief Justice and (ii) judges of the Pitcairn Supreme Court. [144117]

Mr. Mike O'Brien: No date has yet been fixed for the trials, and no discussions have taken place between the Governor and the Chief Justice on their timing. It would be inappropriate to do so at present since the Supreme Court is still hearing preliminary arguments.

The Chief Justice of the Pitcairn Supreme Court is Judge Charles Blackie. The other two Supreme Court judges are Judge Jane Lovell-Smith and Judge Russell Johnson.

Roger Short

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what steps he is taking to honour the memory of Consul-General Roger Short. [142935]

Mr. Mike O'Brien: A memorial service was held in Istanbul this week for Roger Short, and services for all those who lost their lives will be held in Istanbul early in the new year. We are discussing separately with Mr. Short's family and the families of the other members of staff who were killed what other forms of commemoration would be appropriate.

Student Visas

Mr. Hancock: To ask the Secretary of State for Foreign and Commonwealth Affairs pursuant to his answer of 8 December 2003, *Official Report*, column 239W, on student visas, what research he has *(a)* commissioned and *(b)* evaluated on the reasons for the increased number of (i) applications for student visas and (ii) refusals; and if he will make a statement. [143952]

Mr. Mullin: The Government have not directly commissioned any research into the increase in student applications. However, the British Council, which is partly funded by the FCO, has recently carried out research on the results of the Prime Minister's Initiative for international student recruitment which was launched in June 1999. Current indications are that the increases in the number of foreign student visa applications result from the success of the PMI marketing campaign aimed at attracting foreign nationals to study in the United Kingdom.

In 2000 there were 125,139 student applications of which 16.1 per cent. fell for refusal.

In 2002–03 there were 181,905 student applications of which 28.9 per cent. fell for refusal.

All visa applications are assessed individually on their own merits so it is not possible to draw any general conclusions for the rise in the refusal rate. Possible factors might include the abolition of pre-assessment by UK visas (under which applicants who were unlikely to be successful were given the option to withdraw before the application was formally made) and improved methods of detecting forged documents.

UN Declaration of Human Rights

Mr. Chaytor: To ask the Secretary of State for Foreign and Commonwealth Affairs if he will list countries which he considers to be in breach of Article 18 of the UN Declaration of Human Rights; in which respects each country is in breach; and if he will make a statement. [143192]

Mr. Mike O'Brien: We condemn instances where individuals or groups are persecuted because of their religion or belief. Where we believe a state to be in breach of its obligations in international human rights law, such as the obligation in Article 18 of the International Covenant on Civil and Political Rights to ensure the right to freedom of thought, conscience and religion, we take action, either alone or with our EU partners, on a case by case basis. Through our biannual Freedom of Religion Panel we work closely with NGOs and representatives of religious groups to identify countries and cases of particular concern. Our Annual Report on Human Rights highlights states which we believe to be the worst violators of the right to freedom of thought, conscience and religion. This list is by no means exhaustive, but we do not believe that a league-table approach to human rights violations would add value to the important work already undertaken by NGOs in this field. A copy of our Annual Report on Human Rights has been placed in the Library of the House.

Yemen

Keith Vaz: To ask the Secretary of State for Foreign and Commonwealth Affairs what the Government's policy is on the readmission of Yemen to the Commonwealth. [144228]

Mr. Mike O'Brien: Yemen has never been a member of the modern Commonwealth. At their Meeting in Edinburgh in 1997, Commonwealth Heads of Government considered an application from Yemen. They agreed it would be kept under review in the light of the criteria endorsed by the Commonwealth Heads of Government. We welcome Yemen's wish to meet the obligations which would be entailed by Commonwealth membership.

CONSTITUTIONAL AFFAIRS

1911 Census

Mr. Carmichael: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his Answer of 10 December, *Official Report*, column 457W, on the Census (1911), what powers the Lord Chancellor has under the Public Records Act 1958 to release details from the 1911 census before 2011; and what conditions concerning confidentiality were agreed to by those who participated in this census. [144889]

Mr. Leslie: Section 5(1) of the 1958 Public Records Act provided for the general release of records after 50 years, and this was reduced in 1967 to 30 years. This section of the Public Records Act gives the Lord Chancellor the power to vary the normal closure period in relation to specific classes of records with the approval, or at the request, of the relevant minister.

In 1966 the Lord Chancellor approved Instrument No.12, which sanctioned the closure of Decennial records for 100 years on the grounds that the information supplied by householders was given in strict confidence. The Open Government White paper (Cm 2290) of July 1993 recommended the retention of the 100 year closure period.

The conditions quoted on the 1911 Census Householder's Schedule give the following assurance of confidentiality: "The contents of the Schedule will be treated as confidential. Strict care will be taken that no information is disclosed with regard to individual persons. The returns are not to be used for proof of age, as in connection with Old Age Pensions, or for any other purpose than the preparation of Statistical Tables".

Call Centres

Mr. Austin Mitchell: To ask the Parliamentary Secretary, Department for Constitutional Affairs what steps he is taking to ensure that British data protection requirements apply to customer information used by call centres outside this country operated by *(a)* UK banks and *(b)* other UK financial institutions. [144890]

Mr. Leslie: Where a company established in the UK either processes personal data itself in another country or has personal data processed on its behalf under contract by a company in another country, the UK company retains full responsibility for ensuring that the processing complies with the requirements of the Data Protection Act 1998.

Compensation Orders

Mr. Oaten: To ask the Parliamentary Secretary, Department for Constitutional Affairs what *(a)* the total number and *(b)* the total value of compensation orders awarded by (i) magistrates' courts and (ii) Crown courts was in each criminal justice area in 2002. [144584]

Mr. Leslie: Information on the total number or the value of compensation orders awarded by magistrates' courts is not collected centrally by my Department.

The total number and the value of compensation orders made by the Crown court in each criminal justice area for 2002 is given in the following table entitled 'Compensation Orders made and total amount, by LCJB, 2002'.

In addition, attached the Home Office Criminal Statistics Publication (Table SI, 6(A)), which shows that in 2002, a total of 106,881 offenders were ordered to pay compensation at magistrates courts (excluding summary motoring offences).

Compensation orders made by the Crown court and total amount, by LCJB, 2002

Local Criminal Justice Board	*Number of compensation orders made*	*Total amount (£)*
Derbyshire	152	98,454.82
Leicestershire	144	179,472.18
Lincolnshire	67	68,548.96
Northamptonshire	49	39,606.05
Nottinghamshire	125	69,559.67
Bedfordshire	73	249,971.61
Cambridgeshire	94	73,438.10
Essex	215	319,416.80
Hertfordshire	57	66,557.85
Norfolk	113	59,077.24
Suffolk	72	88,959.29
London Metropolitan	1,182	11,373,072.86

Compensation orders made by the Crown court and total amount, by LCJB, 2002

Local Criminal Justice Board	*Number of compensation orders made*	*Total amount (£)*
Cleveland	152	110,066.31
Durham	83	132,746.01
Northumbria	160	255,430.89
Cheshire	157	388,541.05
Cumbria	53	21,682.43
Greater Manchester	534	321,195.93
Lancashire	233	247,622.39
Merseyside	188	143,121.33
Hampshire	274	429,798.61
Kent	187	548,588.63
Surrey	111	176,465.49
Sussex	182	207,725.46
Thames Valley	186	217,716.75
Avon and Somerset	192	221,299.70
Devon and Cornwall	237	387,890.73
Dorset	92	142,326.96
Gloucestershire	46	69,787.93
Wiltshire	51	215,217.59
South Wales	371	317,036.19
Staffordshire	178	124,713.92
Warwickshire	73	79,417.69
West Mercia	143	265,274.45
West Midlands	501	585,626.54
Humberside	114	94,516.51
North Yorkshire	57	80,119.69
South Yorkshire	226	180,578.13
West Yorkshire	259	240,631.82

Note:

Figures for Dyfed Powys and North Wales LCJB's are combined in the South Wales and Cheshire LCJB figures respectively

Table S1.6 (A) Offenders ordered to pay compensation at magistrates courts by amount of compensation, offence group and average compensation[1]

England and Wales 2002 *Number of offenders*

Offence group	*Total*	*Amount of compensation* *£25 and under*	*£26 up to and including £50*	*£51 up to and including £100*	*£101 up to and including £150*	*£151 up to and including £200*	*£201 up to and including £250*
Indictable offences							
Violence against the person	7,754	152	948	909	669	250	371
Burglary	3,515	77	399	325	251	470	159
Sexual offences	253	4	27	30	20	13	9
Robbery	568	1	48	26	11	143	5
Theft and handling stolen goods	16,667	534	1,349	1,003	592	5,321	513
Fraud and forgery	4,110	357	292	229	198	937	185
Criminal damage	4,731	86	503	524	306	391	194
Drug offences	12	—	1	—	—	—	2
Other indictable offences (excluding motoring offences)	1,044	41	95	78	59	63	28
Motoring offences	96	5	13	13	5	2	21
Total indictable offences	38,750	1,257	3,675	3,137	2,111	7,590	1,487
Summary offences (excluding motoring offences)	68,131	427	4,831	3,482	1,862	26,490	1,363
Total all offences (excluding summary motoring offences)	106,881	1,684	8,506	6,619	3,973	34,080	2,850
As sole or main penalty for all offences (excluding summary motoring offences)	7,144	127	762	640	359	866	292

	£251 up to and including £300	*£301 up to and including £500*	*£501 up to and including £750*	*£751 up to and including £1,000*	*Over £1,000*	*Average comp £*
Violence against the person	1,076	770	196	2,206	207	231
Burglary	565	330	128	747	64	208
Sexual offences	52	15	2	79	2	188
Robbery	178	1	5	149	1	79
Theft and handling stolen goods	2,789	922	412	2,955	277	186
Fraud and forgery	614	358	193	602	145	349
Criminal damage	883	383	133	1,233	95	201
Drug offences	2	—	2	5	—	177
Other indictable offences(excluding motoring offences)	227	68	26	336	23	253

	£251 up to and including £300	*£301 up to and including £500*	*£501 up to and including £750*	*£751 up to and including £1,000*	*Over £1,000*	*Average comp £*
Motoring Offences	7	6	2	18	4	332
Total indictable offences	6,393	2,853	1,099	8,330	818	217
Summary offences (excluding motoring offences)	12,164	2,134	682	14,354	342	99
Total all offences (excluding summary motoring offences)	18,557	4,987	1,781	22,684	1,160	142
As sole or main penalty for all offences (excluding summary motoring offences)	1,379	530	202	1,872	115	187

[1] Excluding summary motoring offences

Correspondence

David Winnick: To ask the Parliamentary Secretary, Department for Constitutional Affairs when the hon. Member for Walsall North will receive a reply to his letter of 13 November to Lord Filkin on the release of the 1911 Census records. [144856]

Mr. Leslie: I refer the hon. Member to my official's letter of 24 November in which we state that a reply will be sent by 22 December 2003.

Departmental Identity Cards

Mr. Webb: To ask the Parliamentary Secretary, Department for Constitutional Affairs what assessment he has made of the implications of the introduction of compulsory identity cards for the Department. [144341]

Mr. Leslie: My Department is continuing to discuss with the Home Office and others the programme of work announced by the Home Secretary on 11 November.

Electoral Commission

Denzil Davies: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his Answer of 8 December, *Official Report*, columns 350–51W, on the Electoral Commission, how potential applicants for the position of Chair and/or member of the Electoral Commission were informed that an open competition would be held; and how many applicants indicated that they wished to be considered for the position of Chair. [144895]

Mr. Leslie: The selection process for appointments for the position of Chair and/or member of the Electoral Commission began in April 2000 with publication in the press of advertisements inviting applications to fill the posts.

Due to the confidential nature of application forms it is not possible to state how many applicants indicated that they wished to be considered for the position of Chair.

Denzil Davies: To ask the Parliamentary Secretary, Department for Constitutional Affairs pursuant to his Answer of 8 December 2003, *Official Report*, columns 350–51W, on the Electoral Commission, if he will list the members of the selection panel which decided who should become Chair of the Electoral Commission. [144896]

Mr. Leslie: The members of the selection panel which decided who should become Chair of the Electoral Commission were: Elizabeth Filkin, the then Parliamentary Commissioner for Standards; Sylvia Denman, an academic lawyer specialising in equal opportunity issues; and Nigel Varney, the then Head of the Home Office Party Funding Unit. Sir David Omand, as the then Permanent Secretary at the Home Office chaired the panel.

Give as You Earn Scheme

John Barrett: To ask the Parliamentary Secretary, Department for Constitutional Affairs how many and what percentage of staff in his Department contribute to a charity through the Give as You Earn scheme; how much money is donated to charity per month by staff in his Department through the scheme; and what steps he is taking to encourage greater participation in the scheme by staff in his Department. [143897]

Mr. Lammy: Currently, 534 members of staff in the Department for Constitutional Affairs contribute to charity via the Give as You Earn scheme. This represents a little over 4 per cent. of total staff in the Department. In November 2003 contributions to charity under the scheme totalled £4,839. My Department has had discussions with "The Giving Campaign" to determine what more can be done to encourage contributing to charity through payroll, and as a first step we are planning in co-operation with them to promote the present arrangements in the Department's staff magazine early in the New Year.

Legal Aid

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on the implications for private practice in criminal work of the consolidation of the number of solicitors' firms to be supported under the legal aid franchise. [144882]

Mr. Lammy: The Legal Services Commission manages contracts with solicitors' offices which provide a comprehensive national network of quality assured legal services. The Commission is obliged by statute to ensure it achieves value for money and has therefore recently announced its intention to further develop its approach to contracting CDS services. In major urban areas, where services are often supplied through a multiplicity of relatively small contracted offices, this is likely to result in a reduction in the number of contracted offices, each undertaking greater volumes of work, but no reduction in the overall availability of services to the public. Outside the major urban areas, and particularly in rural areas, the Commission will be looking to provide arrangements which support and encourage supply in ways which recognise the need for access to quality services and the particular challenges facing solicitors in these areas.

Mental Incapacity Bill

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs what account is being taken in the Draft Mental Incapacity Bill of measures to improve support for people with learning disabilities requiring help to reach decisions affecting their future health needs. [144958]

Mr. Leslie: The Draft Mental Incapacity Bill will greatly improve decision making for people with learning disabilities by setting out the key principles that everyone must be assumed to have capacity and that 'all practicable steps' must be taken to help people make their own decisions. This will provide empowerment for people with learning difficulties in all decision making.

Tim Loughton: To ask the Parliamentary Secretary, Department for Constitutional Affairs what his plans are for the draft Bill on mental incapacity; and what his policy is on the timing of that draft Bill in relation to the revised Mental Health Bill. [142111]

Mr. Leslie: A draft Mental Incapacity Bill was scrutinised by a Joint Committee during the summer and their report was published on 28 November. My Department is working together with the Department of Health and stakeholders to consider the Committee's recommendations. We will seek to introduce the Bill in the current session of Parliament. With regard to the revised Mental Health Bill, there is no relationship between the timings of the two Bills, but I am aware that the Mental Health Bill will be subject to pre-legislative scrutiny early next week. My Department continues to work closely with the Department of Health to ensure that the proposals are consistent with each other.

Public Defender Service

Mr. Drew: To ask the Parliamentary Secretary, Department for Constitutional Affairs if he will make a statement on progress in expanding the role of the Public Defender Service. [144881]

Mr. Lammy: The Legal Services Commission opened two further Public Defender Service offices in 2003, making a total of eight offices. There are no current plans to open further offices before the end of the four-year pilot in 2005. But the Government and the LSC have always said that the PDS provides a flexible option to deliver criminal defence services where existing provision is low, or of poor quality. We will review the future role of the PDS in the provision of criminal defence services, taking into consideration the researchers' evaluations of the PDS.

HEALTH

Aphasia

Mr. David Stewart: To ask the Secretary of State for Health (1) what steps are being taken to develop and produce accurate measures of aphasia; [144525]

(2) what steps are being taken to improve the quality of services available to people with aphasia; [144526]

(3) what steps are being taken to support services development for people with aphasia based on accurate measures of need and performance; [144527]

(4) what steps are being taken to improve access to speech and language therapy for aphasic people. [144535]

Mr. Hutton: Primary care trusts have the responsibility of improving the health of the community, securing the provision of high quality services, and integrating health and social care locally. They have the resources to commission services, and to identify the number of professional staff that they need to deliver those services. This process provides the means for addressing local health needs within the community including the provision of speech and language therapy. No steps are being taken centrally to develop or produce measures of either the severity of aphasia or treatment outcomes.

Chemotherapy-induced Anaemia

Mr. Havard: To ask the Secretary of State for Health how many patients received blood transfusions for chemotherapy-induced anaemia in each year since 1997. [144494]

Miss Melanie Johnson: Information on the number of patients who receive blood transfusions for chemotherapy induced anaemia is not collected centrally.

Mr. Havard: To ask the Secretary of State for Health what steps are being taken to inform cancer patients about the alternatives to blood transfusion for chemotherapy-induced anaemia. [144495]

Miss Melanie Johnson: There is a national patient information leaflet produced by the National Blood Service for patients who may receive a blood transfusion. The leaflet includes a section on alternatives to blood transfusions—although this is directed principally at surgical rather than cancer patients. When the leaflet is next reviewed consideration will be given to providing more information on other possible alternatives to blood transfusion. In addition, guidance on information provision for cancer patients will be included in the supportive and palliative care guidance currently being produced by the National Institute for Clinical Excellence for publication next year.

Community Paediatric Service

Mr. Gardiner: To ask the Secretary of State for Health how many referrals of children up to the age of five years there were to the Community Paediatric Service in England and Wales in each year since 1997; and who initiated the referrals. [144137]

Dr. Ladyman: Information is not available in the form requested.

Data about new episodes of care with the community paediatric nursing services in England are published in "Patient Care in the Community, NHS Specialist Care Nursing, Summary information for 2002–03, England"—available at http://www.doh.gov.uk/kc590203.

The data collected do not include the age of the children involved or source of referral. The table shows numbers of new episodes in the financial years 1997–98 to 2002–03.

Initial contacts with community paediatric nurses, England, 1997–98 to 2002–03

	Number of initial contacts
1997–98	33,200
1998–99	36,000
1999–2000	37,100
2000–01	40,200
2001–02	41,100
2002–03	43,600

Note:

Referrals to community paediatric nurses are not necessarily the same as referrals to community paediatric services—which usually relate to medical services and a different client mix.

Correspondence

David Winnick: To ask the Secretary of State for Health when he will reply to the letter of 10 November 2003 from the hon. Member for Walsall, North, on the Royal Commission on Long Term Care, transferred to his Department from the Department for Work and Pensions. [144855]

Dr. Ladyman: A reply was sent to the hon. Member on 15 December 2003.

Delayed Discharges (Suffolk)

Mr. David Ruffley: To ask the Secretary of State for Health (1) what estimate he has made of the number of delayed discharge patients awaiting a domiciliary care package in Suffolk on the latest date for which figures are available; [143526]

(2) what percentage of delayed discharge patients in *(a)* England and *(b)* Suffolk West had been waiting over 28 days for a transfer of care on (i) 1 September 2003 and (ii) 1 September 2002. [143644]

Dr. Ladyman: There were nine patients in Suffolk who were delayed in hospital awaiting a domiciliary care package in their own homes at the beginning of December 2003.

In September 2003 in England, 26.3 per cent. of patients who experienced a delayed transfer of care from hospital for a period of 28 days or over, and in Suffolk West Primary Care Trust the figure was 38.89 per cent. This compares to 34.2 per cent. in England and 46.4 per cent. in Suffolk West PCT in September 2002.

Departmental Job Losses

Tim Loughton: To ask the Secretary of State for Health what the results were of the Executive Agency review of job losses in his Department; and what the cost of the review was. [143054]

Ms Rosie Winterton: My right hon. Friend the Secretary of State, announced at the Health Select Committee on 30 October that he intends to undertake a review in 2004 of the Department's arm's length bodies. This review will embrace executive non-departmental public bodies and special health authorities as well as executive agencies.

Electronic Care Record System

Mr. Austin Mitchell: To ask the Secretary of State for Health if he will increase the number of doctors in practice to make up any shortfall in the NHS as the integrated care record system is introduced. [142705]

Mr. Hutton: There will not be a need to increase the number of doctors in practice in the National Health Service as a consequence of the introduction of the integrated care record system. The system will in fact produce efficiency savings for clinicians across the NHS. For example, summaries of records will be available across the whole of the NHS along with the necessary information to support clinical decisions.

Some of the areas where doctors will save time include:

Summarising records which are transferred by post between general practitioner practices;

Having to read through large quantities of unsorted information prior to conducting consultations;

Waiting for paper based information including results to be transferred around hospitals and between trusts to facilitate clinical decisions;

Re-typing and re-entering information which has already been captured electronically elsewhere in the NHS.

Five-a-Day Programme

Chris Grayling: To ask the Secretary of State for Health how the participants are being selected for the FACET; and what its projected total cost is. [144561]

Miss Melanie Johnson: The impact of fruit and vegetable consumption in the 66 primary care trusts (PCTs) running Five-a-Day community initiatives is being evaluated using the Five-a-Day Consumption Evaluation Tool (FACET). The participants are being selected randomly from the electoral register for the 66 PCTS and control areas matched for multiple deprivation index. The total cost of the evaluation is estimated to be £330,000.

Chris Grayling: To ask the Secretary of State for Health how much his Department has spent on the *(a)* logo development and *(b)* communications programme for the National Five-a-Day Programme. [144572]

Miss Melanie Johnson: The Five-a-Day logo is part of a wider educational programme to provide clear and consistent information on the benefits of eating at least five portions of a variety of fruit and vegetables a day. The cost to date of developing the Five-a-Day logo and related communications, including materials for use in primary care settings throughout the national health service, has been £549,000.

Food Standards Agency

Barbara Follett: To ask the Secretary of State for Health (1) how many times in each of the last five years representatives of *(a)* the farming sector, *(b)* the food manufacturing sector, *(c)* the food retail sector, *(d)* consumer organisations, *(e)* academia and *(f)* other sectors have made presentations to the Food Standards Agency Board that are not recorded in the agency's board papers; [144025]

(2) how many briefing sessions not included in the agency's board papers have been held before the board of the Food Standards Agency. [144026]

Miss Melanie Johnson: A total of 42 informal briefing sessions have been arranged for the board of the Food Standards Agency (FSA) since it established on 1 April 2000, as shown in the table.

Total number of informal briefing sessions

	Number
2000	9
2001	10
2002	8
2003	15

It is normal practice for informal briefing sessions to include a range of stakeholders or individuals with different views or perspectives on an issue. Details of the total number of informal briefing sessions organised for the board of the FSA since it was established on 1 April 2000 are shown in the table. Also indicated is the number of times specific sectors have participated in these informal briefing sessions. The figures for other sectors include participation by Government Departments, chairs or members of expert/advisory committees, enforcement organisations, professional associations and individuals.

	2000	*2001*	*2002*	*2003*
Total number of informal briefing sessions	9	10	8	15
Including participation by the following groups:				
Farming sector	—	—	—	1
Food manufacturing sector	—	—	—	1
Food retail sector	—	2	—	1
Consumer organisations	2	3	1	4
Academia	2	1	—	2
Other sectors	15	18	12	20

The board of the FSA has recently agreed to publish the topics of, and (subject to their agreement) the groups invited to participate in, future informal board briefing sessions. This information will be published with papers put to open board meetings, beginning with the board's next open meeting on 12 February 2004.

Fraud

Mr. Burstow: To ask the Secretary of State for Health if he will make a statement on the amount of fraud in the NHS; and what research his Department has commissioned to estimate the level of unidentified fraud in the NHS. [144591]

Mr. Hutton: The National Health Service Counter Fraud and Security Management Service (NHS CFSMS) has an on-going programme of highly accurate risk measurement exercises—accurate to plus or minus 1 per cent.—designed to reveal levels of losses and, through repeated exercises, reductions in such losses, where they take place.

Phase one of these exercises concentrated on patient fraud. The tables show the results.

£ million

Year data selected	*Fraud losses*
Pharmaceutical patient fraud	
1998–99	117
1999–2000	69
Dental patient fraud	
1999–2000	40.3
2000–01	30
Optical patient fraud	
1999–2000	13.25
2001–02	10.17

A statistically valid sample of those prescriptions prescribed during March 2003 has been taken and a further measurement exercise has been completed. Further reductions in pharmaceutical patient fraud are anticipated and figures will be produced later this month.

Phase two of the programme is now focussing on contractor fraud within the NHS. As the measurement programme extends, it will enable NHS CFSMS to accurately assess the totality of NHS fraud.

Total patient fraud losses have reduced from approximately £170 million to £109.17 million per year, a reduction of 36 per cent. since the creation of NHS CFSin 1998.

Fraud in the NHS is not acceptable. It deprives the NHS of the resources needed for the delivery of patient care and the continuing improvement of frontline services.

Mr. Burstow: To ask the Secretary of State for Health what work the NHS counter-fraud unit is undertaking on the use of agency staff in the NHS; and if he will make a statement. [144595]

Mr. Hutton: The National Health Service Counter Fraud Service, now Counter Fraud and Security Management Service (CFSMS), was created in 1998 with a remit to tackle fraud and corruption within the NHS. So far, it has produced a financial benefit to the NHS of more than £295 million. It works with more than 400 professionally trained and accredited local counter fraud specialists covering every health body in England and Wales.

NHS bank and agency staff are an integral part of the NHS work force, but there is, unfortunately, a small minority of these staff who take advantage of the NHS and its resources. CFSMS have identified bank and agency timesheet fraud as a significant area of fraud and investigations, to date, have resulted in 33 criminal prosecutions. Some of the individuals involved have received terms of imprisonment ranging from nine to 21 months. Criminal prosecution is not the only action taken and CFSMS pursues a parallel sanctions policy, seeking to combine appropriate disciplinary procedures with civil action to freeze and recover assets.

The CFMS is engaged in a national proactive exercise aimed at highlighting system and policy weaknesses in the NHS. As a result, information will be sent to the whole of the NHS in England and Wales on how to improve systems, stop the fraudulent practices that put resources at risk and prevent bank and agency staff fraud in the future. Local counter fraud specialists in NHS organisations that use bank and agency staff have been required to check agency staff records, including timesheets, uncover incidents of fraud, assess systems used to monitor agency staff and deliver fraud awareness presentations to agency staff.

This is the first of several exercises to be developed by CFSMS that will see NHS counter fraud specialists proactively detect and investigate fraud and where necessary apply tough sanctions.

General Practitioners

Dr. Murrison: To ask the Secretary of State for Health if he will make a statement on the level of general practitioner involvement in community hospitals over the past three years; and what assessment he has made of how such involvement is likely to change in the next five years. [144400]

Mr. Hutton: We do not collect information centrally on the level of general practitioner involvement in community hospitals.

Following the "Choice and Opportunity consultation", we are committed to undertaking a review of the arrangements for medical staff other than consultants employed in secondary and community care environments. Details of the scope of such a review will be considered in the light of the "Choice and Opportunity" consultation.

Health Authority Staff

Mr. Norman: To ask the Secretary of State for Health how many staff are employed within each strategic health authority in England broken down by staff group. [141916]

Mr. Hutton: Information on the number of staff employed within each strategic health authority area in England broken down by staff group as at September 2002 has been placed in the Library.

Health Protection Agency

Tim Loughton: To ask the Secretary of State for Health what improvements in *(a)* fighting infection and *(b)* dealing with chemical and radiological health issues have resulted from the replacement of the Public Health Laboratory Service with the Health Protection Agency. [144142]

Miss Melanie Johnson: The Health Protection Agency (HPA) has integrated into one organisation expertise which was previously located in a number of different bodies and published its first business and corporate plan in August, which identifies a wide range of key targets for its first five years.

Since it was created, on 1 April 2003, the HPA has set up nine regional and 36 health protection teams across the country to bring a consistent approach to public health threats, and it has provided active management or assistance in a number of health protection activities. These include: an effective contribution to the international management of severe acute respiratory syndrome; leading the investigation of and assisting in the management of a national outbreak of salmonella infection; and providing expert advice in respect of a number of chemical incidents.

Healthy Living Centres

Chris Grayling: To ask the Secretary of State for Health what the total funding being made available for Healthy Living centres is. [144564]

Miss Melanie Johnson: In total, £300 million was made available by the New Opportunities Fund for healthy living centres across the United Kingdom, of which £233 million was for England.

To date, 257 awards, worth £204 million, have been made in England.

Chris Grayling: To ask the Secretary of State for Health what funding is being made available for Healthy Living centres with a focus on tackling obesity. [144567]

Miss Melanie Johnson: The information requested is as follows:

114 healthy living centres (167 in the United Kingdom) are providing activities covering diet and nutrition and 207 healthy living centres (282 in the UK) are offering physical and sporting activities, which contribute to tackling obesity and which support other significant preventive health objectives such as reducing the risk of cancer and type- two diabetes.

Mental Health

Mr. Jim Cunningham: To ask the Secretary of State for Health what steps his Department is taking in conjunction with his counterparts in the Department for Education and Skills to promote awareness of links between physical and mental health in young people. [144842]

Dr. Ladyman: The children's national service framework (NSF) will provide an integrated view across all aspects of child health and development including the promotion of good physical and mental health of young people in schools and elsewhere. The Department for Education and Skills and the Department of Health are working jointly on the development of the NSF.

Ministers in the Department of Health and the Department for Education and Skills have many regular meetings in which they have discussed health promotion and emotional well-being. In addition, officials at both Departments meet frequently to discuss services for children.

Mr. Burstow: To ask the Secretary of State for Health what the average waiting time for an appointment in mental health for patients under the age of 18 in *(a)* England and *(b)* each strategic health authority was in each of the last six years. [143711]

Mr. Hutton: The tables show the average (median) waiting times for first consultant out-patient appoint following general practitioner referral for the specialty child and adolescent psychiatry. As strategic health authorities have only been in existence since April 2002, it has only been possible to provide figures for one year.

Average (median) waiting times for 1st consultant out-patient appointment following GP referral: child & adolescent psychiatry: England

	Median waiting times (weeks)
1997–98	6.4
1998–99	6.1
1999–2000	5.9
2000–01	5.2
2001–02	6.5
2002–03	6.8

Source:
Department of Health form QM08.

Microbiologists

Tim Loughton: To ask the Secretary of State for Health (1) how many consultant microbiologist posts are vacant in the NHS, broken down by region; [144372]

(2) how many new consultant microbiologist posts have been created in England in each of the last six years; [144373]

(3) how many training posts in microbiology *(a)* have been filled and *(b)* were available in each of the last six years. [144374]

Mr. Hutton: Vacancy data are collected by the Department of Health as three-month vacancies as at 31 March each year. These are vacancies which trusts are actively trying to fill, which have lasted for three months or more.

The table shows the number of three-month microbiology and virology consultant vacancies as at 31 March 2003, by strategic health authority.

Consultant three month vacancy rate in medical microbiology and virology for England at March 2003 by strategic health authority—England

Strategic health authority name	Vacancy rate (percentage)	Number of vacancies	Staff in post (WTE)
England			
Norfolk, Suffolk and Cambridgeshire	0.0	0	14
Bedfordshire and Hertfordshire	[1]—	2	8
Essex	11.5	1	8
North West London	0.0	0	13
North Central London	4.9	1	19
North East London	0.0	0	14
South East London	0.0	0	14
South West London	8.0	1	12
Northumberland, Tyne and Wear	10.5	2	17
County Durham and Tees Valley	[1]—	0	9
North and East Yorkshire and Northern Lincolnshire	0.0	0	11
West Yorkshire	6.0	1	16
Cumbria and Lancashire	0.0	0	14
Greater Manchester	4.9	1	20
Cheshire and Merseyside	0.0	0	18
Thames Valley	0.0	0	17
Hampshire and Isle of Wight	0.0	0	12
Kent and Medway	[1]—	1	4
Surrey and Sussex	12.4	2	14
Avon, Gloucestershire and Wiltshire	5.8	1	16
South West Peninsula	0.0	0	13
Dorset and Somerset	[1]—	0	7
South Yorkshire	0.0	0	11
Trent	0.0	0	14
Leicestershire, Northamptonshire and Rutland	[1]—	0	8
Shropshire and Staffordshire	[1]—	0	8
Birmingham and The Black Country	4.3	1	22
Coventry, Warwickshire, Herefordshire and Worcestershire	[1]—	0	10
Public Health Laboratory Service	15.1	5	28

[1] Figures where sum of staff in post and three month vacancy are less then 10.

Notes:

1. Staff in post data are from the Medical and Dental Census, March 2003.
2. Staff in post data exclude staff employed by Health Authorities, as vacancy information was only collected from Trusts, PCTs and Special Health Authorities.
3. Vacancy and staff in post numbers are rounded to the nearest whole number.
4. Calculating the vacancy rates using the above data may not equal the actual vacancy rates.

The Department does not collect data on the number of newly appointed consultants in microbiology and virology. Workforce data are collected through the annual Department of Health medical workforce census. Thecensus is a snapshot of data as at 30 September in the appropriate year. The information in the table shows the net increase in the number of microbiology and virology consultants since 1997:

Hospital, Public Health Medicine and Community Health Services (HCHS): Consultants within the medical microbiology and virology specialty—England

	Number (headcount)
1997	358
1998	362
1999	370
2000	389
2001	397
2002	431
March 2003	425
June 2003	383

Note:

Data as at 30 September 1997 to 2002, 31 March 2003 and 30 June 2003

Source:

Department of Health medical and dental workforce census

The drop in the number of consultants between March and June 2003 is due to the re-categorisation of consultants to other specialties.

Information on the number of training posts filled and available is not collected. The table shows the number of doctors in training in the specialty between September 1997 and September 2002. Numbers increased by 29 per cent. during this period.

Hospital, Public Health Medicine and Community Health Services (HCHS): Doctors in training within the medical microbiology and virology specialty—England at 30 September each year

Number (headcount)

	1997	*1998*	*1999*	*2000*	*2001*	*2002*
Doctors in training	139	136	142	141	156	179
of which:						
Registrar Group	125	125	131	121	143	162
Senior House Officer	14	11	11	20	13	17
House Officer	—	—	—	—	—	—

Note:

'—' denotes zero

Source:

Department of Health medical and dental workforce census

In 2003–03, central funding has been provided to support the implementation of eight additional specialist registrar (SpR) posts in microbiology and virology. Trusts also have the opportunity to locally fund up to 10 SpR training opportunities.

Midwives

Mr. Baron: To ask the Secretary of State for Health (1) how many midwives *(a)* left and *(b)* entered the profession in each of the last six years in *(a)* London and *(b)* each region; what the turnover rate was in each case; and what the average age of a practising midwife was in each case; [144202]

(2) what the average period was that a midwife had worked in the profession before leaving in each of the last six years, *(a)* in London and *(b)* in each region; [144210]

(3) what the average overtime worked by a midwife was in each of the last six years, broken down by region; [144211]

(4) what the three-month midwifery vacancy rates were in each of the last six years in each *(a)* strategic health authority and *(b)* Government region area; and how many staff were in post in each case, broken down by (i) whole-time equivalent and (ii) headcount; [144246]

(5) how many and what percentage of midwives working in the NHS were *(a)* full-time and *(b)* part-time in each of the last six years. [144287]

Mr. Hutton *[holding answer 15 December 2003]*: Information on the number of midwives leaving and entering the profession, the average period that a midwife has worked in the profession before leaving, and the average overtime worked by a midwife is not collected centrally.

Information on the average age of a practising midwife in London and each region and the number and percentage of midwives working in the National Health Service who were full-time and part-time in each of the last six years has been placed in the Library.

Information on the rate of vacancies for midwives lasting three months or more since 1999 by Government Office for the Region, and since 2002, the first year the data was collected by strategic health authority, and a breakdown of staff in post in each case, broken down by whole-time equivalent and headcount has also been placed in the Library.

Mr. Amess: To ask the Secretary of State for Health whether student midwives will continue to have their liability for tuition fees met on their behalf by the NHS, without means testing, regardless of any increase in the level of fee. [144127]

Mr. Hutton: Existing contracts for midwifery training between strategic health authorities and higher education institutions cover the full cost of training, including the personal tuition fee. The consultation document, "Funding Learning and Development for the Healthcare Workforce", sets out our proposal for a national model contract. It is intended that this contract for national health service-funded pre-registration courses, to be introduced from 1 April 2004, will specifically prohibit the charging of top-up fees to students. If, under the proposed top-up fee arrangements, the existing tuition fee continues to be levied on students, then it will continue to be met by the NHS without means testing.

National Health Statistics

Mr. Baron: To ask the Secretary of State for Health (1) if he will list all the National Health statistics which the Government has decided no longer to *(a)* collect and *(b)* publish during the last three years; [143795]

(2) if he will publish, for each of the last six years for which figures were available, each set of national statistics which the Government has decided not to collect during the last three years; [143796]

(3) if he will publish, for each of the last six years for which figures are available, each set of statistics which the Government is considering no longer collecting; [143797]

(4) if he will list the national health statistics which the Government is considering no longer collecting or publishing; and which of these are undergoing a consultation process at present to assess the value of continuing to collect them. [143798]

Mr. Hutton *[holding answer 15 December 2003]*: The Department is committed to minimising the burden on national health service and social care staff of collecting information while ensuring that information required to monitor performance and measure activity within health and social care system is available. As priorities change, statistical collections are reviewed and may be dropped or revised, or new collections may be implemented.

The Department is currently undertaking a thorough review of NHS statistical collections to reduce the burden that the centre places on the NHS. Details of the Department's current NHS statistical collections are available on the Department's website at www.doh.gov.uk/stats/rocr. Details of NHS collections discontinued between 1997 and 2003 are shown in table 1; information on other returns and publications discontinued in the last three years are shown in tables 2 and 3.

Table 1—NHS collections discontinued between 1997 and 2003

Return description	*Reference*	*Year last collected*	*Work area*
GP Fundholders and Health Authority commissioning activity and continuing care returns	CIC, QMX, OT	1997	Hospital and Community Activity
Wheelchairs and Artificial Limbs	K073	1997	Hospital and Community Activity
Purchasing Intentions of NHS Trusts	P1(1), P1(2)	1997	Hospital and Community Activity
NHS Performance Tables-Unit Details and data collection	PT1&PT2	1997	Hospital and Community Activity
Summary of NHS Trust Activity	QMX5	1997	Hospital and Community Activity
Additional data items to be collected on waiting time returns		1997	Hospital and Community Activity
Clinical Effectiveness Monitoring	CLINMON	1997	Hospital and Community Activity
Contract Cost Analysis	MCP700	1997	Estates
Maternity Medical Services Provided by GMPs	SBE504	1997	Primary care
Contraceptives Services Provided by GMPs	DI24	1997	Primary care
Primary Care Act Pilots (PCAPS)		1997	Primary care
ECR—ECR Tariffs	ECR-ECR	1997	Finance
Market Testing: Annual Returns & Result Cards	EL(96)84	1997	Finance
GP Fundholder Expenditure from Savings During year and Savings Available to Spend	PC1–05, PC1–06	1997	Finance
Plan Memorandum Information	T8P	1997	Finance
Trust Funds returns	TAC101–109	1997	Finance
Monitoring Local Pay	LPNMIa	1997	Workforce
Public Sector Payment Policy Performance	(TN6)	1998	Finance
Cash Flow Forecast	T7P	1998	Finance
Abolition of HFR20 -Payments made from the joint finance allocation		1999	Finance
Professional Advice and Support Programmes: Maternity Services (KC54)	KC54	2000	Hospital and Community Activity
HFR Summary Return of Patient Activity	KP70	2000	Hospital and Community Activity
General Ophthalmic Services (GOS) losses and Recoveries		2000	Primary care
GP Fundholding Budget and Expenditure	PC1–01 to 04	2000	Finance
Monitoring of Delayed Discharges	CCMON	2000	Miscellaneous
Availability of Dentistry: Quarterly monitoring report	A6	2001	Primary care
Clinical Psychology Services	KT24	2003	Hospital and Community Activity

Table 2—Other statistical collections discontinued

	Last collected
RH(N) Nursing care homes	31 March 2001
RA Residential homes	31 March 2001
Registration and inspection survey (number of home closures, etc.)	2000–01
Mid year data for seven Social Services Performance Framework (PAF) indicators	2002–03

Table 3—Statistical publications discontinued in the last three years

	Last published
Activity, workload and resources of local authorities, health authorities and joint inspection clients; summary results of a survey in England	1999–2000
Community maternity services (KC54)	1999–2000
Residential Personal Social Services for adults (part now published as supported residents)	2000–01
Private Nursing Homes, Hospitals and Clinics	2000–01
Clinical psychology services (KT24)	2002–03

Patient Deterioration

Mr. Rosindell: To ask the Secretary of State for Health what research he has commissioned on the extent to which patients suffer deterioration in their disease prior to having an operation in *(a)* the United Kingdom, *(b)* Europe and *(c)* the United States. [143438]

Mr. Hutton: The Department has not directly commissioned such research, however, it has helped to initiate and is an active participant in a two year international Organisation for Economic Co-operation and Development project on waiting times for elective surgery.

Nurses

Mr. Ruffley: To ask the Secretary of State for Health what the average number of nurses per 100 beds was in *(a)* England and *(b)* the West Suffolk NHS Trust in each year since 1997. [143532]

Mr. Hutton: The information requested is shown in the table. Since 1997, the average number of nurses to every 100 beds in England has increased from 151 to 189 in 2002. In West Suffolk Hospitals National Health Service Trust, the number has increased from 100 to 127 in the same period.

NHS hospital and community health services: All qualified nursing, midwifery and health visiting staff per one hundred 'total available beds' in England and the West Suffolk Hospitals NHS Trust as at 30 September each specified year

	England		*West Suffolk Hospitals NHS Trust*	
	Headcount	*Whole-time equivalent*	*Headcount*	*Whole-time equivalent*
1996–97	151	124	100	72
1997–98	157	128	86	64
1998–99	163	132	107	79
1999–2000	170	138	110	81
2000–01	178	143	121	93
2001–02	189	152	127	97

Notes:

Figures are rounded to the nearest whole-number

The 'total available beds' figure is the daily number of open and staffed beds on wards open overnight in NHS hospitals in England.

Source:

Department of Health Non-medical Workforce Census. 'Total available beds' figures are submitted annually on form KH03 by each NHS Trust

Obesity

Chris Grayling: To ask the Secretary of State for Health if he will list the projects being funded by his Department to tackle obesity. [144565]

Miss Melanie Johnson: The Department are leading on developing a Food and Health Action Plan, which will shape, co-ordinate and drive action to improve public health in England through better diet. Action on physical activity will be guided by an activity co-ordination team, jointly led by the Department of Health and the Department of Culture, Media and Sport. These two initiatives will be of direct relevance to the prevention and management of obesity and will provide the overall strategy.

Projects funded by the Department which contribute to tackling obesity include:

79 practice based projects to increase breast feeding and the annual National Breastfeeding Awareness Week

the reform of the Welfare Food Scheme

the Food in Schools programme

the communications strand of the Five-a-Day Programme

resources by non-Governmental organisations, including the British Dietetic Association Weight Wise website and Weight Concern's toolkit on obesity and guidance for health professionals for family-based behavioural treatment for childhood obesity

work with industry to address the sugar, fat and salt content of the diet

local exercise action pilots

the distribution of pedometers via general practitioner practices

the National School Fruit Scheme.

Primary care trusts allocate funding from their own devolved budgets to deliver national targets and milestones and to meet local priorities, including work relating to diet, physical activity and obesity.

Orthopists

Mr. Oaten: To ask the Secretary of State for Health what estimates he has made of the number of orthopists needed in the Health Service by 2006. [144190]

Mr. Hutton *[holding answer 15 December 2003]*: Separate information is not collected in the non-medical workforce census on the number of orthopists employed in the National Health Service. The Delivering the NHS Plan target for increasing the number of therapists and scientists by 30,000 by 2008, over 2001 levels, includes orthotists as does the NHS Plan target for increasing the number of therapists and other key professional staff by 4,450 by 2004 over 1999 levels.

There is only one course in England for prosthetists and orthopists that is commissioned by Cumbria and Lancashire Working Development Confederation. In 2002–03, there were 30 training places with 32 forecast for 2003–04.

Paediatricians

Tim Loughton: To ask the Secretary of State for Health how many consultant paediatricians have left the NHS in each of the last six years; and for what reasons. [143048]

Mr. Hutton: The Department does not collect data centrally on, or reasons for, the number of leavers in the national health service.

As part of the Department's recruitment and retention strategy, we are taking forward a programme of work to address key issues of concern to the medical profession. This programme of work is part of the "Improving Working Lives" initiative, which enables all staff, including consultants to strike a better balance between work and other aspects of their life outside work.

Prisoners

Julie Morgan: To ask the Secretary of State for Health what proportion of the 2002–03 budget for mental health in-reach work in prisons is dedicated specifically to women prisoners. [144069]

Dr. Ladyman: In 2002–03, £3,375,000 was made available for National Health Service mental health in-reach services in prison establishments in England, of which £425,000, or 12.5 per cent., was for services at six establishments holding only women. The comparable figures for 2003–04 are £9,400,000 and £903,000, or 9.6 per cent., at 11 establishments.

Julie Morgan: To ask the Secretary of State for Health what steps he is taking to ensure a consistent structure of oversight for prisoners' healthcare during the transfer of responsibility from HM Prison Service to the NHS. [144071]

Dr. Ladyman: In addition to routine performance monitoring by the Prison Service, Her Majesty's Inspectorate of Prisons and the independent monitoring boards at individual establishments oversee prisoners' healthcare. The Commission for Health Improvement's (CHI) responsibility for conducting reviews and investigations of healthcare extends to health services for prisoners commissioned or provided by National Health Service bodies. The Commission for Healthcare Audit and Inspection (CHAD will succeed CHI from April 2004.

Transfer of responsibility for commissioning health services for prisoners to NHS primary care trusts (PCTs) is due to begin in selected locations from April 2004, leading to full devolution of prison health resources to PCTs by the end of March 2006. As this process develops, prisoners' healthcare will come within the ambit of the normal NHS monitoring systems. We are considering with HM Inspectorate of Prisons and CHAI how the external inspection arrangements for prison health services should develop in the light of these changes.

Public Health Laboratory Service

Tim Loughton: To ask the Secretary of State for Health what the funding levels were for the Public Health Laboratory Service in each of the six years before its abolition; and if he will make a statement. [144370]

Miss Melanie Johnson: The funding levels for the Public Health Laboratory Service (PHLS) in each of the six years in question are shown in the table.

(£000)

	Revenue	*Capital*	*Total*
2002–03	62,867	4,337	67,206
2001–02	58,207	5,355	63,562
2000–01	58,423	3,695	62,118
1999–2000	59,211	3,924	63,135
1998–99	58,321	2,030	60,351
1997–98	56,385	3,239	59,624

Source:
PHLS audited published annual accounts.

Tim Loughton: To ask the Secretary of State for Health for what reasons the regional networks of microbiology laboratories were disbanded. [144371]

Miss Melanie Johnson: The Public Health Laboratory Service's regional network of microbiology laboratories has been replaced by the Health Protection Agency's (HPA) local and regional services division, which has a network of eight regional laboratories. This is supported by more than 300 National Health Service microbiology pathology laboratories across the country. The HPA has regional microbiologists (a newly created post in microbiology), who, working with regional epidemiologists and local communicable disease control teams, ensure that the public health outputs of the laboratories in their regions are maintained. This is a more comprehensive coverage of the public health needs across the country than was previously possible, filling some of the surveillance gaps identified by the Chief Medical Officer in his strategy for combating infectious diseases, Getting Ahead of the Curve.

Respiratory Syncytial Virus

John Mann: To ask the Secretary of State for Health whether premature babies discharged from Guys and St. Thomas' Hospital in the last three months who were given the first course of their preventive treatment for respiratory syncytial virus will continue to receive that treatment by the hospital until their course is completed. [143682]

Mr. Hutton: Guy's and St Thomas' National Health Service Hospital Trust has confirmed that all babies who meet the Joint Committee on Vaccination and Immunisation (JCVI) criteria for preventative treatment for respiratory syncytial virus (RSV), including those for whom a programme has already been initiated, will have their full course of injections provided by the hospital. The protocol in use is the same as that used by other neonatal units in the Region.

A second group of eight babies, who do not fulfil the criteria set out by the JCVI, were given the first dose at the hospital. The trust has reviewed the evidence and guidelines for this group in discussion with primary care trusts (PCTs) and parents, and is deciding on a case-by-case basis whether or not to continue the treatment.

The trust has agreed with PCTs that it will not commence any new RSV courses which fall outside the current criteria without prior agreement with the regional specialist on infectious disease and agreement with the PCTs on funding for the whole course.

Self-administered Treatments

Andy King: To ask the Secretary of State for Health (1) what his policy is towards new treatments which allow patients to self-administer at home; [144549]

(2) what steps he is taking to help patients access new treatments which allow them to self-administer their treatment at home when recommended by their clinician. [144550]

Ms Rosie Winterton: The Government's policy is to promote self-care and give patients greater control over their treatment. On 9 December, we published "Building on the Best: Choice, Responsiveness and Equity in the NHS". This document broadly sets out how we need to make the national health service more responsive to patients by offering more choice across the spectrum of health care. Redesigning services around the wishes and choices of different groups of service users will improve access to care and treatment and reduce health inequalities.

Speech and Language Therapists

Mr. David Stewart: To ask the Secretary of State for Health whether speech and language therapy undergraduates will be charged top-up fees from 2006. [144536]

Mr. Hutton: Existing contracts between strategic health authorities and higher education institutions cover the full cost of training and top-up fees are not charged. The consultation document, Funding Learning and Development for the Healthcare Workforce, sets out our proposal for a national model contract. It is intended that this contract for National Health Service-funded pre-registration courses, which will include speech and language therapy undergraduates, to be introduced from 1 April 2004, will specifically prohibit the charging of top-up fees to students.

Tuberculosis

Mr. Hancock: To ask the Secretary of State for Health pursuant to his Answer of 8 December 2003, *Official Report*, columns 319–20W, on tuberculosis, what research he has *(a)* commissioned and *(b)* evaluated on the reasons for the increase in TB cases; what steps are being taken to deal with the problem; and if he will make a statement. [143951]

Ms Rosie Winterton: The Department has not commissioned any research into the increase in tuberculosis cases. Within any given area, the number of notified cases fluctuates from year-to-year. The number of cases of tuberculosis notified nationally declined until the mid-1980s, but has been generally rising since then. The fluctuations in the number of tuberculosis cases in the Portsmouth and South East Hampshire area are not considered to have any additional significance beyond the national trends. At a local level, health professionals are constantly monitoring any cases and keeping the situation under general surveillance.

The Department ran a national tuberculosis awareness campaign in 2002. This aimed to increase the awareness of tuberculosis, encourage early access to diagnosis and treatment and reduce delays in diagnosis and completion of treatment and encourage early diagnosis for cases of active tuberculosis and preventative measures. As a result of the campaign and improved surveillance, both detection and diagnosis of the condition has improved.

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PARLIAMENTARY DEBATES

OFFICIAL REPORT

SIXTH SERIES **VOLUME 415**

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Printed indexes to Hansard

The volume index is one of three printed indexes to Commons Hansard produced from the House of Commons Library's Parliamentary On-Line Indexing Service (POLIS). It contains references to material in the bound volume of Hansard. The other indexes produced are:

- The index to the daily parts of Hansard. This covers the same date range as the volume index but references may be different as a result of changes to the text and column numbering.
- The sessional index to Hansard. This contains references to material in the bound volumes for a whole session.

Indexes on the Parliamentary website

Daily part and volume and indexes covering material from the beginning of the 1999/2000 session will also appear on the Parliamentary website at http://www.parliament.uk with links to the full text of Hansard.

SCOPE

The indexes include entries covering:

- The content of all material recorded in Hansard, including debates, procedural motions and questions.
- The names of all Members contributing to the Parliamentary business recorded in Hansard.
- The names of some types of Parliamentary business whenever they occur in Hansard. These are 'Ministerial statements', 'Business statements', 'Opposition days' and 'Estimates days'.

ARRANGEMENT

- All headings are in one word-by-word alphabetical sequence, with Members' contribution entries distinguished from other entries by italics.
- Where a Member contributes to Parliamentary business and is the subject of Parliamentary business there are separate contribution and subject entries, the subject entry coming first.
- Entries beginning 'Mac' and 'Mc' are sorted in one sequence as 'Mac'.
- 'St', when abbreviated for Saint, is filed as 'Saint'.
- Numbers are filed as if spelt out, e.g. '10 Downing Street' as if 'Ten Downing Street'.

HEADINGS

Choice of headings

- *Specificity*—Entries summarise the overall content of a debate or question as specifically as the various POLIS thesauruses allow. For example, Education, Higher education, Universities or the name of a particular university is used depending on the breadth of the item.
- *Name headings*—Specific entries are included for the names of people, places, institutions, organisations, committees, programmes, initiatives, publications and legislation when these constitute the overall subject of an item.
- *Organisations and subjects*—Organisation entries are preferred for material about the general performance, administration and staffing of an organisation (for example, United Kingdom Passports Agency, Standards). Subject entries are preferred for what organisations do as part of their duties (for example, Passports, Fees and charges).

Geographical coverage

- *Subject headings*—Subject headings are assumed to refer to the whole of England, Great Britain or the United Kingdom unless otherwise stated.
- *Scotland, Northern Ireland and Wales*—Material relating to the whole of Scotland, Northern Ireland and Wales is indexed under these headings.
- *Places within the UK*—Material about specific towns, areas and institutions is entered under the name of the specific town, area or institution.
- *Foreign countries*—Most material relating to foreign countries is collected under the name of that country. Some additional material may be found under the names of—groups of countries, areas within countries, geographical features, place names associated with particular issues, politicians and heads of state, international bodies, and institutions and companies operating in those countries.
- *EC/EU material*—General material about the European Communities and European institutions as bodies is entered under 'European Communities' and 'EC institutions'. Organisational material about specific communities and institutions is entered under the name of the body, for example 'European Coal and Steel Community' or 'European Parliament'. Material about what the Communities and institutions are doing or propose to do is entered under various subject headings beginning 'EC' such as 'EC environmental policy'.

Parliamentary material and business

- *Material about Parliament*—This is indexed under 'Parliament', the names of the two Houses, the 'Palace of Westminster' and parts of the Parliamentary estate (such as 'Portcullis House').
- *Committees*—Material about committees is indexed under 'Committees', types of committee (such as 'Select committees') and the names of individual committees (such as 'Home Affairs Select Committee').
- *Parliamentary proceedings/procedures*—Material discussing these is indexed under the specific type of proceeding (such as 'Parliamentary questions' or 'Oral questions'), procedure (such as 'Calling of Members') or issue (such as 'Unparliamentary expressions').
- *Legislation*—Entries for Parliamentary proceedings on bills and statutory instruments are entered under their titles. Where the lead word of the bill or statutory instrument does not provide a full or clear indication of the subject there are additional subject entries when the bill or instrument is debated. For example, debates on the 'Child Support Pensions and Social Security Bill' have entries under 'Pensions' and 'Social security benefits' as well as under the title of the Bill.
- *Members' names*—These are given in the form by which the Member prefers to be known.
- *Speaker and Chair*—Contributions by the Speaker and deputies are brought together under the heading 'Speaker and deputies'. Contributions from the chair during Committees of the Whole House are brought together under 'Chairman of Committee of the Whole House'. Significant rulings and statements (as opposed to routine comments) are indicated by the sub-heading 'Rulings and statements' in both cases.

Guidance on headings

- *Cross references*—'See' references indicate all the material has been entered under another heading. 'See also' references indicate that additional information may be found under another heading.
- *Concept thesaurus*—A copy of the subject thesaurus to POLIS, listing the concept entries used in the index, is available on the Parliamentary website. A hard copy is available from the Head of the POLIS Unit, House of Commons Library, 1 Derby Gate, London, SW1A 2DG (020 7219 6456).

REFERENCES

- References in the indexes are to columns rather than pages.
- References to debates, but not questions, are accompanied by the date of the item.
- There are separate sequences in Hansard for the material taken on the floor of the House, Westminster Hall sittings, written statements and written questions:
  - References consisting of a number by itself indicate material taken on the floor of the House.
  - References ending in 'wh' indicate Westminster Hall sittings.
  - References ending in 'ws' indicate written statements.
  - References ending in 'w' indicate written questions.
- References under all headings except the names of Members contributing to Parliamentary business and the titles of legislation are listed in one numerical sequence irrespective of whether the material is taken on the floor of the House, is discussed at a Westminster Hall sitting, is a written statement or is a written question.
- References under the names of Members contributing to Parliamentary business and the titles of legislation are listed in numerical sequence under the following headings:
  - *Chamber Debates* (which includes interventions and points of order as well as significant contributions to debates);
  - *Westminster Hall Debates* (covering all debates held as part of the Westminster Hall sittings);
  - *Written Statements* (consisting of ministerial statements issued in writing); and
  - *Questions* (which includes all written, oral and urgent questions).

ABBREVIATIONS

The following abbreviations are used in connection with the progress of bills:

- 1R = First reading
- 2R = Second reading
- Com = Committee stage
- Rep = Report stage
- 3R = Third reading
- res = resolution
- amendt(s) = amendment(s)
- * = matter taken formally without debate or division
- (HL) = Bill starting in House of Lords
- (SP) = Bill in Scottish Parliament.

Parliamentary background

- The Parliamentary website at http://www.parliament.uk contains a range of information about Parliament and the full text of some Parliamentary papers and proceedings including Hansard.
- Information on current Parliamentary business is provided in the House of Commons Information Office *Weekly Information Bulletin*, available on the website and from The Stationery Office (020 7873 8499).
- Further information on Parliamentary proceedings and procedures is available from the House of Commons Information Office (020 7219 4272).

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